



Vigo, 22 October 2019

**MINUTES OF THE 33RD MEETING OF THE
ADMINISTRATIVE BOARD
VIGO – 22 OCTOBER 2019**

MINUTES

0. ATTENDANCE

The Chair, Mr Reinhard Priebe, opened the meeting at 09h00 by welcoming the Administrative Board (AB) members and the representative of the Advisory Board. Participants were reminded that only the Board members have the right to vote. The appointment of the following representatives was announced:

- **Denmark:**
Alternate: Ms Anja Gadgård Boye
- **Spain:**
Alternate: Mr Francisco de Borja Velasco Tuduri
- **France:**
Alternate: Ms Bérengère Lorans
- **Hungary:**
Alternate: Mr Peter Lengyel
- **Poland:**
Representative: Ms Marta Rabczynska-Kapcinska
- **European Commission:**
Representative: Mr Bernhard Friess (acting Director DG MARE C)
Representative: Ms Veronika Veits (new Director DG MARE B; acting Director DG MARE D)

The Chair gave the floor to the newly appointed members to introduce themselves.

The Chair introduced the observers participating as experts without voting right:

- Observer from Denmark: Ms Mariya Krestyanska
- Observer from Italy: Ms Nicoletta De Virgilio
- Observer from Commission: Ms Sarah Vitiello-Ferrara

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The Chair mentioned the proxies given for all the items in the Agenda subject to decision:

The Chair asked if anyone of the participating AB members had any direct or indirect interests in relation to any matter on the agenda. There were no direct or indirect interests raised by the AB members.

The Chair recalled that there is a decision from the Administrative Board to declare the absence of any conflict of interest through a duly completed and signed form, to be provided annually to the European Fisheries Control Agency (EFCA) that together with the résumés, are subject to publication on the EFCA website and should be updated whenever necessary. To date, not all AB members have met that obligation. The European Parliament is closely monitoring the application of the EFCA conflict of interest policy as part of the discharge procedure.

Finally, Board members were reminded that the meeting will be recorded and that during the meeting some photographs may be taken for communication purposes. If anyone would prefer not to be photographed or that his/her image not to be published on the EFCA website and social media profiles, their choice would be respected.

The Chair commented about the gender balance among the AB representatives and alternates:

- AB representatives: men 71 %, women 29 %.
- AB alternates: men 73 %, women 27%.

Present	Proxies were given for all agenda items
Quorum	The Chair concluded that the 2/3 quorum was obtained (31 votes out of 34).

1. APPROVAL OF THE DRAFT AGENDA (CHAIR 09H10-09H15)

The Chair asked the AB members if they had any comments on the agenda. There were no comments and the agenda was adopted.

The minutes are presented in accordance with the items' order as they were dealt during the meeting.

2. INFORMATION FROM THE EXECUTIVE DIRECTOR

The Executive Director (ED), the Head of Unit EU Waters and North Atlantic (HoU 2) and the Head of Unit Coast Guard and International Programmes (HoU 3), informed the meeting regarding the main issues that had taken place and were ongoing since the last AB meeting on 10 April 2019 in addition to the details imbedded in the cover note:

- PESCAO: Mr. Seraphin Dedi, Secretary General of the Fisheries Committee for the West Central of Gulf of Guinea (FCWC/CPCO), visited EFCA last week, in order to have a working meeting with EFCA and to meet with the company preselected for equipping its regional Fisheries Monitoring Centre which is another building block of the project. Coordination and synergies of programmes in the region is one of the main guiding principles, given the different donors present in the area.
- Cooperation with Europol: In the framework of the cooperation in the EMPACT initiative combatting environmental crime through the operational action 2.1 to combat illegal fishing, led by Portugal and co-led by EFCA, a Joint Action Day (JAD) took place on the 25 September 2019, coordinated from EFCA Coordination centre with the participation of Cyprus, Croatia, Estonia, Latvia, Malta, Italy, Portugal, Spain as well as Frontex, and Europol. 939 officials, 135 patrol cars and 132 vessels were deployed and 183 operational actions were completed, (58 at sea, 109 on land and 16 airplanes deployed including one RPAS).

As provisional results, one criminal case and 62 administrative infringements were detected, 2,5 tons of illegal fish and fishing gears were seized in the operation.

- European cooperation on Coastguard: As part of its mandate in this cooperation framework, EFCA works in the preparation of the practical handbook for coast guard cooperation. A meeting will take place by the end of November for getting additional contributions from Member States. Beyond the cooperation between the three EU maritime agencies, a cooperation is running with two related fora, the European Coast Guard Functions Forum (ECGFF) and the Mediterranean Coast Guard Functions Forum. EFCA will attend the ECGFF plenary meeting in Venice on 14-15 November 2019, where the Forum Chairmanship will move from Italy to France. France plans to organise three workshops: Cybersecurity and Information Sharing in February 2020 supported by EMSA; Enhanced operational cooperation, supported by EFCA in April 2020 and one workshop supported by Frontex on the concept of multipurpose missions operations in June 2020. The ECGFF French Chairmanship will organise a drill in June 2020 in the Mediterranean Sea back to back to this latest workshop.
- Electronic Inspection Report (EIR): The project is on track and the implementing rules are in preparation to reinforce the legal basis for its implementation. This may deserve a specific working group next year.
- Governance: There has been a proposal from Portugal regarding the possibility to organise an EFCA Administrative Board meeting in Lisbon around the dates of the UN Oceans Conference (2-6 June 2020). The ED proposed instead to organise the meeting as a seminar of the AB in Lisbon, stressing the importance of early booking of a venue.
- Data Protection: Internal rules have been drafted to establish cases where the EFCA may apply restrictions to certain rights of data subjects. The final text is subject to approval by the EDPS and will subsequently be submitted to the Administrative Board for Decision. The ED suggested that the adoption be by written procedure. This draft decision lays down internal rules concerning the restriction of certain rights of data subjects in relation to the processing of personal data in the framework of activities carried out by EFCA. The ED mentioned that EFCA has now two certified Data Protection Officers to ensure data protection continuity. One is Information Security officer and Data Protection Officer and the other is a Communication Assistant and Deputy Data Protection Officer. The EDPS has launched an investigation on the use of Microsoft products and services in the EU institutions based on the work done by the DPS of the Netherlands.
- Financial management: The global implementation figures right now are 87% for commitments and 69% payments. Budget implementation forecast anticipates a 99.8% execution in commitments at the end of the year.
- Audits: The Internal Audit Service (IAS) has closed the five recommendations on IT governance and project management. There is still ongoing work of the four open recommendations on budget and planning. On the audit of JDPs, the IAS has identified three recommendations; none of them is very important or critical.

The representative of Portugal thanked the ED for the presentation and stated that before or during the UN Oceans Conference in Lisbon, Portugal would like to organise an IUU seminar before or on the same day as the UN Conference. Consequently, the AB seminar may held back to back with this event. Regarding EMPACT, he remarked that the Portuguese law does not consider infringements to regulations on fisheries as fisheries crimes, and then therefore the sanctions applied are administrative. He added that the Guarda Nacional Republicana (GNR) are not the national fisheries authority in Portugal.

The representative of Spain stated that they too only have administrative sanctions, and that there is no criminalisation of the fishing activity.

The representative of Cyprus stated that the cooperation with EUROPOL offered the unique opportunity for the fisheries control community and the law enforcement community within Cyprus to take part in an EU joined project.

