



MINUTES

EXECUTIVE COMMITTEE Long-Distance Advisory Council (LDAC)

**Tuesday, May 30, 2017. From 10:30 to 13:00
Opera Ambassador Hotel
16 Boulevard Haussmann, Paris 75009**

Chair: Iván López

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

1. Welcome.

The Chair of the LDAC, Mr Iván López, welcomes the attendees, inviting them to introduce themselves and express their status (members or observers) as well as the organisations they represent. Finally, he asks the Secretariat to report the apologies due to absence as well as the voting proxies received.

Apologies have been received from Ms M^a José Cornax (OCEANA), Ms Sandra Sanmartín (EBCD), Mr Julio Morón (OPAGAC), Mr Juan Pablo (ANABAC) and Mr Francisco Portela (Vianapesca).

Voting proxies:

- Ms Sara Fröckling (Swedish Society for Nature Conservation) delegates to Ms Béatrice Gorez (CFFA-CAPE).
- Mr Francisco Portela Rosa (VIANAPESCA) delegates to Mr Juan Manuel Liria (CEPESCA/FEOPÉ).

The full list of participants is included in Annex I.

After counting the members present and represented by proxy, it is reported that, in accordance with Article XXIV of the LDAC Statutes, the minimum quorum (simple majority of members present or represented) has been reached for the adoption of decisions.

2. Reading and approval of the agenda.

The agenda of this meeting is approved without any changes thereto.

3. Approval of the minutes of the previous meeting (Madrid, November 23, 2016).

The minutes of the previous meeting are adopted, adding the comments received by Mr Björn Stockhausen in the light of his own interventions.



4. Working Group Reports (April 2017):

4.1. Presentation of progress and pending actions in the Working Groups:

Working Group 1 - Tuna Fisheries and their RFMOs

The Chair of WG1, Mr Michel Goujon, summarises the group's most outstanding actions:

- ICCAT (International Convention for the Conservation of Atlantic Tunas): We will wait until receiving information from the Scientific Council to address the possibility of issuing advice with a view to the preparatory meeting of the European Commission with the Stakeholders and prior to the next meeting of WG1 in the month of October.

- IOTC (Indian Ocean Tuna Commission): We will wait until receiving from the European Commission the Council Position Paper containing a series of proposals and priorities for negotiation. This document was discussed by the Council on April 6 and will serve as a basis to prepare for the 21st Annual Session of the IOTC to be held in Yogyakarta on the week of May 22, 2017. The LDAC will assess the possibility of developing advice and requesting a preparatory meeting with MARE Unit B2.

- SWIOFC (South-West Indian Ocean Fisheries Commission): A follow-up will be carried out on the results of the SWIOFC Technical Working Group meeting on the conditions for granting tuna fishing access for foreign fleets in the EEZs of the Southwestern Indian Ocean coastal countries. The degree of attention or influence of the advice sent on behalf of the LDAC delegation as a result of the IOTC/SmartFish stakeholder consultation meeting, on March 16 in Seychelles, will be assessed.

- FADs - Fish Aggregating Devices: Three presentations on FADs were made by Josu Santiago (SECOFAD/AZTI), Raúl García (WWF) and Sandra Jen (PEW) respectively. The Secretariat and interested members will continue to gather relevant information on this topic and will attend related meetings whenever possible, such as the 1st Joint Tuna RFMO FAD Working Group Meeting that will take place on April 19-21 in Madrid.

Based on the information collected and progress at the level of RFMOs, the possibility of developing a specific position document will be assessed following up on the previous publication by the LDAC dating from 2012. The aforementioned document should include a proposal with a set of measures ("*toolbox*") such as increasing observer coverage, improving the collection of scientific data (assessment of target species and by-catches, distribution and migration patterns using tagging programs...) as well as technological and operational developments (contribution of FADs to catch efficacy, progress with materials and assessing their impact on the marine environment).

