



▶ Pelagic AC

Joint AC meeting on the future
functioning of the ACs
13 April 2018
09:00-13:00 hrs
Parkhotel Den Haag, Molenstraat 53
The Netherlands

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Participants

1	Jesper Raakjær, chair	Pelagic AC
2	Alexandre Rodriguez	Long Distance AC
3	Ana Matias	South Western Waters AC & Sciaena
4	Björn Stockhausen	Long Distance AC & Seas at Risk
5	Caroline Gamblin	North Sea AC & CNPMEM
6	Cécile Fouquet	Aquaculture AC
7	Christine Absil	Market AC & Good Fish Foundation
8	Emiel Brouckaert	North Western Waters AC & Rederscentrale
9	Emilie Gélard	South Western Waters AC & CNPMEM
10	Esben Sverdrup-Jensen	Pelagic AC & Danish Pelagic Producers Organisation
11	Gerard van Balsfoort	Pelagic AC & Pelagic Freezer-Trawler Association
12	Guillaume Carruel	Pelagic AC
13	Guus Pastoor	Market AC & AIPCE
14	Heather Hamilton	North Western Waters AC & WWF
15	Helena Horan	Department of Agriculture, Food & the Marine, Ireland
16	Herman Pott	Federal Ministry of Food and Agriculture Germany
17	Iván López van der Veen	Long Distance AC & AGARBA
18	João Aguiar Machado	European Commission
19	Joost Paardekooper	European Commission
20	Marta Ballesteros	CETMAR
21	Miren Garmendia	OPEGUI
22	Niels Wichmann	North Sea AC & Danish Fishermens Organisation
23	Pascale Colson	European Commission
24	Piebe Hotsma	Ministry of Economic Affairs and Climate Policy Netherlands
25	Reine Johansson	Baltic Sea AC & Swedish Fishermen's Federation
26	Richie Flynn	Aquaculture AC & Irish Farmers Union
27	Sandra Sanmartin	Market AC
28	Sam Stone	North Sea AC & Marine Conservation Society
29	Sara Vandamme	North Western Waters AC
30	Sean O'Donoghue	Pelagic AC & Killybegs Fishermen's Organisation
31	Staffan Andersen	Ministry of Enterprise and Innovation Sweden
32	Stijn Billiet	European Commission
33	Verena Ohms	Pelagic AC



1. Opening of the meeting by the chairman, Jesper Raakjær

The chairman opened the meeting at 09:10 h and welcomed the participants. He explained that the purpose of the meeting was to discuss the future functioning of the ACs, not only in light of BREXIT, but also in anticipation of the next reform of the Common Fisheries Policy (CFP). He was especially pleased that DG Machado had taken the time to address the meeting. A tour de table followed.

2. Adoption of the agenda

The agenda was adopted without amendments.

3. Introduction by Mr Aguiar Machado, Director General of Fisheries, DG MARE

DG Machado expressed his pleasure of participating in the meeting considering that the ACs are a very important part of the CFP and play a significant role in fisheries management and policy-making in the EU. For more than a decade they have been a key instrument to involve different stakeholders in the process. He had no doubt that the role of the ACs will remain important in the years to come. He appreciated the work the ACs have been doing in the different areas, be it on policies or other issues, like the future of the European Maritime and Fisheries Fund.

He said that BREXIT is a major challenge for everyone, for many different reasons and in many different aspects. It also raises questions for the future role, composition and functioning for a number of ACs. In very practical terms the Commission is now looking into the legal interpretation on how to proceed on two elements.

1. The role of the ACs after BREXIT in terms of membership. This is more important for some ACs than for others, and it is especially relevant for the North Sea AC. What would be a desirable level of involvement? There have been specific provisions regarding the role of stakeholders from 3rd countries. BREXIT poses a good opportunity to rethink those again and the Commission is seeking input on this and for that reason is pleased to attend today's meeting.
2. The 2nd very practical issue is related to the location of the North Sea AC during the transition period and in the long term. The Commission is examining this question at the moment and will let people know as soon as possible once a decision has been taken. However, it was clear that the North Sea AC will have to move, but the question was in which timeframe and with what urgency.

