



## **MINUTES**

### **24<sup>th</sup> LDAC Working Group 2 Meeting Regional Fisheries Organizations and North Atlantic Agreements**

**Tuesday, 26 March 2019, 12:00-17:00 h  
Hotel NH Brussels EU Berlaymont  
Boulevard de Charlemagne 11-19, 1000 Brussels**

#### **1. Welcome by the Chair.**

Mr. Gerard van Balsfoort informs that, in his capacity as WG2 Vice-Chair, he will chair this session in the absence of the Chair, Ms. Jane Sandell, who sends her apologies.

#### **2. Approval of the minutes of the last WG2 meeting - London, 13 November 2018.**

The minutes of the previous WG2 meeting are approved with no comments or additional modifications.

#### **3. Approval of the agenda.**

The agenda is approved including an informative note on the annual coordination meeting between Advisory Councils and ICES (MIACO) held in Copenhagen in January this year.

#### **4. Impact of Brexit on functioning of Advisory Councils.**

##### **4.1. Conclusions of the Inter AC Workshop - Madrid, 4 December 2018.**

Mr. Gerard van Balsfoort, DPFTA, summarises the Inter AC Workshop specifically held to address this issue that was organised by the LDAC. The agenda, concept note, working documents and presentations and the document of conclusions of the meeting are available on the following link: <https://ldac.eu/es/reuniones/reunion-sobre-el-impacto-del-proceso-brexit-en-el-funcionamiento-y-el-papel-de-los-consejos-consultivos>

He then clarifies that when the Organising Committee came up with the idea of holding this workshop and preparing the agenda, they thought that there would be clearer information about the proposals and transition dates, as well as conditions for a potential deal for the United Kingdom's withdrawal to be able to analyse how ACs could adapt their working models,



organisational structure and competencies. However, due to the existing uncertainty, it became complicated to have a meaningful debate with specific proposals.

LDAC General Secretary, Mr. Alexandre Rodríguez, completes the Chair's summary by recalling the three main items and key issues addressed at the workshop:

- 1) The role and competencies of Advisory Councils (ACs):

How will the role of ACs evolve after Brexit?

- 2) Present versus future set-up of ACs:

How have ACs to adapt their strategy and internal structure to have an influence on the decision-making process as stakeholders in a post Brexit scenario?

- 3) ACs membership: What will the United Kingdom's role be in the ACs?

Will British organisations continue as AC members or will they change their status to observers in a post Brexit scenario? Will there be a transitional period?

#### **4.2. Update on Steering Committee: action plan / way forward:**

Mr. Sean O'Donoghue, KFO, says that he thinks it is very difficult to predict what the future will bring to ACs as far as Brexit negotiations are concerned.

He believes that our discussions should be postponed until we know what the post Brexit scenarios are and their implications for ACs.

Mr. Iván López, AGARBA/CEPESCA, who participated in his capacity as Chair in this Inter-AC group at the Madrid meeting, agrees with Mr. O'Donoghue. He thinks that we should wait until we know the different possible scenarios. As soon as there are clear indications, he suggests ACs should call a new meeting or workshop in order to adopt a coordinated approach. He highlights that at the last meeting held in Madrid, it was agreed that British members could continue to attend all AC meetings in their capacity as members as long as their effective withdrawal from the EU is not a reality.

Mr. Gerard van Balsfoort, DPFTA, asks Mr. Ian Gatt, SPA, about the reflection process of the Government of Scotland regarding the future of its fisheries fleet and the possibility of them considering their withdrawal from the United Kingdom. Mr. Ian Gatt, Scottish Pelagic PA, replies that they do not have any formal proposal of collaboration with the EU yet and that there is just an internal debate document for the time being. A document for consultation among stakeholders and interested operators is expected to be drafted by June.

The Chair, Mr. Gerard van Balsfoort, DPFTA, closes the debate suggesting that we have to wait until there is more information and decisions have been made regarding this issue.

