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Subject: Joint PelAC/NWWAC Advice on Good Management Practices in Advisory Councils

Dear Ms. Charlina Vitcheva,

Please find below the PelAC and NWWAC contribution to Good Management Practices in Advisory Councils.

We hope that this draft can feed into the development of a future Code of Conduct.

Kind regards,

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Chair of the Pelagic Advisory Council



Alexandra Philippe  
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## Joint-PelAC/NWWAC Advice on Good Management Practices in Advisory Councils

### 1 Background

The reform of the Common Fisheries Policy Regulation in 2002 provided for the creation EU Fisheries and Aquaculture (regional) Advisory Councils (ACs) as stakeholder-driven organisations. Since their inception, the ACs have played a vital role in shaping policies aimed at ensuring sustainable, productive fisheries and aquaculture value chains, while also maintaining healthy aquatic ecosystems. They fulfil this mission by providing expert advice and recommendations to the European Commission and EU Member States on a range of issues related to the management of fisheries, aquaculture and seafood processing including socio-economic factors, and the conservation and regulation of fisheries, aquaculture and seafood processing.

Over the past 20 years since their establishment under Council Decision 2004/585/EC, the ACs have evolved into their current form, ensuring functional co-existence between stakeholders from the fishing and aquaculture industry, seafood processors and Other Interest Groups (e.g. NGOs, unions, recreational fisheries etc.). Despite having a common legal basis, different ACs exist in and draw from various national legislations and traditions, contributing to differences in management practices and cultures. While most are perceived to operate with high ethical and management standards, there are and have been in the past occasions where their structural and procedural shortcomings became apparent.

This advice should be seen as continuation of our genuine commitment to addressing these shortcomings through highlighting best practices with the aim of ensuring consistency of approach across the ACs, and, more importantly, ensuring and safeguarding a satisfying and respectful work environment for everyone involved. Some Advisory Councils have already put in place relevant policies and procedures.<sup>1</sup>

While AC members are indispensable constituents of these stakeholder-led bodies, none of the ACs would function without professional leadership provided by their Chairs and Secretariats. Information exchange between ACs has significantly improved in recent years through interactive tools and joint-AC initiatives. Insights on the functioning of the different ACs has prompted this advice, which is intended as a well-intentioned invitation for introducing measures aimed at improving the understanding and clarity on the roles, rights and responsibilities of AC leadership. These are in no way intended to replace existing policies adopted by the different ACs but to complement and build on them. The European Commission is currently evaluating the CFP, the framework for fisheries and aquaculture—and, by extension, the role of ACs. At the same time, most ACs are undergoing or have recently completed their performance reviews, as mandated by Commission Delegated Regulation (EU) 2015/242.

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<sup>1</sup> NWWAC policies: <https://www.nwwac.ie/case-studies/pr-communications-policy.1668.html>

PelAC policies: [www.pelagic-ac.org/wp-content/uploads/2024/10/Rules-of-Procedure-Pelagic-AC-Revised-Oct-2024.pdf](http://www.pelagic-ac.org/wp-content/uploads/2024/10/Rules-of-Procedure-Pelagic-AC-Revised-Oct-2024.pdf)





This alignment of evaluations offers a unique opportunity to also reflect on the functioning of AC management. We believe that this is an opportune time to objectively assess and deal with some of the identified weaknesses of an otherwise well-functioning AC management system.

## 2 Identified issues

### 1) Roles, responsibilities and expectations of Chairs, Secretariats, and members

There has been a realization that different ACs, and the different actors involved, may have a different understanding of the roles, rights and responsibilities of the AC Chairs, Vice Chairs, Secretariats but also members. To ensure consistency between ACs, it is important to establish clear operating procedures and expectations on the roles these actors are expected to fulfill.