DG Machado then provided an update on the BREXIT process and the negotiations. There was still a lot of work ahead. In the last month the EU and the UK agreed on the majority of a transition agreement. The transition period will end on the 31st of December 2020. That means that in terms of fisheries everyone will be working on a status quo basis until the 31st of December 2020 with full observance of the *acquis communautaire*. This means that access to EU/UK waters and markets as well as the provisions of the CFP will remain in force and there will be no change in policy. The UK will remain bound by the CFP as it is today although it will not be officially a member of the EU anymore. In conclusion, the EU will have access to the UK EEZ and vice versa during the transition period. The UK will also be represented internationally by the EU until the end of the transition period.

Regarding Regional Fisheries Management Organisations (RFMOs) the UK will have to decide in the future which RFMOs they would like to join as members and apply for membership. The application process can already be started during the transition period, if the UK received authorization from the EU. However, the UK will still be bound by the current CFP rules. So, while the UK can advance the



process of becoming an RFMO member, during the transition period it will not be able to exercise any rights in the RFMOs and work as part of the EU delegation.

Annual fishing opportunities (TAC and quotas) are set each year for the following year. In 2018 the UK will still be at the table, but not in 2019. When the EU decides on the fishing opportunities for 2020 it will consult the UK, but the UK will not be in the Council anymore. After receiving the ICES advice the Commission will give the UK an opportunity to express its views on the advice. This will be done before the Council meeting. There could be a possibility for the Council to listen to the UK's views, but the decision on TACs will be taken by the EU 27. DG Machado said that it was important to have this mechanism in place, because people had to look at the long term. In the long term it is in the interest of everyone to develop good relations with the UK that is as stable as possible.

The provisions of the transitional period have to be legally fleshed out, because they will be part of the withdrawal package. It is an enormous task to negotiate the future relationship with the UK in regards to fisheries. There are many common interests and many shared stocks. In the future the EU and UK will have to take decisions on how to allocate fishing opportunities for these shared stocks. This poses a major challenge that the EU has never seen before. Even though there are bilateral agreements with Norway, these relate to a small number of stocks only. However, the EU shares more than 90 stocks with the UK for which annual TACs have to be set. This presents a major piece of work and DG MARE is working together with Mr. Barnier's task force.

Both the EU and the UK start from a common basis, namely the CFP. That means both apply the same standards. Difficulties arise when one party wants to deviate from the current policy in the future and this must not undermine the other party's objective and of course fisheries have to be managed in a sustainable manner. In practice this means that different concepts will be brought to the table. The European Commission is looking for the greatest possible convergence with the current positions and is looking at things as a whole, including market access. In future agreements the Commission will try to consolidate principles and core elements such as MSY, an ecosystem based approach, multiannual management plans and alignments with other EU policies, to use the best available science as basis for policy, the landing obligation as well as good fleet management and technical standards. The same goes for control, data collection and stakeholder consultations. The agreements currently in place with other partners like Norway are very informal and something similar will not be suitable to the UK situation considering the vast number of shared stocks. DG Machado emphasized that the Commission did its utmost to have clear and precise provisions which cannot be based on an informal agreement, but have to be formalized.

It will also be necessary to envisage a mechanism to consult with stakeholders. Could that best be done under the current ACs and extend them to the UK? How should this be addressed in the future? DG Machado said that it is in the interest of everyone to keep UK stakeholders somehow involved in the future. This is a question the Commission also wants to address during the transition period. What mechanism could be developed to include UK stakeholders? While this question is most urgent for the North Sea AC, it is also relevant for a number of other ACs, e.g. Market and Aquaculture. Would it be best to adapt the current ACs to the new situation instead of creating a new structure?

DG Machado considered it a great opportunity to have all relevant ACs around the table to hear the opinions of all of them. He thanked the ACs for arranging the meeting and emphasized his availability over the coming months and years to discuss the issue. He was prepared to come back and engage further with the ACs on the topic.

The chairman thanked DG Machado for his introduction and was pleased that he considered the ACs important players. He invited questions from the audience.

