

MINUTES
LDAC EXECUTIVE COMMITTEE

Hybrid meeting: Stockholm (Hilton Stockholm Slussen Hotel) & Zoom
Wednesday, 24 May 2023
09:30-12:30 h

Chair: Iván López van der Veen

Vice-Chairs: Béatrice Gorez, Juan Manuel Liria and Marc Ghiglia

Rapporteurs (Secretariat): Alexandre Rodríguez and Manuela Iglesias

1. Welcome by the Chair and opening by the host authority.

The Chair, Mr. Iván López, welcomes attendees reminding them that today, 24 May, is European Maritime Day.

He also informs that Ms. Christine Adams (Seas at Risk) has delegated her vote to Mr. Raúl García (WWF) and that the necessary quorum for adoption of decisions is reached, since at least 50% of the total number of members are present or represented.

He then introduces Ms. Emma Nohren, Chair of the Committee on Environment and Agriculture of the Swedish Parliament that gives the opening speech as government representative of the Swedish Presidency of the EU.

Ms. Nohren starts her speech by highlighting the importance of the seas and oceans as source of proteins, oxygen, temperature regulator and carbon sink. Good use of services provided by the oceans can be an opportunity for the future of humanity, but also a threat to biodiversity if we risk its balance and sustainability. She recalls that the ocean is the largest habitat in the Earth, reaching up to a 4 kilometre depth and with a volume of 1.3 billion cubic kilometres of water.

From an employment point of view, she notes that about 300 million people directly depend on fisheries for a living, with coastal communities both in developing and developed countries. The production of fish and seafood is not a political issue but a cross-sectional one, since it affects areas such as nutrition, health and healthcare or the economy. Therefore, all stakeholders must adopt an educational role and defend socially responsible and environmentally sustainable fisheries. In this sense, she underlines capacity-building (training, hygiene, safety, etc.) in coastal fishing communities.

As for blue growth, she links it to environmental objectives and explains the Marine Strategy implemented by Sweden, including the Ocean Law and the Climate Law. To this end, the food chain has to be considered in a comprehensive way and impacts derived from climate change and ocean acidification have to be studied. In this context, it is very important to rely on robust stock assessments and to strengthen the role of marine sciences (in line with the UN Decade).

Ms. Nohren concludes by saying that there is still great deal of room for improvement in fisheries management and, to this end, fisheries ought to be included within States' national strategies.

Finally, she explains some of the recommendations based on Swedish marine spatial planning, such as:

- Ensuring consistency among sectoral policies.
- Supporting the whole sea value chain for its correct running.
- Encouraging the creation and development of organisations within local communities that promote blue growth.
- Acknowledging the role of women and promoting gender equality.

The Chair, Mr. Iván López, thanks Ms. Nohren for her presence and the quality of her opening remarks that have generated a great deal of interest.

2. Approval of the agenda.

The agenda is then approved with no comments or modifications.

3. Adoption of the minutes of the last Executive Committee meeting

The minutes of the previous Executive Committee meeting held on 30 November 2022 in Madrid are approved.

4. State of play of FAO processes and key outputs:

- **Technical Paper/Guidelines on Transshipments and CDS - *Esther Boy Carmona***

Ms. Esther Boy Carmona makes a presentation on FAO Voluntary Guidelines on Transshipments, which is available on the following link:

https://ldac.eu/images/EN_FAO_VG_Transhipments_Esther_Boy_Carmona.pdf

Then there is a round of questions:

Mr. Julien Daudu, EJP, highlights his concern for specific rules for transshipment, since they are still weak in terms of effective implementation. He suggests that RFMOs should insist on strengthening these rules and asks whether FAO cooperates with other bodies.

Ms. Esther Boy responds that FAO is participating in a working group with IMO to fight against on board problems with the crew, in addition to working on collaboration agreements with other organisations. Although she underlines that a conflicting issue is the control of container ships, she notes the importance of there being smooth exchanges of information, explaining that IUU fishing needs to be pursued. By means of an appropriate exchange of information, the entry of container ships that do not comply with the FAO Port State Measures Agreement may be largely prevented.

Mr. Edelmiro Ulloa, OPNAPA, highlights the important developments that FAO is undergoing regarding transshipment and landing control. He underlines that there are fleets with thousands of vessels that perform transshipments with no control, in a non transparent way and without any

information on the activities they carry out. He admits that the weakest point is transshipment in the high seas by some African and Asian fleets.

