



REPORT

Meeting: **Inter-AC Secretariats – Commission**
Parties: **Advisory Council Secretariats, DG MARE**
Date: **25 February 2022**
Location: **Webex**
Chair: **Valérie Tankink, DG MARE**
Rapporteur: **Tamara Talevska, NSAC**

1. Opening remarks

Valérie Tankink, DG MARE, welcomed participants to the second Inter-AC meeting between the Commission and the Advisory Councils' Secretariats. She noted that the first meeting had been much appreciated by the Commission and had proven helpful in Commission's preparations of the current meeting as a follow up. The next meeting with AC Chairs, Secretariats and the Commission is planned in May and the Commission was pleased to have these scheduled on a regular basis. She voiced her understanding that no formal positions would be adopted in these meetings, of which the aim was merely to keep the important dialogue ongoing and to follow up on specific points raised by the ACs and DG MARE. Ms Tankink acknowledged and sympathised with the stakeholders and communities of the Black and the Baltic seas concerning the unprecedented adverse situation following the Russian aggression towards Ukraine.

On the agenda she noted much focus to be given to the new Delegated Act on the functioning of Advisory Councils which has recently been published, and announced Pascale Colson to give a short presentation on the new provisions featured in the legislative act. The floor will be opened to the AC Secretaries for arising questions and requests for clarification.

The meeting was kicked off with two administrative matters as per agenda, namely the future planning of AC meetings and financial matters concerning the lump sums methodology to be introduced in 2022.



2 Planning of meeting: State of Play and applicable procedures

Valérie Tankink informed that DG MARE has recently sent a complementary letter to ACs on procedures regarding the Commission's meeting attendance. She noted that the Director-General Vitcheva has been keen on keeping close interaction and dialogue with ACs, at both higher and technical level. She acknowledged that the ACs most often require technical expertise and that the Commission is doing its utmost to provide this to the largest extent possible, keeping in mind the constraints imposed on fisheries department related to the resources restriction. She believed that what is needed is transparency and improved planning to meet the demands and needs of the different ACs.

Ms Tankink introduced the setup of such coordination as envisaged by the Commission. In the first instance the Commission is planning to request a bi-annual meetings plan from each concerned AC, including information on the relevant units and officials, as well as topics which shall be prioritised. It is well understood by the Commission's services that details and dates are subject to change, which will be kept in mind when applying a level of flexibility around planning. All major amendments to the plan shall be shared with the Commission, including Director-General Ms Vitcheva, at the earliest convenience. Any specific requests shall be sent to MARE-AC functional mailbox, operated by Doris Bloc and Pascale Colson. Requests for specific persons could include the identified official in copy, nevertheless MARE-AC will ensure the sharing of all requests with relevant officials. The Commission's letter specifies that at least one month prior to the meeting/event a standard request/invitation shall be circulated to the Commission with further guidance on the details of the meeting attendance. Ms Tankink assured the participants that in the current transitional period some requests are bound to be resolved later than desired, however that the Commission is making the efforts with view of improving coordination over time.

Ms Tankink invited AC Secretaries to share their views on the planning, anticipated challenges, share their experience with inter-AC cooperation between the Secretariats and ideas on further improvements in their work with the Commission. In the meantime, Eoin Mac Aoidh was introduced as the new deputy Head of Unit in MARE D3.

Alexandre Rodriguez, LDAC, commended the Commission on the initiative to establish pragmatic multi-lateral forum for important exchange of views between the Commission and the AC Secretariats and welcomed the increased frequency of Inter AC meetings and the production of detailed minutes. He saw the Commission's reply letter to ACs as sensible and in line with what the ACs have been requesting, noting that improvements in coordination were a responsibility of both parties. He foresaw no issues with providing Commission with further guidance on their attendance at LDAC meetings, but added that some agenda topics are of increased complexity in terms of the required number and expertise of Commission's officials. Rodriguez appreciated Commission's flexibility in relation to potential changes in priorities and noted that the LDAC is doing its utmost to upload relevant working documents in a timely fashion. He reminded that one of the recommendations stated in the LDAC Performance



review was to encourage enhanced informal dialogue with the Commission, which would be particularly relevant for regular feedback on ongoing work priorities and calendar and coordination on meetings' agendas and speakers.

Rosa Caggiano, MEDAC, thanked the Commission for the received letter which has proven quite useful but not new for the MEDAC as they have already been following the described procedure. She exposed an issue with the working languages, for MEDAC that being six, particularly in relation to the point 4 in the letter, stipulating that the draft meeting reports be shared with Commission's representatives. She asked for further flexibility with regards to time, explaining that all meeting reports are first drafted in Italian and subsequently translated to other working languages, which takes additional time. Ms Tankink assured that there is no issue with granting such flexibility to the MEDAC.

