**The North Sea Advisory Council**

**Report of Ex Com Meeting 18th June, 2019**

**Danish Agricultural & Food Council**

**Axelborg**

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**Rapporteur: Katrina Ryan**

**1 Welcome & Introduction**

* 1. Chair Niels Wichmann welcomed members to the Executive Committee meeting. A tour de table ensued.

**2 Adoption of the Agenda, Actions & Report of Previous Meeting**

2.1 The agenda was adopted and apologies were given for Lisbet Nielsen, of the Danish Ministry for Food and Agriculture, who had been due to attend and provide an update on the work of the Scheveningen Group. For the Executive Committee, Nielsen had provided an update on Scheveningen Group work to Kenn Skau Fischer, DFPO. Further questions on the Group’s work could be addressed the following day, in the General Assembly, where Ole Toft – Chairman of the Scheveningen Group – would be addressing the meeting.

2.2 Further apologies were provided for: Dr Anne-Cécile Dragon from WWF, proxy delegated to Irene Kingma from the Dutch Elasmobranch Society, Caroline Gambline from CNPMEM, proxy delegated to Manon Joguet of FROM Nord, Jonathan Hughes from Pew Trusts, proxy delegated to Euan Dunn from Stichting Birdlife, Jenni Grossman from Client Earth, proxy delegated to Irene Kingma from the Dutch Elasmobranch Society, Peter Breckling from the German Fishermen’s Association, proxy delegated to Pim Visser from VisNed, Javier Lopez from Oceana, no proxy delegated, and Lisbet Nielsen.

2.3 The report of the previous meeting (held on the 8th February in London) was adopted by the Executive Committee without corrections.

2.4 Tamara Talevska, Executive Secretary of the NSAC, provided an update on actions from the previous meeting:

* Members had to provide comments on Control Focus Group work on the Control Regulation. This had been done, and the work finalised.
* It had been agreed that the Control Focus Group (CFG) should continue work on fisheries control and the Control Regulation. This was underway, and future meetings of the Group would be scheduled.
* A further action had been to consider forming a Working Group on the future revision of the CFP. This was on the day’s agenda for discussion.

All actions delineated at the previous Executive Committee meeting had been completed.

**3 Update on NSAC Relocation to Zoetermeer, Netherlands.**

3.1 Niels Wichmann provided an update on the relocation of the NSAC. The move had been ‘98% completed’. New offices for the NSAC have been rented in Zoetermeer, and the AC had benefited greatly from the work of Noor Visser during the transition period, in her role as interim Executive Secretary. The appointment of Tamara Talevska as the permanent Executive Secretary was also considered a significant milestone.

Wichmann noted that, as the NSAC is working in ‘part years’ from a Commission funding perspective, due to the change of circumstances linked to Brexit and the ensuing transition to an EU 27 Member State, there had been some bureaucratic challenges. All legal challenges had been overcome, but securing grants for the right period, and ensuring grant funds arrive in time to cover necessary expenses, remained a problem. Given these difficulties, Dutch NSAC colleagues had been helping to bridge the funding gap from the Commission by ensuring sufficient funds are available to salary Tamara Talevska and other core operations. This funding delay meant that some members would experience delays in their reimbursements for travel and other expenses.

3.2 Tamara Talevska provided some additional updates. She noted that registration with the Dutch authorities, and with EU, had been finalised. Whilst funding has not arrived in the NSAC account, the full funding application had been submitted and is being considered. The final report for the previous NSAC period had been sent in to the Commission in the preceding week. Accounting services had been set up for the new Dutch entity, although an application for a credit card (in order to purchase flights etc) was still pending.

Invoices for NSAC membership would be issues in July, and the Secretariat would be grateful for these to be paid as promptly as possible.

3.3 Guus Pastoor, AIPCE, interjected that there are some ‘worries’ about money – the NSAC is in a ‘low cash position’. He re-emphasised the need for members to pay invoices as early as possible.

Niels Wichmann said he had discussed the financial situation of the AC with Pim Visser, VisNed, earlier in the day. They had broached the subject of a need for ‘revolving, bridging capital’. Wichmann said this was ‘not the first time’ the AC had been in this situation, and it ‘would not be the last’. Visser added that the funding offered by the Dutch industry was to help with ‘essentials’ because the situation was ‘acute’, and they were keen to ‘do their best to help in a practical sense’.

Wichmann concluded it was clear there is a real challenge and all members should be aware of this.

