



## ADVISORY BOARD MEETING

18 February 2015, Brussels

### CONCLUSIONS

#### Participants

**Advisory Board Representatives:** Mr Niels Wichmann (NSAC), Mr J. F. Beltrán (Pelagic AC and SWWAC), Mr Reine Johansson (BSAC), Mr Jacques Pichon (NWWAC), Ms Rosa Caggiano (MEDAC), and Mr Alexandre Rodríguez (LDAC).

**Member States:** Tomas Kazlauskas (LT).

**European Commission:** Ms Isabelle Perret.

**European Fisheries Control Agency:** Mr Pascal Savouret (ED), Mr Pedro Galache (HoU C), Ms Karin Hermansson (HoU B) and Ms Clara E. Fernández (PO).

#### **1. State of play in each Advisory Council (AC), *inter alia* the landing obligation, and EFCA's presentation on the landing obligation**

The NSAC representative presented the work done by the NSAC in order to have a common approach to Article 15 of the Common Fisheries Policy (CFP) Regulation. Although there are some minority positions, the majority considers that the landing obligation needs to be applied to species caught in any fishery (species approach).

The NSAC has participated in several meetings of the Scheveningen group where information and feedback has been provided to the Member States (MS). Concerns were raised by the NSAC as there is no scientific information about survival rates for some species such as nephrops, therefore they consider that it would be better to wait before taking any action.

The NWWAC representative pointed out that they are rushing to provide MS with advice but the timetable is too tight. In the NWWAC the situation is quite complex with mixed fisheries. He asked the other ACs what impact their advices have had in the MS.

The ED asked the view of the NWWAC regarding the species approach on the landing obligation and its experience on the management of catches on board.

The representative of the NWWAC mentioned that there are two main concerns:

- The storing of fish on board, especially for those vessels fishing far from the coast. Due to the limited capacity of the boats to store all the catches, they will need to land more often, therefore the vessels will move to fisheries grounds closer to the coast, which will lead to a potential conflict with other vessels already fishing in those areas. Consequently, beyond the ongoing phasing in of Article 15, the landing obligation might entail a special planning of the fishing activities that some producer organisations (POs) are already considering;

- The other challenge is the management of small quotas, e.g. plaice, which are mostly by-catch.

The representative of the NWWAC drew the attention to the limited scientific information available, mainly coming from observers.

With reference to the impact of ACs' advices on MS, the representative of the MEDAC mentioned that the experience was very positive and the advices coming from the MEDAC have been very welcomed by the MS. The representative of the BSAC pointed out that there is a dialogue with the MS civil servants and that follow-up meetings were needed.

The representative of the BSAC informed that the demersal species are now under the landing obligation, and pointed out that to get a limited number of discards with BACOMA is very difficult. In order to have a set of rules on time a meeting of BALTFISH will be organised in March/April. He pointed out the need to organise a conference with the MS to plan the fisheries in advance and to discuss the level playing field, as there are different systems in the different countries.

Several AC's representatives highlighted that following the landing obligation it should be allowed to the fishermen to choose the gear to minimise unwanted catches.

The representative of the Pelagic and the SWW ACs indicated that fisheries data are scarce and they would need to wait some months to identify any potential difficulties in the fisheries. He drew the attention to the fact that the same species have different weight rules depending on the fisheries and that the initial estimation of the skipper could differ from the final weight. There is a study ongoing to analyse possible solutions.

The representative of the BSAC mentioned that the Icelandic model could be an approach.

The ACs representatives informed that the European Commission (EC) has agreed to have a monitoring committee to follow-up the implementation of the landing obligation. The procedure has not yet being defined.

The representative of the LDAC apologised for the absence of the LDAC Chair. With reference to the landing obligation, he explained that regional groups such as Scheveningen and Western Waters have invited the LDAC to provide information. He mentioned that it seems that Article 15 of the CFP would include all regulated species, therefore the long distance fleet could be affected. Another issue is to identify if in the cases of RFMOs rules in international waters, the landing obligation is contrary to RFMOs regulations and international quotas. The representative of the LDAC pointed out that the EC has adopted a decision concerning pelagic species, but the implementation of the landing obligation is not clear for cross-border fisheries such as haddock in EU waters (e.g. West of Scotland) and international waters (e.g. Hatton Bank). In the LDAC they are carrying out an exercise on the identification of species and fisheries; it has not been decided yet which approach would fit better by fisheries or species.