Sally Clink, BSAC, thanked the Commission for arranging the meeting, which she said was a welcome addition to other improvements. She appreciated the sent letter, which will serve as an internal guidance in Secretariat's communication and coordination with AC members. Clink informed that the Baltic AC is currently at cross-roads due to staff changes and ensured that the AC is reaching out to relevant stakeholders to ensure continuity. The BSAC appreciated the COM letter which it can use internally, asked for understanding on the need for flexibility in planning, and highlighted the current lack of Baltic desk officer.

Pedro Reis Santos, MAC, commented that described procedures in the Commission's letter seemed appropriate, expressing satisfaction with the Commission's aim to confirm participation within two weeks after receipt of the request of attendance. As requested, the MAC was applying the one-month information period, which is doable, however the MAC finds six months advance planning slightly difficult for the MAC Chairs to commit to. He commented that thus far their coordination with the Commission's relevant staff, particularly A4, has been proving effective and that they have been able to secure all required officials, making them hesitant to go back to D3 coordination. On cooperation with other ACs he noted that there have been informal Secretariats' meetings organised with view to align procedures and discuss pertinent and shared topics. He also noted that shared files with meetings and annual topics had been saved in the Dropbox, which has proven a useful tool for coordination. Ms Tankink responded that operational units will keep their contact with individual ACs and that relevant officials will be informed accordingly. Technical personnel that is knowledgeable about particular files will continue to coordinate with the MAC, echoing Rodriguez' comment that some AC requests are more complex than others. She noted that straightforward and established requests will not lose their regular point of entry.

Cécile Fouquet, AAC, thanked Ms Tankink, Talevska and Barbosa for organisation of the meeting. She echoed Reis Santos' concerns regarding coordination and added that in the AAC they frequently require technical staff from other Directorates, such as DG AGRI, DG SANTE, reaching out to which often translates to more time lost when these requests are being handled by the D3 unit and the functional mailbox. Ms Tankink responded that the requests would be handled through MARE AC mailbox, but reiterated that the Secretariats



should not hesitate to add relevant officials in copy of the email request. She added that there are more staff monitoring the mailbox and will do their utmost to coordinate representation in a timely manner.

Mo Mathies, NWWAC, thanked for arranging the meeting. She noted that the NWWAC would appreciate continuity in Commission's approach to representation at meetings. When she started her post three years ago there was one Commission's representative for all NWWAC meeting. However, after Brexit, people had been moved and there had been changes to representation. For NWWAC it would be helpful to have one dedicated person attending the meetings and asked Ms Tankink if that would still be an option. Ms Tankink responded that it would be very difficult to arrange one person for all meetings, as requests go through the contact point of the Unit and the Head of Unit who oversee coordination and delegation of work. The Commission's idea was not to create additional red tape but to reach those staff that are familiar with specific files. She added that one dedicated person would prove difficult to arrange, but having a few people in the Unit covering AC meetings would be viable.

Chloé Pocheau, CCSUD, asked if the Commission is planning to attend the meetings only virtually, noting that hybrid meeting are proving much more expensive compared to fully physical or virtual ones. Ms Tankink responded that the intention is to participate in person, when possible. However, mission budgets have been cut significantly, making it increasingly difficult to send one dedicated person on a mission. In view of this, the Commission is planning to alternate between in person, virtual and hybrid attendance. She believed hybrid formats will become increasingly relevant and used. The Commission at the time of the meeting had established one day per week of work in the office, meaning that hybrid meetings were the only viable option. Inter-AC meetings will be organised in person at least once a year. In person meetings are better in many ways, however, in light of budget cuts hybrid remains the only functional option. Ms Tankink also mentioned that it has come to Commission's attention that one of the ACs required ICES to attend in person as the only possible option. In the opinion of the Commission this was not acceptable.

Mo Mathies, NWWAC, indicated that the NWWAC may have been the source of comments to ICES regarding physical participation, however it seems to have been subject to misunderstanding. She clarified that ICES had been addressed with a question whether it was possible to join the meeting in person. She added that the NWWAC had amended organisation of meetings in line with Commission's request to cut physical meetings, where only 2 out of 3 meetings were held physically. She explained that ICES ACOM Vice Chair assigned to NWWAC is based in Canada and that the meeting on ICES advice is planned in the Summer. She said the NWWAC might be able to facilitate online login for her to enable her attendance and denied claiming that they will only be having physical meetings. She noted that instead of asking for hybrid meeting facilities, the interpretation team informed that all that is needed is a connection link for interpretation system, which would go through the system into the Zoom meetings. In such a setup the remote participants will be able to see each other but not the



whole room. They are now in the process of making possible arrangements that would not cause extra expenses.

Marina Illuminati, MEDAC, informed that MEDAC is planning online meetings until June, after which they will transition to physical meetings. In this transitional period they will assess the different options, but made it clear that if the Commission's aim is to cut costs, this will not be the case with hybrid meetings. Despite the travel costs being cut, the equipment for hybrid meetings is expensive. She understands that it would be a useful and welcome feature for the Commission, but it is also to be understood that after two years of virtual settings the AC members are very keen to meet in person. She added that the MEDAC will look into hybrid options.

