

Vigo, 14 October 2021

**MINUTES OF 37<sup>TH</sup> MEETING OF THE  
ADMINISTRATIVE BOARD  
VIGO – 14 OCTOBER 2021**

**From 09h30 to 16h30**

**0. NEW COMPOSITION OF THE ADMINISTRATIVE BOARD (AB)**

The Chair opened the 37<sup>th</sup> AB meeting at 09h30 by welcoming the AB members, the Advisory Board member and in particular the new European Fisheries Control Agency (EFCA) Executive Director (ED), Susan Steele, for her the first AB meeting.

The Chair explained that due to the Covid situation the AB meeting would be a virtual meeting again, but she hoped that at least one of the AB meetings of next year could be organised as a physical or a hybrid meeting.

The Chair stated that since the last AB meeting of EFCA there are four new appointments of representatives or alternates.

- Ireland (IE): Mr Timothy DONOVAN (Alternate)
- Hungary (HU): Mr Roman ZOLTAN (Alternate)
- Austria (AT): Ms Tanja THEINER (Alternate)
- Romania (RO): Mr Ioan DOBROTCHI (Representative)

The Chair also informed that all observers participating in the AB as experts would not have the right to vote:

- Observer representing the Advisory Board: Mr José Manuel Beltran (PELAC)
- Observers from Member States:
  - Seven Member States will be represented by the 2 appointed members: Czech Republic (CZ), Greece (EL), Italy (IT), Lithuania (LT), Poland (PL), The Netherlands (NL) and Finland (FI). The Chair reminded that only one member has the right to vote, and the second member is considered as an observer.
- Observers from Denmark: 3 observers
- Observers from the European Commission (EC): Ms Sarah Vitiello-Ferrara and Ms Manuela Musella (expert)

The Chair checked if there were additional proxies and the quorum.

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| Present | Proxies were given for all agenda items from the EC, Mr Paardekooper to Ms Arena and, Mr Economou to Mr Van Poeke.<br><br>The presence list is attached in Annex I. |
| Quorum  | The Chair concluded that the 2/3 quorum was obtained (22 votes out of 33).  |

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 AB to declare the absence of any conflict of interest through a duly completed and signed form, to be provided annually to the 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 (EP) 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 would be recorded and that during the meeting some photographs could be taken for communication purposes. If anyone would prefer not to be photographed or that his/her image is not published on the EFCA website and social media profiles, their choice would be respected.

The Chair alluded to the gender balance among the AB representatives and alternates:

- AB representatives: men 74 %, women 26 %.
- AB alternates: men 73 %, women 27%.

On this topic, the Chair pointed out that the EP had recently remarked negatively on the gender balance of EFCA's AB members in the context of the discharge for 2019 budget. She strongly encouraged Member States to give preference to female members for future appointments.

## 1. **APPROVAL OF THE AGENDA**

The Chair informed the Board of the documents and presentations circulated and presented the agenda for approval:

- Under item 2: Information from the Executive Director
- Under item 3: Adoption of the Single Programming Document containing the Multiannual work programme 2022-2026 and Annual work programme for 2022 and of the Budget and the Establishment plan of the European Fisheries Control Agency for year 2022 including the implementation of Article 30 of the CFP (International Dimension)
- Under item 4: Adoption of the draft Single Programming Document containing the Multiannual work programme 2023-2027 and Annual work programme for 2023
- Under item 5: Five-Year Independent External Evaluation of EFCA state of play
- Under item 6: Election of the Deputy Chair
- Under item 7: AOB

The Chair asked the AB members if they had any comments on the agenda to be added under AOB. In the absence of comments, the agenda was adopted (Annex II).

## **2. INFORMATION FROM THE EXECUTIVE DIRECTOR**

EFCA ED thanked the AB for the work done in the Agency and wished, just as the Chair, that the next meeting in April 2022, depending on the COVID circumstances, would be in person or in a hybrid model. She said she was looking forward to getting to know the AB members and building relationships with them.

The ED also presented a short overview of the outcome of the Advisory Board meeting and indicated that the conclusions will be publicly available. She also indicated that next year, the aim is to have AB meetings in April and in October and they are planning to organise an AB seminar in June as well.

The Head of Unit EU Waters and North Atlantic presented an update of relevant areas of work, highlighting:

- The reduction of the number of inspections in the North Sea is due to the exit of the UK, and in the Mediterranean information is still being received and are expected to increase in the remaining of the year. Otherwise, the general trends remain from previous years.
- Likewise, on the typology of infringements, similar trends as in previous years can also be seen. Issues related to catch recording and conservation measures remain the highest infringement across the different areas.
- A major concern for EFCA and MS still relates to the extremely low detection of non-compliance with the landing obligation. This is being followed very closely together with control experts from Member States. EFCA has a wide acknowledgement, also supported by its compliance indicators, that in some fleet segments there is widespread non-compliance with the LO, and the difficulty of operating in an environment where there are not sufficient or effective control tools to reflect the non-compliant situation.
- On the Baltic Sea, the issue of cod closure and the fact that they are only operating in the Baltic Sea on the bycatch cod causes concern and creates a situation of high pressure for control in the context of potential non-compliance. The analysis of the misreporting of the salmon fishery and small pelagic species continues. This year, the eel fishery was introduced for the first time in the Baltic Sea JDP. This is also a priority of the SCIP. A specific action on acoustic deterrent devices was also introduced, a big challenge for control authorities. EFCA did a first workshop, and it is concentrating on developing guidelines on how this can effectively be controlled on the ground.
- On the North Sea, compliance with the landing obligation remains the big priority. Contrary to some areas, there is not only a problem of non-compliance to land fish below minimum size, but there is also a problem of high grading. The real-time closures were a large investment at EFCA, both by promoting the use of EFCA IMS and publishing on its web page all the real time closures. Together with the acoustic deterrent devices and the misrecording of area of catch they remains a concern.
- In the Western Waters there are seven specific actions so far. The focus is misreporting of species and compliance with the LO. There is also an issue related to the reporting of exemptions of the LO, which can be substantial in this area.
- In NAFO-NEAFC, EFCA chartered means have been instrumental, mobilising groups of Member States' inspectors within the EFCA platforms and corresponding to EU obligations in the context of these RFMOs.
- In relation to the cooperation with the UK, EFCA has been running a virtual coordination network (VCN). This VCN, which is happening across two regions, has been an

instrumental platform in bringing what is the actual situational awareness picture in these areas. EFCA has been keeping a very close contact with the EC as well, and this has also been a platform in which issues coming from the operational level can be summarised from the Member States and route them to some extent to the EC. The plan for the JDP 2022 is to continue with the virtual coordination network. The frequency of the meetings will be slightly reduced.

- EFCA cooperation with the coastal states, which in the past was predominantly with Norway, has continued and expanded to include the UK. EFCA role is mostly to provide direct support to the EC when it comes to technical assistance in discussions.
- In relation to the noncompliance with the LO in some segments and the lack of efficient control tools to address this, the MS regional groups, comprising BALTFISH and Scheveningen, have agreed to start with regional REM pilot projects. There is an agreement to start at a low scale, with a minimum of two vessels per MS and ready to start as soon as possible in 2022.
- EFCA considers, as discussed in the last AB, of utmost importance to re-activate the EFCA REM Working Group. The idea is to have an EU-wide plenary composed by MS and EC and coordinated by EFCA, which may have dedicated subgroups by region with MS which are actually involved in pilot projects. The Terms of Reference for this group have been circulated in advance of the meeting. They include the follow up of pilot projects in support of Member States' implementation, both in national and regional projects, and the exchange of best practices. Also, it is an opportunity to explore the state of play of data protection, retention, exchange, and analysis, and finding the most suitable data format for these purposes. The update of the technical guidelines published in 2019 will be also part of the ToR of the group as experience is gained through the pilot projects.

The Head of Unit Coast Guard and International Programmes (HoU 3) presented an update of the relevant areas of work, highlighting:

- In the Mediterranean Sea, the bluefin tuna campaign was coordinated virtually between May and July. Remarkable effort from MS with 365 inspections, 43 of them in non-EU vessels. In the Black Sea JDP, a multipurpose maritime operation was implemented which enhanced the inspection capacity with 64 patrols with fisheries inspectors present.
- In the framework of the European cooperation on Coast Guard, he highlighted the adoption by the EC of the recommendation publishing the Coast Guard practical handbook in July 2021, which will be presented in an online platform and kept updated by EFCA in cooperation with other EU Agencies, EC and MS. He also informed that the Coast Guard contribution agreement is close to be finalised with DG MARE. Regarding the Tripartite Working Arrangement (TWA), it was stated that the Annual strategic plan agreed between the Agencies is included as part of the SPD 2022. It was also announced that the next ECGFF seminar on modern control technologies will be co-organised with Croatian authorities in November 2021. EFCA is progressing in the formalisation of the cooperation with other Agencies (EU SatCen, ESA and EUSPA).
- In relation to the PESCAO project, the project is extended for one additional year, and the contract arrangements are being finalised before the end of 2021. The main activities in the project during 2021 have been the legal support for the review of legislation in different beneficiary States, the support to two joint control operation of the SRFC, the training provided on the IUU Regulation and FMC operators, and the support to set up a FCWC FMC.
- Other international projects announced (starting from 2022) were the e-fishmed, to establish a Virtual Regional Academy for fisheries control for the Mediterranean (a contribution agreement is being finalised with DG MARE before the end of 2021), the support to fisheries control in Algeria (contribution agreement being finalised with DEU Alger before end of 2021) and the support to ECOFISH/Indian Ocean Commission (there is an ongoing discussion for launching a service contract).

- Regarding the EFCA chartering of control means, EFCA has chartered in cooperation with EMSA the OPV Aegis until March 2022, to be operational in the waters adjoining to the UK. The OPV Lundy Sentinel continues in operation until mid-2022, and there is an open call for tender for three chartered vessels ongoing for the next years. In relation to air surveillance provision, a discussion is ongoing with Frontex to start the use of their aerial services for fisheries control.