Ms. Esther Boy admits that, although transshipments are necessary and legal, this type of fleets need to be provided with rules so that they can proceed in a correct way. Voluntary guidelines are also useful to prevent IUU fishing, and so, their implementation is essential, as well as States assuming their responsibility.

Mr. Harouna Lebaye, Mauritanian member of AFRIFISH-Net, highlights that even though transshipments are very important, he admits that measures for a correct control are missing, and suggests that all transshipments should be reported.

- **The FAO Guidance on Social Responsibility in the Fisheries and Aquaculture Value Chains**

Ms. Mariana Toussaint, FAO, gives a presentation that is available on this link: [https://ldac.eu/images/FAO Social Responsibility in Fisheries VC LDAC ExCom 24 May 2023 M.Toussaint.pdf](https://ldac.eu/images/FAO_Social_Responsibility_in_Fisheries_VC_LDAC_ExCom_24_May_2023_M.Toussaint.pdf)

5. State of play of LDAC working papers and advice:

FOR ADOPTION:

- **Draft LDAC Letter on Letter to DG MARE: Support to the Resolution of the social partners in the fisheries sector on the fight against forced labour (WG5)**

Mr. Alexandre Rodríguez, General Secretary, explains the content of the letter.

The decision to send this letter is approved, which is available on this link:

https://ldac.eu/images/EN_LDAC_Letter_Support_Resolution_EU-Social-Partners_Forced_Labour_29May2023.pdf

FOR INFORMATION (work in progress):

- **Draft LDAC advice on deep-sea mining in international waters (WG5)**

Mr. Alexandre Rodríguez, General Secretary, explains that the draft advice will focus on the few scientific studies there are on environmental impacts. He notes that a new meeting will be held in July.

In order to develop this advice, Mr. Rodríguez requests the members to send the studies, evidence or news they may have regarding this matter to the LDAC Secretariat and invites interested members to become part of the drafting team by contacting the Secretariat.

Mr. Raúl García, WWF, encourages this action be resumed and suggests keeping in touch with Mr. Matt Gianni. He highlights that leadership in this matter is required from countries having requested a moratorium or precautionary pause. In his opinion, as soon as the LDAC advice is approved, it ought to be sent both to the European Commission and to the Member States.

- **Draft LDAC advice on cooperation between the EU and Morocco (WG5)**

The Focus Group coordinator, Mr. Raúl García, informs on the state of play of the draft advice, highlighting that he will talk with the trade union representatives, Mr. Juan Manuel Trujillo/Mr. Andrea Albertazzi, so that they cover the section devoted to the social dimension and labour aspects.

He points out that he will give a sensible period of time to close the sections still to be finalised and those not covered may be approved and sent subsequently.

Besides, he recalls the importance of delving into the study of drifting gillnets in the Mediterranean (information in ACCOBAMS).

Ms. Béatrice Gorez, CFFA-CAPE, believes that the draft advice needs to focus on analysing if there are additional elements to sustainable fisheries agreements and that it is important to be very careful due to corruption cases that have taken place recently in Morocco (she recalls the "Morocco Gate").

Ms. Vanya Vulperhorst, OCEANA, suggests that a specific section could be devoted to the problem of driftnets within the advice, so that it can reach the relevant EC unit.

6. Summary report on actions from the last LDAC Working Group meetings (21-23 March 2022):

• Working Group 1 (Tuna Fisheries and their RFMOs)

The Chair, Mr. Michel Goujon, summarises the following actions/matters:

- Atlantic Ocean - ICCAT: advice approved in November 2022.
- Indian Ocean — IOTC: advice sent in April 2023.
- ATLAFCO-COMHAFAT: regarding the implementation of the MoU between the LDAC and COMHAFAT, LDAC WG1 and WG4 will work with COMHAFAT in developing a draft advice about the possibility of further developing a fully-fledged regional scientific programme of observers at sea as well as a regional control port scheme.

