



## **Joint inter-Advisory Councils meeting**

**6 February 2024**

### **Minutes**

The Directorate General for Fisheries and Maritime affairs organised a Joint inter-Advisory Councils meeting (inter-AC) on 6th February 2024 in Brussels. Chaired by Director Stelios Mitolidis and in the presence of Director General Charlina Vitcheva, the meeting aimed at addressing horizontal issues of interest to all Advisory Councils (ACs).

This meeting was held in a hybrid format: 37 participants were present, and 43 participants joined online via Interactio. Simultaneous interpretation was provided from FR-EN-IT-ES-PT-BG into FR-EN-IT-ES-PT-BG.

#### **1. Welcome and adoption of the agenda**

Mr Stylianos Mitolidis (DG MARE D, Director) welcomed the Advisory Councils (ACs) and other participants to the meeting. The agenda of the day was presented and adopted.

#### **2. Opening address and dialogue with the Advisory Councils representatives**

Ms Charlina Vitcheva (DG MARE, Director General) welcomed the participants and expressed how important in-person events are to foster dialogue and valuable exchanges with the ACs.

Based on the questions that were sent in advance by the ACs, Ms Vitcheva noted that the uncertainty regarding the next college is raising some concern, and she reassured that DG MAREs work was not on pause during this transition period. Ms Vitcheva explained that the fisheries package adopted in February 2023 set the focus on implementation and raised ambition with the Marine Action Plan, the Energy Transition and for better integrating the social aspects into policy making. In the continuity of those objectives, Ms Vitcheva highlighted following initiatives where the ACs will be involved this year:

- Evaluation of the landing obligation. The expert input of the ACs will be requested for this study, especially when it comes to data.
- On 19 March the Foresight study on fisheries will be launched. This EU-wide participatory project looks at the future of fishers and their profession. Stakeholder participation in the study is essential to capture opinions and perceptions.
- The Energy transition initiative. The first workshop on financing took place in November, the next workshop on 28 February is on Innovation and research. The output

of these will feed into a common roadmap for the energy transition in to be published at the end of the year.

While undertaking these fisheries specific initiatives, Ms Vitcheva pointed out that DG MARE is extremely mindful of the broader context: the impacts of climate change on the environment, the European food security, the energy crisis, and the political instabilities.

On the evolution of the Marine Action Plan, Ms Vitcheva explained that it has been subject to many discussions already and that beyond the political debate, it is about the realities on the ground. The right balance must be found in transitioning. The implementation is in the hands of Member States and requires closer cooperation between the fisheries and environmental administrations. To break silos and have a better understanding of the challenges and opportunities and to see which measures are best suited for each specific situation. To support Member States, a Joint Special Group has been set up, with a second meeting planned in June this year. And before that, two online workshops will take place in April, one dedicated to financing and a second on eels (eel conservation and related matters).

The Action Plan called for urgent steps to protect dolphins in the Bay of Biscay. The first closure came into force very recently and the efforts from all involved especially Member States and fishers were welcome. It is a big and important first step to put these measures in place, and that the necessary financial support is provided to those affected by the measures. Now it is necessary to follow up with stable long-term measures, as advised by science and required by EU nature conservation legislation. These should be agreed on a regional basis between the Member States whose vessels are fishing in this area. The ACs are strongly encouraged to continue to contribute to this process.

Regarding the questions on control, the revised fisheries control system entered into force on 9 January 2024, and is therefore in the implementation phase. The implementation of the new rules will roll out in successive phases over 6 years. Close collaboration with Member States and stakeholders will be very important to prepare ambitious and fit for purpose secondary legislation, starting in the short term already this year with the conditions for the MOT derogations and the list of ports.

The Control Regulation brings enhanced traceability requirements to improve product labelling and consumer information. DG MARE is finalising a method to score sustainability of a given fishery product for both EU products and imports and will develop an information system by end 2024 that could be used by operators and consumers to determine the score of their product in a user-friendly way. The ACs will of course be involved in this work over the coming months.

Ms Vitcheva thanked and congratulated all the stakeholders involved in EMFF OPs funded projects as the last expenditure was covered at the end of 2023. Despite the several crises that hit the sector during this period, the results, and achievements with the EMFF are satisfying. The full picture of the achievements will be visible when MS have closed their accounts at the end of 2025.

The EMFAF implementation is gaining speed and uptake of the fund is expected to improve as more and more funding calls are announced to stakeholders. Member States are urged and

supported to proceed swiftly with selection and awarding of projects, so that the financial support has a positive effect on policy implementation.

Following this, Ms Vitcheva introduced and presented the regional and topical developments relative to the interests of the entire Advisory Council audience.

### North Sea and Atlantic

- Very good progress was made last year, the negotiations with UK were concluded and the trilateral EU-UK-NO fisheries negotiations for 2024 were concluded right before the December Council. This timely conclusion is a very positive news for the sector, and a proof of the Commissions ability to cooperate effectively with the UK and Norway in a post-Brexit setting.
- The agreement with UK which in principle gives stability and predictability to the sector and covers more than 80 TACs, as well as a range of other commitments to help recover some key stocks with the necessary socio-economic considerations.
- The close cooperation between the EU and the UK in the Specialised Committee on Fisheries contributed to the positive outcome of the annual consultations in 2023.
- In 2024, amongst other subjects, following issues will be addressed: TACs for skates and rays, recreational fisheries for pollack, the Irish Sea sole benchmark, and the development of a multi-year strategy for Channel king scallops.
- Improved technical measures in the Celtic and Irish Seas to support the recovery of the important cod and whiting stocks is also high on the agenda.
- Finally, the Commission will continue to monitor UK's legislative developments: Assessing the last adopted measures - not yet in force (1) permanent closure of the sand eel fishery (2) ban on bottom trawling in additional 13 MPAs. The Commission will also follow closely UK's consultations and expect additional fisheries management plans (FMPs) to be made public this year, as well as accompanying actions and measures for already announced FMPs.
- The bilateral negotiations with Norway for 2024 were overall positive: Commission managed to maintain the level of access to Norwegian waters in the North Sea, where cuts had been imposed in the last two years and exchanges of quotas for important commercial stocks were also concluded.
- It is however disappointing that Norway decided to proceed with their unilateral decision to close the cross-border fishery in the Skagerrak, which mainly affects traditional fisheries. This issue will be followed up in 2024. Stability in access and quota shares is essential for all, and for Norway, access to EU markets is highly valued.
- When it comes to negotiations with the UK, Norway, and other coastal states, the ACs contributions are highly valued, and the inter-AC Brexit forum has served very well in discussing developing policy issues with the UK in the Specialised Committee on Fisheries. 4 of such meetings were held last year. The first meeting was held on 5 February, with good reports from the colleagues involved.
- Early engagement on the outcome of ICES advice is of the essence, and the initiative to meet again this year with all the ACs is welcome, probably in July, depending on the timing of the advice, to discuss the advice ahead of the bilateral and trilateral consultations with the UK and Norway.

