



CONSEIL CONSULTATIF POUR
LES EAUX OCCIDENTALES
SEPTENTRIONALES

**NORTH WESTERN
WATERS**
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA
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North Western Waters Advisory Council recommendations on how to improve cooperation between EFCA and the Advisory Councils

9 June 2020

Background

The European Fisheries Control Agency (EFCA) follows the provisions of Regulation (EU) 2019/473. Article 40 of this regulation explains the functioning and composition of EFCA Advisory Board, whose role is to advise EFCA's Executive Director and to ensure close cooperation with stakeholders. The Advisory Board is composed of representatives of the Advisory Councils (ACs), on the basis of one representative designated by each AC. During the biannual meetings of the Advisory Board, the ACs provide information on the state of play of their work on control issues, and EFCA gives updates on the implementation of its work programme.

A representative of the Advisory Board participates in the deliberations of the Administrative Board meetings without the right to vote. The Advisory Board representative in the EFCA Administrative Board is appointed in accordance with the yearly rotation system agreed by its members.

One of the results of the exchange between EFCA's Executive Director and the Advisory Councils in the Advisory Board meeting of October 2019 is the decision to explore the ways in which the ACs' work in relation to EFCA could be more impactful and vice-versa.

At the Inter-AC Secretariats meeting on 28 April 2020, Patricia Sanchez (EFCA) reiterated EFCA's intention to improve the relationship with the ACs and asked the ACs for contributions to the drafting of new Terms of Reference (ToR), for which the ACs can put forward their vision for future collaboration.

In particular, the following points should be considered:

- How can the Advisory Board better advise EFCA?
- How can EFCA help with receiving more and better data and information outside of the two Advisory Board annual meetings?
- How can EFCA be more useful to the ACs and vice-versa?
- How can EFCA be better addressed when it comes to control or technical issues?



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The ACs were given until the first days of June to reflect on the abovementioned topics. The result of such reflection should result in recommendations to EFCA on new ToR, to be discussed at the October 2020 Advisory Board meeting.

NWWAC recommendations

1. Improving cooperation effectiveness through the Advisory Board

To ensure Advisory Board meetings provide an effective platform for information exchange and advisory inputs, it is fundamental that the agenda and any documents relevant for the meeting are distributed well in advance, allowing participants to prepare. In particular, ACs should continue to have the possibility to comment on the draft Single Programming Document (including EFCA's Multiannual Work Plan and Annual Work Plan) before it is presented to the Advisory Board meeting in October. The NWWAC recommends the draft to be distributed well in advance, considering the consultation procedure that ACs have to follow when producing contributions on behalf of their members.

As only one Advisory Board representative is appointed to attend the EFCA Administrative Board, in accordance with the annual rotation system, it is very important that the ACs effectively coordinate among themselves and discuss the main topics to put forward prior to the Administrative Board meeting, to make sure a common approach is agreed and the ACs' needs and opinions are well represented.

2. Other opportunities for cooperation

Overall, the engagement between EFCA and the ACs should be better formalised, to ensure that EFCA systematically takes into account and reflects the ACs' analysis, knowledge and experience in the different consultations carried out by the Commission and at all stages of decision-making procedures.

Cooperation between EFCA and the NWWAC could be improved by increased interaction between the two bodies. For example, since only one AC representative is attending the Advisory Board, an annual meeting between the NWWAC and EFCA would allow all of its members to have a direct dialogue and exchange of views with EFCA on relevant control topics, such as the enforcement of the Landing Obligation¹. Moreover, by attending NWWAC Working Groups' meetings and Control & Compliance Focus Group meetings, EFCA would have a further opportunity to follow the work of the AC and receive inputs from stakeholders. At the same time, NWWAC members could easily address

¹ A joint NWWAC-EFCA workshop is currently being organized and it could become a recurring event.



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EFCA on technical control issues. This would encourage the appetite for exchanges of information and collaboration on items of common interest.

Another opportunity for collaboration between EFCA and the ACs relates to the provision of training and information at sea. Under the Joint Deployment Plans (JDPs), EFCA could assist fishermen at sea through a “Training and Information JDP”, aiming at providing guidance to captains, skippers and fishermen on how to implement and comply with the different measures laid down in the CFP and Fisheries Control Systems tailored to the characteristics of each fleet segment. This JDP could also target specifically the implementation of new regulations coming into force, as is the case of the Landing Obligation.

To better implement such “Training and Information JDP”, EFCA could create a platform or a tool for information and data exchange (similar to those already in place to exchange information with the Member States or the Marsurv Service) where Advisory Councils had access to anonymous and aggregated data on non-compliance observations after boarding. At the same time, AC members should be able to provide feedback on those aspects that are not clear to fishermen, so a better understanding is gained by the fleets of how to apply specific rules on board (as unanimously accepted by the MS). This initiative could encourage the development of a culture of compliance among EU fleets on a level playing field basis, by promoting greater transparency and understanding of control management objectives and gradual implementation of best practices. Such a tool could also consider a section to show the results/acceptance and understanding of the rules by the recipients and the gradual improvements in compliance.

This mechanism should respect the basic rules related to confidentiality of commercial fishing operations and general data protection regulation in the individual observations made (i.e. vessel names, VMS positions, etc.) and be seen not as an enforcement but as a collaboration tool. EFCA boardings in the context of the Training and Information JDP should be considered as informative boardings only.

Finally, ACs should also be consulted on the definition of EFCA JDPs’ priorities and objectives. The NWWAC recommends improving the ACs’ involvement in advising decisions on the risk assessment and the priority stocks/fisheries and segments of the fleets/vessels to be targeted/controlled in the scope of the JDPs.

-END-



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