• Working Group 2 (Regional Fisheries Organisations and North Atlantic Agreements)

The Chair, Mr. Xavier Leduc, summarises the main actions:

- Northwest Atlantic Fisheries Organisation - NAFO: The LDAC will start preparing a draft advice.
- Snow crab management in Svalbard: In the event that any member supports the proposal put forward by Mr. Jarek Zielinski, the Secretariat would prepare ToRs to call a Focus Group on this topic in order to draft a piece of advice.
- North East Atlantic Fisheries in International Waters - NEAFC: the EC representative, Mr. Mindaugas Kisieliauskas, will send information to the LDAC to be distributed among its members.
- Negotiations with Norway, UK and Faroe Islands: DG MARE representatives will be invited to present an update on this matter at the next WG2 meeting.
- The EU-UK Trade and Cooperation Agreement (TCA): the LDAC will continue to monitor the latest developments regarding the Specialised Committee on Fisheries through the Inter-AC Forum on Brexit. The LDAC will regularly attend these periodic meetings and will inform its members on all outcomes. The next meeting will be organised by the LDAC at the end of June.
- Proposal to set up an EU stakeholder forum in NEA: The PELAC and LDAC Secretariats will consider the possibility of calling a joint focus group (open to other ACs) to discuss a concept note on potential scenarios and modalities for the organisation of an EU stakeholder forum on fisheries on NEA. If an agreement is reached, the secretariats will consider the possibility of initiating a process for adopting a joint AC advice on this subject.

• Working Group 4 (EU Sustainable Fisheries Partnership Agreements with Third Countries):

The Chair, Mr. Julio Morón, summarises the main actions:

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Regarding the Sustainable Fisheries Partnership Agreements (SFPAs):

- The EC representative, Ms. Marta Morén, requested the LDAC members to submit all their comments on the different SFPAs in writing.
- A presentation by DG MARE on the results of the EU SFPA assessment report will be included in the WG4 agenda for the meeting to be held in October 2023.
- Consultants entrusted with the different ongoing assessments (Sao Tomé and Gambia) will share the new consultations with the LDAC.

Regarding the social clause in SFPAs:

- A letter was drafted in support of the "Resolution of the social partners in the sea-fisheries sector on the fight against forced labour" (ETF and EUROPÊCHE) to be sent to the EC.
- The LDAC draft letter on the midterm review of the FishGov II project requesting support to non-state actor platforms and AFRIFISH-Net was distributed among WG4 members for approval, it was then approved and submitted to DG INTPA and DG MARE on 26 April.

Regarding the scope and external partnership network:

- AFRIFISH-Net: The MoU with the LDAC will be signed today at the end of this meeting.
- ATLAFCO/COMHAFAT: The LDAC will continue working with COMHAFAT on the organisation of a joint workshop on the implementation of SFPAs in Africa. This issue will be discussed at the annual coordination meeting. Moreover, the LDAC will follow up on the development of training and effectiveness of regional observers at sea and the harmonised control inspection systems at ports, in coordination with WG1.
- ECOFISH/IOC: Efforts will be made to resume contacts to study the possibility of joining specific actions or deliverables/case studies in this wide programme to be developed until September 2024 in order to improve an egalitarian economic growth by means of the promotion of sustainable fisheries in the EA-SA-IO region.

- - **Working Group 5 (Horizontal issues):**

The Chair, Mr. Julien Daudu, summarises the most important actions:

Fight against illegal, unreported and unregulated (IUU) fishing

- The LDAC sent a letter¹ to DG MARE on the special report by the European Court of Auditors (ECA) regarding the EU IUU policy.
- Regarding the joint LDAC-MAC advice on the role and impact of the Chinese distant water fleet on international fisheries and trade: A response from the Commission on the advice sent in December 2022 is awaited in order to reflect upon it in subsequent LDAC meetings and so continue working on this issue. This topic will be addressed at the next WG5 meeting.
- LDAC draft advice to improve cooperation and governance in fisheries between Spain/EU and Morocco: The updated draft advice was submitted to WG4 and WG5 members and work on it will continue in the next few months for its potential adoption.
- The LDAC joined in the MAC draft advice on import control². The joint advice was submitted to the EC on 21 April 2023.
- On the second half of the year, a concept note on challenges and opportunities of the CFP External Dimension ("today and tomorrow") is expected to be developed. The Secretariat will

¹ The letter is available on this link:

https://ldac.eu/images/EN_LDAC_Letter_Assessment_ECA_Report_EU_Policy_Fight_IUU_Fishing_8may2023.pdf

² Advice available on this link: https://ldac.eu/images/MAC_LDAC_Advice_-_IUU_Import_Controls_21.04.2023.pdf 5

start to compare relevant documents and information based on previous consultations and pieces of advice and they might call a focus group to this end to be able to present preliminary results and recommendations at future meetings.

