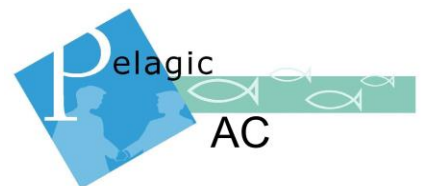




# PELAGIC ADVISORY COUNCIL

Newsletter 2/2021

April – August 2021



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# PELAGIC AC MEETINGS

## **HERRING FOCUS GROUP (14-04-2021, ONLINE)**

The main focus of the meeting was the preparation of the benchmark, which was expected to kick-off early November 2021. The meeting covered updates on genetic and acoustic data gathered to date, that would feed into the benchmark process.

### Update genetics

Ed Farrell presented the state of play regarding the EASME genetics project. The EASME project concluded in December 2020, and the final report was approved by DGMare in January 2021. The report was subsequently published on the DGMare website in April 2021. The Focus Group agreed that the PelAC would pursue the peer review of the EASME report, through the Commission and Member State administrations involved in the research (i.e. Ireland and the Netherlands). As a fall back option, scientists participating at the benchmark would be contacted in advance of the benchmark to ask if they accept the results.

Ed Farrel updated the meeting on a contract for follow-up work that had been agreed with the industry in January 2021. The EASME work identified a few areas that could be addressed before the benchmark. A list of samples was selected in December 2020 to increase some of the robustness of the data and pre-empt some of the questions in that might arise in the benchmark. Priority tasks for 2021 include further fine tuning of the assignments, refining the distinction between 6a South and 6a North spring spawners, and prepare papers for publication in ICES journals.

A discussion was held over the use reserve sample 'plates' the follow-up project had budgeted for, but weren't fit for genotyping. There were 4 plates of samples could be used for something else, such as qualitative analysis or covering excess samples from the Malin Shelf. Ed Farrel went through a number proposals for their use and the Focus Group decided to use them for all four options put forward, requiring an extra plate of samples to qualitatively look at the Westher mixed samples from 2003 and 2004. The secretariat indicated its willingness to cover the costs for this extra reserve plate and would check funding possibilities from the PelAC budget.

Finally, Ed Farrell presented some results of the GENSINC project. In this project DNA is extracted from multiple samples and mapped back to the full genome, giving a good representation of each population. The use of genome analysis enables comparisons of single populations or groups. 6a South late spawning samples are shown to be biologically very similar to early spawners, and new markers can help show these differences. While samples from 6a South and Celtic Sea couldn't be separated before, one small peak now stands out significantly. The same is true for 6a South vs. Irish Sea, the Channel and Downs, suggesting that Celtic sea stands out as a unique population. By contrast, a low level of diversity seems to be found between North sea autumn spawners and 6a North autumn spawners. It was decided arrange that key scientists involved in the GENSINC project would be invited for a presentation at the July PelAC Working Group II meeting.

### Updates on the acoustic surveys

Steve Mackinson provided an update on the 6a North survey and had circulated the report with the latest results of the 2020 survey, which was imminent for the 2021 survey. Mackinson indicated that the survey area had changed in 2020, based on the outcomes of a review workshop on herring

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spawning stock acoustics. 2020 was the first year where surveying was limited to just two areas, therefore results of all surveys going back had to be re-analyzed (referring to the 2 areas) to optimize a useful time series.

Younger fish seemed to dominate in the acoustic density, and this abundance of younger fish were also seen in the July HERAS survey. The number of age 1 fish in the 2020 survey suggested a decent incoming recruitment, with a larger proportion of younger fish. But it's still unknown whether fish will spawn there. It would be important to go back in 2021 and check if they are spawning.

The survey for 2021 was being prepared as though it would be taking place, but the continuation would depend on the Marine Scotland position. The 2021 6a North acoustic survey followed what was done the previous year but with more effort on the sampling. There are two different aspects in the industry surveys: First are spawn surveys to continue monitoring the abundance at age and follow the cohort tracking, where one of the main questions is whether immature fish seen last year will spawn this year. The second part will be to undertake maturity stage experiments to resolve any uncertainty in the genetic discrimination. The second component of the 2021 survey was to join and support the HERAS survey to obtain sufficient biological samples. An urgent action was noted for Marine Scotland to provide clarity on short notice on its involvement in the 2021 6a North acoustics survey.

Corman Nolan provided an update on the 6a South 7bc survey. In 2020, the survey was different from previous years. The 2016-2019 survey design were large offshore transects. In 2020 by chance, only small bays where herring are known to be spawning were surveyed, using smaller vessels. This resulted in much better coverage of where the fish were. The new approach was found to be good for hitting spawning, as well as avoiding poor weather. The downside were the small sample sizes. At the same time, samples came in from the monitoring fishery, so the timing was adjusted to information coming in from the industry. Big marks were seen in the bay areas and the coverage was good. The 2020 showed the 2nd highest SSB in the time series. The change between 2019 and 2020 would have to be looked at before the benchmark. Offshore areas would need to be stripped off and make sure cohorts are tracked. This will be an opportunity to get the information into the assessment. An analysis will be done to look at the changes and make sure it is as robust as possible. There will be a slight shift between 2019 and 2020, but Nolan hoped the timeseries would hold.

