

**BSAC Extraordinary General Assembly
Tuesday 6th November 2018
National Marine Fisheries Research Institute, Gdynia
ul. Kołłątaja 1
81-332 Gdynia, Poland**

Draft Report

The BSAC held its Extraordinary General Assembly on 6th November 2018 in Gdynia, at the National Marine Fisheries Research Institute.

Steve Karnicki, the BSAC honorary chair led the meeting. The meeting was attended by BSAC members, Member State representatives from Denmark and Poland, DG Mare and several observers.

Before the start of the meeting, representatives of the Polish Baltic Angling Association, who took part in the protest held outside the National Marine Fisheries Research Institute, were invited by the Honorary Chair to present their letter addressed to the BSAC. In their view, recreational fishermen should be better represented in the BSAC, to include boat owners and organisers of the angling tours, so as to improve the quality of the advice and secure the interests of this professional group.

1. Welcome by the Honorary chair of the General Assembly (Steve Karnicki)

Steve Karnicki, the BSAC honorary chair welcomed the participants to Gdynia. He underlined that the main purpose of the meeting was to elect the new ExCom chair. He welcomed the new member of the BSAC: Fishermen Fish Producers Organisation ORL-PR from Kołobrzeg. He referred to the last Inter-AC meeting organised in Brussels by the European Commission and the fact that the BSAC was praised for handling its financial and administrative matters.

Emil Kuzebski, Director of the National Marine Fisheries Research Institute in Gdynia welcomed the participants to the ExCom meeting and wished them fruitful discussions on challenging items. He expressed satisfaction that he could contribute to the swift functioning of the BSAC by delegating Steve Karnicki to work for this organization after his election as the Honorary Chair of the General Assembly.

Pascale Colson, DG Mare thanked the Honorary Chair for the efforts undertaken by him to solve the electoral deadlock. She underlined that the swift functioning of the BSAC is of great importance for the European Commission; the Commission needs its recommendations. The Commission is looking forward to the BSAC continuing to play a meaningful role in providing advice on fisheries management issues in the Baltic.

2. Apologies and adoption of agenda

The apologies are included in the participants' list.¹ There were 30 General Assembly members present eligible to vote, as well as 5 mandates.

The agenda was then adopted without changes.

3. Election of ExCom chair

The Honorary Chair reminded the meeting that the General Assembly held in May 2018 could not reach a consensus decision on the election of the BSAC chair. The two candidates to the post of chair had withdrawn their candidacies. After a meeting of the Honorary Chair with the fisheries representatives in September, Esben Sverdrup-Jensen from the Danish Pelagic Producers Organisation had been proposed as candidate for the Ex Com Chair. He had confirmed that he was willing to take on the task and had presented his CV.

The Honorary Chair requested the General Assembly to accept in the present circumstances the election of ExCom Chair for a period of 2.5 years instead of 3 years, so the next elections of the chair could be held at the General Assembly in May 2021. The General Assembly accepted this proposal..

The election of Esben Sverdrup-Jensen as BSAC chair was by applause/acclamation.

Esben Sverdrup-Jensen, the newly elected ExCom Chair thanked everyone for electing him. He underlined that it was a great honour and privilege to lead the BSAC through difficult times. His aim was to bring the members closer together through civilised dialogue. He asked all the BSAC members to work together with him to take the BSAC to new levels and deliver sound advice.

The Honorary Chair stated that the work towards finding a candidate that all members can support had been difficult and lengthy. The decision to elect Esben Sverdrup-Jensen will help the BSAC to find stability and build trust, to puts its whole weight behind a new chair and to play a real role in providing advice to the European Commission. He thanked the Secretariat for the support given during the interim period between the elections. He stated that he was encouraged to see the General Assembly decide with one voice to support the nomination.

The Honorary Chair congratulated the new Chair on being elected chair of the BSAC ExCom. He noted that Esben Sverdrup-Jensen comes from an organisation that has not been a member of the BSAC for such a long time - since 2016 - and hoped that he will

¹ Participants list and other documents on the BSAC website:
[http://www.bsac.dk/Meetings/BSAC-meetings/BSAC-Executive-Committee-meeting-\(3\)](http://www.bsac.dk/Meetings/BSAC-meetings/BSAC-Executive-Committee-meeting-(3))

bring a fresh perspective to the job. He encouraged the new Chair to lead the BSAC in the right direction, to represent the interests of its membership, to continue to meet the challenges of regionalisation, to strengthen the role of the BSAC, to be available to the Secretariat when needed and to take a pragmatic approach. Not everything has to be carved in stone, and many things boil down to common sense as well as a sense of humour. At the same time, he encouraged the ExCom to put its full weight behind the newly elected chair, to work in a more coordinated way, to focus on the main tasks of the BSAC: to work together to develop and provide advice and to deal with the substance, rather than formalities and procedures.