Alexandre Rodriguez, LDAC, echoed other AC colleagues saying that new approaches to organisation of meetings are being adopted as situation evolves. First meetings were fully virtual, then there was a transition to a hybrid mode with costs considerably higher in terms of technical equipment and support. He was hopeful that the coming months will see further stabilization of costs. He joined Marina Illuminati in saying that indeed also for LDAC members it is important to return to physical meetings when possible. He offered an example of the LDAC meeting where Veronika Veits joined virtually and the dynamics was observed to be livelier in the meeting room. People joining through Zoom tend only to listen and are inevitably excluded from internal discussions in the room, to some extent. This creates a disruption of dynamics. The LDAC idea so far would be to encourage active participants joining in person and registered observers asked to join via Zoom so they can be in listening mode and able to participate in the chat only. The LDAC is still assessing the possibility to arrange hybrid meetings for all formats. In general, their plan is to have larger plenary meetings and WGs in person, whereas the FGs and smaller, shorter meetings is where the value of virtual meetings will come into play.

Ludmilla van der Meer, PELAC, informed that PELAC is planning its next meetings in a hybrid format, where about 18 participants will join physically in Den Haag and about 40 will participate online. The Inter-AC participants asked PELAC to share their experience and provide feedback on the execution.

Rosa Caggiano, MEDAC, was of the opinion that hybrid systems are discriminatory for the people attending online. Those members are not active participants, she noted, which might become an issue for the dynamics of the meeting. MEDAC would like to avoid any tensions between the members, as hybrid meetings would see a certain number of Italian members joining in person, while others might be hesitant to join if there is a virtual option. Their suggestion would be either/or having an entirely physical or online meeting. Ms Tankink said she understood the issue and noted that similar situations have emerged within the Commission.

Pedro Reis Santos, MAC, commented that they have been investigating hybrid options and learned that the audio-visual costs in Brussels would be between 8000 and 15000 EUR for a



hybrid setup, which includes cameras, 2-3 technical people, and other technical equipment, plus that a larger room for all the equipment is required, noting that this would translate to costs much higher than those incurred by in person meetings. He also noted that the Commission requesting a 20% cut of meeting costs does not seem to be taking into account the reality of the current cost structure. This new provision seems to be rewarding ACs who have spent more and sanction those who had been frugal. The compensation of travel costs will also depend on who chooses to join online (members who are already based in location of the meeting or those that are coming from abroad). Reis Santos expressed interest in the alternative setting described by Mathies, but expressed concern about the impact in the dynamics, since even in-person participants would be looking at screens, instead of interacting with each other. He noted that the upcoming MAC meetings will be hybrid.

Mo Mathies, NWWAC, responded to Reis Santos' concern that people in the meeting room would be looking at the main screen, not to their laptops. She agreed that it might feel strange at the beginning, but that it is to be seen how members feel about it. She also noted that from the NWWAC perspective it would make sense if the experts attended in person and she did not feel it was completely unreasonable to ask ICES to attend in person the most important AC meeting of the year. She agreed with Caggiano that there may be risk in members not being able to intervene properly, and that having a fully virtual or fully in person meeting would be more sensible. She added that it would be like in the pre-Covid period: if people did not manage to join, they would read the meeting report.

Valérie Tankink thanked participants for sharing their views and noted that it is indeed helpful to look how things were managed in the past. She informed that intended date for upcoming Inter-AC meeting will be sent to the ACs. The next one will be fully virtual, but she was keen to find a way to have a physical meeting at a later stage.

3 Financial matters

Rumjana Georgieva, from Central Finance Unit at DG MARE, greeted the participants and introduced two colleagues from financial department, Stefano Licciardi and Paraskevi Tsourounaki who she invited to help her answer any detailed financial queries the Secretariats might have.



3.1 Lump-sum approach

Rumjana Georgieva, DG MARE, joined the meeting to provide an update on lump sums. She started by thanking AC Secretariats for budget estimations submitted to the Commission in January 2022. She commented that the procedure is quite complex both, for the ACs and for the Commission, which resulted in the Commission getting back to some of the ACs to ask for clarifications. She commended ACs for having provided detailed responses to their queries, contributing to clarity concerning the composition of costs and estimated budgets. She explained that the Commission has been reviewing historical budgets from 2016 on as a reliable reference point. With the new lump sum methodology, it is assumed that budgets and work programmes are stable, however for the ACs who for any reason did not have a stable budget/programme, this was taken into account when deciding on lump sums.