The PelAC will hold another Focus Group meeting prior to the PelAC October to take stock of final genetic and acoustic data, and prepare for the benchmark data meeting in November 2021.

### **WORKING GROUP II (20-04-2021, ONLINE)**

A presentation on the western horse mackerel rebuilding plan summarised progress so far, including the work of the technical FG and correspondence with ICES. The impact of Brexit and ensuing Coastal States negotiations was noted, and it was suggested that the PelAC follow up with ICES advice upon its publication.

A presentation on the proposed southern horse mackerel long-term management strategy first outlined the hierarchy of ICES advice and how the management strategy could fit within this.

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Regarding the stock, fishing had been below fMSY, and current ICES advice involved a linear increase to fMSY up to 2025. A further FG meeting to propose revisions to the management strategy by the PelAC was mooted, with a general feeling that fishing pressure should approach MSY more swiftly.

An update of the work of the ICES Herring Assessment WG (HAWG) included information that herring 6a, 7bc stocks were still considered low, but with significant uncertainty, and there was no anticipation that advice in June would be vastly different to previous advice. A recent herring FG had worked to prepare for the stock benchmark in 2021, and examine the acoustic surveys for herring in 6a north and 6a south. The FG had completed and submitted the genetics EASME project, and now sought peer review.

On Celtic Sea herring, the HAWG found a consistent perception of the stock - at a very low level, with advice therefore similar to the previous year. Mixing between Celtic Sea and Irish Sea herring was described as an issue given separate ICES advice on the stocks, leading to problems when advice for one stock was very low. A study on this mixing produced results with high uncertainty, with further investigation recommended.

The PelAC had requested boarfish closures at the NWWAC Member States Group level, which was currently being investigated by the French presidency. The main nation fishing the stock, Ireland, had already implemented the closure. The PelAC benchmark request for boarfish had not been successful at the time, and boarfish will not be benchmarked in 2022. The presentation of background work involving modelling at WGs could help the stock be benchmarked in 2023.

Discard Plans and Regional Group meetings were understood to be following the usual process, though vigilance was recommended concerning the effects of Brexit on in-year quota swaps, the lack of which could lead to choke situations.

## **WORKING GROUP I (21-04-2021, ONLINE)**

During this meeting, information was provided on the outcomes of the ICES Herring Assessment WG (HAWG), particularly around mortality calculations - the data for which were deemed incoherent. It was noted that the advice for North Sea herring would be delayed.

Under the remit of the Ecosystem FG, there was a presentation from Gerry Sutton of the SATURN project (SATURN stands for Solutions at Underwater Radiated Noise). An ambitious programme of investigative work, SATURN involves 20 partners, including 10 companies, 5 universities, and 5 national research institutes. Outputs of the project include new marine noise mapping and policy briefing materials, as well as research reports. The APELAFICO project, which is linked to the impacts of windfarms on the acoustic ecology of pelagic fish, was noted and the PelAC agreed to pursue a further presentation on this.



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Following an update on the Regional Groups, it was proposed that the PelAC would maintain a watching brief on de minimis proposals for pelagic stocks, including North Sea herring.

## **EXECUTIVE COMMITTEE (21-04-2021, ONLINE)**

A key topic for this meeting was how UK stakeholders could collaborate in PelAC meetings, following the UK's departure from the EU. PelAC was described as an 'open forum' and it was felt that UK stakeholders should be permitted to engage in relevant FGs and WGs on a case-by-case basis, but not ExCom discussions. A Focus Group to suggest revisions to the Rules of Procedure accordingly was proposed.

A discussion to fill the seats within ExCom left empty by Brexit led to suggestions for a rotating 'seat' filled by a different Member State every year, and similarly for OIGs. The Management Team was tasked to put together a proposal on this.

Updates on bilateral and trilateral Coastal States negotiations revealed that discussions were ongoing regarding TACs and quotas, beyond the expected time period. Negotiations with Norway had been concluded. Time of inception of the Specialised Fisheries Committee between the UK and EU remained unconfirmed.

A planned study on 'Regionalisation of the Common Fisheries Policy (CFP)', commissioned by the European Commission, will be carried out until January 2022, to obtain an improved understanding of regionalisation's role within effective fisheries management. It was also advocated that the PelAC engaged more on the social dimension of the CFP, and it was agreed to revisit this in a future meeting.

A presentation on the roadmap for ICES bycatch advice on protected, endangered and threatened species (PETS) gave information about the legislative background surrounding bycatch and the networks and data flows involved. The overarching goal is to assess the risk and impact of fleet activity on incidental bycatch. Comments supported the need to close significant data gaps in bycatch science.

A presentation on the LIFE bycatch project from the Dutch ministry emphasised the importance of engaging fishermen within bycatch science and legislation. The project involves cross-sectoral representation, and its objectives include building cross-border collaboration, monitoring programmes, mitigation measures, and joint recommendations. It was recommended a PelAC representative joined the project's advisory board.

