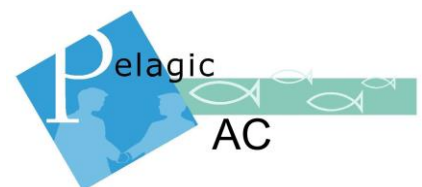


# PELAGIC ADVISORY COUNCIL

Newsletter 1/2016

January-March 2016



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# PELAC MEETINGS

## **Vla HERRING MEETING (27 JANUARY 2016, DEN HAAG)**

The Pelagic AC's focus group on Vla herring met to discuss together with scientists and representatives of the Irish and Scottish administration how to proceed in regards to developing a rebuilding plan and return to two separate stock assessments.

The current problem is that catches of Vla herring cannot be differentiated as belonging either to the northern or the southern spawning stock. To solve this issue the pelagic industries from Scotland, Ireland and The Netherlands as well as the Irish and Scottish administrations intend to provide funding for a genetics project that aims at developing a large number of specific genetic markers and to automate the screening process. In the future this method can be used to differentiate catches and hence have two separate assessments again.

Furthermore the pelagic industry intends to carry out a series of mini-surveys during spawning in close collaboration with fisheries scientists following examples set in Canada and other parts of the world. The results of these mini-surveys will provide estimates of minimum biomass of both spawning stocks which would increase the knowledge base of these stocks. This information could also be used as part of a rebuilding plan and possibly to derive a TAC value in 2017.

Future work should also focus on recruitment by collecting larval samples, possibly during the IBTS.

## **CONTROL FOCUS GROUP MEETING (28 JANUARY 2016, DEN HAAG)**

The Pelagic AC's control focus group met with representatives of the Scheveningen control expert group (CEG) and representatives of DG MARE to discuss the Scheveningen CEG report and the Commission's consultation on the evaluation of the control regulation.

The effectiveness and efficiency of different control tools were discussed as well as the fisheries categorization scheme based on likelihood and impact of discards and vessel type. The Pelagic AC proposed the mandatory collection and reporting of gramme sizes as a cost-efficient, yet effective tool to detect high risk vessels. Furthermore it was requested that control of straddling stocks will be dealt with by a Member States "subgroup" rather than 3 different regional groups as to guarantee a coherent approach and that the same rules apply to all fishermen fishing the same stock.

Subsequently the Commission presented some preliminary results of the ongoing evaluation of the control regulation and pointed out that this evaluation is not yet part of a potential revision. Should it be decided that the control regulation needs to be revised, then this will follow its own process starting with an impact assessment and subsequently targeted consultations of stakeholders and the public. The evaluation to date indicates that the current control regulation has provided a solid new regime in which compliance has improved. Nevertheless, there is room for improvement as the regulation is highly complex and there is a need adapt a flexible approach to meet new EU and international challenges.

# PELAC MEETINGS

## **EXECUTIVE COMMITTEE MEETING (25 FEBRUARY 2016, DEN HAAG)**

At the last Executive Committee meeting it was pointed out that there will be a structural increase in the Commission's maximum financial contribution of 50.000 euro and members were invited to submit suggestions on how to use the additional resources.

It was also discussed if and when regional discard plans could be updated. A number of issues were raised that needed clarification or consideration, e.g. MCRS of mackerel in different areas, catch composition rules, the possibility to have processing plants on-board pelagic vessels and damaged fish. Agreement was reached on most of these items, but not on damaged fish and it was decided to follow-up on this particular item through written procedure.

The control focus group had produced a draft recommendation in relation to the report by the Scheveningen Control Expert Group. The Executive Committee praised the draft recommendation as very valuable and substantial and unanimously endorsed the document.

The chairman explained that a public consultation on the evaluation of the Control Regulation is currently ongoing, but at the last control focus group meeting a Commission representative said that it is also possible for the Pelagic AC to submit a position paper. It was decided that the secretariat will draft a position paper which will subsequently be dealt with by the focus group.

At the end of the meeting it was announced that the July meeting will take place in Peterhead and that on the second day a workshop will be organized including presentations from control authorities, harbor officials and the processing sector followed by an excursion to a processing plant and a pelagic RSW vessel.

## **WORKING GROUP I MEETING (25 FEBRUARY 2016, DEN HAAG)**

This meeting focused on an evaluation of 2015 and set the priorities for 2016. The TAC advice provided by the Pelagic AC has been followed in all cases. For blue whiting the Pelagic AC did not recommend a specific TAC figure, but rather that the Coastal States agree on a multiannual management strategy and reconsider the management strategy developed by the Pelagic AC in 2012. Priority for all stocks is the monitoring of the implementation of the landing obligation and further development of the knowledge base for North Sea horse mackerel, mapping of spawning grounds for North Sea herring and a re-launch of the management strategy for blue whiting once the benchmark results are available.

Stella Nemecky presented a summary of a workshop she attended that addressed the question of how to make the ecosystem-based approach operational. One of the main conclusions of the workshop was that there must not be a one size fits all approach and that trade-offs have to be made explicit while using a participatory process. It was decided that she would draft a strategy paper on how to move forward in the ecosystem focus group.

Joakim Hjelm from the Swedish University of Agricultural Sciences presented results of gear trials in Skagerrak where a new flexible pelagic grid was used in the herring fishery to reduce bycatch of

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saithe. These trials have been very successful and using the grid has led to a 90% reduction of saithe bycatch while the loss of herring is no greater than 15%.

### **WORKING GROUP II MEETING (25 FEBRUARY 2016, DEN HAAG)**

Working Group also focused on an evaluation of 2015 and setting the priorities for 2016. Regarding Northeast Atlantic mackerel the Pelagic AC had urged the Coastal States to adopt an international long-term management strategy. Such a strategy has recently been agreed by the EU, Norway and the Faroe Islands and has been submitted to ICES for evaluation. However, the Pelagic AC has never been consulted on this strategy. Priorities in 2016 will be industry participation in the egg survey and to provide input to the benchmark planned in 2017 and to solve technical issues, e.g. in relation to the unstable assessment.

Manuela Azevedo from the Portuguese marine and atmospheric institute presented work she has done with colleagues from Spain on the calculation of biological reference points for southern horse mackerel. This was a very important step in the process of developing a harvest control rule for this stock and now that reference points are available a draft harvest control rule can be tested by the scientists. In the meantime the Pelagic AC had recommended following MSY which was agreed by the Council.

Regarding Western horse mackerel an update was provided on the work of the focus group which is looking into genetic stock identification and the use of (acoustic) surveys as a potentially new data source. First results were expected to be available in July. In the absence of a management strategy it had been recommended to follow MSY which was accepted by the Council.

An update was also provided on herring in area VIa. The focus group had decided to pursue both the genetics project and the acoustic mini-surveys as basis for a rebuilding plan and to feed into the next benchmark.

Irish Sea herring is one of the few stocks for which no management strategy is yet available. Alan McCulla explained that this was due to a resource issue given that the stock is of minor importance for both the UK and Ireland. In the end the Northern Irish industry decided to fund the necessary work to develop a management strategy itself and a first meeting was planned for March 2016.

The closures in the boarfish management strategy have not been included in the TAC and Quota Regulation and one of the priorities will be to find out how these closures can be incorporated into a legal obligation.

## EXTERNAL MEETINGS

### **INTERNATIONAL WORKSHOP ON INNOVATION AND DEVELOPMENT IN ACOUSTICS AND USE IN FISHERIES AND SCIENCE (13 JANUARY 2016, COPENHAGEN)**

PELAC observers: Verena Ohms

A workshop on the use of acoustics in fisheries management was organized by the Danish Pelagic Producers Organization. The keynote speaker was a researcher from the Massachusetts Institute of Technology who gave a presentation on a remote sensing technique in which the ocean acts as an acoustic waveguide. This technology, originally developed for military purpose, allows instant screening of thousands of square kilometres of continental shelf environment to easily detect fish schools and other marine life, such as whales. It is a much more effective way of monitoring fish populations than the traditional methods using research or fishing vessels following specific transects, where the risk of missing large amounts of fish is high. Furthermore, this technology has provided insight into the dynamics of fish aggregation and disaggregation behaviour as well as timing.

Other presentations included information on acoustic data collection by freezer-trawlers and the feasibility of self-calibration by skippers offering remote assistance as well as information on ongoing efforts to improve size recognition in mackerel.

### **MEETING BETWEEN THE ADVISORY COUNCILS AND ICES (14 JANUARY 2016, COPENHAGEN)**

PELAC participants: Esben Sverdrup-Jensen, Irene Kingma, Verena Ohms

The ICES ACOM chair explained that this meeting exclusively between ICES and the ACs had been requested by several ACs. He pointed out that the strong representation by ICES at this meeting was to signal the firm link between science and the advice given. In this regard ICES indicated its willingness to listen to the research priorities of stakeholders and meeting participants were invited to submit such priorities to ICES at any time. Although expert groups are closed to observers ICES was open to the idea that stakeholders can feed information into the expert groups, thereby strengthening the link between the ACs and ICES expert groups. A good example of such a process was the WebEx meeting between representatives of the Pelagic AC and WGWIDE prior to the annual WGWIDE meeting in 2015. At the same time, however, it was pointed out that information from stakeholders is often qualitative or anecdotal which makes it very difficult to integrate this knowledge into an assessment or advice. Therefore, ICES agreed to such pre expert group stakeholder meetings on an ad hoc basis, if this was specifically requested by ACs and if relevant information was submitted at such meetings. In this regard it was also pointed out that benchmark processes are very relevant in terms of identifying additional existing data and data that should be collected. This information also feeds back into the Data Collection Framework. In general meeting participants were positive about this suggestion and also expressed their appreciation of ACOM members presenting the ICES advice at various AC meetings. Some participants wished for a stronger involvement of ICES in the AC's work, e.g. when developing management plans. However, ICES was anxious not to interfere with the processes in the ACs.



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It was concluded that the meeting between ICES and the ACs was a pleasant experience and that in the future the AC secretariats should jointly set the agenda for this meeting in collaboration with ICES.

