



## ADVISORY BOARD MEETING

20 September 2017, Vigo

### CONCLUSIONS

#### Participants

**Advisory Board representatives:** Mr José Beltrán (PELAC), Mr Niels Wichmann (NSAC), Ms Manuela Iglesias (LDAC), Ms Rosa Caggiano (MEDAC), Mr Hugo González (WWAC), Mr Daniel Voces de Onaindi (MAC) and Mr Staffan Larsson (BSAC).

**European Fisheries Control Agency (EFCA):** Mr Pascal Savouret (ED), Ms Karin Hermansson, (HoU 1), Mr Mario Lopes dos Santos (Deputy Head of Unit 2) and Ms Clara E. Fernández (PO).

#### **0. Approval of the Agenda.**

The ED opened the meeting by welcoming the Advisory Board representatives.

The draft agenda was presented by the ED. The NSAC representative asked to include two items in the agenda:

1. Overview of EFCA agreements with MS/MS-regional groups in the different sea-basin/regional areas: JDPs;
2. Link between SafeSeaNet and fishing vessels – reporting requirements.

The agenda was approved.

#### **1. Introduction and state of play: Advisory Councils (ACs) state of play**

The ED gave the floor to the ACs and pointed out that a summary of the outcome of the meeting would be reported to the Administrative Board on 18 October 2017.

The MEDAC representative pointed out the following issues:

- Special focus is given to the technical measures EU proposal Regulation, in particular the need for a monitoring system and the implementation of the regionalisation should be considered;
- MEDAC co-organised with DG MARE the High Level Seminar held in Catania on February 2016 in order to make possible the dialogue between scientists, stakeholders, and relevant

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Administrations and Institutions on the status of the stocks in the Mediterranean Sea and on the CFP approach. On March 2017, during the Malta Ministerial Conference on the Mediterranean fisheries, the "Medfish4ever Declaration was adopted and signed " by the EU and non EU MS;

- The joint recommendation LDAC-MEDAC-MAC on the implementation of the IUU fisheries regulation addressed to the EC, requesting *inter alia*:
  - o "To provide further precision to Member States, by way of guidelines, particularly with regard to the content and scope of obligations to check and verify catch certificates on the basis of risk management, including in relation to consignments in transit.
  - o To continue collaboration with EFCA to encourage harmonized application of a risk management approach across the Member States, through these guidelines."
- Implementation of the Landing Obligation (LO) 2019: a reflexion process has been launched in March 2017. A questionnaire has been prepared, it includes questions related to discard quantification, potential commercial value (e.g. production of biogas/energy), port and disposal facilities, transport, etc.

The ED informed that EFCA has been very active in the Mediterranean, in particular with the General Fisheries Commission for the Mediterranean (GFCM) project towards an international scheme in the framework of the GFCM.

On the implementation of the LO, the ED suggested that it could be helpful for the MEDAC to exchange views with the BSAC.

The BSAC representative highlighted the following issues:

- The importance to have a proper fisheries management; to go from micromanagement to a more result-based management. In some areas the technical regulation is not suitable which can undermine the result to be achieved by fisheries management.
- The LO is not aligned with the technical regulation. The Swedish fishermen developed better selective gears which have shown some preliminary very promising result. It has been evaluated by the scientists and is now pending an approval by the European Commission.
- According to the BSAC representative the conflict between "*seals and fisheries*" along the Baltic coasts is of serious and growing concern, much of the small scale fisheries have been wiped out. A working group for ecosystem management has been created.
- The impact of recreational fisheries needs to be considered, e.g. in the Western Baltic Sea the amount of catches under this umbrella could even be bigger that the quota allocated to the commercial sector.
- A revision of the Control Regulation (CR) is needed to make the whole control easier and more robust. To that aim, appropriate gears and more relevant technical regulations able to adapt to the ecosystems, are needed. Centralization has not worked, a formula getting everyone onboard in the regionalization should be put in place.

With reference to the recreational fisheries, the NSAC representative raised concerns about the sale of catches which are supposed to be for personal use.

The LDAC representative pointed out to the following priorities in the LDAC:

- Promoting more transparency in international waters. The international dimension of fisheries management and control is at the core of the LDAC activities. Enhancing Monitoring, Control and Surveillance (MCS) systems and promoting more transparency in fleet activities and relevant data to improve fisheries management outside EU waters continue to be 2 key priorities in the LDAC work for this year. Also, the LDAC is supportive of initiatives related to the fight against IUU fishing in the Atlantic Ocean, doing own initiative advice and participating actively with the NGO coalition at several external meetings.