Finally, he reports that a meeting was held with the Head of the Fisheries Agreement Unit at DG MARE, Mr Jessen, in which he stated that he would be the chief negotiator at the annual meetings of ICCAT and IOTC.



- Comments

Mr Iván López, the CHAIR, states that DG MARE is understaffed to cover so many topics, therefore, in his opinion, we should be more collaborative so that they can utilise their staff in the most efficient and correct manner. He believes that this requires an exercise of reflection for the consideration of the Chairs and Vice Chairs of the WGs.

With regard to ICCAT's advice, Ms Béatrice Gorez, CFFA-CAPE, emphasises the priority of promoting sustainable fishing, explaining in detail which techniques can be used to make it more sustainable.

Mr Iván López, the CHAIR, agrees with Ms Gorez. He believes that we should increase our endeavour to bring forward our opinions.

Working Group 2 - North Atlantic Stocks, Fisheries Agreements and RFMOs

The Chair of WG2, Ms Jane Sandell, summarises the group's most outstanding actions:

- EU-Norway Agreement: the LDAC will ask the European Commission to urge Norway to urgently make official translations into English of Norwegian legislation on fisheries management and technical conservation measures affecting the Community fleet. At present, there is a situation of legal uncertainty and discriminatory treatment that entails serious risks of non-compliance with the rules by EU fleets due to their lack of understanding of the text.

- EU-Faroe Islands Agreement: the pelagic fleet appealed to the Commission to reject a consultation during the year on access agreements for pelagic stocks and in particular mackerel since it is very problematic in terms of market access for the Community fleet compared to the Faroese fleet.

- Snow crab fishing in Svalbard: Negotiations and the open diplomatic procedure between Commissioner Vella from DG MARE and the Norwegian Minister of Fisheries, Trade and European Affairs will be closely monitored in order to try to solve this situation by reaching a compromise that is acceptable to both parties.

The Secretariat will keep its members informed of the court ruling on the status of the vessel "*Senator*", currently seized at a Norwegian port when exercising its snow crab fishing rights with a valid fishing licence issued by Latvia after entry in force in January of the EC Regulation on Fishing Possibilities of the EU that was adopted in December 2016. WG2 defends the legitimate rights of the Community fleet licensed to fish for snow crab in Svalbard and will continue to exert pressure on the Commission for it to remain firm with regard to the interpretation of the Treaty of Paris. This highlights the need for greater consistency and connection between the DGs of fisheries (MARE) and Commerce (TRADE).

- Northwest Atlantic Fisheries Organization - NAFO:

Unit B2 will send the Secretariat a reply to the retroactive clause regarding the EC Delegated Regulation that will be approved shortly with a derogation from the Landing Obligation for NAFO fisheries.



The Secretariat will circulate the draft of the Delegated Regulation of the EU destined to derogate the LO for fisheries in the NAFO regulatory area with sufficient time to collect comments and send feedback to the Commission.

The Secretariat will review each week the queries of new interest representatives directly uploaded to the Transparency Register as a result of the public consultation process resulting from “Better Regulation”.

Ms Jane Sandell, NFFO, will keep WG2 members informed of future meetings regarding the progress and results of the British selectivity test for commercial vessels using a 3M cod trawl mesh.

WG2 insisted to the Commission on the need for the WG on By-Catches and Discards and Selectivity and the Scientific Council to submit a recommendation for a validated protocol that may be used by the fleets.

- Implementation of the Landing Obligation: NAFO and NEAFC fisheries:

The LDAC Secretariat will be in contact with its ICES counterparts to clarify the content and status of the request for advice submitted by NEAFC in 2016 about the status of deep-sea stocks. The Secretariat will now review its own request to improve knowledge on the biology and discard data for deep-sea stocks as a basis for assessing the potential impacts of the LO for the Community fleet on species subject to catch limits within the NEAFC regulatory area. The revised draft will be distributed among the members of WG2 to receive feedback and approval by the Executive Committee.