### **MIACO MEETING (14-15 JANUARY 2016, COPENHAGEN)**

PELAC participants: Irene Kingma, Sean O'Donoghue, Verena Ohms

#### **ICES advisory process 2015- review**

ICES provided a summary of the advice provided in 2015 which consisted of recurring advice on fishing opportunities for 225 stocks, 3 advice on ecosystem impacts of fishing activities and 25 special requests in relation to the MSDF, management strategy evaluations, eutrophication and plastic particles in fish stomachs.

In 2014 there have been 40 expert groups and workshops, 13 benchmark processes, 34 ADGs and 34 ACOM web-conferences of which 15 were cancelled. The ADGs are open to observers and of the 34 meetings 11 have been attended by observers. Especially the ADG North Sea, ADG Baltic Sea, ADG Sandeel and ADG Celtic Sea attracted high numbers of observers (5-7).

Since some of the ADGs cover both pelagic and demersal stocks it was suggested that the pelagic stocks should all be dealt with on the same day(s), so that observers only interested in one or the other will not have to attend the entire ADG. ICES agreed to accommodate this proposal and asked for an official request being sent to the ICES Secretariat.

In general people were satisfied with the advisory process in 2015, but a number of suggestions were made to further improve the system. It was pointed out that it would be helpful if not only the ACOM member presenting the advice attended the AC meetings, but if possible also the chair of the respective expert group.

Another issue raised was the help required from ICES in other aspects, e.g. when developing multiannual management plans. Some stakeholders were worried that they might spend several years pursuing an issue which subsequently is dismissed by ICES. People were not looking for a huge commitment from ICES, but participation in a few key meetings could be crucial. It was suggested to ask the Commission to include this in the MoU with ICES as long as it is ensured that ICES remains independent.

It was also pointed out that the workshop on MSY reference points (WKMSYREF) caused a lot of confusion and the process has been perceived as hectic and untransparent. For some stocks different MSY reference points have been used by different ICES groups. Furthermore it seemed that in some instances the ADGs completely threw out the advice of the expert groups. This was worrisome when taking into account that the expert groups supposedly incorporate the highest expertise for a given stock.

One of the stocks that caused a lot of discussion in the Pelagic AC was blue whiting. On the one hand ICES refused to give advice on the special request due to uncertainties in the assessment. On the other hand a very precise TAC advice was given based on the same assessment. ICES explained that

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evaluating a longterm strategy based on an uncertain assessment is a bad idea and therefore ICES refused to give advice on the special request. However, it was agreed that ICES should provide more transparency on uncertainties and assumptions.

### **Landing obligation (experiences, data issues, ICES advice)**

The situation in the Baltic Sea was raised where fishermen are obliged to use certain unselective gear types which makes implementing the landing obligation extremely difficult from an operational perspective. Several people therefore argued for results-based management and a renunciation of micro-management. This has previously also been recommended by ICES, but when people asked ICES to repeat this recommendation it was pointed out that ICES has not been requested to advise on technical measures and the landing obligation.

In return ICES asked the meeting participants what their impression of the data quality was and whether it has improved. The general feeling was that there is problem with the quality of cod data and the question was raised how ICES intends to deal with this issue. ICES was aware of the poor quality of landings data, but also emphasized that there are still survey data available which are more reliable and cod is not a data-limited stock. While the technical measures are a management decision ICES takes into account the catchability profile of the gears when doing an assessment. However, it was also pointed out that the reason for poor data can simply be due to the fact that fishermen are not able to adapt to the landing obligation under the current technical measures and that this likely affects the behaviour of the fishing fleets. ICES agreed that the landing obligation will probably impact fleet behaviour, but came to the conclusion that it cannot make any reliable assumptions in this regard. Therefore ICES decided to assume no change in parameters when providing advice until new data clearly show that there has been a change. At the same time this means that there will be a period during which the data quality will deteriorate, but there is nothing ICES can do about this.

The NWWAC pointed out that for some stocks or groups of species setting TACs might not be the most appropriate way of managing them, e.g. skates and rays or bycatch species and it was asked whether ICES could give advice on more appropriate management measures. ICES replied that there are indeed a number of stocks, usually in category 5 and 6, for which there is no directed fishery and in these cases it might make more sense to discuss how to avoid catching them rather than setting TACs. Instead of following the MSY approach a risk assessment could be used. ICES has presented this idea several times to its clients, but so far not gotten any further than discussing it and for now is only requested to give advice on fishing opportunities.

The Pelagic AC reported that there are a number of issues that need to be resolved in relation to the landing obligation. The most urgent concerns the application of the animal by-product regulation which stipulates that fish for human consumption and non-human consumption must not be handled on the same premises. This obviously creates a problem for undersized fish caught by RSW vessels which can only be detected at factory level. The other pressing issue is how to deal with 0 TAC stocks which are taken as bycatch in another fishery. It was also pointed that the same rules should apply to pelagic fishermen catching the same stock and these rules should not be open to interpretation by inspectors in different Member States. This was currently not the case although the Pelagic AC has always underlined the need for a level-playing field.



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### **Proposal from NWWAC on a rapid reaction process**

The NWWAC had submitted a proposal to ICES on setting up a task force of scientists to quickly assist ACs when a need appears. This idea was discussed and several meeting participants asked for a concrete example when such a task force would be needed. Choke species were mentioned in this regard or emergency measures leading to a fisheries closure. In this case a quick scientific analysis of alternative measures could be helpful and appropriate. However, it was pointed out that the Commission would still have to prepare a proposal for such measures and this process cannot be speeded up in any way. ICES concluded that it cannot take forward this issue which should better be discussed between the ACs and the Commission. At the same time, however, ICES is prepared to cooperate and provide independent advice whenever requested.

### **Management plans as basis for ICES advice**

ICES presented an overview of management plans currently known to ICES. This list included 7 plans of relevance for the Pelagic AC. The plan for herring in VIa North, however, is no longer appropriate since the assessment for herring in VIa North and VIa South has been combined. ICES currently lists 2 management plans for boarfish, the one drafted by the Pelagic AC in 2012 and the new draft from 2015. Managers have yet to indicate whether the new draft supersedes the old plan. The management plan for North Sea horse mackerel has been found not to be precautionary. The remaining relevant management plans were for Atlanto-Scandian herring, North Sea herring, IIIa herring and Celtic Sea herring. The management plan for Celtic Sea herring has so far not been used as basis for the ICES advice, because the Commission has specifically requested to follow the MSY approach for Celtic Sea herring. One of the Pelagic AC representatives, however, challenged the notion that the Commission is the competent authority given that this stock is mainly fished by Ireland which fully supports the management plan developed by the Pelagic AC.

### **ICES advisory work plan 2016**

ICES subsequently gave a presentation on where to find information on the 2016 advisory work plan. There are three different places where relevant information can be accessed: the ICES meeting calendar, the work plan calendar view and the advisory process view. The meeting calendar can simply be accessed on the ICES website whereas the work plan calendar view and the advisory process view requires people to login to the Sharepoint.

ICES advice can be found on the ICES website either under Library or Latest Advice. The advice is organized by year, ecoregion, species and special request.

### **Ecosystem overview**

ICES gave a presentation on ecosystem overviews in which the main ecosystem components, pressures and state of the ecosystem were illustrated using a wire diagram per ecoregion with an example focussing on the North Sea. It was emphasized that multiple pressures originating from different human activities effect the state of different ecosystem components. ICES also presented different overview maps illustrating e.g. abrasion, substrate and net primary production.

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Meeting participants inquired about the quality assurance of the data underlying the ecosystem advice given that an enormous amount of data is being used from different databases. It was also pointed out that some of the ecosystem maps have unusual boundaries, e.g. the Celtic Sea expanding into area II and it was asked whether these boundaries are partly arbitrary.

ICES responded that it always tries its best to ensure the quality of the data used by scrutinizing it in different workshops and review groups and highlighting potential caveats. However, ICES admitted that a lot of the quality checks are done on an ad hoc basis and that end-users have to be careful when interpreting the outputs. Some data are limited to EU countries, e.g. on fishing effort and ICES might have to conclude eventually that it will have to set up its own database to ensure sufficient quality. In terms of boundaries ICES explained that it follows the MSFD regions, but pointed out that all boundaries drawn in water are partly arbitrary.

It was also asked whether the resolution of the ecosystem maps is good enough to be used for spatial management. ICES replied that in general the resolution is not so high, but that that varies among regions and the answer depended on the management question being asked.

Some participants wanted to know how the presented wire diagrams had been developed. ICES explained that these are currently based on expert knowledge by senior scientists, but that ICES tries to move away from subjective judgement towards using real, objective data.

ICES said that the maps and diagrams will be updated and the sources referenced whenever available and possible.

### **Fisheries overviews**

ICES presented its so far incomplete overview of fisheries in the Celtic Sea. The idea is to prepare such a fisheries overview for each of the ICES ecoregions and to provide information on the fleets involved, what is being landed, the status of the resource over time, the effects of fisheries, management measures and their effectiveness as well as any emergent issues.

Some participants commented that the information presented in this overview is not very relevant or helpful for fishermen, but rather serves the media. Worries were expressed that ICES might divert from its core business of providing advice. ICES responded that it was not much work to prepare the fisheries overviews and that this kind of information is more digestible to lay people.

The NWWAC suggested to also include information on the landing obligation and to map choke species which ICES considered a valuable suggestion.

Furthermore it was suggested to include information on ports and what species these ports are specialized in. This could be useful in showing benefits to society.

One of the LDAC representatives suggested including information on stock status that dates back before 2012. However, ICES explained that providing this kind of temporal aspects is difficult due to changing reference points. Reference points change in time and often depend on societal choice. Therefore, mapping out stock status over a time period beyond a few years is not very meaningful.

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Another suggestion was to show how stock distribution has changed in specific regions. ICES considered this a possibility and also pointed out that a request has been submitted to ICES to look at changes in stock distribution in relation to fish behavior and climate change.

