

REPORT

Meeting: **Inter-AC meeting**

Parties: **DG MARE, AC Secretariat, AC Chairs, AC Vice-Chairs**

Date: **10/10/2023**

Location: **INTERACTIO**

Chair: **Stelios Mitolidis (DG MARE)**

Rapporteur: **Kateryna Urbanovych**

1 Welcome and introduction

Stelios Mitolidis, Acting Director of MARE D and Chair of the meeting, welcomed all participants to the event and gave a brief overview of the agenda. He then handed the floor to Ms Charlina Vitcheva (Director General MARE) for her opening address speech.

2 Opening address

Vitcheva took the floor thanking all participants to the meeting and expressed eagerness for proactive exchange with Advisory Councils (ACs) in the present meeting. Vitcheva noted that the **next Inter-AC meeting** is already being planned, possibly physically in **Brussels in May 2024**, though there is a possibility to organize it earlier if needed.

Vitcheva emphasized the significance of all interactions between the Commission (COM), fishers, and fisheries stakeholders throughout the value chain. She recounted recent visits to various AC events and underscored the importance of such encounters for connecting with fishers and stakeholders and assessing their reality. Vitcheva acknowledged the challenges faced by the EU fishery sector this year, including climate change, energy prices, economic inflation, and instability. She highlighted the ACs' role in facilitating balanced recommendations and encouraged ACs to provide advice repeatedly if necessary to ensure an accurate representation of reality for the Commission.

Vitcheva acknowledged ACs' inquiries about the COM's plans for the Common Fisheries Policy (CFP) amid upcoming sector challenges and institutional transformations. For the latter, she stated that it's challenging to predict how the European Parliament elections will evolve and how the elections and nominations for the College of Commissioners will unfold. However, the Commission is experienced in facilitating these transitions and will accommodate them. She emphasized that the discussions during the meeting can inform future decisions in the transformation process.

Vitcheva proceeded with introducing the main discussion topic, **the future of EU fisheries**, which began at the last Inter-AC meeting with the presentation of the **Fisheries package**. The package aims to engage stakeholders in protecting European fisheries and aquaculture for a sustainable and attractive future, with an emphasis on modernity, sustainability, and profitability.

She highlighted some already-reached milestones to start off dialogue on the package, including Council discussions and the Joint Special Group meeting involving environmental and fisheries communities, with ACs participating as observers. Vitcheva also expressed gratitude to the European Economic and Social Committee and the Committee of the Regions for their contributions on the package and stated that the European Parliament is also working on three initiative reports related to the CFP, the Common Market Organization, and the Marine Action Plan (MAP).

Vitcheva noted that last year, nearly 150 recommendations were received from ACs, and this year, almost **100 recommendations have been submitted**, covering various topics. She assured that all recommendations are carefully analyzed and responded to.

Besides engaging in dialogue with institutions and stakeholders, the COM is actively implementing the Fisheries package by preparing a wide range of implementing actions. This includes launching key studies and evaluations to precede further policy discussions. A workshop for deeper exploration, under the fisheries and energy transition pact, is currently being organized. Work is also being performed regarding the technical measures regulation, eel management, energy transition, and aquaculture.

Regarding the **control regulation**, an agreement was reached on its revision exactly on the 5th anniversary of the COM proposal's launch. The new regulation significantly enhances control and its implementation within both EU and external waters. Vitcheva highlighted that ACs' coordinated work will be vital for the regulation's successful implementation, as it is not regionalized, ensuring a level playing field and harmonized approach across ACs.

In terms of **eel management**, the conservation status remains critical as the species is critically endangered. ICES advises zero catches and zero mortality from human activities. The COM is focused on strengthening the implementation of conservation and management measures by Member States (MS) to aid eel stock recovery. This concern for eels is included in the MAP, with goals for MS to revise or adopt eel management plans by June 2024, in full coherence with environmental legislation.

