

## Executive Committee Minutes

Wednesday, 14 April 2021

14:00 - 17:00 CET

Zoom online meeting

**Welcome from the Chair, Guus Pastoor**

**Adoption of agenda and minutes last meeting (23.09.20): adopted**

Arnault Chaperon (FEAP) informed that this was his last participation in MAC meetings. In the future, FEAP will be represented by Mr Yannis Pelekanakis. Mr Chaperon thanked the other members for the fruitful discussions.

**FAO**

- **Presentation on COFI34 meeting (1-5 February 2021) by Commission representative**

The Chair highlighted the importance of FAO as a stakeholder platform, but also the importance of the guidelines on seafood market topics developed by FAO.

Marc Richir (DG MARE) explained that the 34<sup>th</sup> Session of the FAO COFI took place from 1 to 5 February 2021, for the first time ever in virtual mode. The Session was attended 96 Members and by many observers. The flagship moment was the adoption of the Declaration on Sustainable Fisheries and Aquaculture in a High-Level Event organised to celebrate the 25 years of the FAO Code of Conduct on Responsible Fisheries. Commissioner Sinkevičius intervened for the European Regional Group, stressing the vital contribution of the sector to the global economy and to global food and nutrition security, and to promote a post-COVID recovery based on strengthened sustainability and resilience. The FAO Declaration acknowledges the achievements of the fisheries and aquaculture since the endorsement of the Code and gathers collective momentum in tackling the challenges and opportunities to secure the long-term sustainability of the sector.

The heavy agenda despite the virtual nature of the meeting, the late circulation of the session documents, the last-minute procedural arrangements and the conduct of the meeting by three different Chairs not always located in the same place as the Secretariat, did not facilitate the conduct of the meeting. This demonstrated the need for COFI to reform its working methods, a need that the EU and others stressed several times during the meeting, which resulted in COFI deciding to trigger an intersessional open, inclusive and transparent process to prepare recommendations for COFI 35



(tentatively September 2022), identifying potential time and efficiency gains likely to contribute to better preparing COFI and helping it to focus on strategic issues.

In terms of main outcomes, the representative highlighted that the EU successfully reached its main objectives on substance, for example:

- To engage FAO in the process of elaborating negotiated guidelines on transshipment to be endorsed on the next COFI session;
- To call on FAO and COFI members to advance the work on voluntary Guidelines for Sustainable Aquaculture more swiftly and to look at how the sector can adapt to climate change and contribute to mitigate its effects;
- To stress its attachment to safety at sea and labour conditions and request FAO to build the draft guidance on social responsibility in fish value chain more explicitly upon key international instruments in close cooperation with competent organisations and stakeholders;
- To call on FAO and COFI members to bring fisheries and aquaculture fully into the preparation of the UN Food System Summit;
- To support the action plan for the 2022 International Year of Artisanal Fisheries and Aquaculture;
- To request FAO for investing more in the reorientation of CECAFC and WECAFC (from advisory bodies to management bodies) as well as in strengthening common approaches among RFMOs and Arrangements;
- Based on the EU Green Deal and strategies on Biodiversity and Farm to Fork, to emphasise the importance of balancing conservation and sustainable use of resources, to promote effective fisheries management, sustainable aquaculture and a zero-tolerance approach towards IUU fishing, as the best tools to ensure the contribution of the sector to food security, nutrition, climate change, biodiversity conservation and restoration and, more generally, the achievement of Agenda 2030.