Other ideas were to include links to existing management plans and information on whether previous advice has been picked up. ICES considered these ideas interesting and will think about incorporating them in future versions.

The NSAC wanted to know where the underlying data are coming from and what the shortcomings are. ICES replied that most of the data are held by ICES itself and that a small part comes from JRC. One purpose of this exercise is to track down available data and to improve data quality, so that in the future the outcome of data analyses can be better interpreted.

### **Advice on fishing opportunities (format, MSY approach, MSY reference points)**

The ICES approach to advising on fishing opportunities incorporates the precautionary approach as well as the objective of achieving MSY. In this framework MSY Btrigger is a reference point that corresponds to the lower range of biomass associated with fishing at Fmsy. If a stock declines below this trigger point fishing mortality is advised to be reduced to a value below Fmsy. Given that for many stocks data for fishing at Fmsy is not available ICES decided to set MSY Btrigger at Bpa. However, Bpa usually represents a lower stock size than fishing at Fmsy would give. In order to resolve this issue and to make the ICES advice framework consistent with regards to MSY Btrigger, it was decided to define MSY Btrigger as the 5<sup>th</sup> percentile of the distribution of SSB when fishing at MSY. ICES will use a transition phase which allows to progressively move towards a consistent approach to determining MSY Btrigger as stocks are fished at Fmsy.

### **AOB**

The Pelagic AC had a specific question to WGIPS regarding various acoustic surveys that potentially contain information on horse mackerel and wanted to know how to best approach this group. ICES responded that an email should be sent to the ICES secretariat which would then ensure that the questions will be forwarded to the appropriate people.

### **AORAC WP4 WORKSHOP (19 FEBRUARY 2016, COPENHAGEN)**

PELAC participants: Stella Nemecky, Claus Reedtz-Sparrevohn

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Various presentations were held at the workshop which will be collected in the workshop report to be issued end of February.

This report is a collection of concepts, thoughts and ideas presented and discussed at the workshop.

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#### **Day 1:**

Summary: The definition of EBM is available, but the perception of what this means differs. EBM is a knowledge-based approach, which also contains elements of sustainable and equitable use (CBD definition). Humans are identified as an integral part of the ecosystem. EBM is an adaptive and

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precautionary approach to acknowledge the lack of data. There is a need to set explicit goals and to balance across different objectives of sectors and countries. Trade-offs to be made have to be explicit (explicit trade-off analysis) and it is vital to educate decision makers on the advantages of this. Cumulative effects have to be considered. The question is how to deal with the high level of uncertainty today, but also in the future. Another question is how to prioritize political action? An additional layer is needed for the decision-making process. Agreement on the goals of EBM needs a lot of consultation. The movement towards the set goals (and the value created for society) is ideally also measured.

There is no “one-size-fits-all”-approach to EBM. Several barriers were detected across the examples presented:

- Legal framework is available on paper, but not in practice
- Co-management and community-based data collection is vital
- How fishers perceive their resource is vital for good implementation

### **Conclusions from the presentation of Rebecca Shuford/NOAA – US perspective on EAM:**

- Inter-sectoral coordination
- Define goals and targets (evaluate & assess outcomes)
- Develop indicators: region-specific ecosystem service indicators (e.g. scorecards)
- Assess the ecosystem (monitoring)
- Analyse uncertainty and risk (evaluate strategies)
- Implement management actions
- A method for evaluation is not yet fully available

Question: how to assess ecosystem trade-offs? Person to ask: [chris.kelble@noaa.gov](mailto:chris.kelble@noaa.gov)

Dell’Arpa et al. 2015: EBM in US federal projects:

[http://ac.els-cdn.com/S0308597X15002122/1-s2.0-S0308597X15002122-main.pdf?\\_tid=fe7ffa50-c679-11e5-a635-00000aacb360&acdnat=1454066476\\_195f0c917600712397a51249bbdafdfb](http://ac.els-cdn.com/S0308597X15002122/1-s2.0-S0308597X15002122-main.pdf?_tid=fe7ffa50-c679-11e5-a635-00000aacb360&acdnat=1454066476_195f0c917600712397a51249bbdafdfb)

### **Conclusions from the presentation of Jenny Oats/WWF UK – Celtic Seas Partnership:**

Strategies:

- Multi-national stakeholder workshops
- Online-tutorial to improve capacity
- Stakeholder initiatives to improve GES (e.g. on marine litter, biodiversity, non-indigenous species)
- Develop future trends report to analyse impacts on environment & economy together with a stakeholder engagement project to analyse trade-offs between scenarios
- Develop best-practice guidelines

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## **Day 2:**

### Summary:

An honest discussion is needed of what we take out of the system, but also what we put in in terms of stressors. It is important to define what is most valuable. Accept that it is a costly and long process which needs power-sharing (Erik Olsen, Institute of Marine Research, NO).

### **Conclusions from the presentation of Lucia Fanning/Dalhousie University: EBM in the Carribean – a pluralistic approach**

- Start by developing a joint vision (healthy ecosystem, enhanced livelihoods,...) – stakeholder workshop
- Normative process: interest and knowledge ( and x) will determine the approach
- Enhanced linkage (vertically and laterally) between policy cycles is needed
- All (regional) conventions have to be included
- Framework assessment has to happen on all levels: local, national, regional, global
- Sticky point: gap between data contributors and users
- Governance arrangements need to secure dialog between the different sub regional/regional organisations, best done in a long-term network approach (in Caribbean at least)
- Learn and adapt on the way!

### **Conclusions from the presentation of Stacey Paul/DFO Canadian Fisheries research network. Making EAM operational for fisheries management**

- Include sociologists and anthropologists
- Different sets of objectives are needed: ecological, economic, social and institutional ones
- Make scenarios and compare the resulting management options: is there a common framework?
- Problem: no forum to develop integrated advice, no management advisory process
- Key: institutional process that will allow and promote a framework for EBM

### **Break-out group: What are the challenges (with some solutions) of EBM?**

- Cross-sectoral trade-offs
- Inertia in decision making process, application of new science approaches for EBM
- Lack of trust and knowledge
  - move forward anyway, allocate resources and take an adaptive approach, improve ocean literacy of stakeholders, establish good revision system, risk-assessment-tools
- Agreeing on priorities
  - identify impediments to move forward, agree on a joint vision, use consensus building tools to find agreement on objectives, goals and trade-offs, make use of GES indicators in trade-off-analysis
- Lack of capacity to include economic and social analyses in EBM

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- include interdisciplinary expertise ( economists, sociologist, anthropologists)
- Lack of common language
  - establish common language for vision and benefits
- Management and policy process are not part of the adaptive process supported by science
- Lack of transparency

Important:

- Positive framing: EBM is creating new opportunities. It is also about finding common ground and stepping out of the comfort zone.
- Create common database to use all available knowledge and data
- Learn from failure

## **Breakout Group: Best practise for reconciling sectoral interests**

- 1) Listing of possible sectors, including military, research
- 2) Procedure:
  - a. Scoping Exercise to identify area, vision, objectives, activities
    - Workshops, horizontal/vertical
    - Identification of priorities by sectors with help of honest broker
    - Apply Chatham House Rules to build trust
    - explicit ToRs

How to identify all stakeholders? Who legitimately represents a sector? How to get actors to the table?

- b. Baseline analysis of current uses (scientific institution for max. objectivity)
  - interaction matrix to identify impacts
  - simplify to start discussion of higher level; meeting by sectors representatives
- c. Identify goals from (national) development plans: Blue Economy expectations
- d. Trade-off analysis to build consensus: open, transparent process; different methods:
  - i. Scenario analysis
  - ii. Natural capital approach (stakeholder driven)
  - iii. Horizon scanning
  - iv. ForeSight

([https://en.wikipedia.org/wiki/Foresight\\_%28futures\\_studies%29](https://en.wikipedia.org/wiki/Foresight_%28futures_studies%29))

Useful: analytical approach that explores a range of options rather than extremes

Output: depends on the system and the needs, can be jobs, revenue, etc.



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- e. Transpose into recommendations for implementation and review subsequently, iterative, adaptive process!

Make sure to check out the report once available! There are some good pictures on the work results of the break-out groups on what works and what does not. Very useful!

### **EFCA ADVISORY BOARD MEETING (23 FEBRUARY, BRUSSELS)**

PELAC participants: José Beltran, Verena Ohms

EFCA provided an overview of its activities in 2015 and pointed out that it has performed well in relation to the amount of inspections carried out. It has also done quite some work in relation to technical measures and helped Member States to improve the electronic reporting system. EFCA assisted the Commission in the fight against IUU by carrying out audits and providing training. It also engaged in the preparation for the landing obligation in the Mediterranean. Furthermore EFCA is involved in an EU coast guard and border capacity pilot project together with EMSA and FRONTEX to fight illegal immigration.

Subsequently EFCA invited the AC representatives to provide an update on their state of play. The representative of the Baltic Sea AC said that fishermen in the Baltic Sea, although they do not like the landing obligation, are willing to cope with it as long as they are treated well. However, the fight between the Commission and the EU Parliament is highly detrimental to the situation in the Baltic. It is impossible to explain to fishermen that they are restricted to use specific gear which is very unselective while at the same time having to implement the landing obligation. Another problem is the lack of engagement with national control experts. In some countries the relationship with the control authorities is better than in others, but overall there are severe shortcomings in terms of dialogue with national control experts and there are more meetings with EFCA than with the Member States.

EFCA said that it is very important to discuss control issues early on and to discuss them together, because fishermen and control inspectors will run into the same problems when they are confronted with e.g. unclear regulations. EFCA therefore encouraged the ACs to make their voices heard. It was also pointed out that EFCA intends to organize another workshop in May or June similar to the one organized in Roskilde in 2015. It would be good to prepare some agenda items which can then be discussed between the ACs and the national control experts directly under facilitation of EFCA.