He noted that he can report to the European Commission that the BSAC is now an established, mature organisation and with good will and mutual respect, things will continue to work.

The BSAC Secretary thanked the Honorary Chair for his commitment and dedication in leading the work of the BSAC for past 6 months. She underlined that Steve Karnicki has served as a role model for any chair of the BSAC.

4. Proposed amendments to the statutes Annex 1 and Annex 2

The Honorary Chair reminded the meeting that the Fisheries Secretariat had proposed a series of amendments to the BSAC statutes at the General Assembly meeting 9th May 2018. They were not addressed, due to lack of time. He asked the General Assembly to vote on these amendments.

A representative of the Fisheries Secretariat introduced the proposed amendments. He explained that the BSAC needs a clear set of written procedures for the development and agreement of BSAC advice and for the decision making.

A representative of recreational anglers noted that any amendments to the statutes should be handled with care. In his view, more time should be given to discuss these amendments and consult the lawyers.

Another **OIG representative** supported the proposed amendments. In his view, limiting the term of office of the BSAC Chair, Vice-Chair, Honorary Chair and Working Group Chairs would be best practice to share the burden of the work.

The voting cards were distributed. The Fisheries Secretariat representative presented each of the 12 amendments in turn and members voted. The votes were counted by a representative of the fisheries sector, a representative of the OIG and the Secretariat.

Of the 30 members eligible to vote, one member of the General Assembly did not take part in the vote. That gave 29 members voting, plus 5 mandates, which gave 34 votes in total.

The results of the vote are enclosed at the end of this report.

The General Assembly agreed on one amendment (Proposed amendment number 8: from the Honorary Chair: on the quorum requirement in Article 13) and rejected the other amendments.

The Honorary Chair proposed to the General Assembly to consider the establishment of a Focus Group to initiate discussions on the changes needed to the BSAC statutes. The terms of reference would be to review the statutes, to propose necessary amendments, to consult the General Assembly membership about these amendments and to prepare the final draft for consideration by the General Assembly at its next meeting in May 2019.

The General Assembly decided to establish a Focus Group to review the BSAC statutes and propose necessary amendments. The Focus Group will prepare a draft for consideration by the General Assembly in May 2019. It will be led by the ExCom chair. Members were invited to volunteer by contacting the chair or the secretariat.

5. Addressing the imbalance in the percentage of Sector and OIG members in the BSAC General Assembly

A representative of the Fisheries Secretariat introduced their document addressing the imbalance in the percentage of Sector and OIG members in the BSAC General Assembly, submitted on the 2nd October 2018. There are currently 41 members of the BSAC General Assembly and that the current allocation of seats is that 28 are fisheries sector and 13 OIG. That means that 68% of the seats in the General Assembly are allocated to the fisheries sector and 32% to the OIG. The Fisheries Secretariat proposed to introduce a coefficient for the weighing of the OIG votes. Such a solution had recently been proposed by the Aquaculture Advisory Council and its principle had been found acceptable.

The representative of the European Commission informed the meeting that the Commission applies an “open door principle”, in order to avoid preventing any new member from joining an AC. She had counted the number of OIG representatives on the General Assembly and drew attention to the three vacant OIG seats on the Executive Committee. She encouraged OIG members to fill in the vacancies on the Executive Committee. With respect to the Aquaculture Advisory Council, the AAC has decided to look further into the matter of the coefficient for weighing the votes with a specialised lawyer in order to have a formal advice concerning the feasibility of this system in Belgian law, as the AAC is an ASBL² registered in Belgium.

A fisheries representative welcomed the discussion on the lack of balance in the percentage of Sector and OIG members on the BSAC General Assembly, but could not accept the proposal to introduce a different weighting of the OIG votes. He stated that the imbalance should instead be addressed by filling the vacant OIG seats on the Executive Committee.

Another fisheries representative expressed the opinion that the BSAC is spending too much time on discussing procedures. In his view, the BSAC should focus on important issues related to fisheries resources and management. Procedural matters should be dealt with by a Focus Group.