Vitcheva then addressed the **technical measures regulation**, noting that a second report focused on the regulation's implementation over the past three years is in progress. Questionnaires have been distributed to MS and ACs, and **Vitcheva encouraged ACs to participate by carefully analyzing the questionnaire information in the coming weeks**.

Regarding the landing obligation (LO), the COM plans to initiate an evaluation process. In 2024, a study will be launched to inform the evaluation, and existing advice and recommendations from ACs will contribute to this study. The level of stakeholder engagement in this process is crucial to shaping the study's depth and relevance, considering challenges

such as weak compliance and issues with undocumented discarding and misreporting of catches. Reliable data is essential for scientific advice on fisheries conservation measures, and MS, ACs, and all stakeholders are urged to provide key data by responding to the questionnaire.

The Director General also noted that the COM is working on the **Fishers of the Future foresight** initiative, a new participatory foresight project to understand how trends and scenarios will shape the identity of fishers in the long term. Contributions from ACs to this project are again welcomed, and a contractor will present the project to ACs in the future to seek feedback.

A notable initiative announced in the package is the development of **social indicators**, with the aim of ensuring **generational renewal** in fisheries and a fair standard of living for those dependent on fishing activities. Since 2019, the COM has collaborated with the experts of the Scientific, Technical and Economic Committee for Fisheries (STECF) to build a more comprehensive knowledge base through the development of social indicators related to fishing communities. These indicators can inform future proposals for fisheries conservation measures and improve assessments of the social and employment impacts of such measures. They will also assist in identifying the resources and investments needed to enhance the sector's attractiveness.

Vitcheva also highlighted the importance of **training**. At her last encounters, many fishers have emphasized the value of training opportunities, though organizing and funding such training remains challenging.

Regarding the **energy transition**, the Fisheries package addresses the sector's dependency on volatile and high energy prices, which affect its resilience and long-term sustainability. The COM initiated the Communication on Energy Transition to accelerate the sector's transition to energy efficiency and alternative energy sources. The established Energy Transition Partnership for EU fisheries and aquaculture, aiming to facilitate knowledge sharing and address challenges in financing innovation and skills. Active engagement from several ACs in the energy transition has been recognized, and all ACs are encouraged to join the partnership to contribute to the work ahead.

On the **international front**, an agreement for biodiversity beyond national jurisdiction was reached. Good cooperation with the Chinese delegation was acknowledged during high-level dialogues with China, which was instrumental in delivering the High Seas Treaty. The Commission is now focused on implementing the BBNJ, which was officially signed in September by President Ursula von der Leyen.

As the **annual cycle for fishing opportunities** is approaching, Vitcheva acknowledged the concerns around the current scientific advice as this adversely affects fishers. Collaborative efforts with ICES are planned to understand how to address these issues and collect better data to improve the status of the sea. She highlighted that it is essential to remember that a loose end towards sustainability is much more challenging to rectify compared to a continuous and sustained approach to sustainability in fisheries management.

Ahead there is the annual cycle for fishing opportunities. Vitcheva acknowledged that so far, the scientific advice is not good, because of the deteriorating environmental status advice for stocks. The victims of this status of our fishermen and it is projected very clearly in the COM's proposal which was drafted to be not too harsh. Work will be done with ICES to understand how to work forward and collecting more sound data to improve the status of the sea. It is important to recall that if there is a loose end towards sustainability, the collapse is much more difficult to fight, and it takes much more effort compared to a sustained approach and continuous approach towards sustainability in fisheries management.

Work is also being done in regard to the Mission Ocean, which supplies the necessary scientific evidence that will underpin a much thorough understanding of what's going on in the ocean. Advance was also made in the flagship project on the European Digital Twin of the Ocean, which helps collect much more information about the impacts of climate change on fisheries.

Vitcheva ended her intervention, highlighting the commitment of DG MARE to work together with the sector and all stakeholders for the thriving of the EU blue future.

Mitolidis thanked the Director General for her intervention and opened the floor for questions from the audience.