- Regarding the protection of Vulnerable Marine Ecosystems (VMEs) in EU waters, Ms Vitcheva thanked the North and Southwestern waters ACs and CC-RUP for their involvement and contributions.
- In 2023 the Commission received new ICES advice and a STECF preliminary assessment of the socio-economic impact of the current and future closures. The conclusion was that closures – current and future – would impact the EU fleet for less than 10% of the Gross Added Value (GVA).
- STECF is now making a deeper analysis for the end of 2024. Member States can take an active part in this, starting on 20 February with a scoping meeting under the steer of STECF experts. Stakeholders can follow the meeting as observers and evidently the ACs are crucial here.
- ACs will also be invited for specific interviews with the sector and stakeholders over the year. The ACs inputs and evidence is crucial to gather information at an individual fishing unit or fishery level to complement the fleet level STECF made last year.
- When these analyses are complete, the Commission will review the 2022 Implementing Act on VMEs.

#### Mediterranean and Black Sea:

- 2023 has also been a very productive year for the Mediterranean and the Black Sea both in terms of political commitments and their implementation, as well as deliveries.
- The MedFish4Ever Conference, in October 2023, brought all Ministers and their representatives together to reaffirm their commitment towards the full implementation of the Declaration through the GFCM 2030 Strategy and its Action Plan. It also launched the reflection process for the future ministerial declaration to be adopted in 2026, in view of new challenges.
- The conclusions are clear: the GFCM must continue to play its central coordinating role, fostering synergies and commitment at all levels, securing political engagement and accelerating progress in fisheries management in the MED and Black Sea.
- For GFCM, 2023 was another successful year, promoting the level playing field with record high recommendation proposals adopted in the last annual session, as well as in the control and enforcement dimension, with the permanent deployment of the EFCA patrol vessel and the reinforcement of the Compliance committee.
- The results of the hard work start to show. The FAO SOMFi 2023 report shows that overfishing decreased to 58% in 2023, compared to around 90% before the implementation of the MedFish4Ever declaration.
- At EU level, the full implementation of the West Med MAP continues with a 9,5% reduction of effort for trawlers coupled with an extended percentage of the compensation mechanism up to 6%, depending on the number of the criteria implemented.
- Ms Vitcheva stressed that the Commission listened carefully to the ACs requests regarding the socio-economic impact when developing the compensation mechanism, and the suggestions on increased percentages and technical criteria are reflected in the final text of the regulation.
- For 2024, the preparations have already been launched at technical level with the Member States regarding the GFCM work on eel, red coral, the small pelagics in the

Adriatic, as well as new FRA proposals and measures for the mitigation of by-catches of sensitive species.

- This year will also be the year of the Black Sea, as the GFCM has decided to organise again the WKBG in July. Here there is pending work on the new TAC for turbot, and on all the other priority species: rapana, sturgeon, sprat and picked dogfish.
- 2024 brings also important GFCM meetings such as the Fish Forum in February; the GFCM Small Scale fisheries Summit in 6-7 July and a regional conference on aquaculture, to take place in December.
- Finally, the GFCM will focus on reinforcing the Compliance committee, to properly assess and follow-up on cases of non-compliance and, if necessary to apply corrective measures against CPCs. This is essential for the functioning of this RFMO and for level playing field.
- Beyond this, on the EU side, Commission will present in July the report on the implementation of the Westmed MAP and come with the new GFCM transposition proposal, covering recommendations adopted since 2021.

### Aquaculture

- On aquaculture, Commission is making good progress in the implementation of the strategic guidelines: the Commission expects to soon adopt the two first guidance documents, and four further guidance documents are in the pipeline. Ms Vitcheva thanked the AAC for their support in this work, and their participation in the dedicated workshops in October.
- Further progress is expected on animal welfare issues following the establishment of the reference centre for the welfare of aquatic animals. This will support the work in 2025 on developing a code of good practices and animal welfare indicators.
- Actions in the EU Algae Initiative will also continue the work with Member States and stakeholders in contributing to a more sustainable, resilient, and competitive EU aquaculture sector.

### International

- Ms Vitcheva thanked several ACs for their work on the international dimension and acknowledged the concerns about competition from level playing with other fleets, imported products and food security.
- Ms Vitcheva reassured the LDAC that their submission on China has not gone unnoticed, it has been feeding the reflections for the future and written feedback will follow.
- On a more general level, when looking at the international dimension of fisheries and aquaculture, there are very significant ongoing developments and remaining major challenges. Many poor countries depend on marine resources for feeding their populations, and with climate impacting fish stocks, the EU must be careful that its own demand for seafood does not deprive poor communities abroad.
- Major achievements in international ocean governance – the Kunming-Montreal Global Biodiversity Framework and the “High Seas Treaty” - may have an impact on the use of marine resources, but first and foremost, they should be an opportunity to reconcile two essentially interdependent sides of the same coin - resource conservation and resource use - against the yardstick of sustainability.