Another concern for the LDAC is choke species, not all countries have quotas, e.g. there could be an issue with the flounder in NAFO.

With reference to IUU, the representative of the LDAC mentioned that, although the subject would be discussed later in the agenda, he would like to highlight their interest in establishing an EU protocol or framework for IUU sightings at sea, a coordinated action with the participation of all the relevant stakeholders (industry, MS, EC, EFCA, NGOs, Interpol, etc.). The representative of the LDAC mentioned that Spain was leading some initiatives in this respect by setting up a system of alerts and reporting on illegal fishing activities carried out by foreign vessels in the EEZ of the coastal State, e.g. entering into marine protected areas or carrying out high seas transshipments.

The ED mentioned that there is already a Decision<sup>1</sup> in force asking MS to distribute the sightings to EFCA, who would be forwarding them to EC and MS.

The ED clarified that EFCA has a JDP in NEAFC but does not have a mandate for demersal species in Western Waters.

The representative of the MEDAC pointed out that, in the Commission Delegated Regulation 2015/98 on the implementation of the Union's international obligations, under ICCAT, there are derogations for the landing obligation for small and big pelagic, such as BFT, hence it seems that the same logic should be applied for demersal species if those species are managed by the relevant RFMO.

The representative of the MEDAC mentioned that regionalisation has encouraged the development of the discard plan for small pelagic by boosting good cooperation with MS in 2014. The MEDAC advice for a joint Recommendation management plan for discards has been translated into MS joint recommendations divided by GSAs, implementing a common strategy in the Mediterranean basin.

The representative of the MEDAC highlighted that due to the lack of scientific data on discards minimum size fraction, the MEDAC proposed an adaptive approach in order to start with the data collection in 2015 and then adjust the percentage of the de minimis on the basis of the results obtained. Therefore, MS have started 2015 with pilot projects to collect data.

The long term management plans (LTMP) are a priority for the MEDAC. Its representative highlighted that for some species there are no data available for the Maximum Sustainable Yield (MSY), and that will not help to set up the LTMP. The MEDAC has scheduled to provide some indications for an eventual LTMP in the North Adriatic for small pelagic (GSA17, IT, SI,HR) and in the Gulf of Lion for demersal, such as hake (GSA7, SP,FR) by the first half of 2015.

Following the Advisory Board representatives interventions the ED presented a PowerPoint on EFCA activities to support the implementation of the landing obligation.

The representative of the LDAC asked if the Joint Deployment Plans (JDPs) included all the Specific Control and Inspection Programme (SCIP) species.

The ED explained that the JDPs transpose the SCIP species; however it is also possible to set up cooperation at the request of two or more MS (Article 15 of EFCA's founding Regulation).

## **2. Rotation of the Advisory Board representative in the EFCA Administrative Board**

The next representative of the Advisory Board in the Administrative Board will be the NSAC, and the alternate the MEDAC.

## **3. Evaluation of the Control Regulation (point presented by EC)**

The representative of the LDAC asked the EC if there was any risk assessment in place on the control of imports of fishing products into the EU market as well as a live register to share information and prevent the multiple use of the same catch certificate in different locations, detecting potential frauds and coordinating MS alerts.

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<sup>1</sup> Commission Decision 2009/988/EU of 18 December 2009.

The EC explained that there is a system of mutual assistance, each MS should report to EC and the other MS. The EC can also launch an alert.

The EC informed the Advisory Board representatives that, as laid down in the Control Regulation, it is time after 5 year to start the evaluation study for the Control Regulation that will analyse the achievements and impact of the Regulation. The MS should send their reports to the EC by the end of March 2015. The ACs will also be consulted. The idea is to have general feedback from the stakeholders, about the success and achievements of the Regulation, remaining difficulties, identification of cross border problems, technical solutions etc.