The EU did not succeed in the inclusion of a reference to the KOBE process in the meeting report due to the opposition of New Zealand, relaying concerns on the relevance of this process to improve cooperation between tuna RFMOs. In terms of other main outcomes, there was:

- Call for greater focus on and visibility of fisheries and aquaculture within the FAO (requested by OECD countries and EU);
- Insistence for a more robust and participatory peer review process for the SOFIA report and to share the report with Members in advance of publishing (GRULAC);
- Reminder that there is no scientific evidence that humans can be infected with COVID-19 through fish and fisheries products or their packaging and therefore, encouragement to refrain from imposing barriers to trade (Russian Federation);
- Importance of reaching an agreement in World Trade Organisation (WTO) negotiations on fisheries subsidies as soon as possible (New Zealand);



- Beyond increased capacity building (Africa, Asia), request for assistance in data collection, monitoring and reporting;
- Recognition of the particularly negative impact of COVID-19 on small-scale and artisanal fisheries and aquaculture and need to provide appropriate support and to foster resilience for the sustainable development of the sector;
- Call on FAO to further develop guidelines on OECMs in collaboration with relevant organisations (Canada & EU);
- Request to FAO to continue providing its fisheries management expertise and technical assistance to other international processes and organisations which have no mandate on fisheries but make decisions likely to affect fisheries;
- Observers hardly had a chance to intervene.

The next COFI session is expected to take place in Rome from 5 to 9 September 2022.

- **Exchange of views on MAC-MARE cooperation on EU market matters**

Bruno Guillaumie (EMPA) expressed satisfaction with the development of guidelines for sustainable aquaculture. The role of aquaculture is finally recognised. Aquaculture, including shellfish production, has a role in food safety and in the reduction of greenhouse gases emissions.

Marcio Castro de Souza (FAO) informed that there were ongoing discussions about the establishment of a third subcommittee on fisheries management. Currently, there is a subcommittee for trade and a subcommittee for aquaculture. The possibility of establishing a third subcommittee will be discussed amongst members. The procedures to launch discussions have been initiated. It will be open to all FAO members. The aim would be to have a specific body dealing with specific technical discussions on fisheries management. This would allow a greater focus on policy in COFI Sessions, while technical discussions would be covered by the subcommittees.

Marc Richir (DG MARE), in relation to the FAO guidelines on sustainable aquaculture, highlighted that the European Commission is also preparing guidelines on sustainable aquaculture. Therefore, the Commission is quite pleased that the FAO is working on the same topic. Aquaculture is recognised as a solution to address food security. The Commission is concerned that the legal framework is not developing at the same pace, which is why world-wide guidelines would be welcomed. Some African countries are concerned about their fishing resources being taken by other countries.

Regarding the UN Food System Summit, the Commission noted that, in the discussions and in the documents prepared for the panels, there are scarce mentions of fisheries and aquaculture. The situation seems to be changing, since there were calls by several countries to better take into account fisheries and aquaculture. In the context of the Summit, there would also be solutions related on good fisheries management and sustainable management of aquaculture.



Regarding the new subcommittee, it would be a solution to improve the work of COFI. There are too many issues to discuss, leading to an expansion of COFI's agendas. The technical work of the other two subcommittees is excellent. There is a lack of time to discuss policy issues at the high level. The suggestion to establish a new subcommittee on fisheries management was presented two years ago. The work was initiated and was led by some members of the Bureau and the FAO Secretariat. Some delegations, including the EU, criticised the reduced number of parties involved in the development. The Japanese presidency intends to reassess the work of the current subcommittees and COFI, in order to identify how time could be gained to properly discuss policy matters.

Juan Manuel Trujillo (ETF) wanted to know more about the FAO's strategy in relation to social sustainability.

Marcio Castro de Souza (FAO) responded that social sustainability is a critical issue. In the declaration, it was stressed as a follow-up on the Code of Conduct for responsible fisheries. There is a mandate to develop guidance on social responsibility. It will be a comprehensive document, serving as a tool for the private sector to check compliance. FAO is not creating anything new, but to compile existing international instruments, so that it can be easily addressed by the actors in the supply chain. FAO has been in contact with the private sector, academia, and government. They hope to submit a draft at the next meeting of the subcommittee on fish trade. They are also working on a scoping paper to include comments from countries. The guidance will include a general part with principle and a second part on specific parts of the value chain. It is not a mandatory document. It will be addressed to the private sector, in order to facilitate the compliance work.