- The world has become more complex, and the new geopolitical tensions permeate the international relations in fisheries and ocean governance, making agreements with third countries sometimes increasingly difficult.
- These challenges set the context for Commission action and must be factored into the discussion on (sea)food security and trade competition.
- Sustainability is fundamental for food security. This starts at home, with the full implementation of the CFP objectives, the sustainable development of aquaculture and addressing one of the main threats for the stable supply of EU fishery and aquaculture products to the EU market, the high dependency of the sector on fossil fuels.
- The same is true globally: only effectively managed aquatic resources can contribute to a sustainable food system worldwide.
- The EU is actively promoting responsible fisheries in all regional fisheries organisations and in its bilateral relations with third countries, 14 SFPAs are in force. A new Agreement and Protocol with Madagascar and a new Protocol with Kiribati were signed in 2023 and negotiations are starting or about to start with Cabo Verde, Guinea-Bissau, and Côte d'Ivoire to renew SFPA Protocols with these countries.
- As the EU imports an important share of the aquatic food it needs, it is important to ensure that the aquatic products imported also come from sustainable and effectively managed fisheries and aquaculture.
- Overall, for the international aspect, it is essential that the EU continues to manage its resources and fleets within the EU but complement this by ensuring that action of the external EU fleet in international waters and third countries' waters is based on fair and sustainable rules.

### Conclusion

To conclude, Ms Vitcheva reminded the ACs how valuable their role and input is to the Commission in order to make informed policy and collect evidence to support decisions about the future. ACs also have a role to play in implementation.

After the meeting, the team will follow up with all the dates and calls for support in writing.

### **3. Questions and Answers**

Mr Antonio Marzoa Notlevsen, chair of MEDAC:

Mr Notlevsen thanked Ms Vitcheva for her presentation.

He raised that the current guidelines for the structural fund don't allow unbalanced fleets to have access to the funds. Doesn't this approach run counter to the need to modernise and decarbonise the fleet which is a major challenge for Europe? Shouldn't these standards be revised so that unbalanced fleets have access to the necessary support to modernise and decarbonise and be actively involved in combatting climate change which is having huge impact on the Mediterranean?

Considering the desire of the EU to reduce the impact of bottom trawling and decommissioning under the structural fund is limited to a maximum which does not cover all the applications; would it not be a good idea to have another look at the limits that have been set? Mr Notlevsen

underlined that all the organisations from all the member states that are involved in the GFCM have made this point because it is indicative of the situation the fisheries sector finds itself in.

Moreover, he suggested a reflection on what is happening was necessary, based on the fact that micro-businesses and their crews are requesting that the permanent cessation measure, which was closed in December 2017, be reapplied. A fact like this should draw our deep attention.

He also commented that the objective of the WestMed MAP was never to apply a 40% reduction in working hours, but rather it was one of the possible measures to apply, provided that the best scientific advice justified it.

### Reply

Regarding using the EMFAF fund to upgrade vessels, Ms Vitcheva explained that limitations are foreseen to keep the balance between fishing opportunities and fishing capacity. This question is at the core of the EMFAF objectives; the idea is that the fund cannot support or contribute to non-sustainability. Supporting vessels which exceed what is allowed by the fishing opportunities puts additional pressure on the stock and lowers the economic profitability of the fleet and that cannot be supported by the EMFAF. Economic profitability and environmental sustainability must be balanced otherwise it would not be a sound investment. The first exercise to ensure sustainability on both sides, economic and environmental, is to restructure and get the balance right.

About the decommissioning, there were tough discussions on how to craft the EMFAF. The EMFAF can be used for many things, but the balance must be right to ensure that all priorities of the EMFAF are taken up. Any excessive disproportionate fund allocation increase of one heading of the EMFAF programme will bring disbalance and this is why there are limitations.

### Mr Segio Lopez Garcia, chair of SWWAC:

Mr Lopez thanked Ms Vitcheva for her presentation but noted that it focussed more on the positive and less on the major challenges ahead.

He raised the protection of dolphins and explained that there is unanimity in the sector that it is not properly dealt with. France adopted a rule and Commission should have defended Article 13(2).

Mr Lopez pointed out that, simplification and harmonisation are critical points for the control regulation but that it's difficult to achieve when the amended version of the regulation is longer than the original version of the regulation.

He agreed that using sound scientific data is very important but raised that the STECF conclusion closures would impact the EU fleet for less than 10% of the Gross Added Value (GVA) is incorrect. ICES did not receive enough data and the STECF itself stated that the data was insufficient.

Finally, Mr Lopez agreed that the security of food supply is important, but more should be done about food sovereignty. The latest crises have shown that Europe increasingly is in a very

bad situation. Commission needs to step up its involvement with the ACs and should maybe talk less and listen more.

### Reply

Regarding the dolphins, Ms Vitcheva referred to the interplay with the environmental legislation. The French authorities reacted based on a national court procedure concerning the implementation of the environmental legislation. At the same time, the joint recommendation submitted by the Member States concerned was not positively assessed by the STECF and therefore not adopted by way of a delegated act. To find a solution, Ms Vitcheva recommended liaising with the scientists who work on dolphins in the Bay of Biscay for example so that they can transfer the advice to ICES scientists. For the joint recommendations, the scientific assessment by the STECF is mandatory. The Commission expects a new joint recommendation that could pass the verification of STECF and hopes that this will be the case before the next season.

Ms Vitcheva agreed that the reason why there was a big debate about VMEs at the beginning is because a lot of data was not supplied. The call for data is done with a cutoff date so that ICES can analyse the data and provide advice. Commission agreed that the preliminary analyses of STECF related to the socio-economic data is insufficient due to little data provided. A deeper and more detailed analysis will follow but this takes more time.

### Ms Alexandra Philippe, vice-chair of NWWAC:

Ms Philippe apologised on behalf of the chair Mr Emiel Brouckaert who could not be present.

NWWAC provided advice on the CFP, on the Marine Action Plan, the Energy transition as well as a recommendation on generational renewal with NSAC which is all interconnected. The two main points that come out of this work are the need for legal certainty to provide predictability to conduct all this work and to provide a holistic approach of the management of the whole ecosystem. A holistic approach that considers the different pressures that are occurring to the marine ecosystem as well as the socio-economic aspects and the food security aspects that impact the marine ecosystem.

Ms Philippe explained that the ACs have limited resources and that it would be very helpful to get guidance on what to target in their work to provide what is expected. For example, regarding the evaluation of the landing obligation or the next steps for the VMEs and control NWWAC would appreciate more information and guidance and what to target.