Emiel Brouckaert, Rederscentrale, asked if there was a way to engage the Commission in moving along funding more rapidly. Wichmann and Talevska replied that the Commission is following standard procedures, which take two months: one month to prepare the NSAC’s contract and one month to prepare the funds. The funding application had been submitted on April 23rd.

**4 European Commission Update – Julia Eichhorst**

4.1 Niels Wichmann handed the floor to Julia Eichhorst, DG MARE. Eichhorst noted that she is replacing Eckehard Reussner, who had previously attended NSAC meetings on behalf of DG MARE. She was attending the meeting predominantly in a ‘listening’ capacity, having started in her post earlier the same month. If technical answers or policy clarifications were required from members, she would happily relay these to colleagues and return with answers. She commented that the NSAC is regarded as very professional and experienced within the Commission.

On NSAC finances, she reassured members that there was not delay due to error or concerns – simply, the Commission is following usual processes to usual timescales.

Moving on to cover the Control Regulation, Eichhorst said that the Regulation had been discussed under the Romanian Presidency in the Council: an article-by-article reading was underway. She said ‘steady progress’ had been made, adding that as there is no European Parliament currently in place a ‘first reading position’ for the Parliament is not currently available. Work on the Regulation will start again once the Parliament has re-constituted itself, and once a new Fisheries Committee is established.

Eichhorst touched on clashes between technical measures rules and the Landing Obligation (LO). There had been ‘some degree’ of legislative tension between the LO and catch composition rules, the Commission is aware of this. She reminded members that the aim of the new regulatory framework is to give stakeholders the flexibility needed to adapt to the situation within their sea basin. A criticism of technical measures in the past has been there isn’t sufficient flexibility. In the new technical measures framework, there is the ability to change, amend and introduce measures specific to local conditions – provided minimum standards are adhered to. Eichhorst said that maximum bycatch levels can be waived if gears using small mesh sizes are modified and shown to be highly selective. This is an incentive to enhance selectivity.

On the Scheveningen Group Joint Recommendation on the LO, it was too early for the Commission to comment. They had received the draft on the 29th May and were analysing its contents. It had been sent to STECF who were making an assessment of the recommendations. Eichhorst highlighted that the Commission had been ‘doing a lot of work behind the scenes’ to ‘encourage scientists not to only detail reasons to block a measure, but also detail what would make something an exemption they would go for’. Without this type of “positive” advice, it would be difficult to justify the exemptions proposed.

On Brexit, the Commission is still hopeful that the final outcome will be a ratification of the Withdrawal Agreement. However, it is clear that the possibility of a No Deal is ‘still very much on the table’. Eichhorst pointed to two legislative amendments: to EMFF and SMEFF, helping to prepare the fisheries sector ‘as much as possible’ for this scenario. Beyond this, Eichhorst would not speculate – concluding, ‘we will have to see once the UK has a new Prime Minister’.

With regards to proposed NSAC work on the future revision of the CFP, it was considered ‘too early to think about’ from the Commission’s point of view. Eichhorst said that there are currently no reflections within the Commission about where the CFP would be after 2022-2023. She noted that the Basic Regulation requires the Commission to submit a report on the functioning of the CFP by 31st December 2022. She characterised DG MARE as ‘very much in implementation mode’, with a focus on the LO in particular.

4.2 The floor was opened to questions. Pim Visser had recently attended a seminar on the LO in Brussels, at which it was clear to him that there are still outstanding issues to be resolved with implementation. He suggested these issues could not be resolved within the current framework, resulting in a ‘real need for adaptation and revision’ of the current CFP – although he perceived significant reluctance from the Commission to look ahead to this. Julia Eichhorst replied that it is ‘too early to draw conclusions’ from the current implementation phase. The Commission is aware of serious concerns but would prefer to explore options to refine implementation of the policy prior to considering revision of the CFP. She noted that there is a legal obligation to look into the functioning of the policy, and this obligation would certainly be met.

Niels Wichmann and Pim Visser both highlighted previous CFP revision timetables – noting that the Green Paper for revision of the CFP in 2013 was published in 2009 (four years in advance). Visser felt the Commission ‘was in denial’ about the ‘real problems’ with the LO. He argued that the implementation phase of the policy started on 1st January 2015, and that ‘we are now into fully-fledged LO’. He suggested that NGOs are dissatisfied as the policy doesn’t achieve its original aim of eliminating discards (believing there are too many exemptions to the policy) and fishing industry believes it is not workable. He advocated for an ‘open approach’ – ‘face up to reality and find a way forwards’.