Gerard van Balsfoort was surprised that the Commission seems to be discussing already informally future management models and convergence. As far as he was aware the DEFRA white paper was not yet public and hence nobody knew what the UK is aiming at.



DG Machado clarified that the Commission has not yet started the discussion with the UK on the future relationship. However, he was convinced that the UK was aware of the EU's objectives since the Commission regularly talks to the Member States and the Council. He also recently gave a presentation to the Council which is public and spells out very generally what the Commission is seeking. He also informed attendees that they will receive an email today specifying the direct implications for fishermen and traders in case the negotiations fail and there will be a "hard BREXIT". This notification was not intended to alert people, but to keep them informed of the consequences of a "hard BREXIT".

Hermann Pott wanted to know what the relationship is between DG MARE and Mr. Barnier's team.

DG Machado explained that the Barnier's team is leading the negotiations, but DG MARE is working very closely with the Barnier's team, especially when it comes to fisheries. He expected that in the future someone from DG MARE will be present during negotiations by the Barnier's team. It was in the Commission's interest that fisheries negotiations are not managed in isolation.

4. Presentation on the history of the ACs (Marta Ballesteros, CETMAR)

Marta Ballesteros gave a presentation on the development of the ACs and provided some insight into possible alternatives for the future functioning of the ACs. She explained the concept of path dependency which means that whenever a decision is being taken, this decision sets the condition for future choices and pre-empts or closes certain pathways.

She presented a timeline of the developments that eventually led to the creation of the ACs. The engagement of the fishing industry in fisheries management already started before the first CFP in 1983 and it took nearly 30 years for NGOs to get engaged in the process. While the governance system was initially very top down approach, this slowly started to change to a bottom-up one with the introduction of the ACs. At the beginning there was a lot of ambiguity in relation to the role and functioning of the ACs, but the ACs also made it possible to push certain ideas forward. The latest reform of the CFP was the most substantial one. Not only did it make some changes to AC membership, it also enforced the substance and role of the ACs and changed the way how decisions are being made. At the same time some processes are unclear and would benefit from clarification.

ACs have been quite heavily assessed, especially regarding how they work, what their power is and whether they have any impact on policy.

In general ACs lived through an expectation peak which created a lot of good will shortly after they were set-up. However, since then some ACs lost their momentum, sometimes due to an internal gridlock, sometimes due to a perceived lack of attention. The reform in 2013 was seen as an opportunity to improve that situation, but instead several ACs feel frustrated at the moment and question their abilities to influence the policy process. This prolonged pattern of no perceived influence poses a serious risk for the ACs since they can lose credibility and legitimacy for their members.

To ensure the robustness of the ACs attention has to be paid to both the internal AC functioning as well as the CFP governance system. ACs often rush to provide advice due to short consultation periods. This can create internal tensions within its membership. Some ACs also experience issues related to representativeness and constituency. NGOs claim that they represent nature interests and look for future generations, but that is difficult to measure.

To overcome the NGO-industry cleavage ACs should provide balanced arbitration to determine what is rational and acceptable. Furthermore, they should justify their assertions in the context of publicly held values. It is also important to acknowledge that having a commercial interest does not mean someone supports unsustainable policies as has been clearly shown by research in the US. To further enhance the capacities of the ACs one should consider providing more flexibility, e.g. in the form of multi-annual budgets. It is also important to limit free-riders, i.e. people that only join the ACs to get



access to information, but do not contribute to the process. What could be positive and negative incentives to limit free-riders? It might also be worthwhile to have an annual meeting in which the Commission provides a follow-up on the uptake of the advice. Furthermore, each AC had success stories only they know about. Therefore, training people in communication to spread the message could further contribute to the development of the ACs.

In general ACs seem quite pleased with their relationship with ICES and also the relationship with STECF has improved. However, one issue that has not been addressed yet is the capability of the ACs to influence the research agenda. Allowing them to provide input on the research agenda would ensure that research is carried out on issues that matter.