WGI recommended the ExCom endorse further discussion on engagement with the SATURN project, which focuses on marine noise, and consider participation in its stakeholder group. WGII made two recommendations: the first, that the ExCom agree to correspond with the Commission regarding the importance of the western horse mackerel rebuilding plan within ICES advice; and the second, that the ExCom permitted the southern horse mackerel FG to directly submit the agreed long-term

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management strategy to avoid jeopardising deadlines. There were no objections to these recommendations.

## **BREXIT FOCUS GROUP (12-05-2021, ONLINE)**

Firstly, the co-chairs of the meeting provided an update on the state of play with regard to the EU/UK negotiations.

The chairs noted that the negotiations were still ongoing, with a small number of outstanding issues remaining. A number of other bodies than the Specialized Fisheries Committee need to be put in place, and very little is known at this time. The ACs have a big interest in the setup of the Specialised Fisheries Committee. For the Pelagic AC, it was important to note that under the Specialised Fisheries Committee the annexes 2a and 2b will change as per end of June 2026. After this date, pelagic stocks in these annexes (North Sea herring, mackerel, Atlanto-Scandian herring, blue whiting etc.) will no longer be dealt with at Partnership Council level but at trilateral or Coastal State level. The current phase was the implementation phase of the TCA, which will run until June 2026. Once the TCA is implemented, the pelagic stocks will move into a Coastal States or trilateral forum. The PelAC remit covers a number of stocks under the TCA (such as Celtic or 6a 7bc herring) that are currently under 0 TAC advice. The Specialised Fisheries Committee should have a solution for these stocks by end of June.

In its presentation at the May Inter-AC meeting, DG Mare said in response to the joint-AC letter that it would assess its stakeholder strategy and expressed every intention to continue working closely with stakeholders. The co-chairs were pleased Commission was taking onboard ACs' concerns and exploring ways to include the ACs in that dialogue.

Secondly, an update on the work on Brexit carried out by other ACs was given:

NWWAC: the NWWAC had undertaken similar work as was now ongoing at the PelAC, where lists of stocks, restructuring proposals for ACs, working groups were being considered. A task-force had been set up to review the NWWAC statutes and rules of procedure. The NWWAC had also prepared a concept note regarding an interactive map (with different layers depicting types of information per AC area). The NWWAC is currently consulting with web developers to carry out this work.

LDAC: The reflection on Brexit and the LDAC had started but this reflection was uneasy due to 2021 development being highly politicised. According to the LDAC a good coordination of stakeholders was paramount after the Inter-AC rounds that were held so far, with concerns over the involvement in the Specialised Fisheries Committee, and also due to the fact that many ACs have cross-membership. The LDAC had not made further progress at this time because of the large number of unknowns from the part of the Commission.

NSAC: There have been reflections on the participation of UK stakeholders in the NSAC. The main rationale for this was to try and find solutions for the swap problems with the UK. It the impression within the NSAC that the exchanges with ACs are not being prioritised by the regional Scheveningen Group, or with the Commission. The NSAC does not have an active Brexit focus group at this time, but it tries to keep in close contact with ex-UK members. They are invited to meetings, but their

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positions do not have weight. At the next planned Executive Committee meeting a discussion with ex-UK members is planned to hear member comments on the withdrawal of the UK.

MAC: The MAC has prepared a draft advice covering market and trade aspects (such as tariffs, ATQs, sanitary requirements etc.) where it also asked for clarification on how the MAC will be involved in the Specialised Fisheries Committee, since the MAC does not cover fishing opportunities.

Finally, in the second part of the meeting the co-chairs presented a selection they had made from the list possible options for future PelAC structures that were presented and discussed during the first Focus Group meeting in February 2021. Based on the feedback from Focus Group members during the first meeting, options were selected based on feasibility or support, and more in depth discussions were held.

The first option was re-defining the PelAC area or competence and bringing new stocks under the PelAC remit. A decision was made to put forward for approval by the PelAC membership a proposal to expand the PelAC remit with the following species:

- Sprat (North Sea, Kattegat/Skagerrak and English Channel)
- Norway pout (North Sea, Kattegat/Skagerrak)
- Greater silver smelt
- Sandeel

These stocks currently fall under the competence of the NSAC and NWWAC but are not being dealt with. If agreed by the wider PelAC, a formal request will be submitted to NSAC and NWWAC for the PelAC to deal with these species moving forward. Separately, it was agreed to pursue the inclusion of the chub mackerel species under the PelAC remit as well.

The second option was to discuss possible new arrangements for streamlining work with other ACs. The general view was that there could be possibilities to streamline approaches when it comes to horizontal issues affecting more than one ACs, but not fusing ACs altogether or combining budgets. An action was taken for the inter-AC secretariats to discuss possible procedures that could be put in place for organising more joint-AC FGs on horizontal issues, such as more alignment in organisation and financing of meetings.