**ACTION: The LDAC will closely follow developments regarding Brexit negotiations and will propose its counterparts to hold a new Inter-AC meeting or workshop as soon as there is**



**clear information about post Brexit scenarios and their implications for fisheries in order to discuss adjustments in their structure, membership and competencies.**

## **5. North West Atlantic Fisheries Organisation (NAFO)**

### **5.1. Update by DG MARE on outstanding actions of the 40<sup>th</sup> NAFO Annual meeting and preparation by LDAC of the 41<sup>st</sup> NAFO Annual Meeting (Bordeaux, 23-27 September 2019)**

The representative of the EC, Mr. Ignacio Granell, informs about the outcome of the second NAFO performance review carried out in 2018 and adopted at the annual meeting in Tallinn (the first PR took place in 2011-2012). 36 recommendations were agreed, which were divided into three subject areas: scientific, management and administrative aspects. There is a draft action plan which is expected to be adopted at the next annual meeting in September this year.

Another important element is the development of a roadmap or action plan for the ecosystem approach framework, where the relevant Working Group intends to progress in the development of indicators this year.

Regarding the impact of human industrial and commercial activities other than fishing on the NAFO Regulatory Area, he recalled that there is enhanced coordination and information exchange between the relevant Canadian Administrations to report on some hydrocarbon extraction activities (petrol and gas) in the NAFO RA. The PR contains recommendations to minimise the impacts caused by these activities in Vulnerable Marine Ecosystems for their effective protection.

Regarding Cod in Subdivision 3M, he informs that he will follow the performance review of the benchmarking models for this stock, starting with a meeting in January and they expect significant progress for the annual meeting.

In addition, Mr. Granell talked about implementation aspects of the control and compliance provisions of fisheries activities (STACTIC recommendations).

And he concluded mentioning the problem there is at legislative level concerning the transposition of NAFO rules into EU Law, since they are carried out by co-decision and are lagging a little bit behind. He declares that they should be published throughout May, as an annex to CEM.



### Questions and comments voiced by the members

Mr. Iván López, AGARBA/CEPESCA, thinks that it is not logical that a decision is taken in September and published months later. They are worried about this situation, since they cannot understand why the whole legal framework cannot be directly transposed as a translation.

Mr. Edelmiro Ulloa, ANAPA/ANAMER/AGARBA/ACEMIX, agrees with Mr. López and thinks that NAFO rules should be directly transposed to the European legislation without modifications, to avoid inconsistencies. He clarifies that this same position had been already submitted to the European Economic and Social Committee (EESC).

Mr. Iván López, AGARBA/CEPESCA, proposes that this comment should become a general LDAC recommendation for all RFMOs, since it is essential to carry out the transposition of RFMOs' rules to European legislation in an immediate and direct way.

Mr. Granell recalls that there is a legal co-decision procedure that leaves it up to the European Parliament and the EU Council to adopt this regulation, and that the Commission shall be in charge of the technical preparatory job without the capacity to take a final decision.

**ACTION: Consideration will be given to a proposal by the LDAC to find a solution (for instance, through the delegation of powers or competencies by the European Parliament and the Council to the Commission) to speed up the transposition of provisions or resolutions adopted by RFMOs into EU Law in a more direct and immediate way.**

### **5.2. Presentation of the results of the EU funded Project on “Socio-economic Assessment of Multispecies Fisheries in NAFO 3M”**

Dr. Alfonso Pérez, from Wageningen RU, explains the preliminary results of the project on “Socio-economic assessment of multispecies fisheries in NAFO 3M”. The idea is to analyse the economic data and to model the socio-economic impact as a result of different management scenarios and catches of the three interrelated species in this area: Cod, Redfish and Prawn.

The presentations made by Dr. Pérez are available on the LDAC website:



[https://ldac.eu/images/Assessment outputs and results from SC05 and how they can be used to achieve sustainable fisheries.pdf](https://ldac.eu/images/Assessment_outputs_and_results_from_SC05_and_how_they_can_be_used_to_achieve_sustainable_fisheries.pdf)

[https://ldac.eu/images/Overview of scientific approaches for multi-species assessments.pdf](https://ldac.eu/images/Overview_of_scientific_approaches_for_multi-species_assessments.pdf)

[https://ldac.eu/images/Introduction to SC05 project.pdf](https://ldac.eu/images/Introduction_to_SC05_project.pdf)

[https://ldac.eu/images/NAFO Presentation SC05 WS Final Trade-offs.pdf](https://ldac.eu/images/NAFO_Presentation_SC05_WS_Final_Trade-offs.pdf)

**ACTION:** It is agreed that the research team of this project will be invited to future meetings. Participation in the debates taking place in the specific NAFO Working Group on Ecosystems is also agreed to provide the views of operators as appropriate in compliance with the rules as EU delegation or in their capacity as experts or observers.