Another controversial issue is regionalization. The current model of regionalization enables hierarchical decision-making rather than bottom-up participatory processes and hampers the position of some ACs in the governance system vis-à-vis Member States and the European Commission. It is also at odds with the supra and sub-regional scopes. To deal with these problems processes have to be clearly defined to ensure transparency and accountability. ACs should be active observers in the regional groups, especially since Member States are not decision-makers at that governance tier. Furthermore, ACs should be viewed as a channel for all stakeholders including civil society.

Despite the challenge BREXIT poses, it also presents an opportunity to use the added value of the ACs. During the transition period the UK government will not be part of the decision-making process anymore. However, the relevant ACs could consider readjusting their structure to allow for consultations and joint discussions at stakeholder level. In the new institutional arrangement the ACs could take on a dual role as advisory bodies within the EU and as regional stakeholder organizations representing all fisheries and interest including those of the UK and Norway. This would also allow testing the robustness of stakeholder cooperation in the area.

The chairman thanked Marta Ballesteros for her presentation and invited questions from the audience.

Björn Stockhausen recalled that the AC learning curve as shown by Marta Ballesteros was going down which she referred to as frustration. He wanted to know the basis for this observation.

Marta Ballesteros explained that this was mainly in relation to regionalization and the challenge some ACs experience in terms of membership. Topics which had seemed to be clear and were taken for granted now seem at stake again. There is sensation in some ACs that the effort is not worthwhile considering the low impact they have in the end.

Heather Hamilton wanted to know what was meant when ACs could be a channel for civil society.

Marta Ballesteros explained that during the regionalization process some ACs and regional groups suggested to create a wider consultation which would somewhat replicate and duplicate efforts. So, why not use the resources that are already available and use the ACs as a vehicle to also get involved with scientists and e.g. HELCOM.

Heather Hamilton said that the idea of an annual meeting in which the Commission presents how the output of the ACs has been followed-up would be very valuable to help ACs understand better how their advice is used.

Sean O'Donoghue said that the suggestion of having ACs be active observers in the regional groups was not new. The Pelagic AC has devoted a lot of time and effort on this, but got nothing back from the regional groups. In fact, they were quite clear that that will not happen. The Pelagic AC also asked for an informal group for pelagic stocks which was totally rejected by the regional groups. Even though the Commission tried to act as "honest broker" to achieve a deal, the outcome was extremely disappointing and the regional groups did not change their ways at all. Now there is the landing obligation and the different regional groups approach it differently for the same stocks. There is such a strong resistance to having a pelagic subgroup and the Pelagic AC has exhausted all its capacities to



change this resistance, but unfortunately to no avail. He fully agreed that the ACs should be active observers on the regional groups.

Niels Wichmann said that having a multi-annual budget for the ACs would be a tremendous advantage. In addition people should consider the different needs of the different ACs. Some ACs have to work with multiple languages which obviously increases costs. Furthermore, people should consider the possibility of carrying over parts of the budget from one year to the next as well as external financing.

Iván López said that it would be interesting to look at why some ACs function better than others. Even though there is some tension in the Long Distance AC between industry and NGO members, he generally felt that members work well together. He was aware that some ACs complain about the administrative burden and he advised those ACs to invest their money into having a strong secretariat instead of paying their members/Chairs and Vice-Chairs to attend or moderate meetings. He was fully supportive that members of the ACs should work “pro bono” and only receive reimbursement for their travel and subsistence expenses.

Guus Pastoor wanted to know whether the definition of who belongs to the 60% group and who belongs to the 40% group could be connected to the frustration experienced by some ACs.

Marta said that she did not have enough information to comment on this question.

Richie Flynn highlighted that the Market AC and Aquaculture AC have not been appropriately addressed in the presentation. He said that having EU wide ACs poses a unique challenge, both in terms of languages and regarding the range of policies these ACs have to deal with.

5. Outcomes of the BREXIT questionnaire

Verena Ohms presented the outcomes of the BREXIT questionnaire which the Pelagic AC had circulated a few weeks prior to the meeting. The results can be found [here](#).