For the **North Sea Advisory Council**, Peter Breckling intervened noting that indeed the 2013 reform was very successful, increasing the sustainability of fisheries, though still a lot of challenges remain, and it was made clear in the opening statement what there is still to tackle. For the North Sea position, the energy transition is one of the most important issues. The NSAC has done a lot of work on this and discovered that new vessels, and therefore funding, to achieve progress. Additionally, the North Sea is challenged by the multitude of new windfarms and the multiuse approach of the new Commission will also be something to work on. A lot of challenges are also perceived on the scientific side to understand what is going on in the sea under the climate change effect. Not everyone is satisfied with the new cod advice, making the consequences for cod management very interesting issues. In general, Breckling concluded that there is increasing dependency on imports to supply the markets, so it would make sense to highlight food security and local production of fish and fish products.

Since Vitcheva was not present anymore at this point, Mitolidis assured that the intervention will be passed to the Director General.

[3 Commission Update on the functioning of the Advisory Councils](#)

Mitolidis acknowledging recent changes in DG MARE, including the introduction of the lump sum system for financial management and the transition in the team, with the departure of Pascale Colson and the introduction of Julia Rubeck, Richard Croft, and Vincent Guerre. He

then handed the floor to Eoin Mac Aoidh, Deputy Head of Unit in MARE D3, to provide more detailed information about the topics under discussion.

Mac Aoidh commenced by offering a comprehensive explanation of the lump sum system, highlighting that this transition has been a substantial change for both the ACs and DG MARE. While procedures and processes have been adapted to this new approach, Mac Aoidh acknowledged the concerns raised by the ACs and apologized for any challenges experienced in their operations during this period. He also assured that important emails sent to the MARE AC functional mailbox would now be systematically acknowledged with a receipt within two working days, especially regarding grant applications. DG MARE also committed to providing ACs with a clear timeline for the key steps of the grant application, including approval, contract signature, and payment.

Furthermore, Mac Aoidh mentioned that the MARE AC team has established a routine of meeting with a different AC Secretariat every week to ensure regular one-on-one dialogue between DG MARE and each AC at least every quarter. Overall, he emphasized his belief that the lump sum approach will ultimately simplify the process for all parties, although adaptation is necessary.

Regarding the new guidelines, Mac Aoidh addressed questions that emerged during bilateral contacts with some ACs. He clarified that the template for financial reporting is provided within the guidelines in the Annex 4 section of the draft grant agreement. He also pointed out that, in line with better regulation and simplification, it is no longer required to complete a progress report for grants with a duration of less than 12 months. The guidelines will be updated accordingly to reflect this change. Concerning the possibility of submitting multi-annual operational grants, Mac Aoidh affirmed that this option remains available but noted its limitations, such as locking ACs into a fixed budget for two years without flexibility for adjustments or upgrades.

Mac Aoidh addressed the prospect of DG MARE participating in future meetings, indicating that efforts are being made to enact this as much as possible. He emphasized the importance of ensuring that the right colleagues attend meetings at the appropriate times. In order to do this, Mac Aoidh stressed the necessity of having an updated schedule of AC meetings with a priority ranking to determine when the presence of DG MARE is most needed. He also encouraged greater coordination among ACs regarding their requests to DG MARE. Instead of presenting the same topic multiple times, streamlining requests would be more efficient.

Mac Aoidh acknowledged the challenges DG MARE faces during the autumn period due to negotiations on fishing opportunities. The preparatory work and negotiations make it difficult for DG MARE representatives to participate, even remotely, during this busy time. To address this, DG MARE aims to schedule meetings both before and after the intense period.

Regarding responses to recommendations, Mac Aoidh explained that according to Article 44 of the CFP, DG MARE is expected to reply within two months to any recommendations, suggestions, or information received. While delays can occur, the team makes every effort to address them. When delays do happen, DG MARE is committed to making representatives available to cover the recommended issues during meetings.

Completing his address, Mac Aoidh opened the floor to comments from the participants. Observations from the audience highlighted various difficulties experienced during the current year, including delays in grant payments that impacted the financial stability of multiple ACs. Participants also sought ways to improve dialogue and the exchange of information regarding work programs. Regarding the coordination of conversations between ACs to assist DG MARE, the challenges posed by different meeting times and dates were noted. Furthermore, practical implementation issues related to the lump sum were discussed, and a suggestion was made for a pre-assessment with recommendations to address these issues.