Marc Richir (DG MARE) recalled that there was first broad consultation on the guidelines. It is a very important issue for the EU and the social partners. In relation to the first consultation, the EU expressed concerns about jeopardising the interpretation of existing international instruments. There were also concerns about the level of detail of the guidelines and practicability for the sector.

The Chair wondered about how the MAC could assist DG MARE on FAO topics. Socio-economic guidelines have been discussed many times in the MAC. There are several important seafood market and trade issues being discussed in the FAO. The Chair expressed the expectation that cooperation with the Commission would be possible, for example through advice, informal preparatory meetings or participation in the EU delegation. The Chair stated that FAO issues would continue to be on the MAC's agenda and that the MAC was willing to deliver input.



## Consideration of Draft Advices for Adoption

- **Draft Advice on Aquaculture Advisory Council's Recommendation on Labelling of Caviar (Working Group 3)**

The Chair recalled that the MAC worked on the topic for a long time and expressed hope that the result was satisfactory for the members. The Chair opened the floor for comments.

Arnault Chaperon (FEAP) expressed disappointment that consensus was not reached in the advice, which instead lists different views from the sectors.

*The Executive Committee adopted the draft advice as proposed.*

- **Draft Advice on Illegal, unreported and unregulated fishing and the European Union's Biodiversity for 2030 Strategy (Working Group 1)**

The Chair recalled that draft advice was agreed by Working Group 1 and put forward to the Executive Committee for adoption.

*The Executive Committee adopted the draft advice as proposed.*

- **Other draft advice**

The Chair recalled that draft advice on "import of live unpurified bivalve molluscs from the United Kingdom" was agreed by Working Group 2 and put forward to the Executive Committee.

The Secretary General explained that there were two versions of the draft, since CONXEMAR proposed some editorial suggestions, which do not affect the content agreed by Working Group 2.

Bruno Guillaumie (EMPA) expressed agreement with the redrafting, but proposed to correct, in the background section, the reference to "health zones B or C" to only "health zones B".

*The Executive Committee adopted the draft advice, as amended, with the editorial suggestions from CONXEMAR.*

The Chair recalled that the Pelagic Advisory Council is proposing a joint letter on stakeholder participation following the EU-UK Trade and Cooperation Agreement. The Agreement mentions the establishment of a Specialised Committee on Fisheries, which remains to be developed. In the view of the Pelagic Advisory Council, it is important to discuss the relationship between the Advisory Councils and the Specialised Committee on Fisheries. The draft letter asks the Commission to clarify the role of the Advisory Councils in relation to the Specialised Committee.



Bruno Guillaumie (EMPA) expressed satisfaction with the drafting of the letter. The solution will need to be defined in a bilateral way between the EU and the UK. The Specialised Committee could have an important role in the amending of regulations. It is important to encourage other Advisory Councils to support the letter.

*The Executive Committee agreed to co-sign the draft letter.*

## **Functioning of the Advisory Councils**

- **Reporting back on Inter-AC meeting (18 January 2021)**

The Secretary General provided an overview of the Inter-AC meeting took place on 18 January 2021. Ms Charlina Vitcheva, Director-General of DG MARE, provided opening remarks. The Director-General expressed strong support for the Advisory Councils, emphasising that the ACs are an essential tool in the context of regionalisation. The Director-General strongly encouraged NGOs to continue to participate in the ACs and emphasised that the ACs will continue to be the main stakeholder forum for fisheries management matters. Recommendations from the ACs will always have a higher weight than advice from other organisations or groups. The Director-General thanked the ACs for their work to address raised problems of functioning. The Director-General highlighted several ongoing legislative initiatives under the European Green Deal, the Biodiversity Strategy and the Farm to Fork Strategy, including the Technical Measures report, the action plan to preserve fisheries resources, strategic guidelines for the sustainable development of EU aquaculture, the initiative for a strong and sustainable algae sector, the revision of the marketing standards, the EU food contingency plan, and the EU strategy on offshore renewable energy. The Director-General welcomed the successful conclusion of the EU-UK Trade and Cooperation Agreement.