## **6. Northern Bilateral and/or Trilateral Fisheries Agreements between EU/UK and Norway. Bilateral Agreements with representatives from Faroe/Iceland for 2020**

### **6.1. Negotiations with Coastal Countries in the North West Atlantic**

The representative of the European Commission and Head of the EU Delegation in the negotiations with Coastal States, Mr. Fabrizio Donatella, informs that last year was a complicated one due to mackerel management.

#### Mackerel

The EU wanted all States to be part of the agreement, but it did not work after five rounds of negotiations. The EC still wishes to reach a shared multilateral agreement. He points out that it is necessary to find a solution to fishing over the TAC set, but that there was no formal consultation about distribution or allocation of quotas.

Another consultation is expected for May to integrate in it the results of the ICES inter benchmark assessment exercise. It will be critical before the meeting with Coastal States. He declares that the EU is chairing this year negotiations on mackerel and that efforts will be made to strengthen communication with stakeholders by getting in contact and having regular interactions with them, and also at the LDAC meetings.

#### Questions and contributions made by the members



Mr. O'Donoghue, KFO, highlighted that the entire pelagic industry totally disagreed with the ICES advice issued at the end of last September showing a huge 61% reduction and were of the firm view that there is still a very healthy mackerel stock in the North East Atlantic. He said the lack of a fit for purpose quality assurance within the ICES system covering the entire process was a major cause for concern and strongly advocated that the Commission peruse this with ICES as matter of urgency major management In addition, he says that he is looking forward to seeing the final report of the recent Inter Benchmark on mackerel held on the 4<sup>th</sup> to the 7<sup>th</sup> March in Ijmuiden.

Mr. Ian Gatt, SPFA, believes that following the release of the mackerel inter-benchmark report ICES would be asked to provide advice on revised long term management strategy (LTMS) options. Currently only EU, Norway and Faroe Islands are signed up to the LTMS. It would be prudent for all parties including Iceland, Russia and Greenland to jointly agree the ICES request for revised LTMS options. Agreeing this could help reinstate the MSC certificate for this fishery that is currently suspended due to a lack of agreement on a harvest control rule.

The representative of the EC, Mr. Fabrizio Donatella, highlights that he is not sure that the ICES initiative involves reviewing its own opinion. He believes that Mr. Gatt's suggestions are right, and that it could be proposed for 2020.

Mr. Alberto Martín, MSC, asks whether there is a view at EU level on how to improve the quality of ICES opinions and assessments on this stock.

Mr. Fabrizio Donatella, representative of the EC, replies that he knows the difficulties scientists and colleagues coordinating work with ICES are going through, and that carrying out a global assessment on the quality of ICES opinions on mackerel is unreal. Regarding the following consultation, they wish to prevent what has happened with this one. In addition, he says he is surprised to hear about the MSC certificate suspension so little in advance due to the impact it has on markets. He hopes that from now on he will receive all the necessary information from European stakeholders on this issue so that he can be prepared for the meeting in November.

Mr. Gerard van Balsfoort, DPFTA, believes that there is a lack of understanding and knowledge of the MSC certification process and the influence of what happens in negotiations with Coastal States. He thinks it is essential for both parties to be aware of what is going on.

Regarding blue whiting, Mr. Sean O'Donoghue declares that there seem to be no developments regarding quota allocation. It is necessary to decide on a unified TAC in order to be more practical. According to the ICES opinion, it is based on an assessment model that cannot be used to reflect the actual situation of the fishery and that can lead to large reductions in 2020.



Finally, regarding Atlanto-Scandinavian herring, he says that they are trying to help operators to address a long-term management plan strategy.

## **6.2. State of play of the annual fisheries agreement between the EU and Norway**

Mr. Fabrizio Donatella, EC, informs that, regarding the agreement between the EU and Norway, a consultation will take place at the end of May or beginning of June on the long-term management strategy for different shared stocks of interest to both parties, such as cod, herring or haddock, among other. An opinion will be issued at the end of April and in May it will be possible to participate in a meeting with Member States and stakeholders on different issues (including matters like the fight against IUU fishing or data exchange). He highlights that the DG MARE control unit is in regular contact with Norway.