On behalf of the NSAC, Tamara Talevska expressed gratitude for the effectiveness of the bilateral meeting (between the Commission staff and herself earlier in September) in providing information and reassurance to the AC. She also thanked the Director General for emphasizing the importance of ACs in achieving the fisheries of the future. Continuing, Talevska raised several concerns, regarding the present and recent meetings where ACs were present. Particularly, she mentioned the Joint Special Group on the MAP meeting of the 6th October, where civil society presentations took priority over ACs and the fishing sector, with extremely polarized positions. Talevska emphasized that the mechanism of Better Regulation was developed to involve and hear from stakeholders directly affected by the legislation, which she felt was not pronounced at the mentioned meeting, but which is so often stressed by the Commission officials. To attract NGOs, more public relevance and priority are needed, and praising ACs in meetings with only AC members present might not achieve the desired results. She also pointed out that even at the present meeting, not all ACs voices were heard by the Director General, despite prior assurance. On this aspect Talevska suggested that providing clearer agendas for future Inter-AC meetings could improve the understanding of expectations on the content and length of interventions. Finally, echoing statements from other ACs colleagues, she acknowledged the challenges related to prepayments and requested timely DG MARE communication in case of delays to enable better planning.

In response, the Commission acknowledged all the comments and agreed on the need for more discussion and less polarization at future meetings. They welcomed the request for clearer agendas and assured a more rigid approach to timing at the next meeting. Concerning the Joint Special Group meeting, Mac Aoidh commented that the objective was to bring together the fisheries and environment ministries and MS, rather than to give voice to stakeholders who were present as observers.

4 Revision of the Control Regulation

Francesca Arena, Head of Unit MARE D4, took the floor to present on the future EU fisheries Control Regulation (CR) that will be formally adopted and published shortly.

Arena highlighted the significant contributions made by each AC to the revision of the CR, especially during the early stages of the revision. After five years of intense negotiations, a final political agreement was reached in May 2023. The plenary vote in the Parliament was scheduled for the coming week, and the expected timeline for publication is in December, with

the regulation entering into force in January 2024. Not all provisions will become applicable simultaneously, with very few becoming applicable immediately, some after six months, and the majority after two or four years.

The revision encompasses amendments to six regulations: Fisheries Control, EFCA, IUU Regulation, Mediterranean Regulation, Baltic Sea MAP, and SMEFF. Arena's presentation focused primarily on the main regulation, the fisheries control regulation, where 70% of the provisions have been amended.

Starting with **digitalization**, a primary objective of the proposal aimed at improving the quality and quantity of data and transitioning from paper to electronic records for fisheries control. The main novelties concerned small-scale fisheries, where by January 2026, all vessels between 12 and 15 meters will need to be equipped with a vessel monitoring system (VMS) and report their catches electronically. The same provisions will apply to vessels below 12 meters by January 2028, for which the MS may ask the COM to develop ad hoc IT tools both to ensure geolocalization and electronic catch reports. Recreational fisheries also saw changes, with compulsory electronic catch recording required by January 2026 for species under TACs and quotas, while data collection mechanisms will be established for other species. From 2030, electronic catch reporting may extend to additional species based on scientific advice. Additionally, all existing documents such as sales notes, transport documents, and inspection reports will transition to electronic formats by January 2026. Finally, new rules for fishing without the vessel will apply to commercial operators involved in various activities (shell gathering, spare fishing, fishing from the shore or ice fishing), with catch recording starting by January 2028.