Following the opening remarks, there were presentations by different Advisory Councils about how to improve performance and functioning. These covered good practices, rules of procedure, finances, membership, and performance reviews. The MAC Secretariat provided a presentation on attempts to attract new members to the Advisory Councils. As a conclusion and next steps, the Commission informed that they would consider how to improve working arrangements between DG MARE and the Advisory Councils, how to ensure better functioning and coherence inside DG MARE, reflect on the follow-up to advice, the organising more Inter-AC meetings, and potentially amending the delegated act that lays down the rules on the functioning of the Advisory Councils. There were also presentations by Commission representatives on key developments on important legislative files. The Secretary General highlighted that, since the meeting, an Inter-AC meeting dedicated to Brexit took place on 22 February 2021. The minutes for the two meetings are available on the MAC's website.



- **Exchange of views on MARE paper on suggestions to improve the functioning of the Advisory Councils (21 December 2020)**

The Chair proposed to go through the seven suggestions to improve the functioning of the Advisory Councils. In relation to the first suggestion, the Chair recalled that a few Advisory Councils undertook evaluations on their performance and functioning. It would make sense to also undertake an evaluation of the MAC. In some ACs, there was an internal evaluation by the Secretariat, while, in others, there was an external evaluation by a hired consultant. The Chair asked members whether the MAC should proceed with an evaluation of the functioning and, if so, whether the evaluation should be done by the Secretariat or an external consultant.

Pierre Commère (AIPCE) agreed with the undertaking of an evaluation and expressed preference for an external consultant, which ensures impartiality.

Daniel Voces (Europêche) agreed with the previous intervention. Mr Voces inquired about the financial capacity to hire an external consultant.

The Chair stated that there should be sufficient funding available due to the change from in person meetings to online meetings, but that the budget might need to be amended to allocate the expense.

The Secretary General stated that indeed there was sufficient funding available. In terms of budget amendments, he would check with the MAC's Financial Officer whether there was a budget line that could be used for the external consultant or if a budgetary amendment would be needed.

Juan Manuel Trujillo (ETF) agreed with the undertaking of an evaluation by an external consultant. The functioning of the MAC is good, but a report with improvement suggestions could be useful. There are external consultants with experience working with other Advisory Councils, which could be considered.

Christine Absil (Good Fish Foundation) agreed with the undertaking of an evaluation, which would also allow a comparison with the functioning of the other Advisory Councils. Ms Absil expressed hope that the format would allow comparison with other ACs.

The Secretary General highlighted that the Commission services are looking into potentially providing guidance on the format of the evaluations, but that DG MARE was quite pleased with the external evaluation conducted by LDAC.

The Chair proposed for the Secretariat to contact the external consultants that worked with the other Advisory Councils to get a proposal.



*The Executive Committee agreed with the undertaking of an external evaluation on the performance and functioning of the MAC.*

The Chair commented that the second and third suggestions in DG MARE's paper should be part of the evaluation. As for the fourth suggestion, there are some unclear cases for the classification of some organisation as industry or as OIGs.

The Secretary General highlighted that the classification of stakeholders was a problem in some ACs, but not in the MAC. The Commission acknowledged that there is a need to ease the classification of organisations joining the ACs. There is no official document yet, but the Commission is looking into the matter.

The Chair explained that the fifth suggestion was about easing engagement of OIGs in the activities of Advisory Councils, taking into account limitations in human and financial resources.

The Secretary General highlighted that his presentation at the 18 January Inter-AC meeting encouraged the Commission to talk more with OIGs to explain the added value of ACs, so that OIGs participate more. Plus, encouraged the Commission to work with national authorities to promote the ACs in the different Member States.

The Chair, in relation to the sixth suggestion, highlighted that, in the past years, the cooperation between ACs was growing. The organisation of additional Inter-AC meetings is a positive development, even though it should not substitute the individual meetings of the ACs. There can be issues of availability of Commission representatives to attend the meetings of all ACs. Even when there are horizontal topics, the ACs might take different approaches.