Guus Pastoor said that he had filled in the survey as North Sea AC representative, not as Market AC representative and he would have liked to see a possibility to indicate that.

Iván López suggested updating the survey and linking their outcomes to the reflections and conclusions of this event. The Secretariat of the active ACs should carry out an updating exercise and cross information to bring a valuable document as basis for debate at the next follow up meeting.

Björn Stockhausen was concerned that by spreading the survey to all AC members it will become very complex and he wanted to consider who can voice the interest of AC members.

Gerard van Balsfoort said that not all ACs will be equally affected by BREXIT and this difference should be somehow weighted or taken into account.

Niels Wichmann pointed out that the North Sea AC has established a BREXIT focus group and works closely together with its UK colleagues.

Sean O’Donoghue pointed out that business as usual is not option for the PELAC nor the Market AC and getting a very general idea of how people feel about the future of the ACs is relevant.

Heather Hamilton agreed that the survey results could be seen as a very early stage indication of intent by the AC members.

6. Discussion on the future functioning and structure of the ACs

Sean O’Donoghue considered today’s meeting as a brainstorming session rather than aiming for making any concrete decisions. He said that within the Pelagic AC people largely agree that having a Pelagic AC without the input of UK stakeholders is a waste of time. The Pelagic AC therefore has to



consider how it can continue its existence and incorporate UK stakeholders. While the Pelagic AC tries to regularly attend meetings of the regional groups, they in turn hardly attend meetings of the Pelagic AC. The same will happen with UK stakeholders unless people can come up with a more inclusive model. It should not be a one size fits all model, however. UK waters are an integral part of the remit of the Pelagic AC. In the past people have played with various ideas, e.g. having a stakeholder advisory body under NEAFC for widely distributed stocks and possibly deep sea species. Maybe it was time to consider a tri-partite AC that would be involving the UK and Norway. However, the modalities would be quite different. Sean O'Donoghue did not mean to insist that this should be the way forward, but tried to stimulate the discussion. Business as usual was in any case no option for the Pelagic AC.

Guus Pastoor agreed that a one size fits all model would not be appropriate. The Market AC does not follow a regional approach, but a horizontal and much depends on the outcomes of the agreements. To motivate someone to participate in any form of Advisory Council that person must have an interest. Looking at the Market AC, if there is a trade agreement, people will still have a lot to discuss. However, if the agreement ends up with different standards, then the situation will become more difficult. People should figure out why the UK would want to participate in the ACs and we should clarify what we expect from the ACs. Do we expect them to be a vehicle that has to come up with some form of advice? From a Market AC perspective reaching consensus on very broad issues is not easy, but having a discussion on different stakeholder opinions can be a goal in itself. In his view, having the UK as active participant in the AC makes sense. The same goes for Norway and Iceland which are big suppliers to the EU.

Niels Wichmann mentioned that the NSAC has set up a "Brexit" Focus Group which is operational since 2016, and they had their last meeting in February this year.

Iván López said that it is difficult to have this discussion if it is not clear the terms of reference in which the debate is framed. He pointed out that due to BREXIT some UK members already resigned from the ACs or were pushed to resign by some other members. People are trying to figure out how cooperation with the UK could work when there is a new relationship, but at this stage nobody knows what kind of final agreement will be reached. Agreeing on a final deal can take years. What will happen until then? What will be the role of the ACs during the negotiation process? Will the Commission want input from the ACs and if so, in what form? Those questions have to be addressed first before jumping into conclusions. Before the next CFP reform it will not be clear what the future of the ACs will be linked to the Brexit.

He pointed out that at least until the 29th of March 2019 UK citizens have a right to be on the Long Distance AC and the current chair of WG2 is from the UK and is doing a great job. He hoped that she will stay until the end of her term previewed for April 2019. During the transition period the UK will be bound to EU rules. That means the ACs have to consult UK stakeholders too. At least when it comes to RFMOs UK stakeholders should be granted access to the consultation.

Everything else will have to be judged once there is more clarity on what will happen. If there is a hard BREXIT, UK stakeholders should not be on the ACs anymore. In such a case it would anyway be questionable whether the UK administration would listen to any advice from the ACs.