The Pelagic AC representatives explained that the Pelagic AC has established a focus group dealing with control and technical measures. This focus group has met several times via WebEx and face-to-face to discuss the reports on controlling the landing obligation prepared by the control experts of the Scheveningen Group and the North Western Waters regional group. One of the most important outcomes of this focus group is the recommendation to mandatorily collect and report gramme sizes which could provide the basis for a risk assessment. In addition the Pelagic AC was keen to ensure that the same control measures apply to third country vessels as to EU vessels. A continuous concern

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is the harmonization of control rules across regions. This could be enabled by coming together in a regional group that covers specifically the straddling pelagic stocks or by continuing the inter-regional group to which both BALTICFISH and the Pelagic AC should be invited. The Pelagic AC representatives uttered hope that EFCA might facilitate such an invitation.

EFCA responded that the idea of collecting gramme sizes is very valuable and a pilot project is ongoing to collect gramme sizes in the mackerel fishery in collaboration with Member States. It was not clear yet how this information can be used exactly and how to improve risk assessments using gramme sizes, but people are working on this. In March EFCA will have a campaign in Vigo on blue whiting to establish control protocols, also for third country vessels. EFCA explained that it has no ownership of the inter-regional workshop. Member States only asked EFCA to coordinate this workshop. However, EFCA thought that it would be useful to include the Pelagic AC and also the Commission in this workshop and promised to table this suggestion. EFCA also made clear that it wants to implement the same audit system for pelagic fisheries in different areas.

The representative of the NSAC said that the stocks in the North Sea are generally in a good condition. The landing obligation entered into force on the 1<sup>st</sup> of January 2016, but for now primarily covers nephrops, haddock and saithe. The North Sea AC had recommended a species approach when phasing in the landing obligation, so that the landing obligation would apply to certain species independent of the fishery in which it is caught. This would have made the situation a lot easier. However, the Scheveningen Group rejected this proposal. The Scheveningen Group is also looking at what is being done by the North Western Waters regional group to ensure some sort of coherence. The most important challenge in regards to the landing obligation is solving the choke species problem. If no practical solution can be found for this the entire situation will end in chaos. The main reason that the landing obligation was introduced was cod in the North Sea, but now cod is not even covered. It is supposed to be covered when the cod plan is changed into a multi-annual plan, but nobody knew when this will happen. The Commission tried to come up with a quick fix while the Parliament is too busy figuring out the multi-annual plan for the Baltic Sea and the North Sea AC is worried that a wrong compromise between the Council and the Parliament will be used for the North Sea. The dialogue with the Scheveningen Group is moving into the right direction and the North Sea AC has been invited to attend part of the HLG meeting on 9 March. The North Sea AC is currently also busy developing a long-term management plan for nephrops and brown shrimp in the Wadden Sea. The representative uttered hope that technical measures will be designed in a way that they can be adjusted to regional circumstances. In terms of control of the landing obligation there has not been much experience in the North Sea yet, given that the landing obligation only entered into force two months ago.

The representative of the Long Distance AC explained that the AC is still figuring out how the landing obligation will be implemented outside EU waters. There has been a study funded by the Commission that highlights conflicting rules with RFMOs and how to overcome them as well as how to solve the choke species issue. When it comes to fisheries agreements with third countries it is up to those countries to decide what the rules are and whether they want to apply a landing obligation. The Long Distance AC has also identified some amendments to the landing obligation which are needed in order not to be in conflict with NAFO and NEFAC rules. For highly migratory stocks the Long Distance

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AC would like to have a regional observer program. It was also emphasized that the fight against IUU fishing is one of the main priorities of the Long Distance AC, but it was necessary to have coherence between the IUU regulation, the control regulation and others.

The representative of the Mediterranean AC said that the relationship with the Member States is very good and progress has been made in regards to technical measures. Only a few species are assessed in the Mediterranean and most of them are over-exploited. The Mediterranean AC is trying very hard to move forward and come up with smart solutions to these problems. The EFCA seminar in Roskilde had been very welcome since it was important to have an open debate on control. A lot of training is being provided to fishermen and other stakeholders on the obligations in relation to the landing obligation. A de minimis regime has been implemented for pelagic fisheries, but it is likely that something different will be implemented for demersal fisheries. Thanks to the help of EFCA there have been 11 missions in the Mediterranean in 2015 and soon quantitative discard data will be available. In pelagic fisheries the amount of discards is not very big and it is not foreseen that there will be any changes to the implementation of the landing obligation soon. One problem is that not all fishermen record discards in their logbooks, because they do not understand how important it is to have this data. Recently an organization from Cyprus has joined the Mediterranean AC which means that for the first time all relevant Member States are represented.

### **SEMINAR ON THE IMPLEMENTATION OF THE LANDING OBLIGATION (24 FEBRUARY 2016, BRUSSELS)**

PELAC participants: Ian Gatt, José Beltran, Stella Nemecky, Verena Ohms

#### **Introduction**

The Director General of DG MARE opened the meeting and welcomed the participants. He said that the landing obligation (LO) is a test case for regionalization which seems to be delivering given that a number of joint recommendations by the Member States (MS) have been turned into Commission delegated acts. He also thanked the MS and Advisory Councils (ACs) who have responded to the Commission's request to report experiences with the LO to date. It seems that the cleanliness of pelagic fisheries causes comparatively little problems although a lot of questions remain unanswered. Much bigger problems are expected for the demersal LO and there was no doubt that rapid, adaptive thinking is required to align fishing to the new policy. Challenges have to be anticipated by cooperation at regional level and consistencies across regions are essential. Instances where fleets operating in two areas are faced with different rules have to be avoided. De minimis and survivability exemptions are not always based on complete knowledge and one of the main questions for the Commission is how to improve the knowledge base. It was also pointed out that the LO applies in principle to all EU vessels, including those fishing outside EU waters, unless international agreements dictate otherwise. The Commission was aware that the implementation of the LO is not always easy and was fully committed to support stakeholders. Seminars like the one today are a good way to find out what works and what can be improved and the Commission emphasized that the EMFF can help with implementing the LO through both permanent and

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temporary solutions. The Director General concluded his introduction by saying that people have to be open and flexible while adhering to the rules of the CFP.

### **Presentation by Ian Gatt, Pelagic AC**

Ian Gatt said that the LO has not stopped any of the pelagic fisheries so far and no huge problems have been encountered. However, there are a number of uncertainties and instances of unclear regulations which have to be sorted out. One issue relates to article 11 of the Omnibus Regulation which stipulates that up to 10% of certain undersized catches may be sold for human consumption. To date this derogation has not been used as far as he was aware given that fishermen were unsure about MS' interpretation of this derogation. Another question was how to deal with bycatch of zero TAC species, especially since such bycatch by RSW vessels cannot be detected before the catch is sorted at an onshore factory. Closing the discard chute of freezer-trawlers can lead to violations of labour conditions when fishermen have to discard catch which they are legally obliged to discard, e.g. forbidden species, because they have to manually carry this catch up to the deck. Another discussion point is what to do with meshed fish which may not be discarded under the LO, but which at the same time may not enter production facilities under veterinary regulations. A sudden bycatch of hake in western waters poses another problem. Inter-species flexibility cannot be applied since reference points are not defined for this stock, but quota is rare and cannot be obtained either. Other issues related to different minimum conservation reference sizes of mackerel in different areas and the impossibility for RSW vessels to adhere to reporting requirements. Solutions to these issues cannot be found overnight, but people are working all over Europe on new innovations and technical measures, e.g. a new pelagic grid in the Swedish herring fishery to avoid saithe bycatch, the Pelacoustics project in The Netherlands and the closures in the boarfish management plan. Regarding the way forward it will be crucial to resolve ambiguity in the regulations and rules have to be clearly communicated to skippers in all relevant languages, including Norwegian and Faroese. People will only adhere to the LO when they feel that they are treated equally. Ian Gatt also encouraged MS to work more closely together with the ACs given their expertise and valuable contributions.

### **Presentation by Pim Visser, EAPO**

Pim Visser pointed out that the demersal LO only entered into force for a limited number of stocks on the 1<sup>st</sup> of January 2016, not yet allowing for much to be said about lessons learned. He further emphasized that when discussing the LO it is not sufficient to only talk about fish stocks, but also about fishermen and their families and about providing fish to a growing population. A big problem, however, has been the parallel monologues between policy makers and fishermen which deepened the resistance of the demersal fishermen to the LO and which left fisheries representatives caught in between. While Dutch policy makers think that the discard ban will cause fishermen to fish more selectively which in turn will decrease mortality of undersized fish, lead to less bycatch, a lower fishing pressure, better overall fish stocks and eventually more profit, Dutch fishermen believe that the discard ban will cause a higher mortality of (juvenile) fish, just as much bycatch as before, a worse status for many stocks and higher costs for the fishermen. There are two types of discards: regulatory and technical. While regulatory discards deal with choke species and receive prime attention in the EU, they are hardly discussed in the Dutch demersal context. Technical discards, on the other hand,

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receive prime attention in The Netherlands. A 2011 study estimated economic damage of the LO in The Netherlands to be 15 million euro. Nevertheless, the Dutch demersal fleet has participated in 5 different projects to tackle the LO. A project on CCTV failed, however, projects on increasing net selectivity and survival are making good progress and deliver promising results. Looking into possibilities how to utilize discards revealed that processing them into fishmeal is the only viable option. Pim Visser called for an enforceable and implementable LO.

