

InterAC meeting

10 October 2023, 10:15 - 17:30
Virtual meeting (via INTERACTIO)

Report

1. Welcome and adoption of the agenda

Stelios Mitolidis, Acting Director MARE.D and Chair welcomed all participants online. Each AC was asked to nominate speakers. The BSAC was represented by Jarek Zieliński (ExCom Chair), Glenn Douglas (BSAC Vice-Chair), Nils Höglund (EBM WG Chair) and Guillaume Carruel (BSAC Executive Secretary)¹.

2. Opening address: Advisory Councils working towards fisheries of the future, followed by questions (1 intervention per AC)

Ms Charlina Vitcheva, Director General DG MARE welcomed the representatives of all the ACs to the second InterAC meeting in 2023. She informed that an in-person InterAC meeting is planned probably in May 2024. She stated that the Commission considers the cooperation with the fisheries stakeholders very important and values face-to-face meetings, whenever possible. There is a number of challenges facing the fisheries, related to climate change and energy prices, inflation etc. She referred to the fact that the recommendations prepared by the ACs are extremely important for the Commission and are a real reality check in their decision-making process. She referred to the elections to the European Parliament and the Commission next year. The new college might decide to take forward the CFP in the light of the on-going transformations. The Commission is already reflecting on future mandates. The ACs can also give their input to the transformation process.

On the Commission's package – Ms Vitcheva stated that the aim of the package is to launch constructive dialogue with all stakeholders. The fisheries sector should be modern, profitable and digitalised. The first meeting of the Joint Special group in the beginning of October brought together the environmental and fisheries communities, to make sure all speak the same language. The European Parliament is working on 3 initiative reports: on the CFP, market and the Action Plan. The ACs have their recommendations in the pipeline. The Commission received 100 recommendations from the ACs in 2023. All are given full attention, analysed and the Commission sends replies. The Commission is also focusing on the implementation of package, among others, by launching key studies and evaluations. The Implementing Acts to the new Control Regulation are also under preparation. The revised Control Regulation will be launched soon after 5 years of long and difficult negotiations between the Commission, the Council and the

¹ To promote the transparency of the meetings, the Commission invited all AC members as online observers.

European Parliament. This Regulation has been one of the top legislative priority for the Commission, an important part of European Green Deal.

Eel – Ms Vitcheva referred to the complexity of this topic. The Commission asked the Member States to push for the implementation of national management plans. With respect to eel, the Commission is aiming at a fit for purpose approach.

Technical Measures Regulation – Director General stated that the last implementation report had been published in 2021 and it served as the basis for the preparation of the Action Plan. At the moment the Commission is compiling information for the second implementation report. The ACs are requested to provide input to the questionnaire on the implementation of technical measures in the last 3 years.

Landing obligation (LO) – a study will be launched in 2024 and the ACs will be asked to provide input. There are a number of challenges concerning the LO, among others misreporting and discards. These challenges undermine the management efforts and the relevance of the CFP. Reliable data is of key importance for scientific advice. The Commission calls on MS and stakeholders to provide data.

Charlina Vitcheva referred to the recent meeting: MedFish4Ever. The Conference brought together high-level officials, fishers, fish farmers, scientists, managers, civil society organisations and other experts to survey the state of the vital fisheries and aquaculture sector and agree on transformative new actions towards a sustainable future. She underlined that good practices presented by fishers had proved that the sector uses sustainable practices.

She referred to another initiative announced in the policy package – development of social indicators. The Commission is working on these indicators with experts from STEFC, to build a more refined knowledge base on fishing communities. This will improve future management measures and identify what is needed to foster attractiveness of the sector.

Charlina Vitcheva underlined that innovation requires new knowledge and skills. Training possibilities are needed especially for young fishers and funding should be secured.

With respect to the energy transition, the Director General pointed out that the package addresses sector's dependency on energy. The aim is to accelerate and incentivise the transition and switch to alternative energy sources. She thanked the ACs for their work on the recommendations on energy transition. She also referred to the launch of the dedicated stakeholder platform - Energy Transition Partnership (ETP) and underlined that such partnership is essential to share information and implement the transition. The next ETP workshop will take place on 21st November and will be followed by workshops in 2024. A roadmap for the transition will be prepared in 2024. She invited the ACs to actively engage in the ETP.

The Commission is also working on various guides: among others, a guide on funding.

On aquaculture, the Director General stated that its development is essential for the future of the sector. Farming in coastal and inland waters has developed outside the EU, and now the EU has to catch up.

With reference to food security, Charlina Vitcheva stressed that this topic is high on the agenda. There is a need to secure a level playing field in seafood exports. The EU takes global leadership in sustainable approach to this issue. Consumers are aware of healthy facts about fish. Awareness is key from consumer angle. Fish consumption should be promoted as the most sustainable in terms of carbon footprint.

