



SUMMARY NOTE ON OUTSTANDING QUESTIONS TO DG MARE
PREPARATION OF LDAC WORKING GROUPS (Brussels, 10-11 March 2015)

1. Dedicated funding for scientific research for the Advisory Councils

Legal basis: Article 86.1 of EMFF “Basic Regulation”- REGULATION (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund (EMFF).

Article 86. Scientific advice and knowledge

1. The EMFF may support the provision of scientific deliverables, particularly applied-research projects directly linked to the provision of scientific and socio-economic opinions and advice, for the purpose of sound and efficient fisheries management decisions under the CFP.
2. In particular, the following types of operations shall be eligible:
 - (a) studies and pilot projects needed for the implementation and development of the CFP, including those on alternative types of sustainable fishing and aquaculture management techniques, including within Advisory Councils;

Q1. We would like to know if this article can be invoked directly by the ACs in terms of access to funding without having to go through transnational cooperation networks or at under the operational plans of each of the Member States.

If so, a detailed explanation on the exact procedure to apply for these projects would be appreciated.

*This article refers to funding managed directly by the COM (and not to funding available through Member States' operational programs). However, these provisions only apply if the COM has obtained the necessary resources (through an MEP for instance) and has decided to publish a call for proposals for a study or a pilot project. Please check our website on a regular basis to see if such a call has been published and which is the procedure to follow to apply:
http://ec.europa.eu/contracts_grants/grants_es.htm*

Q2.

In relation to the explanations given regarding question 1, I am quite surprised to see that the application procedure and the eligibility criteria for calls for scientific studies remain at the Commission's discretion on each individual call. This seems to replicate the same situation that existed in the previous Financial Regulation, where the Advisory Councils were not entitled to apply directly for funding under such calls for pilot studies/projects.

I have read again the preamble and relevant provisions of the EMFF Regulation and it is my understanding that the measures covered by Title VI and financed by the EMFF in accordance with the principle of direct management do allow the Advisory Councils to access (and apply) to such funding. I also understand that it will be the Commission's ultimate decision to assess the relevance of the proposal made by each of the ACs on their specific research needs in line with the priorities established on the EC annual work programme (which has not yet been published) based on the budget availability to develop the EC annual work programme.



In view of the above, I would very much appreciate if you could clarify this interpretation with your colleagues from the Commission dealing specifically with EMFF. I feel there is a need for clarity here not only for the LDAC, but for the benefit of all ACs.

Indeed, the Advisory Councils may have access to funding for studies and pilot projects, provided that there is a call published for a study and/or pilot project relevant for them and that they fulfil the other eligibility conditions set by the call. In other words, article 86 prohibits excluding the ACs from a study or project relevant for them, but does not oblige the Commission to actually publish a call. This depends on available resources.

2. EC Delegated Act establishing the functioning of the Advisory Councils

An update on the state of play at the EU institutions would be much appreciated, particularly in relation to articles 2 (definitions and categories of membership) and 4 (structure and composition including number of seats for the Executive Committee). Perhaps you could answer this question after the extended deadline for comments/objections requested by the EP has passed, i.e. 9 February.

I don't understand if you want an update on the procedure or an interpretation of these provisions. The only update I can give at this stage is that we are waiting to see if the delegated act will enter into force on the 9 February or if the Parliament will veto it. I am afraid there is nothing more to be said right now... If the delegated act enters into force, then article 4 will become fully applicable...I will let you know about the (outcomes of the) delegated act on 9 February.

3. Mauritania

At the last WG4 meeting (Bilateral relations with third countries), the EC representative agreed to inform on the revision of the situation of octopus stocks in Mauritania: if there is a surplus on the stock that can be assessed by scientific committees to avoid unintended consequences for the EU fleet up (such as restriction to access, huge storage and a fishing prohibition due to commercial reasons).

Concerning the cephalopod fishery in Mauritania, the most recent scientific assessments confirm that the corresponding stocks are still overexploited. Moreover, Mauritania made it clear that it wishes to reserve these stocks to its national fleet. Thus, no surplus is available and no fishing opportunities may be negotiated at this stage. The Commission intends to finalise the negotiations and, on cephalopods, to continue working at scientific level with Mauritania towards the evaluation of adequate management options for the recovery of these stocks.



4. Chile

This is a longstanding issue from WG3 (Remaining RFOs such as CCMLAR, SEAFO and international waters not regulated by RFOs). A summary of the actions carried out by the Commission in relation to the technical negotiations held with Chile in relation to allowing landings by EU owned vessels in Chilean ports (namely horse mackerel).

In July 2014, we received some preliminary information from Mr. Luis Molledo but we would like to know if there has been any progress since then.

The reply about Chilean ports should be expected by mid-February (Luis Molledo is in charge of that and is on mission until the 9 February).

5. Negotiations within the framework of the WTO

Due to the heavily loaded content of the agenda for WG5 (Horizontal Issues), we were wondering if you could send a brief update in writing on this item, including the conclusions of the WTO General Council meeting held on 21 October 2014.

Last meeting of the Rules Negotiating Group took place last 15 December in Geneva. The discussions were dominated by interventions on Fisheries subsidies (New Zealand referring to the need for "disciplines") and on Anti-Dumping. However, several Members made clear the intentions to not make any further progress in the topics of this negotiating group until negotiations on other issues (Agriculture) are push ahead. The Chair of the group decided to consult members in January on the scope for engaging these pending negotiations.

6. IOTC.

Update or official document regarding allocation keys.

There are no allocation keys for IOTC

7. WCPFC.

Could you summarise the main conclusions of the following meetings?

1. Plenary meeting held in Samoa (December 2014): focus on FADs.
The fifth month of FAD closure has not been adopted, since the discussion on disproportionate burden has not resulted in any agreement. Conclusion: same situation as in 2014. WCPFC11 agreed to establish a WCPFC FAD Management Options Working Group and elected Brian Kumasi (PNG) as Chair and Ray Clarke (USA) as Vice-Chair of this WG. Main objectives: data collection, on FADS; FAD marking/ID; FAD monitoring and control; FAD management options.

2. Technical and Compliance Committee: seats held by different signatory countries.
Chair: Alexa Cole (USA), Vice Chair: Joanna Anderson (NZ)