Mr Juan Manuel Liria, FEOPE/CEPESCA, on the forthcoming recommendation by NAFO, reports that for the moment they still lack information. In June, the scientific council is meeting and no official report is expected until the middle or end of July, so he believes that once again it will be necessary to draft the advice in a short period of time.

Mr Iván Lopez, the CHAIR, points out the importance of creating a drafting group and advancing as much work as possible since the advice by NAFO is very important for the EC.

Ms Lise Johnsen, DPPO, states that in general, ICES usually issues its scientific advice on the stock of capelin in the month of May, but this year this has not been the case and so she requests an explanation in this regard. The European Commission should also inform the LDAC of the quota shares with Greenland and Norway for this stock.

Mr Iván López, the CHAIR, believes that there should be a follow-up on this topic.

Working Group 3 - International Organisations and other RFMOs

The Chair of WG3, Mr José Antonio Suárez-Llanos, summarises the agreed actions:

- Southwest Atlantic (FAO Area 41): The Commission will be asked to clarify the proposal by SEAFO to assess extending the territorial scope of the Convention and its jurisdiction to the Southwest Atlantic (FAO area 41). The opportunity will be assessed of preparing a draft advice supporting the management of this area under an existing or newly created RFMO to



deal with issues such as transshipments on the high seas, protection of vulnerable marine ecosystems or management and control of fishing capacity.

- United Nations Organization (UN): Sustainable Development Goal 14 and BBNJ:

WG3 will contribute with its ideas to the position paper to be submitted by an LDAC delegation at the preparatory meeting with the European Commission on the UN Conference to Support the Implementation of Sustainable Development Goal 14 (SDG14), to be held in the month of June in New York.

The Commission will communicate to the LDAC the results of the 3rd Negotiating Committee for a Treaty to regulate Biodiversity Beyond National Jurisdiction (BBNJ).

The responsibility of flag States to adopt national legislation to implement UN Resolution 61/105 for the Conservation of Vulnerable Marine Ecosystems in the High Seas, in line with the advice sent in May 2016, will be remembered at international forums (FAO, COFI, UN, etc.) in which the LDAC takes part. The IEO has made a significant effort to map the seabed and the EU has adopted a Regulation that is in force with which the Community fleet complies.

- The situation of the Ports of Chile: It will continue to be requested that negotiations with Chile demand the lifting of the prohibition of access to its ports for landings and transshipments of swordfish by the European fleet. To this purpose, it is of the essence to link trade policies and the renewal or update of the trade agreement to these fishing issues. Likewise, attention will be paid to Chile's evolution in terms of its participation in IATTC, and whether Chile will request CNCP status (*cooperating non-contracting party*) with a view to the next annual meeting to be held in mid-July in Mexico.

The Commission will be requested to keep us informed on these matters.

- Fishing investments in third countries: Public-private partnership agreements

Mr Suárez-Llanos recalls that ARVI has published many reports and studies on the benefits that fishing investments with Community capital bring to third countries such as Namibia or Argentina at the labour and socio-economic levels.

Ms Béatrice Gorez, CFFA-CAPE, highlights the importance of having a transparent framework for the development of mixed investments, especially in the framework of private agreements. She also highlights that when talking about international trade, the UN Conference on Trade and Development (UNCTAD) also refers to interregional trade, with the issue of food and food security being of the essence. Finally, she requests that the case of Senegal be studied in detail, where there is some conflict or competition over the fishing resources between foreign industrial fleets and African artisanal fleets. She also mentions the case of Liberia, where it is necessary to improve control over IUU fishing and governance.

Mr Iván Lopez, the CHAIR, points out the importance of transferring the know-how that such fishing investments bring and of better communicating the value for the creation of wealth and jobs in a third country. This aspect should be explored to a greater extent.