The representative of the Fisheries Secretariat recognised that there are some vacant OIG seats on the Executive Committee, but this was a different issue to the imbalance on

² Association sans but lucratif – Association without lucrative purpose

the General Assembly. He hoped that with a new chair, this will enable them to encourage the other OIG to come onboard.

The General Assembly took note of the proposal to address the imbalance in the percentage of Sector and OIG members, but did not reach any decision on this matter and chose to wait and follow developments in other ACs.

6. Floor open for discussion/comments

There were no other comments.

7. Closing remarks by the Honorary Chair of the BSAC

The Honorary Chair thanked everyone for taking part and for their active participation at the meeting. He also thanked the Secretariat for all the support given.

He stated that he was happy to be able to hand over the keys of the BSAC to Esben Sverdrup-Jensen, the new ExCom Chair. He underlined that now is the time for the BSAC to deal with the substance, rather than formalities and procedures.

8. AOB

The General Assembly decided to hold its next meeting on 14th and/or 15th May 2019 in Copenhagen.

Voting for proposed amendments proposed by the Fisheries Secretariat to the BSAC statutes

RESULTS OF THE VOTING

The following amendments require a two thirds majority

Proposed amendment number 1: Limit to terms of office of BSAC ExCom Chair, Vice-Chair and General Assembly Chair

The Fisheries Secretariat proposal: Add the words: "*Limited to a maximum of 2 terms.*"

In favour: 10, against 23, 1 blank

Proposed amendment number 2: Limit to terms of office of BSAC ExCom Chair, Vice-Chair and General Assembly Chair

The Fisheries Secretariat proposal: Add the words: "*and a maximum of 3 terms in total.*"

In favour 13, against 20, 1 blank

Proposed amendment number 3: Limit to terms in office of BSAC Working Group Chairs

The Fisheries Secretariat proposal: Add the words: "*Limited to a maximum of 2 terms.*"

In favour 10, against 23, 1 blank

Proposed amendment number 4: Limit to terms in office of BSAC Working Group Chairs

The Fisheries Secretariat proposal: Add the words: "*and a maximum of 3 terms in total.*"

In favour 13, against 21

Proposed amendment number 5: Requirement for Chair and Vice-Chair approval for rapid consultation

The Fisheries Secretariat proposal: Add the words: "...*in agreement with the Vice-Chair*"

In favour 12, against 22

Proposed amendment number 6: Requirement for Chair and Vice-Chair approval for rapid consultation

The Fisheries Secretariat proposal: Add the words: “*The rapid consultation procedure shall not be used without the express consent of both the Chairperson and the Vice-Chair*”.

In favour 11, against 23

Proposed amendment number 7: Clarification of quorum for ExCom meetings

Reference Article 13 of statutes

Replacing: “At least 16 members (two thirds) must be present for the Executive Committee to perform its full functions.”

With the Fisheries Secretariat proposal: “*At least 16 members or two thirds, or whichever is the higher, must be present for the Executive Committee to perform its full functions.*”

In favour 6, against 26, blank 2

Proposed amendment number 8: from the Honorary Chair: on the quorum requirement in Article 13

The Honorary chair: The Executive Committee shall consist up to 30 members, of whom at least ~~16 members~~ two thirds must be present for the Executive Committee to perform its full functions.

In favour 23, against 10

Proposed amendment number 9: Inclusion of a positive assent procedure

The Fisheries Secretariat proposal: Add the words: “*If less than a quorum (16 or two thirds, whichever is higher) of members respond to an email request for a decision, then no decision can be made and the matter must go to the next ExCom meeting for a decision.*”

In favour 10, against 22, blank 2

Proposed amendment number 10: Inclusion of a positive assent procedure

The Fisheries Secretariat proposal: Add the words: “*For all BSAC ExCom decisions there must be a clear record of who voted for, who against and who abstained. This information should be recorded and made available to members.*”

In favour 14, against 19, blank 1

The following proposals require a simple majority

Proposed amendment number 11: Withdrawal of “Procedure for ExCom decisions if not a quorum”

The Fisheries Secretariat proposal: We ask the General Assembly to instruct *withdrawal* of this procedure.

In favour 13, against 20, blank 1

Proposed amendment 12: The need for a clear set of written procedures for development and agreement of BSAC advice and for the decision making regarding these

The Fisheries Secretariat proposal: We ask the General Assembly to *create a focus group* to develop a clear set of written procedures

In favour 16, against 17, blank 1