**The North Sea Advisory Council**

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**Report of DWG Meeting 16th April 2019**

**Fiskets Hus
Fiskhamnsgatan 33
Gothenburg
Sweden**

**Rapporteurs: Katrina Ryan, Sara Mynott Draft (7)**

1. **Welcome & Introductions**
	1. Participants were welcomed to the meeting of the Demersal Working Group (DWG) by Chair Barrie Deas, with thanks to the Swedish Fishermen PO for providing the venue. Tamara Talevska was welcomed to her first meeting of the DWG as Executive Secretary of the NSAC. A special welcome was given to Ula Linkute (European Commission – DG MARE), Lisbeth Nielsen (Danish Ministry / Scheveningen Group) and Bart Adriaenssens (Swedish Agency for Marine and Water Management), who joined the meeting. In addition, Sam Stone (MCS) joined remotely, together with three WWF colleagues joining as observers. Sara Mynott joined the meeting as an observer and new co-rapporteur.
	2. Apologies were given for Anne-Cécile Dragon (WWF), Caroline Gamblin (Comité National des Pêches Maritimes et des Elevages Marins), Derk Jan Berends (Nederlandse Vissersbond), Jan Birger Jørgensen (The Norwegian Fishermen’s Association) and Miguel Nuevo (EFCA).
	3. Version three of the agenda was adopted by the group.

**2 Minutes of Previous Meeting**

2.1 The draft report of the last meeting, held in London on the 14th February, was considered a true and correct record of discussions. The report of the previous meeting was adopted.

**3 Action Points from the Last Meeting**

3.1 Barrie Deas went through the action points:

1. The need to circulate DISCARDLESS project PDF was reiterated as an action point.
2. Norwegian colleagues were invited to the April meeting – Ian Kinsey present from Norwegian Fishermen’s Association, welcomed by Barrie Deas.
3. The European Commission has been contacted for update on the timeline of the next review of the CFP. The Commission was unable to comment on the impending review, but noted that they will have to report to the European Commission and Parliament on the functioning of the CFP by December 2022, and the NSAC’s input is always welcome.
4. A discussion on methods for outreach to industry around the Skates and Rays Roadmap was scheduled for later in the day’s meeting.
5. The Commission had been asked for a note on technical measures, not yet received.
6. Final comments to Kenn Fischer on Control Regulation work had been received. This advice was now complete.
7. Ecosystem working group (EWG) approached by the Secretariat on behalf of the DWG Chair regarding plastic pollution at sea.
8. The final action was to hold a meeting in April – which was underway. Majority of actions from previous meeting completed.

**4 Brexit**

4.1 An extension of Article 50 has been offered until 31st October. This could be truncated at any point if there is sufficient parliamentary support for a withdrawal agreement. Current focus is on a customs union.

4.2 There is uncertainty/ambiguity regarding the implementation period and what that means for fisheries. Deas noted that this Brexit extension would eat into the implementation period, rather than pushing it back. Deas highlighted that during the implementation period, the UK would no longer be involved in any EU decision making fora. There’s an issue about international quota swaps because the UK becomes a third country.

4.3 UK could remain full members of ACs during transition period, but after that what form engagement of stakeholders will have with each other is unclear. Deas noted that the DWG can continue to function as before, pending future decisions at the political level. No substantial discussion on this is expected until (if/when) the withdrawal agreement signed. DWG to maintain a watching brief.

4.4 There was some discussion on how Brexit-related uncertainty could impact fisheries and sustainable management. Pim Visser suggested that, as an AC, the DWG could express concerns regarding risks to fisheries and fisheries management and ask organisations/governments to do anything within their remit to reduce that uncertainty. He highlighted that discussions about access still have to be had if there is no deal, and it may be better to have them ahead of the point of leaving. Mike Park highlighted that evidence is needed to understand impact on sustainability and Visser indicated that if there is no joint management, then there is a chance sustainability will be affected. Deas summarised that DWG can’t pre-empt different outcomes, but under UNCLOS, cooperation on the management of shares stocks is a legal requirement for all parties, whatever the context.

4.5 Pim Visser highlighted that access is an issue, and Mike Park added that there may be post-Brexit displacement pressures. Ula Linkute emphasised that DG Mare has a dedicated team working on Brexit related issues. Emiel Brouckhaert suggested expressing a will as an Advisory Council to continue cooperation. Deas emphasised that continued stakeholder dialogue at sea-basin level would be needed, possibly with a new configuration involving Norway.

4.6 Ian Kinsey noted that Norway is concerned about the possibility of quota overshoots of TAC if there is no agreement on future coastal state allocations between UK and EU. He also raised concerns about ecosystem change, technical creep and choke species. Barrie Deas indicated that there has been no discussion about this and this will continue until the issues surrounding broader umbrella politics are resolved. Cooperation is a principle the Advisory Council (AC) endorses, particularly continued cooperation at sea basin stakeholder level. Pim Visser and Deas highlighted a shared frustration at the length of time Brexit is taking and Mike Park underlined the importance of the DWG standing aside from the politics.

4.7 The notion of a Brexit focus group was revisited, with both Michael Andersen and Sam Stone supporting the idea. Deas indicated that there may be a need for NSAC to take stock of the significance of Brexit, but this is something that should be raised with the NSAC Executive Committee. The DWG needs to have a monitoring brief at present.

