



DRAFT MINUTES

EXECUTIVE COMMITTEE Long Distance Advisory Council (LDAC)

**Wednesday, 23 November 2016. From 9.30 am to 5.30 pm
Hotel Miguel Ángel, Madrid (Spain)**

Chairperson: Iván López

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

1. Welcome.

The Chairperson of the LDAC, Mr. Ivan Lopez welcomes those present, inviting them to introduce themselves, indicating their status (member or observer) as well as the organisation that they represent. Finally, he asks the Secretary to inform of the apologies received for absences as well as the delegations of vote received.

Apologies have been received from Mr. Juan Manuel Liria.

Delegations of vote:

- Mr. Michel Goujon (ORTHONGEL) delegates on Mr. Marc Ghiglia (CNPMEM).
- Ms. Irene Vidal (EJF) delegates on Mr. Raul Garcia (WWF).

The full list of participants is enclosed in Annex I.

After a proper counting of those members present or represented, he informs that, in agreement with article XXIV of the LDAC Rules of Procedure, there is minimum quorum (simple majority of members present or represented) to adopt decisions.

2. Approval of the agenda

The agenda for this meeting is approved, adding the suggestions of the Executive Secretary, Alexandre Rodriguez, to inform about the new aspects of the LDAC mobile application, and of Ms. Beatrice Gorez, CFFA-CAPE, who requests a section be included to comment on the COMHAFAT workshop held in Tangier and the role played by the LDAC at this forum.

3. Approval of minutes of previous ExCom meeting (Lisbon, 31 May 2016)

No modifications have been received, so the minutes of the last meeting of the Executive Committee, held on 31 May, are approved.

4. Working Groups: Reports from Chairpersons on progress and actions

The Chairpersons and Vice-chairpersons of the Working Groups provide an overview of the actions completed in the second quarter of 2016 and identify actions that are pending or are underway:

WG1 – TUNA, TUNA-LIKE AND HIGHLY MIGRATORY STOCKS, AND THEIR RFMOs

Presenter: Julio Moron (Vice-Chair of WG1):

- **FADs:** Scientists from the European project, SECOFAD, and from AZTI, as well as experts from EU administrations, fisheries sector and NGOs will be invited to the next meeting of WG1, to update existing knowledge about the management of FADs, with a view to updating available knowledge and information about the book published by the LDAC in 2013. Also, if necessary, an extraordinary meeting will be convened about the FADs once conclusions are available about the inter-RFMO meeting on exchange of experiences and good practices on FADs, hosted by ICCAT and scheduled for spring 2017.
- **ICCAT:** A draft opinion of the LDAC on management measures for tuna and tuna like species of commercial interest in the Atlantic Ocean was successfully presented at WG1, which was later adopted by fast track in time to be presented at the ICCAT Annual Meeting (14 – 21 November 2016).
- **International Governance of the Oceans and the Seas:** each WG will discuss this issue internally and will prepare a summary document or conceptual note identifying key aspects and reflecting different opinions. These documents will be used as a starting point for WG5 to compile the arguments received, for analysis and to draw up an opinion to be presented to the Executive Committee. If preparing this opinion were very complicated due to the differing opinions received, a coordination meeting will be convened between Chairpersons and Vice-Chairpersons of the WGs to unblock the dissenting issues. On the other hand, it is agreed to focus on common points where an agreement between the groups is possible.
- **Shark Fins naturally attached policy:** concern is expressed about the way in which the Asian fleets (mainly China and Japan) are blocking this issue in important RFMOs where there are relevant catches of sharks, which causes a double standard or difference in compliance between European and non-European fleets. The Commission is encouraged to insist and improve its diplomatic channels to carry this proposal forward.

WG2 – NORTH ATLANTIC AGREEMENTS BETWEEN THIRD COUNTRIES AND RFMOs.

Presenter: Iván Lopez (in absence of the Chairperson, Jane Sandell and of the Vice-chairperson Gerard Van der Balsfoort):

- **Election to WG2 positions:** It is recalled that Ms. Jane Sandell was elected new Chairperson of WG2, substituting Mr. Ivan Lopez at the last meeting in November 2016. Ms. Sandell mandate is conditional upon the evolution of the Brexit process on the withdrawal of the United Kingdom from the EU. Gerard van Balsfoort was elected as WG2 Vice-Chair.

- **Brexit:** This topic will be monitored on a regular basis and, if appropriate, it will be discussed at the next LDAC General Assembly to be held in May 2017.

- **Snow Crab Fishery in Svalbard:** a draft opinion has been drawn up, requesting rights of access and fishing licences to be granted to crab fleets with historical rights within the framework of the Regulation on Fishing Possibilities for the EU for 2017. It is hoped that this draft will be approved at today's meeting.

- **LDAC-PelAC Joint International Conference on North Atlantic Fisheries:** The work carried out by the steering committee during the last few months is validated and mandate is given to continue with the organisation of this event, search for sponsors, invitation of speakers, and developing a communications policy. The possibility of setting a later date, looking at the second quarter of 2017 instead of the 1st quarter, is under consideration.

