



**EUROPEAN COMMISSION**  
 DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES  
 POLICY DEVELOPMENT AND CO-ORDINATION  
**COMMON FISHERIES POLICY AND AQUACULTURE**

Brussels,

**MINUTES OF RACs COORDINATION MEETING  
 21ST FEBRUARY, BRUSSELS**

**1. Introduction by the Commission**

Mr Penas Lado started by saying that RACs are one of the main successful results of the previous common fisheries policy reform and have done an excellent work improving the quality of dialogue and feedback provided to the Commission. He said that he was very optimistic about their future.

Mr Penas mentioned that one of the main challenges of the CFP reform besides the discard ban is regionalisation. ACs are called to play a role, even if this is not detailed in the Commission's proposal. With regard to the request to consult ACs prior to any Commission proposal, Mr Penas clarified that future ACs will be consulted systematically, as will be the case for scientific bodies. The new ACs will also be consulted in the context of regionalisation, even if this is not mentioned in the Proposal. However, there is no possibility to turn ACs into a decision-making body.

Regarding concrete mechanisms to implement regionalisation, Mr Penas specified that the idea is to change the way in which legislation is prepared to reduce EU bureaucracy and micro-management. In this context the co-legislators will establish the general framework and Member States will consequently be empowered on an ad hoc basis to adopt the technical details. This will be done in a cooperative manner and ACs will come into play as advisors to the Member States. This is currently being discussed with the EP and Council. The Commission would like to invite and encourage RACS to send in their views and ideas on this subject if not already done.

A second key challenge for ACs, will be to play this enhanced role under a regionalised CFP, within the same budgetary resources, basically to "do more for less". The economic crisis situation means budgetary cuts at all levels, including national and EU administrations. Indeed, the Commission may need to reduce its presence at meetings, for example.

**Questions & answers**

**NSRAC:** Following the Commission's proposal to create an Aquaculture and a Black Sea AC, there is also a request from Producers organisations to establish a market AC. How far is the Commission on this?

**Mr Penas:** The Commission is aware of the limitations of certain Member States in financial terms. Concerning Aquaculture and Markets, the current ACFA is an advisory body created by the Commission. The new body will not have the same structure as the current ACFA, but it will be a consultative body for horizontal issues such as markets.

**LDRAC:** In view of the specificities of the LDRAC, this RAC would like to know how to get more and better involved in the work on Management Plans.

**Mr Penas:** The LDRAC does not necessarily need to work exactly in the same kind of projects as the other RACs. The idea is that the LDRAC should work more and more to prepare the Long Term Plans that exist for example in ICCAT. The LDRAC should start advising the Commission from the beginning of the preparation of Long Term Plans, technical measures, etc. The change compared to other RACs is that in this context the scientific advice is not provided by ICES but, for example by the ICCAT or NAFO scientific committees. There is a need to work more on the long term. This way the LDRAC can become more useful.

**BSRAC (Ms Sporrong):** From an NGO perspective (1/3 group) there is not enough money to ensure participation in the ACs, especially in the context of an increased number of tasks and responsibilities, so unless there is proper financing, ACs may end-up with a very uneven representation of stakeholders. As described, the current regionalisation framework could result in different implementation rules in the different Member States, meaning a lack of level-playing field. Have you had any further thoughts about that?

**Mr Penas:** The Commission is aware that one of the main challenges of regionalisation is that many people have to agree, and that this requires among others mutual trust among Member States. There is a need to find a balance between risks and opportunities of regionalisation, flexibility is needed to come up with quick measures in case of urgency. The only way to do this is on a voluntary basis so Member States can build trust little by little. In order to achieve that flexibility we have to advance when and where there is trust.

**SWWRAC:** There is a lack of perspective, how can this work on a voluntary basis? As you describe regionalisation, isn't there a risk that the current excessive centralisation taking place in Brussels will be replaced by excessive centralisation at a regional level?

**Mr Penas:** Trying to impose on Member States the obligation to cooperate regionally would not work and will be even counter-productive. The co-legislators will just empower Member States to implement regionalisation when and how they believe this will work. There may be a lack of detail concerning regionalisation, and the role of the future ACs, but the worse mistake that the Commission could make at this stage is presenting a very detailed description on how regionalisation will work, because the very nature of this exercise is learning from experience. If the Commission laid down detailed rules at this stage, it would continue with micro-management.

**MEDRAC:** The Commission does not seem to take into account all the efforts made to prepare the advices, both in terms of technical work and of consensus. In addition, people from DG MARE attending MEDRAC's meetings must often reply to concrete questions that are not in their field and therefore they cannot go into details. Finally, fisheries covered by the MEDRAC concern not only EU vessels but also those from 3<sup>rd</sup> countries, which are not RAC members. What can a RAC do in such a context?