The representative of Germany thanked EFCA for the updates in advance of the meeting and asked that a list of abbreviations be included on Item 2 in future. The ED agreed with this suggestion. She also asked for the outcomes of the cooperation with Europol, to which EFCA ED confirmed there would be a report, as it is part of the European Union cooperation on Coast Guard.

The Chair remarked that the cooperation with Europol could be very useful and important, as Europol is the EU agency to combat crime at European level. He added that the decision to rate IUU fishing as a crime falls under the competence of each Member State.

The Chair also mentioned the importance of the draft decision on Data Protection, requiring a future written procedure on completion of checks carried out by the Data Protection experts. He added that Data Protection is very relevant to EFCA, as MCS measures may generate and examine sensitive control data. The Chair also supported the remark of Germany on abbreviations.

- JDPs state of play: The HoU 2 and HoU3 made an exhaustive presentation of the different Joint Deployment Plans (JDP) state of play in terms of deployments, inspections and suspected possible non-compliance (PNC). The main conclusions highlighted the prevalence of the following PNC: misrecording of catch, compliance with the technical conservation measures and an adherence to the landing obligation (LO). Moreover, alternative or complementary control and monitoring systems (REM) to the ongoing processes of last haul and specific action might probably facilitate the monitoring of the Landing Obligation. Nonetheless, the HoU2 cited as a way forward, some improvements in the implementation of the last haul and the complementarity of sea and follow up port inspections during specific actions. He also referred to the levels of commitment that remained aligned to the former SCIP empowerment but added that the effective deployments were far greater. Whilst awaiting to the introduction of the Electronic Inspection Report (EIR), good progress was made by most of Member States in using a "semi-automated" system (ACTREP). A final message is that more than 60% of inspections are taking place at the 2 highest risks fleet segments at JDP regional level.
- No-Deal Brexit preparedness: the EFCA made a short oral summary of the work done to the AB.

The representative of Spain thanked EFCA for the interesting presentations and raised some points. On the Western Waters JDP, EFCA stated that there are problems with the new format of the ACTREP, as Spain are currently working to solve the IT issues, it affects them. Therefore, Spain requests that the 1300 inspections done by Spain in the area are included in the reporting. He also mentioned the importance to focus on the risk analysis in the framework of the new JDPs, and not on having more inspections.

The representative of the Advisory Board encouraged EFCA to increase the dialogue with the Advisory Councils. He expressed his appreciation of the coverage of the JDPs, but said the high number of infringements is shocking. He indicated that the ACs can provide an excellent forum for a dialogue with the industry and stakeholders on the details of these infringements and how to address them. He also asked if, in the context of Brexit preparedness, it would be possible to identify relief areas to alleviate the pressure on certain areas.

The representative of the Netherlands asked if EFCA is willing to have an evaluation on the effort and effectiveness of Lundy Sentinel in the different JDPs. The ED confirmed there was a presentation prepared for such an issue to be displayed later.

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The representative of the EC thanked EFCA for the presentations on the JDPs and asked for the information to be distributed. On the Mediterranean JDP, during the campaigns there have been a number of infringements detected on third country vessels. They are notified to the EC and the EC notified those to GFCM and ICCAT, as a systematic follow up. She indicated that the campaigns contribute to a better ocean governance and fight against IUU fishing, and reinforce the EU on those international fora.

With reference to eels, the representative of the EC asked to enlarge the scope of the issue to regional areas other than the Baltic Sea. The same would apply to recreational fisheries.

The EC also acknowledged that the number of infringements was high and that is why JDP and inspections are needed. The poor level of last haul inspection and the bad coordination between last haul inspections and land inspections were elements of concern for the EC. She recognised that there are no effective tools for the control of the landing obligations, despite the efforts of the EC to introduce REM, which is now in the hands of the co-legislators.

The representative of the EC asked for more information on the species and fleet affected by the misrecording of accidental catches in the demersal species in the North Sea, as mentioned in EFCA's presentation.

As an information point, she took the opportunity to announce that the EC will organise a Compliance Expert Group at the end of January 2020.

In response to Spain's remarks regarding the ACTREP, HoU2 stated that it is an important point, especially on landing inspections. However, EFCA considered that Spain was sending the information in a fairly structured way so EFCA would be able to include the data in the Annual Report. HoU2 said that in the Western Waters JDP there are now more inspections, as it now covers both pelagic and demersal fisheries. EFCA focus has always been related to a risk based approach, precisely to do the best possible deployment of limited control resources. HoU2 said that it was very important to ensure the fleet segment for which a high level of risk is detected is the one subject to a high ratio of inspection, as it is the case at present, as the 60% figure shows. Responding to the representative of the Advisory Council, he also confirmed the importance of the dialogue with the industry for the Agency, as is also in their interest to have a fair competition environment and a level playing field. In this context, he stated that EFCA is organising a series of workshops with the Regional Control Expert Groups to present the Compliance Evaluation results in the context of the implementation of the landing obligation in the North Sea, Baltic Sea and Western Waters.

The representative of Ireland pointed out that the transition from the old JDPs to the new JDPs may have been underestimated, as some Member States are struggling with the changes, such as concepts that were good for the old JDPs could not be valid any longer and some reflections needs to take place. Ireland also noted that the use of last haul for individual fishing trips followed by a landing inspection of that trip could be a micro use of that last haul and a more macro use of the last haul could be used for compliance, such as comparing the haul of a vessel to previously inspected hauls of that vessel.

The representative of Cyprus referred to the presentation on the Mediterranean JDP and the particular risk of the IUU vessels of third countries, to which they agreed, and the impact of recreational fisheries. He also said that the new SCIP is a challenge for everyone and this was the first year, so a further evaluation would be needed. He also commented on third countries infringements and their relationship to illegal fisheries. There was an underestimation on how much illegal fishing activity there was in the eastern Mediterranean. He mentioned that in Cyprus waters and the eastern Mediterranean there is a high level of IUU fishing from third country vessels. He said that at EU level, EU fleet needs to comply but there is also an obligation towards the European fleet as they witness third countries fishermen fishing illegally, not complying with RFMOs rules. EFCA and Member State need to give tools to the EC to present this in RFMOs and third countries and that the flag states take responsibilities for their fleet. He stressed that since the JDPs are now incorporating all fisheries and there is more involvement with third countries activities there are a lot of politically sensitive issues to consider and take into account and therefore EFCA must be more

transparent with MS. He said that this year more transparency was expected especially on third countries. He remarked that after all EFCA regulation underlines the obligation of EFCA to inform Member States of issues that are of their concern. He also asked on the Brexit presentation if high risk was referring to non-compliance or to overexploitation of fisheries resources.

The Chair stated that discussions on Brexit should take into account that a no deal Brexit is unlikely on 31 October 2019.

On the points of the Commission, the HoU2 confirmed that regarding the suggestion of the EC on the workshop on eel fisheries with a cross-regional approach at least at a first stage is noted and also took note on the risk for protected species in the North Sea.

HoU3 responded to Cyprus by saying that on the high risk of illegal fishing from third countries, EFCA had some tools for cooperating with Member States and was ready to do it. For example, in cooperation with other agencies, sightings have been notified to the EC on supposed illegal Egyptian fishing vessels in the Strait of Sicily. Indeed, EFCA has some tools and methods to contribute to the fight against illegal fishing. He stated that on transparency and communication, the inspections are done in full cooperation with Member States and would like to thank the Member States for their big effort to provide inspectors to participate on the EFCA vessel, which is very important for EFCA. Transparency and communication is instrumental and EFCA would do what is necessary to improve, as JDPs for EFCA mean cooperation with Member States.

