



MINUTES

INTER-ADVISORY COUNCILS (INTER-ACs) MEETING 19 January 2022 - 09:30-17:00

1. Opening remarks – Director General Ms Vitcheva

Ms. Charlina Vitcheva (DG MARE, Director General), welcomed participants to the first 2022 inter-Advisory Councils (ACs) meeting. She thanked the ACs for the excellent work in 2021, and was very delighted to be there to discuss both what had been delivered in 2021 and DG MARE key policy files for 2022.

She started with the outcomes of the October and December Councils, which set fishing opportunities for 2022. In **Atlantic and Skagerrak-Kattegat**, for each EU stock for which there was an MSY advice, the Council followed the Commission proposal and set the TAC in line with MSY advice. These results consolidate the MSY obligation enshrined in the CFP. For the majority of these stocks the advice was for an increase in the TAC. However, for sole in the Bay of Biscay, due to the poor status of stock, a very difficult decrease of 36% was decided. Unfortunately, for the 9 EU stocks for which there is only precautionary advice, the fishing opportunities were mostly set at levels above the scientific advice, which was not the Commission proposal. This importantly includes Southern hake, for which Member States are working together with scientists to bring that stock back to an analytical assessment allowing for MSY advice as soon as possible.

On **Baltic Sea**, Ms Vitcheva explained that the Council only marginally deviated from the Commission proposal. The most important objectives were all reached, as the salmon TAC was set in line with the new ICES advice; and the fishing pressure on western herring and western cod were further reduced. Overall, the situation continues to be grim for many Baltic fisheries. For the third year, the Council had to take drastic decisions. Four fisheries will be closed now (eastern and western cod, western herring, salmon everywhere except in the Gulfs of Bothnia and Finland). The quota for central herring had to be substantially reduced for the second year. Too high fishing effort in the past combined with environmental problems, most notably increased eutrophication, are taking their toll, and the fishing industry is paying the price for this. It is extremely important to turn around the situation in the Baltic Sea and rigorously implement all the EU environmental legislation, as stated in the Our Baltic Ministerial Declaration of September 2020 and the new Helcom Baltic Sea Action Plan adopted in October 2021. These are difficult decisions, which should trigger a reverse direction.

Ms Vitcheva then came back to discussions in Council on the fishing opportunities for the **Mediterranean and Black Sea**. The decisions taken constitute an important step towards delivering on the political commitments made in the new 2030 Strategy of the GFCM and for implementing the EU MAP for the demersal stocks in the western Mediterranean Sea. Mediterranean stocks remain in a fragile state. The Mediterranean Sea is the most overfished sea in the world. Our ambition should be set at a very high level to remedy environmental degradation and ensure a sustainable exploitation of the stocks for the future. She explained that Member States claimed a status quo, but that was not an option. We need to progress and make sure we achieve MSY by 1st January 2025 at the latest,

which is already a deferral to the 2020 deadline enshrined in the CFP. The scientific advice was clear to recommend strong action for the reduction of fishing mortality. In order to spread the effort by all concerned fleet and as a result of a number of meetings with fishermen and having listened to all their concerns, it was decided to use all available tools under that plan. This is why it was decided to not focus on trawlers only, but to propose a more global approach combining different tools provided by the MAP. This new approach will combine the objective of achieving MSY on time, on which the fleet profitability depends, while at the same time minimizing the socio-economic consequences during the transition to sustainable fisheries.

Concretely, based on the Commission proposal, the Council decided that the trawling effort reduction will be limited to 6% (and not 21% as recommended by the Scientific, Technical and Economic Committee for Fisheries (STECF) or 7,5% as proposed by the Commission). Ms Vitcheva explained that this reduction will be combined with a mechanism, to reward the adoption of a more selective gear with an additional allocation of fishing days, as suggested by Spain. In addition, it was decided to introduce new management tools to tackle specific situations in the form of catch limits for deep-water shrimps and the establishment of an effort ceiling for long liners (without reduction). Catch limits are being introduced for the most overfished deep-water shrimps, for which the scientific advice stated that effort reduction alone will not be sufficient to achieve MSY by 2025. These measures will ensure the reduction of fishing mortality, while minimizing the socioeconomic impact of the fleet. She hopes efforts will be maintained till January 2025.

In addition to these Fishing Opportunities, the GFCM measures adopted in November 2021 were transposed. The adoption of 35 recommendations is unprecedented. This is an essential step forward. Ms Vitcheva wanted to thank the MEDAC, the Black Sea AC, and the national administrations for all the efforts made so far and for the advice offered in the process leading up to the adoption of this important package of measures for the Adriatic and the Black sea.

On negotiations on shared stocks with UK and Norway, she said that she was very happy that the Commission managed to successfully conclude, just in time, on fishing opportunities. Fishing Opportunities with UK were agreed on 21 December, and endorsed by COREPER on 22 December, which was essential for all stakeholders as well as for the continued delivery of the CFP. Results are good because we can continue applying CFP principles. In 2021, the Commission had to work for 2 exercises: 2021 and the preparation of 2022, with only a mandate to negotiate in 2021 while for 2022 we had the TCA for the first time; 2 different process, difficult in their content. It was essential for 2021 to have a good precedent with decisions adopted well in time and principles well established. For 2022, the Commission had only the mandate in October. It managed to reach a result fully in line with the expectations of Member States. Important principles and standards (such as science-based fishing opportunities; all stocks with normal MSY advice set in line with MSY; choking situations avoided; keeping provisions we have applied inside the Union for a long period as in the multiannual plans; taking on board socio-economic interests where relevant) have been upheld by negotiators. The Commission will pursue this in 2022. In 2026, rules will change. We need to put in place good practices till that time. 2022 will be the year of the Specialised Committee, where the real work with technical discussions will start. Strong cooperation will be necessary with UK, in particular on the Celtic Sea mixed fisheries, skates and rays, non-quota species management, review of management areas – just to name a few in a long list. This is a very important work ahead, for which the Commission counts on the advice of the Advisory Councils.