Another issue he wanted to clarify was who the ACs work for. Is it for the Commission, DG MARE, Member States or even the EU Parliament? The support of these groups vary between individuals working for each of these groups. . A final thing he wanted to point us is that the grant received from the Commission and other financial resources should go to the secretariats to allow them to organise the work and build capacity. He considered it unacceptable that some ACs instead pay a lot of money to their Chairs/Vicechairs or members and then complain about not having enough resources.

Stijn Billiet said that it is very important to make a distinction between the transition period and the future. The transition is all about continuity except for the physical location of the North Sea AC. Regarding the future the Commission is seeking input from the ACs to find out what they consider



desirable in the future. In terms of functioning and information flow, DG MARE's role is to be a "one stop shop" for the ACs. However, he admitted that there might be some internal communication difficulties and DG MARE tried to further improve the situation.

Pascale Colson noted that she heard several times that some people consider it unacceptable to pay the AC Chairs a lot of money. While the Commission does not want to interfere in the day to day work of the ACs, it will consider chairman fees exceeding EUR 5,000 to be non-eligible. Any amount above that may be paid with the contribution from the Member States, but not with the Commission grant.

Stijn Billiet added that the Commission is responsible for how its resources are spent, but it cannot decide on how other funds are spent. He also said that an evaluation report of the ACs will be published before 2022.

Alexandre Rodriguez said that he has been involved in two different ACs Secretariats for more than 10 years now. Initially the ACs were established with a lot of uncertainty on their performance and future functioning, but they have proven their value over the years and stepped up their efforts. The 2014 CFP reform has also provided more stability to the ACs providing them an enhanced advisory role and expanding the scope of their advice. Opinions on what the ACs should advise on have also evolved since the first beginnings and the tone of the advice has become more mature thanks to the trust building process amongst members. Some ACs are strongly based on science, like the Pelagic AC which he considered positive. He said that people and organisations needed positive incentives to deliver and not a "stick policy". Sometimes the feeling in the Long Distance AC when it comes to RFMOs is that the AC has to advise the Commission, but is being excluded from certain consultation processes such as a recent example on the last EC Technical meeting in preparation for ICCAT Annual Meeting. This is in contrast to individual organizations which might be also members of the ACs, including both industry and NGOs. Even if the Commission might follow initially in their negotiation mandate the advice of the Long Distance AC as main reference, during the negotiations there is a lot of lobbying around the table. The question here is how could UK stakeholders be integrated in the Long Distance AC? A positive incentive would be if the Commissions followed the Long Distance AC's advice or at least gave it a bigger weight as only EU stakeholders' legitimate body advising on fisheries management aspects outside EU waters. That would also encourage other individual organizations to channel their advice through the Long Distance AC. Furthermore, the Long Distance AC should consider how it can be more effective, e.g. regarding long-term management plans.

Richie Flynn said that budgetary concerns are always on top of the list especially since experts had to be contracted for a number of projects. That requires sufficient budget. He would support a multi-annual budget, not least because of the bureaucracy involved in writing an annual report. However, he also considered it necessary to sit down with the Commission and develop a better template. Another issue concerns adequate prior notice by the Commission when it comes to consultations. The work program and meeting dates are determined at the beginning of the year and often it is very difficult to respond to short term consultation procedures.

Gerard van Balsfoort replied that we were losing the focus of the meeting. This meeting was not meant to be an evaluation of the ACs. The Commission representatives present are not involved in how the ACs run and there is a separate forum to discuss such issues. Today's meeting was about discussing on how the ACs should be organized after BREXIT. However, it might be too early to discuss this now. He said that once the difficult political decisions have been taken on sharing and access, people can look further. The discussions within the ACs have evolved a lot in quality and the dialogue with the NGOs has improved. Partly because of the ACs the NGOs have been able to organize themselves stronger. He said that there must be a sharing after the BREXIT negotiations and he was convinced that the UK members will want to continue the dialogue after BREXIT. The EU and UK have a joint path and have to find a way to make it happen. He also considered it important that when the UK colleagues develop their own policies, that EU stakeholders can contribute to that. Maybe it could be possible to develop



a common policy on fisheries with the UK, but at the moment not much can be said while the parties still fight about money. He wanted to know what the BREXIT focus group of the North Sea AC talk about and what they can realistically formulate as recommendations at this stage.