The Chair acknowledged that the point was raised by Cyprus for a specific issue and it was solved between Cyprus, EFCA and the EC.

Picking up on the issue of third country infringements, the representative of the EC raised concern that vessels without license and logbooks are fishing and that it was something that needed to be absolutely followed up, not only in the Mediterranean but in international waters, reinforcing EU control activity. Furthermore, the EC mentioned that they are happy to have an open discussion with Member States on how SCIPs work. There will be an evaluation of the SCIPs every two years. In 2020, the annex of the Mediterranean SCIP will also need to be reviewed for alignment with the new GFCM recommendations (to be adopted at the GFCM annual meeting of November 2019). It would be an opportunity to have a reflection on the scope and objectives of the SCIP.

- Offshore patrol vessel Lundy Sentinel: the HoU3 made a presentation of EFCA chartered Offshore Patrol Vessel Lundy Sentinel (LS) and an assessment of her performances. The main conclusions were that the EFCA chartered vessel is efficient and cost effective. Her primary mission of fisheries control encompassed 400 inspections with a rather high ration of PNC detection made by Union Inspectors of the Member States and some inspectors of third countries supported by the EFCA Liaison Officer on Board, since her first deployment. She will become a vessel of opportunity (VOO), part of the EU response framework to marine pollution in cooperation with EMSA. Beyond in-built capacity for Search and Rescue (SAR), LS resources also encompass medical assistance personnel on board. The charter contract allows flexible deployments and fast decision-making process for responding to operational need, patrol areas and port of call. The HoU3 highlighted the high level of readiness of the ship and expressed gratitude to Member States for their cooperation.

The representative of the Netherlands thanked EFCA for the presentation and said it was very useful. They enquired whether the number of inspections were fisheries inspections and if there was going to be an evaluation on paper of the OPV as he would like to have it.

The representative of IE congratulated EFCA for the work of the vessel and the challenge that means having an inspection platform at sea in terms of safety and its multipurpose nature. There were probably unique situations on the vessel for example on managing data from different Member States or aerial platform. He asked what could be done to build a learning cycle and bring best practices.

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The HoU3 clarified that all fisheries inspections encompassed the effective boarding of fishing vessels. On the question from Ireland, he stressed on the importance of having inspectors from different Member States to exchange experiences and interaction with the technical joint deployment groups. HoU3 also confirmed that an evaluation report of LS would be included in the next EFCA Annual Report for 2019.

The representative of Denmark asked about the experience of the LS with RPAS. The ED replied that they might provide a real operational opportunity for a pre-boarding survey of the target to improving safety and security of the inspector but also for the monitoring of the ship activity before boarding.

The representative of Cyprus highlighted the importance for the EU to have a flagship patrol vessel and show how important control is for the EU. He suggested evaluating the operational tactics for sightings and classification of IUU activities. He added LS was visible meaning that those participating in illegal activities could be monitoring the vessel, and taking into account the speed of the vessel it would be easy not to be in the range of the vessel. It was stated that there is a positive consideration on the UAV tactic, but that boarding an IUU vessel would need to be less conspicuous and more agile.

The ED explained that the technical requirements designed for the open call for tender was drafted taking into account that the vessel had to be a multipurpose platform but also ready to operate in different areas where EFCA operates, and therefore it had to have a good tonnage (2000 TM) to cope with the North Atlantic conditions. By design, OPV operational requirements are antagonistic (endurance VS speed when needed). For this reason, LS concept encapsulates seaworthiness for rough sea conditions, endurance, good living standards on board for both inspection party and crew, and fast operational response with the high-speed boats on board. Regarding the visibility, he added that there was an exchange of views with Portugal on the issue.

The Administrative Board took note	of the information provided in writing as well as orally, at the meeting.
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3. IMPLEMENTATION OF ARTICLE 30 OF THE COMMON FISHERIES POLICY (INTERNATIONAL DIMENSION). DG MARE STRATEGY

The representative of the EC reminded that the document has been presented since 2016. It reflects the working arrangements between the EC and EFCA to work on international dimension, as well as EFCA's mandate under its founding regulation Art. 3.1 and 4. The document has not changed significantly from the one of last year. The actions are divided in 4 main areas, with few changes and a disclaimer has been added "The specific implementation of the suggested actions will be discussed and agreed with EFCA on a case-by-case basis, by taking into consideration EFCA's workload, availability of resources and other priorities":

- 1) Interventions in the framework of the Regional Fisheries Management Organisations (RFMOs) and control working groups (WGs) and fora with Third Countries partners. This action encompasses NAFO, NEAFC, ICCAT, GFCM and the work undertaken under the Northern coastal states agreements and the EU-Norway and EU-Russia relations. The representative of the EC highlighted the importance of control and monitoring in those fora to push for more ambitious management measures and to make sure that third countries abide by the same rules.
- 2) Operational activities for the implementation of GFCM recommendations. This section groups activities with third countries in the international inspection scheme in the Strait of Sicily, a pilot project in the Black Sea for turbot, sustainable fisheries in the Ionian and Levant Sea and measures for small pelagic species in the Adriatic Sea, and the possible implementation of a new pilot project for demersal stocks in the Adriatic Sea.

- 3) Capacity building in the framework of Sustainable Fisheries Partnership Agreements (SFPAs). The main activities in this area are those covered by the PESCAO programme. Numerous capacity building activities have taken place under this programme and are planned for the future. The plan prioritises missions for next year in the countries that have signed SFPAs with the EU. Besides, if resources are available, actions could be carried out in Seychelles and Madagascar; the EU is making attempts to make sure EFCA receives a grant for those activities under the ECOFISH project.
- 4) Support to the fight against IUU fishing. This area covers the development of the new EU catch certification scheme (CATCH), supported by the EFCA IMS for the verification of catch certificates. It involves also the analysis of catch certificates from third countries, trainings of EU MS, capacity building in third countries, analysis of possible illegal fishing activities, direct interactions with third countries to assist the COM in dialogues with third countries. Cooperation with FAO, subject to the availability of budget and human resources. The EC and FAO are making efforts to secure a grant to EFCA to carry out capacity building activities with FAO. The PESCAO project is also included in the IUU chapter.

There will be a transition to the new format of the EFCA SPD document. The new format will foresee a dedicated chapter on the international activities, for a long-term strategy and planning. The elements of this document will therefore be transposed to the new SPD.

The Chair emphasised that most of the actions presented by the EC were a continuation of existing ones.

The representative of Denmark referred to the new tasks to be undertaken if there were available resources, and asked if there were no resources available, how actions would be prioritised during the year.

The representative of the EC reassured the meeting that there is a well-established practice with EFCA and that bilateral meetings are held every month to review the situation. Up to now, there has never been an issue with the implementation of the actions and the EC is cautious in asking more; she added that if a major need would arise, measures to reprioritise would be put in place and reminded the meeting that there are different fora in place to discuss the situation, i.e. AB meetings, JDP Steering Groups meetings and meetings on coastal states agreements where MS are represented. Finally, she added that for SFPAs there were a number of capacity buildings where the EC has never put forward a specific request.

The representative of Germany thanked the EC for the document and looked forward to the new format of the SPD that would help to bring more clarity.

