

Baltic Sea Regional Advisory Council

Executive Committee Meeting

Gdynia, 9th December 2009

Draft Minutes

Chairman: Reine J. Johansson

Rapporteur: Sally Clink

1. Welcome

a. Apologies and adoption of the agenda

There were apologies from:

Peter Breckling (Union of German Cutter Fishery) – mandate given to Lothar Fischer (German Cutter-and Coastal-Fishermen’s Association).

Pehr Eriksson, (Swedish Fishermen's Federation), Kim Jordas, (Finnish Fishermen's Association) and Vesa Kartunnen, (Federation of Finnish Fisheries Association): all gave their mandate to Henrik Svenberg (Swedish Fishermen’s Federation).

Bengt Ingerstram (Swedish Consumers’ Coalition) – mandate given to Jesper Kobberø (ASECO)

Peter Mohnert, (European Anglers Alliance), mandate given to Mathias von Lukowicz (the German Sportsfishermen's Association)

Gunnar Norén (CCB) – mandate given to Niki Sporrang (FishSec).

Vaida Sakaite (Lithuanian Fisheries Producer's Association, substituting A. Bargaila) - mandate given to I. Voits (Latvian Fisheries Association)

Roar B. Schou, (European Association of Fishing Ports and Auctions) - mandate given to Tomas Thomsen

Gunnel Edman-Blom, (Nordic Coastal and Fisherwomen), didn’t give her mandate to anyone.

The list of participants is in [Annex I](#). There were 14 ExCom members present and 23 votes assembled.

The agenda was adopted.

b. Adoption of the minutes from ExCom 23/06/09

The minutes from the last ExCom were adopted.

c. Appointment of members to verify the minutes from the meeting

Jenny Fors (WWF) and Lothar Fischer (German Cutter & Coastal Fishermen's Ass) were appointed.

2. Update by the Secretariat

- **RAC year 2009- 2010**

Update on accounts for year 2009-2010

The Secretariat presented a budget update per 191109. Extra resources had come from “Laksefonden,” Chalmers University, and 3½ extra member payments. Germany is paying less than other MS this year. A budget adjustment had been done on the basis of this. Given anticipated extra costs with the conference in Stockholm, these resources were put into meeting budget (B) and interpretation budget (E). The Swedish Ministry of Agriculture and EESC had contributed towards the conference costs, and BS RAC paid the remainder. The expectation was to be able to meet the costs of a WG/ExCom early 2010. ExCom members from Finland and Sweden asked if there had been any changes to the way the budget was regulated, to which the Secretariat replied no. The ExCom took note.

Update on membership

The Association of Fishmeal and Fishoil Manufacturers in Denmark was member from 16th September 2009. Their application was received on 1st July and went through written procedure. They have paid ½ year of membership. An Application from Mörrum Fishing Association was received on 16/09/09 and had gone through a written procedure. The General Assembly will be updated in May 2010. The Secretariat explained that the Commission is looking at how all RACs deal with membership applications, perhaps with view to a standardised procedure. The ExCom took note.

- **RAC year 2010-2011**

A draft budget for 2010 – 2011 was presented to the ExCom. It had been drawn up on the basis of the optimistic scenario that all members and all MS contribute and that the Danish government still pays the rent. The Secretariat thanked members for sending in commitment forms and payments ahead of the new RAC year. The Secretariat highlighted certain items in the budget concerning staff costs, travel for the secretariat, allocation of funding to experts, the meeting budget, the interpreting budget and fees for rapporteurs. It was pointed out that guarantees are no longer required to secure the pre-financing.

One member was pleased to note this and glad that the extra administration in connection with guarantees was removed. He encouraged the secretariat to keep to the optimistic budget in the expectation that all members would pay their contribution. The BS RAC should be prepared to increase the costs for experts: in connection with discussions on CFP reform, it was clear that the involvement of scientists is crucial.

The Secretariat also pointed out the fact that having open working groups also implied extra costs. The increasing number of members of the BS RAC could imply higher costs to the budget. ExCom took note. In response to comments from one member, the ExCom stated explicitly that staff costs and salaries are a matter for the chair.

The budget was adopted. (Attached as Annexes 2a and 2b).