On international deliverables – she invited the ACs to participate in the Blue Forum meetings.

She underlined the importance of the recently signed Agreement on Biodiversity beyond National Jurisdiction (BBNJ), in terms of conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.

Ahead of the annual cycle of fishing opportunities, she informed the Commissioner is fully engaged in the process, but the negotiations on the Baltic TACs (23rd-24th October) in the AGRIFISH Council will be difficult. Fishers are the victims of the present situation in the Baltic. There is a need to make progress with data collection and work with ICES. She reminded that the collapse of some fish stocks will be more difficult to overcome if we lose consistent and sustainable approach to fisheries management.

The Director General underlined that the objectives can be achieved only through collective efforts, transparent dialogue and participatory approach. It is important to have a resilient sector, able to face all the externalities.

Interventions by ACs

The Chair asked the ACs to restrict to 2 minutes interventions.

The MEDAC Chair thanked the Commission for always responding to the advice provided by MEDAC. He underlined that the implementation of any fisheries measures such as those proposed in the Action Plan take into consideration the environmental, economic and social point of view. Despite the fact that the Action Plan is not legally binding, the Commission had asked Member States to prepare roadmaps to implement certain measures from the Action Plan.

The PELAC Chair thanked COM for comprehensive outlook of its activities. He highlighted the PELAC recommendations related to the policy package and stated that PELAC expressed disappointment with the lack of references to, among others Brexit, impact of measures of fishers, regionalisation. He also underlined that the implementation of Action Plan will require a lot of additional work for the ACs, and this work requires additional funding.

The SWWAC Chair asked to listen to the fisheries sector to see what is happening on the ground. The meeting of the Joint Special Group had proved that there is dichotomy between fisheries and environmental authorities.

The BSAC Chair informed that the BSAC has been very active in all the areas mentioned by the Director General. A more detailed information about the BSAC recommendation on the Commission's policy package and on the current activities will be presented during the meeting of the BSAC Management team with the

Commissioner on 18th October. **The BSAC EBM WG Chair** referred to the eel and underlined that the BSAC had made reference to the importance BBNJ agreement for the protection of eel in Sargasso Sea in the letter addressed to the Director General. He asked the Director General whether the guidance document for the preparation of the eel management plans² could be shared with the BSAC for the sake of transparency and to facilitate engagement of stakeholders.

He also asked whether “Deep Dive” workshops organised by the Commission in the framework of the European Blue Forum could also be organised at regional level.

The NWWAC Chair underlined that fishers await recognition of the good practices brought into the fisheries since decades as well as their work on sustainability.

The Director General stated that good practices brought in by fishers could be one of the topics for the Joint Special Group.

The Director General promised to share the guidance document on eel management plans with the ACs.

On Deep Dives workshops – she explained that they could be held at regional level for more regional issues, but the meetings on eel could be addressed to all the ACs. She stated that a cost analysis is needed prior to granting such additional funds for the ACs to finance the activities related to the implementation of the Action Plan. She assured the ACs that regionalisation is of utmost importance to the Commission and as such it is part of the Action Plan. She invited the ACs to send any evidence on bottom trawling to the Commission.

The NSAC Vice-Chair referred to many challenges related to the implementation of the Action Plan and the energy transition. He underlined that new vessels are needed by the sector to achieve progress in energy transition.

Some other ACs asked the Commission to reply to their recommendations.

The Chair informed that the Commission will reply to all outstanding questions in writing.

3. Commission Update on the functioning of the Advisory Councils

Unit D.3

The Chair referred to a number of changes to the DG Mare team. DG Mare holds bilateral discussions with the ACs on regular basis to improve communication.

Owen McKay, Deputy Head of unit in DG Mare referred to the lumps sum system. This has been a big change to DG Mare. He apologised for the difficulties encountered by the ACs in the past months, especially in relation to the grant payments. Procedural steps are now under control. The Commission will provide timeline for grant payments to avoid any unexpected delays.

On Commission’s guidelines on lump sums: Financial reporting template is in annex IV of the grant agreements. The lump sum system does not require a progress report for grants of less than 12 months. Multiannual operational grants are possible but would lock the budget for 2 years. One year option is simpler.

² During the InterAC meeting on 10th October 2023, Director General DG MARE promised to share the guidance document on eel management plans with the ACs.

He referred to the attendance of DG Mare representatives at AC meetings and underlined that they are doing their best to be present, whenever possible. He asked the ACs to provide updated planning and priority ranking to know when presence of DG Mare is important. In-person presence is not possible due to many obligations and meetings. DG Mare would like to streamline the requests for attendance better. The most difficult time of the year for the Commission is in the autumn, when even remote participation is sometimes difficult.

Responses to recommendations: Article 44 of CFP says the Commission has 2 months to reply. However, this is not always possible for the Commission to follow this rule.