**Mr Penas:** RACs may think that any recommendations agreed by consensus within a RAC would automatically be accepted by the Commission. However, this is not correct. The Commission is the guardian of the Treaties and as such even if there is a broad consensus within a RAC on a certain issue, if this is not in line with the CFP objectives, it cannot be accepted by the Commission. What the Commission wants from RACs is proposals and views on the most suitable options. If there is no consensus, but different opinions within a RAC the Commission would like to receive them.

As for the working context of the MEDRAC, third countries may be invited to participate in RACs meetings as observers (for example, the NSRAC has already invited Norwegian experts), RFMO's such as the General Fisheries Commission for the Mediterranean (GFCM).

**PELRAC (Mr Olesen):** PELRAC does not feel as "a victim of micro-management from Brussels" the problem is the opposite: we are too regionalised already. We deal with shared stocks whose management needs to be agreed with third countries. Ideally, we would like to see the third countries (Iceland, Russia, etc) included in the RAC. You speak about trust among Member States; does this mean that you are abandoning the idea of ensuring a level playing field? Can regionalisation result in fishermen having to be aware of the national legislation which is applicable to each of the areas where they fish? How do you see regionalisation for the PELRAC?

**Mr Penas:** Trust does not mean that we are abandoning the objective of a level-playing field. However, a balance must be found ensuring that MS legislations are equivalent while not becoming too burdensome. Regionalisation has to be built on trust. The process has to become lighter and closer to fishing grounds and a level playing field has to be found in a way that is less burdensome than today.

Ideally all Member States concerned should agree on the same measures. When the Commission makes a proposal, this should identify the areas that are suitable for regionalisation. In this preparatory phase, the Commission will consult with Member States and Stakeholders On the future of PELRAC, the Commission is interested in receiving proposals from you on the structural changes needed. So far the structure of RACs was based on a "one size fits for all" approach, but it is time to see if different ACs with different challenges require a different structure.

**WWF (LDRAC – SWWRAC):** The SWWRAC is concerned that regionalisation could turn into re-nationalisation. It is necessary to provide mechanisms and content to regionalisation and stakeholders must be involved in this exercise. What will happen with the horizontal matters that are currently discussed in ACFA?

**Mr Penas:** The idea is to avoid duplication and overlapping. Regionalisation should not become re-nationalisation. The tasks that are not dealt with by the ACs will be taken over by a new structure.

**NWWRAC:** What is the envisaged timetable for the RACs to send in their contributions on regionalisation and on their future functioning?

**Mr Penas:** We would like to receive your contributions before June.

## **2. Presentation of the evaluation of the work of the SWWRAC**

Ms Baelde presented her evaluation of the work of the SWW RAC.

### **3. Presentation on EMFF (Mrs Tacconi)**

Ms Tacconi gave a presentation of the EMFF.

#### **Questions & answers:**

**SWWRAC** wondered if it will be possible to present trans-national projects.

*Ms Tacconi:* This could be addressed by other EU funds, such as INTERREG in the framework of the partnership contracts. There is also the possibility to present projects for EMFF funding to one of the Member States national authorities.

**MEDRAC** explained his disappointment with different aspects of the proposal (no scrapping funds, insufficient definition of small-scale fisheries loss of jobs, money devoted to women for innovative ideas instead of to "course leaders or organisations to train them", TFCs, safety at sea not sufficiently taken into account, labelling must be improved).

*Ms Tacconi:*

- Financing scrapping does not create jobs, which is the priority
- The EMFF deals only in one article with the possibilities for fishermen to leave the sector. All the other articles deal with granting support to operators in fisheries. Some fleet segments are not yet economic viable it seems appropriate to have at least one article offering support to those who decide to leave the sector.
- The training provided is up to the Member States they decide to whom the support is granted whether to the fishermen directly or the entity organising training.
- Certification is covered in Article 71.

**BSRAC** underlined that fisheries and RACs, who have the scientific and technical knowledge and experience, need to be involved from the beginning in the definition and funding of selectivity measures, for example when implementing the discard ban.

*Ms Tacconi:* Selectivity is being addressed in the EMFF and fishermen are the main beneficiaries. Operations implemented by a group of fishermen will receive more favourable aid intensity as we recognised that collective actions lead to more impact than individual ones (Art 36.3, link to regionalisation).

**WWF** referred to the Commission's proposal to eliminate discards and stated that if you propose measures to improve commercialisation and manage discards in the Mediterranean this may become an incentive for those fishermen that are not being selective.