4.3 Sam Stone, MCS, and Mike Park, SWFPA, asked for clarification on the statement: ‘maximum bycatch levels can be waived if highly selective gear is used’. Stone asked if this is implemented at the Member State level, the regional or fleet level, and how it is implemented. Julie Eichhorst took note of the query. In response to a query from Park as to where this appears within the legislation, Barrie Deas suggested this was part of ‘residual catch composition rules’.

4.4 Irene Kingma responded to Pim Visser’s questions on the LO. She questioned whether any fisheries in the EU had choked yet under the policy. At the same time, she levelled criticism at the Commission for the way in which the LO had been implemented – leaving many challenging species and metiers to the ‘last minute’, leading to a feared ‘big bang’ in 2019. She called for a proper review of implementation, including the role AC advice has played.

Mike Park pointed to an example choke situation in Rockall, off the UK coast, where 8,500t of haddock quota is available to catch, but only 47t of cod. In this mixed fishery context, the cod quota has already nearly been exhausted, with 6,000t of haddock left to catch. He said that cod ‘makes up 0.5% of the fishery and has the potential to shut down the other fisheries’.

Peter Ronelov Olsson criticised Irene Kingma’s approach – he said his fishing members were facing bankruptcy from choking.

Kingma requested that it be recorded she is having ‘words put in her mouth’ and ‘accused of saying people don’t have the right to make a livelihood’. She pointed out that, for seven years, she has been advocating against a ‘big bang’ approach to LO implementation. She said she has worked relentlessly for solutions to the LO. She added ‘we all know there is no control of the LO – as long as there is no control, discarding will still happen’.

Pim Visser interjected that the reason for a lack of fishery-wide chokes is due to discard plans and exemptions, watering down the original policy. In his view, an LO that is only make workable through mitigating discard plans is not ‘proper legislation’ and would prove ‘unenforceable’.

Niels Wichmann summarised the views aired: a number of NSAC members had attended the LO seminar and the conclusions drawn had been that the legislation had not been ‘finalised in an orderly way’, the LO is not working from a ‘fishery, or any other, point of view’, controls are not working and are not being put in place. He felt this was ‘certainly grounds’ for discussing the functioning of the CFP and future CFP developments.

4.5 Kenn Skau Fischer highlighted a few points linked to the Commission update and the technical measures regulation. He said that in Denmark work is underway with the industry and Ministry to examine ‘black holes’ resulting from the new regulation. He encouraged others present to do the same with regards to their national fisheries. He said it was a complicated situation to interpret: the technical measures proposal in comparison to the previous regime. The LO ‘out-ranks’ catch composition rules from a legal perspective, but he said that the new technical measures confuses the situation. He observed that fishermen in Denmark were not clear as to which set of rules applied to their operation.

**5 Scheveningen Group Update – Kenn Skau Fischer**

5.1 Kenn Skau Fischer reiterated that he was ‘borrowing a hat from Lisbet Nielsen’ who was unable to present on behalf of the Scheveningen Group. Nielsen was attending the STECF meeting, examining discard plans in Dublin. He noted that the process to examine, report on, and adopt the JR was rushed due to changes in the Commission and European elections. The general feeling with regards to the JR is that what is under consideration by STECF is ‘appropriate’ but that there will be some discussions with regards to available data to support some proposed exemptions. Nielsen had mentioned there would likely be some questions concerning a beam trawl exemption for plaice in the North Sea, as well as for measures around turbot. Nielsen had also described how sub-working-groups had been set up, on the request of the Commission, to examine discard measures implemented in one sea area in comparison to how they’re implemented in other waters.

A personal observation from Nielsen on the STECF process was a level of disappointment that those present were not more prepared: people were reading through papers for the first time at the meeting. She feared it would be late in the week before work on the discard plan is finalised.

She would be in touch with individual nations on specific issues of concern – eg. beam trawl exemptions.

5.2 Irene Kingma asked if there had been further information provided on the forwards programme of the Scheveningen Group. Fischer said that this would be provided by Ole Toft at the next day’s General Assembly meeting. He added that he felt the Danish presidency would have ambitions to continue work in the Autumn, particularly on Technical Measures.

Fischer went on to say that Kingma had attended a High Level Group of the Scheveningen Group, where it had been generally expressed that they were disappointed the NSAC submitted ‘split opinions’ on the draft JR. Kingma responded that this was because NSAC input had only been requested one week before the JR was due to be submitted. She noted that the NSAC had repeatedly asked for materials to work with well in advance of the submission date, adding that in 2018 the NSAC had provided 30 pages of advice, which had then been rejected on the basis it was not formatted exactly in line with the structure of the JR. She suggested that for the next Scheveningen Group presidency, and MoU should be drafted detailing that advice should be requested with a minimum of six weeks notice.