Discussion:

The NWWAC representative drew attention to the delays in getting the grant payment despite the fact that the application had been submitted 4 months ahead. She underlined that any delays in getting the grant have direct impact on salaries and functioning of the ACs.

The Black Sea AC representative complained about delays in getting the balance payment from last year. She asked for input of the Commission on the work programme, which contains many new topics. She also asked for more involvement of the Commission's representatives in the meetings.

The PELAC representative asked why such broad consultations inside DG Mare are conditional to the acceptance of the work programme. Delays in the approval of the programme have direct impact on grant payments. Work programmes could be presented in a meeting with DG Mare.

The NSAC representative appreciated the bilateral meeting with the Commission as a good way to clarify the current issues. She underlined that the aim of the Joint Special Group to have a discussion with stakeholders had not been due to the fact that all other presentations had priority over the ACs. The ACs and individual organisations were given extremely short time for their statements and they could not deliver the information they had prepared. There was a clear lack of time for proper interventions. Also, the InterAC should allow all voices to be heard. She asked the Commission to provide an annotated agenda of meetings so the ACs can better prepare their interventions.

The MEDAC representative asked the Commission to provide more time for interventions of the ACs at the InterAC meetings. The time for interventions should be equally divided between the ACs.

The BSAC Executive Secretary agreed with the comments made by the previous ACs concerning the need to provide more time for interventions by AC representatives at meetings with the Commission. He agreed that the work programmes could be presented to the Commission in bilateral meetings with ACs. He underlined that the BSAC members would appreciate direct exchange of views on the important topics, such as the Control Regulation. A presentation during an InterAC meeting, with no possibility to ask direct questions, does not satisfy the need of the members. Such approach does not allow members to raise questions on the presentations and properly exchange with the Commission.

The LDAC representative thanked the Commission for incorporating their comments into the lumpsum guidelines. He drew attention to the substantial delays in grant payment. He also noted that with more hybrid meetings, the ACs can easily get over the budget goal. He asked for a revision of the 2% inflation rate applied by the Commission.

The representative of DG Mare thanked the ACs for their comments. He agreed that there is a need to implement a more active way of communication between the Commission and the ACs. He expressed the view that after a difficult and steep avenue leading to the proper implementation of the lumpsum system, process will be easier in the future. He noted the point on the time needed for interventions at meetings with the Commission, including the Joint Special Group. This will be dealt with in a more democratic way. He underlined that the Objective of the Joint Special Group had been to bring the environmental and fisheries authorities from the Members States. Stakeholders were invited as observers, hence little time for their interventions.

Another representative of DG Mare apologised for delays and difficulties in grant payments. All the financial challenges had been well noted, and the Commission will consider them very seriously. With regard to the consultation of the work programmes, he underlined that a broad consultation with different persons in DG Mare is needed in view of the fact that these work programme become legally binding documents. The Commission will put a time limit to its internal responses. Major concerns related to the work programmes will be put directly into the text, to speed up their revision. The Commission also welcomes informal consultations. The Commission applies a 2% inflation adjustments to a fixed lump sums. Another options is to determine the grant amount on the basis of forecasts for the coming year, provided by the ACs.

4. Revision of the Control Regulation

A representative of DG Mare, Unit D.4 presented an overview of the new Control Regulation. The initial proposal by the Commission was launched on 30 May 2018. After 5 years of intense negotiations between the Commission, the European Parliament and the Council, the political agreement was reached in May 2023. The Regulation will be formally approved in November and will enter into force in January 2024. Some provisions will be applicable immediately, others in 6 months, the majority after 2 years, some even later. The revision was a complex process and included amendments to 6 regulations³. Amendments covered several topics such as digitalisation, new control tools, external fleet, sanctions, derogations and traceability.

Digitalisation. The main changes applied to small scale fleet: after 2 years VMS system and electronic catch reporting for vessels 12- 15 m, after 4 years VMS and electronic catch reporting also for vessels below 12 m.

³ Regulation (EC) No 1224/2009 (Fisheries Control) • Regulation (EU) No 2009/473 (EFCA) • Regulation (EC) 1005/2008 (IUU Regulation) • Regulation (EC) No 1967/2006 (Mediterranean Regulation) • Regulation (EU) No 2016/1139 (Baltic Sea MAP) • Regulation (EC) No 2017/2403 (SMEFF)

In 2 years, electronic catch reporting will be applied in recreational fishing for all quota species. From 2030 electronic catch reporting will be implemented for more species, subject to scientific advice.

New control tools such as REM (CCTV) will be obligatory onboard vessels > 18 m at high/very high risk of illegal discards from 2028. Continuous monitoring for certain categories of vessels will be implemented in 2028. Logbooks will have a unique fishing identification number and will be expanded to include an obligation to report bycatch of sensitive species and lost gears.

