



Report on Pre-Inter AC meeting and Inter AC Meeting Brussels 08 November 2019

Pre-Inter AC meeting

Representatives of the ten existing AC Secretariats came together on the morning of the 08th of November to prepare for the Inter AC Meeting organized by the Commission.

Shared topics for coordination across the ACs were identified and include:

- Overall environmental topics, ecosystem approach
- Disruption of spawning stock
- Wind energy
- Common stocks
- IUU
- Governance
- Climate change
- Plastics
- Labeling
- Funding of ACs
- UN discussions
- Social aspect of fisheries
- Implementation of the LO

Joint workshop organisation, for example such as the NWWAC/MAC Workshop on Plastics in the Seafood Supply Chain, can support synergies between the ACs and could be the source of advice for more than one individual AC.

It was agreed that the Secretariats as well as the Secretariats plus Chairs and Vice-Chairs could have regular meetings throughout the year.

It was agreed that ACs inform or send opinions of one AC to the other to be included in their discussions and advice drafting so as to present common advice/common opinion.

It is the Commission's opinion that ACs should not actively pursue the EU Parliament, and that advice is submitted only for the Commission and the Member States as per CFP rules

EMFF and scientific funding for ACs were also discussed. Money from the Commission to the ACs is specifically earmarked for administration services provided. Article 6.2a of the current EMFF regulations states that direct funding for scientific research should be available to the ACs.

should be after direct management funding. There should be a unite effort from ACs.

However, the ACs need to be careful when commissioning research as this can create conflict between the ACs and international bodies advising the Commission. ACs can do research in collaboration with national bodies rather than providing an independent voice so as to not upset the national/EU research bodies.

The PelAC and MAC agreed to share their proposed advice for the COM on the EMFF with the other ACs.

The Secretariats agreed that it would be good to discuss with the Commission the quality of their replies to AC advice.

Inter AC Meeting

Representatives from the ten Secretariats including Chairpersons and/or Vice-Chairpersons as well as observers attended the Inter AC Meeting organized by the Commission in the afternoon of the 8th of November.

Veronica Veits, Director DG MARE.B, welcomed all participants and informed them that the 11th AC for the Outer Regions had just been formalised.

In 2018 the Commission received 73 advices from the ACs. Between January and October of this year 62 recommendations were received. Challenges remain varying between the ACs, however, it is important to Commission that the ACs function well and that stakeholders don't leave process.

2020 will be the first MSY year, and the Commission is fully aware that full implementation of LO is a big challenge. 2020 is also important for the new EMFF agreement as well as the revision of the Fisheries Control Regulations

This was followed by several presentations available on our website – link) and brief discussions.

Functioning of ACs: how to improve performance? (LDAC)

A. Rodriguez from the LDAC gave an overview of the LDAC performance review which is a two-phased approach, of which the first report has been published. The review evaluates i) how working groups work, ii) analysis of the decision-making process, iii) quality of production of advice and feed-back from EC, and iv) promotion of transparency. The booklet is available [here](#).

Application of consensus rule and reflection of minority opinion (LDAC)

I. Lopez provided insight into decision making in the LDAC. Consensus takes effort and is not spontaneous.

Honesty is needed but not easy during discussion. Everyone who supports the consensus should also uphold the consensus over time. A big effort is need on both sides of the colleges so as to not abuse a position by using a minority position. It is important to respect each other and ensure that everyone understands that all members want to achieve the best outcome.

When new members join, other members from their college have responsibility to instruct them to make them understand the importance of compromise. The college also has to bear in mind who is going to the ExCom, as they need people who understand what their ultimate responsibility is.

In the absence of any contribution from members the Secretariat has the full mandate to draft advice on any topic presenting itself.

Minority opinions are equally important as majority ones and included in the same way in the text and not separated and put at the end or in a footnote.

Three important points must be ensured:

1. Good intra AC culture;
2. Strong Secretariat;
3. Have an open mind, this is not a power struggle and the best way is to reflect what is common to all of us and what isn't.