- Defending level playing field, including human and labour rights. The LDAC is very active in asking to defend a level playing field for EU and non EU fleets in terms not only on the fishing activity, but also on the respect of human and labour rights along the value chain in the fishing sector. The LDAC asked the EU to take the lead on this important topic at RFMOs and several international fora such as UN.
- Technical assistance to COMHAFAT. The LDAC has also provided technical assistance to ATLAFCO-COMHAFAT (under the MoU) to develop a regional control observer and a port control schemes in the Atlantic Ocean. A LDAC delegation is planning to attend the next Ministerial Conference of this organisation, scheduled for early 2018.
- Preparing a draft proposal for an opinion on the international dimension that would call, *inter alia*, for an increased role of EFCA in the international dimension. The LDAC has been actively asking for an increased role and presence of EFCA in third countries, RFMOs and international waters. It supported this approach during the consultation process of the Five-year independent external evaluation of EFCA with the external evaluators and also publicly at the Seminar held in Vigo on 20 June, where the LDAC was invited to speak.

With reference to the international dimension the ED highlighted that:

- EFCA depends on EC request, and the requests shall be approved by EFCA Administrative Board.
- A multiannual plan is needed to allocate resources.
- EFCA has no mandate for the IOTC or Bigeye tuna or Albacore in ICCAT.
- There is a cooperation process on the way.
- Balance between the EU waters and international dimension should be maintained.
- More presence in NAFO requires skilled people.

The PELAC representative pointed out the following issues:

- There have been several meetings of the focus groups (FGs) dealing with different stocks and the LO.
- The management plan for the South horse mackerel will go to the FG next week.
- Working on COM proposal on technical measures and control.
- Concern about choke species. A new tool is being developed to minimize the impact.
- Thanked EFCA for attending the PELAC meetings.

The NWWAC representative raised the following concerns:

- Technical measures: reasonable measures are needed.
- Choke species: the tool-box is not enough, there is a need to buy, borrow or rent some species from other MS that are not using their quota.
- Brexit: if the EU fleet will not have access to fish in UK waters, it will need to move to other fisheries grounds which might entail concentration on a few fisheries grounds. This should be avoided and should therefore be taken into account when negotiating UK access to the EU market.

The ED pointed out that EFCA has no SCIP/JDP mandate for demersal species in WW but supports MS on the risk management strategy in the context of the implementation of the LO.

The NSAC representative noticed that the quantities of quota swaps have diminished so the LO have actually worked the other way around.

The BSAC representative pointed out that scientific data go 1 or 2 years behind and quotas are based on old estimations.

The MAC representative pointed out that:

- The MAC is a recent body.
- It has participated in the joint recommendation LDAC-MEDAC on the implementation of the IUU regulation.

- There is a common Working Group (WG) LDAC-MAC. Currently the MAC has 3 WGs (1. EU Production, 2. EU Markets and 3. EU control, sanitary issues and consumer rules).
- The General Assembly is scheduled on 26 September.

The NSAC representative highlighted the following issues:

- Good working relation with the group of Scheveningen. The NSAC provides advice by request or by its own initiative to the High Level Group and participates in the Technical and Control groups.
- All the major stocks in the NS are in good shape, however the quota cuts are based on old data and that's generating choke species. A seminar on choke species is planned in November 2017.
- Technical regulation. Replacing the current technical regulation poses problems already raised by other ACs.
- Long term management plan in the NS. It is now in the EP.
- Eel ban. Quite a sensitive topic. According to the NSAC representative a management plan has been followed in the northern countries but not in the south.
- The NSAC has 3 WGs, 1. Demersal, 2. Skagerrak and Kattegat and 3. Ecosystem (dealing with environmental issues in EU waters).
- Brexit. The NSAC Secretariat is located in Aberdeen. The NSAC has set up a Brexit group that has not yet been convened. The main task will be to try to develop common structures after Brexit, share management and understanding will be needed.
- Executive Committee meeting scheduled on 4 October in Malta. Mr Vella has confirmed his participation in the morning.

On the additional items requested by the NSAC the ED mentioned that:

- Overview of EFCA agreements with MS/MS-regional groups in the different sea-basin/regional areas: JDPs. This item will be presented under the next agenda item.
- Link between SafeSeaNet and fishing vessels – reporting requirements: this topic is related to the Directive SafeSeaNet, being the European Maritime Safety Agency (EMSA) the body to be contacted for any clarification.

## 2. EFCA's Annual work programme 2017 implementation

The main facts and figures on EFCA's Annual work programme 2017 implementation were presented by the ED, the HoU 1 and the Deputy HoU 2. *Inter alia* the following aspects were highlighted:

- Joint deployment plans (JDPs) data 2016 and 2017<sup>1</sup> inspection figures;
- JDPs inspection and infringement trends 2010-2017<sup>2</sup>;
- Ratio of suspected infringements by inspection in JDPs 2012-2017<sup>3</sup>;
- Apparent infringements reported in EU waters and international waters JDPs in 2017<sup>4</sup>;
- EFCA regional risk assessment (RRA);
- Harmonisation and standardisation of inspection procedures;
- Regional cooperation: BALTFISH, Scheveningen–NWW CEG, SWW CEG;
- Tripartite working arrangement state of play;
- Pilot project for reinforcing integrated Monitoring Control and Surveillance (MCS) measures in the Strait of Sicily;

<sup>1</sup> January-August 2017.