The ED highlighted two more issues: firstly, the pool of Union Inspectors, in support of the work in joint teams deployed at EFCA OPVs, in both long and short-term assignments, and that seconded national experts (SNEs) deployed in EFCA are considered Union Inspectors. EFCA informed that replies from 16 MS have been received, of which 13 MS have confirmed interest. EFCA encouraged MS to confirm their interest in the establishment of the EU inspector pool. Secondly, she informed of the visit of Commissioner Virginijus Sinkevičius, who got a comprehensive presentation on the work of EFCA.

Moreover, EFCA ED announced that COVID restrictions in Spain have been reduced significantly, and that EFCA has been able to receive visitors on a case-by-case basis. Therefore, MS are very welcome to visit EFCA, and hopefully AB members will see each other next April in person.

The representative of Denmark inquired if it would be possible to send for short assignments new inspectors together with more senior ones, so they can gain experience and serve as some sort of training.

The representative of the Netherlands asked if, in the scope of EFCA REM WG, the kind of infrastructure that would be needed on land for all the data to be stored and to be transmitted, is also going to be part of the work of the REM WG.

The representative of Ireland highlighted the great work EFCA is doing. It was pinpointed that over years, the work of EFCA has been focused in Europe, which is fine and valid, but that one can see from the maps and the programmes being presented that EFCA is now upscaling on a more global scale. He suggested that this should be acknowledged and be part of the thinking when discussing resource management and so on. He also welcomed the continuing attitude of EFCA to encourage new technologies that would help remote monitoring and the equal application of regulations within the Common Fisheries Policy. Nevertheless, it was indicated that this would seem to be an expanding list and asked if EFCA has another list with tasks that have been done by EFCA that might have a sunset clause or might have less emphasis or might have less relevance.

The representative of the EC thanked the EFCA team. She stated that Joint Deployment Plans are crucial, and as possible a level playing field across the sea basins should be maintained, keeping in mind that there are risk assessments done at the regional level.

As expressed by others, they welcome the advances on the implementation of remote electronic monitoring and also the EFCA REM Working Group reactivation. It is useful for Member States and international partner countries could also learn from this. The EC will submit to the ICCAT annual meeting a proposal for a working group on the electronic monitoring systems, with an international scope, and hopes that it will be adopted and endorsed. They expect to have the support of EFCA and all the relevant MS.

When it comes to the human resources and inspections, discussions are ongoing on the new control regulation with the European Parliament and the Council. It seems that both co-legislators agree with the EC's proposal that EFCA staff will be allowed to operate as Union inspectors beyond international waters. Also, she confirmed the possibility of seconded national experts and encouraging Member States to participate to the EFCA pool of Union inspectors.

Finally, she also gave assurance from the EC side that the recommendations received from Advisory Councils are duly followed up.

The Chair noted the support for the activation of the REM working group by all speakers.

The ED answered to Denmark that it was an excellent idea to have new inspectors able to undertake the sea time. It is another kind of form of training, and it would give great advantages to the Member States.

In reply to the Netherlands, it was explained that data is a real key part of what the REM working group is going to be looking at as indicated in the ToR. Some of the questions, obviously, that are coming up are about data protection and data storage, and that is complex because it varies from MS to MS.

The Head of Unit EU Waters and North Atlantic (HoU 2) further clarified the question from the Netherlands stating that everything related to the land-based data analysis is quite crucial in the context of this project as well as the potential use of software for automatic recognition and artificial intelligence. The challenges relating to the management of data should be an essential part of this work and will merit EFCA's biggest priority.

The Head of Unit EU Waters and North Atlantic (HoU 2) replied to the EC explaining that the Electronic Monitoring Working Group by ICCAT is also in EFCA's radar. Actually, the way that the terms of reference are being developed for that group have similarities with the scope that the EFCA REM WG is covering, and that is very positive. This will also be a forum in which synergies will be sought between what is being done in the context of this working group and to some extent, what will be then transmitted and progressing in the context of the ICCAT working group.

EFCA ED mentioned the departing of the representative of Ireland Mr Andrew Kinneen as long-time standing member of the AB and highlighted his valuable contribution to the group. In relation to the points raised by the EC, she agreed that the work and advice of the Advisory Councils should be followed up and assured that EFCA will be working hand-in-hand in the work that the EC is undertaking with electronic monitoring in the framework of ICCAT.

The Head of Unit Coast Guard and International Programmes (HoU 3) commented to the EC regarding the JDP decision for 2022 and the need to have a common approach. He acknowledged there are regional differences, but EFCA works hard with Member States and with the EC in harmonisation between the different areas. EFCA will continue looking at this internally.

The Chair remarked the balance between the attention and resources given to different work activities is one of the biggest challenges for each administration. It is even more challenging when there are the interests and needs of 27 Member States at stake.

The representative of Finland commented on the terms of reference for EFCA REM working group that would be endorsed today. He proposed to redraft two sentences, firstly replacing "establish international standards", for "contribute to the establishment of international standards" and where it states that the composition of the REM working group would be representatives from all Member States, to replace that the REM working group would be open to representatives from all Member States.

The representative of Denmark also supported very much the reactivation of the working group of REM, as a forum for exchange and sharing common experiences. He asked about the cooperation with Frontex, the planning of the flights and Member States involvement in them.