- **NAFO 2017:**

In preparation for the NAFO Annual Meeting for 2017, a drafting committee will be created to try to advance the work and timely present a draft opinion to the Commission at the preparatory meeting to be held in the month of August 2017.

The LDAC will request the Commission to participate as observer or designated expert at the MSE Review workshop for Greenland halibut and the Benchmark workshop on 3M Cod, which is scheduled for the months of March-April 2017 in Canada.

The LDAC will reiterate to the Commission the need for the SCRS to work on the development of a protocol for the 3M Cod trawl industry of the CPCs (in particular the European Union) so they are able to carry out voluntary selectivity trials or campaigns, as well as validate the data compiled by such campaigns.

- **RFMOs:** the possibility of following a similar procedure to prepare and draw up NAFO opinions for NEAFC will be contemplated, for them to be considered by the EU delegation.

WG3 – OTHER RFMOs AND INTERNATIONAL WATERS

Presenter: José Antonio Suárez-Llanos (Chairperson)

- **Situation in ports of Chile:** The Commission representative informed about some progress and advances made in the diplomatic channel to unblock the impasse in the access and landing of swordfish of the European longline fleets in the ports of Chile. Access to Chilean ports by European vessels is being negotiated within the framework of the review of the EU-Chile bilateral trade agreement, and a report will be provided at the next WG3 meeting.
- **Trade and market policy:** The work of the LDAC will be coordinated with the newly created MAC (Market Advisory Council). The role of the LDAC in the MAC will be discussed in this group. The possibility is suggested of addressing the MAC to ask if the LDAC Secretary can attend the relevant MAC Working Groups (and vice-versa) as an active observer to be able to later inform its own members. A working relationship will be organised in both directions and relevant questions will continue to be discussed (for example, negotiation and application of trade agreements or fight against IUU fishing) in LDAC WG5, coordinating the opinions or jointly presenting them.
- **United Nations General Assembly (UNGA) Annual Resolution on Responsible Fishing:** a brief information note will be drafted with key points of interest agreed by the LDAC delegation to send them to Mr. John Brincat prior to the second preparatory meeting that will take place with the Commission.
- **Vulnerable Marine Ecosystems (VME) in South-West Atlantic (ASW41):** a letter was drafted requesting strict application of UN Resolution 61-105, and respect and observance of these VMEs by third countries with non-EU flag, receiving a detailed reply from the European Commission. This matter will be followed up at future meetings of WG3.
- **Landing obligation:** a conceptual note on implementation of landing obligation will be agreed between Mr. Juan Manuel Liria and Mr. Björn Stockhausen, prior to its distribution for consultation among all members of the LDAC.

Mr. Alexandre Rodriguez, Executive Secretary, clarifies that, although the original idea was to draw up a conceptual note with a general approach earlier in the year, due to an urgent consultation from the Commission, the landing obligation opinion finally drawn up was restricted to the NAFO fisheries to inform their future Delegated Regulation in this area.

On the other hand, he informs that the Member States working group to discuss this matter has still not been created despite repeated requests coming from the LDAC.



The idea is to continue to actively work on this topic and analyse other fisheries that might be affected by the landing obligation such as, for example, the NEAFC regulatory area.

On his part, Mr. Iván Lopez, AGARBA, highlights that only Spain provides data about catches and discards in the aforementioned RFMOs, so it must be specified that the other Member States should do the same to facilitate this work.

The EC representative, Ms. Evangelia Georgitsi, indicates that the landing obligation outside EU waters is something new for the Commission, and it is a pity not being able to count on data of the member states, so she suggests to continue asking the countries to provide them, as they are vitally important for the scientific bodies of the RFMOs.

Björn Stockhausen, Seas at Risk, suggests reminding all Member States about this obligation again and to request their data.

Action:

A document will be sent to Member States insisting on the need to have access to reliable data regarding discards and catches by fleets to make the application of the landing obligation (LO) effective. Insistence will also be placed on the importance of creating a Group of Member States to draw up joint recommendations for discard plans by RFMOs and fisheries.

Designated members: Mr. Manuel Liria and Mr. Björn Stockhausen.

- **SEAFO**: Mr. Orlando Fachada, Commission representative, gave a presentation that was considered to be very informative. It was agreed to monitor the work of this RFMO at future WG3 meetings.

- **SIOFA**: a suggestion was made to include an information point at the next WG3 meeting on this new RFMO of the South Indian Ocean (SIOFA).

WG4 – BILATERAL AGREEMENTS WITH THIRD COUNTRIES

Presenter: Julio Moron (Chairperson)

- **ATLAFCO/COMHAFAT**: the official report and recommendations document for the second seminar on SFPAs held in Al Jadida on 2 and 3 June 2016 was circulated. The Secretariat drew up a note with its own reflections on the meeting, indicating the need to monitor the implementation of the recommendations adopted and the most important points for the LDAC. Future collaboration channels between both organisations will also be explored by means of an annual collaboration meeting between Secretariats and delegates of the LDAC and of ATLAFCO-COMHAFAT at the beginning of 2017, pursuant to agreements taken at the last General Meeting of the LDAC and in follow-up to the collaboration agreement (MoU) in force.

