



ADVISORY BOARD MEETING

23 February 2018, Brussels

CONCLUSIONS

Participants

Advisory Board representatives: Mr José Beltrán (PELAC), Mr Niels Wichmann (NSAC), Ms Rosa Caggiano (MEDAC), Mr Daniel Voces de Onaindi (MAC), Mr Staffan Larsson (BSAC), Mr Lindsay Keenan (BSAC), Ms Béatrice Gorez (LDAC) and Cécile Fouquet (AAC)

European Fisheries Control Agency (EFCA): Mr Pascal Savouret (ED), Mr Mario Lopes dos Santos (HoU EU Waters and North Atlantic), Mr Pedro Galache (HoU Coast Guard and International Programmes) and Ms Patricia Sánchez Abeal (CO).

0. Approval of the Agenda.

The ED opened the meeting by welcoming the Advisory Board representatives.

The agenda was approved.

1. Introduction and state of play: Advisory Councils (ACs) state of play

The ED gave the floor to the ACs and pointed out that a summary of the outcome of the meeting would be reported to the Administrative Board on 14 March 2018.

The MAC representative raised the following issues:

- *After internal debate, the Chair of the MAC decided they could not provide advice to the proposal for revision of the Control regulation by the Commission in its fast track process consultation as an agreed position could not be found on the control of traceability of import products in the EU.*
- *The debate focused on the assessment that producers within the EU needed to comply with higher standards than outside the EU. The MAC's position is to ask for a global playing field so that all products entering in to the EU follow the same environmental, social and health standards as those produced within the EU. If it is not the case, this implies an extra cost for EU products.*

- *The MAC representative acknowledged that while it is not possible for all products to have the same level of requirements, for instance due to WTO rules, at least the EU should exert some pressure.*

The ED pointed out that within this context, if the European Commission requests so, the EFCA could provide assistance through training in relation with fisheries monitoring and control for Third Countries, as it was done for the Indian Ocean.

The BSAC representative asked about the state of play of the global dialogue on the labour conditions on board as regards Third Countries.

The MAC representative explained that, following the meeting of the EU Social Partners in the fisheries sector (Europêche1 and ETF2) with the specialised agencies of the UN (FAO, IMO and ILO) and the Commission, they concluded that while the fight against IUU has become very important globally is not the case of labour conditions aboard fishing vessels. Therefore, the two issues should be addressed together. Their idea is to have a side event during the COFI meeting to raise awareness about the issue. Member States are encouraged to ratify the ILO Fishing Convention.

The PELAC representative highlighted the following issues:

- *The ICES currently assess the management strategy for the southern horse mackerel (IX area). It is important to give a TAC without many variations*
- *Regarding the revision of the control system, the PELAC emphasized a reinforced role for EFCA.*
- *The PELAC is preparing an opinion on the recovery plan for herring in areas VIIa, VIIb and VIIc and the recovery strategy for western horse mackerel.*
- *They are worried about the full introduction of the landing obligation for all TAC species in 2019 and the choke species. In this respect, they are trying to identify what are the problems arising to mitigate the impact.*
- *The representative asked EFCA for information on the JDP gramme-size project.*

The EFCA's HoU EU Waters and North Atlantic reported on this aspect that:

- *the gramme size project was an initiative in the framework of the pelagic WW JDPs by taking note of the size distributions. For this purpose, inspections both at sea and on land are needed but there were hardly no inspections done at sea and few data was received from factory. Therefore, there is not much data and results are not very encouraging.*
- *Industry has been asked to be more proactive in giving gramme size data. The NWW regional Group is also considering their position on this complex project and reassess the validity of this approach as, contrary to other approaches such as the last haul project, setting reference data at sea and factory data on land has become very difficult.*

The representative of the AAC introduced herself as the new Secretary General of the AC and said that the first working groups for the AAC were still going to take place, and introduced some issues that fall in their remit:

- *Communication on the Strategic Guidelines for the sustainable development of EU aquaculture*
- *Labels*
- *Inputs on the Data Collection framework: for the first time, Member States are collecting data for aquaculture and its social dimension*
- *Environmental issues:*
 - o *Implementation of the Nature directive on the quality of the water*
 - o *Feed fish*
 - o *Marine litter, also originating from aquaculture activity*

- *Virus, bacteria, etc.*
- *Cooperation with the ACs, and in particular with the MAC in ensuring a level playing field not only within the EU, as more than 70% of the products are imported*

She also explained that they are soon launching a new website with all information

The HoU Coast Guard and International Programmes noted that if Bluefin tuna farming was in their remit, it could be an issue for cooperation in control as well as labelling, as in the framework of the Landing Obligation, landed wild fish has to respect MCRS to be commercialised for direct human consumption, and this is not the case for aquaculture.

The BSAC representative (Staffan Larsson) expressed the following concerns:

- *There has been a problem in implementing the Landing Obligation since the fishermen are pushed to use gears that do not work in providing the intended catch profile.*
- *In November, a seminar was held with scientists and fishermen taking a look at what had been evaluated in 2016 as potential alternative gears and the EU has through a derogated act now approved it for use. It is a temporary solution until something better comes up. A platform needs to be established to develop it.*
- *A workshop will be organised with ICES in the spring for cooperation between fishermen and scientists.*
- *Unwanted catches below 5 % are considered to be OK*

The ED reminded a joint EFCA seminar in Copenhagen in June 2015 and asked for the initiatives since when.