On **Eels**, the Director General reminded of the ICES advice of November 2021, recommending for the first time an explicit zero catch advice. As this advice came too late to be incorporated in the Commission decisions, DG MARE has requested the ACs and Member States to provide input by April 2022 on how to best implement this advice.

Beyond fishing opportunities, 2022 is an important year as it is the middle of this College mandate. It is also the year in which the Commission will **report on the implementation of the policy**, as announced also in the Commissioner's mission letter. Ten years after the last reform, it is the right moment to take stock of its implementation. The Commission is preparing a **report on the CFP as well as a separate report on the Common Market Organisation**. During the meeting, participants will be informed on the work ahead and on how Advisory Councils can be involved and provide input on these important reports.

Ms Vitcheva announced that Lena and other colleagues from DG Environment (Veronica Manfredi) will also update participants to the meeting on the work on the **Action Plan to Conserve Fisheries Resources and Protect Marine Ecosystems**. This is a crucial deliverable for the EU Biodiversity Strategy. She thanked the ACs for their participation to this exercise and input to the consultation. The ACs' views and concrete ideas are crucial to be sure the Commission adopts a plan of actions that is coherent, balanced and proportionate. All three pillars of the CFP should be taken account together with the 2030 biodiversity objectives. This ambition will require constructive and forward looking solutions from all of us, the Commission but also stakeholders and Member States. Ms Vitcheva recommended not to stay in a conservative approach and refuse changes, as this would not deliver on what citizens request from us. She insisted on the necessity to be innovative, open to advanced solution and to work together.

The Director General mentioned also the European Maritime Fisheries and Aquaculture Fund (EMFAF), which is very linked to the action plan. 2022 will be crucial as the programming process is now at full speed. The Member State programmes, which are now accelerating towards completion, will be ready to roll out from later this year. These programmes will play a key role to implement a modern CFP, serving the objectives of the European Green Deal and the digital transition through digital solutions across the policy and the sector. She asked the ACs to take their part in the programming process and participate to wide public consultations undertaken by Member States on their programmes.

Ms Vitcheva finally mentioned other files that will be discussed during the inter-ACs meeting, in particular the deep-sea access regulation, the contingency plan for ensuring food supply and food security in time of crisis, and the upcoming initiative on sustainable food systems. She concluded by saying that in 2022, we absolutely need to conclude the process on the Control Regulation and go ahead with modern control systems that will contribute to a real level playing field in order to be able to deliver on all the objectives of the CFP in a smart manner.

Before passing the floor to Lena for the further discussions and presentations, Ms Vitcheva informed attendees that the delegated act amending rules on the functioning of the Advisory Councils was adopted by the Commission on 8 December 2021. It is currently under scrutiny by the European Parliament and Council, and should come into force later in spring. She thanked the Advisory Councils for their very active participation in the preparation of this act, which has been a very inclusive process. She said that she is confident that these new rules will facilitate the functioning of the Advisory Councils, and make their work even more successful. .

She concluded her opening speech by thanking the ACs for their cooperation throughout 2021. She reminded that the ACs' input for the CFP is crucial. She was confident that the ongoing efforts will help to organise and prioritise the work and make sure the ACs' voice is heard. She thanked again the ACs for their commitment and contributions, wishing them a happy, healthy and productive year 2022.

2. Action Plan to conserve fisheries resources and protect marine ecosystems.

Ms Andersson Pench welcomed participants, insisting on the necessity to keep close contact, which is why the agenda of the meeting was so heavy. Unfortunately, the item on Single Use Plastics Directive had to be postponed and there was a meeting at the same time with Europeche and the Commissioner, meaning that some will not be able to attend the inter-ACs meeting.

On the Action Plan to conserve fisheries resources and protect marine ecosystems, Ms Andersson Pench explained that this was a joint MARE/ENV exercise and that Ms Veronika Manfredi from DG ENV will take the floor after her. To put perspective, she said that ecosystem-based fisheries management is a concept that is often talked about as something that we need to do, but that we had in reality set out an initial approach already in 2008 with the ideas to reduce fishing to Fmsy, to implement area closures and fishing gear restrictions in order to protect sensitive habitats and sensitive species. This led to the reform of the CFP in 2013. Since then, we have made a lot of progress in moving to MSY fishing in the northern waters of the EU, which will seriously reduce collateral impacts on marine biodiversity. In the Mediterranean, MSY was postponed with 5 years but with the help of the Western Waters MAP and all important actions, we know that progress are on-going.

Ms Andersson Pench reminded that there are already some area and gear restrictions in place which also afford valuable protection, especially the drift-net ban for targeting most pelagic species, but that there are still outstanding issues. We need to do more, which is why we have this action plan. There is also a serious public concern about impacts of bottom-contacting fishing gear, particularly within marine protected areas. Some marine habitats are at risk of disappearing. Some marine species, notably the large-bodied fish, sharks and rays, some seabirds and some cetaceans are at risk.

These issues are part of wider concern about worldwide biodiversity. The Commission has set out in its Biodiversity Strategy for 2030 that it will adopt an action plan to conserve fisheries resources and protect marine ecosystems. This Action Plan will be intrinsically linked with other actions announced in the Biodiversity Strategy: in order to protect nature adequately we will aim at the protection of at least 30% of the sea and at granting strict protection to 10% of the EU seas.