Several novelties concerning **new control tools and new data** are also present in the revised CR. Considering tools, the two major blocks concern the implementation of Remote Electronic Monitoring (REM) and CCTVs with the purpose of controlling the LO. The deployment of CCTVs (entering into force by January 2028) will be limited to catching vessels of over 50 meters that have a very high risk of illegal discards. This obligation will need to be preceded by implementing acts to be adopted by the COM both on the fleet segments and on the technical specifications, including data exchange and access to data. Inclusion of the engine power is another novelty as certain categories of vessels will be equipped with a continuous monitoring device by January 2028. This will need implementing rules to be adopted by the COM. Moreover, logbooks will include a unique fishing identification number and expanded reporting of sensitive species and lost gear. For vessels over 12 meters, reporting will become haul by haul starting from January 2026.

Concerning the **EU external fleet**, one of the main novelties includes the prior notification to flag Member States 48 hours before landing in third countries, effective from January 2026. (entry into force: January 2026). New rules for fishing vessels other than catching vessels have also been introduced, taking effect from January 2026, requiring specific fishing authorizations and the installation of VMS system onboard. The ban on transshipment in EU waters remains, with updated rules requiring prior authorization and notification to the flag Member State 48 hours in advance of transshipment. Amendments related to the Automatic Identification System (AIS) will apply to all vessels, not just the external fleet, though it is

particularly relevant for vessels fishing outside EU waters, which are subject to the scrutiny of also NGOs. Vessels must report any exceptional circumstances that require turning off the AIS to the flag Member State. This provision applies immediately at the entry into force.

Sanctions and enforcement were significantly improved and harmonized. By January 2026, there will be two categories of serious infringements: per se – objectively pre identified as serious – and serious infringements, which become such based on harmonized criteria laid down in the regulation. This change reduces the discretion of Member States in interpreting infringements. New infringements, such as conducting fishing activities with forced labor or illegally disposing of fishing gear at sea, are added to the list. Minimum levels of sanctions and standard rates for serious infringements have been agreed upon. The point system for serious infringements for fishing license holders and masters has been adapted and harmonized.

As for the **derogations** revision, the margin of tolerance (MOT) remains at 10% per species for quantities retained on board. However, specific circumstances and limited delegations have been introduced. For species weighing below 100 kilograms, the MOT is increased to 20% per species. Small pelagic, industrial, and tropical purse seiner fisheries have new specific rules introduced, subject to specific conditions to be determined through implementing acts by the Commission by June 2024. Implementing acts will also specify ports meeting these conditions. Changes to the Baltic multi-annual plan species regulation include the revocation of the existing MOT (10% per total catch) and a transition to 20% per species over a four-year transitional period.

Important changes for **traceability of fishery and aquaculture products** have also been adopted. Traceability information must be transmitted digitally by January 2026 for fresh and frozen products. fishery and aquaculture products. Mixing of lots is authorized after the first sale if the information on the composition of the lot and the quantities is available. Starting January 2029, these rules will extend to preserved products, including imports. The unique fishing trip identification number will play a central role in enhancing traceability. Clear requirements for imported products are also introduced, which will be linked to the changes in the capture certificates, as well as clear requirements for aquaculture products.

After the adoption of the CR, the COM will work in the short term on the adoption of the conditions and the ports for the MOT. For traceability, a study is planned to be launched to develop new rules to be implemented within 5 years. Finally, the development of the necessary IT tools needs to be started for recreational and small-scale fisheries. In the medium term, the COM will review the existing implementing act (Regulation 404/2011) and split it in implementing and delegated acts by adopting new rules. In the longer term, the rules will also need to be amended especially for REM, CCTVs, engine power, traceability information. Finally, the IT tools need to be available and running.

Arena emphasized the importance of optimizing communication channels and stakeholder engagement to facilitate DG MARE's work. Coordination across ACs is crucial, particularly in the context of control, as regionalization of control was a debated but unincorporated aspect of the regulation.