<sup>2</sup> January-August 2017.

<sup>3</sup> January-August 2017.

<sup>4</sup> January-August 2017.

- PESCAO project.

After the presentation the floor was given to the ACs for comments.

The MEDAC representative asked if the High Level Group for the MED had contacted EFCA and if EFCA could present the RRA and the GFCM project in the Strait of Sicily at the forthcoming meetings of the MEDAC (October 10 and 11 or November 7 and 8).

The ED mentioned that EFCA had not been contacted by the High Level Group for the MED and that the Agency is open to present the RRA and the GFCM project in the Strait of Sicily in the MEDAC.

### **3. Administrative Board recommendations regarding the Five-Year Independent External Evaluation of EFCA (2012-2016)**

The ED presented the Five-Year Independent External Evaluation of EFCA (2012-2016) and the recommendations issued by the Administrative Board on 21 June. Recommendation number 7 refers to the Advisory Board as follows:

“7. There should be better interaction between the Administrative Board and the Advisory Board”.

The ED highlighted that to improve the interaction Administrative Board-Advisory Board-EFCA the Advisory Board feedback was vital and invited the participants to give their views.

The MAC representative pointed out the importance to reach all the stakeholders and to publish factual and neutral information.

The BSAC pointed out the need to have an open dialogue and discussion, and that EFCA has an important role to play in this respect. He suggested extending the participation of the Advisory Board meetings to more participants depending on the subject of the meeting, providing as an example the joint meeting BSAC-BALTFISH-EFCA Workshop on the implementation of the LO that took place in Hamburg on 9 March 2017.

The ED suggested to engage more industry and NGO stakeholders in EFCA’s work through social network without undermining the very role and responsibilities of AC and Advisory Board.

### **4. EFCA’s draft Programming Document - Multiannual work programme 2018-2020 and Annual work programme 2018**

The ED presented the draft Programming Document (PD) 2018.

State of play:

- EFCA’s draft PD 2018 covers a 3-year period (2018-2020);
- The Administrative Board adopted the draft PD 2018 on 11 October 2016;
- The draft PD 2018 was notified to the institutions on 30 January 2017;
- Commission issued its written opinion on EFCA’s draft PD 2018 on 27 July 2017;
- The opinion from the Commission has been taken into account and EFCA’s draft PD 2018 will be presented to the AB for adoption on 18 October 2017.

Multiannual priorities:

1. Assistance to the European Commission and to the Member States for the implementation of the CFP and related maritime strategies:

- A. Support the regional implementation of the CFP (in particular of the landing obligation) and related maritime strategies:
    - Fisheries subject to a SCIP /JDP;
    - Fisheries subject to the landing obligation;
    - Assistance from EFCA through PACT projects;
    - Upon request of the European Commission, provide expertise on the control aspects in preparation of new or updating existing regulations;
    - Cooperation on coast guard functions.
  - B. Support the Union in the international dimension of the CFP and the fight against IUU activities;
  - C. Contribute to the evaluation and improvement of compliance in selected European Fisheries.
2. Enhancement of capacity building instruments:
- A. Provide training activities and training material in support of the effective and uniform application of the CFP based on the Core Curricula which will be kept updated;
  - B. Delivery and enhancements of the data management systems suite and architecture;
  - C. Enhancements of EFCA ICT infrastructure, continuity and security for operational and corporate systems.
3. EFCA rationalisation through simplification, scalability, streamlining, organisational adaptations, e-administration, e-training, synergies with other agencies.

After the presentation the floor was given to the ACs for comments.  
No interventions were made by the ACs.

## **5. Rotation of the Advisory Board representative in the EFCA Administrative Board**

The PO presented the yearly rotation system agreed by the Advisory Council representatives. The representative of the Advisory Board in the Administrative Board, from 2 March 2017 until 1 March 2018, will be the NWWAC and the alternate the SWWAC.

Considering the new ACs the participants were asked if the AC's had any proposal regarding the current appointing system.

The participants mentioned that the issue had not yet been discussed among the ACs.

The MEDAC representative mentioned that bearing in mind the increasing number of ACs the yearly rotatory system was a good option.

The NSAC pointed out that one-year term was too short to provide real added value, especially considering that the participation in the AB meeting is limited to one Advisory Board representative, and that a different solution should be explored.

The PO suggested the ACs to examine this question internally and to come up with a proposal in the next Advisory Board.

## **6. AOB**

There were no additional comments.