Staffan Larsson (BSAC) explained that the problem was the legal framework that did not allow for alternative selective gears. The alternative gear now approved by the EU was developed some time ago. Selection of cod is fairly simple: unwanted catches are primarily a size issue.

Lindsay Keenan (BSAC) asked if EFCA considers the relationship between fishing vessels and the market for the fish as a potential indicator of risk. He noted for example that where there was no, or only a small, domestic market for human consumption in a country for certain species that there may potentially be a higher risk of discarding by national fishing vessels that catch the species.

Lindsay Keenan (BSAC) also noted that discarding of cod in the Baltic remains a concern, as highlighted in recent articles in Danish media.

The EFCA's HoU EU Waters and North Atlantic answered on these aspects that from the start of the implementation of the Landing Obligation, EFCA's biggest efforts were addressed to know what the situation was. For that reason, the last haul project was started and it has worked quite well in the Baltic Sea, as there are not so many species in the area and there are no high grading issues.

Several risks were identified in cod caught by trawlers in the Baltic sea, but they were in the range of 5-15%. Mitigation measures can be put in place and should be considered by the appropriate authorities. Regarding the discards, in the area 22, there has not been a high level of discards of cod. The situation gets worst as you move eastwards. For control aspects, EFCA has coordinated the last haul project combining inspections not only at sea but also follow-up on land.

The Compliance Evaluation was done in cooperation with the Baltic Sea Expert Group. In risk management, when a high risk rate is assessed, the control effort is deployed there.

The ED underlined that a sensible criterion was the evolution of the quantities of BMS fish retained on board between the inspection at sea and the landing inspection of the same vessel during the same fishing trip

Steffan Larsson (BS) indicated this is a process in which *moral management* has to be introduced. As this is a new system, the industry feels they do not have the tools yet to adapt, but they will get there. Compliance with the LO needs to be improved and developing more selective gears will help.

The EFCA's HoU EU Waters and North Atlantic informed that a thorough analysis is being done on risk assessment for possible misrecording of herring and sprat.

Staffan Larsson (BS) added that earlier, the composition of herring and sprat quotas in the Baltic was a problem, but with the TAC composition for this year, there will not be a problem.

The representative from the LDAC highlighted the following points:

- *LDAC has given advice on the Control regulation and the role of the EFCA in the international dimension*
- *The new CFP is very good in its international dimension*
- *Big part of its work has been carried out with regional groups such as COMHAFAT, CSRP and the IOC.*
- *LDAC expressed its concern for the coordination of the global actors, in initiatives like PESCAO.*
- *Transparency and good governance in the management of the SFPAs are needed, particularly, the role of fish agent: the service it provides and its prices should be more transparent.*
- *Some EU fleets under SFPAs operate in coastal states, which have no control capacities, or which permit the deployment of control capacities offered by NGOs which uncertain legal guaranties. There are some examples of bad types of inspections.*

The ED explained that EFCA on request of DG MARE might work with IOC in the Indian Ocean, COMHAFAT in the Atlantic and also with bodies as the World Bank. Actually, a workshop with these actors might be useful for aligning the activities and avoiding duplication and might be envisaged in 2019.

The HoU Coast Guard and International Programmes underlined the need for cooperation with global actors as Norway and South Korea in West Africa under the Commission coordination, in order to avoid duplications. As regards São Tomé, he explained that even though it was not part of PESCAO project, EFCA cooperated with the Commission to train the experts to manage the Fisheries Monitoring Centre

The NSAC representative took the floor and addressed the following items:

- *It was just confirmed to NSAC that Chief Negotiator Michael Barnier would visit the Danish Fishermen's PO.*
- *The NSAC had more cooperation in regional groups.*
- *The NSAC has been very active in the review of the Control regulation*
- *As in the Baltic Sea, they share the problems discussed of lagging behind in the implementation of the Landing Obligation. They fear its phasing in was designed to be too swift.*
- *There has been a discussion of the technical regulation with a lack of flexibility with the Landing Obligation.*
- *Like in the Baltic Sea, they are not able to use the technical gears already developed. The multinational plans are already discussed.*
- *On the Brexit, there is uncertainty. The only way forward is to have a cooperation on the three strands: science, management and control with Norway, the UK and the EU. A management structure post Brexit is needed*
- *Its contract with the Commission expires in December 2018.*

The HoU EU Waters and North Atlantic said they are planning to have events similar to the ones previously conducted for the Baltic sea in Hamburg and Copenhagen bringing in industries and NGOs to show the results on risk management. It would be organised jointly for Pelagic fisheries for Western Waters and North Sea stakeholders. An event in the North Sea for demersal fisheries would be scheduled for the first semester of 2019.

