

BSAC Executive Committee
17th January 2022
09.30 - 14.00 CET
Virtual meeting
Report

1. Welcome by the BSAC chair

The BSAC Chair welcomed all ExCom participants, as well as the Latvian BALTFISH Presidency, Member States, BSAC members and all other observers. He referred to the fact that the new year will bring changes to the BSAC. The Executive Secretary had decided to leave the BSAC, and the job was advertised on the BSAC website. The BSAC Chair will also leave his post following his recent election as President of the European Association of Fish Producers Organisations. The elections for the new BSAC Chair will take place at the General Assembly in May 2022. He encouraged BSAC members to look for qualified applicants to these posts.

a) Apologies and adoption of the agenda

The agenda was adopted without changes.

The participants list, including the apologies is on the website¹. There was a quorum for the meeting.

a) Reference to the last ExCom meeting (22nd September 2021)

The BSAC Chair recalled that the last ExCom meeting in September 2021 in Copenhagen was the first in-person meeting of the BSAC since the beginning of the COVID-19 pandemic. He underlined that it was a very special meeting because the BSAC members and observers could meet in person and there was a good energy. The meeting elected three Working Group Chairs. It also dealt with the BALTFISH draft joint recommendation on technical measures for the Baltic demersal trawl fishery.

b) Two ExCom members to check the minutes from this meeting

Marc Eskelund, Association for Low Impact Coastal Fishery, and Nils Höglund, Coalition Clean Baltic agreed to check the minutes.

2. Cooperation with BALTFISH

A fisheries representative referred to the Regulation 2019/1241² on technical measures and underlined that there are new provisions that the BSAC has not been consulted on.

¹ [BSAC - BSAC Executive Committee meeting](#)

² Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the

In its present format, the provisions lead to several misinterpretations of the existing technical rules. Different interpretations of the same rules during inspections at sea create a serious problem for inspectors and fishermen. The Regulation should be very clear and easy to interpret, in order to avoid such problems. Since 2018, the BSAC has raised concerns about this. Consultation of the BSAC on the implementing provisions³ has not been sufficient and they should be discussed by the BSAC in the Demersal Working Group.

Another fisheries representative agreed that implementation of the Regulation on technical measures creates problems. The Implementing Regulation is extremely important. He also underlined that the fisheries sector should be duly consulted on the implementing provisions in order to avoid measures which force the entire fleet to change its fishing gear. Another issue concerns the agreement adopted in October 2021 on the Delegated Act to implement the new gears in the Baltic.

The BSAC Chair proposed to deal with technical measures at the earliest possible occasion, that is at the meeting of the Pelagic Working Group on 24th January 2022.

The representative of EFCA stated that EFCA had participated in meetings with the Commission on the Technical Measures Regulation in order to harmonise and reach a level playing field amongst Member States. He explained that the role of EFCA is not to interpret the rules. According to his knowledge, the implementing rules are still under discussion in the European Commission. Most of the misinterpretations should be rectified with the adoption by the Commission of a Delegated Act.

An observer from Low Impact Fishers of Europe referred to the winter ban on fishing with static nets in the Baltic which severely affects the small scale fishing sector. He made an appeal to protect the jobs and incomes of small scale fishermen.

A representative of the Danish administration informed that the Commission's Delegated Act authorising the use of new gears in the Baltic is now undergoing external consultation. Discussions will follow in a BALTFISH expert group and later in the European Parliament and the Council. Consultation this Delegated Act is expected in May/June 2022, with adoption in July 2022.

The BSAC Chair recalled that at its meeting on 22nd November 2021, the Management Team decided to initiate at the next ExCom meeting a discussion on the working procedures with BALTFISH and formulate a proposal which could be presented to the BALTFISH High Level Group (HLG). A recommendation to strengthen cooperation with BALTFISH was also included in the external evaluation of the BSAC. The BSAC

Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005

³ The Commission's Implementing Regulation is still in the pipeline. Raised most recently by the BSAC in reply to Commission's Consultation on the Action Plan: http://www.bsac.dk/getattachment/c88907a6-bfa4-429b-8443-5b699d7f4eeb/BSACreplytoActionPlanConsultation21_22_30.pdf.aspx?lang=en-GB

participates in the BALTFISH Forum meetings, but the BSAC would like to be able to communicate the BSAC recommendations directly to the BALTFISH High Level Group.