The representative of the Netherlands agreed with Denmark and commented that these were all potential areas of work for EFCA, but there is a restricted capacity, and then it would be difficult to combine with the KPI of 100% mentioned in the SPD. He also queried how the point on international relations strategy mentioned in the annex V of item 6 of the AB agenda was linked to this document.

Regarding IUU in 2020, the representative of the Netherlands referred to the relations with Norway and Russia and alluded to the Brexit with or without deal and the fact that it was not mentioned in the document. Later, he asked if the document would be updated when Brexit takes place. He also asked whether the information sharing with other institutes (such as Europol) should be mentioned in this document.

The representative of the EC reiterated that the EC does not put forward a request if they know EFCA has no resources available. With regards to the link between the document and discussion on international dimension, a new element is that the new SPD will have a chapter on the international dimension. She stressed that EFCA has a strong mandate in international activities, as

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it is enshrined into the EFCA founding regulation, but also through specific activities laid down in the transposition regulations of RFMO measures

On IUU and Brexit, the representative of the EC indicated that at this point, the EC did not know what the involvement would be and how this would affect EFCA's activities. She added that once there was more clarity on the Brexit, there might be a need to revise the document and introduce a chapter.

With reference to the question on information sharing with other institutes (Europol), the representative of the EC replied that Europol just cover illegal activities at EU level, it does not have an international dimension.

The Chair concluded that the document could be considered as a framework paper and that it was good progress to have it as a basis of information for taking decisions and closed the agenda item.

The Administrative Board took note	of the information provided in writing as well as orally, at the meeting.
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4. ADOPTION OF THE SINGLE PROGRAMMING DOCUMENT CONTAINING THE MULTIANNUAL WORK PROGRAMME 2020 - 2024 AND ANNUAL WORK PROGRAMME FOR 2020 AND OF THE BUDGET AND THE ESTABLISHMENT PLAN OF THE EUROPEAN FISHERIES CONTROL AGENCY FOR YEAR 2020

The ED presented the Single Programming Document containing the Multiannual work programme 2020 - 2024 and Annual work programme for 2020 (hereinafter the SPD 2020) and the Budget and the Establishment plan of the European Fisheries Control Agency for year 2020. Some of the main points highlighted were:

- The SPD 2020 was first presented to the Administrative Board in October 2018, then notified to the institutions in January 2019 and takes into account the Commission written opinion adopted on 17 July 2019, as well as comments provided by the Commission after circulation of the document to the Board.
- The SPD 2020 has been substantially streamlined in its multiannual and annual part. The multiannual programming is structured around six strategic multiannual objectives and four (formerly three) strategic areas. It will keep the legacy of 2019.
- The annual activities have been restructured. The number of operational objectives has been reduced from 10 in 2019 to 6 in 2020. The performance indicators have been reviewed.
- The Annual work programme 2020 has been reorganised in line with the strategic multiannual objectives and areas of intervention for 2020-2024, and responds to the Board members' comments made during the Board meeting on 14 March 2018.
- The six strategic multiannual objectives were presented, as well as the four strategic areas and their relationship with the strategic multiannual objectives and the KPI.
- On the operational area:
 - o Implement JDPs and assist the Member States and the Commission in EU waters, the North Atlantic as well as in the Mediterranean Sea and Black Sea
 - o Promote a risk management based approach and compliance evaluation
 - o Support the EU in the implementation of the external dimension of the CFP
 - o Strengthen compliance through the implementation of EU international projects (e.g. PESCAO) as regards fisheries monitoring, control and surveillance
 - o Improve capacities to implement fisheries control and support other coastguard functions
- On the horizontal area:
 - o Provide the AB with the capacity for achieving its responsibilities in governance and expertise, in particular as regards a strategic discussion on the future of the Agency
 - o Ensure inter-agency cooperation and, where possible, streamline and/ or create synergies

- Streamline processes of the Agency to become more efficient. At the same time, as referred to in the preamble of the SPD 2020, moving to agile e-administration will help to achieve a good work-life balance at the Agency
- Concerning the budget, in Titles II and III there was a slight decrease compared to last year, in order to align EFCA activities and carry them out in the most efficient way.

The ED referred to the SPD 2020 summary table of amendments as available during the meeting, reflecting the changes made to the SPD 2020, since its circulation to the Board. Some of the changes highlighted were:

- On page 16, a specific paragraph on support to regional control expert groups had been introduced at the request of the Commission.
- On page 70, the mention of a risk for deployment of the chartered vessel Lundy Sentinel in Eastern Mediterranean Sea had been deleted.

The ED then referred to the footnote no 69 on page 59 which mentions a progressive phasing-out plan. He explained that so far five contract agents (CA) and four seconded national experts (SNE) were foreseen in the budget. After the amendments made to the EFCA founding regulation in 2016, EFCA increased the number of CA and SNE, because of the increased budget. Afterwards, EFCA had to provide estimations in the SPD. The Commission has now requested in its opinion on the draft SPD 2020 to reduce the number of CA to 5 and the number of SNE to 4. EFCA would do this in the next years, through a progressive phasing-out, via changing job profiles and moving operational profiles to more administrative profiles. In addition, some CA contracts would not be renewed. It is a challenge for EFCA to preserve the service continuity at the Agency and, at the same time, its interests.

The Chair opened the floor for comments.

The representative of Cyprus thanked the ED for the presentation and for having taken on board a comment regarding risks in Annex VIII to the SPD. Concerning the risk of Brexit, he added that it was uncertain when Brexit would take place, and which effects it would have. It would certainly affect fisheries. He was not sure how compliance would be affected and did not believe that compliance by fishermen of concerned Member States and third countries would change from one day to the other so easily. The worst-case scenario of Brexit was today's situation in the Mediterranean Sea. Therefore, Cyprus was very concerned about a change of the area of control of the Lundy Sentinel and would like to see the vessel working in all the Mediterranean Sea. He stressed that the AB should have a say as to the deployment of the vessel.

The representative of Germany thanked the Agency for making the modification on page 70 of the SPD for the sake of clarity. Apart from that, she found the budget estimated for the evaluation of the Agency in Annex IX rather low and inquired whether it was enough for that kind of work.

The ED thanked the representative of Cyprus for the point raised. The deployment of the EFCA chartered ship will have to be discussed depending on the evolution of the situation. The Agency sees in the North a huge shift of fishing effort with the risk of misreporting and illegal activity, so the Agency sees a big risk there. The ED added that with only one EFCA ship, it will be a difficult decision considering the European commitments in the Mediterranean Sea are high and concerns regarding IUU fishing activities in case of a non-orderly withdrawal.

With regard to the question on the estimated budget for the evaluation of the Agency, the ED explained that in the past EFCA had already contracted two evaluations; the first one in 2011 with a cost of around 85,000 € and the second one in 2016 was a bit more expensive with a cost of around 88,600 €. He underlined that the estimated budget of the third evaluation was on the same track and appropriations were earmarked at that moment in time. The procurement of the contract would be launched in 2020, but the evaluation exercise would take place in 2021.

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The representative from Ireland inquired on the approach on deciding where to deploy the Lundy Sentinel. He stressed that in case of a chaotic Brexit, the context would be very difficult. Staff reduction in EFCA was an additional risk in the strategic view on how to manage Brexit.

The ED agreed with the intervention made. If the United Kingdom would leave the EU, the steps would be to first adopt an amendment to the relevant JDPs and then to decide on the deployment of Lundy Sentinel. He added that concerning the progressive phasing-out of the CAs, that would be a multiannual plan, implemented according to a timeline. He intended to do a plan compatible with the operations and the risk mentioned by Ireland.