The Chair suggested to endorse the document including the changes proposed by Finland in the terms of reference.

The Head of Unit Coast Guard and International Programmes (HoU 3) informed EFCA had a meeting at the end of June with the Member States of the different steering groups to discuss the activities of the EFCA charter needs in the second half of 2021. The plan is to do the same every year, where EFCA will present the available chartered means and discuss with the JDP Steering Groups the areas and the timing of the deployments and the best way to use these means.

The Chair concluded the agenda item taking into consideration that with the discussions held and with the changes introduced to the terms of reference, the reactivation of the EFCA working group on REM can go ahead. She encouraged Member States to contribute to the pool of Union inspectors, emphasising the importance of having sufficient inspectors in view of the increasing number of patrol vessels and thanked the EC for a positive reply on the use of seconded national experts. She also thanked EFCA for issuing the more user-friendly publication on the activities of EFCA 2020.

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| The AB took note | of the information provided in writing as well as orally, at the meeting |
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### **3. ADOPTION OF THE SINGLE PROGRAMMING DOCUMENT CONTAINING THE MULTIANNUAL WORK PROGRAMME 2022 - 2026 AND ANNUAL WORK PROGRAMME FOR 2021 AND OF THE BUDGET AND THE ESTABLISHMENT PLAN OF THE EUROPEAN FISHERIES CONTROL AGENCY FOR YEAR 2022**

The Chair introduced this item informing that the document on International Dimension, usually presented separately by the EC, had been integrated in the SPD for the first time.

The Head of Unit Resources and IT (HoU 1) presented the main features of the Single Programming Document containing the Multiannual work programme 2022-2026 and Annual work programme for 2022, highlighting the following:

- A first draft version of the Single Programming Document containing the Multiannual work programme 2022-2026 and the Annual work programme 2022 (hereinafter the SPD 2022) was adopted by the AB on 14 October 2020. The draft SPD 2022 was notified to the institutions in January 2021. The EC issued its written opinion on the EFCA's draft SPD 2022 on 22 June 2021. The opinion was circulated to the AB on 24 June 2021.
- The SPD 2022 follows the multiannual priorities set up in the previous multiannual programming
- The draft SPD 2022 acknowledges the new guidelines described in the Communication C(2020) 2297 for the year 2022-2026 and takes into account the results on key performance indicators of the AB Working Group and the recommendations expressed by the Internal Audit Service (IAS) on 21 December 2018
- The Agency has enhanced the quality of the KPIs in limiting their number and reviewed and streamlined the objectives, results and outputs of both the Multiannual Programming as well as the Annual Work Programme.
- A direct link has been established between each multiannual objective and area of intervention
- The operational objectives of the Annual Work Programme 2022 are:
  - Effective coordination of joint fisheries control operations
  - Development of methodologies and fisheries information systems in support of MCS activities
  - Development of training on MCS activities

- Analysis for the weighing process of fisheries products in the Member States and strategy
- Support the EU in the implementation of the external dimension of the CFP
- To strengthen compliance through the implementation of EU international projects as regards fisheries monitoring, control and surveillance
- Support to fisheries control and other national authorities working in the field of Coast Guard functions
- Implementation of the Project on the Coast Guard handbook and the results of the Coast Guard qualifications Network
- The horizontal tasks of the Annual Work Programme 2022 are:
  - Promote a culture of compliance of the Common Fisheries Policy and foster the European Union values
  - Ensure the smooth and secure functioning and availability of administrative and operational applications
  - Ensure sound management and efficiency in key governance and administrative processes
- The final Budget figures for 2022 have been adjusted considering the additional budget provided to EFCA in the context of the Trade and Cooperation Agreement (TCA).
- The operational budget will increase significantly in respect of 2021 budget. The increase can be noted mainly in the area of Coast Guard and Capacity Building, as a result of the upcoming new charter contract of 3 offshore fisheries patrol vessels (1 vessel up to 2021). EFCA has 4 strategic areas for 2022 and the relevant expenditure will be reflected accordingly in the operational budget structure.
- EFCA's budget will have a particularly high increase in the assigned revenue in 2022, to cover several years. Three new contribution agreements (DG MARE), a new grant agreement (Cooperation with Argelia), as well as the extension of the existing PESCAO grant will be managed in 2022. Considering this growth in the use of this revenue, earmarked expenditure will be inscribed under a new Title (Title IV Earmarked Expenditure), where all the grants, contribution agreements and SLA's will be registered and implemented.

The HoU 3 presented EFCA's activities in the International Dimension. As a new element, and as a reflection of the Working Arrangements between DG MARE and EFCA as regards EFCA international activities, the Multiannual International Relations Strategy set up between EFCA and DG MARE, has been incorporated into the EFCA SPD for EFCA's AB, to be adopted.