Concerning the next mandate, NWWAC is calling on the Commission to strengthen the impact of the ACs and to provide more transparency regarding what comes out of the provided advice.

Ms Philippe confirmed that the advisory council is at the Commissions disposal to enhance stakeholder engagement and to support policies where environment and food security are well balanced. After Brexit, the landscape of the Northwestern Waters has changed and causes uncertainty for the future.

### Reply

Ms Vitcheva fully agreed with the need for legal certainty and the holistic approach.



ACs will receive more detailed information about the upcoming consultations, about the landing obligation and about future advice and what to target.

Regarding the next mandate and the role of the ACs, Ms Vitcheva reminded of the amendments to the rules some years ago and welcomed the ACs adherence to the new format. The Commission is ready to discuss in the context of the evaluation of the CFP and inevitably if there is a future debate about the future CFP, the role of the ACs would be part of it..

Ms Vitcheva emphasized that the Commission is committed to the transparency on the uptake of the advice received. All the advice received is transferred and defended in the inter-service consultations. In all the responses sent by the Commission this is specified. If more transparency is needed Commission is open to hear how.

#### Mr Ken Skau Fischer, chair of NSAC:

Mr Skau Fischer appreciated the introduction by the director general. He encouraged carefully reading the advice on generational renewal, landing obligation, decarbonisation, and climate change. This year NSAC will work on the bottlenecks for innovation and selectivity and on the future of CFP. For both conferences and workshops will be organised in Brussels.

Mr Skau Fischer highlighted the issue on data and monitoring in general of the sea and the conditions of the sea. It is obvious that fishers have an interest to have a healthy sea. He thinks it should be part of the Commissions obligation to ensure that much better data on the state of play concerning the sea and the seabed condition are available. There are a lot of figures and data circulating and it seems one can pick whichever figure they need to make their statements concerning the state of play of the Sea, but it should be the Commissions role to make sure correct data concerning the state of the sea and the seabed is communicated. For example, one data circulated also by the Commission is that 78% of the North Sea is bottom trawled but this figure is misleading and even the ICES report where this is mentioned states that it is exaggerating the actual amount of the seabed being bottom trawled.

Another point raised is social sustainability. The EU is strong on social sustainability, but there should be an obligation to help other countries to reach this social sustainability. It is not easy to watch how European fishers are squeezed out of the market because of fish caught in other countries where aspects like social sustainability are not considered. More work should be done on the import of fish and fish products to the European market.

Finally, on the landing obligation and the work with the UK, Mr Skau Fischer stated that the landing obligation is not working in the EU because the fishers of the EU don't understand the need of the landing obligation. Therefore, perhaps it would be important to learn from the work the UK started to do on this topic.

#### Reply

Ms Vitcheva fully agreed that Commission must look at the UK work on the landing obligation and other initiatives.

DG MARE collects data through EMODnet, the data network for marine observation, and the European Earth observation programme (Copernicus). Ms Vitcheva recommended to NSAC to refer to these two sources of data. She also pointed out the data from these two sources plus

other data sets will be used to create the digital twin of the ocean (European DTO). This digital model will allow the replication of the properties and behaviours of marine systems and to simulate futures. The Commission is open to see how to improve data sufficiency and data proofing of its policy.

Misperceptions such as the 78% of the North Sea being bottom trawled are unfortunate and the Commission is constantly facing these types of misinformation. Only facts can prove those misconceptions wrong.

Ms Vitcheva concurred that social sustainability does not stop in the EU, and this is why the Commission is working on social indicators. The Commission is fully on board and passing on this information to the relevant third parties. Europa has a very strong ally in WTO, the USA and a number of other countries. The proposal is now with the co-legislators. ACs can request further information from the MS.

Mr John O'Donoghue, chair of PELAC:

Mr O'Donoghue thanked Ms Vitcheva for her presentation.

He raised the mackerel issue in Norway and the Faroes which is continuously overfished and putting the mackerel stock in jeopardy. The ICES advice is telling that there is consistent 45% overfishing of the mackerel stock and it will now be the 4<sup>th</sup> year in this situation. The mackerel is the economic driver of European pelagic industry, therefore PELAC has a huge interest in insuring the sustainability. Norway and the Faroes are likely to continue so are measures taken by the Commission to stop Norway and the Faroes overfishing the mackerel stock?

The PELAC continuously highlight the climate change and ecosystem approach to fisheries management. They put forward concrete suggestions to organise training session arranged possibly through ICES for the ACs and the Commission as well.

Regarding the future of fisheries and the foresight project, PELAC would like to know what Commission expects from the ACs?

The benchmark on the three horse mackerel stocks is coming up. PELAC has been at the forefront of developing genetics for stock ID. They would like to see a dedicated group in ICES to ensure that genetics become part of stock assessment going forward.

The PELAC deals with three different member state regional groupings and has consistently asked if there could be a grouping composed by those three member states because they are dealing with species rather than geographical areas. Maybe something could be done which would be appreciated.

Reply

Ms Vitcheva noted that negotiations about the mackerel have been very difficult. Unfortunately, as it is an international negotiation, and everybody must agree. Some of the measures taken by the Commission are that mackerel has not been included into the autonomous tariff quota regulation (ATQs) nor in the renewed trade preferences. The Commission is claiming the damage that this overfishing is causing to the European fisheries and knows that time is running. The Commission is working on preparing a legal procedure.

All the scientific information on climate change and the ecosystem approach should be shared with ICES.

Detailed information will follow regarding fishers of the future and the foresight project and what type of input is expected.

Ms Vitcheva concurred that genetics for stock ID is indeed essential for the pelagic stock and the climate change impact and the scientists of ICES should be informed. This topic will be discussed during the next meeting with the ICES chair.

ICES must remain independent so the way to work with them is through the scientists.

Mr Glenn Douglas, vice-chair of BSAC:

Mr Douglas apologised on behalf of the chair Mr Zieliński who could not be present.

He thanked the Commission personnel for attending BSAC meetings and working groups which is important because that is where dialogue occurs.