*Roles, rights, and responsibilities—particularly for those involved in both the advisory and governance aspects of the ACs—should be clearly defined, mutually agreed upon, and effectively communicated. This ensures that all participants understand what is expected of them in order to contribute constructively to the work of the Advisory Councils. By fostering a shared understanding and respectful environment, all organizations and council members can engage in open and safe dialogue.*

This includes the rights that have been assigned to them together with their role. To this end, we propose a Memorandum of Understanding (MoU) be drafted among the ACs to define these roles, rights and responsibilities with the view to align understanding of these across ACs. A recommended structure for the Management team representative of the ACs' membership structure could form part of the MoU.

### 2) Power plays, imbalances, disrespect

The Advisory Councils bring together actors who may have opposing views on various topics. Ensuring a fair, equal and respectful working environment is key to formulating these views into advice based on consensus. The experiences of the ACs over 20 years have shown that bringing opposing views together is feasible and achievable if the right conditions are met. Acknowledging and openly addressing arising issues, power plays, power imbalances and disrespectful behaviours have created a more positive working environment in the ACs.

Identifying and openly discussing these issues is the first step towards change as they could, if left unaddressed, undermine trust, hinder progress and perpetuate harmful practices. Calling out these behaviours whenever they arise, whether perceived as subtle acts of manipulation, an abuse of authority, or blatant disrespect, is paramount. This is a necessary step to maintain an environment where fairness, respect, and equity are nurtured. The Chairs, Vice Chairs bear the responsibility for maintaining and/or restoring a workable environment and therefore must be in a position to act accordingly to resolve these issues expediently. The Secretariats, as the guardians of the Rules of Procedure, will support any action needed to uphold effective cooperation.





### **3) Inappropriate behaviour and sexual harassment**

In any professional or collaborative environment, it is essential to ensure that all participants feel safe, respected, and valued. Notwithstanding what constitutes inappropriate behaviour can be subjective and context-dependent, it generally involves actions that are unwanted, disrespectful, or harmful – be it to a person or an organisation. Regardless, inappropriate behaviour—including but not limited to inappropriate sexual behaviour or harassment – should be reported, addressed, and sanctioned. Sexual harassment refers to any unwelcome sexual advance, request for sexual favours, or other verbal or physical conduct of a sexual nature that affects an individual's dignity or creates an intimidating, hostile, or offensive environment. Both in person and online incidents should be sanctioned to the same level of severity.

Although no formal reports of inappropriate behaviour or sexual harassment have been documented across the 11 Advisory Councils (ACs), the risk cannot be dismissed. Openly addressing this issue raises awareness, reinforces preventive measures, and helps create a safer and more respectful environment for all participants.

We are committed to upholding a culture of mutual respect and inclusivity. To this end, we propose the establishment of a clear and confidential mechanism for reporting and addressing inappropriate behaviour and sexual harassment. A gender diverse committee should be appointed to receive complaints. This person(s) should be trained in handling sensitive reports with confidentiality, neutrality, and professionalism. Disciplinary sanctions for misconduct may result in suspension or expulsion from the AC. Reflections around having a joint committee among ACs should be explored. A Code of Conduct should constitute the basis for these reports. Further details will be contained in the MoU.

### **4) Lack of responsibility, accountability and transparency**

Responsibility involves fulfilling duties and making well-informed, ethical decisions in the best interest of the Advisory Council. Accountability ensures answerability for actions taken, while transparency enables scrutiny and safeguards against corruption.

These principles are essential for maintaining trust and effective governance between the Management Team and the members of the AC and vice-versa. When either fail to uphold them, it can result in poor communication, loss of credibility, and diminished integrity. Neglecting these principles undermines the trust and legitimacy of leadership, jeopardizing the AC's success and integrity, resulting, among others, in negative internal perception and public image. The Code of Conduct should clearly outline what these principles mean and how members of the ACs are to fulfil them.

### **5) Limited responsiveness and initiative**

Acknowledging the many responsibilities AC Chairs and members have besides the role they play in their respective ACs, it is a responsibility of every single member organisation and individual to evaluate their personal capabilities in fulfilling the role they commit. Chairs and Vice Chairs who are responsive, accountable, have ideas and vision, and propose initiatives aimed at elevating the status and relevance of their AC, enable and motivate AC Secretariats and members to support them in the most effective and meaningful way. In the same vein, members' feedback, input and initiative are essential when developing advice to make it relevant both to the Commission's and members' needs.





