

REPORT

Meeting: **Inter-AC meeting**

Parties: **DG MARE, AC Chairs, AC Secretariats**

Date: **6 February 2024**

Location: **Albert Borschette, Brussels, BE**

Chair: **Mr Stelios Mitolidis, DG MARE**

Rapporteur: **Kateryna Urbanovych, NSAC Secretariat**

1. Welcome and introduction

Stelios Mitolidis, Acting Director of MARE D and Chair of the meeting, welcomed all participants to the meeting and gave a brief overview of the agenda, highlighting that the focus of the day's meeting will be the newly adopted Control Regulation.

2. Main takeaways from the exchange of views with the Director General

2.1 Multi ACs letter on stakeholder input to DG MARE

The joint letter submitted by ACs in November, addressing stakeholder input at Inter-AC meetings, was well received. She reiterated the value of the Inter-AC forum as the perfect platform for the exchange on various subjects, however explaining the tough position of the Commission, burdened by high workload and lack of resources.

2.2 Informing the next mandate in view of the upcoming elections

Regarding the upcoming EU elections, Vitcheva highlighted uncertainties regarding the future landscape. Efforts are underway to prepare a knowledge base to inform future decisions of the new mandate. **Contributions, comments, and ideas from ACs side are highly welcome to inform fisheries priorities.**

2.3 Upcoming priorities

Three high-key priorities were highlighted by Vitcheva:

1. **Evaluation of the Landing Obligation (LO)**: a comprehensive study to evaluate the effectiveness of the LO will be performed in 2024 with stakeholder feedback shaping the evaluation process.
2. **Foresight Project on the Future of Fisheries**: a **foresight study** on the future of the fisheries sector has been commissioned by CINEA and DG MARE. An upcoming **participatory event** is scheduled for **March 19th**, with agenda to be distributed in the coming weeks. Overall, the project aims to explore stakeholders' expectations, and identify attractive and unattractive elements of the fisher profession.

3. **Energy Transition Partnership (ETP)**: stakeholders are invited to join the ETP, to be involved in the latest developments on the topic. The **next event of the ETP** is scheduled on **February 28th**, delving into innovation and research related to energy transition.

2.4 Update on Marine Action Plan

The Marine Action Plan (MAP) aims to facilitate cooperation between environmental and fisheries legislations without introducing new legislative frameworks. **A second meeting of the joint special group is planned for June. Member States (MS) are to deliver MAP Roadmaps by March's end.**

2.5 EMFAF

The implementation of the **European Maritime, Fisheries, and Aquaculture Fund (EMFAF)** is accelerating. Authorities are urged to swiftly publish calls for proposals. ACs input was highlighted as crucial to accurately represent the needs of both fishers and the ocean.

2.6 North East Atlantic scenarios

Regarding negotiations with **UK**, Vitcheva emphasised that cooperation between MS the EC has been key in establishing strong relations with the UK despite the sensitivities surrounding Brexit. Negotiations for 2024 were successfully concluded before the December council, due to the effective work of the Scientific Committee of Fisheries (SCF). In 2024, key areas of focus include **setting Total Allowable Catches (TACs) for skates and rays**, addressing **recreational fisheries for pollock**, **benchmark for Irish sea sole**, and **developing a multi-year strategy for Channel king scallops**. The ban on sandeel fisheries in UK waters and bottom trawling in several Marine Protected Areas (MPAs) within their waters require a proactive approach to address the challenges in a constructive way.

Despite difficult relations with **Norway (NO)**, negotiations were successfully concluded before the December council, facilitated by the collaborative effort of the MS.

Vitcheva highlighted the crucial role of ICES scientists as deliverers of the best available scientific evidence. **She acknowledged the call to from ACs for earlier engagement with ICES to ensure effective decision-making, but highlighted that this should be done primarily through national institutes.**

2.7 Vulnerable Marine Ecosystems

ICES's 2023 advice on Vulnerable Marine Ecosystems (VMEs) and STEFC assessment of preliminary closures were delivered. The latest study conclusion indicated that closures would affect less than 10% of the fleet. To be completed by 2024, STEFC is conducting a comprehensive economic analysis of closures. **A scoping meeting will take place on February 20th, with stakeholders invited to participate as observers.** Special interviews with ACs will also be conducted.

2.8 ACs Interventions

On behalf of the North Sea Advisory Council, **Chair of Executive Committee Kenn Skau Fischer** thanked the Director General for a comprehensive overview of recent and upcoming

work. He highlighted the NSAC Advice on the Landing Obligation, NSAC/NWWAC Joint Advice on General Renewal, and NSAC Advice on Decarbonisation as relevant contributions to fisheries priorities. NSAC's future plans involve the development of recommendations on bottlenecks in gear selectivity and the future of the CFP, among others.

