



**Meeting of RAC chairs and vice chairs on 21<sup>st</sup> February 2012, Brussels**

Those who took part were:

BS RAC

Reine Johansson (BS RAC Chair), Niki Sporrøng (FISH), Sally Clink

LD RAC

Antonio Cabral (LDRAC President), Carlos Aldereguía

MED RAC

José Manuel Gil de Bernabé (RACMED vice-chair), Rosa Caggiano and Erika Monnati

NS RAC

Niels Wichmann (NS RAC Chair) Christien Absil (Vice-chair) and Martin Brebner

PEL RAC

Christian Olesen (WG Chair)

SWW RAC

Yves Foëzon (SWW Vice-president) and Benoît Guérin

Reine Johansson (BSRAC) chaired the meeting

He explained that the idea with this initiative was to create a link for the RACs from north to south and to deal with overarching issues. Another reason was because of the link that all the RACs have with the European Fisheries Control Agency. The idea was to hold such a meeting once or twice a year. It should have a chair from outside the RACs, as well as a secretary to write a report from the meetings.

In his view there were two options:

1. That the chairs and vice chairs have a mandate to carry out this initiative and propose this to their different ExComs and seek approval.
2. That they abandon the idea and deal with specific issues with individual RACs.

He felt that it was necessary to have the approval from the ExComs before deciding on a chairman.

Christian Olesen sought clarification as to why this body should be created and what it should be used for. The Inter-RAC is used for administrative matters, whereas the RACs are sometimes faced with questions or requests where it would make sense for the seven RACs to talk together and find common positions.

Christien Absil also wanted to know more about the objectives of this forum. It was important to demonstrate that the RACs are not just united by default.

Niels Wichmann pointed out that the institutional work of the RACs needed to be conveyed to the various bodies such as the European Parliament and the European Economic and Social Committee. But it was important to have an objective and to discuss in more detail what this forum could be used for. A facilitator for the meeting was also necessary.

Antonio Cabral supported the initiative. However, the issues to be discussed and dealt with needed to be defined in advance. The best way forward was to make a proposal which would be considered by all the

RACs. It was important to know whether they were putting forward their own views or speaking on behalf of the RACs as a whole.

Benoît Guérin supported the initiative. He agreed with the suggestion to discuss and deal with institutional arrangements, such as financial means, access to scientific work, transparency and so on.

Reine Johansson emphasized that the aim was not to create a body. The aim was simply to meet and discuss. He agreed that it was important to present a more precise proposal to the RACs for approval. The objectives should be made clearer. Clarification should also be given to the other interest groups from the RACs because it was important to have representatives from that group and to allay any fears that there was a hidden agenda with this initiative.

Christien Absil encouraged the group to make a concrete proposal to the various ExComs and let it be judged on its merits. So far it had not been very concrete. She volunteered to help in the formulation of a text.

Reine Johansson concluded that they had only had a mandate for the purpose of today's meeting. Now they should go back to their ExComs for further discussion. The emphasis would be to focus on institutional issues. He would go through the wording of the letter that had been sent in September 2011, re-word it and draft a new proposal to the ExComs to set up this group. In addition, the BSRAC would consider internally how to proceed.

The meeting then discussed briefly the invitation from the EP Fisheries Committee to a hearing on 21<sup>st</sup> March 2012 on Regionalisation and the invitation to one of the RACs to speak on behalf of all the RACs. Niels Wichmann repeated his offer to speak on behalf of the RACs and to take the opportunity to make the EP aware of the problems that the RACs experience. José Manuel Gil de Bernabé proposed that the choice of speaker to present a common position be made by drawing lots. No conclusion was reached. It was agreed that regionalisation means different things to each of the RACs and this had become clear during the discussions at today's meeting between the RACs and DG Mare.

## **Revised proposal to the ExComs to create a meeting of chairs and vice-chairs of the RACs**

During the summer 2011, the chairs of the BSRAC, LDRAC and NSRAC discussed informally the idea of holding a meeting of chairs and vice-chairs. The aim would be to address not administrative or financial issues (which is the mandate of Inter-RAC forum of the RAC secretariats), but to take up and discuss more substantial policy issues which concern all the RACs.