Niels Wichmann said that the minutes of the BREXIT meeting are accessible on the North Sea AC website. In general the spirit within the North Sea AC is to find some sort of continuing relationship with the UK. In the future Norway should be included as well. At the moment the focus group is held back by the white paper which he expected to be published soon. There are a number of Commission papers and guidelines, but no indications from the UK side.

Emiel Brouckaert supported what Gerard van Balsfoort had said. In order to discuss the future functioning of the ACs it will be necessary to have a list of options and to discuss the pros and cons. People had to start drafting a working document. The next reform of the CFP could also be a part of the analysis for post BREXIT. But to list the pros and cons people need to have at least some input on what the future will look like.

The chairman agreed that it was necessary to draft a pros and cons list. He explained that he had been trying to get a guest speaker on this topic, but unfortunately that did not work out. He disagreed that it was too early for having the discussion considering that things are moving fast.

In terms of AC membership, Guus Pastoor pointed out that some organizations have UK members and he wanted to know how to deal with that.

Joost Paardekooper said that waiting for the results from the negotiations is not the right approach, because this will be part of the negotiations. The UK will be removed from the ACs unless something changes. The sooner the Commission receives ideas about this, the better. He agreed that different solutions for different ACs might be appropriate.

Iván López remarked that the first function of the ACs is to be of service to the EU. He agreed with Gerard van Balsfoort that people are in a “grey area” to give advice on something that has not been approved yet. However, it is possible to prepare so to hit the ground running. This will require a structured debate. The only doubt he has about UK involvement concerns the transition period. In his view UK citizens should not advise the EU. He also asked the Commission to tell the ACs how they can be of real help, e.g. by establishing something like a focus group in different ACs.

He then pointed out that he did not consider Norway to be a good example. Norway has an underlying treaty already. Some areas of collaboration on fisheries are engraved in there. Furthermore, the situation with the UK is quite different. Norway has never been a part of the EU, but the UK has and now it is leaving. It is nice that there is a long-standing friendship with the UK, but during the negotiation the UK will try to get the best deal possible without considering EU interests. The EU should do the same. Therefore, he thought that no UK citizen should be allowed to advise on the negotiations with the UK.

Joost Paardekooper said that the ACs have to ask themselves what they think the role of the ACs should be and what areas they should advise on. The beauty lies in identifying what characteristics the advisory body should have. Maybe there is a need for two: one with the UK and one without.

Heather Hamilton said that the overall input from the UK on the BREXIT questionnaire has been quite limited. She considered it worthwhile following up on that.

Sean O’Donoghue said that the ACs should not wait for the Commission, but instead provide input as soon as possible. He wanted to look at different models and their pros and cons. One of the key things to be defined at the beginning is the remit of whatever model people will look at. If the remit will be sustainable management, then this will not have anything to do with sharing or access agreements. He suggested having one person from each AC to put forward a model.



Gerard van Balsfoort replied that in general different ACs have different positions, also in regards to how they engage in negotiations. In the Pelagic AC people decided from the start that they will engage in science and be very factual. One of the Pelagic AC's main focus is the development of management strategies. The real fight about sharing has never been dealt with by the Pelagic AC. This is something the industry did outside the Pelagic AC as well as some NGOs. However, in other ACs this might be different and should be taken into account. He thought that as long as these two stages are separate it is relatively easy to have a consultation mechanism that other parties can participate in as well.

Guus Pastoor agreed. In his view the function of the ACs is to be as neutral as possible and to provide advice in terms of facts and figures. If people want to lobby, they should do that outside the ACs.