Based on the available information the EC will prepare a report that will be sent to the EP.

The representative of the NSAC pointed out the importance of having an evaluation and indicated that the Omnibus Regulation is thought to take out unnecessary measures from the Control Regulation. He mentioned that the ACs should look at it as starting from scratch and that reflection was needed to analyse if such an expensive control system is worthwhile.

The EC clarified that the Omnibus Regulation has been focused on the landing obligation and that revamping the Control Regulation from scratch seemed rather dubious, especially considering the international obligations of the EU and the huge effort done by the MS.

The representative of the NSAC mentioned that within the framework of the present Control Regulation it was discussed whether the logbook should be filled in every 24 hours instead of at the end of the trip, but it was said that it would not help in the inspection offshore, and now the logbook should be filled in for each haul.

The EC explained that in the Control Regulation it is not necessary to report haul by haul, and there is no obligation to increase the reporting frequency.

#### **4. Implementation of EFCA Annual work programme 2014 and exchange of views**

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#### **Activities within the frame of the next Provisional Multiannual work programme 2016-2020 and Annual work programme 2016**

The ED made a PowerPoint presentation on the implementation of EFCA's Annual work programme 2014.

The figures presented raised the interest of the participants who pointed out the importance of presenting EFCA activity results in the different Advisory Councils.

Within the Provisional Multiannual work programme 2016-2020 and Annual work programme 2016, the ED presented the provisional priorities of the Agency that will be discussed in the Administrative Board meeting on 5 March 2015, namely:

A - Support the regional implementation of the Common Fisheries Policy (control) and in particular of the landing obligation:

- In areas with a Specific Control and Inspection Programme (SCIP) /Joint Deployment Plan (JDP);
- In fisheries where no SCIP/JDP is in force but subject to the landing obligation;
- Upon request of the European Commission, provide expertise on the control aspects in preparations of new or updating of existing regulations.

- B - Support the Union in the international dimension of the CFP and the fight against IUU activities;
- C - Support the European Commission, the European Parliament and the Member States in the proceedings of the expert group on compliance;
- D - Provide training activities and training material in support of the effective and uniform application of the CFP based on the Core Curricula which will be kept updated;
- E - Finalisation, delivery and enhancements of the data management systems suite and architecture;
- F - Enhancements of EFCA ICT infrastructure, continuity and security for operational and corporate systems;
- G- EFCA values, resources optimisation, accountability, transparency, simplification, scalability and streamlining.

## **5. Cooperation with the ACs: discussion**

The representative of the LDAC pointed out that they would like EFCA to be involved more actively in the fight against IUU fishing, with enhanced tasks in the future implementation of the IUU Regulation, particularly in relation to capacity building, e.g. training support for national inspectors and control authorities from third countries, development of a regional programme of control in West Africa, coordination of verification of catch certificates and a central data base for documents, etc.

The LDAC is planning to organise an international seminar on the external dimension of the CFP in the second half of 2015 and would appreciate to count with the participation and involvement of EFCA. More information will follow soon.

The ED explained that EFCA has been involved in capacity building enforcement in third countries, and have received some requests from EC for training of inspectors not so much for coordination centres. International activities require a request from the EC and they have to be embedded in the MWP and AWP. There is a working arrangement in place between DG MARE and EFCA that has to be respected.

The ED informed that EFCA is organising a seminar on 24-25 June in DK. The ACs, MS and EC will be invited to participate. It will be a two days meeting, although the second day it would be a close session for MS.

The BSAC asked the Agency to participate in the next BSAC Assembly and to present the results of the implementation of the Annual work programme 2014.

The NSAC asked EFCA to participate in the focus groups on 10 and 11 March 2015.

The LDAC asked for participation in the LDAC working groups for NAFO-NEAFC and invited EFCA to make a presentation on IUU and landing obligation for the external fleet during the meeting that will take place during the SINAVAL fair.

## **6. AOB**

There were no additional comments.