Georgieva informed about the current state of affairs regarding the lump sums, saying that the approval had been received from Directors to go ahead with the lump sum methodology with a focus on deliverables rather than incurred/realized costs. She noted that annual work programmes are meant to remain stable, however they are not “set in stone” and some amendments are possible and likely to occur. It is for that reason the estimation of fixed lump sums shall be executed by authorizing officer on an annual basis, based on an annual work programme. She noted that no substantial deviations are expected from the budgets submitted by ACs in January, however, should there be a need for amendments these are welcome to be submitted as soon as they are known. She emphasized that budget estimations should be very much in line with what the ACs have sent in January.

On conclusions regarding budget estimation Ms Georgieva noted that the Commission has sufficient budget to fund AC requests, the budget being well within the anticipated annual AC funding. She added there might even be some economies realized due to many of the recoveries following Covid-19 health crisis.

On further steps Ms Georgieva mentioned that the Director-General will take the final and formal decision to work with lump sums within one month, which was a condition for lump sum methodology to become operational. This approval will pass through central services approving the method with a signature of the Director-General. The Commission will inform ACs on the estimation of their submission and issue individual letters on the matter. She emphasized that the amounts specified in these letters will not be binding. The formal confirmation will come with the approval of annual application and estimation of costs.

Georgieva clarified that the Commission is currently examining the budget forms together with the financial services and preparing the necessary documentation to ensure continuity for the 4-year FPAs. She mentioned that the positive side of lump sums is that they are dependent on the work programme, meaning that the lump sums can be fixed and applied multi-annually when the environment is stable. If the workplan changes, the budgets will need to be adjusted.



The idea is to step away from the realized costs considerations (cost based management) and step towards evaluating deliverables (results based management). The ownership of the realization of deliverables is placed onto ACs. The deliverables are considered realization of workplan, the number of meetings and the number of advice papers. As long as the work programme is implemented sufficiently the ACs will be entitled to a 100% lump sum.

Ms Georgieva went on by saying that there are variables that are difficult to estimate, such as travel costs and costs related to the preparation of meetings. On travel costs she mentioned that the Commission had been requested to cut these by 30% compared to pre-Covid period. A 50% cut is expected in 2023. She noted that this directive is applied at a horizontal level to all Commission services. ACs will need to comply with 20% cost savings compared to pre-Covid levels. The ownership to deal with the implications of this request is entirely with the ACs. It is presumed that some combinations of online/in person meetings will need to be implemented, the details of which are to be decided by the ACs.

Ms Georgieva reassured the Secretaries that unless there were substantial of deviations, the Commission has accepted all AC budget proposals with an aim to support AC operations in the best way it can. There are no limitations on transfers to and from categories. The Commission also accepted increased costs for interpretation and related technical equipment, as well as the need for additional contracts.

Ms Georgieva went on to explain that the annual decision on lump sums will apply. In case of changed circumstances the budget will not be amended mid-year, instead ex-ante principle will apply, as opposed to ex-post principle applied in the pre-lump-sum period. If at the end of the financial period the AC has surpluses, meaning that the actual spending is much lower than the annual estimation, the Commission will not be entitled to ask clarification nor claim refund. If the AC decides to return this amount to the Commission, they will be able to declare this surplus as own resources in the next year's budget.

Ms Georgieva opened the floor for questions.

Pedro Reis Santos, MAC, thanked Georgieva for detailed clarification. He noted that the MAC is concerned about the Commission's focus on historical costs, particularly the inclusion of year 2016. 2016 was the first operational year for the MAC, including the setting up of the Secretariat and consequently the costs are non-representative. He added that they hear Commission's messages on their flexibility and yet the Commission seemed to have performed increased checks on the MAC's latest final report when compared to previous exercises. He reiterated the perceived issue of methodology rewarding big spenders while sanctioning economical management. He asked for reassurance regarding the deliverables objective and thanked for flexibility around workplan adjustments.

Ms Georgieva responded that they had taken into consideration all available historical costs. In the review they saw a clear trend of rising costs in certain categories for many of the ACs, and assumed 2020-21 costs, for instance salary costs, will remain the same. He reassured Reis Santos that they had not taken 2016 as a benchmark and considered accordingly the



disrupted travel during the Covid-19 period, instead 2019 travel costs were taken as a reference. The Commission was surprised to notice that many ACs estimated a 100% increase in travel costs compared to 2019. Some of the ACs had justified the reason behind these estimations. However, for many the cuts will be applied in their budgets nevertheless. This should be perceived as a saving objective. The Commission does not expect for any AC to have a deficit. However, if a deficit is still observed even after applying smart budgeting, the Commission will consider rectifying this in next year's application.

Marina Illuminati, MEDAC, sought reassurance concerning the cuts on the budget application. From her understanding the arrangement was such that the annual application is sent to Commission, who evaluates it and returns with cuts. Since the application is approved ex ante, no ex-post cuts will be implemented. She asked whether any surpluses need to be declared at the end of the year. In addition, she wondered if any approvals are needed for declaration of surpluses and what the procedure regarding this is. Illuminati expressed regret that a multi-annual (4-year) planning could not be implemented, she saw this as a more constructive approach in terms of financial management.