- **Work programme for 2010-2011**

Ilona Jepsena, DG Mare, was invited to explain the work schedule for the Commission for 2010. She explained that 2010 will be a very challenging year. It was not yet clear what the Lisbon Treaty will entail. There was a new Commissioner designate. There would also be a new Director General. The following work was planned:

- Drafting a new management plan for Baltic salmon – a draft regulation would be ready by about the end of January.
- A management plan for pelagic species: a non-paper for public consultation was expected in early January.
- Evaluation of the multi-annual plan for cod: here there may be a need to come together to work together and establish what needs to be evaluated and how to do this.
- Annual fishing opportunities (not subject to co-decision): will be slightly adapted because certain provisions will have to be moved over to the technical measures regulation for the Baltic.
- Roadmap for the reduction of discards: the Commission was in the process of drafting terms of reference for this. This will be discussed at the meeting of Fisheries Directors on 15th December. The Commission stressed that the RAC and scientists must be involved in order to arrive at a useful result. Baltic 2020 have expressed an interest in leading and coordinating this. HELCOM has also written to the Commission on this. The Commission was not sure when the draft roadmap will be produced.

A few members asked about the timescale for the revision of the multi-annual plan for cod and what would happen if an evaluation shows the need revise the plan. At the same time there was approval of the decision to create terms of reference around this exercise and to involve the RAC. A BS RAC member referred to the ban on using driftnets and regretted that the requirement on reporting according to Article 27 in Reg. 2187 of 2005 had not been met. Ilona replied that the last tender on this had failed, so no assessment had been carried out. Driftnets were banned, so it was not possible to assess the impact of driftnets on bycatches of porpoises.

One ExCom member was pleased to see traceability mentioned in the draft WP and suggested that her organisation could hold a meeting in connection with this. This gave rise to a discussion about how to deal with this subject: should it be within the remit of existing RAC meetings, or should there be a specific meeting? No decision was made on how to proceed with traceability in the BS RAC work. Some members felt there was no need to invite special experts, but that members of the BS RAC could present and explain it, since it was a relevant issue. Several members suggested that the last sentence: “The BS RAC will aim to demonstrate the „greening“of the fishing industry.” be removed from the particular paragraph: there were no objections to this. The role of the RACs in terms of informing the public and opening up discussion was considered relevant. One organisation questioned the role of the BS RAC and whether this encompasses informing the public about fisheries issues such as traceability; the BS RAC is an advisory body to the Commission.

The draft work programme could be adopted subject to a rephrasing of end of the section on traceability. (Revised text attached as Annex 3).

- **MIRAC meeting planning update**

The Secretariat explained that the meeting between ICES and the RACs was scheduled on 26th and 27th January 2010. Due to financial rules, the BS RAC cannot contribute towards the costs of the meeting, unless an external sponsor was found. Nevertheless, BS RAC was still willing to co-chair this meeting with ICES. This was not yet finalised. ExCom took note.

- **CFCA – representation by BS RAC on the Advisory Board 2010 (I/D)**

The Secretariat informed that Reine Johansson and Ewa Milewska were representatives from the BS RAC on the Advisory Board. Should they be unable to attend, Niki Sporrang (FishSec) agreed to be substitute. It was agreed that whoever attends CFCA meeting should give an account of the meeting to ExCom.

3. Output from BS RAC Focus Group on CFP Reform - further work

Discussion was on the basis of the document to the ExCom Annex 5a.

The chairman invited a discussion on the text, which was a first step in the process, after which he expected a lot of meetings to be held with the Commission. There was agreement by several members that the format of the paper should be changed to make it less of a report and more a set of recommendations. There was reluctance by one member to go through the text page by page, since this was not the role of the ExCom. Instead, the text was dealt with section by section. A representative from the NGOs felt that the agenda for the Focus Group (held on 26th – 27th October) had been limited, so environmental concerns were not brought up. Another member found that it was essential to agree on common positions in this paper, so minority positions could be sent separately to the Commission. Another member pointed out that no one had objected to the agenda put forward at the Focus Group. The representative from the NGOs requested that the statement made by CCB, WWF and FishSec be included in the paper.