**5 Landing Obligation**

5.1 *Discussion about potential development of advice on possible revision of Article 15 – Focus Group Arrangements*

Barrie Deas recounted that during the February meeting, the DWG agreed to have a look at whether it would make sense to start considering what changes to Article 15 might be desirable to get ahead of the game (with an eye on the next potential CFP reform). He stated that implementation issues (e.g. choke, exemptions) are being dealt with as they arise, but emphasised that there is a lack of instruments within Article 15 to deal with this. Particularly with issues of inter-species flexibility. There is a lack of congruity with other parts of the policy (control, enforcement etc.) and technical measures have ‘just caught up’. He asked the DWG how this might be achieved, and whether a focus group would be appropriate. He added that only a limited discussion would be possible during the day’s meeting.

Ula Linkute re-stated that the Commission did not have a timeline it could share for revision of the existing CFP.

Michael Andersen responded, saying that it would be relevant to start work now given that the Commission would be reporting to the Parliament and Council on CFP functioning in 2022.

Peter Breckling emphasised the need to use the precautionary approach. He highlighted that it is better to prevent choke species and take measures before companies suffer, using the analogy ‘the doctor doesn’t work when the sick person dies.’ Breckling commented that the LO is an ‘instrument to reach MSY’ and that ‘we can observe now that we have met MSY’. He reiterated that MSY was the ‘most important’ target, not ‘whether we land some fish or not’.

Mike Park responded saying that thinking about future fisheries management is always difficult, but that the emphasis should not be on chokes. He highlighted that adaptive management is key and this should be approached from an ‘un-pressurised’ perspective of what fisheries stakeholder collectively would like to achieve in this regard. Kenn Fischer added that the discussion is broader than chokes alone. He highlighted that it is about policy and how the management of fisheries should work. Fischer emphasised that it is the ACs role to come up with good advice.

Irene Kingma felt it was too early to explore this. She said it is good for the DWG members to work together on something to advise the Commission, but if there are no concrete problems then appropriate answers cannot be produced. She expressed concern that without an example of a choked fishery, the discussion would be limited to fearmongering. Mike Park disagreed with Kingma’s point, saying that a new approach of forwards-thinking and horizon-scanning was warranted.

In agreement with Kingma, Pim Visser suggested rescheduling this for an Autumn meeting when there will be more certainty regarding Brexit.

Jenni Grossman raised the issue of the review of the LO being conducted by the Commission that was requested by the UK at December Council in 2018. She emphasised that something tangible regarding how the implementation of the LO is going and what and where the issues are is needed in order to provide a meaningful advice and suggested this could form a useful basis. Pim Visser highlighted that while we should have something more concrete in order to provide advice, the issue at hand should not be ignored. He stated that ‘looking away from the problem is not dealing with the problem.’

Barrie Deas noted that a request had been submitted from the UK government for a review of the LO but did not have further information on the process. He highlighted that the role of the chair is to achieve consensus on position around the table. He emphasised that the Landing Obligation was adopted in 2013 as part of the last reform of the CFP. It is now 2019 and the Commission will be submitting a report on CFP functioning in 2022: ‘it doesn’t strike me as too early to be doing some preliminary thinking.’ However, he emphasised that it is vital that the work of the group is not prejudiced to a particular outcome: the group would aim to look at discards policy in the context of sustainable fishing. The aim would be to make useful recommendations that would be timely and allow the Commission to incorporate that into the report. It should be grounded in reality, and not too speculative (but thinking strategically is important). Against this background he concluded that the weight of opinion around table was to establish a Focus Group with carefully defined terms of reference (ToRs), in order to be useful and influential in time for 2022.

On the subject of Remote Electronic Monitoring (REM), Irene Kingma emphasised a disparity in the debate around the Landing Obligation: that NGOs want to control the Landing Obligation (LO) using REM and that industry does not think this would be a workable policy.

Ian Kinsey stated that it is not a question of ‘if’ we’re going to have cameras, but ‘when’ and ‘how’. Barrie Deas added that at a CCTV camera conference in Copenhagen, had provided insights into some of the most important issues associated with the use of cameras on board fishing vessels.

Kenn Fischer underlined that cameras are a measure in the toolbox of the CFP (to help us move towards Article 2 of the regulation). He stated that the question is not just is the present LO working, but also what are we aiming for, and are we using it in the right way to meet the objectives of CFP? It might lead to a completely different fisheries policy. Sam Stone was in agreement, stating that it is important to consider the aims and objectives of the LO as the ToR and scope for the focus group will be influenced by this. He said it would be ok to commence work on this soon provided there was no expectation for the group to produce any formal advice for many months.

Barrie Deas summarised saying the question we are asking ‘is the LO is the best it can be?’ The agreement around that table was to set up focus group, for which ToR will be important. This will need to discussed in depth. DWG needs to be timely and develop momentum around the subject.

5.2.1 *Scheveningen Group – Update*

Lisbet Nielsen provided an update from the Scheveningen Group. A draft copy of the Joint Recommendation (for implementation of the Landing Obligation in the North Sea) had been circulated to the Group the previous week. She highlighted that, whilst the document is long, the Joint Recommendation itself comes to just 16 pages. Annexes containing the evidence behind the recommendation comprise the rest of the content. She said that the current focus of the Scheveningen Group was on the Joint Recommendation (JR), and that other subjects would be explored in more depth in the Autumn.