The MEDAC representative took the floor:

- *She highlighted the importance of the GFCM joint inspection scheme for the Strait of Sicily as a precedent in the Mediterranean.*
- *She expressed their concerns for the implementation of the landing obligation in the Mediterranean from 2019 with all the species listed in Annex III of the Mediterranean Regulation.*
- *She reminded that a working group 1 was active on the landing obligation, but struggled with the handling of undersize catch.*
- *The MEDAC recently received a letter from the High Level group of PESCAMED (IT, FR, ES) asking for collaboration and for support on the de minimis exceptions.*
- *The working group 1 studied the STECF data and gathered all the information available from Italy, France and Spain including the data available from projects on selective gears. One approach could be to gather all the information and data about stocks already assessed by STECF. Another unresolved problem is the cost related to the management and processing all the undersize catch. There will be high survival for molluscs and plaice, but not for all the species.*

The HoU Coast Guard and International Programmes mentioned that some third countries have been integrated in the framework of EFCA's coordinated activities in the Mediterranean, as for example Tunisia. He also noted that EFCA's mandate in the landing obligation in the Mediterranean is very limited so far.

The Advisory Board was also informed that EFCA was implementing a pilot project with GFCM coastal states in the Black Sea.

2. EFCA's Annual Report 2017

The main facts and figures on EFCA's Annual Report 2017 implementation were presented by the ED, the HoU EU Waters and North Atlantic and the HoU Coast Guard and International Programmes. *Inter alia* the following aspects were highlighted:

- Results of the EFCA's 5-year independent external evaluation 2012-2016 and Administrative Board recommendations;
- Joint deployment plans (JDPs) data 2016 and 2017 inspection figures;
- Breakdown of most significant infringements in 2017;
- Ratio of suspected infringements by inspection in JDPs 2012-2017;
- Number of VMS messages received;
- EFCA ERS and Fishnet main figures;
- EFCA's support to harmonised application of the control measures in the CFP;
- EFCA's support to Member States in the context of LO and regionalisation;
- Assistance and expertise figures: Training and IUU;
- Support to the Medfish4ever strategy with a GFCM pilot project in the Strait of Sicily with two chartered vessels;
- Support to the Member States authorities through the EU coast guard concept

3. EFCA's Programming Documents (PD): PD 2018 implementation and Draft PD 2019

ED and the HoU EU Waters and North Atlantic presented the state of play under the PD 2018 and the draft PD 2019. Three main pillars regarding operational activities were presented:

- Coordination of operations
 - o Implementation of JDPs and support to MS coast guard authorities in EU waters
 - o Coordination of the implementation of the EU contribution to the International Control in International waters
 - o Running of the Maritime Operations Centre
- Planning and evaluation
 - o Control measures applying to CFP in EU waters
 - o In Mediterranean Sea, Black Sea and external waters, cooperation with third countries and RFMOs
 - o EUCG multipurpose operations
 - o Chartered capacities
 - o Contribution to the implementation of the EU Integrated Maritime Policy
- Assistance and Expertise
 - o Promoting effectiveness and efficiency of control operations
 - o Development and maintenance of the Fisheries Information System
 - o Provision of training activities
 - o Assist the European Commission and the Member States (IUU, external dimension)

The upcoming PESCAO 5-year project in West Africa was presented as well as the budget breakdown for the coming year as well as the areas of EFCA work in 2018 for harmonisation: Training, Risk Analysis, Coordination, Inspection and Inspection Reporting.

The HoU EU Waters and North Atlantic also mentioned the upcoming workshop on 6-7 March 2018 on SCIP/JDP: Towards new SCIPs and their implementation through JDPs.

After the presentation, the floor was given to the ACs for comments.

Steffan Larsson (BSAC) asked about EFCA's contribution to the revision of the control regulation.

The ED answered that the agency had contributed and overall considered the control regulation very positive. Moreover, it merged in an efficient way a significant number of regulations into one.

Steffan Larsson (BSAC) argued that sometimes placing too much effort in regulating details undermines the credibility of the system.

In the context of possible obligations for fleet larger than 12 metres, the MAC representative asked about the capacity to process all the data coming from CCTVs, in case they would be installed.

The ED answered that the video footage is only one of the aspects of a REM system. Imagery can also provide an interesting avenue as other shipborne information as warp tension, etc...

The LDAC representative commented that aerial surveillance is key in the PESCAO project. She asked how, outside of the dynamic of the project, this inspection capacity would be made sustainable.

The HoU Coast Guard and International Programmes answered that the goal is that they can have a sustainable control capacity, even though there are problems with resources and training, the idea is to establish a FMC with a sustainable structure.

4. Rotation of the Advisory Board representative in the EFCA Administrative Board

The ED presented the yearly rotation system agreed by the Advisory Council representatives. The representative of the Advisory Board in the Administrative Board, from 2 March 2018 to 1 March 2019, will be the SWWAC representative and the alternate the BSAC

Considering the new ACs, the participants were asked if the ACs had any proposal regarding the current appointing system.

The MEDAC representative said that a possible solution could be to start including them by the year of creation.

The ED offered her to formalise and present a proposal to EFCA.

5. AOB

There were no additional comments.