This action plan is also closely interlinked with the legal instrument on restoration targets that will be proposed in the coming months. EU Member States have endorsed these goals and agreed that they should be implemented, amongst others through an expansion and adaptation of the Natura 2000 network.

Ms Andersson Pench pointed out that stakeholders have been calling for an ambitious Action Plan that exploits better the synergies between the environmental and fisheries policy and legislative frameworks. She reminded that the Commission had already published a report on the use of technical measures both to improve selectivity of fishing and to contribute to the protection of the marine ecosystems. This report, which had been presented to the ACs already, shows that the legal provisions in EU law are fit for purpose.

However, much more needs to be done to conserve fisheries resources through technical means, or to protect marine ecosystems, and more needs to be done to get selectivity right and to protect sensitive habitats and sensitive species. The challenges are the following:

- 1) The science and the practice of technical measures to avoid catching small fish (and so increasing fisheries yields in the long term) would need to be improved. The progress in projects to improve size-selectivity of fishing gear would need to translate into enhanced adoption on the ground.
- 2) There are also serious concerns about the extinction of some species of marine life in Europe's waters. Some large fish species that once were common and supported substantial fisheries are now largely absent- such as the large skates and rays, angel sharks, sturgeons, guitarfish and some large sharks. Some top-level ecosystem species are not exploited now but are threatened due to incidental catches.
- 3) Several marine habitat types are critically endangered. There are particular concerns about the impacts of bottom trawling and possible reductions in carbon sequestration in the seabed. For both sensitive species and habitats, there are serious shortfalls in knowledge; the effectiveness of monitoring systems needs to be stepped up so that focused and efficient conservation systems can be put in place.

Ms Andersson Pench then pointed out that we need solutions that are consistent with the objectives of the CFP and the environmental law. On selectivity of gears, we see a lot of progress in many promising pilot projects across Europe to improve selectivity. They should be translated into national legislation in order to be implemented on the ground.

The action plan will be a document setting out the actions considered as necessary by the Commission, Member States and authorities at the local level. These actions will include actions to implement the environmental and fisheries legislation, but also to improve the knowledge base and provide guidance and support to the stakeholders affected. With this in mind, the Commission is looking into several support activities such as the improvement of control and enforcement of obligations linked to the protection of marine ecosystems (in order to substantially decrease the bycatch of sensitive species and the best use of the opportunities for research under the Horizon Europe programme). We need also to improve the monitoring of sensitive species bycatch and other environmental impacts of fishing, with support from EMFAF and LIFE. A new initiative on marketing standards is also being prepared, in order to raise awareness of consumers and support the fisheries community.

Ms Andersson Pench pointed out that the Commission received nearly 100 replies to the online targeted consultation. Colleagues are very busy in going through them and will start drafting the Action Plan once the results of the consultation exercise have been analysed. She thanked all those who replied to the online consultation that closed last week.

Ms Manfredi thanked for the invitation, and confirmed that the work on the action plan is a tandem work between DG MARE and ENV. The common goals are to become a reality. We have to help the sector go towards more sustainable ways of fishing and of securing that fish stocks are available and allow fishermen to have prosperous life while finding innovative ways to solve the issues. We are currently at a crucial time for the action plan and are also waiting for very important pieces of advice by ICES and STECF.

Ms Manfredi mentioned that; while the Commission announced in its Biodiversity Strategy that 30% of the sea should be protected, we now have to be serious in identifying these zones to regain terrain. We need to accelerate what we have been doing since years now, with all authorities cooperating together. To get there, we need all authorities cooperating, and more governance and enforcement. We have clean energy challenges, we have

fisheries challenges, socio-economic new life styles' challenges and we have to put all this together and be more innovative. With mission oceans (for which MARE is chef de file), Member States should secure that maximum efforts are developed for more innovative and targeted fishing techniques. With the Farm to Fork strategy, we are also looking on new ways of consuming. We need to strive the sustainable efforts. Alternatives are possible, and for next decades, we have to do efforts across the board.

Q&A

Mr Paul Denekamp (AAC) said it was sad not to talk about victims of fisheries, and asked why the EU is not doing anything for that, for instance by developing methods to be used in vessels. The Commission answered that there are discussions on technics which can be very harmful from an animal welfare perspective, in particular at the EP, and acknowledged that this was effectively not in the consultation as a specific question. Ms Andersson Pench requested the AAC to send a recommendation on this specific issue.

Mr Niels Höglund (BSAC) apologized for the Chair absent for sickness. He complained about the format of the questionnaire on the action plan, which is almost unworkable for the ACs and asked how this could be overcome. He regretted that the consensus principle was lost in this format, and said that the same happens with the questionnaire on the CFP report. The Commission answered that the consultation on the action plan was now closed with 97 replies. As the problem seems to be due to the fact that members in ACs can't agree on replies, the Commission suggested to reply individually at member's level, in the format preferred. The Commission explained that the format is due to the necessity to explore the results afterwards. If inputs are still to be provided, they should be sent and are more than welcome. Some questions may also be skipped, while position papers can also be sent.

Ms Sally Clink (BSAC) reminded that, on the action plan, the BSAC delivered a paper, which shows on which questions there was consensus. These questions are not new for the BSAC. Fishermen have the knowledge and a lot of innovative ideas. No need to go further than that and to reinvent the wheel. The Commission agreed that it was aware that there is a lot of innovation in particular in the Baltic Sea, but said that we would like to go further and have these innovative techniques more largely used.