He explained that the proposal had been incorporated in the Annex XII of the SPD 2022, stressing the importance of its multiannual nature, the flexibility of which could facilitate any potential changes requested. The HoU 3 explained in detail the principles and objectives on which the Strategy is based, those being:

- Principles:
  - Role of EFCA at international level follows rules of EU governance
  - Recognise the EFCA role at the CFP international dimension
  - Recognise the need to evaluate the resources needed by EFCA on a case-by-case basis
- Objectives and areas of activity:
  - RFMOs and control WG and fora with Third Countries:
  - Operational activities for implementation of GFCM Recommendations
  - Capacity building in the framework of SFPAs
  - Fight IUU at international level
  - General part for specific projects

The Chair reminded that it is also the role of the AB to monitor that the SPD properly paves the way for that sound and efficient implementation of the new resources for a bigger international dimension of the CFP due to Brexit.



The representative of Spain asked why in the Annex I relating to the organisational chart of the Agency, the title of the Unit 3, Coast Guard and International Programmes did not include any JDP. He also asked clarification in the Annex VII containing the Building Policy, on the rent paid per year for EFCA premises by Spanish authorities.

The EC representative thanked EFCA for including the comments of the EC in the document. She was pleased with the reduction of the number of KPI's and welcomed the increase of EFCA's budget while stressing the importance of the incorporation of the Strategy for cooperation with third countries and/or international organisations in the SPD 2022. She also encouraged EFCA to go on investing in IT tools for the enhancement and development for the exchange of fisheries data among Member States and the EC.

The representative of Germany said the SPD was a very good document. He went on to express her concern about the request launched by the Agency to gather a pool of inspectors expecting to be on board the new vessels, asking if those vessels were to be at the disposal of the Members States for their own fisheries inspections.

The representative of Italy referred to Annex XII and specifically related to the extension of the concept of the operational coordination with Third Countries and signalled that there was a reference on the cooperation with Third Countries that should be revised, specifically the wording about Third Parties to make clear that they cannot participate in JDPs.

The HoU 1 replied to Spain that the rent reflected on the Annex VII is only a part of the total rent paid for the Agency premises, since the rent for floors 1 to 6 are paid directly by Spanish Authorities, being only the 7th floor paid directly by EFCA. He said that a clarification would be added in the annex.

Regarding the second question raised by the representative of Spain, the Ho3 answered that the organisational chart reflects the different sectors inside each unit, and in the case of the Coast Guard and International Programs Unit, the Mediterranean and Black Sea Sector includes not only the JDPs but also other types of cooperation with Member States.

With reference to the question raised by Germany on the manning of the new patrol vessels, the HoU2 stressed that the goal is to promote, at European level, a more cost-efficient use of the available resources. He explained that to count on the Member States cooperation for national inspectors to go on board of the EU patrol vessels is a unique opportunity to enhance relations and experience and have a European level playing field. In the mid-term scenario, EFCA inspectors would have the capacity of being EU inspectors. Nevertheless, in the short-term scenario, the Agency is dependent on the manning of the patrol vessels by the MS Union Inspectors, being that pool of Member States inspectors of the highest importance.

The representative of Germany thanked the HoU2 for his detailed explanation, however, he enquired if further clarification on that mutual collaboration could be given.

The HoU2 replied that the purpose of the JDP was to identify priorities which are also national and take them to the European level in view of searching for coordination and the most effective response to the priorities as agreed by the SCIP.

With regard to the comment raised by Italy, the HoU 3 replied that he was of the opinion that the coordination with Third Countries in the implementation of JDPs was consistent with the SCIP. Nevertheless, he invited the EC to complement the answer.

The EC representative complemented the answer given by the HoU3, saying that strictly speaking SCIPs only apply to Member States. However, there are JDPs such as for NAFO and NEAFC that are used as a framework for exchanges with Third Country inspectors, although Third Countries do not participate to JDPs. Other international inspection schemes coordinated by EFCA– such as in GFCM- also involve Third Countries.

The representative of Italy insisted that the wording used in the SPD 2022 needed to be revised as it was not clear enough that the cooperation with Third Countries does not imply their formal involvement in JDPs.

The Chair took note of the comment and agreed to reconsider the related wording for the next SPD version.

On further clarification required by the representative of Denmark, the HoU2 conceded that each MS has different capacities, on patrol vessels and number of inspectors, but the goal is to acknowledge all those differences and, through the JDP decision, optimise where the EU patrol vessels should intervene from a European perspective. However, he stated that a more detailed discussion was needed in the context of the Steering Groups.

The representative of Ireland confirmed the importance of the comments raised by Germany and Denmark on building the capacity at sea with the pool of MS national inspectors. He stressed that though it will be difficult to find national resources, it is necessary to make the effort in the benefit of the experience of the Common Fisheries Policy implementation as well as the enrichment for the career development of the inspectors.

The Chair wrapped up by stating that all the efforts derived from the higher capacity of the Agency now will be reflected on the level playing field as well as on the capacity building for inspectors. She encouraged to optimise discussions in the Steering Groups.

There were no further comments, and the SPD 2022 was adopted by consensus.