### **Presentation by Jeremy Percy, Low Impact Fishers of Europe (LIFE)**

Jeremy Percy said that the small-scale fleet is the forgotten fleet, certainly in a design that mainly focuses on large-scale, movable gear. The main reason for discards are regulatory measures and a lack of access to quota with science often lacking behind. At sea there is a lot of confusion about requirements, e.g. what has to be kept, what can be discarded and what do with undersized fish. There is lack of flexibility on small vessels, simply because small vessels do not have enough space to keep all unwanted catches on-board. Despite separate storing requirements there is a risk of cross contamination between catches destined for human consumption and those for non-human consumption. The additional workload combined with keeping on-board unwanted bycatch poses serious safety and stability risks. He furthermore pointed out that moving discards from sea to shore will not increase compliance, only the carbon footprint. Dumping fresh fish in landfills or processing it to cat food will also lead to no support for this policy anymore by the public. Other problems are the lack of discard data and the lack of timely EMFF support for anything. On top of that applying for EMFF funding is a complex, time-consuming process. A divide between measures in the North and the South is already emerging and if fishermen feel that they are not treated equally across all regions, then there will be no compliance. Although there is less discarding in the small-scale fisheries this does not mean that the small-scale fleet is impacted less by the LO. In terms of solutions Jeremy Percy emphasized that one size does not fit all and that an at sea approach is needed. Fishermen have to be guaranteed a level-playing field and the small-scale fleets needs and deserves a differentiated approach. He therefore called for practical studies rather than academic, organized by small-scale interests and for cost-effective technological solutions.

### **Discussion**

One of the participants mentioned the discrepancy between the technical measures and the LO which is very difficult to explain to fishermen. Thanks to the Baltic Sea AC and the close cooperation with the MS compliance in the Baltic Sea has increased significantly in recent years. However, there was a fear that due to the LO this high degree of compliance will be lost. While it would be easy to improve selectivity through technical measures fishermen in the Baltic are not granted that opportunity. Recording all catches will provide useful information, but it was impossible to explain to fishermen why these catches cannot be used for human consumption, e.g. when they are below the minimum conservation reference size.

Another participant pointed out that some international regulations are in conflict with the LO and he asked the Commission to keep this in mind and to respect international regulations. It also had to be ensured that EU operators receive legal clarity and a level-playing field to avoid situations in which they experience unfair competition from third countries.

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An NGO representative referred to a hierarchy of measures that can be taken to reduce unwanted catches, e.g. quota swaps, changing behavior, increasing selectivity, exemptions etc. Although there is still a possibility that unwanted catches arrive at land after all these measures have been taken he emphasized the importance of making full use of the measures listed. Regarding EMFF funding he pointed out that there is an obligation for MS to apply for funding and if they have not done so, then they have to improve. He furthermore said that there were over 60 recent projects that dealt with reducing discards and the results of these projects should be implemented.

A researcher from the DISCARDLESS project said that there is a discrepancy between discard data reported and that data collection and observer programs are biased which has to be taken into account by ICES.

A fisheries representative from the UK pointed out that even if all measures referred to earlier are being applied, there are still issues that cannot be solved. As example he mentioned hake in the North Sea which biomass has exploded in recent years. However, the hake quota in the North Sea is only 3.4 % and no matter how much quota is being traded, it does not solve the problem. West of Scotland cod has recovered, yet there is a zero TAC. He pointed out that not all stocks can be fished at MSY at the same time and that the biological reality of the stocks has to be taken into account. Furthermore, he predicted that the problems with the LO will only increase in the future as more and more stocks are being phased in.

Other industry representatives referred to the high economic costs associated with the LO and the lack of economic considerations in EU fisheries management. A suggestion was made to look at other areas in the world and the measures taken there, e.g. regulations on generic bycatch in NAFO area.

### **Presentation by Erik Lindebo, EDF**

Erik Lindebo said that there is too much gloom and doom surrounding EU fisheries while evidence from around the world clearly indicates that the ocean is resilient, can recover and support sustainable exploitation. Key to sustainable exploitation is putting the industry and fishing communities at the heart of the solution working together with governments to shift the way fisheries are managed. There must not be a one size fits all approach, but collaborative action and empowering of stakeholders is needed to change fisheries management in Europe. In order to effectively implement the LO it is necessary to increase flexibility for accessing quota, to streamline technical regulations, providing incentives for innovation and to enable an industry-led participative process of change. EDF has produced a discard reduction manual outlining some of the tools available to fisheries managers, especially quota management and increased selectivity and avoidance measures. While there is no silver bullet, a combination of the two different tools mentioned can get a long way in reducing unwanted bycatch and tackling choke species. In Sweden the LO has been driving participative discussions around a new quota management system in demersal fisheries. There is a risk of closing down segments of the fleet due to choke species and an ITQ system could mitigate that risk while at the same time providing more incentives to increase selectivity. Sweden already has an ITQ system for pelagic fisheries, but neither the industry nor the government wants to replicate this system. Instead, the goal is to design an ITQ system that meets the needs of the demersal fishery. However, nothing has been decided yet and discussions are still



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ongoing. In the UK catch quota trial gear selectivity innovations, avoidance measures and ongoing collaboration have led to a 87% reduction in haddock juveniles. Nevertheless, more work is needed to successfully implement the LO including an overhaul of the Technical Measures Regulation, discussions around quota management and real time capture data.

### **Presentation by Emiel Brouckaert, Belgian PO & Fishing Vessel Owner Federation**

Emil Brouckaert explained that a choke species is a species which is subject to the LO, but for which no, or not enough, quota is available. The Belgian fleet has 67 vessels, of which the majority is working on different fishing grounds over different periods of a calendar year. It deals with approximately 70 TACs creating 70 potential choke species by 2019 if the LO is not properly implemented. From a Belgian perspective he said that for many fisheries the LO is operationally impossible without mitigation measures and often vessel owners and crew consider the LO unachievable and hence lose interest to invest or work in fisheries. Choke species come on top of these problems and unless they are resolved the CFP will not be successful. Measures to address choke species include e.g. gear innovation and real-time or periodic area avoidance. If that does not solve the issue entirely the survival exemption should be applied, because landing everything only leads to an unnecessary increase of actual fishing mortality. While the survivability exemption is being applied additional scientific evidence can be obtained. MS should also provide quota uplifts where they are needed. The effects of inter-species flexibility, however, are difficult to assess under the current rules. If the measures mentioned above are not sufficient existing regulations will have to be reviewed. There could be new groupings of TACs like in Norway and other countries and less TACs overall. Fishermen could also be allowed to always continue fishing until the quota of their target species has been exhausted, zero TAC species could be treated as forbidden species and article 15 of the CFP might have to be reviewed.

### **Discussion**

A fisheries representative from the Mediterranean explained that there is no TAC and quota system and that the LO only applies to fish below the minimum conservation reference size. The Mediterranean AC brought forward a regional management proposal and agreement was reached in a delegated act on using de minimis exemptions. Thanks to the use of this exemption there are currently no difficulties with the LO. Data collection on undersized fish is ongoing and will be available in 2017. There is good cooperation with the MS who explained the new rules to the fishermen. Necessary port infrastructure is not available in Mediterranean countries.

Another fisheries representative called for a transparent quota system that allows quota transfers across Europe. This would help achieving a self-regulatory system.

A representative of ETF pointed out that the workers on the fishing vessels are being entirely ignored in the discussion. He said that the new regulations lead to extra effort and burden resulting in more stress and a lack of safety. He said that it was necessary to collect data on the circumstances of these workers and to increase flexibility when it comes to applying the rules. The risk of creating a gap between workers and industry on the one hand versus control inspectors on the other had to be avoided. He also called for a revision of the TAC and quota system.

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A representative of the Long Distance AC said that there are some international rules conflicting with the LO. It might therefore be good to have a MS group looking into these issues. He said that it will be necessary to have a delegated act specifically for NEAFC and NAFO species.

A WWF representative pointed out that a number of issues are repeating themes, e.g. choke species, lack of discard data, level-playing field and the increased burden on onshore facilities. She also said that there are initiatives to increase selectivity and to change behaviour which hopefully will decrease the overall burden. The use of remote electronic monitoring (REM) can go a long way in addressing many of these issues and provide a level-playing field. The issue of choke species, however, will likely remain. Documenting that avoidance measure cannot fully solve choke situations can then stimulate discussions on greater flexibility. She furthermore explained that the technology of REM is constantly improving while costs are decreasing.

A representative of the pelagic industry emphasized that the discard plans are being agreed by the regional MS groups. While the pelagic industry and the Pelagic AC are keen on working together with the MS it proved incredibly difficult to get in touch with these groups. While he fully recognized that the MS are also confronted with a new paradigm and struggling with implementing the LO it seemed that they were not very open to stakeholder involvement. For example, the control expert group report from the Scheveningen Group was only shared with the Pelagic AC more than a year after it had been produced. Skippers are very nervous to be accused of infringements while they do their best to adhere to all rules. While it is useful to have a seminar with the Commission, the people who really should listen and involve stakeholders in the process are the MS.

The representative of the North Sea AC said that the collaboration with the Scheveningen Group has improved recently, possibly due to the fact that the North Sea AC deals with a well-defined regional area. In terms of discard reduction measures quota swaps are being mentioned regularly. However, a few weeks into the demersal LO it already becomes apparent that there is a reduction in quota swaps, because MS hold on their quota in case they need it themselves.

From a small-scale fisheries perspective it was pointed out that quota swaps are not an option given that quota has become a commodity as choke issues become more relevant. It will especially impact those who already have very limited access to quota.

The Commission summarized that when the LO was adopted it was clear that the practical implementation would not be easy and it was necessary to remain realistic. The Commission, MS and stakeholders have to work fully committed and be prepared to talk about problems and how to solve them. Today's seminar was part of a wider exercise trying to evaluate what is happening on the fishing grounds and subsequently report to the Parliament and the Council. The Commission ensured that it will not only report on the policy objectives, but also on the implementation of the LO including both success stories and failures. It was emphasized that there is no way back from the LO, but at the same time people must not close their eyes to the existing and arising problems. While it appears that there are no huge issues in the pelagic fisheries, enormous problems are expected in the demersal fisheries. The Commission was also aware that many open questions still existed and fishermen were often unsure about how to apply the rules. The best instrument to provide clarity are the discard plans, but at this moment it was not clear if the discard plans did indeed provide

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clarity or cause more confusion. The Commission also took note of the very specific problems faced by the small-scale sector. The biggest problem, however, seems to be choke species. This is a complex issue that cannot be solved easily. There are several instruments available to mitigate choke situations. One of those instruments are quota swaps. However, MS seem to be taking a very protective position of their quota. Some of the issues mentioned touch upon relative stability and the Commission stressed that it cannot bring this topic to the table. The initiative has to come from the Council or the Parliament. Workers on fishing vessels seem to be the forgotten dimension and have to be taken more into account. Finally, the discard plans developed by the MS can either be accepted or rejected by the Commission, but the Commission cannot make changes to them.