The representative of the Netherlands raised a question as to why the second indicator of the chart on page 31 was not applicable. He also inquired as to why an indicator no 3 in the same chart which had been present in the previous version of the document had now been deleted. Concerning the decrease of CA and SNE he queried whether it would have an effect on the work they would be doing and on the KPI, or if the activity would not change in the next years. On the geographical balance, he underlined that it was important to have such balance between the Member States. He also stressed the issue of schooling. Having more school possibilities would help that staff came from more Member States. In EFCA's reply on point 13 of the EC opinion on the draft SPD 2020 the streamlining of KPI is mentioned, and the Netherlands would also be interested in EFCA's reaction to the point focus on impacts and quality outputs.

The representative of the EC explained that the issue raised by the representative of NL on point 13 of the EC opinion was related to a comment made by the Internal Audit Service. She suggested to have for the future a common reflection on KPIs and impact indicators, with reference to agenda item 6. One of the options was setting up a small working group with Board members volunteering to bring forward some proposals at the next Board meeting.

The Chair remarked that the point on KPIs would be dealt with under item 6.

The ED underlined that the KPIs were according to the new SCIP approach. The reduction of the CA would have to be done according to the phasing-out plan. He confirmed that this would have consequences on the operations, as they were instrumental in supporting operations. That was a challenge for EFCA, but one with which to cope.

On the geographical balance, the ED explained that EFCA aims at having staff from different Member States, with candidates of different nationalities replying to the Agency's vacancy notices. He detailed that in each selection procedure there was a substantial number of Italian, Spanish and Portuguese applicants, which was a fact to be considered. At the same time, EFCA aimed to improve gender balance, an objective that would be discussed under recommendation 10 of item 6. The requirements of both nationality diversity and gender balance were challenges which the Board was aware of.

As regards the schooling conditions, the ED was not so sure that it had any influence on the agency attraction. The problem of attracting staff was more related to the possibilities for the partner to find a job. Consequently, it happened several times in the past that suitable candidates finally did not accept for that reason.

The Chair added that the situation of the geographical balance was rather positive, considering that the Agency covered 19 nationalities out of the 23 Member States engaged in fisheries.

The representative of Ireland pointed out that he had the impression, the change made on page 16 of the SPD 2020 concerning the support to regional control expert groups would relate more to assistance to the Member States under article 16 of the EFCA Founding Regulation, and should not be a JDP role.

The representative of the EC explained that the Commission considered appropriate to introduce a sub-chapter of regional control expert groups, to make clear that there is a difference between the work of EFCA supporting the regional control expert groups and the activities under the JDPs-.

Concerning article 16, in the view of the Commission, it was not entirely appropriate to cover the work with the regional control expert groups in terms of support under article 16, which relates to the coordination of deployment of Member States means of control and inspection in relation to a fishery. The Commission read that part of EFCA's work more under article 7 of EFCA's Founding Regulation, concerning assistance to the Commission and the Member States for ensuring a high level of uniform and effective fulfilment of their obligations under the rules of the common fisheries policy.

As regards regionalisation, article 18 of the Common Fisheries Policy is relevant, which is about joint recommendations to the Commission on the implementation of the landing obligation. In that respect, EFCA has done much work with the Member States, and the Commission definitely promotes that activity within the regional control expert groups. The Commission considers that this is extremely important, and it should be pursued in the future. In addition, the idea of setting up a REM working group was born within the context of regional control expert groups, and then extended beyond. The Commission does not contest that activity, provided that it remains within the legal framework of the CFP and of the EFCA founding regulation.

The Chair confirmed with the representative of Ireland that the latter accepted the explanation provided by the Commission.

In the absence of further comments, the Chair proceeded to the voting with the amendments presented. The decision was adopted by consensus.

Proposed action	Adoption of the Single Programming Document containing the Multiannual work programme 2020 - 2024 and Annual work programme for 2020 and of the Budget and the Establishment plan of the European Fisheries Control Agency for year 2020
Legal Basis	Art. 24, 32(2)(c) and 32(2)(d) of Regulation (EU) 2019/473, Art. 32 of the EFCA Financial Regulation (AB Decision No 13-W-09 of 31 December 2013) and Art. 33 of the EFCA Financial Regulation (AB Decision No 19-W-5 of 29 August 2019)
Decision	Adopted by consensus

5. ADOPTION OF THE DRAFT SINGLE PROGRAMMING DOCUMENT CONTAINING THE MULTIANNUAL WORK PROGRAMME 2021 - 2025 AND ANNUAL WORK PROGRAMME FOR 2021

The HoU1 presented the draft Single Programming Document containing the Multiannual work programme 2021 - 2025 and Annual work programme for 2021 (hereinafter the draft SPD 2021). The draft SPD 2021 covers a five-year period from 2021 to 2025, which are the first five years of the next Multiannual Financial Framework (MFF) period.

As regards the procedure, the draft SPD 2021 had already been sent to the Permanent Representations and the Advisory Board for comments and is now presented to the Board for decision. The comments on the SPD 2020 have been embedded in the draft SPD 2021. In January 2020, it will be updated with factual information not yet available. The Commission opinion is expected in July 2020, and final adoption of the SPD 2021 and the Multiannual work programme 2021 – 2025 will take place at the AB meeting in October 2020. The structure of the draft SPD 2021 is the same as in the SPD 2020

On the envisaged budget, the HoU1 explained that the Commission proposal presented in July covered the seven years of the MFF, and that there was still a long way to go from that proposal up to the final adoption of the new MFF. The draft figures from that proposal are included in the draft SPD 2021 up to 2025 concerning the budgetary resources. He pointed out that with an increase of the budget for 2021 of only EUR 100 000 as compared to 2020, the figure of the Commission proposal as shown on the slide of the presentation would be quite tight.

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The representative of SE inquired whether the format of the SPD would change a lot in the future. Moreover, he outlined that a workshop on KPIs would be a good way of increasing the Boards' activity in the SPD, while referring to the existing difficulties for the Board to get involved.

The Chair remarked that the point on KPIs would be dealt with under item 6.

On the new format of the SPD, the Head of Sector Policy and Communication (HoS P&C), clarified that the Commission together with the Agencies worked on a new template, and that no big changes were envisaged. There will be three strategies included in the template: the strategy for cooperation with third countries and/or international organisations, another strategy on how agencies are looking for efficiency gains and synergies and a third one on how to work on the new control framework. It was hoped to receive ASAP clear indications on the final template from the Commission.

In the absence of further comments, the Chair proceeded to the voting. The decision was adopted by consensus.

Proposed action	Adoption of the draft Single Programming Document containing the Multiannual work programme 2021-2025 and the Annual work programme for year 2021 of the European Fisheries Control Agency
Legal Basis	Art. 24 and 32(2)(c) of Regulation (EU) 2019/473, Art. 32 of the EFCA Financial Regulation (AB Decision No 13-W-09 of 31 December 2013 and Art. 33 of the EFCA Financial Regulation (AB Decision No 19-W-5 of 29 August 2019)
Decision	Adopted by consensus.

6. DISCUSSION ON FURTHER WAYS TO IMPROVE THE WORKING PRACTICES: ROADMAP ON THE ADMINISTRATIVE BOARD RECOMMENDATIONS FOLLOWING THE FIVE-YEAR INDEPENDENT EXTERNAL EVALUATION OF EFCA (2012-2016)

The HoS P&C presented the general status of each of the 11 recommendations.