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| Proposed action | Adoption of the Single Programming Document containing the Multiannual work programme 2022-2026 and the Annual work programme for year 2022 of the European Fisheries Control Agency               |
| Legal Basis     | Art. 24, 32(2)(c) and 32(2)(d) of Regulation (EU) 2019/473, Art. 32 and 33 of AB Decision No 19-W-5 of 29 August 2019 concerning the Financial Regulation of the European Fisheries Control Agency |
| Decision        | Adopted by consensus.  |

#### **4. ADOPTION OF THE DRAFT SINGLE PROGRAMMING DOCUMENT CONTAINING THE MULTIANNUAL WORK PROGRAMME 2023-2027 AND ANNUAL WORK PROGRAMME FOR 2023**

The Head of Sector Policy & Communication presented the draft Single Programming Document containing the Multiannual work programme 2023 - 2027 and Annual work programme for 2023 (hereinafter the draft SPD 2023):

- The draft Single Programming Document containing the Multiannual work programme 2023-2027 and Annual work programme for 2023 takes into consideration the EC opinion on the draft Single Programming Document for 2022-2026 of 24 June 2021.
- The draft SPD 2023 acknowledges the guidelines described in the Communication C(2020) 2297 for the year 2022-2026 and takes into account the results on key performance indicators

of the AB Working Group and the recommendations expressed by the Internal Audit Service (IAS) on 21 December 2018.

- Mirroring the structure of the SPD 2022, the Agency has enhanced the quality of the KPIs in limiting their number and reviewed and streamlined the objectives, results and outputs of both the Multiannual Programming as well as the Annual Work Programme.
- Like in 2022, a direct link has been established between each multiannual objective and area of intervention and the objectives set in the Annual Work Programme were simplified.
- The multiannual objectives are:
  - Enhanced coordination of fisheries monitoring control and surveillance
  - Promote compliance through an effective and harmonised application of Union inspection procedures
  - Assist the EU in its international dimension in accordance with article 30 CFP Regulation
  - Provide operational support to national authorities in Coast Guard functions
- The operational activities of the draft Annual Work Programme 2023 are:
  - Effective coordination of joint fisheries control operations
  - Development of methodologies and fisheries information systems in support of MCS activities
  - Development of training on MCS activities
  - Analysis for the weighing process of fisheries products in the Member States and strategy
  - Support the EU in the implementation of the external dimension of the CFP
  - To strengthen compliance through the implementation of EU international projects as regards fisheries monitoring, control and surveillance
  - Support to fisheries control and other national authorities working in the field of Coast Guard functions
  - Implementation of the Coast Guard handbook and the results of the Coast Guard qualifications Network
- The horizontal activities of the Annual Work Programme 2023 are:
  - Promote a culture of compliance of the Common Fisheries Policy and foster the European Union values
  - Ensure the smooth and secure functioning and availability of administrative and operational applications
  - Ensure sound management and efficiency in key governance and administrative processes

There were no further comments, and the draft SPD 2023 was adopted by consensus.

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| Proposed action | Adoption of the draft Single Programming Document containing the Multiannual work programme 2023-2027 and the Annual work programme for year 2023 of the European Fisheries Control Agency |
| Legal Basis     | Art. 24 and 32(2)(c) of Regulation (EU) 2019/473, Art. 32 and 33 of AB Decision No 19-W-5 of 29 August 2019 concerning the Financial Regulation of the European Fisheries Control Agency   |
| Decision        | Adopted by consensus   |

## 5. **FIVE-YEAR INDEPENDENT EXTERNAL EVALUATION OF EFCA STATE OF PLAY**

The Accounting Officer presented the state of play since the adoption of the terms of reference during the AB meeting of 4 June 2021 by describing the plan of action:

1. **Signature of inter-institutional framework contract:** the tender procedure was led by Eurofound, 14 other agencies participated, amongst which EFCA. From this call, in August five contractors were available for reopening the competition.
2. **Launch of a specific service request:** EFCA launched mid-September a specific service request. Two offers were received by the deadline.
3. **Assessment of the offers by the ESC:** Three members of the Evaluation Steering Committee have assessed the offers and shared a common understanding on the pros and cons of the offers. An evaluation report will be drawn up recommending a contractor, followed by an award decision in line with the procurement provisions of EFCA.
4. **Signature of the contract:** The signature of the contract may be a bit delayed but is expected to be carried out in November 2021 as soon as possible depending on the signature process of both parties involved. The AB will be duly informed.
5. **Kick-off meeting and start of the Evaluation:** It is foreseen that the kick-off meeting can in any case take place in November as planned in order to start the evaluation and keep the timeline established in the ToR.

The milestones set for the different reports earlier in the year are maintained, this will allow to have the contractor presenting the results of the exercise and have discussions during a seminar at the vicinity of the AB meeting of October 2022.

In the absence of comments, the Chair thanked the Steering Committee who remains active in the whole process of the evaluation. She further encouraged all Board members to be actively involved once the evaluation starts and asked them to contribute to the process as they will be crucial to ensure the high quality of the evaluation.

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| The AB took note | of the information provided in writing as well as orally, at the meeting |
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## 6. ELECTION OF THE DEPUTY CHAIR

The Chair reminded to the Board that Ms Melanie Seibert (Germany) had been appointed as Deputy Chair since April 2019 and had resigned on 20 September 2021. The Chair sent to the Board an invitation of expression of interest in the Deputy Chair position.

