

Gentlemen's Agreement between the NWWAC and the PelAC on joint work on sprat and greater silver smelt

Date: 31 March 2022

Background

On 03 February 2022, the North Western Waters and Pelagic Advisory Councils held a virtual meeting to discuss the common interest that exists for the following pelagic stocks currently sitting under the remit of the NWWAC, as detailed in Annex III of the Common Fisheries Policy (CFP):

- Greater silver smelt in ICES areas VI and VII
- Sprat in ICES areas VI and VII

The aim of this meeting was to determine a way forward in establishing a protocol for collaboration on providing advice to the European Commission on the stocks of these species in the relevant ICES areas. The NWWAC emphasised its interest in the stocks as part of its bycatch advice in relevant demersal fisheries, while the PelAC's interest lies in the directed fisheries for these stocks. There is a clear understanding between both ACs that as long as the current CFP regulation remains in place as it is, the ACs will respect each other's competencies. The stocks will remain under the remit of the NWWAC, and the NWWAC will continue to be the point of contact with the Commission regarding their management.

Recognizing the importance of both ACs' ability in providing advice within their competencies, the NWWAC and the PelAC agreed on the development of a "gentlemen's agreement", specifying mutually agreed terms through which both ACs can jointly discuss and be consulted regarding any proposed advice on the above species.

Proposed Agreement between the NWWAC and the PelAC

The NWWAC and PelAC discussed the following procedure for joint work on:

- **Greater silver smelt (Union waters of ICES areas VI and V)**

The ICES advice for the stocks of this species is released annually in early June.

During the annual NWWAC meetings held in July, ICES presents the catch advice published in June for stocks under the NWWAC remit. NWWAC members discuss possibilities for recommendations for



these stocks which are then included in the NWWAC advice on fishing opportunities for the subsequent calendar year and submitted by the end of August.

During the annual PelAC meetings held in July, ICES presents the catch advice published in June for stocks under the PelAC remit. The PelAC members discuss possibilities and preliminary thoughts for PelAC recommendations for these stocks, which will be finalised for formal adoption during the subsequent annual meetings in October.

As part of the newly agreed NWWAC-PelAC protocol, the PelAC will include this stock in the advice package to be presented by ICES during the annual PelAC Working Group II meeting in July. Thoughts on recommendations for greater silver smelt will be discussed during this July PelAC meeting between the PelAC members.

Based on this discussion, the PelAC Secretariat will subsequently prepare written proposals for recommendations and share these with the NWWAC Secretariat. In the following weeks, a bilateral meeting (ad-hoc task force) between PelAC and the NWWAC (including Secretariats, Chairs or Management Teams as appropriate) will be set up to agree on the set of recommendations. When agreed these recommendations will be included in the NWWAC end of August advice.

The NWWAC advice will stipulate with regard to this stock that the recommendation is the result of a joint exercise between the NWWAC and the PelAC, whereby the NWWAC advises on bycatch issues and the PelAC advises on the directed fishery. The final recommendation will be transmitted to the Commission as NWWAC advice and approved by the PelAC.

- **Sprat in waters of ICES subarea VI and areas VIIa-k**

The Bilateral Agreement between the EU and the UK finalised in 2021, has amended the TAC year for sprat in the English Channel (SPR/7DE). From 2022 onwards, the TAC year will run annually from July to July, instead of January to January. It is expected that this change will shift the timing of the annual publication of the ICES advice to early April, in conjunction with the publication of advice on sprat in areas IIIa and IV (North Sea, Skagerrak and Kattegat). The ICES advice for sprat in subarea VI and divisions VII.a–c and VII.f–k will still be released in June. For these areas, there is no advice on TACs and quotas.

The PelAC holds annual meetings at the end of April. A similar procedure can be followed as for greater silver smelt. The PelAC will invite ICES to the annual April meeting to present the sprat advice in the English Channel (SPR/7DE). All concerned NWWAC members will be invited to attend this meeting as observers. During this meeting, discussions on the catch advice will be held between ICES and PelAC members, and preliminary thoughts on a potential recommendation will be formulated.

In the subsequent weeks following the PelAC April meeting, the PelAC Secretariat will share written recommendation proposals with the NWWAC Secretariat based on this interaction. The NWWAC Secretariat will share these draft recommendations with the members of the regional Working Group concerned. A bilateral meeting (ad hoc task force) between the PelAC and NWWAC (Secretariats, chairs, MTs as appropriate) can then be set up to agree on a final recommendation. The

recommendations should be put forward and agreed by both ACs before [Check Commission timetables] to enable timely communication to the Commission.

A resulting recommendation will stipulate the PelAC's acknowledgement of the NWWAC's competence with regard to this stock, and that the resulting recommendation is the result of a joint exercise between the NWWAC and the PelAC, whereby the NWWAC advises on bycatch issues and the PelAC advises on the directed fishery. The final recommendation will be transmitted to the Commission as NWWAC advice and approved by the PelAC.

Given the different advice release date, the advice for sprat in in subarea VI and divisions VIIa–c and VIIf–k, will be presented together with the advice for greater silver smelt at the annual NWWAC and PelAC July meetings, for information purposes. Even though there are no TACs or quotas for these areas, should there be a need to formulate a recommendation for this stock, the same procedure as for greater silver smelt will apply.