The representative of the Latvian BALTFISH Presidency stated that BALTFISH attaches great importance to close cooperation with the BSAC. Both organisations have the same goals: to improve fisheries management and to restore the fish stocks, and to do this in a less bureaucratic way. He underlined that the Forum is a platform for exchanging ideas between stakeholders and national administrations. The Forum meetings are open to all stakeholders. The views expressed are taken into account in the final recommendations. The BSAC is also invited to express its views on Joint Recommendations at the Forum or by correspondence during the consultation periods, and the Member States will take note. The Joint Recommendations are the only instrument to influence the work of the Commission, and that is the main element that BALTFISH wants to develop. He stated that although the High Level Group is open to the possibility of inviting the BSAC to its meetings, in reality it often works under such time pressure that it is obliged to restrict its meetings to the Member States, without any observers, in order to take swift decisions. He welcomed any ideas on how to improve the functioning of the Forum and promised to pass them on to the HLG.

The BSAC Chair agreed that the BALTFISH Forum is a valuable instrument and is part of the decision-making process. He underlined that the BSAC needs to discuss how to improve its cooperation with BALTFISH and define more precisely its role in the Forum. Such discussions should be continued in the framework of a BSAC working group.

A fisheries representative appreciated the value of the BALTFISH Forum meetings and the constructive cooperation with the BSAC. He thanked BALTFISH for taking into account the different views expressed by the BSAC, given the fact that consensus views can rarely be reached in the BSAC.

An observer from Low Impact Fishers of Europe expressed the view that the BSAC being represented at the BALTFISH Forum works well. However, if the BSAC is invited to the HLG, then all fleet segments, including small scale fishermen, should be represented at the BALTFISH HLG.

The representative of EFCA informed that the BALTFISH Control Expert Group had requested EFCA to organise a joint BALTFISH - EFCA - BSAC workshop on monitoring, control and enforcement of the landing obligation. The preparation of this workshop is underway.⁴

The BSAC Chair thanked the representative of the BALTFISH Presidency for taking part in the meeting and for his constructive input to the discussion.

⁴ <http://www.bsac.dk/Meetings/BSAC-meetings/Joint-EFCA-BALTFISH-BSAC-Workshop-on-Landing-Oblig>

The ExCom decided to continue the discussions on the working procedures with BALTFISH in the framework of a working group.

3. From Secretariat

a) Status on expenditure and administration for 2021-2022

The Secretary informed the ExCom that the expenditure was on track. Overall expenditure was similar to this time last year. Savings were made on travel and meeting expenses, due to COVID.

The ExCom took note.

b) Draft estimated expenditure and work programme for 2022-2023

The Secretary presented the two annexes: draft estimated expenditure and work programme. She referred to the preface in the work programme which explains the procedure of drafting the budget for 2022-2023, taking into account the new approach based on the new lump sum methodology applicable to the ACs. The Commission had asked for a precise budget. The inflation rate made the planning even more difficult. The travel costs and meeting costs were reduced by 20% as requested by the Commission, in line with the Green Deal. The draft estimated budget was presented as a transitional budget, as the BSAC moves towards the lumpsum model. It had been sent to the Commission for comments and further guidance. She thanked the Member States and the BSAC members for paying their contributions and encouraged receipt of outstanding payments.

A fisheries representative referred to the severe changes occurring in the Baltic fisheries. Several producer organisations are facing severe difficulties. The state of the Baltic fisheries will also have consequences for the BSAC. The BSAC cannot give the impression that it is business as usual, and this should also be reflected in the finances of the BSAC.

Another fisheries representative thanked the Secretary for careful planning and sensible approach to the draft budget.

A representative of the OIG stated that the draft budget had been drafted responsibly to secure flexibility. Apart from the adjustments in line with the Green Deal, the estimated budget should enable the BSAC to be able to operate under more regular, post-pandemic circumstances.

