



ADVISORY BOARD MEETING

8 September 2015, Vigo

CONCLUSIONS

Participants

Advisory Board Representatives: Mr Ian Gatt (Pelagic AC), Mr Sergio López (SWWAC), Mr Reine Johansson (BSAC), Ms Purificación Fernández (NWWAC), Ms Rosa Caggiano (MEDAC), Mr Manuel Liria (LDAC) and Mr Alexandre Rodríguez (LDAC).

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

1. **State of play in each Advisory Council (AC) and Landing Obligation**

The SWWAC summarised the SWWAC activities and mentioned that the level of implementation of the landing obligation in the SWWAC was ongoing. The SWWAC pointed out that industrial fisheries are more resilient to adapt, while in the small scale fisheries the adaptation is taking longer.

The BSAC pointed out the need to change the rules and to allow the industry to develop own solutions. In this respect, the BSAC informed that two proposals regarding technical measures have been presented to Baltfish.

The EFCA mentioned that the amendments to the CFP introduced by the Omnibus Regulation gives room to introduce technical measures in the discard plans, and new initiatives could be tested in pilot projects. The EFCA asked if there was a consensus among the MS in favour of such proposals.

The BSAC mentioned that there was a general consensus on the need to eliminate BACOMA and T90 and to involve the industry.

The EFCA asked for information on the handling of choke species.

The BSAC mentioned that further discussions were needed, and pointed out that there were concerns about the flounder, as it has a high survival rate. The BSAC highlighted the need to have some flexibility to switch and swap.

The Pelagic AC informed that the monitoring of the Landing Obligation was included in the Pelagic AC annual work programme. The Pelagic AC pointed out that depending on the landing port different landing sizes were applied for the same species caught in the same fisheries ground, i.e.

for the mackerel the landing size could vary depending on the place where the fish is landed. The scientist are analysing this topic and will make a proposal to the European Commission.

Another issue raised by the Pelagic AC was the handling of discard chute. It seems that there is no common approach among the Member States. The Pelagic AC pointed out that during the second half of the year mixed species would be a challenge and showed concerns about the by catches, where quota swaps would be needed.

The Pelagic AC thanked the Agency for the meeting organised in Roskilde and mentioned that the Pelagic AC would be interested to discuss control issues in a broader group. The Pelagic AC has been invited to the high level NWW and SWW groups.

The EFCA asked the Pelagic AC about how the fisheries vessels were dealing to keep the stability on board and the state of play on the adaptation of the ports to handle the landings of undersized fish that became compulsory with the Landing Obligation.

With reference to the stability on board, the representative of the Pelagic AC mentioned that they would need to have an additional water pump to get rid of the water on the deck. Regarding the ports, the main concern for the time being would be the distance from the port to the factory.

The NWWAC informed that the AC has been working on the multiannual plan and fishing possibilities for 2016. With reference to the Landing Obligation the NWWAC pointed out that a recommendation had been adopted by the MS high level group and raised some concerns about how to control and monitor the implementation. The NWWAC would like to know how it would be gradually implemented at regional level. Regarding the Omnibus Regulation, the NWWAC highlighted that in terms of level playing field more flexibility was needed when sanctioning vessels, as they will only have one year for adaptation comparing with the pelagic fisheries that will have two years for adaptation in 2017.

The EFCA mentioned that EFCA activities were regionalised in accordance with the SCIP decisions and the discard plans. However, the EFCA pointed out that regionalisation of control rules was not mentioned in articles 18 and 36 of the Common Fisheries Policy and, that some MS were concerned about applying different rules to fishing vessels moving through different grounds could pose a problem.

Regarding the sanctioning system, EFCA pointed out that the criminal response was a MS competence.

The LDAC summarised the work done by the LDAC since the last Advisory Board meeting and thanked EFCA for its participation in the NAFO/NEAFC working group.

The LDAC stated that the fight against IUU fisheries is a priority for them and pointed out:

- The need to increase the coordination system for sightings, *inter alia*, to have a protocol establishing who has to report;
- The need for an electronic system for the catch certificate;
- There is a MoU with COMHAFAT. The LDAC is developing a transparency initiative with tuna purse seiners that aims to fight IUU, all catches would be reported; the intention is to involve COMHAFAT countries;
- The LDAC is organising a Seminar in Las Palmas on the Implementation of the external dimension of the CFP;

With reference to the Landing Obligation, the LDAC reminded the specificities of the external waters. The European Commission cannot unilaterally change the rules in the RFMOs. Article 15 of the CFP does not apply to third country waters. In waters not subject to any RFMO the responsibility remains under the catching vessel flag state responsibility.