Representation of Small-Scale Fisheries (MedAC)

G. Buonfiglio stated that SSF have a high social and cultural value, have a lower environmental impact compared to other fishing sector with a wide variety of capture gears and targeted species, greater selectivity of gears, lower level of effort, and are of a seasonal nature.

The MedAC involves SSF in participatory approaches and decision-making processes especially in WG 5 "SSF and socio-economic impact", in WG1 "reform of CFP" and WGG4. A research document on the conflict between SSF and the recreational sector was approved by the ExCom in 2016 ([link](#)).

The Low Impact Fishers of Europe ([LIFE](#)) are a member of the industry college, and the MedAC is also cooperating with the Friends of SSF platform ([link](#)).

Commission comment: some ACs have struggled regarding inclusion of SSF in their work, as to where and how. The Commission would actively encourage those ACs that more priority is given to this issue.

Representation of Other Interest Groups (The Pew Charitable Trusts)

J. Vandeveldt talked about 'Improving the ACS: some problems and solutions'

The objective of the ACs is to contribute to the achievement of Article 2 of the CFP. What is happening in the ACs are discussions on how to implement (certain parts of) the CFP but do the ACs really contribute to the timely achievement of the CFP objectives – no, at least for some of the ACs.

IN a recent NGO survey 3 questions were asked to which 19 people responded:

1. Is there adequate NGO involvement in the AC?
 - a. According to most participant there is not enough involvement by NGOs.
2. Do you expect the involvement of your organization to increase, decrease or stay the same over the next 2 years?
 - a. Most believe the involvement is expected to stay the same, a minority said it is expected to increase.
3. Would you recommend another NGO to join an AC?
 - a. 50% yes, 50% no.

The Commission is asked to make it clear what the ACs are and what they are not. Sometimes NGOs feel they are in an AC not to implement the CFP but to delay the CFP implementation. The Commission should monitor the functioning and interfere when necessary.

The sector is mainly driving the agenda. The NGOs have to put a lot of energy in an advice as a minority position. A lot of time is spent on the LO and on discard plans, that must most certainly be implemented, but the time spent on that aspect is lost to work on other aspects (article 8 and 10).

Solutions could be increased shared ownership of the agenda, more constructive drafting in line with the CFP. The Commission should react when there are problems with the drafting.

There is an overall failure to reflect the NGOs position (especially when they are minority positions). Sometimes the NGOs are not aware of what is going on after the advice is drafted. Should adoption of advice happen by consensus only? Protocols for development and presentation of advice, share best practices on this.

All regional ACs are involved in this issue. It's a topic that should be addressed inside the ACs.

Comment: The LDAC Working Groups always fill Chair and Vice-Chair from both colleges.

The Role of the Chair

N. Wiechmann reflected on his role as Ex-Chairman of the NSAC.

- What are the various interests of the members in joining the AC?
- Regional groups (MS) should give ACs enough time for preparation of advice.
- Co-decision process: ACs should have access to Parliament.
- If all stakeholders can access the Commission individually, why should anyone join the ACs?

Ensuring high quality recommendations and their delivery in due time

S. O'Donoghue (PelAC) spoke about the need for robust scientific advice. It is important to build trust among stakeholders, consensus recommendations should be the norm.

Members attending WG or FG are expected to actively participate and not only attend and listen

BSAC has a procedure for email decision by ExCom which need max. 20 days, as well as fast track decision making between ExCom Chair and Vice Chairs.

Research in Fisheries

Horizon Europe has a call for priority topics for research over the next decade. They are starting to formulate the work programme for the next two years and encourage the ACs to think concretely on what to do on research fisheries in the first two years of the programme.

What are the research priority topics? According to Horizon they include how to produce more food from the ocean and inland water, understanding marine ecosystem and climate change, government and framework for achieving the objectives of the CFP.

Discussion about MOU/grant COM/ICES – industry view on inclusion of quality assurance opposed by OIGs. ICES grant is public, but ICES has resource issues whilst no extra funding from COM is available. Because STECF is overloaded a review resulted in no longer involvement in assessing incoming scientific advice.