An observer from Low Impact Fishers of Europe asked for the per diem allowance paid to the representatives of the small scale sector to be clearly indicated in the budget as in previous years.

Referring to the draft work programme, **the Secretary** pointed out that it is formulated as in the previous years, and the work is divided according to the relevant Working Group work areas, as well as more cross-cutting horizontal issues, in the interest of all interest groups in the BSAC.

A representative of the OIG stated that the draft programme is transparent and specific on themes, and cannot be more detailed at this stage.

A representative of anglers referred to the seals and predator interactions and proposed to place them under horizontal issues in the work programme.

The ExCom agreed to the proposed amendment.

The ExCom approved the draft estimated budget and the draft work programme for 2022-2023.

c) Application by European Fishmeal and Fish Oil Producers to take over the membership in the BSAC (replacing Marine Ingredients). Anne Mette Bæk, Managing Director of EFFOP has confirmed participation.

Søren Anker Pedersen (Marine Ingredients) introduced the European Fish Meal and Fish Oil Producers⁵. The organisation had requested to take over the membership in the BSAC (replacing Marine Ingredients). EFFOP represents the European fishmeal and oil producers from Denmark, Faroe Islands, Iceland, Ireland, Norway, the UK, Estonia and Spain. In the Baltic, EFFOP's members are based in Denmark, Germany and Estonia. They hope for more members from the Baltic. EFFOP is member of some other ACs. Fish meal is produced from small pelagic fish and trimmings. He presented the production process, informed on the nutritional value of the products, potential for an increase in marine proteins, as well as its contribution towards climate change mitigation and removal of dioxins.

A fisheries representative asked whether the raw material also comes from the Baltic.

The representative of Marine Ingredients explained that EFFOP is negotiating with Poland about membership, and other Baltic countries have expressed interest in joining.

Several fisheries representatives supported the application of EFFOP to become the BSAC member.

A representative of the OIG asked why EFFOP should replace Marine Ingredients in the BSAC. He referred to the fact that EFFOP is an EU-wide organisation, while the BSAC is a regional Advisory Council.

The representative of Marine Ingredients replied that EFFOP will represent the members from the Baltic member States in the BSAC.

⁵ http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/Executive-Committee-meeting/EFFOP_presentation_BSAC_17jan2022.pdf.aspx?lang=en-GB

Representatives of small scale fisheries and an observer from Low Impact Fishers of Europe underlined that fishing for human consumption must be prioritised, and in view of the present state of the Baltic fish stocks, fish meal and oil production from Baltic fish is not justified. They asked for specific figures related to the production of fish meal and oil from Baltic fish.

The BSAC Secretary informed that the Member States had not opposed the application submitted by EFFOP.

The ExCom took note of the application by European Fish meal and Fish Oil Producers to take over the membership in the BSAC (replacing Marine Ingredients). It decided to return to the discussion on the use of Baltic raw materials in the production of fish meal and fish oil during the Pelagic Working Group on 24th January 2022.

4. External evaluation of the BSAC

The BSAC Chair referred to the recommendations from the performance review to undertake discussions on how to motivate the BSAC members and to engage new members. This had already started in a Working Group meeting spring 2021 to follow up on the external evaluation. The BSAC Management Team wanted to continue discussions at the ExCom to gather the ideas from the BSAC members, before taking any further actions.

A fisheries representative stated that many BSAC members were losing motivation to engage in the BSAC work. He underlined that the BSAC members should keep in mind the main goal of the BSAC, which is to prepare and provide advice on the management of Baltic Sea fisheries. This goal must be made clear to the members. In his view, fisheries is not always at the top of the BSAC agenda. It is therefore difficult to motivate the fisheries sector. In order to motivate members and increase the impact of the advice, the BSAC should engage in the discussions with the decision-makers at a very early stage.

The BSAC Chair stated that this relates to the impact of the Advisory Councils in general. The ACs have not had as much influence as was hoped. Moreover, a lot has happened since the establishment of the Advisory Councils. As a result, the BSAC has to address many issues related to the ecosystem.

Another fisheries representative underlined that the impact of the BSAC advice needs to be proved in order to increase the motivation of its members.

