



ADVISORY BOARD MEETING

03 March 2017, Brussels

CONCLUSIONS

Participants

Advisory Board representatives: Mr José Beltrán (PELAC and SWWAC proxy), Mr Niels Wichmann (NSAC and NWWAC proxy), Mr Alexandre Rodríguez (LDAC and MEDAC proxy), Mr Marc-Philip Buckhout (ACC), Mr Konstantinos Kokosis (ACC), Ms Sandra San Martín (MAC), Mr Daniel Voces de Onaindi (MAC) and Mr Reine Johansson (BSAC).

Administrative Board representatives: Ms Andreina Fenech Farrugia (Malta also as Presidency of the Council), Ms Teresa Molina Schmid (Spain) and Ms Manuela Musella (EC).

European Fisheries Control Agency (EFCA): Mr Pascal Savouret (ED), Mr Pedro Galache (HoU 2), Mr Genadijus Babcionis (DM Unit 1) and Ms Clara E. Fernández (PO).

The ED opened the meeting by welcoming the AC representatives. Several ACs representatives apologised for the ACs that could not attend the meeting and pointed out the following proxies:

- the SWWAC was represented by the PELAC representative;
- the NWWAC was represented by the NSAC representative;
- the MEDAC was represented by the LDAC.

0. Approval of the Agenda.

The NSAC representative asked to include an item in the next Advisory Board meeting: "Brexit".

The draft agenda was approved.

1. Introduction and state of play in each Advisory Council (AC)

The ED gave the floor to the ACs and pointed out that a summary of the outcome of the meeting would be reported to the Administrative Board on 05 April.

The PELAC representative pointed out the following issues:

- The AC is ready to fulfil its programming; its practical implementation is heavily dependent on the scientist and national research institutes.
- The results of the project aiming DNA differentiation between stocks are promising.
- TACs and quotas: advice has been provided for the different stocks.

- Technical measures: a draft advice has been issued by the Focus Group (FG).
- The landing obligation (LO) and Control regulation FGs have been merged.
- He asked EFCA for an update on the “gramme size project” state of play and data, and asked EFCA whether it would be possible to count with EFCA’s participation in a PELAC meeting that would take place in April in Dublin.

With reference to the question on the “gramme size project”, the HoU 2 confirmed that EFCA would be participating and presenting an update on the “gramme size project” in the meeting to be organised in April. The HoU 2 informed that there was good cooperation with the MS and the industry; he mentioned the difficulty to get data from inspections at sea and to get data from reference vessels and the importance to compare data.

The representative of the AAC mentioned that:

- the AC has been active since July 2016;
- it has 61 members and 3 working groups (WG);
- it is currently designing the work programme for the coming year.

The NSAC representative updated on the following issues:

- On behalf of the NWWAC informed that it was planned to organise a conference on control and monitoring including representatives from COM, MS control authorities and also EFCA.
- The multiannual plan for the North Sea is under discussion, the pace is very slow;
- The draft regulation on technical measures is very complex. The proposal on the table has been promoted by the Presidency; it has not been discussed in depth which poses many risks.
- LO: already in force in certain areas and fisheries. The Scheveningen group is preparing the recommendations for 2018.
- Monitoring and control issues: emphasis was made on control and monitoring the LO. He asked for effective measures to be in force and boosting a culture of compliance in order to get to effective measures equally applied in the NS; the same applies to the share of information. He identified the following challenges: monitoring of catches at sea, shift of control from land to sea that might be or not possible, ensure level playing field, provide incentives and how to ensure a smooth transition from what is happening now. He suggested to look at how Norway is applying the LO and drew the attention to the risk of choke species.
- Brexit will influence things; the rational of having a multiannual plan if a big chunk of the NS is not included was called into question.

Regarding the technical measures, the EC mentioned that the goal was to have a general agreement ASAP. The EP is still approaching the discussion and the report is not ready yet; it will come in summer.