Mr Serge Larzabal (CC SUD) said that CC SUD will send a contribution soon, but that they had difficulties with the format. He asked the Commission to remember that fishermen are not responsible for the climate change and marine pollution. They see what is going on, but are not those destroying the sea. Fishermen have ideas and opinions, which is why it is very important that their opinion are taken on board and that the Commission looks at the different uses of the sea in the context of the preparation of the action plan. Ms Manfredi reminded the zero-pollution action plan for sea, air and earth, and confirmed that problems come mainly from industry, transport, energy producers or agriculture, but that fishermen have their own role to play. She invited the ACs to participate to the implementation of that action plan, and reminded that environmental ministries are invited to cooperate with other services. She also reminded that wind energy developments have to respect the Maritime Spatial Planning Directive. Ms Anderson reminded the overall approach and mentioned also the report on the functioning of the CFP, with studies on regionalization and climate change currently going on. She requested CC Sud to send its contribution as soon as possible.

Mr Giampaolo Buonfiglio (MEDAC Chair) complained also that answers on the action plan are fragmented and partial, and require debates and discussion to get consensus.

Discussion with scientists is necessary. This requires time. Environment is different in MED compared to the Baltic Sea and North Sea. The format of the questionnaire should be revised, and should be possible to provide additional contributions. Ms Andersson Pench confirmed that further papers and information are more than welcome, but as soon as possible (the deadline was finally extended to 14 March).

Ms Daniela Costa (CC RUP) confirmed that the CC RUP will send also a contribution on the action plan.

Mr Gospodinov (BISAC) mentioned that he had been nominated Secretary General, and Mr Buhai Chair. He mentioned technical issues he had in dealing with the questionnaire on the action plan. He said that fishermen are those who know the sea the best, and mentioned DG MARE support to fishermen and aquaculture producers during the COVID pandemic. BG and RO cannot control what other countries are doing in the Black Sea. In the future, there will not be enough fish caught, which is why aquaculture is necessary. Ms Andersson Pench confirmed that the Commission was ready to help solving the issues on the questionnaire.

Mr Antonio Marzoa (MEDAC) said that he agreed with what the CC SUD just said. He mentioned the delegated act on the functioning of the ACS, for which he regretted that his contribution had not been taken into account. He warned that ACs will become something else with this new regulation. He also said that it is false that sea-bed is being destroyed by bottom trawling. Talking about CO2 emissions with bottom trawling is a campaign against this fishery. Fisheries activities have been reduced by 23% in MED. We should not try to go to 40% of reduction in conformity with the WW MAP. The objective to reach MSY by 2025 is too also short and will have serious consequences on socio-economic aspects, with no accompanying measure. Ms Manfredi acknowledged that bottom trawling is very complex, and very damaging in most cases. She encouraged MEDAC to send data showing different conclusions, concrete suggestions, facts and figures that prove the contrary. Ms Andersson Pench reminded that we need to be innovative. We need to look at the socio-economic impact together with sustainability. She also reminded that we are implementing the WW MAP with the objective of reaching MSY in 2025.

Ms Andersson Pench concluded in saying that this action plan is very important for the Commission, but also for the ACs and all stakeholders. She thanked Ms Manfredi for her participation, and requested contributions on this action plan to be sent as soon as possible.

3. Report on the functioning of the CFP

The Commission (DG MARE unit D3 – CFP and structural support, policy development and coordination) presented the process towards the upcoming report on the functioning of the CFP, which is very much linked to the action plan and foreseen in the CFP Regulation.

The objective of this report is to look into the functioning of the CFP and look at how its implementation could be strengthened. With this report, the Commission wants to see where we are now, where we aim to be in 2030, and how we get there. It is an important opportunity to improve the implementation of the policy at all levels. As part of this report, the intention is to look more specifically into topics such as the social dimension, climate change and clean oceans.

The report will also be based on the supporting studies, referred to in the corresponding chapters of the questionnaire. The Commission will in parallel be closely following the

preparation of several EP reports of relevance in this context, notably on “Fishers of the future”, “Small scale fisheries”, “Future of fisheries following Brexit”, “Implementation of article 17”, and the broader report led by MEP Mato.

This report on the functioning of the CFP will be prepared in consultation with the stakeholders. The [online questionnaire](#) follows the chapters of the CFP Regulation. It is part of the targeted stakeholder consultation opened until 28 February 2022, which will help the Commission collect information on the functioning of the CFP. It will provide the basis for more in-depth discussions at regional level starting in April 2022. In this perspective, Member States Regional Groups are encouraged to organise regional events. The consultation process will end with an event on 10 June 2022.

The questions refer to each chapter of the CFP Regulation, ending with the topics raised in the [Mission letter](#) to Commissioner Sinkevičius (social dimension, climate adaptation and clean oceans). They are designed to identify what works well (or not), identify any evidence of shortcomings in how the CFP is implemented and highlight good practice or innovative tools or processes implemented by stakeholders or Member States. The questionnaire is designed in a way that makes it possible for the answerer to skip any topics she/he does not want to submit on. The Commission is keen to receive any supporting documents on views, suggestions or examples of good practices or further suggestions on how to approach specific challenges identified.

For the regional events, the Commission is in close contact with the Member States so that regional experts (such as members of the Advisory Councils) are designed to participate in those regional in depth discussions. Finally, following the results of the online questionnaire and the in-depth CFP discussions at regional level, the Commission wants to organise a wider stakeholder event on Friday 10 June

On 17 December, the Commission issued also a targeted consultation to contribute to the report on the common market organisation (CMO), which will also end on 28 February 2022. The CMO report will be elaborated in parallel with the report on the CFP and finalised by December 2022. The objective of the CMO report is to take stock on the implementation of the CMO Regulation. The views and expertise of the Advisory Councils will help us to identify areas where improvements are needed but also these where CMO regulation provides the greatest benefits. The link to these targeted consultations is available here:

https://ec.europa.eu/oceans-and-fisheries/news/2022-common-fisheries-policy-and-common-market-organisation-reports-your-opinion-counts-take-part-2021-12-17_en

Q&A:

Rosa Caggiano (MEDAC) requested when translations would be available. The Commission answered by end of January.