Mr Raúl García, WWF, believes that we need to add the dimension of development cooperation. He gives as an example the co-management projects for Senegal's octopus



stocks, in which positive situations have been detected, such as the benefits brought about by creating added value in the marketing chain. He believes it would be very positive if the LDAC could analyse the labour and socio-economic conditions of different countries based on specific cases.

Mr Iván López, the CHAIR, agrees with Mr García's idea.

Working Group 4 - Bilateral fisheries agreements with third countries

In the absence of the Chair, Mr Julio Morón, the Vice Chair, Ms Béatrice Gorez, summarises the most outstanding issues dealt with in this working group:

- EU fisheries agreements with third countries (SFPAs): The Fisheries Agreements Unit of DG MARE undertook to review the methodology of *ex-ante* and *ex-post* evaluations of fisheries agreements in order to add an executive summary on the utilisation of sectoral support in a consistent manner, and to generate country sheets for ongoing projects financed by the EU budget for sectoral support and development.

Mr Berck, EC, encouraged the LDAC to organize a specific focus group on the utilisation of sectoral support in the SFPAs, with specific examples of investment in projects related to infrastructures and the development of coastal communities.

- Development Cooperation in third countries / local communities:

Ms Gunilla Grieg gave a presentation on the IOC/SmartFish Workshop on Implementing the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries (SSF). She suggested that LDAC WG4 could bring to its discussions gender equality issues related to sectoral support in the SFPAs and the function and role of women in promoting local development of fishing communities. She offered to share a study carried out by the Swedish Maritime Administration on this subject for 10 SFPAs.

- DG DEVCO: presentation of the PESCAO project: The LDAC will closely monitor the evolution of the PESCAO project for the improvement of fisheries governance, management and control (SVC) in West Africa. The call for proposals funded by the European Development Fund is expected to be published shortly. The LDAC will assist COMHAFAT as much as possible in order to get involved in the development of concrete actions or initiatives in the region when this project is implemented and divided into different Work Packages.

Working Group 5 - Cross-cutting issues

In the absence of the Chair, Ms M^a José Cornax, the Vice Chair, Mr José Carlos Castro, summarises the actions agreed upon at the last working group meeting:

- Labour and human rights, and decent working conditions in fishing: Mr Juan Manuel Trujillo will send the LDAC Secretariat a recently published ILO report on the situation in Thailand regarding labour rights.

- Fighting against IUU Fishing and Monitoring access to the Community Market: A draft advice was put together by the NGO Coalition requesting that the IMO number be



mandatory for non-EU vessels that market their fishing products in the Community market.

- Fisheries Transparency Initiative (FiTI): The FiTI Secretariat delivered a presentation. The LDAC will continue to be informed of the progress of FiTI, including the conclusions of the II Annual Conference in Bali on April 27, at future meetings.

The LDAC Secretariat will assist FiTI in identifying candidates from the European fishing industry to fill the vacancies as members of the FiTI Governing Board. Likewise, the Secretary will attend future FiTI meetings as an observer provided that he has a clear and express mandate from the members.

The Secretariat will wait for the Commission to provide information on its official position regarding FiTI, following up on the reply to the advice stating that the Commission would adopt a decision on this matter at the beginning of this year.

- International Oceans and Seas Governance: Once available, the report commissioned by WWF to an external consultant on the preliminary evaluation (3 years) of the implementation of the External Dimension of the CFP will be distributed.

- Veto on the shipment of shark products on freight companies: Cepesca, Europeche and WWF will send their arguments in writing to prepare a draft letter requesting the Commission to seek an immediate solution through diplomatic channels to this problem involving all the stakeholders. The Secretariat and key members will follow up on the various meetings addressing this issue at the national (Spain and Portugal) and community (Brussels) levels.

4.2. Approval by the Executive Committee of the recommendations by the WGs:

Mr Alexandre Rodríguez, the Secretary-General, reports that the documents submitted for adoption have been circulated among the members. The version that is shown of them is the final version with the changes and comments brought forward during the consultation process.