A fisheries representative stated that there is very little will to find compromises and real solutions in the BSAC. The BSAC members should look for solutions other than banning fishing. In his view, there should be more discussion related to the food production from the Baltic.

A representative of small scale fisheries stated that the achievements of the BSAC were borderline. Members are well-informed about the facts related to fisheries, and they should not exclude issues from discussions, for example seals and cormorants. The BSAC should

represent different interests of different fisheries segments. To increase its performance, the BSAC should submit proposals related to fisheries management and which can be accepted by the administration.

An observer from Low Impact Fishers of Europe agreed that the BSAC should be engaged in the discussions from an early stage. Many recommendations produced by the BSAC are counterproductive and short-term. There should be more consensus-based and long-term thinking related to recommendations. The overall goal should be to have more fish and more jobs.

A representative of the OIG stated that a dedicated process, including input from the members is needed to have a well-structured discussion and improve engagement and performance of the BSAC. This work must take account of the new reality, including the changes in the Baltic and several ecosystem impacts. The BSAC is not in a position to address every legislative process and should be dedicated and focused in its work. Working groups and sub-groups facilitate the discussions, increase the engagement of the members and increase ownership of the decisions.

A representative of anglers stated that the anglers see every reason to be active members of the BSAC. The discussions on the fishing opportunities, including the opportunities for recreational fisheries, are of great importance for the anglers, who are playing a more central role. He noted that despite low fishing opportunities in the Baltic, the overall effects of the work of the BSAC are positive. The BSAC should maintain better communication with the researchers to increase its effectiveness. Management of seals and other predators and interactions with fisheries should be considered.

A fisheries representative stated that the BSAC recommendations were low on effectiveness and the BSAC must make its advice heard. The BSAC should argue to have its advice taken into account by the Commission and by the national administrations to increase its effectiveness.

A representative of recreational fishermen referred to the main task of the AC which is to produce advice. In his view, the BSAC should ask the decision-makers to specify what they expect from the BSAC advice. As a follow-up, the impact of the advice provided by the BSAC should be assessed in order to improve performance in the future.

The BSAC Chair appreciated the discussion. The BSAC should try to get reasons why the consensus advice from the BSAC is not taken into account. He recalled the example from 2021 on the BSAC consensus advice on plaice. He summed up the discussion. It was proposed to get access to the decision-making process at an early stage and to improve ways of working together in the BSAC. He proposed to take the matter to the Management Team to organise the work in a Working Group. He underlined that the BSAC is producing many recommendations. It is not the outputs that are lacking, but the fact that the recommendations are not taken into account.

The ExCom decided to continue the discussion in the framework of a dedicated Working Group, following the guidance from the BSAC Management Team.

5. Relating to the Work Programme 2021-2022

Update on what's planned until 31st March 2022 (end of current year).

The Chair referred to the three meetings planned until the end of the BSAC year 2021-22:

- joint HELCOM, BALTFISH and BSAC meeting (4th February 2022) to discuss the relevant actions from the adopted HELCOM BSAP and eel
- meeting of the Pelagic Working Group (24th January 2022, virtual) to deal with an update on the current work on stickleback
- meeting of the Demersal Working Group (Tuesday 8th March 2022) to deal with status on management of seals in the Baltic.

The Chair of the EBM Working Group referred to the agenda of the meeting of the EBM Working Group which will inform and discuss those actions from the adopted HELCOM BSAP that are relevant to fisheries and fisheries management. He underlined that in this context, more active cooperation between BALTFISH, HELCOM and BSAC is needed. The meeting will also deal with eel. The Commission had decided to launch a wide-ranging consultation and asked for concrete suggestions on measures that would facilitate implementation of the ICES advice on eel. The Commission and HELCOM had been invited.

The Chair of the Pelagic Working Group informed that that the representatives of Estonia, Denmark and Sweden had been invited to give an update on stickleback. The agenda will also include discussion on the fish meal and oil production from the Baltic raw material, as well as discussion on technical measures.

The BSAC Chair informed that the agenda of the Demersal Working Group will cover status on the management of seals in the Baltic.