Barrie Deas was keen to discuss this issue, and had planned to raise the same point under Demersal Working Group updates. He said it had been ‘an impossible task’ to respond with a one-week turnaround. At the LO seminar in Brussels many members had attended during the previous week, emphasis had been placed on the value of collaboration – and NSAC and NWWAC had been praised for their cooperation and involvement. He felt this was ‘at the level of rhetoric, not mechanics’ and sufficient time is often not provided for real collaboration and involvement. If well considered, consensus advice is required it’s necessary to make allowance for discussions within the AC. He wasn’t certain an MoU would be the right vehicle, but felt this issue should be raised at the ‘highest level’. Niels Wichmann added that there had been previous attempts to develop an MoU, which had been rejected. He noted the timing of the ‘advice cycle’ as a take-home point for Ole Toft the following day. Pim Visser agreed, and went on to say he felt that both the Scheveningen Group and the NSAC were disappointed with procedures, so there should be a meeting between the leadership of the two groups to resolve the issue and make future plans. He indicated he would make this suggestion during the General Assembly meeting.

**6 Demersal Working Group Update – Barrie Deas**

6.1 The most recent meeting of the DWG had taken place in Gothenburg on the 19th April. Barrie Deas thanked the SFPO for provision of an excellent venue and lunch. The meeting had been well attended and, as is standard procedure, the Norwegian Fishermen’s Association (NFA) had been invited to attend this Spring session of the DWG.

The NFA representative, Ian Kinsey, had provided an update on developments in Norway – with concerns around emerging over-capacity being a key theme. Deas considered this the most significant update.

Brexit had been discussed insofar as it could impact on the work of the DWG, but not in a broader sense. Deas added that the UK parliamentary impasse on the issue had ‘given rise to frustration in all corners’. With regards to post-Brexit cooperation across sea basins, Deas said that the DWG hadn’t been the correct forum in which to discuss such a wide-ranging issue, but he had requested it would be on the agenda for the day’s Executive Committee meeting (see agenda point 10).

As usual, the LO had occupied significant discussion time during the meeting. Members had covered whether there should be a review of the performance of Article 15 of the CFP, and the majority view on this issue had been that a Focus Group should be established to explore what improvements could be envisioned. This was caveated with the understanding that this is an emerging issue, and a developing implementation process.

There had also been discussion around the Scheveningen Group and the JR.

On technical measures, the DWG hoped to hold more detailed, meaningful discussions with the Commission at an up-coming meeting in Brussels. This would specifically cover conflicts between catch composition rules and the LO. The meeting was set for the 9th July.

The DWG had explored ‘unintended consequences’ in fisheries management. Deas said many problems in fisheries management are the result of such consequences, linked to previous management measures. He had found this to be a very useful discussion, particularly in relation to displacement effects. Deas wondered what kind of impact assessments could give more clarity in this regard. The conclusion of these conversations in the DWG had not been to set up a Focus Group, but to integrate this kind of thinking into all future advice.

Advice on the Control Regulation had been submitted.

Fruitful discussions had been held on science-based fisheries policy. There was consensus that policy should always be evidence based, and questions around how it is possible to ensure this is the case. Fortuitously, Deas commented, there was to be an ICES workshop on the subject of science-based fishery management, and stakeholder involvement in science production, in ICES later in June. He encouraged members to sign up to attend.

On seabass, Deas noted that this is not a very significant stock for North Sea fisheries. The catch of seabass in the North Sea is less than 9% of the total catch of seabass – the main areas for this species being in the Channel and Celtic Sea area. The NSAC would work collaboratively with the NWWAC, not taking the lead, but supporting and participating in the NWWAC’s work in this area. The NWWAC has circulated a request for Expressions of Interest to participate in a bass Focus Group, and Deas said he would respond to that EOI and be a ‘link’ between the two ACs.

6.2 Irene Kingma added that the DWG had worked on a table providing an overview of measures taken to implement skates and rays exemptions to the LO, for which the Scheveningen Group had been grateful. She added ‘sometimes we do good things for the Scheveningen Group’, to which Niels Wichmann responded: ‘statistics can be interesting: of all the advice given by ACs to Member States and the Commission, the NSAC provides 25% of all advice submitted’.

**7 Skagerrak and Kattegat Working Group Update – Kenn Skau Fischer**

7.1 The last meeting of the Skagerrak and Kattegat Working Group (SKWG) had been held at the Danish Ministry for Food and Agriculture on February 21st. Kenn Skau Fischer characterised this as a ‘good and fruitful meeting’. A range of topics had been discussed, and overall Fischer felt small steps forwards had been achieved on a range of issues.

