EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

THE DIRECTOR-GENERAL

Brussels,
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North Western Waters RAC
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Ireland

Subject: **Letter from all RACs- Functioning of the RACs within the current Common Fisheries Policy (consolidated outcomes of discussions between the RACs' Secretariats)**

Yr reference: *Letter sent by the Secretariat of NWWRAC on behalf of all RACs, dated 15 April 2013*

Dear Mr Rodriguez,

Thank you for your comprehensive letter which covers the main issues related to the functioning of RACs. As you point out, it is a good timing for the preparation of the reformed Common Fisheries Policy. You will find below our response, especially the follow-up that the Commission intends to give to the points raised. For sake of clarity, we will follow the structure of your letter.

Multi-annual work planning

It is possible for the RACs to carry out their planning on a multi-annual basis, however, RACs still have to provide a work programme for the financial year covered by the operating grant, together with a description of the results expected from its implementation accompanying the grant application.

Such annual grant application and grant agreement is required under the 'Annuality' principle[1] of the EU budget.

[1] Articles 6 and 11(3) of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union.

EU co-funding programmes and project funding sources

On this point, we have made some progress and have drafted guidance on the different EU funds available for fisheries and aquaculture activities (Annex).

In addition to the operating grants, Advisory Councils may apply for grants[2] following the publication of calls for proposals[3] to carry out additional actions (outside the scope of the annual work programme). In these cases, the following principles have to be followed:

1. Such additional tasks should not be detrimental to the core tasks of Advisory Councils (i.e. the provision of recommendations to policy-makers, as agreed by the Commission in their annual strategic plan), and should not create any conflict of interests.

2. These additional funds will have to be sought by the Advisory Councils themselves (i.e. the Commission will not assist them).

3. The use of these funds should follow the rules of the funding source (in terms of eligibility, reporting, auditing, etc.).

4. Under no circumstances shall the same costs be financed twice:

   - There should be no overlaps (each action may be funded by only one grant);

   - There should be no additional funding of overheads (as the overheads are already covered by the operating grant);

   - The action grant shall not have the purpose or effect of producing a profit.

5. The accounts of the different funding sources need to be separated with a clear audit trail.

In Annex, you will also find a non-exhaustive catalogue of additional funding options prepared by DG MARE, since there is no general list of the available funding under the overall, multi-annual EU budget.

Spin-off initiatives

We welcome very much all these initiatives as they provide a valuable input from stakeholders in different parts of the policy.

Improved access to scientific resources

We share your view that the cooperation with scientists is very important and should be encouraged. Clearly, in order to be reliable, recommendations should be based on facts, especially scientific evidence. RACs and international scientific bodies should cooperate on these matters[4], under the principle that scientific advice should be established

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2 They can be EU funds or national/ regional funds.

3 Subject to the specific Rules for the call for proposals

4 Good initiatives have been taken in recent years: trainings, communication on scientific advice (so that it is easier to understand), participation to each other's meetings, etc..

independently. If a specific advice is needed by RACs, the request should be channelled through the Commission.

Regarding your proposal to allocate additional resources for the recruitment of scientific staff by the RACs, we have to confirm that the operating grant provided to the RACs cannot be increased as it is established for the whole budgetary period. Therefore, we propose that RACs investigate additional funding sources. For example, if there is a real need expressed by the members, they could finance this though a specific contribution (in addition to the membership fee).

In any case, we underline that the cooperation with the RACs is explicitly mentioned in the Memorandum of Understanding (MoU) signed between the Commission and the International Council for the Exploration of the Sea (ICES) so that access to scientific knowledge is facilitated. The MoU foresees for example that the parties work together to ensure that the ICES advisory system, STECF and other bodies such as RACs make best use of the limited pool of experts that provide scientific advice by avoiding overlap and duplication. They also endeavour to ensure that the quantity of advisory requests is matched to the expert resources available. Moreover, on request, members of RACs may be entitled by ICES as observers to the ICES advisory committee (ACOM) and groups established by ACOM, following the policies of the ICES on observers. Finally, the technical reports on which the advisory deliverables are based (*inter alia*, Expert Group Reports including peer review reports) are made available to the EU and to RACs following the full ICES review process, but no later than the date on which the advice itself is published.

Identification of research priorities

We take note of your proposal that RACs could suggest some research that should be carried out. The framework for this is already in place: RACs can make proposals to DG MARE which will analyse the request and send it to the relevant international scientific institute, where appropriate (DG MARE would then inform the RAC on the follow-up). This can also be regularly discussed with ICES in the yearly MIRAC meeting (meeting between ICES/ RACs and DG MARE). In addition, the MoU foresees that ICES gives presentations of its advice to the RACs. ICES and the EU agree on an annual work plan consisting in up to 15 meetings a year with RACs, held either in face to face or by video-conferencing, depending on the availability of the ICES staff or of scientists involved in the advisory and dissemination process. This plan should be flexible enough to address unanticipated needs that experience has shown will occur during the year.

Education and training to RACs' members and secretariats

Your support and participation to the trainings provided by ICES is very encouraging. We can confirm that it is our intention to continue these trainings as it has been set out in the MoU signed with ICES.

Criteria for RAC advice and Commission responses

On your first point regarding the draft template for the RACs' advice, we have indeed already prepared a template in 2010 (which is annexed to your letter). As you indicate, this template is not compulsory. However, we strongly encourage you to use it. Indeed, for the RACs' recommendations to be effective, they need to be convincing which implies that they cover a number of points (indicated in the template).

On your second point regarding the follow-up by the Commission, we are very careful to ensure that we reply systematically to all your points. By doing so, we explain clearly our position and how the recommendations are used in policy-making.

Improved communication

We thank you for this update on the communication initiatives taken by the RACs and encourage you to continue along this path. Members of the RACs (e.g. national fisheries organisations, NGOs, etc.) also have an important role to play in these matters.

I thank you for your continued interest and constructive input. If you have any question on this reply, you can contact Ms Evangelia Georgitsi, coordinator of the Regional Advisory Councils (evangelia.georgitsi@ec.europa.eu; +32.2.295.68.70).

Yours sincerely,

Lowri Evans

Copies: All RACs' Secretariats

Annex: Guidance on EU funds for Fisheries and Aquaculture