The Chair thanked EFCA for presentation and suggested to engage in a "mid-term" evaluation on the recommendations which he proposed to structure around each of the recommendations. He pointed out that although most points were presented as "implemented", the slides could show that some actions are being continued or planned they were not at a stage to consider the whole topic closed.

On Recommendation 1 ("Whilst most of the suggestions made in the evaluation report can be implemented within the current legal framework, reflections could usefully begin on a review of the above Regulation, taking into account, among others, the following elements"):

- a review of Regulation (EC) No 1224/2009 (Control Regulation)
- the alignment of EFCA's mission and tasks with recent and possible future developments in the Common Fisheries Policy (CFP), notably the landing obligation, regionalisation, measures to combat IUU fishing and the external dimension of the CFP.", the Chair assumed that no comments were necessary.

On Recommendation 2 ("EFCA should further develop e-learning; facilitate and promote the use of core curricula by the Member States and support the creation and implementation of a sector-specific qualification framework for fisheries inspectors") there were no comments.

On Recommendation 3 ("EFCA should contribute to the further harmonisation of control methods, procedures and minimum inspection standards"), the representative of Poland expressed that as regards guidelines securing evidence for infringements follow-up, in meetings of steering groups problems were noted with this item. Poland suggested to review this issue in EFCA's plans.

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HoU2 answered that indeed there were guidelines in place but that at Steering Group level it was deemed necessary to revise them and see any potential updates including better dissemination of these guidelines for inspectors, so this is the task EFCA will undertake.

The representative of Ireland thought that this work had been done very well by the agency and doubted if more value could be added to it except for communication. He believed there was an opportunity with the core curricula and the pooling of expertise from experienced inspectors from different Member States. He believed that there was a good process producing a very good product but it was necessary to think on how this might be profiled or promoted at another stage.

On Recommendation 4 ("Ways should be explored to extend Joint Deployment Plans in contexts wider than applied currently"), the Chair understood from the slide that this had been done and gave the floor to the Netherlands.

The representative of the Netherlands referred to the next steps presented and in particular to the point "Expand the JDP concept to the future operational activities of the Fisheries Committee for West Central Gulf of Guinea (FCWC) within PESCAO". He wondered whether the AB should still decide to do that or whether it had been already decided. He suggested discussing it.

The ED explained that when receiving a recommendation from the AB he considered that he had to implement it as far as he could, so implementation of recommendation had already started. He explained that in the PESCAO area there are two commissions (SRCF is a very little more mature, and there a concept very similar to the JDPS is already being implemented, FCWC is working towards that direction). The ED mentioned that it was already encompassed in the SCIP for the Mediterranean Sea that encompasses a cooperation with the third countries. The EFCA urged the third countries involved in PESCAO to benchmark the JDP concept.

The representative of the EC added that she believed the confusion came from the interpretation of this recommendation. When reading the paper, they had a similar reaction but from another angle: The extension of the JDPs had already taken place through the new SCIPs which were adopted in 2018 leading to a wider scope of the JDPs. So, on the one hand the extension already took place at EU level. The recommendation could also be interpreted by looking at the JDP concept as such and where the text placed more emphasis, especially for the future, so how the JDP model is being promoted outside the EU with third countries. The promotion in the Mediterranean takes place through the implementation of GFCM recommendations through pilot projects and international inspection teams which are adopted at the level of GFCM, EFCA has an important role in implementing those recommendations. For PESCAO, the issue is different, as one of the objectives is promoting coordinated activities in the region. In this sense EFCA is trying to promote the JDP concept. Looking at it just from the perspective of the JDPs as they are conceived and ruled by the EFCA founding regulation today, one could also say that this recommendation was already fulfilled through the fact that the scope of the JDPs was now much larger than before. One of the issues that was discussed at the time of the second evaluation of EFCA was that for Western Waters, for example, the SCIP at the time did not cover demersal species. The landing obligation was also not covered. So it depends on how one would read the recommendation, i.e. taking the purely Member States angle or going beyond that.

On Recommendation 5 ("A reflection should be promoted on how to plan EFCA's involvement in the international dimension in relation to its mission and tasks"), the Chair referred to the discussion under Agenda item 3.

The HoU3 who explained that the idea of the document under agenda point 3 was to present the state of play of the current situation, and how the planning was done for international activities of EFCA. This came through a document prepared by the Commission every year around September and that has been subsequently worked on together with EFCA for submission to the Board. The document proposes the possibility for a more long-term planning, just to facilitate also the compilation of all the EC requests for activities in third countries to be included with time in the EFCA draft work programme. This was going hand in hand with the new template that will require also a specific part on the external dimension and is considered to help to better discuss and analyse the different

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elements in the Commission's request for EFCA activities in the CFP external dimension. Another objective was also the possibility to look at the current working arrangement between the Commission and EFCA and propose to update it following the evolution in the last years.

The Chair summarised that the two documents then were complementary, inviting all delegations not to repeat themselves with regards to what was already discussed under agenda item 3 before opening the floor.

The representative of Denmark believed that it would be good to have better grounds for discussions. For instance, regarding some of the statistics coming from the JDPs on third countries, what were the actual challenges and how should those international tasks be prioritised by EFCA? Therefore, a suggestion would be to have more figures in order to have a more solid discussion on this point.

The representative of Ireland suggested trying to give more added value for the MS from data. For example if EFCA was engaged in missions to a particular third country and if MS were dealing with consignments from that particular country tomorrow morning, MS would benefit if that information was available in a politically anonymised way that could be used in the MS's risks assessments. Otherwise, he considered the document very useful.

The representative of the Advisory Board highlighted one comment already forwarded in 2017 from the LD AC dealing with the international dimension of European fisheries, it was recommended to provide a bigger and adequate mandate to EFCA to work closer together with DG DEVCO on coordinating efforts. PESCAO was a good example but better work could still be done in this direction and they wondered if any progress was made in that direction.

The representative of Germany stated that she would like to support Denmark on having more than a one-year strategy, a long-term strategy that would not exclude yearly discussions. As for the second question at the end of the supporting document to this agenda item, reading the paper for agenda item 3 and this paper, she stated that she could see the relevance of almost every action already mentioned there. With regards to question 3, she believed the decision on what was priority for the Member States was difficult to make, so maybe a working group or reflection group would make sense, maybe in a written procedure, so the MS could build up some opinion on priorities. However, this would be time intensive and should be back to back with the AB or other meetings.

The representative of the Netherlands fully agreed with Denmark and Germany. For them it was very difficult to prioritise for further years, but that it would nevertheless be necessary for the AB to know what it wanted with regards to the international dimension, so a working group to discuss the strategy more in detail would be helpful.

The ED thanked the MS for their reactions and explained that the paper presented was first of all a reminder of the legal and conventional state of play in relation to article 30 of the EFCA founding regulation and some other legal basis references. All of that legal background had been conveyed into a working arrangement between the Commission and the Agency which was adopted by the Board in February 2015. From that document some proposals were made trying to establish the integration of the Commission's strategy on the international dimension taking on board the AB's vision and proposing the EC a more multiannual approach, reflecting maybe also on the priorities. From EFCA's side the reflection was also a resource –based approach. The documents prepared on this recommendation could be updated on the basis of the discussion of today and could be resubmitted at a later stage. He understood that the AB was not unhappy with the rest of the document and that it would be something EFCA could use going forward.