Ms Georgieva responded that costs will indeed not be cut ex-post and clarified the meaning of cutting ex-ante. Once Director-General approves the lump sums, individual letters will be sent to ACs informing them about their budget estimates, including the necessary clarifications on potentially denied concessions. The letter will be of informative nature, thus not binding. The letter will ask the ACs to stick to the stated amount unless substantial changes are foreseen in the workplan. The piloting lump sum methodology will be applied to ACs starting their financial year in June. The lump sum will be based on the sent application with the work programme and estimated budget. A justified new budget can be sent after the one sent in January. If there are cuts considered, the ACs will be informed about it in the individual letters.

As long as ACs provide similar budgets to those in January, there should be no surprises. These evaluations happen ex-ante, before the action starts. Once the action is complete, as long as the work programme is implemented accordingly, 100% of funding is granted. 80% of funding will be advanced with 20% received in the end. There will be no cost declaration required in the end. On the surplus Georgieva assured that no approval of its declaration is required by the Commission. The AC can add it to the reserve account and are free to declare it under own resources. While it is understandable that there might be other statutory/national auditing requirements in the respective countries where respective ACs are located, the Commission will not be entitled to audit the way the lump sum is used. On multi-annual budgeting Georgieva explained that only if the work plan is concluded for 4 years could the lump sum be set for 4 years. In short, lump sum are bound by the duration of the work programme.



Mo Mathies, NWWAC, expressed concern regarding Commission's fixation on travel costs cuts. She understood that there was a directive within the Commission to cut travel costs by 50% and for the ACs the costs should be cut by 20%. In line with the Green Deal the objective is to reduce carbon footprint, and she asked how the Commission envisages the cuts to be made in light of the current fuel price surges. In her view, the focus should not be on the costs but on the number of meetings and travelling. She added that planned reduction in Commission's mission is particularly worrying for the ACs being the only contact point between the Commission and AC members. Members are eager to maintain this point of contact, which is in many cases the main reason for their membership in ACs. Mathies wondered whether the ACs could use Commission's facilities in order to facilitate engagement with the Commission and keep in line with planned mission cuts. On individual letters on estimated budgets Mathies asked if there will be an opportunity for the ACs to respond to these before the annual application is up. On the work programme she enquired how would the Commission like the deliverables to be reported on. She noted that NWWAC has a certain number of submissions that are fixed, but that there are some ad hoc requests for advice stemming from public consultations. She asked the Commission whether they would be able to provide their work programme to flag specific public consultations, dossiers, and upcoming topics in order for ACs to better plan their deliverables. Finally, she wondered whether the original proposal for 2% annual increase in lump sums to account for inflation was still in plan.

Rumjana Georgieva confirmed that 2% increase will go ahead as planned. The ACs that haven't reflected this in January budget estimations are invited to do so for next year. She believed that very few of the AC budgets will effectively be reduced. There are no changes anticipated in the templates for annual work programme, and the template for grant application has been updated already. On the list of deliverables Georgieva noted that a list of meeting and recommendations will suffice. Concerning budget cuts she explained that these have been imposed on the Commission and therefore it is imperative that the departments now balance the limitations in a way that is rational and agreeable. She echoed Mathies' comments on carbon footprint and reassured that room for exchange of views on budgets will be ensured.

Pascale Colson, DG MARE, intervened to add that the template for grant applications had been amended but that it might be useful to have a standardized template for the workplan. In her answer to Mathies on AC advice she noted that public consultations will not be recognized as recommendations. If an AC anticipates 10 recommendations and then a public consultation is published, this should not translate to reduced number of advice. Responses to public consultations will be treated differently from regular advice.

Alexandre Rodriguez, LDAC, thanked Georgieva for a very clear presentation on budgets. He also echoed Mathies' valid questions. He queried whether the new lump sum methodology will start applying from 1st June 2022, which is when the LDAC financial year starts. He added that a couple of months are needed to prepare the application, hence it would prove useful to know if there will be any changes to the templates beforehand. On lump sums he understood that these will be based on expected income.



However, when preparing the grant application, the maximum *expected* income is stated, which is not a guarantee that all Member State contributions and membership fees will indeed be paid. He was particularly concerned of the fact that the contribution of the Spanish government, its main donor by far, is usually effectively received in May or June, meaning that no proof can be provided when submitting the grant application in late March/early April. He queried whether the Commission will demand proof of payments or receipts, in which case this might cause issues. On the annual workplan he noted that providing number of meetings is straight forward, but was not clear on how the Commission is planning to evaluate the implementation of the work programme based on produced written recommendations – LDAC’s number for these varies usually between 10 and 15. Rodriguez also commented on the fact that no financial audits will be required anymore, noting that the LDAC thinks it is important to do it and manifest they will voluntarily continue performing it. He wondered how this new rule aligns with the provision in Annex 3 of the CFP Regulation 1380/2013 stating that an audit report is mandatory in order to receive the grant.