- **Advice by the LDAC pursuant to the requirement of the IMO number for imports of sea products into the EU from non-EU vessels (WG5)**

DECISION:

The draft advice is adopted with the correction of an error in the Spanish version pointed out by Mr Juan Manuel Liria FEOPE/CEPESCA.

- **Joint MAC - LDAC Advice on Improving Implementation of IUU Regulation (WG5)**

The Secretary-General, Mr Alexandre Rodríguez, summarises the work of the LDAC in this area and that this advice is issued following a reply from the Commission. A task force composed of members from both ACs was created to draft the first version which was circulated simultaneously among the members of WG5 of LDAC and WG2 of MAC, which are the competent bodies. It is also reported that MEDAC would also be interested in joining this advice without any further changes.

DECISION: The advice on the fight against illegal fishing is adopted unanimously.



Ms Irene Vidal, EJF, gives thanks to the secretariats of MAC and LDAC for their coordination in this advice. She believes there may be further joint advice, so she suggests the possibility of establishing a specific protocol to this purpose.

- **Request to the Commission for advice by ICES on deep-sea species (WG2)**

Mr Juan Manuel Liria, FEOPE/CEPESCA, reports that this petition to ICES is linked to deep-sea species that may be choke species. He also considers it important to take a position, as well as to provide solutions to the problem that arises.

Mr Björn Stockhausen, Seas at Risk, states that he has no objections in this regard, although he asks about the time period and the specific species to be included therein.

Mr Iván Lopez, the CHAIR, proposes that the two issues raised by Mr Stockhausen be included in the text.

The text is adopted with the revisions and additions suggested by Mr Stockhausen.

5. International Governance and sustainable development:

- **Preparation of advice in reply to the Communication from the Commission**

The Secretary-General, Mr Alexandre Rodríguez, explains the importance of considering the consistency between Blue Growth and sustainable fishing, highlighting the concern about the few discussions on fisheries management and marine conservation related to the consultation on International Ocean Governance. Besides, he adds that the social and labour rights of fish workers at sea and on land are an important point, and so is food security; and considering that coastal economies are dependent on fishing, that they also ought to be considered as pillars of sustainability from an economic and social point of view.

He then provides a summary of the 14 actions identified in the Communication on *“International Ocean Governance: an agenda for the future of our oceans”* as listed below:

- Action 1: Bridging the gaps that exist in the framework of international ocean governance.
- Action 2: Promoting regional fisheries management and cooperation in key ocean areas with the aim of solving regional deficiencies in matters of governance.
- Action 3: Improving coordination and cooperation between international organisations, and launching ocean partnerships to manage them.
- Action 4: Building capabilities.
- Action 5: Guaranteeing safety and protection of the seas and oceans.
- Action 6: Applying the COP 21 agreement and mitigating the harmful impact of climate change on oceans, coasts and ecosystems.
- Action 7: Combating illegal fishing and strengthening the sustainable management of the world's food resources from the oceans.
- Action 8: Banning harmful fishing subsidies.
- Action 9: Fighting against marine litter and the “sea of plastic”.
- Action 10: Promoting maritime spatial planning (MSP) worldwide.



- Action 11: Reaching the global objective of protecting 10% of marine and coastal areas and promoting effective management of marine protected areas.
- Action 12: A coherent EU strategy on ocean monitoring, data collection and marine accountability.
- Action 13: Reinforcing investment in “blue” science and innovation.
- Action 14: Research, innovation and international scientific ocean associations.

- **Preparation of the position of the LDAC for the United Nations Conference to reinforce implementation of Sustainable Development Goal 14 (NY, June 5-9)**
- **Commitments/key messages for the “Our Ocean” Conference (Malta, 5-6 October)**

Mr Alexandre Rodríguez, LDAC, reports that he will be present at the Malta Conference. He states that it would be very positive to identify active members who will attend it in order to hold discussions at the different working groups of the LDAC, emphasizing that if we wish to submit any commitment to the aforesaid conference we would have to do so before the end of July.