The final option discussed was pursuing a role for stakeholders in the Specialised Fisheries Committee and the possibility of establishing a 'Pelagic Forum', an advisory body that includes stakeholders from third countries in the Northeast Atlantic. It was decided that the LDAC and the PelAC would develop a concept note on how such a forum could take form. Furthermore, an action was taken for the 4 AC's impacted by Brexit discuss future involvement in the Specialised Fisheries Committee, such as developing streamlined fast-track procedures for adopting decisions or advice on this topic, and consider setting a meeting with the Commission.



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## **SOUTHERN HORSE MACKEREL FOCUS GROUP (18-05-2021, ONLINE)**

This meeting focussed on the review of the Southern horse mackerel (SHOM) long-term management strategy (LTMS). A presentation was given by Hugo Mendes on the LTMS and TAC calculations. On the ICES stock assessment for SHOM, surveys for the stock had not been possible in the past fifteen months due to the pandemic. Estimations for the stock are based on predictions, linked to previous average levels, and not linked to accurate data. This presents challenges for assessing the stock in a scientifically sound manner. There are indications that the stock is in a healthy condition, but there is significant uncertainty - and this could have implications for the stock assessment. This will all be discussed during WGHANSA.

Because the fishery is moving from ICES advice to the management strategy, the TAC would be calculated based on observed catches (which were low), rather than the available resource (as previously). Because TAC stabilising bounds did not apply in the first year of the management strategy, and the perception of the stock SSB by ICES was high, these factors exacerbated the gap between the LTMS advice and the ICES advice.

The proposed amendment to Article 5.1 of the LTMS, from achieving fMSY in 2025 to attaining fMSY in 2022, was adopted with the ambition to submit this via the Commission to WKHANSA.

## **RULES OF PROCEDURES FOCUS GROUP (28-06-2021, ONLINE)**

The aim of the meeting was to review the PelAC rules of procedure and statutes, and check to what extent these should be amended to reflect the new reality of Brexit and decisions made by the Executive Committee in terms of continued collaboration with former UK members, as well as a new procedure for filling of vacant ExCom seat that resulted after the departure of UK members.

After a first discussion it became clear that the PelAC statutes and Rules of Procedure do not follow the correct structure and texts in both documents seemed mixed up. Many sections of the Rules of Procedures are too vague and the statutes consists of too many elements that belong in the rules of procedure, and not the statutes. The statutes should cover details on membership and composition, details on operations procedures to follow should be included in the rules of procedure.

It was decided to draft amended versions of the RoP and statutes following the example by the NWWAC which had recently undertaken a similar exercise. It was considered the NWWAC had very thorough rules of procedure.

An action was taken for the secretariat to review the examples of the NWWAC new RoP and statutes and based on this format, draft revised versions of the PelAC statutes and rules of procedure. The RoP FG would meet again for an online meeting on 31st of August to review the drafts, with the aim to finalise a draft to present to the General Assembly in October for approval.

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## **WORKING GROUP I (06-07-2021, ONLINE)**

A key topic for this meeting was fishing opportunities and advice issued for 2022 on North Sea autumn spawning herring and Western Baltic spring spawning herring, plus an update on the NS herring benchmark process.

For North Sea autumn spawning herring, a number of issues with regards to the use of natural mortality estimates within the herring assessment model were identified, thus an inter-benchmark process was initiated in March 2021. The PelAC was notified that advice would be delayed as a result. The inter-benchmark protocol was still ongoing at the time of the meeting. For Western Baltic spring spawning herring, ICES advised zero-catches, consistent with advice across the last three years. The advice for NS horse mackerel would be available in the Autumn. The suggestion to invite a representative from the trilateral working group between the EU, UK, and Norway to provide updates around work on herring stocks was recommended to ExCom.

An update was also provided on the Blue whiting acoustic survey. The survey concluded that over the years it has been conducted, a pattern has been observed of one or two strong year classes making up the majority of the biomass of the stock. In 2021, without a strong year class for several years, the stock is a much more balanced composite of various year classes than has been seen in the recent period. It was agreed that the Blue Whiting FG would be re-established and to convene ahead of ADGWIDE.

There was an update on the activities and plans of the Ecosystem FG, including a review of the Terms of Reference, and building knowledge around impacts of marine noise. The FG is becoming increasingly relevant given the shifts towards ecosystem-based management.

## **WORKING GROUP II (07-07-2021, ONLINE)**

A key topic for this meeting was fishing opportunities and advice issued for 2022 for Celtic Sea herring, Irish Sea herring, Herring in the West of Scotland and Ireland, Southern horse mackerel (SHOM), and Western horse mackerel (WHOM). Regarding SHOM, a change in how the stock is assessed at the ICES level since the PelAC's SHOM FG meeting on 18th May 2021, had resulted in a revised MSY level for the stock, which had again thrown the catch advice from ICES and the PelAC's LTMS out of alignment. After extensive debate, it was ultimately agreed to pursue discussions around the LTMS ahead of the October meeting, to assess whether there is appetite to pursue an amendment to the MSY target within the LTMS.