During the open floor discussion following Arena's presentation, Peter Breckling expressed full support for the proposed coordinated approach to discussions. He emphasized the importance of directing specific questions to the ACs and to establish a clear framework for addressing matters relevant to each specific AC in the context of the control revision. From the North Sea perspective, Breckling highlighted regional issues, such as the risk-based approach for employing CCTV and controlling engine power. He stressed the need for regional and sector-specific discussions and solutions for these specific problems and suggested that it would be useful to specify what is needed from NSAC on these matters. Regional-specific discussions should also address bureaucratic burdens, particularly in the case of small-scale and recreational fisheries. Breckling proposed considering specific investigations and examples for matters requiring further scrutiny. In general, he recommended discussing how to handle these sector-specific issues within each AC.

In response, Arena highlighted that the COM will be taking a lot of the burden from the MS, including the possible development of IT for small-scale fisheries and for recreational fisheries, which should ease the tasks of the MS. She stressed that while it is always useful to get inputs for specific problems in regions, a better coordination is needed along a different approach of working on problems with ACs, such as creating a forum like the Inter-AC for exchanging ideas, rather than repeating the same concepts.

5 Vulnerable Marine Ecosystems - STECF opinion

Caroline Alibert-Deprez, DG MARE Unit C1, discussed the Deep-Sea Access Regulation and the protection of vulnerable marine ecosystems. The Deep-Sea Access Regulation was adopted in 2016, and its implementation the COM requested ICES to deliver an advice on the location of the VMEs. Due to data gaps and the complexity of making scientific advice, the ICES advice was received in January 2021, which led to the adoption of the implementing act and led to the listing of 87 deep-sea areas, which were closed for the reachable bottom gears below 400 meters. An updated ICES advice in April 2023 offered new scenarios and led to potential redefinition of the closed areas. STECF was asked to look into the social economic impact of the closure of the beforementioned areas.

The STECF results were presented in July, showing that the overall socio-economic impact is relatively limited in the 87 areas closed after the first ICES advice, while it would impact slightly fishing gear if the second ICES advice would be followed to redefine the closures.

This process was extremely useful to inform the debate between the COM, the stakeholder, the ACs, and MS, as well as the annual review of the list of areas. Lessons learned from the process include the need for improved data sets, timely and accurate data submission, and a call for more data to better understand the local reality.

Alibert-Deprez stressed that the COM is open to continued discussions with ACs and stakeholders and encourages their support and collaboration for the future. Discussions on

how to improve data collection are ongoing, with plans to conduct another assessment next year to have a more solid data set.

6 Update on international developments for external EU fisheries

Representative from MARE Unit B3, gave an update on the Sustainable fisheries partnership agreements (SFPAs) and trade issues related to fisheries.

Regarding SFPAs, the primary objective is to ensure timely renewal and smooth implementation of the different protocols applying to the 13 active SFPs between the EU and third countries. Two new agreements have recently been signed, one with Madagascar, which completes the network of existing agreements in the Indian Ocean, and the other with Kiribati, both after periods of interruption. The agreements are essential for the continuity of fishing activities and allow access to productive fishing grounds. As the agreements with Guinea Bissau and Ivory Coast are expiring and have to be renewed between May and July of 2024, ensuring new agreements with said countries will be a large priority next year.

On the trade side, the main priority is to get the autonomous tariff quota (ATQs) proposals through. A proposal was made by the COM in September, and it is currently under discussion in the Council. Balancing the interests of various stakeholders is a priority. Additionally, the WTO fisheries subsidy work is ongoing in Geneva, with meeting every month, to complete and supplement the agreement to eliminate harmful subsidies contributing to overfishing or overcapacity.

AOB

The AOB point concerning **involving of stakeholders in the drafting of ICES advice** was tabled as a reaction to **NSAC Advice on stakeholder engagement in ICES Advice request formulation**. On this, DG MARE acknowledged the relevance of the request and the NSAC advice submitted earlier in the month. The COM has already involved stakeholders in the drafting process of requests when necessary. DG MARE also coordinates with MS, as well as the United Kingdom for joint recommendations regards shared stocks. It was acknowledged that a balancing act needs to be carried out in the process between all the coordination and consultation work. This requires a clear identification of priorities from stakeholders.

On this basis, DG MARE is to organize a coordinated meeting on how to improve coordination and discuss stakeholder engagement in ICES advice request.