Ms. Kristel Jurado, representative of the EC, informs that the report should be published on 17 April.

After some discussion, several members agree that the next step forward should be decided regarding bilateral agreements with Norway, with consultations having taken place in April. They agree on the fact that it is essential to have a good scientific opinion to be used as a starting point for management proposals for the different stocks (cod, herring, haddock, prawns...).

In fact, Mr. Xavier Leduc, UAPF, highlights the consequences that the catastrophic opinion on North Sea saithe had, for instance, for the European industry and the resulting reduction of market prices due to the significant increase of TAC that only benefited the non-European fleet, since they could not increase their fishing capacity.

## **7. Update on Snow Crab management in Svalbard FPZA**

Mr. Gerard van Balsfoort, DPFTA, informs that the European Commission recently replied to the letter sent by the LDAC about snow crab in December 2018.

Both documents are available on the following links:

[https://ldac.eu/images/ES Carta LDAC Cangrejo de las Nieves Svalbard 3Diciembre2018.pdf](https://ldac.eu/images/ES_Carta_LDAC_Cangrejo_de_las_Nieves_Svalbard_3Diciembre2018.pdf)

[https://ldac.eu/images/Carta respuesta Comision Cangrejo de las Nieves R.04.18.WG2.pdf](https://ldac.eu/images/Carta_respuesta_Comision_Cangrejo_de_las_Nieves_R.04.18.WG2.pdf)

The General Secretary, Mr. Alexandre Rodríguez, thanks Europêche for their help in drafting the letter sent and explains in detail the reply received from the EC.



Mr. Gerard van Balsfoort, DPFTA, clarifies that they are trying to get the EC to continue being active about this issue in bilateral meetings with Norway.

Mr. Iván López, AGARBA/CEPESCA, points out that this type of problem will be recurrent in the future in terms of rights to access the Svalbard fishing ground, so its development and resolution could set a precedent. In addition, he believes that the expansion of other activities in the area, such as deep sea mining, could be a new international law case study.

Mr. Daniel Voces, Europêche, thanks the LDAC for their efforts and solidarity regarding this issue and for their follow-up and leadership in the last 2 years. He wishes to highlight the geographical scope of the Svalbard Treaty on this issue, as well as the ruling by the Norwegian Supreme Court according to which it is a sedentary species.

Ms. Margarita Mancebo, Spanish Secretariat General for Fisheries, points out that there are more European fleets involved in snow crab fisheries in Svalbard apart from the Lithuanian or Latvian ones, and that Spain has a licence. In her opinion, the underlying problem here is the right to access Svalbard waters, and not so much the debate on whether snow crab is a sedentary species or not.

**ACTION: The LDAC will closely follow the evolution of this fishery and the possible future interpretation of the Paris Treaty by the International Court of Justice in The Hague, if necessary.**

## **8. North East Atlantic Fisheries Commission (NEAFC)**

Ms. Kristel Jurado, representative of the EC, informs that at the annual meeting they worked on the distribution criteria. Moreover, the Working Group on Vulnerable Marine Ecosystems is still moving forward and had a meeting in February. However, she warns that no management issues interfering with international processes shall be discussed there.

Data management and the application of the remote electronic monitoring system (REM) were addressed at the Permanent Committee on Management and Science (PECMAS) The EU will be first to implement this System, followed by other Coastal States in a period of two years.

## **9. AOB - Coordination Meeting between Advisory Councils with ICES (MIACO)**

### **Report by the Chair and the Secretary**





The Chair, Mr. Gerard van Balffoort, highlights that the new ACOM Chair, Mark Dickey-Collas, is more dynamic when communicating with stakeholders and that he accepted to have a previous meeting only with ACs to address issues of common interest, upon request of the Inter AC group.

There are uncertainties regarding the quality of some ICES assessments and opinions which contain mistakes; and also due to the fact that some opinions, like the one on saithe, reviewed the TAC downwards, or that on mackerel that brought about a big change in the perception of the stock. Therefore, it is necessary to improve the quality of opinions.

The General Secretary, Mr. Alexandre Rodríguez, expanded on the reflections by the Chair by explaining the collaboration actions presented by the LDAC and accepted by ICES for 2019:

- Deep water species:

The LDAC will be informed about the date and content of the next ICES WGDEEP meeting and any benchmark workshop to review the data and assessment models that may be organised. ICES will invite the Secretary and Chair and any interested member wishing to participate in a special session to analyse how LDAC members and the interested fisheries industry could help and contribute to improving knowledge on deep water commercial stocks in preparation for the next assessment.