- **EFDAN:** The Commission will inform the LDAC about how to establish contact with this network of experts in cooperation for development policies, to form part of future meetings.
- **SFPAs/Sectoral support:** the competent Unit of the Commission will be requested to publish an infographic with data about the allocation and destination of funds consigned to sectoral support within the framework of the sustainable fisheries partnership agreements (SFPAs) in force. More detailed and transparent information is also requested on the use of funds granted by the EU, for example, by the publication of annual reports.

Action:

Members will be informed about any new aspects regarding information on sectoral support, in particular about gender equality issues.

- **Indian Ocean Commission (IOC):** a draft letter will be prepared to pass on to the other WGs in order to adopt a common approach or coherent strategy to improve international governance in matters relating to fisheries management (above all in the context of highly migratory species) in the Atlantic, Indian and Pacific Oceans. The LDAC will meet with representatives from the DGDEVCO and DGMARE to assist with advice on coordination of this approach.

- **Fisheries Transparency Initiative (FiTI):** The Secretariat will distribute the document with proposals or recommendations containing the guidelines that will govern the FiTI standards, including the report on catch data and other aspects. The official report of the last meeting of the Advisory Group, which was held in Gothenburg at the beginning of November, will also be shared amongst members.

Action:

Members of European extractive industrial fishing will be invited to express their interest in filling one of the positions in the future International Board of the Fishing Transparency Initiative (FiTI). This Board is planned to be formally created during the second International Conference in Bali (Indonesia) on 27 April 2017.

On the other hand, Ms. Beatrice Gorez, CFFA-CAPE, highlights that the Swedish representative in the European Parliament has worked on sectoral support and gender equality in the fishing communities in third countries. She will report any new aspects in this regard to the LDAC Secretariat.

GT5 – HORIZONTAL ISSUES

Presenter: Maria José Cornax (Chairperson)

- **Fishing and Access Authorisations in External Waters (“FAR” Regulation):**

An opinion reviewed by a Drafting Group was sent after the WG5 meeting, incorporating the comments received. This Group was comprised of the LDAC Chair and First Vice-Chair, Mr. Lopez and Ms Gorez, together with the authors of the NGO proposal, and with the technical assistance from the LDAC Secretary.

The co-decision legislative procedure to adopt this Regulation will be monitored, for which voting is foreseen for 5 December at the European Parliament’s Committee on Fisheries, and the start of three-way dialogue at the beginning of 2017.

- **Veto on shark trade:** Interested LDAC members, who are active in this issue (WWF, ARVI, ORPAGU and CEPESCA), will inform about any new aspects that might arise in terms of proposals that may lift the current veto by certain international shipping companies on the sea transport of sharks (pursuant to that agreed at “ad hoc” meeting with DG Aguiar Machado held in Brussels on 18 October). Mr. José Antonio Suarez-Llanos, Anapa, Anamer, Agarba and Acemix, sums up the meeting with the Director General, and indicates, by way of conclusion, that WWF was going to prepare a document with a possible agreement that it would send to all parties.

Mr. Raul Garcia, WWF, indicates that his organisation is in the process of preparing this document.

Mr. Francisco Portelarosa, VIANAPESCA, expresses his surprise about LDAC’s position regarding this issue, and wishes to express his total disagreement with the veto on shark transport placed by the shipping companies. Likewise, he expresses his surprise about the ICCAT decision to set a TAC for the blue shark, which is not the case, for example, for stock such as the swordfish in the Atlantic.

Ms. Juana Parada, ORPAGU, indicates that, although she understands Mr. Portelarosa’ frustration respect to the EU regulation on naturally attached fins, these are discussions that have been ongoing for a long time within the LDAC, and about which there is now a clear position, highlighting that it is a regulation that is in force and that must be complied with, and that no alternatives can now be presented. Regarding the North Atlantic blue shark, in agreement with the ICCAT resolution, she points out that this is a measure to limit catches and not a TAC per se.

This means protection for the resource and also for the fleets that carry out targeted fishing today. She underlines the importance of all countries and contracting parties of ICCAT (not just Spain and Portugal) to deliver data about their catches and areas, both in the North and in the South Atlantic.



Ms. M^a Jose Cornax, OCEANA, expresses her agreement with the explanations given by Ms. Parada, about the blue shark management plan. She considers that it will benefit those that exploit this fishery.

Mr. Francisco Portelarosa, VIANAPESCA, clarifies that he does not question the management plan itself, but he does not agree with the position of the LDAC regarding the opinions that it has sent in support of the EU fins-attached policy.

Mr. Raul Garcia, WWF, indicates that the discussions on the attached fin regulation also took place in the South Western Waters Advisory Council.