Talking about the next mandate, we looked at the proposal to take article 4(6) out of the multiannual plan implementation. There are two different opinions within the AC but the recommendation from the majority of the AC is that this article should be changed. One thing all members agree on is that the Baltic multiannual plan has not delivered and should be revised looking at the future. In 2024 the Commission has a report on the implementation of the multiannual plan, could that be a kick-off in looking at revising the multiannual plan?

Another question relates to the joint special group work. The BSAC has been asked to focus on eel since October 2023 for this special group. Is there any update on that work? Does the Commission see space for further collaboration with Helcom and Baltfish which have been working on that topic?

Reply

Ms Vitcheva explained that for coherence reasons, Article 4(6) has to be changed and the proposal is underway.

Ms Vitcheva noted that once the 2024 report is done a discussion can start on whether the multiannual plan should be amended.

Eels will definitely be a topic for the upcoming special group and the work with Helcom will continue.

Ms Yobana Bermudez, chair of MAC:

Ms Bermudez thanked Ms Vitcheva for the presentation of the policy priorities of DG MARE and the possibility to exchange.

On behalf of the MAC, Ms Bermudez asked for information on three policy topics:

- The sustainable food systems framework.
- The legislative proposal on banning forced labour.

- Substantiation and communication of green claims, including on the development of the product environmental footprint category rules for marine fish products.

What is the status of the legislative proposals? How is DG MARE involved with other DGs? Have the MAC recommendations been taken on board?

Reply:

Ms Vitcheva explained that a very ambitious package for the sustainable food systems framework was prepared but it could not make it through this mandate. The work continues for the next mandate.

DG MARE is working on environmental indicators and DG ENV on the green claims. Commission can come back with further information after consulting DG ENV.

Mr David Pavon, chair of CCRUP:

Mr Pavon thanked Ms Vitcheva for the opportunity to exchange views with DG MARE and share the specificities of the outermost regions.

One of the CCRUP members from French Guyana had a question about the yellow snapper which is subjected to 15% landing fee in Europe. This problem needs to be resolved for the viability and survival of the sector in French Guyana. The French Guyana asked for an amendment to the regulation on that matter, but it has not been resolved yet and the subsequent amendment of that regulation did not allow for any changes either. Could the Commission look at this issue as quickly as possible?

Reply

A first meeting on this matter took place on the 14<sup>th</sup> December 2023 with the relevant services involved to discuss the potential options and how to resolve that matter, the work continues, and the Commission will get back with more information.

Regarding the specificities in the Outermost regions, the Commission is very conscious of the challenges facing the Outermost regions and will keep defending their interests and address their specific difficulties.

Mr Ivan Lopez, chair of LDAC:

Mr Lopez thanked for the opportunity to exchange and expressed that the format of the Inter-AC could be improved so that all 11 ACs get sufficient time to speak. He suggested taking some ideas from the Inter-AC for BREXIT which works very well.

A big concern for LDAC is the lack of MARE personnel and they are thankful for the effort and hard work provided by MARE colleagues to attend the meetings, but he considers that Commission cannot lead and negotiate via ZOOM or TEAMS. The work is fundamental, and it is crucial for the Commission to be present in the meetings.

Mr Lopez expressed his concern about the future, the work priorities and how the external dimension will play into it. The external dimension should be a priority of the European Union

as a key area for credibility. Since LDAC is one of the main players in international governance, they would like to see progress in the coordinated implementation of fisheries control, IUU, sustainable fisheries partnership agreements etc... all these policies should be more integrated to be more efficient.

LDAC is working on the evaluation of the SFPAs in a coordinated way with MARE because this is a key area for the future.

Another point raised is the investments made in third countries by Europe and other countries. How those investments shape the international fisheries and how they end in the European market very often against the CFP principles. LDAC is organising a seminar in May in Berlin to talk about joint ventures and how they operate to which Commission is invited.

Finally, LDAC and MAC sent a very thorough advice addressing China's global distant water fleet activities implications for fisheries governance in December 2022 and would like to receive an answer. Mr Lopez points out that there certainly is enough evidence to signal to China directly or indirectly that they are not progressing on the good governance of international fisheries. LDAC members as well as COMAFAD and the African union group of fisheries also share this opinion. The Commission should therefore prevent the use of the ATQ instrument for products originating from China, for example on tuna loins.

In general, Mr Lopez stresses that more must be done on the import control schemes and on the global control of imports and trade.

Finally, LDAC wishes for more and deeper dialogues. A lot of work has been done on the external dimension, but it is not incorporated properly in the CFP which is a shame.

#### Reply:

MS Vitcheva thanked Mr Lopez for the comprehensive review. The European Parliament is also very open to strengthen the capacity of the Commission to implement the external dimension of the CFP. She pointed out that there is a whole directorate responsible for that and a lot of work is done to align and integrate all the leverages whether its IUU dialogue, whether its SFPAs or INPA. Indeed, very often, countries with whom the EU has SFPAs change their opinion in IOTC or other RFMOs. The Commission is trying it's best and for example in IOTC the overall mood and environment has improved. Ms Vitcheva agreed that Commission must use its leverages coherently.

As for the Commission staff issue, Ms Vitcheva raised that there are a lot of clashing priorities internally in the Commission and that since her arrival in MARE there were no cuts but the importance of exclusive competence needs to be passed to the College, to the Commission and to the European Parliament. High-level letters such as the one sent by LDAC on that issue are very helpful.

The investment forum is indeed very interesting, and it is to be seen to what extent the Commission can attend given the busy agenda.

On the control and the external dimension work is progressing.

Regarding the evaluation of the SFPAs the Commission is thinking of an even more thorough evaluation of the international dimension in the next mandate.

Ms Vitcheva thanked for the very comprehensive paper on China and explained that the Commission has also prepared an in-depth reflexion in parallel and will send a reply to LDAC advice shortly.

Ms Vitcheva pointed out that China is being very cooperative in WTO but there will be tough negotiations at the end of February. With regards to the relation with China, the Commission always must keep in mind what the objective is, to have discipline, to control what can be controlled and steer in the right direction. This can happen in different ways and the partnership balanced approach is the best start in this complex landscape. There was a set of high-level dialogues in October 2023 during which members of the China administration made it very clear they want to be respected. They will not promise much but will expect to deliver on some issues including new legislation and new enforcement measures. Indeed, a lot of ATQs come from China and Ms Vitcheva explained during the high-level meetings that EU citizens are very demanding on sustainability. A fine balance must be maintained in the relation with China.