Mike Park outlined concerns regarding Scottish seines in section 4.2.2 of the JR, given the lack of information on mesh size. Lisbet Nielsen followed up to say that while there is no evidence on this, the gear has been included at the request of the Dutch fleet, irrespective of mesh size. The mesh sizes indicated are only applicable to trawl gear. The search for comparable evidence for Scottish seines is in progress, but challenging. Nielsen underlined that proper scientific evidence to the exemption is required, and stated that Scottish seines are more comparable to a normal trawl than a Danish seine. Park disagreed with the assessment that a Scottish seine is comparable to a trawl on the basis that the method involves harvesting fish for 1/16th of a four hour-trawl. He indicated that the chance of high survivability is higher in a Scottish seine because it is being towed for a shorter time. Nielsen highlighted that there is no data on survivability for Scottish seines and there must be scientist / agency input to support this. She emphasised that the Scheveningen Group need as much scientific evidence as possible.

Pim Visser expressed concern that enormous decisions are in the hands of scientists who are not automatically specifically knowledgeable on the subject (regarding gear type). He added that there is a problem in that if they are chosen from the sea basin they are deemed to be biased, yet those from within a basin are more likely to have the appropriate regional, technical expertise. Mike Park suggested that ‘if this much evidence is needed, then there is a problem with the policy’.

For direction, Barrie Deas asked what the Scheveningen Group needs from the DWG.

Nielsen responded saying that the Scheveningen Group need as much scientific evidence as possible. It cannot be assumed that the Group know as much as they need to about North Sea fisheries. She stated that some recommendations may not be as sound as the need to be for STECF at present – this is the case for plaice and turbot. The Group needs any information that the AC can provide on these exemptions. There is a need to provide balanced recommendations for exemptions (by 6 May), that don’t undermine the LO, but also make it workable for fisheries.

Barrie Deas followed up saying the AC needs to consider the following: is the exemption necessary? Is the evidence robust? is there anything that has been missed? There is a responsibility on all of us to contribute, to look at our fisheries and get back to the Secretariat in time for the May deadline.

Kenn Fischer stated that we are all learning about how to implement the LO. the Joint Recommendation is huge, but a lot of it is not new. There is some finetuning of wordings and exemptions. He stated that the AC needs to make sure exemptions are not too costly and avoid being too ambitious in the figures that come out of the exemptions and this paper. He said that STECF would only be looking at the new exemptions – he felt that this showed the process was moving in the right direction. In future he hoped that the process could be further simplified and species such as *Nephrops* and plaice could be removed from the LO entirely.

Jenni Grossmann supported Fischer’s point about deductions and exemptions – adding that ‘taking too much off quota to support exemptions [from the LO] can damage fisheries’, and therefore only those *de minimis* quantities that will actually be needed to cover residual discards should be requested. She also highlighted that dead discards under high survival exemptions have been and need to be deducted from the relevant TACs as well to account for residual discard mortality. This also highlights the importance of reliably quantifying the estimated dead discard quantities under such exemptions as a basis for the deductions, to avoid exacerbating potential quota limitation problems. Overall, there is a need to balance quota impacts when requesting these exemptions.

Ula Linkute provided a general point in Discard Plans, saying that STECF issued a report in its plenary meeting of March 2018 on what would be required for exemptions within Discard Plans. She wanted to draw this report to the Group’s attention, as it was issued the previous Friday. (The report would be circulated to the Group by the Secretariat). She added that it will be an ‘extremely hard Summer’ for Member States and the Commission to pull together Discard Plans in time, due to a forthcoming period of European elections and new Commission. She said they were trying to avoid a similar process to previous years in which the Commission and Member States had to go back and forth multiple times in order to find the best solutions with Member States’ groups on their tabled joint recommendations on discard plans after STECF assessment.

Emiel Brouckaert raised the issue that everyone keeps asking for more scientific information, when there are restrictions on both funding and time available. This creates difficulties when moving forward. Michael Andersen added that contradictory information reduces willingness to push things through. Barrie Deas responded to say ‘scientists are a finite resource and that scientists sometimes contradict each other. That’s the nature of science.’

Lisbet Nielsen provided an update on exemptions, detailing what is new (note that some exemptions are not expiring, but additional information has been requested):

* *Nephrops*: STECF commented evidence is required for Scottish east coast for nursery areas, but this evidence does not exist. The UK aims to make an exemption for all *Nephrops* fisheries based on *Nephrops* survival in other Scottish *Nephrops* fisheries. The UK is looking at de-minimis return for this area (fall-back position).
* Additional information is required for the high survivability exemption for skates and rays. An outline of the evidence that has been collected has been made, and includes detail on ongoing studies – the full table of information is under production.
* The *de-minimis* exemption for whiting needed to be updated as it was previously in Dutch. This has now been translated and updated data on discard numbers have been provided for STECF.
* Exemption for winter fishing of plaice (due to high survivability). Summer months show survivability of 44%, accepted in NWW so should also apply to the North Sea.
* Smaller mesh sizes in IIIa would be conditional on being equipped with a sort rack.
* The French have asked for use of smaller mesh sizes in area IV as well, although there are some concerns about this.