Mr. Javier Garat, CEPESCA, understands Mr. Portelarosa's frustration. However he indicates that the battle on attached fins has already been lost. This policy has been approved and the EC is not going to modify it, so we must try to live with it as best as possible; for example, maybe it could be used as evidence that good practices on board EU vessels are being carried out and that the veto on maritime transport by the shipping companies is not necessary. Regarding the blue shark management plan in ICCAT, he deems this necessary to prevent future problems in terms of catches and trade.

Mr. Iván López, AGARBA, regarding the attached-fins policy, indicates that this has been discussed at several meetings. He highlights that the LDAC procedures and deliberations are transparent, covering many types of fisheries and sometimes opinions have to be approved by fast track in order to reach an agreement in time, so he encourages members to pay attention and to react and respond rapidly.

Actions:

- **Members concerned will inform about the progress in the negotiations between the European surface longline fishing sector that catches sharks, WWF, the European Commission (DG MARE and DG TRADE), and the shipping companies to solve the veto on the transport of sharks by the shipping companies.**
- **The Secretariat will contact counterparts from other Advisory Councils to coordinate matters of common interest (for example, deep-sea species or shark management).**

- Illegal, unreported and unregulated (IUU) fishing: The LDAC opinion on improving the application of Regulation (CE) No 1005/2008 will be submitted to the EC.



APPROVAL BY THE EXECUTIVE COMMITTEE OF ADVICE/OPINIONS OF THE WGs:

- **Opinion on the fight against IUU fishing:** It is agreed to unanimously adopt the opinion to improve the application of the IUU Regulation, which will be sent to the Commission and placed at the disposal of all members by e-mail and on the LDAC website.
- **Opinion on the Snow Crab in Svalbard:** It is agreed to unanimously adopt the position paper of the LDAC with the changes mentioned, adding a reference to the capelin in point 4. It will be sent to the Commission, to the Member States and to the representatives of affected fleets of the following crab fleet flag states: Lithuania, Latvia, Spain and Poland.

5. Budget and finances: mid-term report of Year 10 – LDAC Secretariat.

The General Secretary, Mr. Alexandre Rodriguez, presents the mid-term report of Year 10 of the LDAC, which includes the six-month period running from 1 June 2016 until this meeting. This report comments on budgetary headings (income and spent), the list of opinions issued, the meetings organised by LDAC, and other external meetings where the LDAC has participated. Likewise, the calendar for future meetings is advanced.

This presentation is available for consultation here:

<http://ldac.ldac.eu/attachment/95bcc2b2-8c47-407a-bd4e-eff9edebc542>

It is also recalled that the entire Spanish contribution was received on 9 June 2016, amounting to 139,810 Euros. This amount has been already incorporated into the LDAC operational budget, which is very similar to last year's one.

Ms. Evangelia Georgitsi explains that the distribution of the annual grant from the European Commission to the ACs, for a maximum amount of 300,000 Euros, is allocated as follows: 120,000 at the beginning of the financial year; 120,000 Euros mid-year, provided certain conditions are met; and the remaining 60,000 Euros at the end of the financial year, providing that the rules are complied with and the accounts are externally audited.

Mr. Iván López, AGARBA, expresses gratitude for the transparency and clarity of the presentation as well as for the generous contribution allocated by the Spanish Administration.

Mr. Björn Stockhausen, Seas at Risk, highlights the value of the inter-AC meetings as well as the importance of having a clear mandate in them by the elected representatives from the LDAC.

6. Meetings Calendar for the LDAC:

6.1. Working Groups 1-2-3-4-5 + Horizontal WG (March-April 2017)

Mr. Iván Lopez, as LDAC Chairman, sums up the deliberations of the intersession coordination group of Chairpersons and Vice-chairpersons of the Working Groups and the Bureau.

Mr. Björn Stockhausen, Seas at Risk, suggests that no observers should be given access to these meetings. This idea was approved by all the other members of the LDAC.

Mr. Iván Lopez informs that it was proposed at this meeting to hold the 5 Working Groups altogether during the same week (3 days) in March/April and be preceded by a horizontal introductory session on a topic of common interest, such as for instance, international ocean governance to gather the interest of EU institutions and stakeholders. A keynote speaker or high profile host will be invited to this session.

Ms. Beatrice Gorez, CFFA-CAPE, believes that it is a good idea, as it will allow for improved coordination of the work of the groups and will give greater visibility to LDAC work in Brussels. On the other hand, she highlights that it would be very positive to make both the European Commission and the Fisheries Commissioner aware that reference must be made to fishing both in the EU proposals on good governance and on blue growth so that it is not disregarded or set aside with respect to other economic activities or marine uses.

Ms. Mª José Cornax, OCEANA, and Mr. Raul Garcia, WWF, support Ms. Gorez' comments.

Mr. Julio Morón, OPAGAC, indicates that it would be good to know the Commission's ideas regarding its commitments for the coming "Our Ocean" Conference that will be held in Malta in October. He suggests that the LDAC requests the European Commission that we are considered regarding the possibility of organising a side event there. He repeats the importance of achieving greater coherence among the community policies on fishing, development cooperation, external action, work and trade, among others.