### INTER AC MEETING (24 FEBRUARY 2016, BRUSSELS)

PELAC participants: Ian Gatt, José Beltran, Stella Nemecky, Verena Ohms

#### 1. Introduction

The Director General (DG) of DG MARE welcomed the participants and said that the dialogue with stakeholders is now more important than ever. By ensuring balanced and legitimate representation the ACs are the main stakeholder bodies to be consulted in relation to implementing the CFP and the DG thanked the ACs for the good work they have done so far. He emphasized that under the new CFP Member States (MS) are obliged to ensure that the joint recommendations include the views of the ACs as part of the regionalization process. Where possible ACs should provide information and data underpinning joint recommendations. Even though it is eventually up to the MS which recommendations they take over, they do have to take into account the advice provided by the ACs and the DG encouraged the ACs to continue submitting their positions. He also thanked the ACs for submitting information on the LO. This is very valuable and will be reflected in the report to the Council and the Parliament. He was aware that it is difficult and time-consuming to provide the requested information. Therefore the Commission decided to structurally increase the budget of the ACs. He was furthermore pleased to announce that the procedures for establishing new ACs for aquaculture, markets and the Black Sea have been completed and he was looking forward to welcoming those ACs.

#### 2. State of play of the implementation of the new CFP

The Commission representative addressed the following topics:

##### **Multiannual management plans**

He said that discussions on the multiannual management plan for the Baltic Sea has been ongoing for quite a while, but it now seemed that reaching an agreement was close. The co-legislators understand very well that the regional management plans are a center piece of the new CFP and not delivering in this regard would be a great failure. Regarding fishing mortality ranges the position of the co-legislators is getting closer. In the meantime the Commission has practically finished a proposal for the North Sea plan, but is awaiting the outcome of the plan for the Baltic Sea first. It was furthermore pointed out that the consultation with the ACs is no longer only upstream, but also

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downstream. Within the regional plans there is room for manoeuvre and the ACs will play a key role given the MS obligation to consult the ACs.

### **Revision of Technical Measures Regulation**

The Technical Measures Regulation has been used as a prime example for micromanagement from Brussels. Therefore, the new approach to the technical measures is to establish a framework where the details will be decided on a regional basis. Here the ACs have another key role to play and might have to be forthcoming with proposals to the MS.

### **Evaluation of the Control Regulation**

The Commission is currently carrying out an evaluation of the Control Regulation and has launched a public consultation. The ACs are invited to participate either in the public consultation or to submit a position paper. The current Control Regulation is one of the last big regulations that entered into force before the Lisbon Treaty and revising it would provide the possibility to adapt it to the new regionalized style of regulation. The applicability of the control rules is a central element of the CFP and if the rules are not applicable, they will not be followed.

### **Market regulation**

The new Market AC is arguing for a bigger say of the Producer Organizations when it comes to price formation.

### **External dimension of the CFP**

It was pointed out that the EU is fighting illegal fishing and trying to discipline third countries. To that end it is very important that the EU leads by example. Not only within EU waters, but also outside EU waters.

### **Discussion**

The representative of the Baltic Sea AC was positive about the fact that technical measures is on the agenda. It has already been working on this, together with Baltic MS, and hopes that this cooperation will continue. The BSAC chair reported that he is very happy with the development of BALTFISH's improved consultation with the AC. Under the Polish Presidency BALTFISH has proactively engaged the AC, bringing AC members and civil servants together. The BSAC has taken seriously that regionalisation is serious and involves change. He was pleased to hear that there is optimism surrounding the Baltic Sea multiannual management plan. The Commission was pleased to note the optimism. It is very happy with the way things are happening with the BSAC and BALTFISH and considers the Baltic as the example to follow.

The chairman of the NSAC was dissatisfied that the importance of the AC's position is not sufficiently reflected in the summary document on the public consultation for a multiannual management plan in the North Sea. He is also concerned about the delay with the Baltic management plan and the effect this has on the North Sea in terms of cod management. All co-legislators as well as the Commission are aware that not all sea basins are the same, but the unifying issue across all sea basins is the co-legislators' interpretation of articles 43/2 and 43/3 in the Treaty and on the fishing

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mortality ranges. He fears that the M (Maximum) will be left out of MSY. But he is positive that the NSAC will be invited to give both upstream and downstream advice. The challenges are enormous in the North Sea basin, and the additional funding to the ACs was welcome. The Commission explained that it is aware of what to do with the cod plan and effort regime – and the recent court ruling. This is largely a consequence of what will happen with the Baltic Sea multiannual management plan and then the North Sea multiannual management plan – to find out what is the best and most timely solution. The Commission is there to facilitate an agreement and not to enter into an ideological discussion. Downstream advice from the ACs will increase in the future. The technical measures framework will include ample room for AC input through regionalisation.

One of the representatives of the SWWAC said that he likes the idea of a rapid response mechanism. He wanted better visibility and to be able to organise things more effectively. But of course there is disappointment about the lack of speed when it comes to adopting multiannual management plans. He also wanted to promote the downstream process. There are 2-3 years to reach international requirements, so there is a need to make additional demands, particularly from a technical point of view in order to meet the legislated timeline - in particular concerning MSY. The Commission agreed that the cornerstone of the new CFP are the multiannual management plans. As for reaching the 2020 goals, the science is there, but how quickly can the goals be met? The conference on economics in fisheries management, held recently in Malta, should provide the answer and the Commission is now working to provide socio-economic elements for better decisions at the December Council. The MSY objective of 2020 is clear, but the trajectory is also important and to have a decision-making process to combine scientific advice with sound socio-economic advice.

Another SWWAC member said that the positive trend observed over the past years is turning around and he now observed a downwards trend in the number of stocks being fished at or below  $F_{msy}$ . This worried him and he would like to see more determination from the Commission. He wondered if Europe was making enough progress. The Commission disagreed that there was a downwards trend in the number of stocks sustainably exploited. It agreed that there were some minor ups-and-downs in the number of stocks being fished at or below  $F_{msy}$ , but this kind of variation is normal and no reason to assume the onset of a general downwards trend. The Commission will nevertheless ask STECF again to provide an evaluation on where we are in terms of MSY. The results will be published in the policy paper, whether they are positive or negative. The policy paper will also address the implementation of the LO.

The MEDAC emphasized the enhanced role of the ACs under the new CFP and that there is an obligation now to consult the ACs. However, there was concern that some of the good intentions are being lost, especially when coming up with regionalization proposals. While the development of multiannual management plans is delayed causing concern given the lack of an alternative effective regionalized decision-making process, there has been a fast-track process in terms of adopting discard plans. The MEDAC felt that there were two different trains at different speeds on different tracks. The Commission said that the legal basis for discard plans and multiannual plans is different. Discard plans are agreed in the regional MS groups whereas multiannual management plans are decided through co-legislation. The Commission understood that the ability of the ACs to intervene is different for both processes, but that does not mean that their intervention is less important in

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one case compared to the other. The Commission encouraged the ACs to be as proactive as possible to strengthen their influence.

The LDAC highlighted the international dimension of the CFP which is very important for the LDAC. It is in favour of transparency and cooperation. There are many challenges in international fisheries, but the LDAC is working together a lot with third countries, e.g. on controlling international fleet capacity and on IUU fishing. The Commission appreciated the work done by the LDAC and was aware of the many international challenges. It referred to the global ocean governance initiative which could be a good platform for discussions. The Commission also pointed out that man-power in DG MARE has decreased and continues to decrease. It might therefore be necessary to be clearer on priorities and the Commission was open to suggestions from the LDAC on how to increase efficiency.

The NWWAC welcomed the structural increase of financial resources. It also called for a rapid reaction mechanism for issues that need immediate decision and reaction of all stakeholders. The Commission was very open to the idea, but also pointed out that quick decisions and EU decision making are not necessarily compatible. The Commission saw regionalization as a simplified process allowing to be more reactive.

The chairman of the PELAC explained that the PELAC is spending a lot of time on the implementation of the LO, but also on controlling the LO. In this regard the PELAC has set-up a control focus group which has been very active in responding to the control expert group reports from the NWW and NS regional groups. Another important issue for the PELAC is the development of multiannual management strategies and its aspiration to have all stocks in its remit covered by such strategies. While progress is made in some stocks, problems arise in others. He mentioned the case of herring in area VIa where two stocks were combined in a single assessment leading to zero catch advice for both stocks even though one of them had been managed very successfully by a multiannual management plan. The PELAC started developing a rebuilding plan in collaboration with ICES, national scientists and the relevant MS. There are two concrete proposals, one of which applies cutting-edge genetic technology to differentiate between the stocks in surveys and catches. The PELAC has been knocking on many doors to secure funding for this work and although the Commission was initially very keen on funding at least part of the work, it turned out that there were so many administrative obstacles that in the end the Commission was not able to provide any funding. Therefore, the industry is now paying for this work entirely, but the PELAC hoped that the Commission will be able to contribute next year. The Commission understood that the funding situation is very frustrating, but pointed out that the financial regulation is very strict in terms of what can be financed and under what conditions. The Commission will look into possibilities to help next year, but could not make any promises.

Another PELAC member added that the PELAC has also set-up an ecosystem focus group which has compiled a first report outlining questions and issues that are especially relevant for pelagic fisheries under an ecosystem-based approach. The group is still ongoing and the report provided is a living document that is being updated and improved regularly. The goal is to be prepared to implement an ecosystem-based approach to fisheries management also in regards to the MSFD and GES while acknowledging the importance of economic, ecological and social aspects.