Subsequently, Andy Campbell provided a presentation on the management strategy evaluation (MSE) conducted for the Northeast Atlantic mackerel stock, focussing on short- and medium-term outcomes. The MSE indicated that the stock is projected to increase in the near term, due to good recent recruitment. However, short and medium term outputs are dependent on the output of the assessment used to condition the MSE. Future advice based on a management strategy will be

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derived from the output of the future assessments, which may revise the perception of the stock status.

Leif Andersson presented the GENSINC project, which has developed 'excellent tools' for genomic analysis in Atlantic herring, showing there to be low genetic differentiation between populations, but considerable local adaptation.

Further updates were provided on the Landing Obligation, including TAC deduction calculations for horse mackerel. The Commission was still putting forward proposals from 2021, so no information on 2022 deductions were ready at the time. Further information from STECF is to be expected by September.

## **EXECUTIVE COMMITTEE (08-07-2021, ONLINE)**

The PelAC work plan for the forthcoming year was presented, as well as the proposed budget for 2021-2022. Key items in the plan include Brexit and the functioning of Advisory Councils, the Landing Obligation, control issues, multi-annual management strategies, deep-sea mining, climate change, underwater noise impacts, and regionalisation. ToR for the PelAC performance review had been drafted. The aim was to contract a consultant to carry out the review in July 2021, with a view to presenting results in October.

Chairs elections would also be taking place in October 2021, and application procedures would be opened via the PelAC website.

Further updates were provided on EU-UK negotiations, the Specialised Committee on Fisheries (SCF), and Brexit FG outcomes. The PelAC would look to widen its remit to include four additional species:

- Sprat (in the North Sea, Kattegat/Skagerrak and English Channel)
- Norway pout (in the North Sea, Kattegat/Skagerrak)
- Greater silver smelt
- Sandeel

Two recommendations from WGI were given assent to commence. There were: firstly, to invite a representative from the trilateral working group between the EU, UK, and Norway to provide updates around work on herring stocks, and; secondly, to re-establish the blue whiting FG and convene this ahead of ADGWIDE, between 13th-17th September.

Mo Mathies, NWWAC Executive Secretary, provided an update on an interactive map under development in the NWWAC. The NWWAC is interested in commissioning a scoping study and collaborating with ACs. The AC has issued an invitation to quote for this work.

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### **NWW MEMBER STATE GROUP (16-04-2021; 05-05-2021, 03-06-2021; ONLINE)**

Sean O'Donoghue presented the same two issues at three meetings on the 16-04-2021 Technical meeting NWW MS, 05-05-2021 Technical meeting NWW MS and 03-06-2021 NWW Technical meeting MS, namely the boarfish closure as recommended by the PelAC and how the Specialised Fisheries Committee under the TCA would operate. The replies he got at each of the three meetings was that the boarfish closure was being considered but unfortunately due to the work load it was not yet able to give a response. They did give a response at meeting on the 5th July which he was not able to attend and was kindly covered by the NWWAC Secretariat. Below is the extract from the note of the NWWAC of the meeting on the 5th July. On the issue of the Specialised Committee on Fisheries the response was that they were in a similar position to us in that they were awaiting clarification from the Commission. At the meeting on the 3rd June, he also mentioned the reckless and irresponsible behaviour of Norway and Faros in unilaterally increasing their mackerel quotas by 55% and the very negative impact this will have on the sustainability of mackerel stock. The Chair accepted this was a very serious issue and was being followed up by the Member States.

### **NWW member group meeting of 5 July 2021 (represented by NWWAC Secretariat):**

At this stage there are no conclusions from the MS regarding the PelAC request on the boarfish closure, as there is some concern on the articulation of management measures and the consultation with the UK in the SCF. The Member States are not sure how those measures will be dealt with in the new context.

### **SWW MEMBER STATE GROUP (26-04-2021, ONLINE)**

Joint Recommendation (JR) on Landing Obligation (LO):

- Modifications on last version - exclude all the references to the Technical Measures and also references to sanitary measures, i.e. all recommendations that aren't di minimis or high survivability. MS announced there will be a separate JR on TM.
- Modification on the exemption for cuckoo ray - they want it for two years and not only one (my understanding is that this would align it with the other exemptions, which are in place till December 2023).
- List of annexes - will include the titles of scientific studies that will support the exemptions. In this case, it will be only for cuckoo ray. On the rest of the exemptions they will have only the additional data they are supposed to collect and present to the Commission, as they are in place till December 2023.

Directed Fisheries:

- They have to report till the 1st of May. They are compiling info to send to STECF.

By-catches of sensitive species:

- Collecting data on bycatches, pingers, observer programs, basically Spain and France. Commission has said they need to continue to implement these measures but there may be the need for new measures.

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Goncalo Carvalho asked specifically if new exemptions for pelagics were being requested, and Juan António confirmed that this is not the case. The revised draft JRs will be shared with the ACs during this week.