Two applications were received:

1. Mr Yiannos Kyriacou, AB member for Cyprus
2. Ms Nanna Møller, AB member for Denmark

The Chair invited the candidates to present themselves and explain their motivation.

Mr Yiannos Kyriacou (CY) introduced himself by saying that he has been the representative for Cyprus in the AB since 2009. He explained that he has 25 year of work experience all in fisheries-related sciences. He has been the Head of Fisheries Control in Cyprus since 2009. Since his appointment as AB member, he has been very active in the Board and with EFCA in general, both in terms of operations and programming activities.

Ms Nanna Møller (DK) presented herself as the representative for Denmark in the AB. She was the Executive Director of the Danish Fisheries Agency which was involved in the implementing of the

Common Fishery Policy (CFP) and the compliance in the Danish fisheries. She stressed the importance of establishing efficient control methods in order to comply with the CFP and try to ensure there are opportunities to develop those methods. Coordination, cooperation and transparency were important in order to achieve the goals on sustainability in the EU Fishery. She reminded that she also had responsibilities in the administration of the EMFF. She also thought improving risk-based control was a top priority in order to ensure a better level of playing field.

The Chair thanked the two candidates for their presentations and explained briefly the legal basis for the election of the Deputy Chair, as stated in Art.3 of the rules of procedure of AB. She informed the Board that voting would take place via a voting platform, called the EU Survey tool. The AB members were requested to vote on the position of the Deputy Chair.

As in the first round of votes, there was a tie (each candidate got 16 votes), following the rules, she asked for additional candidates standing for the position of Vice-chair of the AB. As there were no additional candidates, the Chair proposed another round of votes.

The Chair announced the results of the 2<sup>nd</sup> round for the position of Deputy Chair.

The Chair warmly congratulated the successful candidate Mr Yiannos Kyriacou (CY) for being elected as the new Deputy Chair of the AB and thanked Ms Nanna Møller for her candidacy. She further explained that the mandate of the new Deputy Chair would have effect from 14 October 2021 (the day of the appointment) until 15 October 2023 (the end of his predecessor's term), or until the end of his membership of the AB, whichever would be the earlier.

Before moving to the next item, the Chair thanked Melanie Seibert for her service to the AB as Deputy Chair since April 2019 but also for being a very active member of the Board whose interventions have always been very useful and constructive. She would be missed and wished her all the best for her new assignment in the German administration.

The Chair gave the floor to the newly elected Deputy Chair. Mr Yiannos Kyriacou warmly thanked the Board for their support and also thanked Ms Nanna Møller for her participation in this thrilling election.

|                 |   |
|-----------------|---|
| Proposed action | Election of the Deputy Chair  |
| Legal Basis     | Article 34 of Regulation (EU) 2019/473 of the European Parliament and of the Council of 19 March 2019 on the European Fisheries Control Agency and Articles 2 and 3 of the Rules of Procedure of the AB |
| Decision        | Adopted by majority with the right to vote  |

## 7. **AOB**

The Chair suggested the indicative dates for meetings in 2022. Depending on the COVID situation, the meeting could be held physically or in a hybrid format. The tentative dates for the next AB meetings would be:



**5 April 2022**

**18 October 2022**

The Chair also informed the Board about the intention from EFCA to organise a workshop in June 2022. The main topic is to be finalised.

The Irish representative, Mr Andrew Kinneen took the floor to inform the Board that at the end of this year he would retire and no longer be part of the Sea Fisheries Protection Authority and therefore should leave the post of representative in the AB. He had been involved in the preparations for the creation of the EFCA and was member of the AB since the beginning. He recognised the courtesy, patience and professionalism of the Agency staff. He also congratulated the new Executive Director again and the newly appointed Deputy Chair for his election. The only regret that he might have was not being in Vigo to shake hands in person.

The Chair thanked warmly Mr Andrew Kinneen for his contribution to the Board. He was a great supporter of the Agency, promoting its work and reinforced mandate. He was an active member of the Board shaping the evolution of the Agency through his contributions to the external evaluations of the Agency and the performance indicators discussions and wished him on behalf of the Board all the best for his new life.

The Chair concluded the meeting by thanking the Board for the constructive discussions and excellent preparations by EFCA.