*Ms Tacconi:* The Commission is aware of this problem of commercialisation of unwanted fish. A link is being made under EMFF with the new Regulation on Markets and the EMFF will be consistent with its outcomes.

**NSRAC:** At this moment there are bottom-up projects from industries, NGOs etc on data-collection that are not receiving funding, will this be possible under EMFF?

**Ms Tacconi:** Measures under the data collection framework will be financed according to the provision foreseen in the relevant articles. However additional collection of data could be financed under Article 30 of the EMFF.

**BSRAC:** Where is the money for regionalisation in the current proposal?

**Ms Tacconi:** Please refer to articles 88 for ACs and 35 for the support to regionalisation. This article is for the moment empty because it is deemed to be consistent with the final result of negotiations on the framework Regulation.

#### **4. Presentation on regionalisation (Ms R. Nielsen)**

Ms Nielsen referred to the state of play of the negotiations of the reform proposals (under discussion at the EP and Council, “non-papers” available on the website). The reason why the proposal may seem empty as far as regionalisation is concerned, is that the new Basic Regulation will only set out the legal and procedural framework for regionalisation, while the actual and concrete empowerments of Member States will be established in multiannual plans or a technical measures framework Regulation. As an empowerment of MS would be included in a multiannual plan for a fishery in a particular sea basin, regionalisation would not necessarily look the same all around Europe, as regionalisation would be an option for MS, not an obligation. The Commission is currently looking at the different possible ways to implement regionalisation.

ACs could be involved in two processes: before a Commission proposal is drawn up, which is currently the case, and at the moment of preparation of national measures or Commission's delegated acts. The Commission is compiling information about whether e.g. RACs were already being involved in Member States regional forums such as the Scheveningen group. The RACs were invited to share with the Commission their questions and suggestions.

The following comments were made by RACs:

On the funding in relation to regionalisation: The Baltic Sea and the South Western Waters RACs pointed out that both Articles 35 and 88 of the EMFF proposal seem empty. It is very difficult for stakeholders to understand how funding streams will work. If there will be no increased funding, existing funds must be used effectively and that requires clarity as regards regionalisation processes and any increased work load in that regard.

Regarding the external dimension, the LDRAC is not directly concerned by regionalisation, as it covers fisheries outside Union waters, however it would in general like to be involved more actively when EU positions for meetings in RFMOs and with 3rd countries are developed, and would like to discuss further how this could take place.

As for the pelagic fisheries, the PELRAC has not yet established a common position on regionalisation, but wanted to emphasize that some RACs have other needs, as they do not necessarily cover one sea basin. They could possibly foresee a stronger involvement in the upstream consultation phase and wondered if regionalisation would also entail increased involvement of relevant 3rd countries with whom stocks are shared, even if regionalisation as such (as foreseen in the proposal for a new CFP Regulation) cannot

cover management of shared stocks, as agreements with 3rd countries are entered into at Union level.

Regarding the issue of Member States' involvement in RACs and the role of Member States in regionalisation vis a vis RACs, it was noted that the NSRAC currently has no connections with the Scheveningen Group, which the Commission e.g. refers to in the non-paper on regionalisation. It is therefore not clear how or if forums like the Scheveningen Group would link with deliberations of ACs in relation to regionalisation.

The NSRAC expressed general disappointment with the involvement of Member States in the work of the NSRAC. The involvement differed from Member State to Member State and from issue to issue. Any such involvement would need to be strengthened for the purpose of regionalisation. Likewise there was general disappointment with the participation of the Commission in RAC meetings.

As for technical measures (NS, SWW, NWW): Three RACs highlighted the issue of some confusion of what will be the vehicle for 'regionalisation' of technical measures, as this is not clear (multiannual plans or the regulation to replace regulation 850/98?). They all agreed that technical measures seemed to provide the main scope for regionalisation, and that the discussion on regionalisation could probably be simplified if this objective was kept in mind to begin with, i.e. the focus should be on what the output of regionalisation should be.

Last but not least, the Baltic experience was mentioned. The Commission was encouraged by the BSRAC to explore more in depth how the role of the BaltFish Forum could be developed further in relation to regionalisation.

#### **5. Presentation on the new EU Multi-Annual Programme 2014-2020 for data collection (Ms Amélie Knapp)**

The Commission (Amélie Knapp) made a presentation of the new data collection programme. Due to time constraints delegations were requested to come forward with any questions by phone, e-mail or letter.

#### **6. Presentation MarineTT project (Ms Gill Marmelstein, AquaTT)**

Gill Marmelstein, AquaTT, gave a presentation MarineTT project ([www.marinett.eu](http://www.marinett.eu)), which examines the Knowledge Transfer and Uptake of Results from European Marine Research Projects funded under EU FP6 & FP7.