### **INTER-AC (05-05-2021, ONLINE)**

This was a broad Inter-AC meeting covering a range of topics. The first half of the meeting saw presentations on key policy developments and deliverables, including the Biodiversity Strategy and Farm to Fork Strategy. Important objectives of the European Commission's environmental commitments in relation to the marine environment were given as follows:

- Protect 30% of EU waters (10% strictly protected) and managed protected areas
- Restore degraded EU marine ecosystems (restoration target to be confirmed this year)
- Action plan to conserve fisheries resources and protect marine ecosystems
- Reduce negative impact (bycatch, seabed)
- Fish sustainably (fully implement CFP)
- All pressures must decrease including pollution, deep-sea mining, invasive alien species.

An update was provided on the UK-EU negotiations and related policy issues, which were still ongoing at the time. Issues remained around flexibility in fisheries, and overall level of fishing for non-quota species. As part of the update, information was given on the Specialised Committee on Fisheries (SCF), which will have a comprehensive work remit, including development of multi-year strategies, quota and non-quota stocks; approaches for data collection, data sharing, science, consultation with scientific bodies; matters related to designation of ports for landings and notifications; and mechanism for in-year transfer of quotas.

The meeting received a presentation by the contractors of the study on Regionalisation, which will look to consult with individual ACs through questionnaires and online meetings later in the year.

The second part of the meeting focused on the functioning of the ACs. Amendments to the Delegated Act on functioning of the ACs were proposed to the criteria for the classification of members (industry and OIGs), in order to:

- Improve balance between sector organisations and OIGs in chairing positions.
- Precise the criteria for the classification of the members of the ACs into the two categories of stakeholder
- Strengthen requirements for appropriate representation of OIGs
- Introduce a template for the drafting of advice to make sure recommendations comply with CFP rules and better reflect minority positions
- Introduce a requirement for external and independent performance reviews

The European Commission also proposed a new template for the submission of formal advice in order to make contributions of the advice to the objectives set out in the CFP Regulation more visible,

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better reflect minority opinions, and provide more background on the context and reason for the advice. The ACs were asked to consider these amendments and submit their feedback to the Commission for consideration.

The meeting concluded with a short update on financial matters, which concentrated on approaches to deal with surplus funds and proposed changes to future EU co-financing.

### **ICES ADGCELTIC SEA (07-06-2021, ONLINE)**

Sean O'Donoghue attended as an observer at the ICES ADGCELTIC Sea on the first day 7th June which covered the three herring stocks, herring 6a,7bc, herring Irish Sea and herring in the Celtic Sea. The advice for herring in 6a,7bc and herring in the Celtic for next year is same as this year with a zero catch option. There is a separate reply from ICES to the Commission's request for both of these stocks in relation to a scientific monitoring TAC for 2022. The only intervention he made as an observer was to explain why the monitoring TAC for herring in the management area 6a north was not caught which was subsequently included in the advice.

### **SEARICA WEBINAR: TOO LOUD FOR GES (GOOD ENVIRONMENTAL STATUS) (08-06-2021, ONLINE)**

Underwater noise is one of the most widespread threats to marine life. Despite the recognition of the need to address underwater noise in the [2008 Marine Strategy Framework Directive](#) to obtain Good Environmental Status for our seas by 2020, measures to reduce underwater noise are still scarce. Increasing and continued levels of underwater noise created by human activities (e.g. shipping, seismic exploration, detonations etc.) remain a continuous and often deadly threat to marine mammals, fish and other forms of marine life.

The SEARica webinar dedicated to underwater noise featured seasoned experts outlining the state of research and policy makers outlining how to address underwater noise through European legislation and political processes such as the new [Zero Pollution Action Plan](#).

The workshop concluded that actions to reduce UW noise need to be taken quickly. Threshold noise values need to be determined to inform policy and the appropriate measures that go with it. More investment into research and engine design is needed to reduce noise at source.

There is not a one size fits all approach to addressing UW noise and so we have to consider regional circumstances and work with regional conventions to implement measures at regional scales.

There are many offshore activities within transport, energy, and defense to consider - offshore wind farms, military, shipping, exploration etc. It is critical that there is a holistic effort across all these industries to reduce noise. The EU's Zero Pollution Action Plan will allow us to work with all manner of offshore industry to push for noise reduction at source. This will be a big challenge but there is also a great opportunity. A lot of research and work is being done already and we need to build on this momentum.



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## **SCHEVENINGEN MEMBER STATE GROUP (06-07-2021, ONLINE)**

Peter Breckling represented PelAC at this meeting.

On Control implications of technical measures regulation there was difference in opinions regarding the need for licensing of vessels with a mesh size different from the basic mesh size (120mm/90mm plus panel), as well as the need for separate infringement procedures for violating catch composition rules. The Chair informed that there was no shared conclusion within the Scheveningen Group and that the issue will be reopened in September. She indicated that a letter be sent to the COM raising concerns and request a dialogue to reach a common understanding on TM provisions.