Such a meeting would be held once a year.

Also discussed was the idea of extending an invitation to someone outside the RACs to chair such a meeting – someone with experience in fisheries issues, but who does not have any affiliation to the RACs. This would enable all the RAC chairmen to take a more active role. There should also be a secretary for this meeting.

A proposal to hold such a meeting was made in September 2012.

Representatives from 6 of the RACs met to discuss this on 21<sup>st</sup> February 2012. There was agreement in principle to hold such a meeting, but the objectives should be made clearer and a revised proposal should be submitted to all the RACs. The aims of the meeting should be so formulated as to encourage involvement by representatives from the other interest groups.

So the following re-worded formulation is proposed:

The seven Regional Advisory Councils are united through their shared objective of providing advice to the European Commission and Member States on matters relating to fisheries management. At the same time, they work independently on issues specific to their regions and fisheries. They have their own statutes and rules of procedures, as well as their own work programmes.

Outside the regular agendas of the RACs, the chairs and vice chairs of the RACs propose to meet once or twice a year.

The aim of bringing together the chairs and vice-chairs of the seven RACs would be:

- To strengthen links between the north and the south and to gain an insight into the priorities and issues at stake from north to south.
- To coordinate and strengthen relations and dealings with EU institutions such as the European Parliament, the European Economic and Social Committee, the Committee of the Regions and the European Fisheries Control Agency.
- To discuss and clarify shared issues related to science and data as well as contacts to the scientific bodies and institutions such as ICES and STECF.
- To aid the secretariats with specific administrative or financial issues, [which may be difficult to resolve and need the weight of the chairs and vice-chairs to be carried through].

The chairs and vice-chairs of the RACs would have the mandate to meet and discuss common issues and exchange viewpoints. They would not have the mandate to make joint statements or express positions on behalf of the RACs. In order to do so, the ExComs would be consulted and a mandate sought.

The meetings will be chaired by someone with experience in fisheries issues, but who does not have any affiliation to the RACs. This would enable all the RAC chairs and vice-chairs to have a more active role. There would also be a secretary for these meetings.



Mrs. Sabela García  
RAC Liaison Officer  
DG MARE

For the attention of:

Mrs. Lowri Evans  
Director General  
DG MARE

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Date: 16 February 2012  
Subject: Inter-RAC perspectives on the functioning of the RACs

Dear Mrs. Evans,

On behalf of the Secretariats of the seven RACs, we would like to raise and draw your attention to and initiate discussion with you upon, a number of common issues related to the functioning of the RACs.

1. Background: Achievements to date and purpose

We would like to start by thanking you and your colleagues within DG MARE for all the positive steps that the European Commission has already taken to improve our functioning.

We can refer in particular to:

- The access to scientific expertise through the Memorandum of Understanding with ICES,
- The change in the time schedule for the release of the scientific advice,
- The involvement of the RACs within STECF work and participation in the review and preparation of long-term management plans,
- The recognition of the RACs as bodies pursuing an aim of general European interest and the granting of permanent and stable funding, and
- The possibility of receiving our prefunding without a guarantee.

It is fair to recognize that the current functioning is quite different from that of 5 years ago.



We would like to build on these achievements and present some specific suggestions for further improvements to the functioning of the RACs.

## 2. Strategic issues for discussion at forthcoming coordination meetings

Firstly, we would like to have an open and detailed discussion with your services about some relevant issues we have identified of strategic importance to the functioning of the RACs (Annex 1). Although some of the items have not been formally discussed in each of the RACs, we consider them to be of common interest. Many have already been raised at previous coordination meetings and require further clarification or update.

Secondly, we would like to be informed of the Commission's position regarding each of the recommendations made in the POSEIDON/MRAG interim evaluation report released in 2010. This is in addition to the response from the Commission to a letter on the same subject submitted for your attention by the North Western Waters RAC on 19<sup>th</sup> April 2011.

