

# MINUTES

## FOCUS GROUP ON CONTROL AND COMPLIANCE

### Virtual meeting (Teams)

**Wednesday 24 February 2020, 10:00 – 11:30 Central European Time**

#### 1. Welcome and introductions

The Chair Sean O'Donoghue welcomed the members to the meeting. The agenda was adopted as drafted and no apologies were received.

Action points from the last Focus Group meeting (10 March 2020):

- 1) The Secretariat to circulate the 2019 advice to new presidency of the MSG.

Done on 11 March 2020.

- 2) The Secretariat to send out doodle for setting date for next FG meeting in June 2020.

The meeting was postponed in agreement with the Chair as there had been no developments with the vote in the PECH Committee and the workshop with EFCA was being organized in July 2020.

- 3) The Secretariat to circulate the EFCA evaluation of compliance report.

The full report was requested to EFCA in a letter to Mr Savouret on 8 April, however EFCA was not authorised to distribute the full report. This was discussed at the workshop in July.

The NWWAC should put in a request to speak with the Board of EFCA about this and make sure that this does not happen again in the future.

**ACTION:** Put forward to the ExCom that this issue is followed up with EFCA, as well as the NWWAC involvement in the future Joint Deployment Plans for the NWW.

- 4) The Secretariat to contact EFCA to set organization of workshop in motion.

Workshop held on 6 July 2020.

#### 2. Control Regulation Update

On 5 February, the PECH Committee adopted the report drafted by MEP Clara Aguilera. Some of the provisions adopted include:

- Use of CCTV voluntary with incentives
- Geolocation for all vessels



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

- Electronic logbooks for all vessels (<10m vessels paper format)
- Simplification of electronic logbook format
- Communication campaign targeted at recreational operators
- Merging of lots to create a new batch
- Suspension of preferential tariffs for yellow carded countries
- Creation of an EU register of infringements
- Traceability throughout the whole chain

This is now going through the legislative procedure: the report will be submitted to the European Parliament Plenary on 8 March and will be voted on 9 March in the afternoon.

**ACTION:** Secretariat to circulate the outcome of the Plenary vote to the members of the Focus Group.

In the Council, the Portuguese presidency hopes to see the compromise adopted and start trilogues with the Parliament and the Commission during the first semester of 2021, before the presidency ends in June. MEP Aguilera is hopeful that the Regulation can be agreed by the end of this year.

Finally, the Commission is about to finalise the second 5-year evaluation report for the period 2015-2019, focusing exclusively on implementation by the MS. The adoption and publication of the proposal is expected in early April. A communication event (webinar) will follow. The Secretariat will keep the members updated on this.

### 3. Art 27 of the TMR vs Art 15 of the CFP

This was discussed at the Landing Obligation Workshop in July 2020, where it was agreed to have a separate meeting with the COM and EFCA on this topic. It is important that this issue is revitalised and discussed in detail with COM, reminding that this was a commitment from the workshop.

**ACTION:** Organise a meeting with COM and EFCA on the Article 27 issue before the NWWAC July meetings.

### 4. Control arrangements with UK after Brexit

Following DG MARE's suggestion, members discussed and prepared questions on the topic to submit in writing to the COM, since no COM colleagues could attend the meeting and discuss in person with the Focus Group.

- In the event of a discrepancy between UK and EU control measures, what measures apply to EU vessels fishing in UK waters and how will a level playing field between vessels be ensured? In the event that both parties don't agree on TACs, would there still be a uniform control system?
- What role the Fisheries Committee will have in terms of control? If there are issues on control between the parties, are they going to be resolved within the Fisheries Committee?



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

- It is not clear if there is currently any margin of tolerance in the catch certificate that allows landing a larger quantity than the declared one or some other alternative that allows unloading the difference between the estimated and actual weight. Could DG MARE try to find a solution to this problem that will affect both parties (EU and UK), allowing, for example, a maximum variation of 10% between what is estimated and previously declared with what is actually landed?
- What is the scope of the licenses that have been granted to the British within 6-12 miles? Is this restricted to 6-12 miles from the MS in which the UK history was produced? Which is the method to prove the history of vessels not fitted with VMS?
- In terms of widely distributed stocks, is there an ambition to have a control agreement between UK and EU?
- In relation to infringements in UK waters, what implications does that have for the licences issued by the UK?
- If a small vessel has a licence from the UK and from its national authority but no physical copy on board, is it liable to be arrested?
- Is there going to be a joint communication from EU and UK in terms of questions & answers on control issues in respective waters? Such document would be very useful.
- If there are divergences between the two parties on the Landing Obligation, for example on the de minimis exemptions, how is that going to be enforced in respective waters?
- Concerning seabass, it seems that the UK has granted authorisations to all trawlers and seiners without having them to demonstrate track record as currently required by law. The UK motivation behind this is that the other EU MS haven't been enforcing this law either. Could DG MARE provide clarification on this?

**ACTION:** Secretariat to share the questions with the members, who can review them and suggest new ones by Friday 5 March for submission to COM in the following week.

## 5. Work planning and next meetings

Next meeting provisional date: Wednesday 26 May, 10:00 – 12:00 Central European Time.

The next meeting should involve preparation with EFCA on the Article 27 issue. Moreover, in May there should be more clarity around the control arrangements with the UK and hopefully a detailed discussion with the COM will be possible at that stage.

Going forward, the new Control Regulation is going to be critical for the work of this Focus Group, which will have to consider it in terms of its implementation.

## 6. Summary of actions agreed and decisions adopted by the Chair

1	Put forward to the ExCom that the distribution of the evaluation of compliance report is followed up with EFCA, as well as the NWWAC involvement in the future Joint Deployment Plans for the NWW.
---	--



CONSEIL CONSULTATIF POUR  
LES EAUX OCCIDENTALES  
SEPTENTRIONALES

NORTH WESTERN  
WATERS  
ADVISORY COUNCIL

CONSEJO CONSULTIVO PARA  
LAS AGUAS  
NOROCCIDENTALES

2	Secretariat to circulate the outcome of the Plenary vote to the members of the Focus Group.
3	Organise a meeting with COM and EFCA on the Article 27 issue.
4	Secretariat to share the questions with the members, who can review them and suggest new ones by Friday 5 March for submission to COM in the following week.

## 7. Participants

Name	Organisation
Sean O'Donoghue	KFO
Stavroula Kremmydiotou	EBCD
David Curtis	EAA
David Vertegaal	EAA
Puri Fernandez	Anasol
Enda Conneely	IIMRO
Caroline Gamblin	CNPMEM
Matilde Vallerani	Secretariat
Mo Mathies	Secreariat