- On 16 June there will be a Conference on energy transition: In the event that there are any ideas or proposals, please send them to DG MARE.

International Ocean Governance:

- Deep-sea mining: Information is being compiled in order to prepare a draft advice (open to other ACs) on the follow-up on deep-sea mining in international waters.

- The LDAC will remain alert to the negotiation deliberations related to the ISA Mining Code.

On an informative note: On 17 May the specific WG of the Spanish Secretariat General for Fisheries was held, with a presentation on ISA work novelties in the negotiation of the seabed mining regulations for exploitation.

- The UN processes that are of interest to the LDAC will continue to be monitored: BBNJ, CBD, UNGA Declaration on Responsible Fisheries and UNFSA Review Conference.

EU social dimension and work with the EU Social Dialogue Committee: The Secretariat will launch a call for expressions of interest and will set up a focus group to discuss the recent proposal by the Commission on a Directive on due diligence regarding companies' sustainability and to decide on the steps to follow (i.e. whether the possibility to issue a piece of advice should be considered). This FG will also cover some aspects included in the Communication on decent work worldwide, such as banning the entry into the single market of products manufactured using forced labour.

7. State of play of LDAC partnerships:

• ATLAFCO-COMHAFAT

Since finally no COMHAFAT representative can be present, whether on-site or online, this information point will be developed in future LDAC meetings.

• AFRIFISH-Net:

The President of AFRIFISH-Net, Mr. Gaoussou Gueye, explains the topics in which both organisations could collaborate, highlighting three aspects:

1. Monitoring and control of access programmes and agreements and of Special Protection Areas between the European Union and African countries and the African Union in order to establish public access, identify strengths and weaknesses and document some practical improvements to contribute information for future agreements and interventions.
2. Awareness raising within fishing and coastal communities, including decision-makers and other stakeholders, on the agreements and their implications for livelihoods of African people and African economy.
3. Capacity-building for the five NSA regional platforms (members of AFRIFISH-Net) to generate the necessary evidence on policies, reforms and programmes/projects regarding fisheries and aquaculture that can serve as basis for the AFRIFISH-Net promotion role.

The LDAC Chair, Mr. Iván López, thanks Mr. Gueye for his intervention and welcomes the

Memorandum of Understanding signed by both organisations that will enable to shape their joint work regarding important aspects for European and African fisheries.

ACTION:

- **LDAC and AFRIFISH-Net Secretariats will be charged with coordinating regular meetings to meet the priorities set under the Memorandum of Understanding.**

- **Africa-Europe Foundation**

Ms. Béatrice Gorez, CFFA-CAPE, explains that a letter³ was sent in order to request the LDAC participation in the recently set up EU-Africa Strategic Group on Ocean Governance, aiming to promote further collaboration between Africa and Europe regarding issues relating to oceans, making the most of and complementing ongoing initiatives and projects. After several reminders about the submission of this letter, no response has been received to it so far.

8. Update on LDAC Workshop on Fishing Companies with Investments in Third Countries.

The Chair, Mr. Iván López, informs that work is being carried out on a specific programme draft. He explains that everything has been delayed owing to the change in appointment of the General Secretary for Fisheries within the Spanish government, and points out that at the General Secretariat for Fisheries they have confirmed their interest to collaborate. On a positive note, he notes that the date and venue have already been decided: the week of 16 October in Vigo. They idea is about 100-150 people maximum. The next steps are finding sponsors that contribute to the organisation of the Seminar. In addition to the Steering Committee (more devoted to the programme), a team will be set up to help with logistics and the organisation of the event. Updated information is soon expected.

Ms. Béatrice Gorez takes the floor to explain that the aim of this seminar is to develop a legal framework for transparency and sustainability of fishing investments in third countries that may be extrapolated not only to EU fishing vessels but also to non-EU ones, particularly Chinese, so that a level playing field, compliance and fair competition are ensured. In addition, she suggests including examples of good and bad practices by European companies and countries.

Mr. Edelmiro Ulloa, on behalf of ARVI-ACEMIX, offers to provide logistical support to the Secretariat and the Steering Committee to organise this event in Vigo, if it is finally held.

Mr. José Ramón Fontán, ANEPAT, agrees with Ms. Gorez in including companies with non-EU capital that are present in African countries in the joint enterprise framework, so that they meet the same standards and requirements as those with European capital. Particularly, he refers to countries such as China or Turkey in countries like Mauritania.