Alexandre Rodriguez (LDAC) requested when the preliminary outcomes/report on regionalisation of the CFP and climate change studies will be made available, and if they will be presented separately or as a part of the whole report of the CFP by the end of 2022. Mr. Rodríguez said it would be important for the LDAC to have a separate presentation of the study on the evaluation of the SFPAs in particular. The Commission answered that the studies on regionalization and on climate change are under finalization. The one on regionalization would most probably be published in April and the other one around summer. Lena Andersson Pench added that if needed, there will be the possibility to have these studies presented to the ACs by the authors / consultants.

Paul Denekamp (AAC) requested how in the CFP there will be attention for fish welfare. The Commission confirmed that this was a matter of high importance, in which also other DGs are having a look.

4. Deep-sea access regulation : implementing act to be adopted and list of Vulnerable Marine Ecosystems (VMEs) in EU waters

The Commission (Unit C1, Fisheries Management Atlantic, North Sea and Baltic) presented the state of play on the upcoming **Implementing Act for the Deep-sea Access Regulation (EU) 2016/2336**. Starting with the situation of deep-sea fisheries, where a drop by 43% in landings has been evidenced in the past 10 years (ref. [Evaluation of the DSAR](#) by the European Commission, May 2021), the Commission showed that the ban on bottom fishing below 800 meters works to protect vulnerable stocks such as orange roughy and roundnose grenadiers, in EU waters.

The Commission then presented the [final ICES advice \(Jan. 2021\)](#) which establishes the existing deep-sea fishing areas (the footprint) and the locations where VMEs are occurring or are likely to occur. This long-awaited advice comes as a result of a stakeholder-based process where Member States and representatives of the ACs were consulted. Based on this advice, the Commission will chose one of the 4 scenarios and options proposed by ICES to fix the footprint and the VMEs in the implementing act to be adopted in 2022 by the Committee on Fisheries and Aquaculture.

Q&A:

Javier Lopez (talking on behalf of NGOs) thanked the Commission for having been given the opportunity to contribute to this exercise and recalled the lack of implementation of Article 9 (Protection of VMEs) since 2018. In ICES advice of Jan. 2021, NGOs communicated their preference for a combination of scenario 1 option 2 and scenario 2 option 1. The Commission clarified that the legal limits of DSAR are binding and the Regulation demands to close areas where VMEs are known to occur or are likely to occur, but not to close areas where VMEs could potentially be present (i.e. VMEs elements). The Implementing Act will be based on solid scientific data which can be regularly revisited, as the Commission has signed for a recurring advice on VMEs with ICES, leaving the possibility to review the VMEs list when new data come in.

Ms Andersson Pench closed this item by mentioning that Unit C1 colleagues remain available to answer other questions that would be sent in bilateral.

5. Eels: way forward in view of the November 2021 Ices advice

Unit C1 (Fisheries Management Atlantic, North Sea and Baltic) explained that the ICES advice came end of last year. Due to time constraints, the Commission approach was to reinforce the last year measures on fishing closures under Fishing Opportunities Regulations, to consult stakeholders and then propose additional measures as soon as possible. The Commission informed the ACs that it is currently holding wide ranging consultations via usual channels (ACs, regional groups, exchange with UK, regular contacts via DG ENV) in order to better understand what is the state of the stock and what are the best measures to be taken. The Commission wrote to the ACs and Member States Regional Groups in last December to identify the best ways to implement the ICES advice. As AC opinions are always highly appreciated, the Commission invites all members to discuss the ICES advice thoroughly, with a deadline on 4th April. Comments during this inter-ACs meeting would already be very useful.

Unit MARE D3 also informed participants about the upcoming ICES advice on the progress in implementing Eels Management Plans due by mid-April. All feedbacks received from all stakeholders and ICES advices will help deciding on the way forward.

Q&A

Serge Larzabal (from CC SUD) said that industry members of the CC SUD don't share the ICES advice. Eels management plans exist already, and the fishery sector has been doing efforts (licences, control, etc.). He questioned the reality of the issue. Closures were decided 10 years ago in some rivers such as the Garonne; the fishery is gone but eel does not come back. This is hard to understand, and should be attributable to a real environmental problem.

Nils Höglund (from BSAC) said that the ICES advice is clear, and that there is no agreement in ACs on barriers, IUU fishing/gears and the need for national & transnational cooperation. In most cases, consensus advice is not taken up by managers. There is an action plan for the BSAC. A joint meeting Helcom/BaltFish/BSAC where eel issues will be discussed will be held on 4 February. He wished MARE and ENV to be present. The Commission confirmed that it wanted to work with all stakeholders, including the ACs, in this context, and that it effectively concerned both DG MARE and ENV. This ICES advice is a result of not having been able to find the best solution to put in place. The eco-system approach is particularly welcome. The Commission reminded the need to be creative and find the best solution as soon as possible.

Giampaolo Buonfoglio (MEDAC) informed about the GFCM research project on eels with a working group in February, and hoped the results would be ready soon, so that the Commission may consider them.