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### 3. The role of the Advisory Councils under the new CFP (regionalization)

The Commission emphasized once again that the role of the ACs has been enhanced and that there are now plenty of opportunities to also develop downstream interventions and to be even more influential. The regionalization process has shown that in some instances the work of the ACs has almost been rubber-stamped. The Commission was aware that this was not the case for all ACs and acknowledged the frustrations expressed by the PELAC previously. It pointed out that regionalization is a learning curve and that there are different attitudes in different regional groups. The more the ACs contribute the more likely it is that they facilitate the process in the MS. Another important issue raised by the Commission was consensus-building. In the past there has been a lot of pressure to reach consensus within the ACs, because consensus gives a lot of strength to a position. However, the Commission asked the ACs to not become obsessed by consensus. If it takes too much resources, e.g. time, to reach consensus the ACs should instead clearly present the different positions as this is still worthwhile and the Commission views the ACs as a reality check. Regarding Commission representation at AC meetings the Commission stressed that it always tries to ensure adequate representation. However, it might not always be possible to attend all meetings and therefore it was important that the ACs help the Commission decide which meetings have priority and where Commission presence is absolutely crucial.

The NWWAC welcomed the Commission's remarks on consensus since it is not always possible to get consensus. Due to three working languages, the NWWAC has had issues about speed of dissemination of proposals, and this affects transparency of its work. The NWWAC has done its utmost to ensure swift processing. Development of engagement with the NWW MS group has been slow to develop, but it has been positive and it has been a learning curve. The Commission said that it should do more to take account of the advice coming out of the ACs, rather than the individual lobbying. People have in the past questioned whether it is worth investing in the ACs, and this could end up killing the ACs. Then the Commission should try to privilege the advice from the ACs because it puts together the views from different stakeholders, even though the Commission continues to get advice from individuals.

A representative of the LDAC echoed support for the remarks by the NWWAC and pointed out that the value of the ACs is being acknowledged, because the ACs have a structured manner of providing advice.

Another representative of the LDAC regretted the comments made by the Commission on consensus. He referred to the CFP which states that, if possible, consensus should be reached within the ACs and he would have preferred if the Commission had encouraged reaching consensus. He was pleased that on regionalisation the cooperation with MS is getting better. But there is a need to ensure that the rules established in the CFP are maintained – otherwise there will be a shift in decision making and this will be circumventing Article 18 in the Basic Regulation. If only certain members from the ACs are invited to the regional group meetings, this will undermine the CFP objectives.

The MEDAC said regarding regionalisation, that it has no means of ensuring the 60-40 representation and that recording minority statements has given rise to a lot of discussion.

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The Commission admitted that of course, consensus is better. But if at some stage after striving to reach consensus, deadlock is reached, then it is best to give the different views. It is about being proportional. In Article 18 there is the obligation to consult the ACs. The MS are at liberty to consult who they want, but there is an obligation to consult the ACs. And there has been increase in the number of the 40% group representatives participating in the ACs. Regarding the General Assembly (GA), the Commission noted that the initial establishment of the GA for each AC had to adhere to the 60/40 split, but the GA does not have to maintain that split though Commission asked that the ACs try to maintain it. The Executive Committee must maintain the proportional representation.

The Commission underlined the importance of having a calendar and planning ahead for meetings. This will facilitate working procedures for everyone.

#### **4. AOB**

There was no AOB.

### **MAREFRAME DECISION SUPPORT TOOL WORKSHOP (26 FEBRUARY 2016, DEN HAAG)**

PELAC participants: Claus Reedtz-Sparrevohn, Gerard van Balsfoort, Ian Gatt, Martin Pastoots, Søren Anker Pedersen, Stella Nemecky, Verena Ohms

#### **Introduction (Marta Ballesteros)**

Marta Ballesteros presented in brief the MareFrame project and the process with the PELAC, which is part of the North Sea case study. In short, the MareFrame project is designed to support the shift towards eco-system based management solutions, and this particular process with the PELAC is intended to support the development of tools that can assist decision-making in relation to the possible development of multi-species management plans.

#### **The MareFrame Models (John G. Pope)**

#### **Multi-Criteria Analysis and Decision Support Tool (Mika Rahikainen)**

John G. Pope presented the 'Green' Model, as well as the more preliminary work on the 'Amber Model' (with a spatial component), and the 'Red Model' (including socio-economics). The idea of the discussion of the model(s) was to comment on the 'usability' of the model(s) with further optimization as the ultimate goal.

Mika Rahikainen presented the idea of the multi-criteria analysis and exemplified with work done in the Baltic Sea case study. A key element in a multi-criteria analysis is agreeing on a goal (for management in the North Sea), and it was the idea that the discussion should give input to this as well as to what relevant alternatives should be weighed against each other in the analysis towards how the goal could be achieved.

(The discussion of the two elements above unfolded in a joint manner)

It was discussed whether the current single species Fmax levels used in the policy system should be reflected in the Green Model or not. It was decided that this would go somewhat against the idea of

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multi-species ecosystem thinking, where species interaction is taken into consideration - and where it is necessary to think in terms of compromises: which fish do you want the most of. When moving towards a whole new approach it would consequently be most appropriate to take a flexible approach towards Fmax.

Martin Pastoors encouraged that the data behind the Green Model output was made visible so that it was more transparent what the outputs was based on. Similarly, it would allow other people to help 'co-create' the model, as they could get access to the input data. In this way the model would appear less as a 'black box'.

It was discussed, if the Amber Model was of interest to the PELAC and it was concluded that it was of marginal interest and it was therefore not discussed in detail.

It was discussed how much emphasis should be put on the Red Model. It was the general opinion that it was doubtful if the model could be developed to a stage where it would be really useful for decision-making. Gerard van Balsfoort emphasized that from an industry perspective this is not relevant as industry by definition is about profitability and not social concerns per se.

According to John G. Pope, the green model was essentially a broad brush model of long-term effects; however, the model should be able to show intermediate-term effects (eg. 2020 and 2030 if required). It was agreed that from the perspective of the PELAC priority should be on further development of the Green Model.

In relation to alternatives in the multi-criteria analysis, it was emphasized that the alternatives should be realistic in the sense that some technically feasible alternatives might not be politically feasible. This was acknowledged by the MareFrame team, but it was also highlighted that what is politically feasible might change when a new style of management is introduced; in particular if a positive outcome of the - so far 'politically unfeasible' alternatives – can be documented. Consequently, what is feasible must not be interpreted too narrowly – the abovementioned issue on whether or not to include single-species Fmax in the Green Model was mentioned as an example.

On the issue of the goal of the multi-criteria analysis, it was mentioned that MSY in one way or the other should be the goal. However, it was acknowledged that the discussion of MSY as target is not straightforward and, in particular, not in a multi-species context. Here, Stella Nemecky and Martin Pastoors articulated different and perhaps conflicting perceptions on the implication for the implementation of the CFP. Clearly, there will be political implications of choices favoring one species at the expense of another (say for instance that one country has a high TAC on herring and another country a high TAC on cod and that the two species have a predator-prey relationship; if you then decide to fish hard on the cod to allow the herring stock to flourish in the longer term, the country with the high cod TAC will eventually lose out), which could actually challenge 'relative stability' in the CFP. It was also mentioned that maintaining MSC certification was a part of the goal. Particular in Europe, this is a key to market access; in other areas, access to markets is most often more based on reputation.

There was a discussion on the differences in perspectives between the catching and processing industries, where ship-owners are more interested in total yields of the pelagic stock portfolio while

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the processing industry is more interested in stable supplies (not necessarily the same species all the time though); something which of course changes if the two industries are integrated. Similarly, when catching and processing industries are not integrated, value of the catch is income for one industry and cost for the other.

A stable, relative high yield is nonetheless something that should be part of the goal. A precise trade-off was stated between volume and price. The fishing industry works with a portfolio of species; maintaining the total volume of catches is more important than getting higher quotas on one highly valuable specie; i.e. there is a preference for the maximization of volume even if the price is lower, but not at any price.

It was agreed that John G. Pope would continue work on – in particular – the Green Model and it was agreed that Mika Rahikainen would proceed to develop a value-tree for the North Sea case based on the input from the meeting (as well as a meeting scheduled with the NSAC on 11<sup>th</sup> April). Similarly, he would develop a draft text on the goal of the multi-criteria analysis, in other words a goal for management in the North Sea).

### **Next steps and timetable (John G. Pope and Troels J. Hegland)**

It was agreed to explore the option of having the next PELAC – MareFrame meeting as a joint meeting with the NSAC on 13<sup>th</sup> July 2016 in either Peterhead or Aberdeen.

*NB: It has later been decided that the joint meeting will take place from 15.30 to 18.30 in Aberdeen on 13<sup>th</sup> July 2016 (Cruden Suite at Hilton Doubletree Hotel). The PELAC will arrange transportation for PELAC members from Peterhead to the venue in Aberdeen. The meeting in Aberdeen will be concluded with a joint dinner, including participants from the PELAC, the NSAC and MareFrame.*

It was furthermore decided to move forward with scheduling the joint technical meeting with the JRC, STEFC, ICES, ACs, DG-MARE and DG-ENVIRONMENT. The objective of the meeting is to provide an analysis of the current fisheries advisory process, demands from the EAF, opportunities for improvement, etc.

*NB: The meeting is confirmed to take place at the ICES HQ 4<sup>th</sup> October 2016.*

### **AOB**

None

## **SCHEVENINGEN HLG MEETING (9 MARCH 2016, STOCKHOLM)**

PELAC participants: Ian Gatt, Verena Ohms

The Scheveningen HLG invited the chairman of the Pelagic AC to present the recommendations on the control report drafted by the control experts of the Scheveningen Group. The participation of the Pelagic AC was limited to one hour, but the atmosphere was open and welcoming and the HLG appreciated the recommendations received from the Pelagic AC.

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Denmark pointed out that collecting gramme size information is a true paradigm shift and wondered whether additional control measures can be put on vessels only because they are outliers. So far Denmark has only used additional control measures on vessels that have been proven to commit infringements. However, the UK pointed out that this is already been done in the UK and also Germany generally supported the idea.