Exemptions that either expire or are new:

* Beam trawl exemption for plaice in 2019 has been given on a one-year basis. An updated roadmap is needed (to determine progress with the pilot project with cameras etc).
* Trying to explain survivability for turbot and frame existing science better. Nothing new here.
* Cuckoo ray exemption is for 2019 only. More evidence is needed, but a one-year exemption is not enough. This might be difficult when it comes to STECF.

*De-minimis* exemptions (there is agreement that these need to be kept to actual amount discarded or will affect overall quota):

* Whiting and cod will be added, following an update of numbers.
* Horse mackerel and mackerel numbers will be updated. There are issues concerning horse mackerel and where the numbers come from. The Pelagic AC is also looking at this.
* There is a new exemption for ling caught with longlines (French request for 10 vessels). In the existing discard plan there is an exemption for ling caught below 120 cm. This can be removed.
* New *de-minimis* request for bycatch of industrial species in demersal fisheries. These are caught in very small amounts, especially when compared with TACs for industrial species. Improved on evidence this year, aim to limit bycatch of industrial species.

Mannon Joguet thanked Nielsen for the update and added that there was a wish to run survival tests for plaice, but there were not enough scientists available. She added that some results for plaice were available from areas VIId and IVc. She highlighted that the exemption is complicated, affecting fishers working across different areas who are required to log discards in different ways depending on the area. This makes it difficult to comply with the LO, adding ‘we can’t study all species in all areas, that’s just not possible.’ Joguet stated that an exemption for gears of 88-99mm in the North Sea would be appreciated and is hoping to have good news on this. It will not be possible to provide any additional data in the months to come.

The Scheveningen Group wrote to the AC and would particularly appreciate receiving advice on the above by 6 May. Given the short timeline, it was agreed that while the NSAC could not develop consensus advice, the Secretariat would collate contributions from individual NSAC members by 6 May 2019 and submit these to the Scheveningen Group ahead of their next meeting.

5.2.2 *Scheveningen Group Skates and Rays*

The Scheveningen Group had written to the AC stating it would particularly appreciate advice on best practice handling guidance for skates and rays. Barrie Deas noted this, and handed the floor to Irene Kingma, who would present on the high survival exemption for skates and rays.

She covered the following key points:

* The high survival exemption for skates and rays is a fisheries measure, not a conservation measure.
* Some species of skates and ray are prohibited, the rest are managed by a Group TAC. This is relevant for five species in the North Sea.
* Restrictive TACs present a choke risk. Skate and ray bycatch occurs in almost all North Sea fisheries and there are divergent stock trends within the group TAC.
* Grounds for a high survival exemption: the survivability is not known for all species in all gears. Providing evidence for this should be the responsibility of those wanting to make use of the exemption. Best practice measures should be tailored to each fishery and consider avoidance, selectivity, and survival. NSAC has been asked to coordinate drawing together existing best practice to present to the Scheveningen Group.
* Cuckoo ray is priority (as the one study available shows low survivability for this species and the exemption was so far only granted for 1 year).
* It is not necessary to make use of the exemption if you rarely catch rays.
* Table of measures shown, including options for avoidance, selectivity, survivability by trawls versus nets, and whether more research is needed. The table presented should be used to provide recommendations to the Commission.

*View the presentation in full,* [*here*](http://nsrac.org/forthcoming-meetings/demersal-working-group-10th-april-2019-gothenburg/)*.*

It was agreed that NSAC would use the table presented as a basis for demonstrating what is currently happening in terms of skates and rays discards handling and avoidance in the North Sea.

Irene Kingma noted that on the 18th of May the Dutch government would host a meeting with the Dutch fishing industry, scientists and NGOs to complete their submission on the subject, and suggested that she could share the output with all NSAC members as a template for their own work. Barrie Deas agreed that this would be the only option available in the timeframe – with delivery required before the 6th May. In this sense, the NSAC would not deliver an ‘NSAC response’ but rather facilitate input from industry members in a semi-standardised format.

Lisbet Nielson encouraged members to include ongoing projects (that aren’t necessarily complete) in their submissions. She inquired whether, in future, it would be possible to try and harmonise approaches – to produce a set of recommendations for the North Sea, rather than for individual Member States. Deas agreed this could be an aspiration for the AC, but would not be possible before the 6th May.

Jenni Grossman added that providing input to explain why some options cannot be done would also be useful. Clear reasons for why something is not feasible would be beneficial to provide a comprehensive overview of what has been tried already and avoid re-inventing the wheel while flagging further options that could be explored in future.

5.3 Barrie Deas highlighted a significant mid-year reduction in TAC for saithe (23% reduction) which he said would cause some potentially serious choke issues. He added that it is probably not a ‘Category 3 choke’, in as much as there is sufficient quota in the EU system, but it may well cause serious issues if quota cannot be traded/bought into affected fisheries. There can be a significant target fishery for saithe in spring and autumn. Some vessels in UK have exhausted their quota because they weren’t expecting this reduction. Deas said ‘we have tried to predict cases for chokes, but the underlying information has now changed for this species, which is problematic.’