## 6) Administrative burden and high expectations

The Secretariats of the Advisory Councils are the heart of the ACs. They run the organisation in administrative and financial terms and act as policy officers to draft Advice and recommendations. Initially, the regional ACs focused on fishing opportunities and associated conservation policies that reduced fishing pressure. However, as newer ACs such as the MAC and AAC were developed the scope of the work of the Advisory councils has expanded to reflect the expansion in the scope of issues faced by the seafood sector as a whole including: environmental policy, energy transition, trade, markets and spatial planning.

In parallel, Secretariats are also expected to be interpreters of legislation, strategic advisors, social media managers, communication officers, human resources and events managers. The variety of tasks is a source of fulfilment, but it can also be a double-edged sword where a fine balance between the day-to-day running of the AC and the provision of advice becomes more and more challenging. Ensuring proper onboarding procedures as well as continued support to ensure a continued professional development is key to the success of the ACs.

To this end, the ACs recommend establishing clear job descriptions for the role of Executive Secretaries detailing all work-related activities under their remit. To complement this, the ACs suggests establishing essential training as well as annual exchange of best practices for Secretariats, including but not limited to financial administration, health and safety, human resources, and mediation. This will support their continuous professional development as well as their ability to meet the wide variety of responsibilities placed on them. Finally, managers and members are invited to be mindful and respectful of the burden imposed on the Secretaries, as they have less obvious and legitimate means to push back when pressures arise. Further details on these roles and responsibilities should be specified in the MoU.

## 3 AC Roadmap to improve the internal functioning of the Advisory Councils

To enhance the functioning of ACs, we list below what we believe are the minimum measures that need to be implemented by the ACs to further improve transparency, accountability, and effective governance. These measures would enhance the performance and sustainability of these organizations through effective leadership with established roles and a clear chain of command. The proposals should be seen as the first step in the establishment of a joint MoU on the functioning of ACs.

We propose a Memorandum of Understanding (MoU) be drafted among the ACs to:

- Develop clear definitions, titles, expectations, mandates, and objectives
- Establish an HR and 360-degree staff performance reviews & feedback mechanisms for Chairs and Secretariats
- Strengthen democratic leadership within the AC through term limits, anonymous voting, and confidence-based elections for Chairs
- Develop policies around the handling of inappropriate behaviours including sanctions.

Once this MoU is agreed upon by the ACs, the implementation of its measures shall be done either through a joint Code of Conduct or by the inclusion in the Rules of Procedure. Ensuring harmonisation within each AC will allow the ACs to strive as modern organisations.





Implementation of these measures might require additional support, which the Advisory Councils will evaluate on a case-by-case basis.

- **Established HR and 360-degree staff performance reviews & feedback mechanisms for Chairs and Secretariats**

Introducing staff performance reviews, including 360-degree feedback, will allow both Chairs and Secretariats to receive comprehensive evaluations from staff, peers, members, and stakeholders. Additionally, members of the Advisory Council should have the opportunity to provide feedback to services provided by the Secretariat and Chairmanship, fostering an environment of mutual respect and shared responsibility. This may need to be supported by an independent body to provide a safe review environment and the necessary follow up to agreed actions. Building on the example of external performance reviews mandatory every five years, we propose a more regular feedback mechanisms both between Chairs and Secretariats, as well as from the membership for the Management Team. This will help identify areas for improvement, promote accountability, and ensure continuous professional development.

- **Clear definitions, titles, expectations, mandates, and objectives**

It is essential to define clear roles and responsibilities for both Chairs, Vice Chairs, and Secretariats. This includes outlining titles (e.g., Executive Secretary vs. Secretary General, or Chairs vs. Coordinators vs. Facilitators), expectations, mandates (including lengths of terms served), and objectives. These roles should be codified in service agreements, with detailed text in other official documentation (such as Rules of Procedure) to prevent ambiguity. Transparency should be a cornerstone of this framework, especially in areas such as spending procedures and decision-making processes. Furthermore, a clear line of command should be established, with Chairs and Secretariats answering directly to the Executive Committee with the support of the Board/Management team.