Bruno Guillaumie (EMPA) recalled that, according to the legislation, the Advisory Councils provide recommendations to the Commission and to Member States. Working relations are missing with some Member States. There is a lack of participation in the work programme and subsidiarity issues. There are few requests from Member States to attend meetings and the recommendations are mainly addressed to the Commission. It is important to address the Member States when drafting MAC recommendations.

The Secretary General informed that the Secretariat tried to improve working relationships with the Member States, but the national authorities take different approaches to the Advisory Councils. Some Member States participate in meetings and keep a close eye, while others prefer to be briefed by the Commission. Therefore, in the future, the ACs and DG MARE should indeed look into improving the relationship and coordination with Member States.

The Chair recognised that the participation of Member States in the MAC's work could be improved.



Pierre Commère (AIPCE) highlighted that the MAC and the AAC have a cross-cutting competence. It is understandable that the Commission services wants to avoid repeating the same issues in different ACs. Still, the nature of the MAC and the AAC should be taken into account by DG MARE.

The Chair, in relation to the seventh suggestion, mentioned that the replies from DG MARE to advice has been improving. Replies have been quite comprehensive on how the Commission can undertake the recommendations.

Bruno Guillaumie (EMPA) agreed that the quality of replies to MAC advice improved. The situation is not necessarily the same in other ACs, including the AAC. It is important to address the perception of Member States and of stakeholders concerning MAC advice, particularly if these are disseminated. This should be considered in the external evaluation.

The Chair agreed and highlighted that members should disseminate the advice.

Arnault Chaperon (FEAP) agreed with EMPA. It is not only a matter of perception and dissemination. It is important to analyse how the MAC advice influenced the Commission and national authorities. The external consultant should also look into this.

Jean-Marie Robert (Les Pêcheurs de Bretagne) stated that it is important to analyse the impact of the MAC on EU and national legislation. It is quite complex, since the MAC is a consultative body. It must be addressed globally and measure the vitality of the cooperation between the Commission and the MAC. It is also important to measure the nature and vitality of the relationship with the Member States.

The Chair agreed. The MAC is an advisory body, so the advice is not necessarily followed. There is not always a direct relationship between advice and legislative changes. It is essential for the external evaluation to analyse the relationship between the MAC and the European Commission. It is important to know if the MAC and DG MARE have the same perception on the cooperation. It is also relevant to see the influence of advice.

- **Preparation for next Inter-AC meeting (5 May 2021)**

The Chair asked the Executive Committee whether there were specific recommendations on the mentioned suggestions. The Chair also asked whether there were proposals of agenda items for the Inter-AC meeting.

The Secretary General agreed with the preparation of a paper by the Secretariat, based on the Executive Committee's discussions, with positions for the MAC representatives to raise at the meeting. In relation to agenda items, DG MARE invited the ACs to provide suggestions.



*The Executive Committee agreed with the preparation of a paper with positions for the MAC representatives to raise at the 5 May 2021 Inter-AC meeting.*

### **UK Observers in the MAC**

- **Exchange of views on relationship with SEAFISH (mailing list, participation, financial support)**

The Chair explained that, as mentioned in the Commission's letter, UK stakeholders can continue to participate in AC meetings as active observers when issues that affect them are discussed. The Chair recalled that SEAFISH initially participated in the MAC as a member, but, due to the nature as a public body, it became an active observer representing the Member State. As a Member State representative, SEAFISH was asked to provide financial contributions. The Chair invited members to comment on the participation of observers, particularly whether invitations to participation should be permanent or only to specific agenda items upon request.

The Secretary General explained, under the rules on the functioning of ACs, Member states may provide financial support to facilitate the functioning, but no specific amount is imposed. The MAC usually asks Member States to provide 2.000€ annually. Even with Member State status, SEAFISH provided 500€ as an annual financial contribution. The Commission services confirmed that ACs can receive financial contributions from outside the EU, which means that, in theory, financial contributions from UK authorities would be possible.

Bruno Guillaumie (EMPA) highlighted that a "member" is a legal entity with headquarters, while an "observer" would be a natural person that participates in a meeting on their own behalf. The Chair can invite experts to participate as active observers. The Commission is a systematic observer.