The Chair gave the floor to the representative of the EC who confirmed that they fully agreed with the request to have a long-term vision and the priorities and, something to be done in future under the new Single Programming Document template. She understood that some MS requested the support or use of intelligence information that could be retrieved from the international activities. This issue of having a better risk analysis of the activities of third countries vessels in international waters to be used for the MS was already raised by the EC recently. The EC would fully support this request and also understands that going along these lines might involve a considerable workload for the

EFCA. It would also require the input and support from the MS, and those activities could also be enshrined into the JDP specifications. On the question from the representative of the Advisory Board, she answered that PESCAO was in coordination with DG DEVCO within the Commission, also EFCA had been involved (not directly but kept in the loop whenever there was an option or opportunity for receiving a grant) in the ECOFISH project in the Indian Ocean. Trilateral cooperation is existing (DG MARE, DG DEVCO and EFCA), but it is not easy to get those grants and the Commission keeps trying in the context of the Mediterranean. She reassured the AB that the EC was doing what was necessary to ensure that EFCA had the necessary resources in this domain.

The Chair recalled that there was also the request of several Member States to have a reflection on the strategy going beyond one year.

The Chair returned to the question on whether or not to constitute an AB reflection working group on this issue. He was under the impression from the discussions including those of the morning that some cases were evident for which issues no working group was needed (e.g. on the question of the Brexit), but for other cases it could be considered. Although he had some doubts if this would in the end add very much to a common sense approach being deployed by EFCA and its management, he nevertheless considered it a good idea to reflect on it.

On Recommendation 6 ("The functioning of the Administrative Board should be further enhanced to actively support the work of EFCA. The Administrative Board should in particular focus more on strategic issues and EFCA should assist new Board members to facilitate their integration") there were no comments.

On Recommendation 7 ("There should be better interaction between the Administrative Board and the Advisory Board"), the Chair invited the representative of the Advisory Board to share their perspective on this topic.

In his reply, the representative of the Advisory Board explained that they met the day before the AB meeting and that they had a rotating chairing in the Advisory Board. While he considered this a good way of knowledge sharing, it also hindered continuity in terms of representation and this issue was going to be discussed internally in the AC. He reported that the meeting yesterday was good and an opportunity for them to discuss also issues of the day to day operations of EFCA (e.g. control of the vessel). In their meeting they had decided they would have a look at a set of Terms of Reference for the Advisory Board, on how to make better use of that facility and how to better organise the meetings.

The Chair invited for comments and understood that AB members were allowed and free to assist to the Advisory Board meetings, to which the ED added that the AB members were invited and encouraged to come. He understood that it was not so easy for Board members to come but the general idea was to invite the AB every time they had an Advisory Board meeting, which occurred twice a year.

The Chair added that he believed everyone considered it a good idea to have Administrative Board and Advisory Board meetings back to back.

The representative of Germany acknowledged the good work for the welcoming package and that it was useful not only for new members but also for more experienced members (e.g. for links to documents etc.).

On Recommendation 8 ("Cooperation and exchange with other EU agencies"), the ED informed the meeting that the latest Service Level Agreement was with EMSA on Accounting Services. The Board had been asked to react during the summer in written procedure, and that this had been signed off recently. He considered it a new step or a new building block in the cooperation with an agency that EFCA shared many common interests and SLAs with.

The Chair recalled that the cooperation with Europol had also been mentioned in the morning in this respect.

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On Recommendation 9 ("There should be better methodologies for measuring the added value and the impact of EFCA activities, using a result-based approach and leading to a small number of effective strategic Key Performance Indicators") the Chair gave the floor to Sweden.

The representative from Sweden had a more general thought and considered it an opportunity for the AB to be a bit more involved in the creation of the Single Programming Document. It was rather difficult for MS to discuss different issues together, while for the Commission it was easier to meet and to discuss. KPIs are a classic and difficult issue considering what the EFCA activities delivered and what effect these deliverables may have, maybe a good issue to have some work around it.

The representative of the Netherlands supported Sweden on that point and suggested that the KPIs topic could perhaps be discussed in more detail also in association with the other working group suggested on the international dimension.

The representative of the EC took the floor and recalled that the idea of the KPIs working group had already been promoted by the EC at the last AB meeting. They considered a very good idea to have a selected number of AB members in an ad-hoc working group that would like to participate having a common reflection on the KPIs. One option could be to start all together, or the EC might also have a reflection with EFCA first, if wished, and come back to the working group with a proposal for discussion, to make things easier. Ideally, the outcomes and results of the working group could be presented at the next AB meeting in April in order to share outputs with the AB. The discussion should also take into account the EC opinion on the impact indicators and quality outputs.

The Chair asked how this working group could be put in place and if volunteers from the MS were to be sought.

The ED affirmed and restated the proposal of the EC to first look into it between EFCA and the EC on a proposal and afterwards enlarging the group to the AB members interested in discussing impact and added-value indicators.

The Chair concluded that a working group was going to be set up. AB members interested to volunteer were invited to express their interest by 20 November 2019. The results and outcomes should then be presented at the next AB meeting.

The ED agreed and invited the interested parties to participate. MS national agencies could have interesting similarities to share with EFCA and reflect together on the use of added value and impact indicators.

The Chair added that this topic would involve a certain level of technical expertise.

The representative of Portugal suggested that this topic could be first addressed at the level of the five steering groups in order to have a proposal (without prejudice to the AB members participating to the working group) and to analyse that in the March Board meeting.

The Chair suggested not to go into too much detail and to retain the idea of a working group and to present some reflections in the next AB meeting. As for the composition of this working group, the idea was not only EFCA and the EC but also AB members on a voluntary basis, preferably with technical expertise. The group should not be too big.

On Recommendation 10 ("EFCA should continue to enhance gender balance") the Chair asked if summing the slide as "significant progress had been made however some further progress would be possible" would be correct.

The HoS P&C confirmed that this could be concluded from the figures.

The Chair recommended that on slide 4 legal obligations (e.g. maternity leave) should not be mentioned as measures.

The EC commented on the statistics presented. They were given for AD5-7 in terms of proportion and deputy Heads of sectors or Head of sectors. However, in the SPD different percentages were reported, referring to staff of grade AD8 and higher, so the percentages did not seem to match. The comment was just for the sake of completeness.

The Head of Sector Human Resources and Legal (HoS HR&L) explained that in the presentation EFCA was looking for other categories and statistics than those in the SPD, so as to show that in the lower grades there was an improvement. Eventually there would be also changes in the grades AD8 and higher following reclassifications. EFCA wanted to show that there is a development coming from underneath which EFCA so far was not requested to report in the SPD.

On Recommendation 11 ("EFCA should develop communication actions to further reach out to stakeholders, including through dialogues Communication actions") the Chair invited for comments.

The representative of the Netherlands thanked EFCA for this point. He welcomed the short version of the Annual Report 2018 and he wondered if this approach was planned for the following years. This was confirmed by the ED.

The Chair thanked everyone for the very useful discussion and EFCA for the preparation of the documents on this agenda point. As a final point the Chair remarked that the evaluation and the recommendation were now two years old. The AB and EFCA were of course free to come up with other issues of improvement, so it was not a closed list and the impression should not be given that the work was finished until the next evaluation. He considered it as one of the core tasks of this AB to make suggestions on how the work of EFCA could be further improved, as well as the work of the AB itself. Therefore, this was not a closed but an on-going point.