Fischer stressed the **Commission's obligation to ensure correct data collection on the state of the sea and seabed**, warning against false statistics, such as the one often mentioned by the EC where it is accentuated that 70% of the North Sea is being bottom trawled, a figure that has been disputed by ICES. He stressed: **sustainable fisheries are guaranteed by accurate figures**.

Additionally, Fischer emphasized the need to **focus on social sustainability**, particularly considering messages shared at the recently attended [IFISH](#) conference, which highlighted how the dire situation of the fisheries sector is heavily impacting fishers' mental health. In view of this, he also expressed **concerns about the large import of fish products globally**, and the impacts of this on the EU fisheries sphere.

Finally, he highlighted ongoing efforts by the UK to address issues related to **LO**, emphasizing the potential **need to follow and learn from the UK's approach** in this matter.

In response, Vitcheva stated her full agreement concerning the need to observe and learn from the initiatives taken by the UK regarding the LO. She acknowledged that the debate surrounding the LO has commenced and emphasized the importance of **forwarding suggestions** on how to improve it.

Regarding data, Vitcheva agreed that there is a substantial need for more comprehensive datasets and emphasized the importance of ensuring that data is fit for purpose. The **identification of misconceptions and the need to refute them is crucial**, as such misconceptions can wrongly influence decisions within DG MARE.

In terms of social sustainability, Vitcheva affirmed that it extends beyond the EU and emphasizes the importance of projecting social sustainability onto imports, mentioning ongoing proposals with co-legislators to address this issue.

Other ACs raised the following issues:

- Need for **clear targets** for ACs to address **within the EC Fisheries Package**;
- With next mandate, **enhancement of stakeholder engagement** especially in negotiations with UK and NO;
- **Transparency** of how ACs advice feed into decision-making;
- Arrangement of **training sessions** by ICES to include ACs;
- More information on the **upcoming evaluation of the LO**;
- Need for **rethinking of the structure of Inter-AC meetings**, to be more attuned to ACs requests.

3. New Control Regulation

Jerome Broche, DG MARE Unit D.4, Fisheries Control and Inspections, and Marta Moya Díaz, DG SANTE Unit A.2, Strategy and Coordination, presented the newly adopted Control Regulation (CR), that entered into force on the 9th of January 2024.

Improved **digitalization** allows for complete and efficient data sets. The main novelties concern geolocalisation of SSF, electronic catch recording for recreational fisheries, digital logbooks.

New control tools/data are needed to better understand prevent adverse impacts of fishing activities, with novelties involving: REM & CCTV on risk-based approach, monitoring of engine power, and mandatory reporting of sensitive species, lost gear etc. with unique fishing ID number.

On data protection, the EC assured that **videorecording will focus on gears and parts of the vessels where catches are brought on board, stored, and handled. No identification of physical persons will take place.**

On **fishing capacity**, MS obligation to verify the power of the engines remains the same. Added is the requirement of MS to **determine vessels with risk of noncompliance** with the CFP rules, based on risk assessment. Non-compliant vessels should be equipped with a device to record engine power continuously.

Novelties were introduced also for the **control of the EU external fleet**:

- **Prior notification for landings in non-EU Countries:** 48 hours before landing in third countries, effective from January 2026.
- **Transshipments outside EU waters and in non-EU ports:** ban on transshipment in EU waters remains, with updated rules on prior authorization and notification to the flag MS 48 hours in advance of transshipment.
- **Fishing vessels other than catching vessels:** from January 2026, specific fishing authorizations to operate and the installation of VMS system onboard.
- **Automatic Identification System (AIS):** if switched off for exceptional circumstances the action and reason must be reported to the flag MS and, if relevant, to the coastal State; provision applies immediately.

Sanctions and enforcement were improved and harmonized:

- Two categories of **serious infringements**: serious infringement **per se** (objectively pre-identified as serious) and qualification of seriousness **based on harmonised criteria**.
- **New infringements** such as conducting fishing activities with the use of forced labour or illegally disposing of a fishing gear at sea.
- **Minimum sanctions:** minimum levels of minimum sanctions or standard rates for serious infringements.

- **Point system:** harmonised points for serious infringements for the holder of fishing licence and for the master; secondary legislation to follow on registration of masters and on the recording of points assigned to them.

Regarding the **derogations** revision, **the margin of tolerance** (MOT) for quantities retained on board **remains at 10%** per species. However, **new provisions** have been introduced to address specific circumstances.