There are two main points we would like to draw particular attention to:

- Multi-annual planning in the funding and budget flexibility would certainly underpin a more strategic and long-term approach for the RACs;
- The alignment of the financial years of the RACs would also facilitate the administrative work and enable us to hold common meetings between the Commission and the RACs at strategic points in the planning cycle. Since this could lead to a peak in the workload for DG MARE services at the end of the year we suggest staggering the cycle between two financial years e.g:
  - January to December for some of the RACs (i.e. Year N);
  - July to June for the remaining RACs (i.e. Year N+1).

## 3. Financial issues requiring update and clarification

We were recently informed that not all the budget allocated to the RACs for the period 2004 to 2011, as stated in Council Decision 2004/585/EC, has been spent.

With this in mind, we seek clarification of the reasons for the Commission's decision not to raise the maximum annual EU grant from €250,000 to €300,000 as recommended (POSEIDON/MRAG interim evaluation report).

Any immediate increase in the operational budget would allow for additional meetings or the employment of a secondee within the Secretariat, which would strengthen the effective functioning of the RACs.

With regard to the Commission's response to the NWWRAC on 31<sup>st</sup> May 2011 on this issue, the Commission confirmed that considering the ongoing reform process, it is likely that no increase in funding will occur before 2014. We request a re-consideration of this argument, given that an interim, short-term increase in funding could be objectively disconnected from



the CFP reform process and go a long way towards achieving the more challenging tasks within RAC work plans (e.g. long-term management plans).

We look forward to discussing these different topics with you and your services and remain at your disposal for any further information.

Kind regards,

Benoît Guerin  
SWWRAC  
Secretary to the Inter-RAC Group

and on behalf of:

Sally Clink  
Executive Secretary  
BSRAC

Carlos Aldereguia  
Executive Secretary  
LDRAC

Rosa Caggiano  
Executive Secretary  
MEDRAC

Martin Brebner  
Executive Secretary  
NSRAC

Conor Nolan  
Executive Secretary  
NWWRAC

Aukje Coers  
Executive Secretary  
PELRAC



## Annex 1 – Issues for discussion on the functioning of the RACs

- Possibility to have a multi-annual work programme in order to have long-term planning;
- EU funding programmes and projects available for the RACs outside the operational budget;
- “Spin off” initiatives and projects building on RAC work priorities (e.g. MAMPs, data deficiencies, discards);
- Improved access to scientific resources for evidence-based advice;
- Possibility for the RACs *“to be involved” in the identification of research priorities*, as stated by the Commission since the third coordination meeting (2006);
- Co-operation in hiring temporary or permanent staff to increase the work capacity of the Secretariats to facilitate engagement in EU and DCR projects (e.g. EU stagiaire programmes, national secondees);
- Education and training provided to the Secretariats:
  - Participation of RAC staff in DG MARE training programmes (e.g. occasional ICES courses on stocks assessment;
  - Commission open sessions on EU grants management;
  - Explanation of legislative framework and decision-making process which have an impact on the work of the RACs;
  - Clarification of the role and input of the RACs in different types of consultations launched by the Commission and/or Member States (e.g. EU public consultations, non-papers, white and green papers, emergency measures, comitology).
- Framework for formal co-operation with ICES and STECF (e.g. data poor stocks, review of LTMPs);
- Definition of criteria for RAC advice and Commission responses;
- Develop new tools to facilitate improved communication and dissemination to grass roots (e.g. legislative initiatives or basic concepts of fisheries management such as MSY, ecosystem approach)



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

THE DIRECTOR-GENERAL

Brussels,  
D(2012)

M. Benoît Guerin  
SWW RAC  
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**Subject: Your letter on Inter-RAC perspectives on the functioning of the RACs**

Dear Mr Guerin,

Thank you for your letter of 16 February on behalf of the Secretariats of the seven RACs in which you express your satisfaction about the steps taken towards the improvement of the functioning of the RACs. In your letter you put forward a number of questions and issues that could further improve the way of working of the RACs. You will find enclosed the answers to these questions.