Kenn Fischer noted that in an EU-Norway meeting in London the previous week, setting of TAC for prawns in Skagerrak was on the agenda, and it had transpired that Norway also wanted to discuss TAC setting for saithe for 2019. In February ICES noted that there was probably a mistake in the calculations carried out in 2018 (suggesting a 16% uplift) leading to a 23% reduction in TAC for saithe (following the MSY model for TAC-setting). He queried whether it was necessary to make TAC changes of this magnitude within-year, as it presents real challenges for implementation of the LO in the remaining months of 2019. He reflected that quota swapping is a solution, but for this to work, it requires having willing Member States to swap with within the system.

Michael Andersen noted that saithe don’t appear in fisheries until they are 3 years old, making them a very difficult stock for which to predict fluctuations in biomass. Every time a new year class - or a lack thereof - is discovered, this affects advice. Andersen noted that saithe advice is very unstable as it is managed on ‘noise’ rather than ‘signal.’ He criticised what he saw as ‘a rigid approach’ that ‘doesn’t adapt to different qualities of assessments’.

Mike Park expressed disappointment in the process, given that vessels try and manage the fishery in accordance with the advice provided at the start of the year. He added that ‘it makes a mockery of the management system if four months into the year you completely change the TAC.’ Michael Andersen responded to say that for some stocks it is impossible to expect scientists to be accurate. This needs to be worked into the management approach. Barrie Deas suggested that it would be worthwhile to develop a paper on the issue – one that outlines how the issue of variability with year class makes it very difficult to predict the status of some stocks and manage accordingly.

Bart Adriaenssens clarified that the issue was due to a coding error in the ICES model (that has now been rectified), which has led to an update in the reference points. Both Norway and EU found it necessary to update the TAC despite the difficulties it would pose for the fisheries. There will be discussions with Norway on the management strategy in May and that would be a good time to come with these points. ICES will soon publish advice on all scenarios put together by EU and Norway (17 May).

Michael Andersen responded saying that while this was a coding error, it is unfortunate that the system needs to change and ‘chase’ the latest advice. He noted that in Iceland, systems are in place to ensure there are no huge quota variations – stability is seen as key. It is unfair on the industry to change things part-way through the season**,** given that they try to plan for a whole season in advance. He asserted the health of the stock could have been kept stable within the existing management plan.

Irene Kingma highlighted that saithe is not a rebounding stock, but one that has been at or below MSY for a while. She made the case for having a buffer in the TAC for good times as well as bad. She was concerned that when TAC is increased, this is seen uniformly as a positive – giving the example of a previous 40% increase in turbot. She added that there’s an invitation from ICES for a meeting in June, that will focus on the topics covered in this discussion. Drafting a consensus document to feed into that meeting would be valuable, but she argued the NSAC should not send anyone to that meeting if a consensus position cannot be arrived at.

Pim Visser later added that the situation with turbot is incomparable with the situation with saithe (as there was not enough information and then there was a full ICES inter-benchmark with new information). He objected to the comparison. Kingma reiterated that the concern is that letters are only written when TACs are decreased, not when they are increased. It should go both ways. Mannon Joguet disagreed, citing sole as an example: ‘when ICES proposed +40% we said please no increase in TAC.’ It should not go up and down, but stay stable.

Peter Breckling asserted that management advice should incorporate density dependent growth limitation. He added that saithe is also an example where in some cases increases are too high and the market cannot cope. He added that, in this case, we should say ‘no, please can you limit it to 15%.’

Ian Kinsey identified the need to consider competition for prey (small pelagic species) due to increase in hake. Mackerel can also have a drastic effect on the saithe stock as they ‘hoover up the fry’. Barrie Deas agreed that interspecies interactions are important.

**6 Technical Measures Regulation**

6.1 Ula Linkute provided an update from the Commission on the Technical Measures Regulation. She stated that the regulation is endorsed by Council and has been voted on by the PECH committee. Parliamentary plenary procedures are in progress.

6.2 Barrie Deas stated the AC’s hope to have more information on the content and an opportunity to discuss it. The final document always carries implications that immediately aren’t obvious. He asked what opportunities might there be to have that discussion. Linkute replied, stating Norman Graham is the best-placed person to invite to the AC for a discussion that would shed light on the finer details of the Regulation.

6.3 Deas outlined the need to have a meeting in a location that would enable Norman Graham to attend so technical measures can be discussed in detail – he has a good understanding of what happens at a fishery level. Linkute added that Norman Graham is joining her team and will be working on EU-Norway issues. Deas added that he should be invited to the next meeting – saying that, apart from covering the issues around pulse fisheries, sensitive species and baseline mesh issues would also be useful to have an update on.

**7 Unintended Consequences**

7.1 Barrie Deas opened a preliminary discussion on how to mitigate unintended consequences of management measures, highlighting that many of the challenges faced in fisheries management result from unintended displacement effects of management measures applied to other fisheries (bass, scallop fishery, brown crab, non-TAC fisheries).

7.2 Deas stated that the AC doesn’t always look at this in a coherent and systematic way, but it is important to mitigate these effects for the future. He highlighted that the AC may not be dealing with it adequately on an issue by issue basis, as unintended effects are central issues. There had been a preliminary discussion on this at the NWWAC, the conclusion of which was that consideration of unintended consequences should be written into the ToR for all activities of the AC.

