



INTER-ADVISORY COUNCILS (INTER-ACs) MEETING

Virtual meeting 05 May 2021

Participants: Advisory Councils, Commission (DG Maritime Affairs and Fisheries), observers from the Member States and from the European Parliament

Chair: Lena Andersson Pench

1 Opening remarks – Charlina Vitcheva, Director-General DG MARE

Work has been initiated on the functioning of the ACs. Work is advancing, and during the last meeting in January it was discussed how to improve the functioning and the good ways that have been implemented in the ACs. The Commission recalls the constructive discussions held during the last meeting. This meeting today is to take stock of the progress made and the way forward.

I would like to reiterate the importance the Commission attributes to the ACs and the format of having the comprehensive approach to stakeholder consultations on the topics of the CFP in the context of regionalisation.

The Commission has reinforced to provide the conditions for the functioning of the ACs. The Commission has worked to clarify the participation of UK stakeholders in the ACs. The Commission has also started examining the competence of the ACs and the best way forward.

In parallel, the Commission has been working on concrete follow up actions and committed to organising more Inter-AC meetings. These will allow a discussion on topics of common interests and bring cross-pollination across the ACs and help address concerns addressed by some ACs regarding Commission participation in AC meetings.

The Commission is also planning to amend the delegated regulation. Please provide all ideas in the meantime, everything is welcome. We should not lose sight of the ACs' main objective which is providing advice on fisheries management, so key policy initiatives are also on the agenda today. 2021 is an extremely busy year with a very congested policy development agenda. The Commission has high level ambitions regarding the biodiversity and Farm 2 Fork strategies.

The Parliament has finished their work on the Control Regulation and the Commission is following closely the Council's work. The Commission is bound to nurture the inter-institutional dialogue and fully inform the debate. I wish to stress that the Commission trusts and is fully on the side of the fisheries and in good faith is defending the interests of the EU fisheries and the contributors to sustainable fishing. The Commission wants to protect those who participate in sustainable fishing practices. It is crucial to achieve a future proofing both from a technological but also cultural point of view, including REM and digital traceability. I would like to assure



everyone that the Commission will continue working closely with EU fisheries and present stakeholders on the modernisation of the fisheries control system in order to ensure the long term objectives of the CFP. The Commission encourages full cooperation of the ACs to guarantee reaching these objectives.

The EMFAF agreement was reached last December and will enter into force in July. It is the main financial tool supporting the CFP and EU maritime policy, and it also supports the broader objectives of the Green Deal. The EMFAF will support the investment towards sustainable and resilient fisheries and finance innovative projects. I strongly encourage ACs and individual organisations to promote innovate ideas and projects. There is a true window of opportunity as MS are preparing their programmes for the upcoming decade in consultation with the stakeholders, and the ACs can showcase their good practices.

2 Key Policy Developments

Biodiversity Strategy COM (2020) 380 – DG ENV, Laurent Markovic

See [EU Biodiversity Strategy for 2030 in the European Seas](#)

Once the report on the technical measures has been published, there will be wider stakeholder consultations. The Commission invites the ACs to comment on the action plan for the conservation of fisheries resources.

MedAC: Could you please provide a clarification on the 30% of the protected areas. Does this refer to protection of everything or just fish? There are various different types of areas, MPAs, fisheries production areas, areas reserved for military activities, wind farms, corridors for commercial routes, energy plants – all of these areas are protected from fisheries but not from other activities, for example oil extraction. Are we only talking about fisheries products when talking about protection areas or does this include the other activities as well?

MAC: Last month the MAC adopted advice on the Biodiversity Strategy and would like to take opportunity to see if there is any preliminary reply and a date for official reply?

AAC: We would like to point out that the way we speak is a reflection of the way we think which is then reflected in the way we work. In EU waters there is not only fisheries but also aquaculture for example. The AAC would hope that aquaculture will be properly considered alongside fisheries in the EU waters. The AAC is also in the process of submitting advice on biodiversity strategy.

BSAC: It is good to see DG MARE and DG ENV speaking together and breaking down silos. We are wondering if the Commission is thinking of putting together a base layer for management options that must be in place and if the action plan for fisheries could be used so that this can progress faster? How will the action plan link into the other processes?

Oceana: One of the deliverables of the Biodiversity Strategy is the Action Plan, these represent a clear opportunity for a linkup between fisheries management and the protection of the ecosystem. Is this action plan going to introduce climate considerations?



LDAC: We are happy to see more dialogue between the DGs. We have a question about the international dimension of the CFP. The Biodiversity Strategy initially only applies to EU waters, however BBNJ and deep-sea mining were mentioned. What are the links with the Aichi targets and the IUCN movements in the same direction, coherence with internal and external dimensions of the CFP?