Nils Höglund (from BSAC) asked who was consulted. The Commission answered that everyone is invited to contribute. The Commission uses Regional Groups and the ACs, but national administrations may reach out other stakeholders. The Commission invited the ACs to let it know in case some other stakeholders might be interested.

6. New data collection work plans under the new EU MAP

Unit MARE C3 (Scientific Advice and Data Collection) informed the participants that in July 2021 the Commission published the revised multiannual programme for the data collection (EU MAP), that started to apply on 1 January 2022. In parallel to the EU MAP revision, it also revised the formats for work plans and annual reports, and published the decision on these formats on 13 January 2022. Based on the revised EU MAP and the revised formats, the Member States submitted their national work plans for the period 2022-2024 or 2022-2027; most of the work plans were adopted in December 2021.

The work plans are publicly available at DCF website (datacollection.jrc.ec.europa.eu). Unit C3 highlighted new annexes to the work plans, covering quality aspects of all sampling schemes deployed by the Member States, and invited the participants to refer to the annexes if looking for details on how data collection is organised. The quality annexes will be updated in following years, also based on feedback from the stakeholders.

Q&A

Paul Denekamp (AAC) reminded that what is missing are data on animal fish welfare, and hoped that such collection of data will start soon. The Commission agreed that data on animal welfare are very pertinent, but that data collected in the context of the Data Collection Framework (DCF) are limited to stock assessment. It is impossible to predict if such data would be collected soon under the DCF.

Pedro Reis Santos (MAC) requested if these data will affect the economic report on STECF. The Commission answered that the work plans also include socio-economic data

of fisheries, aquaculture and processing. It will effectively have an incidence on the upcoming report.

7. Impact of marine wind energy developments on commercial fish stocks

Unit MARE.A2 (Blue Economy Sectors, Aquaculture and Maritime Spatial Planning) presented the main conclusions of the 8-months study “Overview of the effects of offshore wind farms on fisheries and aquaculture” launched by the Commission in 2021 with the support of the EMFF. This exploratory study, based mostly on literature review and experts views, provides a baseline for further in-depth studies on ecological, legal, socio-economic and management implications of fast, large-scale offshore renewables developments. This study will support studies and projects on this topic in the coming years, in the Offshore Renewable Energy Strategy of November 2020. Specific support has been already secured under Horizon Europe and the EMFAF.

Nils Höglund (from BSAC) asked whether noise and its mitigation potentials is something that will be looked at later.

Giampaolo Buonfoglio (MEDAC) raised the issue of competition over space in some areas. Spatial planning is included in the Maritime Strategy Framework Directive (MSFD), but its implementation is carried out in Member States, who do not look at the incidence on fisheries. Wind farms being built in Mediterranean Sea are bigger than what was built in the past, and might have huge consequences on fisheries. The Commission should step in to ensure that the MSFD really exists in practice and not only in theory as it is today. The only use that has been made in the Mediterranean has concerned the exploitation of oil fields and everything else has not yet been considered.

Javier Ojeda (AAC) mentioned the positive consequences of wind energy on CO2 emissions, and that positive impacts should also be highlighted. He requested whether this study also looked to farmed species.

The Commission confirmed that with this study, it also tries to communicate on positive impacts, and that aquaculture, and fisheries to a certain extent, can benefit from these developments. Algae and molluscs were included in the study, on the parts related to aquaculture as the main species for multi-use with offshore renewables belong to these two groups. On MSP, it reminded that it is only the first year of implementation of the Directive. Of course, improvements are still possible and some Member States have already started to assess their own plan, while the Commission is currently preparing a report on the implementation of the Directive. Transfer of knowledge between Member States is crucial in MSP and will be intensified, notably via the different sea basin strategies. All information related to MSP in the EU can be found on an online platform, the [European Maritime Spatial Planning Platform](#), and cartographic information from MSs’ plans is being uploaded on as well as [EMODNET](#) (currently BE, DE, FI, LV available). On noise, it confirmed that there are several studies going on, and that we are currently establishing thresholds in the framework of the working group on descriptor 11 of the Marine Strategy Framework Directive.

8. Potential impact of seismic activities on fish stocks

DG ENV/C/2 (Marine Environment And Clean Water Services) presented an overview of the existing EU legal framework to address underwater noise (Habitat and bird directives, directive on environmental impact assessment, marine strategy framework directive), in particular the work done by the Technical Group on underwater noise since 2010 on monitoring, and currently on the definition of threshold values for underwater impulsive

and continuous noise, also in the context of the Zero Pollution action plan adopted under the European Green Deal and of the review of the MSFD.

DG ENV also highlighted the current trends in the state of the European Seas as regards underwater noise, based on the outcomes of the article 20 report on the implementation of the MSFD. ACs expressed their satisfaction to hear information on this particular issue and raised a number of specific questions.

Q&A

Ms Mo Mathies (NWWAC) asked what the specific impacts of underwater noise on commercial fishes are and if the EU ongoing work addresses those.

Mr Yordan Gospodinov (BLSAC) asked whether the Commission was aware of military exercises in the Black Sea and of their impacts on marine mammals in this region.

Mr Giampaolo Buonfiglio (MEDAC) is grateful because there is talk of impacts other than fishing. He said that different levels of noise must be established: between transport and mining or seismic activities or regasification plants, which involve the desertification of fish fauna. The disparity between the minor impacts and those that have a much more devastating effect is evident.

Ms Sally Clink (BSAC) thanked the Commission for the presentation and requested what was the timeline for the review of the MSFD.