Sanctions will be harmonised. There will be 2 categories of serious infringements: serious infringement per se (objectively pre-identified as serious) and infringements qualified as serious on the basis of harmonised criteria. Minimum levels of minimum sanctions or standard rates for serious infringements will be implemented.

In the Baltic, margin of tolerance for quantities retained on board will be set at 20% for the species listed in the MAP, for a transitional period of 4 years.

There are new traceability rules, with, among others, the obligation to record and make available traceability information in a digital way.

What is next: the development of IT rules for small scale and recreational fishery will be launched. The Commission will review the existing implementing act (Regulation 404/2011) to be split in Implementing and Delegated Act and adopt new rules as necessary. The Commission will also organise ad hoc consultations, including the Advisory Councils. The representative of DG Mare asked for more coordination across the ACs on matters related to control. She underlined that the new Regulation does not include a regionalised approach and therefore it is important for the ACs to reflect the same spirit in the work.

The NSAC representative underlined the need for a region-specific discussion with each AC, among other on CCTV, and the rules applied to recreational and small scale fisheries.

Some ACs asked for more detailed explanation of the new provisions related to infringements and sanctions.

The BSAC EBM WG Chair underlined that in discussing the new Control Regulation, the BSAC members are likely to bring up several questions related, among others to the application of heavy and expensive devices such as CCTVs on small boats. Due to the limited fishing opportunities, some boats will only be fishing part-time. He asked whether any derogations to the Regulation are foreseen in the Baltic, also taking into account the bycatch risk in different gears.

The representative of DG Mare informed that the final text of the new Control Regulation will soon be available on the website of the European Parliament. A few amendments to the text had been introduced since. With reference to the CCTV and REM, she informed that a risk assessment will be done in the framework of SCIPS, in cooperation with EFCA. The risk assessment methodology will not be regionalised. The likelihood of discards will be considered. She underlined that it is always useful to get the input with regard to the new Regulation from different regions to ease the implementation process. Referring to the issue raised by the BSAC EBM WG Chair, she stated that region-specific

derogations are not foreseen. In the past, the derogations had contributed to stock deterioration in the Baltic. Therefore, part-time boats will not be subject to derogations.

The Chair underlined that the new Control Regulation will pave the way too many changes.

5. Vulnerable Marine Ecosystems - STECF opinion

Unit C.1

A representative of DG Mare (Unit C.1) gave an update on Vulnerable Marine Ecosystems. ICES was asked for advice on footprint and VMEs. It was a complicated task for ICES. ICES released advice in January 2021, including a list of 87 areas. The list of areas is now being revised. STECF presented their opinion in July. It was concluded that the socio-economic impact of the closures is relatively limited in these closed areas. There is a need for increased cooperation between stakeholders and national scientists, for transmission of high-resolution data better reflecting the reality. Further consultation with stakeholders is needed in the process of revision of 87 areas in view of the socio-economic impact foreseen for future closures.

6. Update on international developments for external EU fisheries

The representative of DG Mare (Directorate B) mentioned the work of the International Commission for the Conservation of Atlantic Tunas ICCAT and Commission of the Conservation of Antarctic Marine Living resources CCMALAR. In this context, the new Control Regulation and IUU regulation were also referred to. The need for consistency between Control Regulation and IUU Regulation was underlined. The attention should be focused on catch certification schemes.

7. AOB

The key topic for the ACs was addressed under this item: how to better involve stakeholders in the drafting requests for advice to ICES.

The representative of DG Mare recalled that the NSAC had addressed this issue in the advice⁴, demanding better involvement of stakeholders in the advice process. In its advice, the NSAC underlined that increasingly, there is a recognition of the value of comprehensive and early engagement. The Commission acknowledged the relevance of this issue, especially in the context of the implementation of ecosystem-based management. DG MARE has already involved stakeholders on ad hoc basis in drafting the requests and coordinates with the Member States in this process. He stated that DG Mare is ready to further discuss how to improve the process of drafting requests to ICES.

The BSAC Executive Secretary thanked the Commission for their willingness to organise a meeting to deal with this issue. He referred to the fact that the BSAC had raised the need for more transparency in drafting the requests to ICES in the

⁴ [16-2223-NSAC-Advice-on-stakeholder-engagement-in-ICES-Advice-requests.pdf \(nsrac.org\)](https://www.nsrac.org/16-2223-NSAC-Advice-on-stakeholder-engagement-in-ICES-Advice-requests.pdf)

Pelagic WG. In a letter to the Commission, the BSAC will ask the Commission for more transparency in requesting scientific advice.

CLOSURE OF MEETING

The Chair closed the meeting at 16:50. He thanked the DG MARE team and translators for their work and the ACs for making contributions and for good discussions