Ms Mihaela Candea-Mirea, office assistant BISAC:

Ms Candea-Mirea thanked for all the information provided by the Commission and the other Advisory Councils.

The BISAC would like to receive an evaluation on the efficiency of the state aid that Romania and Bulgaria received during the COVID-19 pandemic and after. The fishers are very grateful for the support, but the implementation is lacking in reaching the objectives. Support from the Commission is needed to assess if and how the aid is reaching the fishing community and if it is effectively helping to overcome the challenges faced. In the EMFAF direct management there are also gaps between the EU level objectives and the implementation and fishing community level.

Another important issue in Romania and Bulgaria is the interaction between the offshore windfarms and the fisheries; BISAC sent a recommendation on that subject to the Commission and the member states.

Reply

Ms Vitcheva acknowledged the importance of the evaluation and reassures that it will be done seriously.

She pointed out that the interaction with the windfarms should be analysed in the context of the maritime spatial planning and the blue forum. The Commission will be issuing soon a synergy tool which is not about simple coexistence of different users of the sea but about synergies and how to have a multi-use of the space for the benefit of several activities. It will be an interactive tool on internet. Ms Vitcheva also reminded about the Ocean week at the beginning of March, which is a constellation of events during which different projects will be presented including the new synergy tool.

Mr Brian Thomsen, chair of AAC:

Mr Thomsen raised six topics:

- The recent report from the EU court of auditors on EU aquaculture policy. The AAC has drawn two conclusions: first, the need for a set of indicators and thresholds for sustainability to give direction and to monitor progress towards sustainability and second, the need for aquaculture policy reform to align aquaculture policy with agriculture and fisheries.
- Inclusion of indicators on economic sustainability in the next STECF report. In July last year the AAC and MAC jointly advised the Commission to include a special chapter on economic sustainability on aquaculture in the next STECF economic report. AAC argued that the conclusions in the report from the court of auditors underline the relevance and importance of that advice and kindly urged Commission to act accordingly.
- Annual survey to Member States on defined performance indicators. The AAC supports the Commission's proposal that the monitoring takes the form of an annual survey to the member states on defined performance indicators to be launched for the first time by the beginning of 2024 and is looking forward to discussing the results.
- The welfare of aquatic animals is a high priority for the AAC and Mr Thomsen encouraged the Commission to include the recommendations in the animal welfare legislative review and to include animal welfare in the sustainability indicators on aquaculture. The AAC is pleased that the consortium for the animal welfare reference centre has been selected.
- Mr Thomsen informed that the AAC conducted their first independent performance review which is overall positive. The advisory council is working on a report with an action plan to address the shortcomings.
- The final point raised was the aquaculture policy reform. In the short term the AAC recommends an aquaculture policy reform to align aquaculture with agriculture and fisheries and in the long term the advisory council recommends developing a common food policy.

### Reply

Ms Vitcheva thanked Mr Thomsen for his extensive overview.

She explained that the ECA report raised inherent issues such as the Member States' spatial planning and licensing procedures, the environmental sustainability, or the perception of the consumers which the Commission is addressing with various guidance documents and trainings will also be organised to discuss these issues. In that context Ms Vitcheva also reminded that the Aquaculture Assistance Mechanism supports the Commission, the Member States, the aquaculture industry, and other relevant stakeholders, in the implementation of the 2021-2030 Strategic Guidelines.

Ms Vitcheva fully recognized that the aquaculture is often in rural areas and therefore the agriculture policy must be considered for the aquaculture policy. She also fully supported that aquaculture is a shared competence with the Member States.

Ms Vitcheva also acknowledged the call for changes which will not be easy to achieve. In the meantime, she encouraged to ensure that what is in place delivers as much as possible.

#### **4. Lunch Break**

#### **5. Presentation of the New Control Regulation**

##### Introduction:

Jérôme Broche, Acting Head of Unit D4 and Marta Moren, Policy coordinator in unit D4 joined the meeting to present the state of play of the newly revised Control Regulation (CR). COM recalled that the revision was a very long negotiation as it took 5 years to get the political co-legislators approval. The revision brings overall substantial changes in terms of modernisation and digitalisation. There is still no consolidated version available yet as the text is very complex. Such consolidated version will be available when all new obligations enter into force.

The Commission underlined that the revised CR just entered into force: there are things we know in terms of implementation and things that will need to be developed, as secondary legislation will be developed. The entry into force is an exercise in different phases. The Commission thanked for the questions received in advance and confirmed that the answers are going to be prepared and shared after the meeting.

##### Presentation (detailed PPT provided):

The revision of the fisheries control system concerned several legal instruments. The presentation focused on the revision of the CR. The Commission started by recalling the obligations of Member States: to manage and report data, but also to control and inspect the fisheries activities of the fleet and ensure that traceability requirements for EU and non-EU products are in force. These elements must be put into motion by Member States.

It was then highlighted the measures incumbent on the Commission: prepare the secondary legislation, inspect the fisheries control of Member States and evaluate Member States' implementation and enforcement (inspections, implementation of the legislation), define systems and solutions for efficient data management as well as a role on the development of IT tools. The European Fisheries Control Agency (EFCA) supports the Commission and Member States on inspection issues and provides, when necessary, trainings for inspections and tools.

The revision was driven by the need to modernise and ensure far more advanced and digitalised tools in order to ensure environmental sustainability. The time of implementation has come now and will be complex. 70 % of the CR has been changed. Some provisions enter into force immediately, some after 6 months, 2 years, 4 years and even in 5 years' time.

The Commission reported on the main changes that the revision has introduced such as digitalisation of data reporting (no paper anymore), on extension of control rules to fishing without vessels, new control tools (CCTVs), new control data to be reported in the logbook, and revised provisions for reporting of weighing. The requirement on REM on board is related to catching vessels larger than 18 meters with high risks of non-compliance to the Landing Obligation. The Commission confirmed that new provisions have been included for EU



external fleet to ensure credibility and compliance with the CFP. The revision has brought harmonisation of rules across sea basins which is important to ensure a level-playing field, harmonisation and rationalisation. About the Margin of Tolerance (MOT), the Commission explained that it remains the same (10%) but some derogations have been introduced.