In reply to those questions, DG ENV made the following points:

- TG Noise has a strict mandate defined in the context of the MSFD. Priority is now to define threshold values for underwater noise in view of assessing whether good environmental status is achieved. Impacts of underwater noise should be assessed in that context and the common methodologies adopted at EU level to define Threshold Values aim at taking into consideration the regional specificities and relevant species and habitats. But there are still important knowledge gaps in that regard, and it is important to consider cumulative impacts.
- The MSFD does not cover military activities but TG Noise monitoring guidance of 2013 recommends that they are included in monitoring programmes. Responsibility of achieving Good Environmental Status is on Member States, not on the Commission.
- MSFD review is planned for 2023. The Impact Assessment is under way, evaluation and Open public consultation are finalised.

The link to descriptor 11 can be found here:

[Energy and noise - Marine - Environment - European Commission \(europa.eu\)](https://ec.europa.eu/environment/marine/pdf/Doc_1- TG Noise DL1 - AF for EU TV for impulsive noise_2021.pdf)

The links to access the guidance documents produced by TG Noise are available here :

[https://ec.europa.eu/environment/marine/pdf/Doc 1- TG Noise DL1 - AF for EU TV for impulsive noise_2021.pdf](https://ec.europa.eu/environment/marine/pdf/Doc_1- TG Noise DL1 - AF for EU TV for impulsive noise_2021.pdf)

[https://ec.europa.eu/environment/marine/pdf/Doc 2 - TG Noise DL3 - AF for EU TV for continuous noise.pdf](https://ec.europa.eu/environment/marine/pdf/Doc_2 - TG Noise DL3 - AF for EU TV for continuous noise.pdf)

9. Contingency plan for ensuring food supply and food security in times of crisis¹

¹ The items on sustainable blue economy and on single use plastics directive and operational aspects of the fishing for litter scheme had to be postponed.

Unit MARE.A2 (Blue Economy Sectors, Aquaculture and Maritime Spatial Planning) introduced the Contingency Plan to ensure food supply and food security in times of crisis to the audience. This plan was published in November 2021. The goal of the plan is to guarantee that there won't be food shortages in times of crises. Its objective is to avoid repeating the COVID19 experience where coordination measures at EU level had to be taken on an ad hoc basis and developed on the spot. During the COVID19 crisis, it came clear that the EU needs to step up its coordination and level of preparedness.

The Commission presented to the audience the relevant documents of the Contingency Plan and encouraged the ACs to read the Communication as it is a very friendly document that analyses the lessons from the COVID19, the strengths of the EU food supply chain and the current risk landscape. This contingency plan is a tool that allows the EU to be able to respond when any type of crisis affects the food supply chain, and sets up the European Food Security Crisis preparedness and response Mechanism (EFSCM). It insisted that Contingency planning is about preparedness and support to actors in charge of responding to the crisis. This plan will cover the whole food supply system, and is not meant to duplicate or interfere with the relevant decision-making processes that apply to crisis response decisions, as provided for in existing policies (such as the Common Agricultural Policy, the CFP and the General Food Law). Principles are collaboration, coordination, complementarity, monitoring, free circulation of goods and people, and communication.

The Commission presented the EFSCM, its composition, types of meetings, actions under its competence and tasks, and called all ACs to look at the recently published call for experts to be part of the group of experts within the EFSCM. This call will close on 28 January². As it is important that all food sectors are represented in the group of experts, members of the AC are encouraged to apply.

Q&A

Pedro Rei Santos (MAC) asked if the MAC advice on this issue were useful, and if it made sense the AC to apply as such, or rather members directly.

Mr Antonio Marzoa (MEDAC) said that we have to be able to assess our own capacity and avoid putting ourselves in the hand of third parties.

Mr Alexander Rodriguez (LDAC) requested how social aspects would be taken into account in this context and how DG MARE could apply or coordinate their work with other DGs (TRADE, LABOUR, etc) from the European Commission on this cross-cutting topic.

Mr Peter Breckling (BSAC) expressed his frustration during the pandemic. He requested how the ACs could help solve a critical situation with advice and guarantee the food supply for people leaving in Europe.

The Commission confirmed that all contributions during the consultation of the Contingency Plan were useful, thanked the ACs for their contributions and suggested to go to the Staff Working Document where all this is explained. It also clarified that ACs are not expected to apply to the EFSCM, but directly Industry (associations, federations...) or NGOs are. In the frame of their work, the ACs can send recommendations in relation to the Contingency Plan when they deem it necessary or relevant.

Furthermore, the Commission explained that one of the tasks of the Contingency plan is to identify bottlenecks, dependencies and market imbalances in the food supply chain and avoid that these represent a risk to the food supply or food security in the EU. It clarified that the Communication of the Contingency Plan is accompanied by an annex with 9

² It was finally extended to the 4th of February.

concrete actions for the next two years. Hence, the EFSCM already has tasks to complete and it will come with more actions as its main mandate is to increase the level of preparedness and response of the EU food supply chain in the event of any future crises.

The Commission invited all ACs to check the dedicated website: [Contingency plan for ensuring food supply and food security | European Commission \(europa.eu\)](https://ec.europa.eu/efsc/contingency-plan-for-ensuring-food-supply-and-food-security/)

10. EMFAF – state of play of the programming process

Unit MARE D3 (CFP and Structural Support - Policy Development and Coordination) explained the broad structure of the EMFAF, its objectives and the principle of shared management, notably the preparation of Member State programmes, their structure, objectives and key topics covered. The Commission and Member States are currently in the process of adoption of partnership agreements and funding programmes. The majority of programmes for the EMFAF are expected to be adopted by autumn 2022. The role for stakeholders is to keep open communications with the Managing Authorities and ensure that the programmes meet their evolving needs over the funding period and that the programmes deliver on their objectives. As programmes roll out, monitoring information will be available on the Open Data Portal, which is currently operational for the funding programmes of 2014-2020. <https://cohesiondata.ec.europa.eu/funds/emff>.