The LDAC raised some concerns about the application of the Landing Obligation in NAFO/NEAFC, from 1 January 2017 onwards. In this regard, the LDAC indicated that in NAFO/NEAFC it is compulsory to declare the discards. Currently the only available data source is the one from the observers, and the scientists have already flagged up its inaccuracy. The LDAC stated that there is an overlapping and, in order to ensure the level playing field, a delegated act from the European Commission was needed.

The representative of the Pelagic AC referred to the intervention made by the LDAC and underlined the need to guarantee a level playing field in third countries and for third country vessels fishing in EU waters.

With reference to the catch certificate, the EFCA mentioned that the European Commission is developing a model.

The MEDAC mentioned that one of the 2015 MEDAC priorities was the discard ban. The MEDAC underlined that in a “de minimis” regime the problem is additional compiling and recording of the discards data in the fishing logbook. The fishermen started to record discards in the logbook and are also providing information on the difficulties related to the practical implementation on the landing obligation. Some of the main concerns are sorting undersize fraction among total unwanted catches from small pelagic catches, the lack of space on board, the increase of operational activities in terms of time to sort out the undersized catch and the absence of scientific data on the fraction of the undersized species. In 2014 some MS initiated a pilot project to gather data; next year real scientific data would be available. On 8th October the MEDAC will dedicate a day to the WG1 dealing with discards, in particular the coordinator will open the debate for the demersal landing obligation and will gather information on the results of the referred pilot project.

The MEDAC representative also informed that the MEDAC would contribute to the public consultation launched by DG MARE on the multiannual plan for the management of Northern Adriatic Sea small pelagic fisheries.

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

The EFCA presented the yearly rotation system agreed by the Advisory Council representatives. The representative of the Advisory Board in the Administrative Board until 1 March 2016 is the NSAC, and the alternate the MEDAC.

3. Draft Multiannual work programme 2016-2020 and Annual work programme 2016

The ED and the HoUs made a PowerPoint presentation on the draft Multiannual work programme 2016-2020 and Annual work programme 2016.

Within the draft Multiannual work programme 2016-2020 and Annual work programme 2016, the ED presented the provisional priorities of the Agency that would be discussed in the Administrative Board meeting on 15 October 2015, namely:

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

- In areas with a Specific Control and Inspection Programme (SCIP) /Joint Deployment Plan (JDP);
- In fisheries where no SCIP/JDP is in force but subject to the landing obligation;

- Upon request of the European Commission, provide expertise on the control aspects in preparations of new or updating of existing regulations.

B - Support the Union in the international dimension of the CFP and the fight against IUU activities;

C - Support the European Commission, the European Parliament and the Member States in the proceedings of the expert group on compliance;

D - Provide training activities and training material in support of the effective and uniform application of the CFP based on the Core Curricula which will be kept updated;

E - Finalisation, delivery and enhancements of the data management systems suite and architecture;

F - Enhancements of EFCA ICT infrastructure, continuity and security for operational and corporate systems;

G- EFCA values, resources optimisation, accountability, transparency, simplification, scalability and streamlining.

The EFCA gave the floor to the ACs who welcomed the information provided.

4. Implementation of EFCA Annual work programme 2015

EFCA presented the implementation of EFCA's Annual work programme 2015, which included, *inter alia*, a presentation on the:

- JDPs evolution, i.e. major risks, inspections, main suspected infringements, Landing Obligation and regional bodies;
- IUU workshops and seminars for MS on the implementation of the IUU Regulation;
- Assistance to the European Commission in the evaluation of third country performance;
- Core Curricula courses published and E-learning;
- Capacity Building in third countries.

EFCA gave the floor to the ACs. The LDAC referred to the IUU missions in third countries and asked information on the criteria apply to choose the third countries.

The EFCA clarified that the countries are chosen by the European Commission.

5. Cooperation with the ACs: discussion

The EFCA mentioned that the Agency would consider participating in the relevant meetings of the executive committees and workings groups of the Advisory Councils when issues referring to EFCA competences are in the agendas.

6. AOB

The Pelagic AC raised a concern that at times control issues can appear which Member States struggle to cope with. The example of the blue whiting unilateral quota declared by Norway was cited. This fishery had taken place on the boundary of the Irish EEZ during February, which had caused a huge problem in terms of controlling this fishery. The Pelagic AC asked if EFCA had capacity to coordinate ad hoc control exercises on a risk-based strategy.

The EFCA mentioned that has participated in several campaigns in NEAFC and Western Waters JDPs that controlled Norwegian vessels but suggested that the Advisory Board representative at the Administrative Board should raise this matter at the October meeting.