7.3 Irene Kingma suggested unintended consequences should be part of a wider discussion on fisheries management. She recognised that the issue is important to flag, but is difficult to get at, as unintended consequences can be anything (including social consequences). Kingma highlighted that something more concrete is needed and it should be considered as part of wider CFP review discussions. Sam Stone agreed that it is particularly difficult to predict consequences in the seafood sector given high environmental and market fluctuations, and that positives for some parts of the industry can be negatives for the other parts.

7.4 Michael Andersen added that ‘it’s difficult to see unforeseen consequences’ and it is difficult to set by science. In the past the AC has pointed to these problems, and been rejected. He clarified that, while the task was challenging, he was not saying it shouldn’t be attempted again. Sam Stone added ‘just because management has consequences, doesn’t mean we shouldn’t do it’.

7.5 Deas added that scientists look back to look forward, that’s what the NSAC should do too. ‘It’s not an argument against management but an argument for intelligent management – or as intelligent as we can make it.’

7.6 Peter Breckling noted that there is a need to look at the quality of the impact assessments being carried out (for nature, economy etc.). ‘If there are unintended consequences, we need to look back at what we did before,’ reviewing previous impact assessments to work out why the unintended effects occurred.

7.7 Kenn Fischer requested an update from NWWAC on this topic. Barrie Deas replied saying that Jonathan Shrives of the Commission had highlighted Commission work to look at non-TAC species’ impacts on TAC species, but added that this wasn’t really the focus of what the NWWAC had hoped to explore.

7.8 Deas summarised saying that we are not just talking about displacement, but other unintended effects too, and it is worth considering how we address them. Displacement effects aren’t going to go away, so how do we deal with them?’ This is a useful discussion to have. All agreed that unintended consequences are valid and should be taken into account. There was considered to be no immediate action point on this front, but the discussion was noted for future consideration.

**8 Norway**

8.1 Ian Kinsey provided an update from the Norwegian Fishermen’s Association. He provided apologies for his colleague Jan Birger Jørgensen, and passed along his regards to the group. There is ongoing quota revision in Norway. The aim is to realign length of vessels with respective quota groups.

8.2 Kinsey highlighted that consolidation of the fleet is another big issue. Consolidation, in this instance, means taking out vessels and amalgamating quota. There has been consolidation of vessels over 11 m, the question remains whether the same should be done for those under 11 m, which make up a large part of the Norwegian fleet. Clarity on this is expected in early summer.

8.3 Barrie Deas asked whether this is a good thing or bad. Kinsey identified it as both. Investments are made on quota and not fleet renewal. Since the 1980s, 20,000 vessels have been taken out (from about 26,000). Older vessels are also an issue for safety.

8.4 Kinsey added that recruitment was also part of the equation – you have to be able to buy a vessel and quota.

8.5 Norway has defined marine and fisheries resources as a public asset. Kinsey highlighted that there is extensive discussion in Norway about resource rent (tax on public property). “Superprofits” are an issue.

8.6 Revisions to technical regulations are ongoing. A working group has been established with industry, science and managers in order to align requirements with the pursuit of fisheries with the regulation. There is more focus on selection and avoidance, as well as mesh sizes and the function of selectivity devices.

8.7 Kinsey also updated the AC on resource and quota control. Enormous amounts of fish come ashore in a short time (hundreds of boats going in and out of small island archipelagos like Lofoten daily). There is discussion about bringing control system up to date at point of landing as well as introducing compulsory VMS on 8-11m vessels. There’s a catch app now where you can give notice of landing, but this is highly impractical given many fishing grounds only 30mins from harbour.

8.8 Kinsey highlighted that the quality of research on pelagic stocks is another issue. Not only on stock estimation, but impacts of large stocks, such as mackerel, on other stocks. Fishermen in Norway have been unhappy with pelagic assessments for many years and are tired of method revisions. There is hope for stability in future (e.g. MSC certification). One thing to name is MSC certification suspension. Kinsey characterised this suspension as ‘done in the spur of the moment’. He said the industry view is that more time should have been taken.

8.9 On the subject of Brexit, Norway’s opinion is that the UK and the EU will have to settle the divorce between them. Norway will not tolerate quota overshoots on TAC, and would like clarity on the process.

8.10 Pink shrimp fishery in Skagerrak is a big issue, as many are under MLS. Many fisheries have installed size-sorting grids to be allowed into closed areas, but it was quickly evident the grids were not effective enough. Fishermen are now talking about the use of square-mesh panels in the cod-end for selectivity. Fishermen would like to be able to carry out such trials ‘off their own bat’. Kinsey highlighted that with all these hurdles in place, costs for fishermen are too high, and the market for fresh-cooked shrimp is very sensitive to price.

8.11 Kinsey added that it has generally been a good winter fishery for Norway. There is a lot of cod, and it is easy to catch more than quota. Prices have been very high and there has been very little reported discarding of fish. A lot of big questions have been posed concerning estimation of the cod stock size – scientists are talking about having to reduce next year’s TAC, where fishermen are seeing increasing amounts, particularly in the Arctic.

8.12 Michael Andersen noted that in respect of revision of technical measures, it ‘seems you’re also discussing MLS in relation to the Kattegat’. Kinsey responded saying that Norway has always been in favour of harmonising regulations. This is evident in the Bering Sea, where Norway has reduced mesh size and MLS for Russians to harmonise technical measures and increase buy-in to management.