Mr. Juan Manuel Trujillo, ETF, agrees with the comments expressed by both Ms. Gorez and Mr. Morón. In his opinion, the importance of fishing activity must be emphasized, also addressing social-economic and labour aspects, highlighting milestones such as the implementation in EC Law of ILO Convention 188. He also recalls the support of the Holy See regarding the promotion of decent work conditions in the fishing sector.



Ms. Beatrice Gorez, CFFA-CAPE, thinks that it is important to talk about sustainable fishing and that all stakeholders should be included in this dialogue (not just the environmental NGOs). More openness and democracy are required to transmit a message of balance in the conservation of resources, and she believes that the LDAC should be involved in the preparation of the Malta “Our Ocean” agenda.

Ms. Despina Symons, EBCD, agrees with Ms. Gorez’ suggestion, also proposing that the United Nations sustainable development goals (SDG) should be discussed in WG5, as it involves all the sectors.

Ms. M^a Jose Cornax, OCEANA, believes that LDAC’s contribution to United Nations is very important and she suggests that we should start to coordinate this matter.

Mr. Iván Lopez, AGARBA, believes that it would be highly opportune to send an opinion on international governance.

Mr. Alexandre Rodriguez, Secretary General, suggests looking at the recommendations agreed at the International LDAC Conference on Implementation of CFP External Dimension, held in Las Palmas de Gran Canaria, as a starting point.

Actions:

- **Working Group and ExCom Chairs and Vice-Chairs Intersession Coordination Meeting:** Such meetings will be periodically convened, prior to the Working Groups and/or the Executive Committee, with the attendance and under the coordination of the Secretariat. Members will later be informed about the questions discussed and the actions identified therein. Access will be restricted to elected representatives, and external observers will not be admitted unless there is an objective and justified reason.
- **Next LDAC Working Groups:** The 5 LDAC Working Groups will be held at the same time in a week (3-4 days) in the months of March or April 2017. An introductory session will be held on a topic of general interest, to be decided upon (International Ocean Governance and Blue Growth are suggested as possible candidates, and a keynote speaker will be invited to give the opening speech).
- **International governance of the seas and oceans:** The Commission will be asked to take the LDAC into account as a representative organisation of stakeholders to take part in the preparation meetings of the “Our Oceans” Conference to be held in Malta. The presence of fishing will be requested, and for it to play an active role in the programme.

The programme should also include questions on social and labour rights of fishers, with the possibility of also holding a side event on these aspects (ILO C188, fight against slavery on board fishing boats, decent working conditions, etc.). A call for interest will be opened for interested members who want to participate in the Steering Committee.

- **United Nations Sustainable Development Goals for 2030 (SDG):**

The programme of the Conference on Implementing SDG14, which will be held in New York on 5-9 June 2017, will be requested, evaluating what contribution the LDAC could make to the process in terms of opinions and participation. The proposals received will be coordinated by the members.

6.2- International Conference on CFP External Dimension: North Atlantic Fisheries

Mr. Alexandre Rodriguez, LDAC Executive Secretary, explains the work carried out by the steering committee at its WebEx meetings over the last few months. Although work on the organisation and logistics will continue, it has been decided to seek co-sponsors for the event. The venue could be Norway or Iceland as first option. The possibility of putting back the date of the event, in agreement with the logistics requirements and organisation needs later in 2017, is under consideration.

Ms. Beatrice Gorez, CFFA- CAPE, suggests that the issue of food safety should be included in the agenda.

Action:

Members confer a mandate on the Steering Committee to adopt the agenda with the changes indicated (food safety) as well as to look for sponsors and agree upon a place and date, possibly a Nordic country in spring.

6.3- Date and place for next LDAC General Meeting and Executive Committee

Mr. Alexandre Rodriguez, Secretary General, informs that both the General Meeting and the Executive Committee meetings will be held on the same day during the last week in May. Collaboration from Member States is currently being sought and the possibility of it being held in Poland or in France is being evaluated. The Secretariat will inform about the exact place and date as soon as it is confirmed.

Action:

The Secretariat will evaluate any offers and alternatives received to hold the next General Assembly Meeting in May 2017. The possibility of organising it together with the North Atlantic Conference will be reflected in order to save costs.

7. Discussion about fast track consultations.

Mr. Alexandre Rodriguez, Executive Secretary, introduces this point and explains both the legal basis and the operational reasons of launching fast-track procedures for the adoption of decisions, which he acknowledges have proliferated over the last few years as a result of the multiple demands for fast answers received by EU legislators (Commission, EP and Council/MS).

Mr. Marc Ghiglia, UAPF/CNP MEM, indicates that although the procedure to take fast track decisions is in place, it must be guaranteed that all members of the Executive Committee receive them in time and form. This, in his opinion, may give rise to difficulties when proposing important modifications/amendments when there is no possibility of recirculating a draft for further consultation.