## ANNEX I

### LIST OF PARTICIPANTS TO THE ONLINE MEETING OF THE ADMINISTRATIVE BOARD OF THE EFCA VIGO, 14 OCTOBER 2021

| Members   |                            | Alternates                     |
|---|----------------------------|--------------------------------|
| (BE) Belgium:   | -                          | Ms Isabel MAENE                |
| (BG) Bulgaria:  | Mr Dimitar VALKOV          | -                              |
| (CZ) Czech Rep.:  | Mr Petr CHALUPA            | -                              |
| (DK) Denmark:   | Ms Nanna MØLLER            | -                              |
| (DE) Germany:   | -                          | Mr Bernd SOENTGERATH           |
| (EE) Estonia:   | Mr Indrek ULLA             | -                              |
| (IE) Ireland:   | Mr Andrew KINNEEN          | Mr Timothy DONOVAN             |
| (EL) Greece:  | Ms Theoni PAPADOPOULU      | Mr Ioannis OIKONOMAKOS         |
| (ES) Spain:   | -                          | Mr Borja VELASCO TUDURI        |
| (FR) France:  | -                          | Ms Bérengère LORANS            |
| (HR) Croatia:   | -                          | Ms Ivana FURAC                 |
| (IT) Italy:   | Mr Ricardo RIGILLO         | Mr Lorenzo MAGNOLO             |
| (CY) Cyprus:  | Mr Yiannos KYRIACOU        | -                              |
| (LV) Latvia:  | Mr Miks VEINBERGS          | -                              |
| (LT) Lithuania:   | Mr Justas POVILIUNAS       | -                              |
| (LU) Luxembourg:  | -                          | -                              |
| (HU) Hungary:   | Mr Peter LENGYEL           | -                              |
| (MT) Malta:   | -                          | Mr Marvin SAGUNA               |
| (NL) Netherlands:   | Ms Carian POSTHUMUS MEIJES | Mr Gerrit Albertus LAM         |
| (AT) Austria:   | Ms Margareta STUBENRAUCH   | -                              |
| (PL) Poland:  | -                          | Mr Stanislaw KASPEREK          |
| (PT) Portugal:  | -                          | Mr Carlos FERREIRA             |
| (RO) Romania:   | -                          | Ms Ancuta KAZIMIROVICZ         |
| (SL) Slovenia:  | Mr Slavko SSKO             | -                              |
| (SK) Slovakia:  | Mr Jan SUKOVSKY            | -                              |
| (FI) Finland:   | Mr Harri KUKKA             | -                              |
| (SE) Sweden:  | Mr Niclas TÖRNELL          | -                              |
| <u>European Commission (EC):</u>                                      |                            |                                |
|   | -                          | -                              |
|   | -                          | -                              |
| Ms Veronika VEITS (Chair)   | -                          | -                              |
|   | -                          | Mr Yves VAN POEKE <sup>1</sup> |
| Ms Lena ANDERSSON PENCH   |                            | -                              |
| Ms Francesca ARENA <sup>2</sup>                                       |                            | -                              |
| <u>Advisory Board representative:</u>                                 |                            |                                |
| Mr José Manuel FERNANDEZ BELTRAN (PEL AC)                             |                            |                                |
| <u>Observers:</u>   |                            |                                |
| Ms Sarah R. VITIELLO-FERRARA (EC)                                     |                            |                                |
| Ms Manuela MUSELLA (EC)   |                            |                                |
| Mr José Manuel BELTRAN (PELAC)  |                            |                                |
| Ms Mariya Krestyanska, Ms Tea Theilgaard and Ms Stina Østergaard (DK) |                            |                                |

<sup>1</sup> Proxy from EC (CE) for all items

<sup>2</sup> Proxy from EC (JP) for all items

EFCA:

**Office of the Executive Director**

Dr Susan STEELE (Executive Director)

Mr Marcel DEDIC (Accounting Officer)

Ms Patricia SÁNCHEZ (Head of Sector Policy and Communication)

Mr Paulo CASTRO (Internal Control Coordinator)

Ms Gregoria CUESTA (Assistant to the ED)

Ms Marta RAMILA (Assistant Communication Officer and Deputy DPO)

Ms Rosa FUENTES (Executive Assistant)

Ms Eva MADARIAGA (Administrative Assistant Accountancy)

**Unit Resources and IT (Unit 1)**

Mr Niall MCHALE (Head of Unit)

Ms Rieke ARNDT (Head of Sector - HR and Legal)

Mr Daniel CABALEIRO (Head of Sector ICT)

**Unit EU Waters and North Atlantic (Unit 2)**

Mr Mario LOPES SANTOS (Head of Unit)

Ms Cristina MORGADO (Deputy Head of Unit)

Mr Miguel NUEVO (Head of Sector - JDPs and Regional Cooperation)

**Unit Coast Guard and International Programmes (Unit 3)**

Mr Pedro GALACHE (Head of Unit)

Mr Vytautas LUKAS (Deputy Head of Unit)

Mr Rafael DUARTE (Head of Sector - Inter-agency Cooperation)

## ANNEX II



Administrative Board



**ADOPTED Agenda of the 37<sup>th</sup> meeting of the Administrative Board of the EFCA  
on 14 October 2021**

09h30 – 13h00

14h30 – 16h30

(D=decision; I=Information)

- |   |   |
|---|---|
| 1. Approval of the draft agenda   | D |
| 2. Information from the Executive Director  | I |
| 3. Adoption of the Single Programming Document containing the Multiannual work programme 2022-2026 and Annual work programme for 2022 and of the Budget and the Establishment plan of the European Fisheries Control Agency for year 2022 including the implementation of Article 30 of the CFP (International Dimension) | D |
| 4. Adoption of the draft Single Programming Document containing the Multiannual work programme 2023-2027 and Annual work programme for 2023   | D |
| 5. Five-Year Independent External Evaluation of EFCA state of play  | I |
| 6. Election of the Deputy Chair   | D |
| 7. AOB  |   |

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