Mr. Francisco Marí, Bread for the World, insists that it is important to have representatives of the authorities and fishing communities from the African continent and to analyse legislation regarding not only fishing investments, but also industrial and agricultural ones, since they are all linked by the flexible interpretation made of some national laws. A 360-degree approach needs to be adopted to "unveil" the interests of fishing investments.

³ The letter is available on this link: https://ldac.eu/images/FINAL_LDAC_Letter_to_Africa-Europe_Foundation_7Dec2022.pdf

Mr. Iván López thanks speakers for their contributions and commits to addressing all the topics mentioned and including them in the programme, and to inviting FAO representatives so that they can present their recently published study on types of access to fisheries agreements with third countries.

9. Feedback on inter-AC work

Due to time constraints, Mr. Alexandre Rodríguez, General Secretary, will send this information in writing instead of giving an oral explanation.

10. Any other business and closure

With no other issues to address, the session is adjourned by the Chair thanking members and observers for their attendance and collaboration, the LDAC Secretariat for their efforts in organising and coordinating logistics and documents, and the interpreting team for their excellent work.

The meeting is closed.

ANNEX I: LIST OF ATTENDEES
24 May 2023, Stockholm/Videoconference

ON-SITE ATTENDEES

1. Iván López. AGARBA/CEPESCA
2. Béatrice Gorez. CFFA-CAPE
3. Sara Fröcklin. SSNC
4. Vanya Vulperhorst. OCEANA
5. Jacopo Pasquero. EBCD
6. Raúl García. WWF
7. Aivaras Labanauskas. Lithuanian Long Distance Fisheries Association
8. Edelmiro Ulloa. OPP3/OPNAPA/ACEMIX
9. Francisco Mari. Bread for the World

ATTENDEES via ZOOM

10. Luis Vicente. ADAPI
11. Tim Heddema. Dutch Pelagic Fisheries Association
12. Felicidad Fernández. ANFACO/AIPCE-CEP
13. Rocío Béjar. CEPESCA
14. Juan Manuel Liria. CEPESCA
15. Javier Garat. CEPESCA
16. Emil Remisz. NAPO
17. Marc Ghiglia. CNPMM
18. Sean O'Donoghue. KFO
19. Ángela Cortina. OPNAPA

WG CHAIRS AND VICE CHAIRS ON-SITE OR ONLINE

20. Michel Goujon. WG1 (online)
21. Xavier Leduc. WG2 (on-site)
22. Julio Morón. WG4 (on-site)
23. Julien Daudu. WG5 (on-site)

ON-SITE OBSERVERS

24. Emma Nohren. Chair of the Committee on Environment and Agriculture - Swedish Parliament
25. Héctor Martín Fernández. Bolton Food
26. Juana Parada. ORPAGU
27. Mariana Toussaint. FAO

CAOPA/AFRIFISH-Net DELEGATION - ON-SITE

28. Dawda Foday Saine (Gambia)
29. Ahmed Muktar Hamad Gamal (Madagascar)
30. Antónia Adama Djaló (Guinea Bissau)
31. Nancy Marcia Onginjo (Seychelles)
32. Gaoussou Gueye (Senegal)
33. Abdoulaye Soumah (Guinea)

- 34. Dorcas Kilola Malogho (Kenya)
- 35. Harouna Lebaye (Mauritania)
- 36. Raissa Nadege Leka Madou (Côte d'Ivoire)
- 37. James Judex Rampaul (Mauritius)
- 38. Lalaina Miarisoa Rakotonaivo (WWF Madagascar)
- 39. Okeloh Namadoa (Kenya) – AFRIFISH-Net Secretary General

OBSERVERS via ZOOM

- 40. Anertz Muniategi. ANABAC
- 41. Stephanie Czudaj. GIZ
- 42. José Ramón Fontán. ANEPAT
- 43. José Manuel Beltrán. OPP-7 Burela
- 44. Clara Gitto. Earthworm Foundation
- 45. Ana Sedenko. Ministry of Agriculture of the Republic of Lithuania.
- 46. Esther Boy Carmona. FAO
- 47. Mohamed Sadiki. COMHAFAT
- 48. Ignacio Fresco. OCEANA

LDAC SECRETARIAT - ON-SITE

- 49. Alexandre Rodríguez. LDAC
- 50. Manuela Iglesias. LDAC