The section on regionalisation gave rise to much discussion. Members expressed their support for regionalisation, but it was agreed that the BS RAC should clarify internally what was meant by regionalisation and what form it should take. The RAC represents stakeholders, the Commission deals with administration, but it was not known what member state thinking was on the subject of regionalisation. There was agreement that a regional body, which brought together stakeholders, the Commission and member states, would contribute towards more transparency. For example, technical regulations would be better addressed by a regional governance system. What kind of decision-making or how much could be devolved to such a body was not known. One member supported regionalisation and the BS RAC as a regional body, but care should be taken when discussing a regional decision-making process. He referred to the provisions in Article 43 of the Treaty of Lisbon, according to which decisions must be made by the Council and Parliament. TACs and quotas, effort limitation and management plans have to remain as a Council and/or Parliament. A representative of the green organisations said that all NGOs were positive about regionalisation and saw its strength in terms of the implementation of targets. The BS RAC was named as a good model for carrying out pilot projects, and the project proposal on selectivity was cited as an example. The chairman concluded that this section was a crucial part of the BS RAC response to the Commission, and he would take these comments on board. The BS RAC should give a clear answer to the Commission that it believed in more regionalisation.

With respect to the section on the role of the RACs, there were no comments by ExCom members to the alterations suggested by the NGOs to the text which was presented at ExCom, and no decision

was made. A representative from the green organisations confirmed that they supported changing the financial support for the RACs, so there was no need to change the wording in that section of the text. The chairman confirmed that the section on financing should be added to, and mentioned that the recent study by WWF “How to improve the Regional Advisory Councils” contained a section on financing the RACs.

The section on fisheries management gave rise to comments to the suggested insertion of 5 bullet points on future management, proposed by the NGOs. One industry representative felt that this section was not elaborated sufficiently for him to endorse its inclusion. Another member questioned the link between ecosystem approach and precautionary approach and their implications for management in the first bullet point. Observers to the meeting pointed out that the bullet points two and three were contradictory and that the text needed to reflect the reality of how negotiations were carried out. There was no consensus on including this section in the text.

A member from the two thirds group referred to the sub-section on rights-based management and ITQs, and asked for the insertion of wording that “the BS RAC recognises that ITQs open the possibility for transfers other than merely trading,” thereby underlining that transferability and tradability of fishing rights are not the same. A representative from the NGOs wanted to highlight that care should be taken when referring to these terms: RBM and ITQs are not interchangeable. The chairman concluded that in replying to the Commission, reference will be made to the fact that the traditional structural system of fisheries management was no more and could no longer be financed by tax payers’ money.

The chairman pointed out that the sub-section referring to the small-scale fishery included comments that were different to comments from other RACs. One member supported the wording in this sub-section and confirmed that it was up to member states to manage the small-scale fishery. The ExCom did not have other comments to this sub-section.

The final section on markets gave rise to few comments. There was agreement to modify the proposed insertion by the NGOs of “and the RAC supports all efforts to increase traceability” to “and the RAC supports efforts to increase traceability.” Two members commented on the provision in the new control regulation on traceability and the implications it could have for the small-scale fishery.

The draft text was not adopted at the meeting. The chairman and secretariat would amend the text and send it to members by written procedure.

4. Updates in connection with the three working groups:

- **Demersal (selectivity) / Michael Andersen Demersal WG Chair**

Michael Andersen did not report from a specific working group meeting. He gave a report from the October Fisheries Council. He regretted that the Council did not meet the request for a derogation for vessels below 12 metre in the western Baltic fishing cod, and that the Council decided to increase the mesh size in BACOMA and T90 to 120 mm. He reported on the meeting with Commission on 23rd September to discuss the BS RAC proposal for a project on selectivity. This meeting was followed up by a further meeting on 3rd December. He was positive about the support from the Commission and hoped that in January/February the Demersal WG or ExCom would be able to carry this work forward. He was surprised to note that Baltic 2020 had held a workshop on selectivity on (24th –25th November in Hirtshals), since he believed that Baltic 2020 were aware of the BS RAC project proposal on selectivity. He regretted the introduction of the Omega metre and

felt that it would require intensive work to find a solution to this. Another item of work would be a revision of the cod management plan, as well as of the technical regulations for the Baltic.

There was a discussion on the practical problems that had been caused by the decision to increase mesh size as well as by the Omega metre. Some members pointed out that it would be impossible to get the new nets by the start of the New Year. One member pointed out that it was regrettable that the BS RAC did not react to the Council decision. He agreed with the Demersal WG chairman that it was not the role of the RAC to make political statements, but the RAC could have come with a response already in October after the Council. The ExCom agreed to send a letter to the Commission to express the concerns of the BS RAC about the technical difficulties caused by the decision. Michael Andersen, together with Henrik Svenberg and Krzysztof Stanuch would draft this letter, which would be sent as soon as possible to the ExCom for rapid consultation before being sent to Commission.