Ms Andersson Pench reminded all the possibilities offered by the EMFAF and that it was now time for stakeholders to participate to this process.

Q&A

Pedro Rei Santos (MAC) requested deadlines for programs applications, what was the current state of play of the programmes, and if many Member States were interested in Production and Marketing Plans (PMP) measures.

Giampaolo Buonfiglio (MEDAC) stressed that MEDAC has been trying to encourage innovation in Member States, and sent ideas to the Commission and Member States. One of the problems with the EMFAF is that it is not possible to replace old engines with new ones even though they are of the same power. The plafond for Member States for temporary and definitive cessations is fixed at 15%, which also includes this item. It would be important to change it and go further for measures under Articles 17 to 21.

Javier Ojeda (AAC) stressed the importance of these funds for sustainability and all stakeholders, and mentioned some discontent about the EMFF which started late and was not very efficient. He said he was looking forward to a good development of the EMFAF programs, with a good regulation in place much earlier than for the EMFF.

Paul Denekamp (AAC) mentioned how difficult it was to get some funding available for research in the area of animal welfare, and pointed out that more research was needed for that.

In its answers, the Commission explained that everyone was doing as much as possible to have the programmes adopted as soon as possible, and that programmes were at different stages of preparation, the first step being the adoption of the partnership agreement. On the use of PMPs, the Commission is raising that with Member States, and there is interest by some of them (not all of them). To the question on the cap for funding, the Commission answered that Member States must apply the rules and cannot go beyond the cap. It reminded that Member States can start spending since the 1st January 2021, even if programmes are not formally adopted. As partnership agreements are not adopted yet, we can't adopt programmes. It confirmed the possibility for Member States to address animal health and welfare in their programs if they so wish, the result depending then on the uptake of such actions. Ms Andersson Pench announced that EMFAF will be discussed in further meetings.

11. AOB

1) Taxonomy

Unit MARE D3 (CFP and Structural Support - Policy Development and Coordination) delivered the information point on the sustainable finance taxonomy, explaining the background based on commitments under the Paris Climate Agreement and the UN Sustainable Development Goals. The Action Plan to build a sustainable finance strategy for the EU was published in January 2018. This led to the establishment of the Taxonomy Regulation (2020) and the development of taxonomies for specific sectors, including fishing. The taxonomy includes screening criteria, thresholds and metrics. An independent body, the Technical Working Group of the Platform on Sustainable Finance delivered their draft report, which covers fisheries, in August 2021. The fisheries criteria were not sufficiently mature (reflected also in stakeholder consultation). Further technical expertise was acquired by the working group to improve the criteria for the next report. **On this basis, the Commission will develop a Delegated Act to establish the legal base for the criteria. Stakeholder consultation will take place on the draft delegated, probably in mid-2023. This is where the input of the expertise of the Advisory Councils is expected.** Further information is available in the FAQ document: https://ec.europa.eu/info/sites/default/files/business_economy_euro/banking_and_finance/documents/sustainable-finance-taxonomy-faq_en.pdf

2) The upcoming horizontal initiative on sustainable food systems

Unit MARE A4 (Economic Analysis, Markets and Impact Assessment) presented a legislative proposal for a framework for sustainable food systems. This is one of the flagship initiatives of the Farm to Fork Strategy, to be adopted by the Commission by the end of 2023. It will aim to set the legal framework to accelerate and facilitate the transition to sustainable food systems. This initiative is under DG SANTE lead, co- led by DGs AGRI, MARE and ENV. The Inception Impact Assessment was published in September last year.

The objectives of this initiative are as follows:

- to ensure that all foods placed on the EU market increasingly become sustainable,
- to create an enabling environment for future policy and legislation, ensuring coherence with all EU food related policies in terms of sustainability objectives,
- to lay a basis for a favourable and transparent food environment, making it easier to choose healthy and sustainable diets and providing benefits for consumers' health, contributing to the reduction of the environmental footprint of the food system;
- to avoid externalisation of unsustainable practices and raise global standards, while remaining within planetary boundaries.

Several policy options are considered. Some indicative elements could be considered during the Impact Assessment process, in particular: defining sustainability principles and objectives, providing common definitions; minimum sustainability standards for foods/food operations; responsibilities of food system's actors; legitimate and proportionate requirements on sustainability for imports of food (in accordance with what is permitted under WTO); sustainable labelling; minimum mandatory sustainability criteria for public procurement and governance systems and monitoring. The work on the impact assessment will start now with more consultations with public and private stakeholders throughout the process. On 12 January 2022, the Commission launched a call for the membership of the Advisory Group on Sustainability of Food Systems, for which the deadline for submission of applications was 10 February 2022.

Pedro Rei Santos (MAC) mentioned that in the following week, a detailed presentation on this initiative will take place, to which he hoped the Commission could be present. The Commission confirmed it will try to be present.

Conclusion

Ms Andersson Pench concluded the meeting by thanking all the ACs for their contributions and active participation. She confirmed that the 2 points on the agenda that could not be dealt with (sustainable blue economy and the single use plastic directive) will be high on the agenda for the next meeting. She announced a second inter-ACs meeting to be held in April or May and a third one before the summer break. The Commission would like to have 4 of these inter-ACs meetings in 2022 concentrated on policy files. Financial and organisational issues will be dealt with in meetings with Secretariats, the first one being on 25th February and the second on the 12th of May. She invited all the ACs to send any comment or question they may have, which will be sent to relevant colleagues in MARE or ENV.