Mr. José Antonio Suárez-Llanos, Anapa, Anamer, Agarba and Acemix, highlights that there are currently several electronic methods for acknowledging receipt so we can know if a consultation has been received or not by the members and that, a priori, this should not represent a problem.

Mr. Marc Ghiglia, UAPF/CNP MEM, insists that the Secretariat should ensure that all members are properly consulted, so he suggests that the messages should demand acknowledgement of receipt. On the other hand, he expresses his doubt about knowing what would be the procedure if there was no quorum.

Mr. Francisco Portelarosa, VIANAPESCA, suggests that, under such circumstances, the LDAC Secretariat might telephone members if necessary to verify that they have received the draft opinion and for them to agree to it, indicating also the importance of documents being translated into the three working languages (ES-FR-EN).

Mr. Iván Lopez, Chair, highlights the importance of maintaining this fast-track procedure, as it is necessary on many occasions.

Mr. Björn Stockhausen, Seas at Risk, indicates that it is preferable for members to have information as soon as possible and for the issues to be discussed in the working groups whenever possible.

Ms. Beatrice Gorez, CFFA-CAPE, indicates that, to elect official representatives for meetings outside the LDAC, there must be a consultation procedure. A formula must be found so as not to have to use fast-track by default. Ms. Gorez proposes that perhaps one possibility would be not answering every request for consultation, but being more selective in prioritising tasks and work.

Mr. Iván Lopez, AGARBA, believes that a minimum deadline of 8 calendar days should be sufficient time to react; however, the Secretariat may contact members by telephone if feels it is necessary. With reference to consultations outside the EC, he agrees with Ms. Gorez about the need to be more selective.

On the other hand, Ms. Beatrice Gorez, CFFA-CAPE, indicates that, in her opinion, the agendas of the working groups are too busy, which makes the work of the groups difficult in terms of discussing matters.

Mr. Alexandre Rodriguez, Executive Secretary, indicates that the LDAC Secretariat takes note of the comments made by members and will try to implement cross-checks and improve its internal procedures as much as possible. At the same time, he clarifies that the agendas include outstanding actions agreed at previous meetings as well as requests coming from members. Furthermore, they are subject to the supervision and prior approval of the chairpersons and vice-chairpersons of each Working Group prior to their distribution amongst the membership.

Actions:

- **Fast track consultations:** The Secretariat will carry out improvements of internal procedures based on responses received and will incorporate suggestions from members to ensure receipt of the consultations and their comprehension by ExCom members (e.g. e-mails asking for proof of receipt, alerts in mobile app and website, telephone calls to follow up on silent members...). The minimum period of 8 calendar days will be maintained, at least, until the next GA, and if necessary, the articles will be reviewed to reflect changes in times and terms of the consultation. This topic will continue to be discussed at coming meetings of the Executive Committee and of the General Meeting upon request of the members.
- **Improvement of internal running of the Working Groups:** The agendas of the WGs will be simplified whenever possible to allow time to discuss proposals and foster the deliberation of priority issues. If necessary, the possibility of convening additional plenary meetings and subgroup meetings will be considered. This point is left open for the next meeting of the Executive Committee.
- **Information dissemination:** Invitations to meetings, conferences or events that may be of interest to members, as well as invitations sent to the LDAC to give presentations in external forums will be diligently sent to all LDAC members, so that members can give inputs/contributions.

8. Preparation of Inter-AC Coordination Meeting with DG MARE (5 December):

8.1. Application of the Landing Obligation / Discard Plans

Ms. Evangelia Georgitsi, EC, indicates, as a general comment, that she has seen a lot of concern on behalf of industry faced with the entry into force of discard plans as a result of the application of the landing obligation. She informs that they have received complaints from the Pelagic AC for example on this.

Mr. Björn Stockhausen, Seas at Risk, expresses his surprise about this matter being discussed for the first time at the inter-AC meeting.

Ms. Evangelia Georgitsi, EC, indicates her disagreement with that comment, informing that it has been discussed at inter AC fora on several previous occasions.

Mr. Alexandre Rodríguez, Executive Secretary, points out that the LDAC has sent several notifications to the concerned EU Member States about this topic to set up a MS Group, but they have not received any formal reply, indicating that, in the event of lack of action by them, the Commission will publish the respective delegated regulations with two scenarios: 1. Specific derogations to the landing obligation in cases of conflict with international rules; or 2. "*De minimis*" rules for catches for European fleets in case of compatibility with these international (e.g. RFMO) rules.

8.2. Suspension of NGO activities in the South-Western Waters Advisory Council (SWWAC): debate on the affiliation process of organisations as members of the ACs in terms of their assignment to fisheries sector categories and other stakeholders.

Mr. Iván López, AGARBA, and Mr. Björn Stockhausen, Seas at Risk, give an introduction about events occurred in the SWWAC, although the main problem lies in how to decide if an organisation belongs to the "fishing sector" (60%) or "other group of interest" (40%) category.