Changes for **traceability** of fishery and aquaculture products have also been adopted.

In the **short term**, the work of the EC will focus on the conditions and list of ports for MOT. Additionally, a study will be initiated on traceability. The necessary IT tools tailored for recreational and small-scale fisheries will be developed. The **main goal is to have the secondary legislation to be approved as soon as possible**. In the **medium term**, EC aims to review Regulation 404/2011, dividing it into implementing and delegated acts and adopting new rules accordingly. Detailed rules, particularly concerning REM, CCTV, engine power, and traceability information, will be developed in the **longer term**.

Kenn Skau Fisher expressed concerns regarding **increasing bureaucracy** the new CR imposes on fisheries, especially for small and medium-sized vessels. He expressed disappointment that, despite previous requests from the fisheries industry for modification, some provisions have not been modified, i.e. the requirement for vessels to maintain a **maximum speed of 6 miles when sailing through Marine Protected Areas (MPAs)** and the obligation of separate storage of catch on vessels, both challenging, especially for smaller vessels.

Regarding LO and REM/CCTV requirements, Fischer emphasised **the need to differentiate between serious infringements and accidental occurrences**. He also stressed the **importance of addressing data protection concerns**, particularly regarding GDPR compliance. Regarding **engine power control**, he called for a fair and competitive approach that does not create monopolies. Lastly, he emphasized the need for an **impact assessment** for the changes foreseen in the future years determined by the new CR.

Other ACs put forward the following concerns:

- Need of a **clear calendar of all actions** and a timeline;
- Clarification on the difference between serious infringements per se and serious infringements classified based on harmonized criteria;
- Clarification on the different derogations for MOT;
- Identification and communication of **criteria to classify vessels at high risk of LO non-compliance** which will determine REM obligation;
- **Clear division of responsibilities between EC and MS** of different tasks concerning CR implementation, with possible production of guidelines;
- Application of LO to recreational fisheries;
- Clarification of differentiation of pesca-tourism from **recreational fishing**;
- Clarifications on **criteria used in definition of list of ports where MOT derogations apply**;

- **Involvement of ACs** in delivering recommendations in relation to the implementation;
- Discrepancies between LO and Technical Measures Regulation on the catch composition rule;

Many aspects of the old CR have been revised, and **discussions will not be re-opened on the lack of modifications of certain regulations and on what constitutes a serious infringement.**

On CCTV implementation, **MS will coordinate with the European Fisheries Control Agency (EFCA) on defining fleet segments subject to cameras onboard.** The process will be based on a risk assessment approach.

4. AOB – Inter-AC format and stakeholder engagement

Tamara Talevska (NSAC Secretariat) took the floor, voicing concerns about the **format of the Inter-AC meeting**, suggesting a need for clarity ahead of meetings on the active participation of AC members and the timing of speaking opportunities. She emphasized the importance of inclusivity in discussions, noting the little difference between the current and the last Inter-AC meeting, where similar concerns were also expressed. Talevska also inquired on steps taken regarding **systematic stakeholder involvement in ICES advice formulation**, asking for clarifications on the meeting that was announced to be organized on this topic. Additionally, she encouraged the EC to aid in **enhancing the balance between industry and other interest groups (OIGs)** within ACs and suggested exploring possibilities for greater stakeholder engagement through AC membership, particularly **channeling stakeholder engagement in crucial scientific processes through ACs**. Finally, she underscored the value of **ACs in achieving balanced policymaking** and called for **increased recognition of their contributions**.

Ivan Lopez, LDAC Chair, expressed full support for Talevska's statement, questioning the practicality of allocating funds for long distance travels only to have a two-minute intervention at a biannual meeting with EC. He suggested structuring the meetings by regional groups to facilitate more effective communication with the Director General. He emphasized that all ACs share the worries mentioned by Talevska and suggested **listening to the AC Secretariats**, who deal with AC membership daily and have good oversight of trends and developments. He stressed the importance of constructive engagement and **ensuring representation of all members**, expressing concern over the limited speaking time per AC and its impact on trust in representation. The MEDAC, NWWAC, LDAC, and AAC Secretariats also echoed NSAC's intervention.

In response, Mitolidis stated that ACs are valued, and their contributions are acknowledged. Suggestions for improving the Inter-AC forum to ensure maximum participation were noted, including practical ideas about timing, and coordinating responses. Options such as extending the duration of meetings were also acknowledged and will be considered within resource constraints. The Chair concluded the meeting, stating the overall effectiveness of the day's discussions.