A long discussion had taken place about the LO and the state of play with regards to Skagerrak and Kattegat issues, including choke species in IIIa. Fischer said a lot of work has been carried out by the Commission and Member States on introduction of the LO, but he didn’t feel nature had been taken into the ‘alliance’. A number of stocks were proving difficult to catch in 2019, and this will be reflected in the in-coming ICES advice. The general sense in the Skagerrak and Kattegat, Fischer said, is that a lot of positive work to adapt to the LO has been done, but with the foreseen advice, it could be difficult to avoid chokes in 2020.

The management of cod in the Kattegat had been discussed, without significant progress. Fischer said the process of getting Sweden and Denmark to agree on management of cod was difficult, and many attempts to improve management for this species had failed. He noted 2019 represented the ten-year anniversary of attempts to introduce cod management in the Kattegat, and said he was ‘still keen to move things forwards’. The Group had decided to write to the governments of Denmark and Sweden and ‘encourage them to come up with proper management’.

Quota stability had been a key topic. MSY advice from ICES has lead to large ‘jumps’ in advice between years: ‘plus 65% one year, minus 40% the next year’. This was seen as ‘so difficult to work with – both extremes’. Fischer asserted that there is a real need for more stability in quota setting, adding that this should be discussed in the context of the revision of the CFP. Most present at the SKWG agreed that you could manage fisheries to MSY without such significant extremes.

The Group had received a presentation on harmonisation of technical measures in Norway for the North Sea and the Skagerrak. Norway is working on harmonising rules for these two waters at the moment. At the same time, the EU and Norway are discussion harmonisation of tech measures in the Skagerrak. Fischer characterised it as ‘odd’ that Norway was proceeding separately.

The SKWG had touched on Marine Protected Areas in the southern part of the Skagerrak. Fischer described an ‘on-going dispute around data that needs to be taken into account for setting N2000 areas’. He noted that this work stream linked in to the work of the Ecosystem Working Group.

There is a new Swedish Government in place, and with this a new policy around protected areas: bottom trawls will be banned for use in these areas, with the possibility for limited exemptions in a management plan for an MPA. The SKWG had discussed consequences of this. Fischer said it appeared that the Swedish Government was on a learning curve – understanding that they can only introduce bans such as this for Swedish fishermen, and that any broader policy would require taking the action to the European Commission.

The next meeting of the SKWG would take place in September 2019.

Niels Wichmann thanked Kenn Skau Fischer for the update and there were no further comments or questions.

**8 Ecosystem Working Group Update – Euan Dunn**

8.1 The most recent meeting of the EWG had taken place in March at a Schipol Airport venue in the Netherlands. There was good attendance and a very diverse agenda. The agenda included a presentation from the Joint Nature Conservation Committee (JNCC) in the UK on an EMFF-funded project called Participatory Approaches to MPA Adaptive Management. This project was working on a model to predict ecological outcomes if management regimes for protected areas are altered. Importantly, this is not about decision-making for existing management, but about ‘what ifs’. One site covered by the project is of particular interest in an NSAC context: a site in the southern-North Sea.

Ton Iljstra from the Dutch Ministry for Economic Affairs had provided an update on management measures for MSFD protected sites around the Netherlands. This conversation had naturally turned to discussion of the Dogger Bank N2000 process. On the Dogger Bank front, Member States had recently submitted their Joint Recommendation on management measures to the Commission. The EWG had discussed the length of delay in this JR, and questioned Iljstra on the subject. He had conceded that the ‘stakeholder-driven process had lost its stakeholders along the way’. The EWG would be setting up a focus group to evaluate the process in full. The first meeting of this group would take place on the 8th July and will establish ToR.

Anne-Cecile Dragon, WWF, presented on a DG MARE meeting held in February, which explored the issue of recycling fishing gear in relation to the Single Use Plastics Directive. The EWG is interested in this theme in the context of the MSFD and its marine litter descriptors. There is interest in forming a Focus Group on the issue to explore what input the EWG could have, but more clarity on what would be useful advice is required from the Commission in the first instance.