I would like to take this opportunity to thank all the RACs for their excellent work and their constructive input, and I encourage them to continue sending us their ideas on how to further enhance their role and improve their way of functioning.

Yours sincerely,

Lowri Evans

**Enclose(s):** Commission's answers to your letter



## ENCLOSURE

**Subject:** Commission's detailed replies to RACs' questions

**Ref:** Your letter dated 16 February 2012

### **I. RECOMMENDATIONS MADE IN THE POSEIDON INTERIM EVALUATION REPORT RELEASED IN 2010 AND THE EUROPEAN COMMISSION'S POSITION:**

#### **1. Increase the maximum amount of the EU grant to 300,000 EUR.**

The Commission confirms its response to the NWW Rac dated 31 May 2011 (ARES/589627) mentioned in your letter under heading 3. There is no room for a possible increase of the maximum amount of the current EU grant. There will not be room for an increase under the next Multiannual Financial perspectives for 2014-2020. This is due to budgetary constraints affecting the whole of the EU budget.

We strongly recommend that the RACs look more actively at the possibility of raising increased funding from at least their members.

#### **2. Maintain the maximum 90% EU co-financing rate as well as the present composition of finance (the main contributors being the EU, Member States, and RAC members), and leave it to the RACs to determine their respective membership fees and contributions by MS.**

The Commission intends to maintain the co-financing rate of operational costs up to a maximum amount of 90% of the estimated total eligible cost of the action.

The Commission has not imposed any rules on the level of the Member States or Members' contributions and has left it up to the RACs to determine this. The Commission does not intend to change this in the future.

We would recommend that when establishing Members and Member States respective contributions, RACs ensure their strong commitment beyond the minimum level of 10%.

#### **3. Explore possibilities to endow the RACs with a different type of grant that would enable multiannual planning and enhance flexibility while reducing the workload of the Secretariats**

Under Article 108 of the Financial Regulation, the Commission may award two types of grant: grants for an action and operating grants.

Grants for an action are awarded for one off non recurrent eligible action in response to a call for proposals for a given period, while the activities of the RACs are recurrent annual activities.

#### **4. Review financial management rules and procedures**

##### **a) Harmonise the financial years of the RACs.**

In order to adapt all RACs financial years to either January to December or July to June, the RACs would first have to change their accounting period with their national authorities.

For those RACs which would decide to start their financial year in January, the pre-financing payment would be paid by the end of February at the earliest. The Commission may only make the necessary financial commitment in January due to the credits' availability. This is currently the case of MED RAC.

##### **b) Hold common meetings with the RACs on strategic points.**

The Commission will take into account the proposed recommendation.

Currently, strategic issues are discussed with RACs during the coordination meetings with DG MARE, which are normally organised twice a year.

##### **c) Provide clear guidance on eligibility in advance of the financial year.**

All detailed rules on eligibility of costs are stipulated:

- in the Annex of the Council Decision 2007/409/EC amending Decision 2004/585/EC establishing RACs;
- in the Framework Partnership Agreement, Article II.15;
- in the Specific Agreement under Articles 3 and 8;
- in the "Guidelines" with the main steps for the management of the grants at all points in the planning cycle.

We would appreciate if you could inform me if RACs need additional or more specific guidance on certain elements of the eligibility of the costs.

##### **d) Revise the rules so that membership fees have to be received by the time of audit, rather than before financing.**

This practice was in application before 2008 and RACs were penalised by the deficit of receipts rule which stipulates that the Commission is entitled to deduct from its final contribution an amount equal to the amount that the other sources have not paid.

As from 2008, and in order to help RACs avoiding a situation of a deficit of receipts, the Commission accepts an estimated budget for the renewal of the grant only with the paid or legally confirmed resources.

## **II. HEADING 3 OF YOUR LETTER: FINANCIAL ISSUES REQUIRING UPDATE AND CLARIFICATION**

### **Budget allocated to the RACs for the period 2004-2011:**

Council Decision 2004/585/EC, Article 9(4)<sup>1</sup> refers to the maximum allocated amounts for RACs grants for the period 2004 to 2011 and not to the amounts finally paid as percentage of the final eligible costs.