Ms Georgieva responded that the LDAC is welcome to start preparing their grant application already, as there are no changes foreseen to the annual work programme. Likewise for the budget, if there are no substantial changes to the estimated budget submitted in January 2022, this will remain the same. The only matter outstanding is to complete the template of the grant and the FPA. The new grant application is currently under preparation by the legal services. On the requirements of the proof of income she mentioned that the LDAC is the only AC with a large income coming from an external donor and that the budget should be as close to reality as possible. This does not mean that the funds should be visible on the accounts as effective payment at the beginning of the financial year, however she suggested that a signed commitment should be received by the benefactors. Regarding the financial audit she informed the ACs that they can, if they want, continue to have an Auditor for certifying the eligibility of their expenses. However, she reminded that this will not be a prerequisite for the Commission from the moment an AC switches to lump-sums as with lump-sums the Commission will not be paying on the basis of eligible expenses anymore but on the delivering of results. Audits from the Commission side could still be carried out, but would be on the basis of ensuring that the outputs/deliverables as described in the grant agreement have been met and therefore justify the payment of the lump sum (ie the audit could consider whether the AC did what it said it did in its technical report – if delivery was not declared, it could be an error).

Mo Mathies, NWWAC, wrote in chat: *“I am concerned that AC responses to public consultations are not going to be counted. Members spent a lot of time and energy on these very important consultations, which are all considered having an impact on fisheries management in our remit area. I do not suggest that simply because five public consultations have come our way that we won’t be producing additional advice on fisheries issues as identified by members, but the time and energy spent on public consultations should also be taken into account in my opinion.”*



Rosa Caggiano, MEDAC, suggested application of multi-annual workplan (concluded for e.g., 4 years) with an option to modify it on an annual basis. She noted that the topics MEDAC is dealing with are longer term and so in her opinion it would seem more rational to have a multi-annual lump sum approach. She exposed another issue for MEDAC, which is that the receipt of pre-financing from the Commission has so far not been received on MEDAC accounts in the agreed period, causing issues in their operations as, contrary to LDAC, MEDAC does not have external benefactors. She also echoed Mathies' comment on the need to count responses to public consultations as advice, noting that there is an added value to AC Advice that should be properly observed. It takes increased effort and time for the ACs to respond to the public consultations, which are important for the ACs. Such an omission of the public consultation responses from the list of advice papers will have the opposite effect and will discourage the work on public consultations.

Georgieva responded that the issue with MEDAC's pre-financing is that their financial year starts on the 1st of January each year which coincides with the start of Commission's financial period. The budgetary commitments can only be realized after the 12th of January. Once the agreement is signed, the Commission has 30 days to pay the pre-financing. A signed grant is a necessary pre-condition for the transfer of funds. To accommodate MEDAC it had been agreed to let them retain the recovery funds until pre-financing is received. Due to December workload, it has not been possible to process this earlier. However, processes may be reconsidered to avoid challenges in the future.

Valérie Tankink intervened to say that responding to public consultations can sometimes be even more complex than formulating self-initiated advice. She explained that the reason these are not counted in the methodology is that they are difficult to anticipate early enough in the process of planning. The lump sums are based on what is contained in the workplan.

Dobrinka Dimova, DG MARE, added to this that the mindset will have to be changed with the implementation of lump sums. Currently, the ACs need to submit the final technical report and the final cost claim. The latter is anticipated to disappear from future obligations, and only operational output results will remain as deliverables. On public consultations she reassured participants that the responses to those will be considered as important as recommendations/advice in terms of its content. However, the Commission is not able to predict the publication of these earlier than a few months in advance. A statement could be included in the AC workplan that, in addition to advice, the AC plans to work on emerging public consultations as they arise.

Alexandre Rodriguez, LDAC, responded that the ACs do not expect the Commission to flag public consultations four years in advance, but information on the upcoming year would be deemed helpful. It is well understood by the ACs that a larger margin will be applied and the number will not be absolutely correct, however it would prove pragmatic to have this information in writing and in advance so it is clear when drafting the workplan.



Sally Clink, BSAC, raised a question on ‘reserves’ category, noting that G category has usually seen a 5% allocation in the BSAC. However, in 2021 this category had been changed to a reserve for exchange rate losses. She wondered if this means that under lump sum the ACs will still have the flexibility to use the G for general reserve and not have it earmarked as exchange rate losses.

Georgieva responded that G is only to be used for exchange rate losses, which is an eligible cost. It is to be used only for that, not as a general reserve to be used for any other category. She reminded that the new rule allows for unlimited transfers between categories, which should be used to alleviate any budgetary challenges arising.