Mr Marc Ghiglia, CNPMEM, points out that, in his point of view, it would be positive for the LDAC to issue advice on this matter.

On the other hand, Mr José Antonio Suárez-Llanos, ANAMER/CHAIR/ANAPA/ACEMIX, reports that he will send the report by ARVI to the LDAC titled “*flota industrial Versus flota artesanal: mitos y realidades*” (Industrial Fleet versus Artisanal Fleet: myth and reality).

6. Interest and participation by the LDAC in external initiatives and projects.

- **FARFISH Project - Horizon 2020 (CETMAR/LDAC)**

Mr Alexandre Rodríguez, the Secretary-General, reports that the project kick-off meeting will be held in two weeks’ time in Vigo and that it will serve to outline the guidelines of the project and to assign tasks among the partners, as well as to adopt a strategic action plan. It is an ambitious project, with many case studies of fisheries in the EEZs of African Coastal States and in international waters, with the performance of external evaluations of value chain diagnostics, the design of management scenario simulation tools, studies on the ecosystem approach, etc. He encourages members to send their proposals and ideas for possible case studies to be included in the project as some are still pending decision.

Mr Raúl García, WWF, points out that it could be very positive for developing countries. He offers to send to the LDAC the case studies carried out by WWF on the octopus from Senegal.

- **Calls for Studies by DG MARE (EMFF)**

Mr Alexandre Rodríguez, the Secretary-General, reports that the Secretariat has not identified any call for *ad hoc* studies of interest since the previous meeting.

- **PESCAO Project (DG DEVCO)**



The Secretary-General, Mr Alexandre Rodríguez, states that this project will be followed up, as well as the maritime control and security program in the Gulf of Guinea.

Ms Béatrice Gorez, CFFA-CAPE, states that from her point of view, one must be consistent in the advice by adding specific cases. She insists on the importance of consistency between the different policies and the fact that the EU should be an example to be followed in international governance.

- **Fisheries governance project (African Union-IBAR)**

The Secretary-General, Mr Alexandre Rodríguez, reports that no new specific information has been received on this project.

7. Any other business

No other business is referred.

The meeting closes at 13:30 h.



ANNEX I

List of Participants at the Executive Committee Long Distance Fleet Advisory Council Paris, May 30, 2017

Members of the Executive Committee

1. Iván López. CHAIR/CEPESCA
2. Juan Manuel Liria. FEOPE
3. Beatrice Gorez. CFFA-CAPE
4. Jan G. Larsen. Living Sea
5. Despina Symons. EBCD
6. Javier Garat. FEOPE
7. Juan Manuel Trujillo. ETF
8. Claus Ubl. DHV
9. José Carlos Castro. ANFACO-CECOPECA
10. Lise Johnsen. DPPO
11. Vanya Vulperhorst. OCEANA
12. Yvon Riva. ORTHONGEL
13. Irene Vidal. EIJF
14. Luis Vicente. ADAPI
15. Sean O'Donoghue. KFO
16. Marc Ghiglia. CNPMEM
17. Gerard van Balsfoort. DPTFA
18. Björn Stockhausen. Seas at Risk
19. Raúl Garcia. WWF
20. Caroline Mangalo. CNPMEM

Working Group Chairs

21. José Antonio Suárez-Llanos. ANAMER/CHAIR/ANAPA/ACEMIX
22. Michel Goujon. ORTHONGEL
23. Jane Sandell. NFFO

Observers

24. Francisco Mari. Bread for the World
25. Aivaras Labanauskas. Atlantic Fisheries Company
26. Frederic Le Manach. BLOOM
27. Katarina Sipic. CONXEMAR
28. Ingrid Kelling. International Pole & Line Foundation
29. Juana Parada. ORPAGU
30. Martine Aussems. CE
31. Alexandre Rodríguez. LDAC
32. Manuela Iglesias. LDAC
33. Marta de Lucas. LDAC