Turning to use of the Prohibited Species List, an annexe to the Technical Measures Regulation designed to protect endangered species, Dunn said the EWG had been working to clarify how the list should be used. The List has no legal basis and is full of inconsistencies. He said it was ‘nearly two years’ since the EWG had started corresponding on this issue, that the List is ‘not fit for purpose’ and needs a review. Eckehart Reisner of DG MARE was present at the meeting, although as he was leaving his post shortly was unable to intervene on the issue directly. He advised against seeking a review, as there was ‘no appetite’ amongst Member States, saying that anything the EWG did seek should be ‘action and management oriented’. Irene Kingma had highlighted the Community Plan of Action for Sharks: adding shark species to the Prohibited Species List is note properly regulating shark bycatch. The EWG will be writing to the Commission and highlighting that the Community PoA on Sharks needs a critical review.

Several representatives from the North Sea wind hub project had attended the meeting. Dunn said they have ‘upped their game on engaging with stakeholders’. He said he ‘couldn’t emphasise enough’ the scale of the proposed development: between seven and fifteen times current capacity of wind turbines in the North Sea – ‘unprecedented, world-wide’. The consortium planning the development currently have no preferred location, despite a perceived focus on the Dogger Bank. The Dogger Bank is one of three areas of exploratory research. The start date for development is 2030 – the consortium is currently in a ‘setting up and horizon scannig’ phase.

The EWG received a presentation on the SpoRRAn project, now referred to as ScotMer, which looks at research gaps for offshore renewables.

No follow-up date had yet been set, but there would be another meeting in the Autumn.

8.2 Pim Visser added that the had attended a DG ENV meeting on seabed integrity on behalf of the EWG. He said there were ‘parallel processes on the implementation of these guidelines’ and thought it was ‘extremely helpful’ for the AC to be involved in this work. He would submit a report to the Secretariat on the meeting.

Following up on one of Dunn’s earlier points, Visser noted that a meeting would take place on the 2nd July on the ‘circular design of netting’, adding that the industry should lead the charge on recycling of fishing gear – it ‘is not up to DG MARE to initiate standardisation of fishing gear’.

**9 NSAC Appointments**

9.1 Niels Wichmann detailed a paper on NSAC appointments developed by himself and Guus Pastoor, Chair of the General Assembly. A number of NSAC elections and appointments were required, including a new Chair of the Executive Committee from 1st November 2019 through to 2022. Vice-Chairs needed to be appointed for a term of one year, as well as Chairs of the EWG, DWG, SKWG for the same period. A new Chair of the General Assembly would be required in 2020, for a three-year term.

In the middle of May, Mike Park and Irene Kingma indicated that they were both keen to continue in post as Vice-Chairs of the Executive Committee. Barrie Deas would like to stay in post as the Chair of the DWG. Peter Ronelöv Olsson has put himself forwards to Chair the SKWG. There had been no application for Chair of the EWG, and Euan Dunn would be retiring later in 2019 – and therefore unable to continue in the role.

Both Irene Kingma and Kenn Skau Fischer had applied to take on the Chair of the Executive Committee. Due to there being two applicants for the post, a selection committee would be formed: including the Chair of the General Assembly, the Vice Chairs of the Executive Committee. As Irene Kingma is both a current Vice-Chair and an applicant for Chair, it was suggested that the out-going Chair of the EWG take on her role in the Selection Committee.

Niels Wichmann summarised all proposals linked to new NSAC appointments:

* Postpone until September the nomination of Vice Chairs of the ExCom, because Irene Kingma has applied for the position of Chair of the ExCom in addition to her application for the Vice Chair position;
* Barrie Deas and Peter Ronelov Olsson should be elected as Chairs of the DWG and the SKWG today;
* Postpone the election of Chair of the EWG until September;
* A selection committee should be formed, consisting of Guus Pastoor, Mike Park and Euan Dunn;
* The selection committee will give its scoring at the latest on the 1st September, in order that it can be circulated to the ExCom and General Assembly, and presented at the September ExCom meeting;
* At the next ExCom meeting we will have the election of the Chair of the ExCom; a Chair of the EWG will be elected if an application has been received by that point; Vice Chairs will also be appointed;
* An extraordinary meeting of the General Assembly will immediately follow the September ExCom to approve the appointments. (This is required by new legal procedures in the Netherlands);
* Candidates for the ExCom Chair post that have filled in the application are invited to add a covering letter or further explanation of their interest. They are invited to submit this before the 1st September in order that it can be circulated to the membership.

Wichmann asked members to raise any objections to the proposals. Euan Dunn, commented that the date of 10th September was presented as the date of the next ExCom meeting – he asked if it would be possible to adjust the date, as he would not be available to attend. Niels Wichmann noted the date originated from an internal planning meeting and could be altered. A new date of the 19th September was selected. Wichmann added that this would not affect the deadline of 1st September for application submissions.