Pedro Reis Santos, MAC, queried whether the Commission is planning to respond to comments made by the ACs to the letters sent by Commission to ACs on their January budget estimations. On the public consultations, Reis Santos commented that the MAC had so far been very specific on the deliverables in their work programme, including the titles of advice papers and their timelines. He noted that the MAC had placed significant efforts in alignment of their workplan with Commission’s strategies and timelines. He noted that for the MAC it was worrying that the public consultations will not count as advice as this constitutes a large part of MAC endeavors (such as, for instance, Farm2Fork Strategy). He wondered how the Commission will differentiate between the advice and a response to the public consultation. In the MAC, both are sent in the same format and submitted to DG MARE – usually after the deadline as these are difficult to catch with extensive and complex AC consultation procedures.

Georgieva reassured that after the individual letters are sent where the final position on budgets is adopted, the ACs will be able to respond to these. Letters are currently in preparation in DG MARE and are awaiting approval by Director-General.

Valérie Tankink reiterated that the Commission will focus on recommendations as stipulated by the CFP. It will have to look at deliverables that are measurable in order to assess the implementation of work programme. This does not mean that replies to public consultations will be of lesser value. In terms of planning, she echoed Reis Santos by saying that a lot is transparent and publicly available on Commission’s website. She agreed to check internally if and how more detail could be provided to the ACs to aid their planning. She confirmed that public consultation deadlines are not binding for the ACs and that there is flexibility around submission of advice.

Pascale Colson, DG MARE, intervened with a query of Mo Mathies sent prior to the meeting via email asking for information on DG MARE’s annual work programme. Ms Colson explained that DG MARE management plan has been submitted the year before, which gives an overview of Commissions priorities and upcoming assignments. The 2022 management plan will be available in beginning of March.



4 Info Point on the Delegated Act on the functioning of the Advisory Councils

Valérie Tankink, DG MARE, thanked the ACs for contributing to the work on the new Delegated Act on the functioning of Advisory Councils (DA, Act) which had recently been published, and invited Pascale Colson to present the new provisions of the Act.

Pascale Colson, DG MARE, took the floor and thanked ACs for their inputs which fed into the preparation of this DA. She mentioned that the Act had been published in 2022 in Journal 34 and stepped into force on 8 March 2022.

Ms Colson went on to present modifications introduced by the new DA.

1. Each ACs shall designate at least one vice-chairperson belonging to the OIG. The WG might also have vice-chair from the OIG, however this is not compulsory.
2. The GA and ExCom shall ensure balance and wide representation of all stakeholders, in particular of OIGs and SSF. OIGs having less resources shall be able to benefit from a lower fee, stressing the importance of wide representation of all stakeholders.
3. Recommendations shall comply with CFP objectives and follow principles of transparency, respect of all opinions, they shall be adopted with consensus when possible, and dissenting opinions shall be recorded in case of no consensus. Colson mentioned that some ACs have in the past provided recommendations which were not in line with the CFP, which in the view of the Commission is a waste of time and resources.
4. Performance review shall be executed every 5 years by an external and independent contractor.
5. The DA establishes criteria for classifying members under the two categories: Sector organisations and Other Interest Groups.

The next steps in implementation of the DA are as follows:

- Entry into force: 8 March 2022
- Each AC will have to conform with application rules in particular and whenever needed:
 - Nominate vice-chairs,
 - Ensure balanced representation of all stakeholders
 - Comply with rules on recommendations
 - Carry out performance reviews
 - **Check that the members' classification is aligned with the criteria set in the legislation, and correct the situations where this is needed.**

Ms Colson opened the floor for questions.

Mo Mathies, NWWAC, thanked Ms Colson for a clear presentation. On inclusion of OIGs she mentioned that in the NWWAC the OIGs that withdrew their membership reported capacity



issues. The NWWAC is working towards getting more OIGs on board and believes it had a valid proposition for potential members. However, the ACs need Commission's help by sending a clear signal that working with ACs is what is called for. She noted that if OIGs have a different line with the Commission they will lose the incentive to join ACs. They need to understand that participating in ACs is of added value for them.

Valérie Tankink, DG MARE, fully agreed with Mathies' comment, noting that this message has been passed on at various levels to the OIGs. This does not mean they do not have other contacts with the Commission, however the Commission pledges to look into strengthening this message further.

Alexandre Rodriguez, LDAC, congratulated the Commission on the new DA, commenting that provisions are not many but are of high importance. Classification criteria for member organization as "fishing sector" or "other interest groups" is particularly relevant and useful as guidance as some cases appeared in the past which were unclear (so-called hybrid organisations with mixed composition or interests). He mentioned that there were some internal discrepancies on how to classify some of these hybrid organisations due to this unclarity, and they were put on hold until the new rules were adopted so there is now an objective benchmark against which to evaluate. He concluded saying that this will help also inter AC coordination to validate and harmonize classification of common member organizations which might have been classified in the past under different categories.