The EBM WG Chair referred to the Inter-ACs meeting with the European Commission on 19th January 2022. The BSAC will be represented by the Chair, the EBM WG Chair and the Secretariat. The agenda is filled with policy files and covers, among others the upcoming action plan to conserve fisheries resources and protect marine ecosystems, the report on the functioning of the CFP and the EMFAF. A preparatory meeting with the AC Secretariats will be held on 18th January 2022. He expressed concern about the pressure made by some Advisory Councils to work together on horizontal issues in joint working groups, composed of different ACs. In this context, he referred to the regional character of the BSAC work.

Some fisheries representatives also expressed concern about the idea to work on overarching subjects in the framework of working groups composed of different Advisory Councils. By definition, the Advisory Councils should focus on regional fisheries management and related issues.

The BSAC Chair informed that MIACO and MIAC meetings with ICES are postponed until 22nd-23rd June 2022 due to COVID-19.

The ExCom took note.

6. Further work on CFP reform >>> BSAC White Paper on CFP

The BSAC Chair recalled that the work on the BSAC White Paper had started in 2019 to influence the possible revision of the CFP. Due to COVID-19, the work had continued in on-line meetings and by correspondence. The drafting group had finalised its work and the draft White Paper will be submitted to the BSAC members. He invited the ExCom to provide feedback to the draft version. The BSAC will organise a special session of the ExCom meeting at which the BSAC White Paper can be presented and finalised. The White Paper will be sent to the Commission after endorsement by the ExCom and adoption by the General Assembly.

A representative of anglers referred to the consultations on the CFP and markets launched by the European Commission. In his view, the BSAC White Paper presents a broader picture and can be considered as a strong voice of the BSAC on the CFP.

A fisheries representative proposed to include a reference to the food production and fish consumption in relation to the possible transition to Planetary Health Diet⁶, in which seafood is considered to be a promising source of protein in the future.

A fisheries representative expressed concern about the consultations on the CFP launched by both the Commission and the European Parliament. It was a challenge to find the time to respond, especially for smaller organisations, and it may create a bias in the discussions on the subject. She underlined her concerns as to whether the input from important stakeholders will be taken into account.

An observer from Low Impact Fishers of Europe thanked the drafting group and the Secretariat for producing a good document. He stated that he could provide additional input to the section on the social dimension.

A representative of anglers asked whether the BSAC will be replying to the consultation from the Commission and the questionnaire from European Parliament.

The EBM WG Chair stated that the BSAC white paper covers the areas that are important for the BSAC and could be used as the BSAC response to the consultations.

The BSAC Chair underlined that the on-line questionnaires launched by the Commission are directed at the EU citizens and are not easy to answer by an AC. The BSAC White Paper covers the BSAC views on the implementation and revision of the CFP with a Baltic

⁶ <https://eatforum.org/eat-lancet-commission/the-planetary-health-diet-and-you/>
Blue Food assessment <https://eatforum.org/learn-and-discover/did-you-say-blue-foods/>

perspective and could be sent as a BSAC response to the CFP questionnaire, as well as to the questionnaire provided by Gabriel Mato. The BSAC members can reply to all consultations as individual organisations.

The ExCom decided to ask the Secretariat to finalise the BSAC White Paper as soon as possible and send the draft to the ExCom members for feedback.

7. Any meetings/activities to report on - past and coming – to be updated

The EBM WG Chair referred to the online introductory seminar for pledge and review process in the context of commitments under the EU Biodiversity Strategy for 2030, 9th - 10th December 2021. He had represented the BSAC. The meeting aimed at clarifying what is decided regarding new MPA targets and processes to move forward under the Biodiversity Strategy. The different targets regarding habitats, 30% target of MPAs, the 10% strict protection, were explained and discussed. The discussion focused, among others, on species protection targets and what synergies there are to seek and what areas and species would be particularly benefited by protection and where there are win-win situations, for example for fisheries. He had highlighted the need for cross-sectoral cooperation in the Member States, but also at regional level (BALTFISH and HELCOM).

8. AOB

None.

The BSAC Chair thanked all participants for good discussions. He stated that one of the few benefits of on-line meetings is that they gather an impressive number of participants. He thanked the Secretariat and the interpreters for their work.