DG ENV: The 30% protected areas cover everything, but underlying is the Natura 2000 network which needs to be completed. The 30% will also include national areas insofar as they comply, as well as so called other effective conservation measures, in which by essence there is little human activity. Criteria are being discussed with stakeholders including MS and fisheries representatives. The study on sustainable aquaculture is just about to be released. Guidelines will be available by the end of year for designation of areas as well as management of these areas. The Action Plan is a very good initiative showing the good collaboration between MARE and ENV.

Valerie Tankink: The MAC advice is being reviewed. The Action Plan is not a legal initiative but a Commission communication which will list different actions for MS and the Commission. All elements are being studied at the moment, there will be recommendations linked to the technical measures obliging MS to move forward and speeding up the implementation. The core objective is to facilitate the implementation of the CFP. The Action Plan is not the proposal itself, the co-decided act on restoration criteria, the Action plan would announce the impact assessment for these. The Action Plan is a momentum in terms of giving the state of play of environmental legislation and the CFP and making sure to deliver on both, and that the CFP is effectively contributing to the implementation of environmental legislation. Linking to the climate considerations, the Action Plan as such is not about this, but many of these actions can also have an impact on these. There are several studies ongoing which will feed into the work on the review of the CFP. It is anticipated to present the Action Plan by end of this year which builds on the technical measures report. Then it will come back to the MS and stakeholders in late summer/early autumn so that all views can be included with adoption in November/December.

DG ENV: Under the MSFD DG ENV requested advice from ICES which is still pending, but it shows that roughly 75% of EU catches are made in 20-30% of EU marine area so while increasing the protected areas will come at some costs, this should not be overwhelming.

Farm 2 Fork - Emilia Gargallo, DG MARE A2

See [The Farm to Fork Strategy – update May 2021](#)

The CFP has all the right tools to achieve its targets under the Farm to Fork Strategy which means no extra targets are needed to be set for aquaculture and fisheries.

MAC: The lead DGs on a lot of AMC advice are SANTE and ENV, is MARE using the MAC advice fully? Could MARE provide feedback on advice provided?



LDAC: When is DG MARE taking promotion of fishing industry products outside the EU? There is a lack of sustainability labelling, and we would like to see a level playing field as requirements are not applied to products from outside the EU. The Commission cannot continue to step up sustainability requirements on food products within the EU if these are not applied equally outside the EU. In addition, there is a lack of action on worldwide mobility of seafarers to ensure crewing requirements are met. Fisheries are very much affected by pollution which must be addressed.

AAC: The Farm to Fork Strategy addresses the improvement of animal, which must support a shift to sustainable fish and seafood production.

Emilia Gargallo: The Farm to Fork Strategy is a great example of breaking silos. The lead DGs are SANTE and AGRI, but other DGs are also involved. Just because MARE is not the lead it is still involved. Any advice received is brought to discussions with other DGs. The Commission does not want to raise inner EU standards in a way that may damage EU producers. Mobility has been a problem across the EU during COVID. The Contingency plan is going to look into this as well.

EU-UK TCA – update on EU-UK annual consultation - Eric Lindebo

There are quite a few outstanding issues, one of the main elements has to do with flexibilities where the UK is seeking inter area flexibilities, as well as fisheries for non-quota species and reciprocal access. The good news is that on TACs and quotas there is virtually an agreement on nearly all except one or two which are outstanding. There are currently intensive interactions within UK and EU politically.

PeIAC: Regarding stakeholder involvement, is there any feedback on the multi-AC letter?

See [TCA – update on EU-UK annual consultation](#)

The Commission is working on a *Vademecum*, a document to lay out the Rules of Procedure. Fisheries already has well established advisory platforms but we have to figure out how these fit in. The Specialised Committee on Fisheries (SCF) will be the engine room for work between the UK and EU and their joint approaches on shared stocks. Joost Paardekooper will be Co-Chair of the SCF.

Oceana: We hope that agreement can be found, there is a need for showing from the beginning of Brexit that it is important to find agreement and show cooperation. The state of play of the negotiations and the technical discussions seem to have a few main sticking points and now it has moved to the political arena. Can these be solved? Regarding the letter that has been sent by the ACs we think in terms of transparency the involvement of the ACs is essential. The EU should push the UK to participate.

PeIAC: Stakeholder involvement is important. Is the EU intending to enter into a dialogue with the ACs on future fisheries governance in a post-Brexit situation? The introduction of the ACs in

2004 was a great improvement and made a contribution to the CFP, and the ACs are eager to ensure a good system for the future.