There was a further discussion of the selectivity project and the awaited Terms of Reference from the Commission. There was interest in seeing who would make up the group and who would head it. It was a practical exercise, which should involve fishermen and scientists.

The invitation by Baltic 2020 to hold a joint conference in 2010 was discussed. Some members pointed out that due to the heavy workload expected by the BS RAC in 2010, it would be hard to fit in a conference. One member pointed out that Best Practices may be more appropriately dealt with in 2011. Some members suggested inviting Katarina Veem to a coming ExCom to present the ideas and proposals from Baltic 2020. For the time being it was agreed to write and thank her for the invitation, but to decline the invitation to hold a conference in 2010. (Attached as Annex 4)

This gave rise to a discussion of other initiatives taking place around the Baltic to deal with such issues as selectivity: the Baltic Sea Fishermen's Network and the workshop held by Baltic 2020 in November. Some members welcomed these initiatives and did not think that they conflicted with the work of the BS RAC. One member questioned the status of these activities and asked whether the BS RAC had been involved as co-organiser. The question was not answered at the meeting.¹

- **Pelagics / Ryszard Malik Pelagic WG Chair**

Ryszard Malik explained that there had been a meeting of the Pelagic WG in June, which was reported on at ExCom in Vaasa on 23rd June. Since then, there had not been any activity. The next item of work is the non-paper on a long-term management plan for pelagic species. Ilona Jepsena confirmed that the non-paper for stakeholder consultation is expected early January 2010. The

¹ Information from the Secretariat: The BS RAC has had no direct involvement with the Baltic Sea Fishermen's Network in planning or participating in meetings. It has been informed of the work. BS RAC has added a link on the BS RAC website: <http://www.bsrac.org/ooizzCMS/DA/links> under the heading "Selectivity" with the purpose of dissemination. The Baltic 2020 workshop was a Baltic 2020 initiative. Baltic 2020 contacted the BS RAC with a view to participate in the Hirtshals workshop. The BS RAC chair, vice chair and Secretariat were unable to participate. ExCom was informed by e mail on 13th November of the workshop and invited to contact the Secretariat if interested in participating. Thomas Thomsen (The Fishermen's Association of Bornholm and Christiansø) and Kim Kær Hansen (Danish Fishermen's Association) confirmed interest. Only Thomas Thomsen was able to take part because places were limited.

secretariat informed that the plan was to hold a Pelagic WG in Copenhagen on 19th January 2010. The ExCom took note.

- **Salmon /Gunnar Asplund Salmon/Sea trout WG Chair**

Gunnar Asplund regretted the fact that there had been a lack of communication and cooperation with the Commission in the elaboration of a salmon management plan for the Baltic Sea. In May 2007 the BSRAC produced its recommendation on a salmon management plan (later supplemented by recommendations from March 2009). The Commission recently sent to STECF questions and requested clarifications. The BS RAC had been pro-active, but, added Gunnar, the work of the BS RAC had not left its mark on the process. He added that whereas there appeared to be a good dialogue around the pelagic and demersal working groups, this was lacking with respect to salmon. Had there been a dialogue, the questions put to the STECF could have been shorter and clearer. Ilona Jepsena explained the procedures followed and the timescale in connection with the consultation process on the salmon management plan and added that as soon as a draft proposal is ready, it will be sent to the public. She expressed her regrets and encouraged the BS RAC to be pro-active in the process and to send in any proposals it may have. Communication was a two-way process. She added that the Commission was not satisfied with the answers provided from STECF, and they have agreed to re-consider the advice. The BS RAC was invited to send any proposals for questions to STECF. One member thanked Ilona for her reply and interpreted it as room for further consultation with the BS RAC and the Salmon Working Group. The chairman concluded on this point that it was the first time in the RAC's history that there was not an understanding with the Commission. He would inform the salmon fishermen that this has been raised at the ExCom and that there is not yet a reaction to the salmon action plan. A Polish member of the BS RAC raised the issue of the ban on driftnets and the request for an evaluation of the ban. Ilona replied that it was a political decision to ban driftnets and there was a transitional period to adapt to the regulation. An observer informed that Poland was one of the few countries to do that, and in reporting to the Commission it was made clear that driftnets were not dangerous to porpoises. A through evaluation of the situation was still anticipated from the Commission. An ExCom member pointed out that member states provided reports on an observer scheme, and an assessment scheme should be carried out. This should be done in conjunction with salmon.