Mr. José Antonio Suárez-Llanos, Anapa, Anamer, and Acemix, indicates that it is a complicated matter, as, if the member state that the organisation belongs to has been considered as an NGO, it would be contradictory for it to belong to the 60%. In his opinion, it is the EC that must resolve or clarify this matter.

Mr. Marc Ghiglia, UAPF/CNPMEM, indicates that it is a problem that other ACs have already had to tackle (for example: with PEW, as it was not considered to be a genuine European organisation). He indicates that to be coherent, it must be possible for the ACs to decide upon the admission of its members. In addition, he questions that the LDAC should respond to this question.

Ms. Evangelia Georgitsi, EC, indicates that the members who belong to the General Meeting are approved/endorsed by the Member States. However, when an organisation is really interested in belonging to a specific category within that AC, it is the actual AC that decides, at its General Meeting, bearing in mind the definitions or guidelines stipulated by the European Commission. In her opinion, deciding who forms part of 60% or 40%, is competence of the actual members of the AC.

Mr. Raul Garcia, WWF, believes that it is relevant to discuss this matter, as he thinks that it will also be discussed at the inter-AC meeting in December. In his opinion, it is not so much about the legal nature of the organisation but about who it represents.

Mr. Juan Manuel Trujillo, ETF, believes that we must not intervene in decisions of other ACs. He also thinks that the EC should conduct a legal analysis about this matter, and not the ACs, before taking decisions.

Mr. Björn Stockhausen, Seas at Risk, believes that the regulation is clear and proof of this is that the majority of the ACs have already been operation for almost a decade. From his viewpoint, the LDAC must have a clear opinion about this matter with a view to the Inter-AC illustrating its interventions.

Mr. Iván Lopez, AGARBA, underlines his deep concern as Chairman of an AC about the situation of the SWWAC. However, he indicates that, at the next Inter-AC meeting, it is a topic that could be discussed. In his opinion, some clear and objective rules must be established beforehand but not thinking about any organisation in particular. In his opinion, the European Commission should give an explanation about this matter, proposing that it should be it that provides a solution. It can be an item on the agenda of the next General Assembly of the LDAC.

Ms. Evangelia Georgitsi, EC, explains that if an organisation is not included either in the 60% or in the 40%, it must be excluded from belonging to an AC. The EC will make an effort to try to provide solution options at the next inter AC meeting.

Action:

At the next inter-AC meeting on 5 December 2016, the Commission will be asked to proceed to explain the Commission's interpretation of this issue, in agreement with articles 43-45 and Annex III of the Basic Regulation of the CPF in combination with the Delegated Regulation, which is ambiguous. Admission of new members by the LDAC will be suspended until an unequivocal answer is obtained from the Commission regarding the classification procedure of organisations as 60% or 40% in the Executive Committee.



8.3. Implications of the Brexit process for the ACs

Mr. Ivan Lopez, Chairman of the LDAC, indicates that it is very premature to know how this issue will affect the functioning of the ACs. When the United Kingdom officially invokes article 50 of the Lisbon Treaty, it will be then when negotiations will be opened and the EU will have to give clues about its position in this regard.

Ms. Chloe Rodgers, NFFO, expresses that they wish to continue in the LDAC until the United Kingdom definitely leaves the EU.

She informs that they are excluded during EU Council deliberations on matters referring to the application of art. 50, and that they even voluntarily leave the room so she sees no conflict of interests for the moment.

Action:

The LDAC delegation will ask the European Commission at the Inter-AC meeting of 5 December 2016, how art. 50 may affect the functioning and composition of the Advisory Councils. This topic is left open for future meetings.

8.4. Other topics of interest

Mr. Alexandre Rodriguez, Secretary General, informs that the European Parliament has informally notified that a consultation is intended to be launched on review of technical conservation measures Regulation and the EP-PECH Rapporteur, Mr. Mato, wishes to meet with representatives of the Advisory Councils.

Action:

The Commission will be invited to future meetings to give the pending presentation on technical conservation measures and to address the topics of interest for the LDAC (e.g. Regulation transposition of technical measures of RFMOs to EU Law). An answer will be prepared by the LDAC, which, if there is agreement, will be sent to the Commission. Information will also be given about the consultation process opened by the rapporteur of the Fisheries Committee of the EP on this topic, MEP Gabriel Mato. This information will be sent out to all members for their information.

9. Presentation of the Commission: Market Advisory Council (MAC).

Ms. Evangelia Georgitsi, EC, informs that the MAC has already been accepted by the Commission as an organisation eligible for funding; however, the difficulty encountered to start the work resulted from the 10% compulsory minimum co-financing that they must collect from the Member States. Furthermore, the Commission has still not received a formal request from the Interim Secretariat for financing by the MAC, as the draft budget and the operational work schedule are pending approval by the General Assembly for which no date has yet been set.