On the template for UK technical measures the Chair shared with the ACs that the NWW group has prepared and circulated an excel file and supporting documents to make an inventory of all the outstanding issues regarding UK technical regulations that apply to EU fishers in UK waters and that this will be presented to COM once finalised.

The Chair apologized for the fast and short information deeming necessary to render the meeting efficient.

Peter Breckling appreciated the highly intense briefing but wondered whether it would have not been even more efficient in the 30-minutes-time slot if the ACs received specific questions and/or meeting documents ahead of the AC session of the Group's meeting in order to better prepare and focus on the relevant issues for the Scheveningen group. The Chair responded that the current practice was agreed between the MS as a compromise regarding the level of disclosure that would be tolerated and that she does not expect this to change. She concluded that the matter will be further discussed to see whether specific questions could be submitted to the ACs in advance. ACs to be informed.

Breckling remarked further that from the COM communication on the state of stocks it is evident that there have been many successful developments for the majority of NS-stocks since 2003, which are in a good biological state. There is therefore an obviously appearing question whether the relevance of the landing obligation is as high as described in the "State of play and orientation for 2022" communication. He wondered whether a risk-based approach to control effort allocation as discussed in various Council meetings on control regulation would have not been more effective to solve problems with the difficult stocks. He proposed as one option that control effort is increased for fisheries where such compliance is problematic. Strating shared the view that the opinions on the level of control differs between MS and confirmed that there is no agreed position in the Scheveningen Group. On the other hand, Breckling observed an underestimation of the increasing challenge for science adapting target values and reference points due to ecosystem changes stemming from climate change.

As increasingly problematic issue he also raised concerns around quota swaps between the EU and UK fleets, marking is as urgent, especially considering the fact that the quota swapping system has already been established on the level of POs. Strating understood the urgency and remarked that

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the COM has been working on the swapping mechanism which should provide some relief for the affected shortly (in July).

### **INTER-AC (15-07-2021, ONLINE)**

The new EMFAF (European Maritime Fisheries and Aquaculture Fund) has been adopted on July 6<sup>th</sup> 2021 and is now published. The fund will run from 2021-2027. The EMFAF enables the Commission to sign grant agreements with the ACs and the Commission briefly outlined the new procedure for grant signature that will apply from July 2022:

1. Validation of the Annual Work Programme (AWP).
2. Commission will send the Grant Agreement by e-mail through the ARES program.
3. The Grant Agreement needs to be printed and signed with blue ink.
4. The signed GA can be scanned and sent back to the Commission in pdf format.
5. Hardcopy of the GA with original signature needs to be sent via post.
6. The payment will be done upon receipt.

The Commission went on to discuss future plans for the new financing of ACs via the so-called lump sum financing, which will apply from January 1<sup>st</sup> 2022. The Commission announced that new application and budget forms are to be expected.

The lump sum payment will be linked to basic requirements for AC operating costs and the output from each AC as set out in the work programme. Future funding will therefore be dependent on an assessment by the Commission of the output from each AC relative to what was projected in its annual work programme. In the first instance, a pre-financing of 80% will be made upon approval of the application and the final 20% will be based on output and achievement of objectives set out in the AWP. Over time, the Commission expects a single payment process at the end of each financial year based on output.

The Commission expects to grant a similar amount per AC by lump sum to what has been received in the past, and the amounts roughly align with the grants per AC announced in 2020.

The criteria at the basis for these amounts are:

- Average amount of what was spent over the 2016-2019 budget years
- Number of members in the GA
- Distance from members to the AC headquarters
- Number of languages spoken.

The Commission assured that the new methodology will reflect current incurred costs as well as some flexibility for unforeseen issues. No changes in terms of eligibility of costs or procurement principles are expected to change. The grant amounts are expected to be revised every four years. The details of the lump sum methodology will be presented in the next Inter-AC planned for November 2021 (date to be set).

### **Annual Communication on fishing opportunities**

The annual communication from the Commission on fishing opportunities is a reporting on the progress towards more sustainable fishing, balance between fishing capacity and fishing

## EXTERNAL MEETINGS

opportunities, socio-economic performance of the sector and the implementation of the landing obligation. The communication also sets out orientations for fishing opportunities for 2022.

In the NEA most stocks are fished at MSY, with exception WBSS herring currently under 0 catch advice. There is some slight improvement in the Mediterranean, but F/Fmsy is still higher than 2. In terms of capacity the number of vessels further decreased, though 145 out of the 182 fleet segments assessed were found not in balance according to SHI => reminder to MS on the obligation to establish an action plan.

Covid-19 has impacted the economic performance of the fishing fleet (17% decrease in added value), but overall the fleet was still profitable (with net profit margin of 14%). On the Landing obligation, compliance remains an issue and control measures remain challenging. REM tools are being proposed under the revised fisheries control system. Discard plans will move to specifications under the Multi annual plans (MAPs). In terms of the fishing opportunities 2022, an important change is that a large majority of stocks in Atlantic / North Sea are no longer decided upon by the EU exclusively. Changes in the process due to a large majority of stocks now managed with third countries. Commission sets out objectives for high levels of alignment / high sustainability standards. In addition, bring North East Atlantic stocks in line with MSY, with remedial measures under MAPs to rebuild target stocks with 0 catch advice. Public consultation is launched and open for feedback.