The Chair stated that the ACs have members. Members are organisations, pay membership fees, and have full rights. The members send representatives to the meetings. The members choose the individuals who will be their representatives. On the other hand, there are organisations that cannot be members, like SEAFISH. In practical terms, the question is about continuing to send draft agendas and documents to SEAFISH and accepting their representatives to participate as active observers automatically.

The Secretary General clarified that a financial contribution provided by an observer would not be the same as a membership fee. The financial contribution is voluntary. Observers can participate without paying a financial contribution. In practical terms, the observer being a legal entity or a natural person would not make a substantial difference. The main question is about whether to maintain an email address of SEAFISH in the MAC's mailing list, receiving draft agendas, allowing the registration of an individual from SEAFISH as an observer in meetings. This would mean that there would be automatic invitations to participate as active observers in all MAC meetings. Otherwise,



invitations for SEAFISH representatives to participate as active observers in MAC meetings would only be sent for specific agenda points in specific meetings.

Pim Visser (VisNed) questioned, taking into account Brexit and the change to the market, the benefit of maintaining an UK organisation as an active observer participating in internal deliberations of the MAC, which also cover trade relations with the UK as a third country's market.

The Chair highlighted that the situation was not specific to the UK. There could be observers from other third countries. Therefore, it is important to have general principles. As for benefits, there could be mutual understanding and sharing of knowledge.

Daniel Voces (Europêche) agreed that it is important to take a general approach. There are other principles that should be considered when determining if an organisation should be an observer to the MAC. It is important to look at the reciprocity principle, meaning that EU organisations are also allowed to participate in similar stakeholder platforms. Conflicts of interest should also be considered, for example avoiding observers from a third country when the agenda item is an exchange of views about an FTA with that country. Some stakeholders would not feel free to exchange freely on the policy. For example, in Europêche-ETF social dialogue discussions, experts from third countries are invited on an ad hoc basis.

Emiel Brouckaert (EAPO) emphasised the importance of looking at the rules on the status of observers and attendance by public entities defined in Annex 3 of the CFP, which provides clear definitions.

Juan Manuel Trujillo (ETF) argued that observers should be considered on the basis of the agenda item. If the observer represents an interest from a third country, the participation should be limited to a specific topic and where relevant for the MAC. Mr Trujillo highlighted that the situation of observers is different than that of non-EU nationals appointed by members as their representatives. In the case of observers, he agreed with the principles mentioned by Europêche. The invitation should be *ad hoc* and to specific agenda items.

Andrew Kuyk (CEP) agreed that the matter should be addressed horizontally and not in relation to a specific organisation or country. The principles should be valid for all third countries. In relation to the question raised by VisNed, Mr Kuyk recalled that Northern Ireland is still part of the Customs Union and the common market. SEAFISH could represent Northern Ireland. If an active negotiation with a third country is taking place, certain considerations must be taken. In the case of the UK, there is already an agreement in place. It is also worth noting that the draft agendas and minutes are publicly available on the MAC's website. Therefore, even without being on the mailing list or participating in meetings, associations from third country can still follow the work.

The Chair concluded that there is consensus that observers have a different status from members. The benefit of having observers is to share knowledge in certain topics. It is important to look at the



definitions under the CFP. Observers should be invited or potentially request to participate in a meeting when issues that affect them are discussed. The mandate to allow observers in the meeting should be with the AC on the basis of request. At the beginning of the meeting, the Chair can ask members whether they agree with the participation of the invited observers. In this case, it would not be appropriate to receive financial contributions. The Chair proposed the development of guidelines on the participation of observers, taking into account the CFP's rules, and invited members to provide input.