The MAC has been organised with an initial structure of 3 working groups whose activity is foreseen to start at the beginning of next year:

- Working Group 1: Production (CMOs, EMFF, LO and marketing);
- Working Group 2: Markets (supply and demand, trade agreement with third countries, fight against IUU fishing, duties and customs, social and environmental aspects...);
- Working Group 3: Regulatory and consumer issues (eco-labelling, pollutants, GMOs, control aspects and traceability...).

The EC representative highlights the importance of the MAC being coordinated with other ACs such as the LDAC in matters of common interest. Coherence is essential and for the same topic not to be discussed at several ACs, unless they have different interests other than general interest. It is also very important to have scientific advice when necessary.

Mr. Ivan Lopez indicates the need to be clear; in fact, once the work plan is available, information could be given about our perspectives regarding the delimitation of common work areas.

Action:

The Commission will keep the Secretariat informed about the evolution of the work of the MAC and of the approval of its annual work programme, in order to coordinate common areas and avoid duplicated work. For this purpose, the Secretary of the LDAC will, whenever possible, attend meetings of the MAC during which questions of common interest for the LDAC are addressed, as observer.

10.- LDAC Communications Policy

10.1. Proposal for a Communications Plan.

Mr. Alexandre Rodriguez, Executive Secretary, explains that the Secretariat has worked in 2016 to develop a Communications Plan that can be used as a written document to guide the actions of its members, and key messages to be conveyed to the media and at social networks when disseminating information about work and events related to the LDAC. He proposes recirculating this plan to all members of the Executive Committee giving them sufficient time (at least: 2 months) to formulate comments with a view to their adoption at the next GA meeting.

Action:

The draft LDAC Communications Plan will be recirculated to all members of the Executive Committee, in the three working languages (ES-EN-FR), granting at least two months for them to send comments and, if fitting, with a view to their approval at the next plenary meeting of the General Meeting (May 2017).

101.2- LDAC mobile application

Mr. Alexandre Rodriguez, Executive Secretary, informs about the launch of the LDAC mobile app in the Apple store, indicating that it is already available for Android devices, although the application is still in beta test version.

Action:

A group of voluntary members of LDAC will test the application and improvements will be made so that users can register online.

10.3- Other topics of interest

Ms. Beatrice Gorez, CFFA-CAPE, suggests that it would be positive to send ideas for the workshop that COMHAFAT will organise in Tangier and that the presentation to be given by the LDAC Secretary will be circulated later on.

Mr. Alexandre Rodriguez, Executive Secretary, responds affirmatively to this request and adds that an annual coordination meeting will be organised between the LDAC and COMHAFAT, which will be attended by the Chairperson, the Secretary and a group of 5-6 members who have interest from each organisation. A programme will be sent as well as the working documents and a report with conclusions from the meeting.



On the other hand, Mr. Ivan Lopez, AGARBA, suggests monitoring any new aspects that arise from the trade agreements with Canada and USA.

Actions:

The Secretariat and members of the LDAC will participate in the seminar organised by COMHAFAT in Tangier on the Application of the FAO Port State Measures Agreement (PSMA). A formal presentation will be prepared by the LDAC Secretary, which will be distributed to all LDAC members together with the conclusions/actions report of this event.

The Secretariat will prepare a draft working plan for COMHAFAT and will organise the first annual coordination meeting between both organisations foreseen for the beginning of 2017 in the EFCA HQ in Vigo (Spain), including the preparation of the programme and the production of a written report of the meeting.

The CETA with Canada and the TTIP with the United States will be monitored in the Trade Agreements.

The meeting is adjourned at 5.30 pm.

ANNEX I. LIST OF THOSE ATTENDING

Executive Committee Madrid, 23 November 2016

THOSE ATTENDING

1. Iván López. FEABP/AGARBA
2. Erik Bjørn Olsen. Living Sea
3. Beatrice Gerez. CFFA-CAPE
4. Despina Symons. EBCD
5. Björn Stockhausen. Seas at Risk
6. Lise Laustsen. DPPO
7. Javier Garat. FEOPE
8. Rocio Bejar. ONAPE
9. Marc Ghiglia. UAPF/CNPOMEM
10. Emil Remisz. NAPO
11. Chloe Rodgers. NFFO
12. Claus Ubl. DHV
13. Juan Manuel Trujillo. ETF
14. Francisco Portelarosa. VIANAPESCA
15. Katarina Sipic. AIPCE-CEP
16. Luis Vicente. ADAPI
17. Raúl Garcia. WWF

CHAIRPERSONS AND VICE-CHAIRPERSONS OF THE WORKING GROUPS

18. José Antonio Suárez-Llanos. Anapa, Anamer, Agarba and Acemix
19. Julio Morón. OPAGAC
20. María José Cornax. OCEANA
21. José Carlos Castro. ANFACO-CECOPESCA

OBSERVERS

22. Juana Parada. ORPAGU
23. María Begoña Santos Vázquez. IEO
24. Ramune GENZBIGELYTE-VENTURI. EC
25. Evangelia Georgitsi. EC
26. Alexandre Rodríguez. LDAC
27. Manuela Iglesias. LDAC
28. Marta de Lucas. LDAC