Anca Gheorghe, BISAC, had a question on designating Vice-Chairs. She asked what will be the attribution of OIG Vice-Chairs. Pascale Colson responded that there are no descriptions and that the sole aim is to offer OIGs a stronger place in the ACs. She understood that the BISAC might be more complex, but urged BISAC to work towards nominating an OIG Vice-Chairperson.

Pascale Colson, DG MARE, mentioned a query sent via email by the NSAC Executive Secretary regarding classification and approval of new members to the AC. She responded that the Commission is not the one to decide on new memberships, instead respective Member States are. As a general rule, if new applicant does not comply with the AC statutes they cannot become members.

Tamara Talevska, NSAC, clarified the issue by providing background to the request to the Commission. One of the new applicants did not wish to disclose their members list due to an internal dispute between the applicant organization and the organization represented by the NSAC ExCom Chair. Not wanting to disprove their right to join the AC and to remain fully transparent and in line with internal rules, the NSAC Board decided to add additional approval layer, asking reference from both, the MS and the Commission, which resulted in the email request mentioned earlier. Talevska concluded by informing that the elections had been held according to the Rules of Procedure and fortunately no disagreements had been voiced there. The candidate is now a full member of the NSAC General Assembly.



Sally Clink, BSAC, noted that the BSAC shared NSAC's experience and suggested it was related to the same organization. She emphasized the need for transparency and asked NSAC to act jointly to identify possible ways forward in such challenging cases.

5 AOB and Closing Remarks

Valérie Tankink, DG MARE, thanked all the participants and presenters and pledged to provide ACs with more transparency on upcoming Commission's files and consultations.

She mentioned that a public online consultation on the CFP report currently open is hugely relevant for the ACs and noted that the Commission is looking forward to the large stakeholder event on 10 June 2022, contributing to the final report on the CFP due end of 2022.

She thanked the ACs also for their contributions to the public consultation on the Action plan for conservation of fisheries resources. The Commission is looking into advice and will work towards taking relevant comments into account. Finalization of the Action Plan is expected in April/May 2022.

The next meeting is scheduled for 12 of May, meaning that this was the last meeting with Sally Clink from BSAC, who will be leaving the AC forum. Ms Tankink thanked Sally for many years of hard work and constructive contributions and said she will be hugely missed. AC participants unanimously joined this reflection and congratulated and thanked Clink for her important work and support.

Sally Clink, BSAC, appreciated the kind words and thanked participants for being a warm, kind family. She emphasized the need to cooperate and noted that this has been done very well by the AC Secretariats. She mentioned that the BSAC will be getting a new staff member, with Ewa Milewska remaining as a pillar number 2, supporting the new Executive Secretary with a fine share of experience.

Pascale Colson, DG MARE, thanked all the ACs for their important work, understanding and patience regarding the functional mailbox and open files. She extended special thanks to Sally Clink for her long-term contributions. Colson concluded by saying that ACs are complex and even professionals with experience sometimes have a hard time grasping and following all the rules, however functional mailbox should be a step towards smoother operations on both sides.

Ms Tankink joined in thanking everybody again and invited participants to the next Inter-AC on 12 May, and in the meantime to keep in touch bilaterally, reach out by phone or by email. The meeting concluded at 12.30 CET.



6 Meeting participants

Name	Organisation
Alexandre Rodríguez	Long Distance Advisory Council
Aurélie Drilllet	South Western Waters Advisory Council
Anca Gheorghe	Black Sea Advisory Council
Camille Gallouze	DG MARE
Charlotte Musquar	Aquaculture Advisory Council
Cécile Fouquet	Aquaculture Advisory Council
Chloé Pocheau	South Western Waters Advisory Council
Dobrinka Dimova	DG MARE
Doris Bloc	DG MARE
Elena Peneva	Black Sea Advisory Council
Eoin Mac Aoidh	DG MARE
Ewa Milewska	Baltic Sea Advisory Council
Fabiana Nogueira	Outermost Regions Advisory Council
Ludmilla van der Meer	Pelagic Advisory Council
Manuela Iglesias	Long Distance Advisory Council
Marina Illuminati	Mediterranean Advisory Council
Marta de Lucas	Long Distance Advisory Council
Matilde Vallerani	North Western Waters Advisory Council
Merel Barbosa	North Sea Advisory Council
Mo Mathies	North Western Waters Advisory Council
Panos Manias	Market Advisory Council
Paraskevi Tsourounaki	DG GROW
Pascale Colson	DG MARE
Pedro Reis Santos	Market Advisory Council
Rosa Caggiano	Mediterranean Advisory Council
Rumjana Georgieva	DG GROW
Sally Clink	Baltic Sea Advisory Council
Stefano Licciardi	DG GROW
Tamara Talevska	North Sea Advisory Council



Valerie Tankink	DG MARE
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