The BSAC representative raised the following concerns:

- LO: Its implementation will take time. ICES has a very good report, e.g. looking back over some years, BACOMA and T90 solved all selectivity issues in the past, however currently it is clear that these gears are not selective; there is a big difference between Kattegat, Skagerrak and Baltic Sea, because some very selective gears in Kattegat could not be used in Baltic Sea, even gillnets in bad weather conditions become non selective as it is necessary to discard fish.
- He pointed out that fishermen learnt to do the right thing during many years. They were always discarding fish in line with the CFP requirements, and now is the other way around. From 2017 the LO applies for all TAC species in Baltic Sea. The BSAC has encouraged fishermen, scientist and the countries to have projects all over the Baltic to improve selectivity. There are several projects with the fishermen ongoing. The survival rate of the different species should be taken into account, e.g. the flatfish has a high survival rate.

- He also informed that a BSAC-BALTFISH-EFCA Workshop on implementation of the Landing Obligation, to discuss discard mitigation and the state of play of the implementation of the LO in the Baltic Sea, will take place in Hamburg on 09 March.

The representative of the MAC mentioned that the situation on this AC was similar to the AAC. They would like to collaborate with EFCA and the other ACs. He underlined the interest of the MAC on the regulations aiming at addressing the IUU fishing and activities.

The representative of Malta introduced Malta's Presidency and informed that the Ministerial Conference on Mediterranean Fisheries will take place on 29-30 March 2017.

The ED mentioned that Malta's Conference was a continuation of the declaration adopted by the Mediterranean Fisheries Ministers to promote the sustainable development of fisheries in Venice in 2003.

The representative of Spain asked if EFCA had any initiative regarding CISE.

The ED mentioned that CISE was an initiative of the EC and that EFCA was participating in the meetings.

The LDAC representative raised the following topics:

- Fight against IUU fisheries: the LDAC is working with the MAC to develop joint advices on this subject in the future and with COMHAFAT to put in place specific projects in improving MCS on West Africa and in particular the Gulf of Guinea. COMHAFAT has developed a comprehensive study with a phased approach for setting a regional control observer programme at sea which will be soon presented for adoption at their Ministerial Conference. He asked EFCA to reinforce training and capacity building in West African coastal countries with the new resources available, as a result of the increase of budget, as well as be involved in joint regional monitoring programmes.
- On the implementation of the LO, he pointed out that in NEAFC and NAFO COM informed that delegated regulations derogating the LO are expected where there are conflict of rules in line with article 15.2 of CFP Regulation. However, he passed some LDAC members' concerns about future application for by-catch species that might become choke species, e.g. the case of witch flounder in NAFO, for which some Baltic States have a small quota but is a by-catch for other EU MS vessels such as Spain or Portugal.
- He asked EFCA for an update on the PESCAO project.

With reference to the PESCAO project, the ED mentioned that the process was on going but detailed information could not be disclosed at this stage.

Regarding the application of LO to external fleets, the ED asked the LDAC representative if CCTV could be an option.

The LDAC representative mentioned that industrial tuna purse seiners have already 100% observer coverage on board and some vessels use CCTV (called it "electronic eye") on a voluntary basis. He thinks that this fleet segment may be keen to support this idea. However for other fleet segments, such as long-liners and trawlers, that might be more difficult due to capacity and operational aspects and lower observer coverage on board.

2. EFCA's Annual Report 2016

The main facts and figures of EFCA's Annual Report 2016 were presented by the ED. *Inter alia* the following aspects were highlighted:

- The Joint Deployment Plans continue to be the mainstay of EFCA operational coordination. EFCA coordinated close to 19,500 inspections in which 665 suspected infringements were identified.
- More than 1900 man/days of exchange of inspectors achieved in the JDPs.
- The breakdown of significant infringements in 2016.
- EFCA strategic objective to support the MS and the EC in monitoring the CFP and in particular the LO.
- The Coast Guard Pilot Project key facts and tasks.
- EFCA held 24 training events consisting of regional workshops, exchange of best practices, training the trainers, Union inspectors training, Fisheries Information System training and training for third countries.
- By the end of the year, EFCA trained a total of 580 officials, of which 150 through e-learning.
- 1 training mission within the framework of sustainable fisheries partnership agreements (SFPA).
- Assistance to the Commission on IUU.
- The availability of the suite of collaborative and data exchange tools as Fishnet, the Electronic Reporting System (ERS), the Electronic Inspection Report system (EIR).

After the presentation the floor was given to the ACs for comments.

The NSAC asked about the magnitude of the infractions in the different areas.