8.13 Kenn Skau Fischer said that with the revisions carried out on technical measures, it seemed like the Minimum Reference Size for plaice was being increased to 25cm in the Skagerrak. He said ‘this change is odd’ and asked if the fishing industry was pushing for the change ‘or someone else?’. Kinsey replied that in Norway, fishery management is based on bioeconomics; ‘it doesn’t take into account the practicalities of running a fishery or conditions within a stock as well’.

8.14 Barrie Deas thanked Kinsey for his update on the situation in Norway, highlighting that Norwegian fisheries are an important dimension in North Sea. He identified the importance of keeping dialogue going even though it is just an annual summary.

8.15 Peter Breckling requested a short statement on overall economic situation of Norwegian fisheries in comparison to fisheries in other areas of the world. Ian Kinsey replied to say that the overall economy of the Norwegian fleet is good, but there are different ways of looking at it. Since the financial crash, and huge cod quotas, fishing has become a lot of work for little money, particularly for smaller vessels (generating a situation where people can lean towards selling out). There are also huge loans in fisheries – it is a financial machine rather than a way of life.

8.16 Breckling identified that improvements in resources (increasing stocks) are expected with climate change in the north, around coast the of Norway. He said it would be wise to invest in increasing fleet capacity at the right time to make the most of this. Kinsey identified that owners are looking to the future. Even though there are fewer vessels, they are larger, and there is a move towards building vessels to put more quota on them. Barrie Deas enquired about constraints on tonnage and engine power. Kinsey responded to say there are no constraints on engine power, but there are constraints on fish holds. Mike Park added that technical creep would mean catching more and more fish (at a rate of about 3% annually).

8.17 Kenn Fischer described the perception in Denmark that the Norwegian fleet in the north of Skagerrak is growing and queried whether there is a factual basis for this. Kinsey clarified that yes, this has been noticed and is of concern in Norway. He stated that traditional Norwegian fishing off west coast of Scotland has been lining and gillnetting, but now with pair trawls and the new fly-draggers fishers are starting to fish hake and haddock. These are quotas that Norway swapped before – there is a resurgence of fisheries in Norway fishing in the southern North Sea.

8.18 Mike Park added Norway now has in excess of 35 vessels fishing east and west of Shetland – ‘an explosion into northern edge of the shelf.’ This is becoming real issue for Scotland as it could cause depletion of local stocks. A number of fishing nations are coming into Scottish waters, when Scottish fishers don’t fish in other waters. He explained that this is why Scotland is campaigning to restrict number of licenses, post-Brexit.

8.19 Fischer added that there’s a lot of monkfish (also referred to as anglerfish) in Norwegian waters and this is a problem for Denmark, saying ‘we want TACs that reflect this.’ Kinsey responded saying there is a big move now to exclude bigger boats and shift to a spatially managed fishery in Norway, adding that ‘even 50m boats are considered inshore in Norway’.

**9 Control Regulation**

9.1 Kenn Fischer updated the group: the Control Regulation Focus Group advice, which was consensus advice, has now been circulated to the Commission, Parliament and Member States.

9.2 Council have not started on the Control Regulation. Fischer stated that there was an attempt to push work in Parliament forward, but too many amendments mean this cannot be done before the election.

9.3 Fischer noted that Commission & Member States are asking what they need to focus on (as there is a lot of detail in the proposal). It is important to avoid waiting until the last minute to put measures into place as the regulation needs to work from day one.

9.4 While Fischer attended the Scheveningen Control Group meeting on 28 February, the focus was on LO and Brexit. One view expressed at that meeting was that there are too many exemptions in the landing obligation and that leads to difficulties with control. The meeting did not touch on CCTV.

**10 Science-based Fisheries Policy**

10.1 There will be a workshop on Science with Industry Initiatives (WKSCINDI) at the ICES headquarters in Copenhagen, Denmark from 24 - 26 June. See ‘Paper 10.1 ICES Workshop Invitation’ (for further information).

10.2 Barrie Deas highlighted that the over several meetings the DWG has discussed engagement with the science process and ensuring that all policies are evidence-based. The workshop will provide scientists with up to date overview on roles industry can play in providing scientific information applicable in research. He stated that it is an obvious opportunity for the AC to follow-up the discussions it has started, emphasising that there is hugely valuable industry knowledge out there, and new ways of harvesting data through phones and other electronic means. Deas noted that this is an important workshop for the AC to be involved in, to take this initiative forwards. He invited comments and expressions of interest, which should be submitted by 26 April.

10.3 It was stated that Niels Wichmann would be in attendance at WKSCINDI. Barrie Deas, Tamara Talevska, Geert Meun and Mike Park expressed their interest in attending the event. Irene Kingma and Jenni Grossman also expressed interest, and may also go under other organisations. Sam Stone was also keen to attend as either NSAC or MCS. It is up to individuals to state their interest in the workshop.

10.4 Michael Andersen highlighted that the workshop is for science cooperation with industry, so seats should be given to industry. Irene Kingma added that ICES should not have sent the invite to the AC if they didn’t want the full AC membership to respond and attend.