On traceability of fisheries and aquaculture products, novelties have been introduced as well, notably the digitalisation of the transmission of data. The obligations on traceability data reporting will apply in 2 years' time for fresh and frozen products from within and outside the EU. The unique fishing trip identification number will be part of the traceability information to report.

About the implementation and the preparation of secondary legislation and other Commission's tasks, the Commission detailed the short-term measures (MOT, study on traceability and IT tools development), the medium-term measures (review the implementing Regulation and prepare the secondary legislation for what is obligatory by January 2026). After that the Commission will then work on measures (REM, algae and prepared and preserved products, catch reporting) that will apply by January 2028. The Commission projected a clear calendar (included in slide 20 & 21 of the PPT presentation) on Implementing acts foreseen before January 2026 and January 2028.

#### Questions by Advisory Councils:

MEDAC asked for a clear timeline of the implementation because its members are somewhat confused as it complex to read and interpret. MEDAC Group 1 Coordinator thanked the Commission for the clarity provided on MOT. He further asked for a clarification on the objective indicators there will be to flag up high risk of non-compliance with the LO. About sanctions, there was an ECA call for greater harmonisation of sanctions. MEDAC does wonder whether, in the case of serious offenses, this will lead to differences in the sanctions regime, which is quite the opposite of what has been called for. Finally, MEDAC is trying to do a monitoring of sanctions systems existing, with a view to harmonisation, and does wonder about their reading of two kinds of serious offenses and about the co-legislators choices (i.e tampering with a motor).

SWWAC wondered if it was possible to clarify who is responsible for what on the side of Member States and the Commission.

LDAC questioned the joint inspections and wondered whether they were planned in the context of IOTC or related to the MOT. LDAC representative further asked whether we would really have the capacity to ensure controls on transshipments at sea and imports into ports. Thirdly, LDAC wondered how the Commission would coordinate with authorities on the control on working conditions between fisheries control staff and labour control authorities. Will there be a pre-identified list of non-compliant vessels for forced labour? Finally, for RFMOs not applying LO for example, how will the EU table recommendations in RFMOs, to make sure level-playing field is ensured?

BSAC thanked the Commission representative and underlined most of its questions have been answered. However, BSAC wondered, about the MOT, why will the rules for the Baltic be different in the coming years? BSAC added several questions on recreational fishing, sent in

writing. Will the LO apply to recreational fishers? BSAC also added a statement on pescatourism is a commercial activity and has nothing to do with recreational fisheries as such.

PELAC underlined that there is a short-time measures in terms of list of ports where the MOT is applied. How are MS going to supply the list, what is the timing and what are the criteria? There are very significant changes to weighing (for pelagics, Articles 61 and 62), PELAC wonders where the implementing regulations stand on weighing? PELAC further underlined the need to involved Advisory Councils in the preparatory work on the delegated acts.

NSAC thanked the presenter but underlined worries on the increase of red tape, especially for smaller and medium-sized family-owned vessels. About enforceability, several of the issues being dealt with are causing serious problems and are not new. An example: 6 miles when passing through MPAs. Why do we need this in this respect as it is a lot for small and middle-sized vessels. This is the kind of rules which will cause difficulties for smaller vessels to comply with. The question of separate storage aboard vessels is also problematic, especially for smaller vessels in demersal mixed fisheries. On the LO and CCTV, NSAC is concerned about it based on experiences in Denmark, with a CCTV project running. The real difficulty here is about dumping one single fish by accident, you still qualify for serious infringement. There is a need for limits. Also, on CCTV and data protection, what are the links with the GDPR? On the engine power control, there is some valid but NSAC thinks it is important not to create another monopoly in this respect and there should be the possibility to use different engine control technologies. NSAC encourages the Commission to ensure impact assessments are done during this implementation phase as well.

MEDAC Chair applauded what was said by the representative of the NSAC who denounced that legislation is being legislated to the millimetre, to explain that with the CR a common framework is not being established, a basis of reference from which to start working, but rather it goes into the most specific details which, necessarily, leads to a departure from the norm with respect to the reality that one wants to legislate. This situation makes equal treatment difficult, leading to the opposite. MEDAC raised up the fact that the CR is so complex that it seems that not even the Commission is clear how they should proceed with its implementation, since it not only exceeds the capabilities of the Fishing Sector. MEDAC insisted that fishing capacity cannot continue to be measured with criteria that belong to the Merchant Navy. TACs and Quotas apply, in addition to a specific number of fishing days that are constantly reduced. These are the systems that limit and define fishing capacity. The power of the engines (and the tonnage) has nothing to do with fishing capacity, but they are important for navigation safety and the best conditions on board.

A CCRUP representative underlined that the situation in the Indian Ocean is extremely complicated, with many vessels authorised to fish in the European waters of the outermost regions with “complete impunity”. He further underlined the need to protect the regions and to increase control and monitoring. CCRUP’s second representative stressed the need for a more detailed and pragmatic approach on planning, with a guide or manual clarifying who does what.

NWWAC thanked the clarity of the presentation but wondered whether further clarifications could be given on catch certification and the discrepancies between the legislation regarding the LO and the Technical Measures Regulation – how will the revised CR be applied?

NWWAC backs up the request from PELAC to involve Advisory Councils in the delegated acts.

MAC mentioned that it had sent several questions in advance of the meeting. The MAC took the opportunity to ask for more information about the study on feasible traceability systems and procedures, foreseen in Article 58 the revised CR, including when it will be available and who will be commissioned to conduct it and whether there would be a possibility to contribute to the Terms of Reference. As the study will provide a state of play on available digital solutions and methods, what will be the eligibility criteria for choosing the digital traceability system? MAC also wonders how the Commission will ensure that the implementation of the new traceability rules meets the practical realities of the fish processing and trade sectors?

#### Answers by the Commission

As the questions have been transmitted to the Commission in writing, the Commission will provide in turn the questions in the same format (attached to the minutes).

About the Control Regulation, the Commission recalled that answers will be provided on questions related to the changes decided by co-legislators, but not on the aspects which the co-legislators decided not to change (in other words, on what is new after the revision).