### **Draft Amendment to the Delegated Act on the functioning of Advisory Councils**

Draft with amendments on functioning of ACs prepared after feedback received by ACs in May. Draft presented, with most important changes:

- Improvements of 60/40 balance
- ➔ Mandatory appointment of chair AND vice-chair from each category. Where possible, the same principles applies to working group chairs.
- Mandatory external performance review by ACs once every 5 years (including a compulsory action plan to address identified shortcomings)
- New defined criteria for classification of new members in the 2 categories (Sector organisations or other interest groups)

Overall, comments sent in by the PelAC were well taken onboard. The template for issuing of advice has been removed in order to give ACs more flexibility. Instead a template for a cover letter will be introduced. Our proposal to include other maritime economic sectors in the classification criteria for OIGs has been taken onboard but was widely disputed by other ACs during the Inter AC meeting. The joint request by ACs to extend the deadline for AC comments has been moved to **10 September** to enable consultation with members

### **SWW MEMBER STATE GROUP (20-07-2021, ONLINE)**

This was the first technical after the STECF report of draft Joint Recommendations.

Main discussion was about cetaceans bycatch - A Spanish expert gave updates on the information that is sent monthly to the Commission, and then also on the scientific projects that are being

## EXTERNAL MEETINGS

deployed, namely the evaluation on the use of pingers. There will be a new update after summer break, because there is a belief that by then why will have enough data be able to evaluate the results of the current measures.

Joint recommendation on discard plan. Main point was the extension of the Cuckoo Ray exemption for another two years. Commission didn't want it but they agreed for 1 year - i.e. til December 31st 2022. They will have to present new data by May 2022 in order to get a new exemption. On the other existing exemptions, namely the pelagic ones, new info will have to be submitted by May 2022.

Directed fisheries - Commission presented the three conclusions of the STECF evaluation of the thresholds put forward by the MSs: catch based thresholds aren't adequate for SWW fisheries due to catch variability and large segments of the fleet may be excluded; selectivity standards may deteriorate if the thresholds are used and; it will essential to monitor and control the fisheries in order ensure discarding doesn't take place. MSs agreed that they don't know how to continue to work on this. Com said that after the summer they will send additional indications to SWW and other MS groups for them to move forward on this issue.

Next year the JR will have to be submitted for Pelagics.

### **SCHEVENINGEN MEMBER STATE GROUP**

**(11-02-2021; 04-03-2021; 14-04-2021; 29-04-2021; 02-06-2021; 06-07-2021)**

Esben Sverdrup – Jensen joined a number of high-level and technical meetings with the Scheveningen Group from January 1st to June 2021. In the period the Scheveningen Group had its focus on issues relating to demersal fisheries. No pelagic issues were raised in the agendas.

The PelAC raised a number of issues at the meetings:

- The role of ACs and MS within the Specialised Committee on Fisheries. The response was that the Scheveningen Group was in a similar position to the PelAC, in that they were awaiting clarification from the Commission.
- The lack of agreement with the UK on TACs for 2021.
- The use of de minimis for herring in the North Sea was discussed on two occasions, however the issues never materialised to a proposal from the Scheveningen group.
- The need for approving the Excluder selective device in a delegated Act. (Endorsed by PelAC)

At the July 6 meeting (Covered by NSAC) on the template for UK technical measures the Chair shared with the ACs that the NWW group has prepared and circulated an excel file and supporting documents to make an inventory of all the outstanding issues regarding UK technical regulations that apply to EU fishers in UK waters and that this will be presented to COM once finalised.

Also the increasingly problematic issue around no quota swaps between the EU and UK fleets was raised. The presidency understood the urgency and remarked that the COM has been working on the swapping mechanism which should provide some relief for the affected shortly (in July).

## UPCOMING MEETINGS

**5 OCTOBER 2021 (14.00 – 17.00): WORKING GROUP I, ONLINE**

**6 OCTOBER 2021 (10.00 – 15.45): WORKING GROUP II, ONLINE**

**7 OCTOBER 2021 (10.00 – 13.30): GENERAL ASSEMBLY, EXECUTIVE COMMITTEE, ONLINE**

**2 MARCH 2022: WORKING GROUP I & II, AND EXECUTIVE COMMITTEE**

**21 APRIL 2022: WORKING GROUP I & II, AND EXECUTIVE COMMITTEE**

**13 AND 14 JULY 2022: WORKING GROUP I & II, AND EXECUTIVE COMMITTEE**

For more information please visit our website:

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

# CONTACT INFORMATION

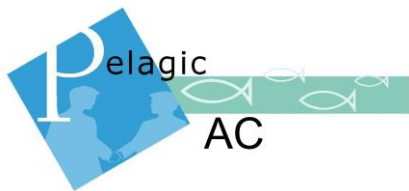
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