- ICES work at RFMOs: The LDAC will continue to collaborate with the ICES Secretariat to receive timely information about work progress within the Joint NAFO/ICES Pandalus Assessment Working Group, of particular interest to stocks in the NAFO RA.

- ICES Strategic Plan: The LDAC will invite ICES to future WG2 and WG5 meetings to discuss issues related to the SDGs of the UN's 2030 Agenda, as well as proposals to improve scientific assessment within international fisheries governance.

- PreMIACO/MIRAC 2020: Finally, it was agreed that the LDAC should assume the PELAC's organisation role and coordinate the agenda items for the next preparatory annual meeting between ICES and Advisory Councils, to be held before the MIACO meeting in January 2020.

The official minutes of the meeting are available on the following link:

[https://ldac.eu/images/Final\\_minutes\\_MIACO\\_2019.pdf](https://ldac.eu/images/Final_minutes_MIACO_2019.pdf)

**Questions and contributions made by WG2 members:**

Mr. Sean O'Donoghue, KFO, thanks the Secretary for the clear explanation given and welcomes the fact that ACs have finally found a forum for dialogue with ICES on different issues of common interest directly through MIRAC (prior to MIACO). He thinks it is very important that the LDAC is more active in ICES bodies where participation is open to stakeholders or



observers (e.g. BW or ADG) and that it has also accepted to chair and coordinate the next MIRAC meeting in January 2020.

Mr. Iván López, AGARBA/CEPESCA, thinks that, since in the new ICES mandate as an organisation socio-economic aspects of fisheries have been included for consideration, clear protocols should be developed on the way to compile and use these data at a breakdown level accepted by member countries.

**END OF THE MEETING**



**(Annex I) List of attendees  
LDAC Working Group 2 Meeting  
Brussels, 26 March 2019**

**WORKING GROUP MEMBERS**

1. Gerard van Balsfoort. DPFTA
2. Erik Olsen. Danish Society for a Living Sea
3. Haydeé Fernández. CONXEMAR
4. Deimantė Komkienė. Atlantic Fishery Company
5. Juan Manuel Liria. CEPESCA
6. Javier Garat. CEPESCA
7. Raúl García. WWF
8. Antonia Leroy. WWF
9. Katrin Vilhelm. WWF
10. Mati Saveret. ELDFA
11. Xavier Leduc. UAPF
12. Emil Remisz. NAPO
13. Sean O’Donoghue. KFO
14. Marc Ghillia. UAPF
15. Iván López. AGARBA/CEPESCA
16. María José Cornax. OCEANA
17. Orestis Kargotis. EBCD
18. Ian Gatt. SPFA
19. Ricardo Valeiras. ETF
20. Daniel Voces. Europêche
21. Luis Vicente. ADAPI
22. Rosalie Tukker. Europêche
23. Caroline Mangalo. CNPMEM
24. Edelmiro Ulloa. ANAPA/ANAMER/AGARBA/ACEMIX



## OBSERVERS

25. Kristel Jurado. EC (NEAFC)
26. Ignacio Granell. EC (NAFO)
27. Bernard Blazkiewicz. EC (NAFO)
28. Fabrizio Donatella. EC (EU-Norway-Coastal States)
29. Margarita Mancebo. Secretariat General for Fisheries, Spain
30. Joana Diaz. DG MARE
31. Carmen Paz Martí. European Parliament
32. Borja Velasco. REPER - Spain
33. Meije Korff. EUFA - European Industry
34. Selene Alvarez. Pew Charitable Trusts - NGO
35. William Davies. New Economics Foundation – Consultancy - NGO
36. Alberto Martin. MSC
37. Alfonso Pérez. Wageningen Institute - Scientist
38. Justyna Szumlicz. Ministry Maritime Economy - Poland
39. Barbara Lewkowska. Ministry Maritime Economy – Poland

## LDAC SECRETARIAT

40. Sonia Doblado. Coordinator of the H2020 FARFISH Project
41. Alexandre Rodríguez. LDAC General Secretary
42. Marta de Lucas. LDAC Administrative and financial
43. Manuela Iglesias. LDAC Fisheries Policy and Communications