It was suggested that the meeting be held in Brussels in order to secure attendance of the Director General of DG MARE.

9.2 Peter Ronelöv Olsson was elected to the position of Chair of the SKWG.

Barrie Deas was re-elected to the position of Chair of the DWG.

9.3 The delay of the appointment of ExCom Chair and Vice-Chairs was approved. The selection committee members were approved. It was agreed that scoring by the select committee of applicants should be ready on the 1st September and circulated to the ExCom, in addition to extra materials submitted by candidate for the ExCom Chair role.

9.4 Euan Dunn remarked he was sad to no longer be able to Chair the EWG, emphasising this was only due to his retirement – ‘I love this work’.

**10 Discussion on Revision of Common Fisheries Policy, Brexit and the Future of the NSAC – Niels Wichmann**

10.1 On revision of the CFP: the NSAC had heard earlier in the meeting that the Basic Regulation requires that the Commission report to the Parliament on the functioning of the policy by 31st December 2022. Beyond this, Wichmann said that ‘in other fora the discussions of the future of the CFP have already started’. The BSAC has already planned a meeting in Helsinki on 3rd September 2019. The MAC is planning a discussion on the Common Market Organisation. He felt it was timely for the NSAC to enter into a discussion on what it would want from future policy, looking at the LO, MSY fishing, fisheries exemptions, and the trajectory for regionalisation.

On Brexit, neither the date of the event nor the conditions are known. However, it would be possible for the NSAC to start preparatory discussions around Brexit, mutual access and the future structure between the EU, UK and Norway. Regardless of Brexit, the North Sea will still have joint stocks and joint management: the EU has six stocks in common with Norway, and 100 in common with the UK. Wichmann added: “if we don’t come up with ideas [for post-Brexit management], we will leave people without our experience to do so”.

On the future of the NSAC, Wichmann suggested the formation of a Focus Group to work on this subject from September onwards, when there may be more clarity on Brexit developments. The Focus Group could meet immediately, ‘back to back’ with the next ExCom meeting. Wichmann invited members to express interest in participating in the group, and concluded his remarks saying that the NSAC is ‘happy our British colleagues have stayed in the AC and are still acting in this sphere. We ought to build on that until the day we can’t’.

The floor was opened for questions and comments.

10.2 Mike Park said that UK members of the AC could do the a ‘great justice’ to NSAC colleagues after Brexit by establishing a more ‘sensible, intelligent and easier to comply with’ fishing policy, which the EU may look upon as a useful example to follow in some areas. Kenn Skau Fischer responded that he had ‘great expectations’ for his UK colleagues, but added that it’s important that, whatever happens, the ‘EU doesn’t just sit back and watch what’s happening’. The EU will no longer be the majority player in the North Sea – Norway and the UK will have the largest part of the TACs. He said the EU would need to take an ‘adaptive approach’.

Barrie Deas broadly agreed with Wichmann’s introduction and summary, and felt that NSAC members should be dedicating time to thinking about a variety of post-Brexit scenarios. He also sought to emphasis the scale of impact in the North Sea from changing distribution patterns of species under climate change. He questioned whether management measures would be adequate to account for these shifts, and noted it as a priority for future management of the North Sea under any political scenario. He said this should be added to the list of issues for the NSAC to consider work on.

10.3 Julie Eichhorst sought to clarify earlier comments regarding the Commission’s appetite for a revision of the CFP. She said that, whilst DG MARE may not have an official process in train at the moment, all and any work carried out by the NSAC in this area is appreciated.

10.4 Irene Kingma repeated remarks she had made at a DWG meeting earlier in the year: she would welcome work on the revision of the CFP, but was concerned that this would not be possible in the AC context, due to a lack of consensus. She said it is ‘getting harder and harder to find something we can agree on at either an abstract or concrete level’. Organisations within the NSAC have ‘very different ideas’ about ‘what MSY is and what the LO should look like’. Turning to Mike Park’s remarks, she asked if his comments were based on the Fisheries Bill currently passing through legislature in Westminster.

Mike Park responded that the Fisheries Bill would set ‘high level objectives’ and in the regions there would be the opportunity to set specific measures to suit fisheries. He acknowledged Kingma’s point, but argued that the concept of setting TAC at MSY is not controversial with the industry. In that context fishers were still struggling with chokes, and he felt the ‘political decision’ presented was ‘save businesses or save stocks’. He reasserted that the UK would ‘try and put something different in place’. Kingma underscored that she dislikes the LO, but saw the two pathways forwards – for the UK and the EU – as going in very different directions.