**11 Seabass**

11.1 Barrie Deas highlighted that issues with seabass remain. He reported that there has been dramatic fishing mortality reduction due to changes in targeting and MLS, and that while biomass is increasing, it is slow. It has been established in autumn 2018 that bass would not be included in the LO. However, issues remain with bycatch limits, catch rates, and unwanted mortality through discards. He stated that NWWAC are keen to work alongside NSAC on seabass issues, and are preparing a workshop on the subject which the NSAC should engage with. Manon Joguet and Sam stone were both keen to participate in any discussions in this area.

11.2 Stone added that Fish Legal (a group working on behalf of the recreational sector) are threatening judicial review of the IFCAs’ practices in the UK over a lack of introduction of measures to reduce juvenile catch of bass.

**12 Any Other Business**

12.1 Tamara Talevska drew the group’s attention to the SuMARis project – which would be holding a conference over 16-17 May.

12.2 Manon Joguet also wanted to draw attention to the SuMARis conference on the management of skates and rays, inviting all NSAC members interested in the subject. The conference seeks to find management solutions and present them to The Commission at the end of the year. An action was noted for Tamara Talevska to circulate invites to the event to all members. The conference would be held in Canterbury.

12.3 Tamara Talevska highlighted that for NSAC members wishing to attend the ICES workshop discussed – WKSCINDI – it would be preferable if members could register themselves.

 Talevska also thanked the group for their warm welcome, and took the opportunity to thank Noor Visser, Interim Executive Secretary, for her guidance and support over the previous months. Barrie Deas echoed these thanks.

**13 Date of Next Meeting**

13.1 The next meeting would be held on the 9th July in Brussels, Belgium.

**14 Action Points**

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| **Actions** | **Responsible** |
| 1. Circulate the DISCARDLESS project PDF, carried over from last meeting (3.1).
 | Secretariat |
| 1. Raise the issue of a Brexit focus group (to take stock of the significance of Brexit for the North Sea) with NSAC Executive Committee (4.7). This issue will need in depth discussion.
 | SecretariatBarrie Deas |
| 1. Members to submit LO comments on the Scheveningen Group’s joint recommendation for the 2020 demersal discard plan to the Secretariat (5), focusing on issues relevant to their fisheries. Secretariat to collate these contributions and submit to the Scheveningen Group ahead of their next meeting in May.The timeframe is tight, so responsibility lies with organisations themselves. Information is needed by 6 May.
 | Members |
| 1. Secretariat to circulate STECF Discard Plans report (5.2.1).
 | Secretariat |
| 1. Irene Kingma to circulate a template example of a submission on the skates and rays exemption to the rest of the DWG (5). All members to collate and share their own information in time for the 6th May deadline.
 | Irene KingmaMembers |
| 1. Michael Andersen to draft a brief paper outlining the issues around variable stocks such as saithe and the need for flexible management of some species. This should be fed into EU-Norway discussions on the topic on 17th May (5.3).
 | Michael AndersenSecretariat |
| 1. The next DWG meeting should be held in a place that Norman Graham can attend (Brussels). He should be invited to attend to brief the DWG on the Technical Measures Regulation (6.3).
 | Secretariat |
| 1. Members to register to attend WKSCINDI workshop (10.3).
 | Tamara Talevska |
| 1. NSAC/ DWG to work alongside NWWAC on seabass work – and plan to attend and support any seabass workshop planned by NWWAC (11.1).
 | SecretariatBarrie Deas |
| 1. Invitation to the SuMARis conference to be circulated to all members (12.2).
 | Tamara TalevskaSecretariat |
| 1. The next meeting of the Demersal Working Group will take place on the 9th July in Brussels, Belgium. (13.1).
 | Secretariat |

**15 Attendance**

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| --- | --- | --- |
| **LAST NAME** | **FIRST NAME** | **ORGANISATION** |
| ANDERSEN | Michael | DFPO |
| BIRNIE | Anne | NESFO |
| BROUCKAERT | Emiel | Rederscentrale |
| DEAS | Barrie | NFFO |
| GROSSMAN | Jenni | ClientEarth |
| BORROW | Katrina | Mindfully Wired Communications |
| BRECKLING | Peter | German Fisheries Association |
| FISCHER | Kenn Skau | Danish Fishermen |
| JOGUET | Manon | FROM Nord |
| KINGMA | Irene | Dutch Elasmobranch Society (NEV) |
| KINSEY | Ian | Norwegian Fishermen’s Association |
| LINDBERG | Fredrik | Swedish Fishermens Federation |
| LINKUTE | Ula | European Commission – DG MARE |
| MACDONALD | Paul | Scottish Fishermen's Organisation |
| MEUN | Geert | VisNed |
| MYNOTT | Sara | Mindfully Wired Communications |
| NIELSEN | Lisbeth | Danish Ministry / Scheveningen Group |
| Ronelöv Olsson | Peter | Swedish Fishermens Federation |
| VISSER | Pim | VisNed |
| PARK | Mike | SWFPA |
| TALEVSKA | Tamara | NSAC |
| VISSER | Noor | NSAC |
| ADRIAENSSENS | Bart | Swedish Agency for Marine and Water Management |
| STONE | Samuel | Marine Conservation Society |
| SAHYOUN | Rita | WWF |
| AZZI | Selim | WWF |
| KENT | Rhona | WWF |