*The Executive Committee agreed that the Chair and the Secretariat would develop draft guidelines on the participation of observers.*

### **Participation of UK Stakeholders in the MAC**

- **Information on DG MARE letter on the participation of UK stakeholders in ACs (18 March 2021)**

The Chair recalled that, at the 22 February Inter-AC meeting on Brexit, the issue of participation of UK stakeholders in ACs was raised. The Chair clarified that the focus of the discussions was the participation in meetings of representatives of member organisations that are UK nationals. After the Inter-AC meeting, there was a letter from Ms Vitcheva, Director-General of DG MARE, that clarifies that it is for each AC to assess, but that, in the view of DG MARE, it seems appropriate that representatives from UK organisations (including those representing UK interests in EU-based consortia, which are AC members) should no longer be allowed to serve as chairs or working group chairs. The Chair argued that this rule should not be specific to UK nationals, but applicable to all third countries. There are many potential relationships between member organisations and third countries.

- **Exchange of views on MAC's assessment report**

The Chair explained that the Secretariat prepared a draft assessment report, which analyses the relationship of EU-based consortia members with third countries, more specifically with the UK. According to the report, EU-based consortia members that have membership from third countries can be considered to represent EU stakeholders and interest. OIG members that are global NGOs can also be considered to represent EU stakeholders and interest. Finally, there would be the question of chairing by individuals that represent UK organisations in EU-based consortia. In the case of the MAC, that was the case in Working Group 2. Ahead of the meeting, the Chair of Working Group 2 sent a letter offering his resignation of the position, should the Executive Committee so wish, in order to help restore the principle of consensus. The Chair emphasised that the election of Chairs is a competence of the AC. The Chair of Working Group 2's letter also mentions that his resignation would not compromise his ability to continue to represent CEP as a delegate to the MAC, should AIPCE-CEP so decide.



The Chair expressed disappointment with the developments, since the Chair of Working Group 2 did a great job with significant knowledge and effort. The Chair proposed that, taking into consideration the views of DG MARE, the Executive Committee should accept the resignation. The Chair argued that, as a general rule, in the future, members should only propose candidates for chair positions who do not represent a third country interest within the organisation's membership. The Chair thanked Mr Kuyk for his work and efforts as Chair of Working Group 2. The Chair expressed hope that AIPCE-CEP would maintain Mr Kuyk as a representative to the MAC.

Emiel Brouckaert (EAPO) expressed support for the Chair's proposal and thanked Mr Kuyk for his instrumental in the establishment and functioning of the MAC.

Daniel Voces (Europêche) agreed with the Chair's assessment and proposal. Mr Voces stated that Mr Kuyk did have an outstanding performance and contributed greatly to the MAC. Nevertheless, the UK is a third country, as previously highlighted by VisNed. Mr Voces argued that it was important to differentiate between NGO members and industry members. The NGO members are usually international organisations with an EU focus, which leads to the establishment of branches in the EU, so these organisations should be considered to represent EU interest. In the case of industry EU-based consortia, these are usually composed of several national industry organisations. In his view, it seems unusual that EU associations would have third country associations as full members. Nevertheless, their participation and representatives should be welcomed. It is also important to look at conflicts of interest, the principle of reciprocity, and the added value. Being part of an EU-based consortia should not automatically translate into access to all information and meetings.

The Chair emphasised the importance of general principles in the election of chair positions. In terms of representatives, organisations that are members of the MAC should be able to designate their representatives, regardless of the nationality of the individual, in order to avoid interfering in the internal structure of the member organisation.

Juan Manuel Trujillo (ETF) expressed agreement with Chair's proposal and with Europêche's intervention. Mr Trujillo thanked Mr Kuyk for his dedication and work on behalf of the MAC.

Andrew Kuyk (CEP) expressed his full understanding of the circumstances and his gratefulness for the reactions of the other members. Mr Kuyk recalled the last paragraph of Ms Vitcheva's letter, according to which Brexit does not mean the end of the EU's partnership with the UK. The EU and the UK remain close neighbours with many shared interests, so it is vital to hold constructive cooperation.

Katarina Sipic (AIPCE-CEP) thanked Mr Kuyk for his work and agreed with the Chair's conclusions. Ms Sipic expressed her organisation's availability to put forward a new candidate for the chairpersonship of Working Group 2.