- **Strengthening democratic leadership: Term limits, anonymous voting, and confidence-based appointment for AC Chairs**

To enhance the democratic process, the election of Chairs should be subject to a limited number of terms as is already the case in some of the ACs. This approach not only refreshes leadership with new perspectives but also energizes the ACs with diverse ideas and innovations. Moreover, the ACs suggest implementing an anonymous voting system for elections to empower all members to freely express their choices without any concerns of retaliation or undue influence. This measure enhances fairness and transparency, ensuring that every vote is cast confidently and independently. Finally, some ACs implement a nomination process for Chair elections. In this process, the ACs recommend going with a confidence vote, to ensure that the Chair is not elected by default.

- **Long-term actions**

Following the improvement of the Rules of Procedure, we have suggested two long-term actions to be implemented jointly by all the ACs to reduce costs and potential administrative burden. Implementing these actions might require additional support to ensure their effectiveness:

- Develop a mechanism to receive, address and resolve conflicts, complaints and inappropriate behaviour.





- Develop training and capacity building for Chairs and Secretariats.

These actions should be implemented through a joint committee grouping with the input of all 11 AC executive secretariat along with the Commission.

- **Receiving, addressing and resolving conflicts, complaints and inappropriate behaviour.**

#### Part 1: Establishment of a Whistleblower Mechanism

To ensure integrity and fairness within ACs, an external whistleblower service should be established. This independent mechanism would provide a secure and confidential channel for reporting conflicts, inappropriate behaviour, sexual harassment and other behavioural related concerns. By utilizing an external service, the identity of individuals would be protected, and the proper handling of sensitive information handling ensured, thereby safeguarding against undue pressure or influence on the Secretariat, members, or Chairs. Such a mechanism should be established jointly across all ACs.

#### Part 2: Internal Committee for Issue Resolution

A dedicated internal committee would be established to address and manage issues received through the whistleblower mechanism. This committee, composed of trained and impartial members, will be responsible for investigating complaints, maintaining confidentiality, and ensuring professionalism throughout the process. The committee will strive to resolve conflicts internally, applying the principle of proportionality to ensure fair treatment and protect all parties from external coercion or internal conflicts of interest.

#### Part 3: External Mediation Service

In cases where internal resolution efforts are unsuccessful, an external mediation service would be made available as a last resource. This independent mediator would step in to investigate complaints, facilitate fair treatment, and help resolve disputes. The external mediator(s) would not be an AC member and would have no working relationship with the membership, ensuring objectivity and independence in the resolution process.

- **Training and capacity building for Chairs and Secretariats**

To further improve the functioning of the Advisory Councils, Chairs (including Vice-Chairs) and Secretariats should undergo regular training and capacity-building programmes focused on key skills such as facilitation of meetings, consensus building and if needed in mediation and conflict resolution. This training would ensure that they are better equipped to handle challenging discussions, foster collaboration, and create a more productive and harmonious working environment. For new members, guidelines could be circulated addressing the necessary skillset. A Code of Conduct and Meetings Etiquette could be presented/circulated ahead of every AC meeting.





## 4 Conclusion

These solutions, when implemented together, will address the gaps in the current functioning of Advisory Councils by further improving wellbeing, accountability, transparency, and efficiency. They will help strengthen an environment where leadership is both effective and accountable, and where members and stakeholders can confidently trust in the governance processes of these important advisory bodies. We look forward to expanding these measures, and pending agreement of a critical mass of ACs, formulated into a dedicated MoU that would ultimately feed into the ongoing evaluation of the functioning of ACs as part of the CFP review. The ACs will reach out to the Commission to advise them of this process to implement the measures required it (training sessions, external Whistleblower mechanism, conflict resolution mechanism etc.).