The Administrative Board took note	of the information provided in writing as well as orally, at the meeting.
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7. ADOPTION OF STAFF REGULATION IMPLEMENTING RULES

The HoS HR&L reminded the meeting of the two different scenarios for adopting Staff Regulation implementing rules:

- 1) the EC adopts implementing rules that are adopted by the agency by analogy.
- 2) the implementing rules adopted by the EC are not fit for the agencies and the agency requests the agreement of the EC to the non-application of the EC decision and to adopt a model template for agencies.

In the present case, the EC has adopted a decision laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings. The rules having been considered by the agencies and, in agreement with the EC, not appropriate to apply them by analogy. The agencies together with the EC are working on a model decision. Once it will be ready, it will be notified to the agencies and EFCA will present the rules to the AB for adoption.

There will be two other Implementing rules where the AB will be asked to give its approval:

- Decision on the non-application of the EC decision regarding the maximum duration for the recourse to non-permanent staff in the Commission services, which is not relevant for EFCA.
- EFCA conflict of interest policy (TA and CA): EFCA adopted in 2014 a policy on conflict of interest for the agency's staff and AB members based on guidelines issued by the EC. The EC has informed recently that the conflict of interest policy for EFCA statutory staff is considered implementing rules of the staff regulations; therefore, agreement of the EC is needed for these rules. Consequently, EFCA will review the policy for its staff and will come back to the AB to adopt a new policy. Concerning the rules on the policy for the AB and Advisory Board, no changes are expected, but a new decision may be needed, since there will be a split in both policies.

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There were no comments and the Decision was adopted by consensus.

Proposed action	Decision on non-application of the Commission Decision laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings
Legal Basis	<ul style="list-style-type: none">- Articles 28 and 32(2)(h) of Regulation (EU) 2019/473- Article 110(2) of the Staff Regulations of Officials of the European Union and the Conditions of employment of other servants of the European Union in their version of 1 January 2018
Decision	Adopted by consensus.

AOB

The ED briefed on the outcome of the meeting of the Advisory Board held on 21 October where the Advisory Councils presented their main areas of work since the last meeting. For its part, EFCA

- presented the state of play on the implementation of JDPs and the draft SPD;
- proposed a visit of EFCA to present the agency to newcomers of the ACs;
- proposed to draft a ToR to facilitate the work of the ACs;
- expressed delight in supporting a joint Ex Com meeting of all ACs in Vigo to interact with them in 2020 or 2021.

The main conclusions of the meeting will be available on EFCA's website.

The Advisory Board representative expressed the feeling that the Advisory Board meeting was fruitful with a valuable input of the activities of EFCA. He highlighted the importance of EFCA's participation in the ACs meetings and hoped it would continue and be strengthened.

The tentative dates of the next AB meetings were proposed.

There were no further comments from the AB members and the Chair closed the meeting.

The Administrative Board took note	<p>of the information provided orally, at the meeting.</p> <p>Next Administrative Board meetings:</p> <ul style="list-style-type: none">- 2 April 2020- 13 or 14 October 2020 (TBC)
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ANNEX I

List of participants to the meeting of the Administrative Board of the EFCA Vigo, 22 October 2019

Members		Alternates
(BE) Belgium:	-	Mr Geert DEVOGEL
(BG) Bulgaria ¹ :	Mr Dimitar VALKOV	-
(CZ) Czech Rep.:	-	Mr Petr CHALUPA
(DK) Denmark:	Ms Nanna MØLLER	-
(DE) Germany :	Ms Melanie SEIBERT	-
(EE) Estonia:	Mr Indrek ULLA	-
(IE) Ireland:	Mr Andrew KINNEEN	Mr Micheal O'MAHONY
(EL) Greece:	-	Mr Ioannis OIKONOMAKOS
(ES) Spain:	-	Mr Borja VELASCO TUDURI
(FR) France:	-	Ms Bérengère LORANS
(HR) Croatia:	-	Mr Mario SKORJANEC
(IT) Italy:	Mr Riccardo RIGILLO	Mr Lorenzo MAGNOLO
(CY) Cyprus:	Mr Yiannos KYRIACOU	-
(LV) Latvia:	Mr Miks VEINBERGS	-
(LT) Lithuania:	-	Mr Tomas KAZLAUSKAS
(LU) Luxembourg:	-	-
(HU) Hungary:	-	Mr Peter LENGYEL
(MT) Malta:	-	-
(NL) Netherlands:	Mr Harold HOOGLANDER	-
(AT) Austria:	-	-
(PL) Poland:	-	Mr Stanislaw KASPEREK
(PT) Portugal:	-	Mr Carlos FERREIRA
(RO) Romania:	-	-
(SL) Slovenia:	-	Mr Slavko SISKI
(SK) Slovakia ² :	Mr Jan SUKOVSKY	-
(FI) Finland:	Mr Harri KUKKA	-
(SE) Sweden:	Mr Ingemar BERGLUND	-
(UK) United Kingdom:	-	-
<u>European Commission:</u>		
Mr Reinhard PRIEBE (Chair)		-
-		-
-		-
-		-
		Ms Manuela MUSELLA ³
Ms Francesca ARENA ⁴		

Advisory Board representative:

Mr Esben SVERDRUP-JENSEN (BSAC)

Observers:

Ms Mariya KRESTYANSKA (DK)

Ms Nicoletta DE VIRGILLO (IT)

Ms Sarah R. VITIELLO-FERRARA (European Commission)

EFCA⁵:

Office of the Executive Director

Mr Pascal SAVOURET (Executive Director)

Mr Marcel DEDIC (Accounting Officer)

¹ Proxy from Romania (RO).

² Proxy from Austria (AT).

³ Proxy from Commission (Mr B. Friess)

⁴ Proxy from Commission (Ms V. Veits).

⁵ Staff attending all the agenda items.

Ms Patricia SÁNCHEZ (Head of Sector Policy and Communication)

Ms Gregoria CUESTA (Assistant to the ED)

Ms Rosa FUENTES (Executive Assistant)

Unit Resources and IT (Unit 1)

Mr Niall MCHALE (Head of Unit)

Ms Rieke ARNDT (Head of Sector HR and Legal)

Unit EU Waters and North Atlantic (Unit 2)

Mr Mario LOPES SANTOS (Head of Unit)

Unit Coast Guard and International Programmes (Unit 3)

Mr Pedro GALACHE (Head of Unit)



Administrative Board



**Agenda of the 33rd meeting of the
Administrative Board of the EFCA**

22 October 2019 in Vigo

09h00 to 17h00

(D=decision; I=Information)

1. Approval of the draft agenda. D
2. Information from the Executive Director. I
3. Implementation of Article 30 of the Common Fisheries Policy (international dimension). DG MARE strategy. I
4. Adoption of the Single Programming Document containing the Multiannual work programme 2020 - 2024 and Annual work programme for 2020 and of the Budget and the Establishment plan of the European Fisheries Control Agency for year 2020. D
5. Adoption of the draft Single Programming Document containing the Multiannual work programme 2021 - 2025 and Annual work programme for 2021. D
6. Discussion on ways to further improve the working practices: I
 - Roadmap on the Administrative Board recommendations following the Five-Year Independent External Evaluation of EFCA (2012-2016), encompassing:
 - o the state of play of the recommendations' implementation,
 - o the mid-term plan for the international dimension,
 - o key performance indicators (KPIs) measuring added value and impact, AB working group on KPIs.
 - Other Administrative Board suggestions.
7. Adoption of Staff Regulation implementing rules. D
8. AOB

European Fisheries Control Agency

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