The rules governing the EU budget do not allow the use of the balance between the committed amounts and those spent.

The total amount authorised by the budgetary authority and committed for RACs' grants for 2004-2011 is EUR 8 159 463.

This amount is higher than the financial reference in the Council Decision and within the limits of the financial perspectives. The amounts committed for the RACs grants are stipulated under article 3 of the signed Specific Agreements for the period 2004 to 2011 and are as follows:

- NS RAC 2004-2011: 1 634 394 EUR
- NWW 2005-2011: 1 465 000 EUR
- PEL RAC 2005-2011: 1 465 000 EUR
- BS RAC 2006-2011: 1 200 000 EUR
- SWW RAC 2007-2011: 945 069 EUR
- LD RAC 2007-2011: 950 000 EUR
- MED RAC 2009-2010: 500 000 EUR

## **III. ANNEX I OF YOUR LETTER – ISSUES FOR DISCUSSION ON THE FUNCTIONING OF THE RACS**

- Possibility to have a multi-annual work programme in order to have long-term planning:

It is possible for RACs to have multi-annual work programme within the limits of the Framework Partnership Agreements. A Framework Partnership Agreement is established for 4 years. The current agreements are limited to 31 December 2013, when the financial perspectives expire.

Please note, however, that even if a multi-annual work programme is set-up RACs will still have to submit each year an annual work programme jointly agreed with the Commission which shall serve as a basis for the award of the annual grant.

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<sup>1</sup> "The financial reference amount for the implementation of this action for the period 2004 to 2011 shall be EUR 7 596 000. For the period following 31 December 2006, the amount shall be deemed to be confirmed if it is consistent for this phase with the financial perspectives in force for the period commencing in 2007. The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective."

- EU funding programmes and projects available for the RACs outside the operational budget:

The EU Financial Regulation allows that a recipient of an operating grant may also be awarded one or more grants for an action for one or more specific measures. However, the proposed action must be outside the RACs normal activities as laid down in the work programme for which the operating grant is provided, the principle of non-cumulation has to be respected. This means that costs declared in connection with one grant may not be declared and covered by another grant.

Finally, such a situation must be identified when the RAC submits an application for a grant in order to prevent duplication of financing and must be monitored and controlled separately in an accurate manner that is verifiable by the Commission.

- "Spin off initiatives and projects building on RACs priorities", "Improved access to scientific resources", "Possibility for RACS to be involved in the identification of research priorities", "Framework for formal cooperation with ICES and STECF" and "Develop new tools to facilitate improved communication and dissemination to grass roots":

We would appreciate if you could be more precise concerning the concrete aspects of your requests in these areas.

- Commission's cooperation with the RACs in hiring temporary or permanent staff to increase the work capacity of the secretariats:

Unfortunately, there is no possibility for the Commission to allocate EU stagiaires or national secondees to the RACs.

- Education and training provided to the Secretariats:

Regarding the ICES training programmes on stock assessment offered to DG MARE staff, one or two representatives of each RAC will be invited as observers to the next module which will take place on the second half of the year.

Please be aware, however, that should this participation be accepted, the RAC representatives would not receive a separate reimbursement for their travel expenses.

As far as the general training programmes provided by the Commission to its personnel are concerned (EU grants management, new legislative framework and decision-making process, etc) these are not open to external stakeholders.

The role and the expected input from RACs in different types of consultations are being discussed in the framework of the reform of the Common Fisheries Policy. We will continue to keep you informed the RACs coordination meetings and through the other channels and different meetings organised by the RACs.

- Definition of criteria for RAC advice and Commission responses:

These aspects are part of the reflection work that the Commission is undertaking linked to the reform of the Common Fisheries Policy, and more concretely the role of the future Advisory Councils. In the meantime, the Commission will propose a draft common format for the RACs advices, which will be sent to you for your comments.