About **timeline** and clarifications about the different steps, the Commission provided a general picture through the calendar of the presentation (which was distributed after the meeting). The Commission intention is to focus on the short-term priorities for the moment. The timeline will be refined on further steps along the way.

About the **Baltic Sea and the MOT**, the Baltic Sea Multiannual Plan provides for different rules in terms of MOTs. The objective of the revision was to gradually bring these specific treatments towards the MOT baseline. On process for the **rules on conditions listed ports** should fulfil, the Commission confirmed that an implementing act should be in place before summer 2024. The Commission is currently discusses with MS in the Expert Group meetings, namely options on the conditions for ports to be listed. A first list of listed port should be adopted after Member State's proposal and subsequent Commission assessment.

About cameras onboard vessels (**CCTVs**) and fleet segments concerned, the Commission highlighted that this will be discussed with MS and with the support of EFCA.

On **traceability**, the Commission confirmed being at the beginning of the inception phase of a 4 to 5 years project and highlighted that the study will be a priority, but work has not started yet. This should be a consultative process, via a contractor running a fact-finding exercise.

About sampling **plans and control plans**, these will be standardised through templates, which will ensure a uniform approach. This should be done by January 2026.

On the questions about **sanctions**, the Commission underlined that the revision has harmonised and streamlined the criteria. This must strengthen catch reporting, enforcement, and compliance.

On **Article 60** it was noted that it focuses on rules for weighing on landing, weighing on board, weighing after transport within the EU.

On **recreational fisheries**, the Commission confirmed that the revision has also targeted recreational fisheries considering the importance of this activity, notably on species subject to quotas.

About **forced labour**, the Commission highlighted that it is one of the novelties introduced but no discussion has been held so far with Member States.

On **coordination with RFMOs**, it was noted that the Commission has always been vocal for pushing to have equivalent standards within RFMOs – compared to the CFP - and promote level-playing field. It is important to continue to push in this direction.

To conclude, the Commission confirmed that key words for the revised CR are coherence, efficiency, digitalisation, and level-playing field.

Further responses to questions have been provided separately and will continue to be provided by DG MARE concerning pending issues.

## **6. Revision of the EU fisheries control system: changes to the EU IUU Regulation**

Introduction: Ms Desiree Kjolsen, Policy Officer and Sara Perucho Martinez, Policy Officer unit B4 presented changes to the EU Regulation on Illegal, Unreported and Undocumented (IUU) fisheries.

The Commission informed the ACs on the changes to the regulation. A detailed presentation is shared in parallel of the minutes and a FAQ on [DG MARE's website](#), continuously updated.

Presentation: The Commission described the system of “cards” (red or yellow) and listing of countries non-cooperating in the fight against IUU fishing and underlined a new measure (which entered into force on 10.01.2024) which prevents EU operators from being owners of fishing vessels which are flagged to non-cooperating countries.

The Commission presented the changes related to the catch certification scheme itself that will be applicable from 10 January 2026. Firstly, the digitalisation and development of IT system (called CATCH). CATCH becomes mandatory to use for submission of catch certificates and related documents by EU importers to the competent authorities of the MS. 3d country operators will also be able to use CATCH directly but on a voluntary basis.

Another important change relates to processed products imported to the EU: the Commission confirmed that from 10 January 2026, a processing statement will be required for all processed products together with the catch certificate, irrespective of where the processing takes place (the same country of the flag of the vessel or other).

The Commission also informed about the adoption, through a delegated regulation, of a template for non-manipulation declaration for indirect import of fishery products, in line with the requirement established in Article 14.1 of the IUU Regulation. This template is already required by UK for its imports.

Q&A

The Commission received a question on whether this measure is applicable to joint ventures and confirmed that owners are obliged to request a de-registration within 2-months of the notification. There is no mention of the type of ownership, so the measures apply equally to joint ventures too.

The Commission is raising awareness with third countries authorities about the IUU Regulation changes to promote the direct use of CATCH as much as possible. A very good cooperation system has been established over the years with authorities from 3d countries and is used to communicate the upcoming changes in the legislation. As per EU stakeholders, there is an IUU Working Group with EU MS authorities and regular meetings are taking place. Training on IT systems will be offered to authorities who will then train their national stakeholders.

Answering a question about 3d countries refusing to use CATCH, the Commission underlined that the use of the IT system will not be compulsory for exporters or third countries authorities that will be allowed to continue validating paper documents. It will be up to the importers to introduce the data in CATCH from the paper certificates, because submission to the Member States authorities will have to be done through CATCH. However, the Commission is focusing efforts in the promotion of the direct use of CATCH by third countries. CCRUP intervened on successful IUU Regulation sanction system such as with Trinidad and Tobago (currently under the red card and listed as non-cooperating country) but alerted that Guyana is experiencing pressures from Brazil on related IUU-fishing, including piracy. The Commission replied that it is aware of the situation and that contacts have been on-going with the Member-State concerned (holding the competence on that matter) as well as with the CCRUP. The Commission is always ready to engage in dialogue about these topics, but the process of moving from simple cases to formal IUU dialogue (“cards”) has to follow specific rules.

## **7. AOB points**

During this last part of the meeting, the ACs thanked the Commission for organising this meeting but also expressed their concerns about the format of the Inter-AC which does not allow for enough time for exchange. Each AC sends five representatives to the meeting in Brussels but only one representative can speak in the name of the AC and for a limited time. It would be constructive to rethink the format in collaboration with the AC secretariats who have a lot of experience in organising meetings.

## **8. Close of meeting**

Mr Mitolidis thanked the ACs for all the questions raised and for the overall fantastic day of networking with everyone. During the day the participants got a very detailed overview from the Director General on where the Commission is standing on every file and where it is going. This meeting gave the opportunity to the ACs to get a glimpse on the revised CR and how IUU policy is evolving.

There is room for improvement on the format of the Inter-AC meetings and the MARE team will reflect on it in collaboration with the AC secretariats.

Finally, and to close on a positive note, Mr Mitolidis stated that once again this day helped to advanced and learn from each other. He also thanked the interpreters for their excellent work throughout the day.