Joost Paardekooper: In final stretches of negotiations but last points are very political. Also means that agreements have been found on almost all outstanding TACs based on science as much as possible. As mentioned in meeting with NGOs UK has been brought along to agree to TAC setting at MSY. Involvement of NGOs in the consultations that are being held, the Commission attaches great importance of getting the NGOs involved. ACs are a bit of an oddity compared to other sectors.

The Commission thinks the ACs should work together in streamlining their work and also provide thinking on how to combine the work in the most efficient way, there must be a better format to combine the efforts.

SC06 – CFP Regionalisation – Noémi van Bogaert (ILVO)

See [SC06 – CFP Regionalisation](#)

3 Functioning of the Advisory Councils

1 Follow-up from the January 2021 Inter-AC meeting

Following from the January 2021 Inter-AC meeting, the Commission is planning the amendment of the delegated act and has been looking in more detail regarding actions. A key part is the preparation of amendment to delegated act, and the Commission has contacted the MS for their opinion.

See proposed templates on members classification and advice circulated by the Secretariat on 10 May 2021.

BSAC: The template sounds interesting, will it address the different consultations and formats?

AAC: Regarding the importance of minority opinions, yes, these must be clearly stated in advice, but we should be careful not to put emphasis on this, they should not be made more attractive than consensus. The ACs want to promote consensus. Representation in ACs is not limited to OIGs, participation for sector organisations must also be improved, specifically regarding small-scale fisheries. Regarding the criteria, for OIGs there is a specific reference to health, is this animal or human, or both?

MAC: The MAC welcomes DG MARE's efforts and is planning to undertake a performance review through an external consultant. DG MARE should encourage greater participation by MS in meetings and responses to ACs. We welcome the increased detail in replies to MAC advice. It is important to keep the ACs informed on how the advice is taken up especially when it comes to the legislative process. It is important to have flexibility on some requirements, e.g. if no OIG member wants to take Chair or Vice-Chairmanship. The template could be useful, but balance is needed regarding minority positions.



BSAC: Looking at the membership criteria, no reference is made to geography, or affiliation made to a particular part of the EU or outside of the EU. Hopefully the template will provide a useful frame and not limit the advice.

LDAC: The template may be a good idea, but a tracking system is also needed.

Pascale Colson: Human health is referred to here, not animal health. In relation to EU/non-EU organisations, the CFP talks about consultation within the EU and lays down the area of competence for each AC. We have also been reviewing the suggestion for training for the Secretariats and Chairs, and the Commission's idea is to organise this once the delegated act is in place. This could be done in autumn. In relation to the role of the ACs in the context of the UK, the Commission would like to find a way for cooperation between the different ACs. The Commission will always reach out to all ACs, but joint efforts are needed so that the Commission does not have to have four meetings but a combined view of the different ACs, and then a bilateral follow up is also possible.

2 Better planning: organisations of meetings; cooperation between ACs

There will be more regular Inter-AC meetings for cross-cutting issues, the next one is planned for before the summer. The ACs can propose topics. The ACs are having important meetings, and the Commission is busy and needs to prioritise and plan well, so the ACs need to look more into forward planning and also to think where Commission participation is really needed.

DG MARE Management Plan 2021



[Management plan 2021 – Maritime Affairs and Fisheries | European Commission \(europa.eu\)](https://ec.europa.eu/fisheries/management-plan-2021)



[link](#)

4 Financial Matters

The annual surplus is intended to stay with the ACs to build up reserves for future needs of the organisation, for example of any unforeseen events. Written request is needed from an AC if they want the Commission to take away the surplus and amend the agreement. The initiative needs to come from the AC. The Commission considers that the origin of the surplus is from



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other sources. The ACs have a no-profit principle and the Commission cannot take away parts of national contribution.

Regarding the method of changing the co-financing for the future, the ACs were informed of the intention by the Commission to introduce a simplification of the grant agreement, as there are too many questions regarding eligible/ineligible costs. The administration cost for control for the Commission remain high. The Commission proposes simplified constructions and introducing lump sums to ACs. This is a step away from co-financing based on eligible cost and means applying a fixed cost per AC. The amounts are very different between the ACs. The methodology on how the lumpsums work will be drawn up and shared with the ACs for feedback. The amount was redistributed a year ago and ACs would be asked to make an exact calculation of what is needed in the coming year. The framework agreement would contain the exact amount for four years, so the annual amount is fixed. The actual difference in the control is moved from ex-post control to ex-ante control. The Commission audit then will have no right to review the actual cost that ACs incur.

BSAC: Can we please start the next meeting with financial items.