5. JAKFISH project

- **Report from the JAKFISH workshop 21st October 2009**

Lothar Fischer reported on the meeting held in London to discuss western Baltic herring. There was agreement to hold a further meeting on 18th January 2010 in Copenhagen. ExCom took note.

- **Joint letter from Pelagic RAC and BS RAC for approval by ExCom**

The chairman presented the draft letter requesting the Commission to postpone its proposal on a long-term management plan for pelagic species. There were no objections from the ExCom to the letter being sent.

- **GAP2**

Robert Aps of the Estonian Marine Institute presented the GAP2 project to map the actual or planned competing sea uses and assess their possible impact on spatial allocation of fishing possibilities for the Baltic fisheries (a case study is attached to these minutes as Annex 5), and invited the BS RAC to nominate a person to take part on the steering committee to the project as a strategic partner. It was

important that the contribution of the BS RAC is officially recognised. There were no objections from ExCom.

6. RECLAIM project (Resolving CLimatic Impacts on fish stocks)

Peter Neuenfeldt of DTU Aqua gave a power point presentation of the project RECLAIM. The project has consisted of five work packages, the last of which, synthesis, is still going on. It has considered critical life stage and temperature for sprat, cod and herring. It also includes an analysis of species interactions, fishing effects, zooplankton, climate effects and bio-economics. The major conclusions from the project are that climate and fishing are both important for the population development of the Baltic cod and sprat stocks, and that good environment and low to moderate fishing intensity have to occur simultaneously for good productivity.

Peter also mentioned a new project called FAIR, which was looking at the Baltic as a collection of regions, and the wish was to go further down and study the Baltic basin by basin. He encouraged BS RAC members to contact him if they were interested in taking part. His e mail address is on the participants' list.

7. Date and venue for next ExCom

No decision was made on this, but the spring was mentioned. .

8. AOB

There were no points raised.

Annexed to these minutes:

- **Annex 1** List of participants (from agenda point 1)
- **Annexes 2a and 2b** Draft Budget for 2010 -2011 (from agenda point 2)
- **Annex 3** Modified Work Programme (from agenda point 2)
- Copy of HELCOM letter to the Commission (mentioned in connection with agenda point 2):
http://www.bsrac.org/archive/Newsletter/50_51/2009Letter%20on%20the%20issue%20of%20discards%20in%20the%20Baltic%20Sea.pdf
- The WWF report on how to improve the RACs is here (mentioned under agenda point 3):
http://www.panda.org/about_our_earth/all_publications/?181701/European-Fisheries--How-to-Improve-the-Regional-Advisory-Councils
- The letter sent by the BS RAC to the Commission and MS on concerning specifications of BACOMA and T90 fishing gear (agreed under agenda point 4):
http://www.bsrac.org/archive/Dokumenter/Recommendations/2009/LetterCion_MSMeshsize111209.pdf
- **Annex 4** The letter to Katarina Veem Baltic 2020 (agreed under agenda point 4)

- The letter from Pelagic RAC and BS RAC requesting postponement of proposal on LTMP for pelagic species (dealt with under agenda point 5) is here:

<http://www.bsrac.org/archive/Dokumenter/Recommendations/Recommendation%20on%20long%20term%20management%20of%20pelagic%20species%20in%20the%20Baltic%20Sea/20091218%20Joint%20Recommendation%20BSRAC%20and%20PRAC%20on%20Western%20Baltic%20herring.pdf>

- **Annex 5** GAP2 Case Study received from Robert Aps (presented under agenda point 5)
- The link to the presentation of RECLAIM is here (made under agenda point 6):
<http://www.bsrac.org/archive/Dokumenter/EXCOM091209/GdyniaRECLAIM.pdf>
- **Annex 6** A brief summary presentation by Peter Breckling from a recent meeting in Sopot, Poland on Natura 2000 (sent to the Secretariat from Peter Breckling).