Esben Sverdrup-Jensen said that the discussion illustrates the big differences between the different ACs in how they work and what their objectives are. The majority says that the main objective of the ACs is to secure long-term management. This is a very important issue for the Pelagic AC as well. Someone had mentioned a possible future AC construction under NEFAC. This is especially relevant for the Pelagic AC and would provide an opportunity to involve all relevant stakeholders. A current weakness of the Pelagic AC is that does not cover all parties and has no official mandate to do so. In conclusion, he saw an opportunity to construct something for widely distributed stocks that will include all parties. However, when it comes to pure EU legislation, then it will not be necessary to involve Norway, Iceland and the Faroe Islands.

Sam Stone was concerned about the capacity shortage that would be caused by creating a new advisory body. He said that the relationship between the NGOs and other stakeholders has developed positively. If another advisory body was set up, participating would be more difficult and people would lose the personal relationship. From a UK NGO point of view it would be ideal if the relevant ACs could somehow involve UK stakeholders. Regarding timing the UK NGOs were considering whether they should continue on the ACs or not. Therefore, he invited the relevant ACs to provide guidelines on how to deal with UK stakeholders. He also had noticed a general reluctance by UK members to provide input to the Commission on how the ACs should be structured in the future. However, that might be British politeness.

Iván López wanted to know whether the UK will ask advice from EU stakeholders. Everybody is thinking about how UK stakeholders can contribute to the ACs in the future, but will the UK ask EU stakeholders to contribute to their advisory process? And if not, how will the EU react? He also wanted to reach some concrete outputs in this meeting. Therefore, he proposed creating a forum to only deal with negotiations where it does not make sense to have UK input. He felt that there was a need for a forum where people can freely talk as Europeans without UK participation. It will also have to be decided which ACs should be involved in this forum since some ACs will be more interested than others.

The chairman thought that that could be a way forward. He understood that Iván López was suggesting to look at different models as well. He asked him whether the LDAC would be willing to arrange the next joint meeting.

Iván López confirmed that the Long Distance AC is willing to arrange the next meeting.

It was not clear to Guus Pastoor what exactly has been proposed. Having an interim forum without UK stakeholders seemed to be the responsibility of the individual fisheries organisations.

Iván López clarified that he wanted to get concrete actions out of the meeting. This meeting has been organized to explore how the ACs can work after BREXIT. Until March 2019 UK stakeholders will be full members. It seems that there will be a transition period during which EU law will fully apply. Therefore, UK stakeholders should remain members during that period too. However, if during that period the



ACs give advice to the Commission on how to negotiate with the UK, then UK stakeholders should not be involved in giving that advice.

Joost Paardekooper understood that today's exercise was for people to think about the future setup of the ACs. Iván López was turning this into another discussion. He thought that ACs do not have the remit to exclude certain parts from their work. In his view everyone who is a member of the ACs has a right to participate in the work of the ACs and cannot be excluded from giving certain kind of advice. If, however, the suggestion was for different stakeholders in the ACs to find a forum without the legality of the ACs, then he thought that might be possible.

Sean O'Donoghue said that there is a huge difference between the ACs. The Pelagic AC has decided not to deal with issues like relative stability, but instead focus on management strategies and science. Some other ACs do discuss things like sharing agreements. Therefore, people had to recognize that one size does not fit all. He encouraged each AC to present models that would suit their needs, so they can be discussed in detail at the next meeting. Maybe this will also lead to people agreeing on a structure to be taken forward.

The chairman agreed with the suggestion, but also understood the point made by Iván López. He concluded that the period for brainstorming has now passed and that people have to be specific from the next meeting onward. He promised support from the Pelagic AC as much as possible.

Emiel Brouckaert said that one issue not been addressed is the interaction with the regional groups. He encouraged people to think about how this interaction can feed into the process and offered support and assistance from the North Western Waters AC.

Gerard van Balsfoort asked those ACs sharing stocks and waters with the UK to put some extra effort in the next joint meeting.

7. Closing remarks

It was concluded that the Long Distance AC will organize the next meeting before the end of the year and that the concerned secretariats involved in previous meetings will facilitate narrowing down the topics and follow-up with people to present concrete ideas for future AC models.

8. End of meeting

The chairman closed the meeting at 13:10 hrs.