The Netherlands explained that the Commission has provided clarification on point 11.4 of the Omnibus Regulation which stipulates that *“Paragraphs 1 and 3 shall not apply to sardine, anchovy, herring, horse mackerel and mackerel, within a limit of 10 % by live weight of the total catches retained on board of each of those species.”* This means that up to 10% of undersized catches of these species may be sold for human consumption.

The Netherlands also ensured that many of the issues raised by the Pelagic AC have been flagged with the Commission and Member States asked for guidance on how to solve them. There certainly is an appetite to find appropriate solutions.

Sweden pointed out that the control experts have started discussing the Pelagic AC recommendations and that it would be a good idea if the Pelagic AC was present, at least for part of these discussions. The other Member States agreed. Sweden furthermore said that the HLG is focussing a lot on demersal fisheries at the moment, but that there is awareness that the issues in pelagic fisheries must not be forgotten.

Ian Gatt explained that the Pelagic AC will try to convene either a focus group meeting or a workshop to go through all the issues identified and he invited the HLG to send at least one representative to this meeting.

He also wanted to know how Member States handle the de minimis exemptions, but there seemed to exist no general rule in this regard. Some Member States take a certain percentage of their overall catches, others apply it on a vessel basis. Ian Gatt pointed out that those fleets that need a de minimis most usually do not have any quota allocation and since there is no key on how to divide the de minimis a lot remains unclear.

Denmark wanted to have a general discussion on minimum conservation reference sizes (MCRS), but The Netherlands considered it difficult to have a general discussion, because for some species MCRS might be very important whereas for other species it could easily be removed and by that resolve a lot of problems. It was pointed out that the Commission mentioned that JRC might hold a workshop on MCRS, but no further information was available to date.

Germany said that a lot of technical issues can be dealt with once the Commission has published its proposal on the new Technical Measures Regulation and when the multiannual plan for the Baltic Sea has been adopted since this will trigger a new dynamic.

Ian Gatt pointed out, however, that fishermen are worried that it can take several years before the new Technical Measures Regulation and the new Control Regulation have been adopted. A lot of issues are quite urgent and need to be resolved as soon as possible.

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## WORKSHOP ON QUOTA SWAPPING (11 MARCH 2016, COPENHAGEN)

PELAC participants: Esben Sverdrup-Jensen, Sean O'Donoghue, Stella Nemecky

A workshop on quota swapping was organised by the Danish administration on the 11<sup>th</sup> March 2016 in Copenhagen. The purpose of the workshop as stated by Bent Christensen was to start work to find out to what extent quota swapping can be a realistic tool to solve some of the problems of the landing obligation and as a prelude to the upcoming Access to Quota Seminar in Edinburgh on 14<sup>th</sup> and 15<sup>th</sup> April 2016. The workshop was split in a number of plenary and regional group sessions.

The plenary sessions covered quota swapping examples of possibilities and limits and examples of MS problems and solutions through quota swaps from an Irish and UK perspective. The regional group sessions were the main focus of the workshop. These were split into four groups:

1. Baltic Sea
2. North Sea
3. North Western Waters/South Western Waters
4. Pelagic Straddling Stocks

Esben Sverdrup-Jensen, Stella Nemecky, and Sean O'Donoghue attended the Pelagic Straddling Stocks regional group session on behalf of the PELAC.

Each of the Regional Groups were given five tasks to address during the session namely:

1. Identify a list of choke species/problem stocks in each region
2. Discuss to what extent quota swaps between Member States can mitigate or reduce the identified problem
3. Identify a list of possible barriers/limitations in EU or national legislation to use quota swaps as a solution to reduce problems with choke species.
4. Identify possible new ways to make more use of quota swaps as part of the solution.
5. Discuss and propose possible next steps

The Pelagic Straddling Stock Group had a very constructive discussion on the tasks it was asked to address as identified above and agreed that the following set of key points be presented at the final plenary session.

1. Due to the specific nature of the pelagic fisheries (unlike whitefish fisheries) the by-catches/choke species are not identified until after the sorting and grading is carried out in the factories ashore or at sea. This is a major difference between whitefish fisheries and pelagic fisheries.
2. The choke species in pelagic fisheries relate to whitefish species rather than to pelagic species.
3. Hake and boarfish were identified as two possible choke species in western waters pelagic fisheries and saithe in the herring fisheries in the Baltic Sea.



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4. Quota swapping was not considered as a useful option in pelagic fisheries as the main problem with the landing obligation related to by-catches of whitefish species.
5. A significant problem was identified in relation to the non-availability of a whitefish by-catch for pelagic fisheries e.g. if a MS was not in a position to get a quota swap for hake what happens to the pelagic fishery which may still have a large quantity of pelagic species to catch? One possible solution discussed was to make use of footnotes with limitations in the TACs and quotas regulation as is presently the case for western horse mackerel.
6. Another problem identified was where a zero TAC is set for a pelagic species: how are the by-catches to be dealt with?

In the final plenary session each of the four Groups gave a brief summary of their discussions and progress they had made in addressing the five tasks. In his concluding remarks Bent Christensen considered the workshop had been useful in identifying to some extent the role that quota swapping can play in solving some of the problems of the landing obligation and was a good prelude to the upcoming Access to Quota Seminar in Edinburgh on 14th and 15th April 2016.

### **WORKSHOP ON THE EVALUATION OF THE CONTROL REGULATION (18 MARCH 2016, BRUSSELS)**

PELAC participants: Gerard van Balsfoort, Ian Gatt, Konstantinos Kokosis, Verena Ohms

A Commission representative opened the meeting by stating that the Control Regulation is one of the corner stones of the CFP and that there has been a significant improvement in relation to control and compliance over the past 6 years. At the same time the Control Regulation is still very technical and complex and one of the main questions to be addressed by the evaluation of the Control Regulation is whether the law itself should be changed or merely its implementation. The Omnibus Regulation and the regional discard plans also have to be taken into account when discussing control.

Afterwards another Commission representative explained that the current evaluation of the Control Regulation is part of the legal reporting obligations to the Council and the Parliament. Rather than only providing a 5 year report by the Member States, however, the Commission also decided to carry out a public consultation and in addition hired an external consultant performing an evaluation of the current Control Regulation. All this information will then be collated into a staff working document. The evaluation criteria are effectiveness, efficiency, relevance, coherence and added value.

The Commission subsequently presented some preliminary outcomes of the public consultation to which 441 responses have been received, 301 of those from Ireland. Overall these preliminary results indicate that the Control Regulation provides a modern and robust regime, led to improvements in behaviour and compliance, has simplified the previous control rules and the stronger role for the European Fisheries Control Agency was appreciated. However, a number of deficiencies were also pointed out including the sanction/point system, the need for more transboundary cooperation

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regarding data exchange, the lack of clarity in the legal text in relation to serious infringements and weighing rules, the lack of flexibility and too many derogations.

Some of the workshop participants were puzzled that the Commission seems to treat the Control Regulation in isolation while it is closely related to the Technical Measures Regulation which is being revised at the moment and the control of the landing obligation. While it has been announced that much of the technical measures and control of the landing obligation will be up to regionalization, the Control Regulation itself will be an EU regulation which seems contrary to regionalization.

The Commission was aware that the timing is not optimal, but said that it will try to connect all the different regulations at some point. Furthermore, there is a legal obligation to carry out an evaluation of the Control Regulation at this stage.

Another issue that was discussed was the complexity of rules. While the current Control Regulation has simplified the system to some extent, the rules are still very complex which was admitted by the Commission and it will be looked into how to further simplify them.

It was also argued that control inspectors should receive better and coordinated training, so that they all apply the rules in the same way.

Furthermore, the idea was raised to set aside part of the budget to establish a rapid response mechanism that can quickly deal with arising issues. The Commission pointed out that an emergency unit could be put in place under EFCA by the Commission. So far, this possibility has not been used, but the Commission understood that there is a need for implementing this.

Another participant said that a level-playing field also depends on transparency and asked the Commission to make information on infringements readily available to stakeholders and the public at large. However, the Commission said that if measures against infringements are too severe then there is a risk that transparency will in fact decrease and a balance had to be sought.

Finally the Commission invited organizations, and especially the Advisory Councils, to submit a position paper by the end of March in regards to the evaluation of the Control Regulation.

## MISCELLANEOUS

### **NEW MANAGEMENT TEAM MEMBER WANTED**

After serving on the Pelagic AC including on the Management Team for more than 10 years Christine Absil has announced that she will retire from the Pelagic AC in July. The secretariat therefore invites applications from members of the 40% group to join the Management Team as of July 2016. If you are interested in the position please submit a short motivation letter to the secretariat before the 7<sup>th</sup> of April 2016. Elections will be held during the Executive Committee meeting on 21 April.

## PRACTICAL INFORMATION

### REIMBURSEMENT OF TRAVEL COSTS

Please remember that the secretariat has to receive your reimbursement claims within one month after the corresponding meeting by post or email including copies of all receipts. Reimbursement sheets received after the deadline will not be taken into account. If you cannot meet the deadline please inform us as soon as possible. To find out more about reimbursement rules please consult the Pelagic AC's "Rules of procedure" or contact the secretariat.

<http://www.pelagic-ac.org/media/pdf/Rules%20of%20Procedure%20Pelagic%20AC%20-%202014%20November.pdf>

## UPCOMING MEETINGS

### **WORKING GROUP I AND II MEETING AND EXECUTIVE COMMITTEE MEETING (21 APRIL 2016, DEN HAAG)**

The next Working Group meetings and Executive Committee meeting will take place on 21 April at Parkhotel Den Haag. The main focus will be on following-up on action items from the last meetings, but there will also be elections of a new Management Team member from the other interest group, and a presentation of the Commission's proposal on technical measures.

All meeting documents are accessible here:

<http://www.pelagic-ac.org/pracmeetings/upcomingmeetings>

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