10.5 Pim Visser suggested that the discussion should be more focused on ways forwards for the NSAC. Whilst shifting stock patterns are highly relevant, he felt the conversation should be directed more towards Brexit, and how to continue stakeholder dialogue. Sam Stone agreed – the agenda item was capturing ‘a huge amount in terms of future of fisheries management’ but ‘the future of the NSAC’ should be the focal point. Stone added that in the event of a ‘no deal’ Brexit, when UK members would have to leave the NSAC immediately, it would be useful to have a formal position from the AC on ‘what the future relationship would look like’. He urged members to produce such a paper ‘sooner, rather than later’.

Emiel Brouckaert said it would be difficult to proceed, given that under current circumstances Defra and DG MARE could not communicate. His preference would be to continue ‘as if Brexit is not happening’, keep open dialogue and open minds, and look at what management needs to be for the North Sea as a whole. Irene Kingma agreed with this sentiment.

Guus Pastoor asserted that ‘almost every AC’ is working on ideas for a future advisory system. Whilst it would be challenging to come up with a concrete picture, there are elements the NSAC could look into: it could delineate a range of options, under different scenarios, for how to move forwards. He then urged caution on moving into discussions on the next CFP at this time, again seeing Brexit as the priority issue.

Euan Dunn said the NSAC couldn’t ‘set the agenda’ but could set out principles to steer the agenda-setting. He suggested outling two or three potential scenarios and the NSAC’s plans in each instance. A paper could be developed to ‘exert some pressure’ and delineate an NSAC vision for how stakeholder engagement for North Sea mixed stocks should look. Kenn Skau Fischer underlined the importance of the work: ‘we can’t sit back and wait…we are foreseeing a whole other set-up for fishery management in the North Sea’.

Niels Wichmann asked that those interested in contributing to such a paper put a hold in their diaries for the 20th of September, for a meeting to advance discussions on this topic. A paper would be circulated in advance, and responses gathered, in order to develop a meaningful agenda for the day.

**11 Date of Next Meeting and AOB**

11.1 The next meeting was set for the 19th September in Brussels.

11.2 Under AOB, Sam Stone asked who would be drafting the position papers on the Brexit scenarios. Niels Wichmann responded that the Secretariat would circulate the papers and ‘draft someone in’ to help write them.

Emiel Brouckaert asked if other ACs should be brought into these discussions around Brexit, and whether the scenarios should be developed with an inter-AC approach. Niels Wichmann said the group should be open to working with others, but in the first instance should focus on the North Sea basin.

**10 Actions**

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| **Action** | **Responsible** |
| A selection committee to be formed, and to develop scoring criteria, for appointment of the new ExCom Chair (9.1) | Secretariat |
| Selection Committee to complete scoring of applications for ExCom Chair and circulate scores to the ExCom membership on 1st September (9.1) | Secretariat |
| Applicants for the position of ExCom Chair to provide additional materials (at their discretion) to support their application – to be submitted before 1st September and circulated to ExCom membership. (9.3) | Kenn Skau Fischer  Irene Kingma  Secretariat |
| Secretariat to prepare Brexit position papers – reflecting a range of scenarios – to be circulated to members in advance of a focus group meeting on 20th September. (10.5) | Secretariat |
| Next ExCom meeting to be held 19th September in Brussels, to be followed by a focus group on Brexit scenarios/ future of the NSAC on the 20th. | Secretariat |

**11 Attendance**

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| **LAST NAME** | **FIRST NAME** | **ORGANISATION** |
| **Andersen** | Sven -Erik | DFPO |
| **Borrow** | Katrina | Mindfully Wired Communications |
| **Brouckaert** | Emiel | Rederscentrale |
| **Deas** | Barrie | NFFO |
| **Dunn** | Euan | BirdLife |
| **Eichhorst** | Julia | European Commission |
| **Fischer** | Kenn Skau | Danish Fishermen |
| **Joguet** | Joguet | FROM NORD |
| **Kingma** | Irene | Dutch Elasmobranch Society (NEV) |
| **Lindberg** | Fredrik | Swedish Fishermen's PO |
| **Macdonald** | Paul | Scottish Fishermen's Organisation |
| **Meun** | Geert | VisNed Dutch Fisheries Organisation |
| **Park** | Michael | SFF |
| **Pastoor** | Guus | AIPCE |
| **Ronelöv Olsson** | Peter | Swedish Fishermen's PO |
| **Stone** | Samuel | Marine Conservation Society |
| **Talevska** | Tamara | NSAC |
| **Visser** | Noor | - |