The Chair recalled that the position of Vice-Chair of Working Group 2 is also vacant due to Ms Katrin Poulsen leaving WWF. Prior to the meeting, WWF expressed availability to put forward a new candidate for the position.

*The Executive Committee decided to accept Mr Kuyk's offer of resignation as Chair of Working Group 2.*

## EFCA

- **Reporting back on Advisory Board (9 October 2020) by Daniel Voces, MAC Representative**

Daniel Voces (Europêche) recalled that the EFCA Advisory Board meeting took place on 9 October 2020. The meeting started with a state-of-play by the ACs. As MAC representative at the meeting, Mr Voces provided information about several pieces of MAC advice. First, the advice on the implementation of the landing obligation, which states that it is quite difficult to evaluate the implementation due to the lack of information on the market impact and the number of exemptions in place. Second, the exchange of views with MEP Clara Aguilera on the Control Regulation, which covered the harmonisation of sanctions, the definition of lot, direct sales, the use of bycatch for social and charitable purposes, small-scale fishing, and alignment and interoperability of import schemes. Third, the MAC's work on IUU fishing by Ghana's industrial trawl sector. Fourth, the advice on data collection framework, which covered inconsistencies in price averages in STECF reports. Finally, the Commission's inception impact assessment on the marketing standards framework. At the meeting, EFCA presented the multiannual work programme and annual work programme.

Mr Voces informed that, on behalf of the MAC, he would be an alternate representative of the Advisory Board in EFCA's Administrative Board from March 2021 to March 2022. The main representative will be from PELAC. For the next annual period, the main representative will be from the MAC. The Administrative Board is composed of representatives from the Member States and the European Commission, plus an observer representing the Advisory Board. Mr Voces informed that a meeting of the Advisory Board would be taking place on 15 April 2021 and thanked the Secretary General for his assistance in the preparations.

## ICES

- **Reporting back on Annual Meeting between ICES, Advisory Councils and Other Observers (MIACO) (14 January 2021) by Christine Absil, Vice-Chair**

Christine Absil (Good Fish Foundation) informed that, at the meeting, ICES presented their work in the past year, including the stocks that received advice. There was also an exchange on how stakeholder data could be incorporated. ICES also explained how their assessment work has been severely impacted by COVID-19, but that they still managed to produce quality advice. ICES also asked



stakeholders for their views on advice and the presentation of the website. Ms Absil encouraged members to provide their feedback to ICES.

## AOB

- **Closing statement**

The Chair thanked Mr Kuyk and Ms Poulsen for their work as Chair and Vice-Chair, respectively, of Working Group 2. The Chair also thanked Mr Chaperon for his contribution to the MAC.

## Summary of action points

- FAO
  - Secretariat to contact the Commission services about MAC-MARE cooperation on FAO market matters
- Functioning of the Advisory Councils
  - MAC to co-sign the joint letter proposed by PELAC on stakeholder participation following the EU-UK Trade and Cooperation Agreement
  - Secretariat to contact external consultant to undertake external evaluation on the performance and functioning of the MAC
  - Secretariat to prepare a paper, based on the Executive Committee's discussions, for the MAC representatives to raise at the 5 May 2021 Inter-AC meeting
- UK Observers in the MAC
  - Chair and Secretariat to develop draft guidelines on the participation of observers
- Participation of UK Stakeholders in the MAC
  - Secretariat to submit assessment report to DG MARE, reflecting the discussions held by the Executive Committee



## List of attendees

Representative	Organisation
Andrew Kuyk	CEP
Arnault Chaperon	FEAP
Bruno Guillaumie	EMPA
Catherine Pons	FEAP
Cécile Fouquet (observer)	Aquaculture Advisory Council
Christine Absil	Good Fish Foundation
Daniel Voces	Europêche
Daniel Weber	European Fishmeal
Emiel Brouckaert	EAP0
Frangiscos Nikolian	European Commission
Georg Werner	Environmental Justice Foundation
Guillaume Carruel	EAP0
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