Suggestions are requested before the end of the year.

DG MARE is not the owner of the process so not everything may get approval.

Contributions to Pascale Colson.

FUNCTIONING OF ACS: HOW TO IMPROVE PERFORMANCE?

Developing the work programme (I. Kingma, NSAC)

Review due to Brexit, had to move Secretariat from UK to NL

Communicating on behalf of ACs (E. Brouckaert, NWWAC)

Comment BSAC: Individuals on the management team can represent the AC.

Coordination on issues common to all ACs (E. Roller, MARE-D-3)

The ACs often discuss the same issues, e.g. Fisheries Control Regulation. Sometimes the advice from the ACs contradict each other making it difficult for the Commission to identify what the real issue is. This is most common regarding the Control Regulations but also on technical measures.

If the ACs are requested to provide advice on horizontal issue it would be useful to work together with other ACs and to maybe set up common group. The Commission understands that AC specificities make it difficult to work together, for example sea basin specificity.

When it comes to communication and how the ACs should interact with the EU Parliament it is not as simple as that the Commission doesn't want the ACs to do this. But who speaks on behalf of the AC and if you speak on behalf, what is your role? Which hat are you wearing?

The CFP is very clear: the role of the ACs is to provide advice to the Commission and the Member States, not lobbying the MEPs on behalf of the ACs. While Parliament is very interested in what the ACs are doing, it is important to avoid a situation where MEPs receive various members of the ACs on single issues.

HOW THE ACS' ADVICES ARE TAKEN ON BOARD (P. Colson, DG MARE-D-3)

73 recommendations were received in 2018 with some topics more popular than others, e.g. LO, fishing opportunities, post 2020 EMFF.

On the EMFF proposal many priorities and recommendations were taken on board, but some of them only under certain conditions.

Recommendations related to the implementation of the LO highly contributed to the identification of potential choke solutions and the best available tools to deal with them.

The Commission paid great attention to the AC recommendations on fishing opportunities when elaborating its proposals on TACs.

The ACs' numerous letters to the Commission on the consequences of Brexit raised awareness on potential issues and contributed to the preparation of 2 COM decisions.

ROLE OF THE ACS IN THE SOCIAL DIMENSION OF THE CFP (D. Vaigauskaite, MARE-D3)

The social objectives of the CFP are contained in Article 2.

The EMFF objective is to promote socially responsible fisheries and aquaculture.

The mission letter of the incoming Commissioner refers to an assessment of the CFP by 2022 and to assess which issues have not been sufficiently addressed in the current CFP, one of which is the social aspect.

When it comes to labour standards these include working/ on board living and safety but also fair standard of living.

RFMOs get involved. 15 Nov is deadline for Member States to integrate EU Guideline on ILO 188 into national law. It is recommended for ACs to get involved into related Cape Town and Torremolinos Conventions.

Comment: The LDAC is working with the EU Social Dialogue Committee.

State of play of key files (E. Roller, MARE-D-3)

The first trilogue discussion on the EMFF are set for 19 November. Common Provisions Regulations and Budget are still outstanding as well.

The Commission is finalising the sea basin analysis and preparing guiding documents for negotiations of programmes: challenges and opportunities per sea basin and how EMFF can prioritise. Staff documents are expected in early 2020.

Revision of Fisheries Control Regulation: draft to report should be ready at beginning of 2020. Hearing next week in PECH Committee. Council's first examination is finished, Finnish presidency preparing text by end of year. Discussion starting in 2020 under Croatian presidency.

Administrative and financial issues (P. Colson and M. Aussems, MARE-D-3)

The ACs are asked to send intention to organize meetings well in advance and identify precisely why AC wants the Commission present at a particular meeting linked to agenda.

Recommendations should be sent to the Commission and the Member States only. Recommendations must be specific.

Rules applicable to UK members: UK third country, already rules regarding 3rd countries. Can be invited as active observers and may also be reimbursed. Also added in delegated regulations.

Closing Elisa Roller

Request of feedback on InterAC 2019 and expecting suggestions for topics for next Inter-AC.