The HoU2 made a summary of most common suspected infringements, *inter alia* the following: for the Baltic Sea the misrecording of catches, and the technical measures; for the North Sea the misrecording of species, the margin of tolerance, the use of blinders and the catch composition; for the Pelagic the misrecording of species and the lack of prior notification; for the Mediterranean the misrecording of BFT and SWO and the margin of tolerance.

The representative of the BSAC pointed out that the information provided by EFCA was very valuable and that it should be taken into account in the discussions.

The representative of the MAC asked if figures on serious infringements were available and how many vessels had their licences withdrawn.

The HoU 2 explained that the figures provided by EFCA were related to “suspected infringements” The enforcement measures are competence of the Member States competent authorities

The ED clarified that EFCA did not have any prosecution power and that could not tell how many of the suspected infringements have been later sentenced as serious infringements.

3. EFCA’s Single Programming Document: Multiannual work programme 2017-2021 and Annual work programme 2017 implementation. Draft SPD for 2018.

The ED and the HoU 2 presented the state of play under the SPD 2017 and the draft SPD 2018.

With reference to the SPD 2017:

- The amendment of EFCA’s founding regulation (Regulation (EU) 2016/1626 of the EP and Council) to cooperate with the European Border and Coast Guard Agency, and the European Maritime Safety Agency, to support the national authorities carrying out coast guard functions.
- The changes in the annual budget and HR.

- 2017 operational activities: coordination, harmonisation and standardisation and assistance and expertise.
- The EU Coast Guard Tasks, the multipurpose operations and the Pilot project “Modernising fisheries controls and optimising vessel monitoring through the use of innovative European systems”.
- The support to the regionalisation and LO implementation.

With reference to the draft SPD 2018 the priorities presented were as follows:

- A - Support the regional implementation of the Common Fisheries Policy (in particular of the landing obligation) and related maritime strategies:
 - in areas with a Specific Control and Inspection Programme (SCIP) /Joint Deployment Plan (JDP);
 - in fisheries where no SCIP/JDP is in force but subject to the landing obligation;
 - upon request of the European Commission, provide expertise on the control aspects in preparations of new or updating of existing regulations;
 - provide operational capacity and expertise towards a European Coast Guard Capacity.
- B - Support the Union in the international dimension of the CFP and the fight against IUU activities.
- C - Contribute to the evaluation and improvement of compliance in selected European Fisheries.
- D - Provide training activities and training material in support of the effective and uniform application of the CFP based on the Core Curricula which will be kept updated.
- E - Delivery and enhancements of the data management systems suite and architecture.
- F - Enhancements of EFCA ICT infrastructure, continuity and security for operational and corporate systems.

After the presentation the floor was given to the ACs for comments.

No interventions were made by the ACs.

4. Rotation of the Advisory Board representative in the EFCA Administrative Board

The PO presented the yearly rotation system agreed by the Advisory Council representatives. The representative of the Advisory Board in the Administrative Board, from 02 March 2017 until 01 March 2018, will be the NWWAC and the alternate the SWWAC.

Considering that there are new ACs already operative, namely the Market, Aquaculture and Black Sea ACs, the PO asked the AC representatives to include the new ACs in the yearly rotatory system and to inform EFCA accordingly.

The BSAC and NSAC mentioned that one year term was too short, and that limiting the appointment to just one representative was limiting their contribution to the Administrative Board.

The PO pointed out that any amendment to the rules of procedure to be applied to the Advisory Board needs to be approved by the Administrative Board (AB) of EFCA. The PO suggested the ACs to examine this question internally and to come up with a consolidated proposal to be discussed in the next Advisory Board.

The ED mentioned that the AB would be informed of the concerns raised on the yearly rotatory term and mentioned that other possibilities could be explored, e.g. AC representatives to be invited as experts.

5. AOB:

- **Five Year independent external evaluation of EFCA (2012-2016)**

The ACs have been consulted on the framework of the Five Year independent evaluation of EFCA. The Seminar initially planned for spring 2017 has been postponed and the new date would be discussed during the next AB meeting on 05 April.

- **Other**

EFCA will invite one representative per AC to participate in the Closing workshop of the pilot project "Creation of a European coastguard function" in Lisbon on 02 June 2017.

The LDAC invited EFCA to participate in the next meeting of the LDAC WG NAFO-NEAFC.