



Brussels  
MARE.D.3/MLD

## PAPER FOR THE ATTENTION OF THE ADVISORY COUNCILS (ACs)

### **Subject: Suggestions to improve the functioning of the Advisory Councils**

On 16 November, the Commission announced its intention to get back to you with proposals for discussion on how to improve the functioning of the ACs based on the contributions it would receive from the ACs. We are happy to see that so many of the ACs replied and many suggestions have been put forward.

This document showcases ideas contained in the contributions received from the AAC, BSAC, LDAC, MEDAC, NSAC, NWWAC and PELAC, as well as other ideas identified by DG MARE following an internal reflection and consultation process. The elements below will serve as a basis for discussion during our meeting. They are organised in broad categories echoing the main identified challenges faced by the ACs. At the end of the document, a set of questions is proposed to further guide the discussion.

### **1. Evaluating the functioning and performance of the ACs**

A suggestion found in many contributions is to carry out external and independent performance reviews to evaluate the functioning of the ACs. These could be done on a regular basis to help identify best practices and shortcomings in the functioning of the ACs, as well as assess their overall contribution to the achievement of the CFP objectives. Many ACs expressed they wish to see the Commission engage in this process by developing guidance to ensure a common approach across the performance reviews undertaken by the ACs.

There is no need to amend the delegated act for this action and ACs can already carry out such evaluations upon their own initiative. The Commission could consider providing guidance based on best-practices to ensure a harmonised approach to such evaluations.

### **2. Making sure all opinions are heard and respected**

Many suggestions found in ACs contributions aim to make sure all opinions are better heard, respected and taken on board in the development of advice. Most of the contributions emphasise the need for robust and clear working methods and rules of procedures, including protocols for the development and presentation of advice, functioning of the working groups, official correspondence, deadlines and timeframes, votes, consultations and external representation.

Several ACs also underlined the benefits of having a balanced management team or bureau steering the activities of the AC together with the Executive Committee.

Management teams are composed of the chairs and vice-chairs of the General Assembly, Executive Committee and Working Groups. They meet on a regular basis and contribute to the sharing of responsibility and decision-making in the ACs, while allowing for a common vision and understanding of work priorities among all bodies.

Some ACs also suggested having clear grievance procedure in order to have a clear formal route to handle complaints of unacceptable behaviour from one of the AC members or chairs.

One of the ACs reported that within their AC an OIG suggested changing the weighting of the votes when members vote on governance issues, so that both OIGs and industry organisations enjoy a 50% voting power. This is however legally unfeasible under the current CFP Regulation.

The Commission welcomes the suggestions and will reflect on further guidance and a common layout template for the drafting of advice, including elements to make sure it reflects transparently minority opinions and contributes to the objectives of the CFP.

### **3. Reinforcing the impartiality of the chairs and secretariats**

All ACs stressed the importance for chairs and secretariats to always act impartially, inclusively and in transparency, as foreseen by the Delegated Regulation laying down the rules on the functioning of the Advisory Councils.

To strengthen the impartiality of the chairs, some ACs suggested making sure there is a clear process for rotation of chairpersonship, fixed terms and limited number a chairperson can serve.

Another suggestion made in some contributions of the ACs, put forward mostly by the OIGs within those ACs, is to make it possible for ACs to appoint an independent chair, independent honorary chair or independent secretariat, i.e. not affiliated to any AC member organisation. Some ACs shared the very positive experience they had in appointing an independent honorary chair or secretariat.

One of the ACs reported that within their AC, some OIGs suggested training activities for chairs and/or AC members on how to debate constructively, reach consensus and chair impartially.

The Commission takes note of the suggestions and will assess what actions can be taken, within the existing legislative framework, and whether targeted guidance and sharing of practices can contribute and address these concerns.

### **4. Addressing the uncertainty associated to the classification of stakeholders**

Some ACs have had trouble classifying certain organisations in one or another category of stakeholders due to the hybrid nature of these organisations. ACs in question therefore asked the Commission to provide a clarification of what “other interest group” means and to make sure all organisations are classified on the basis of a clear and commonly agreed definition.

The Commission acknowledges the need to ease the classification of organisations joining the ACs. It will reflect on solutions to best address the situation and provide

certainty as regard which group an organisation should belong, including possible provisions for the automatic classification of hybrid organisations in one of these groups.

### **5. Easing the engagement of OIGs in ACs activities**

A common reason put forward by OIGs to explain their departure from the ACs is the lack of financial and/or human capacity to engage actively in their activities. They highlight the need to ease the involvement of OIGs to make sure ACs fully play their role as stakeholders-led bodies, which the ACs acknowledged in their contributions.

One AC suggested reviewing the membership fee structure in light of the ACs budget. Some ACs indeed benefit from a substantial budget thanks to a large membership. This gives them a margin to adjust the fee structure to make it match better with their financial resources. Another AC has already introduced a system to compensate the working group chairs for the time spent, the payment going to the affiliated organisation.

Last, in order to attract new relevant stakeholders towards the ACs, some suggested launching advertising campaigns targeted at OIGs and especially environmental NGOs.

The Commission thanks the ACs for their suggestions. It will reflect on further actions within the existing legal framework to help OIGs engage in the activities of the ACs, including possible modulation of membership fees.

### **6. Enhancing the relations between the Commission and the Advisory Councils and between Advisory Councils**

Several ACs pointed out to a lack of communication between the Commission and the ACs, or a lack of involvement of the Commission in their activities. Many of them are asking the Commission to ensure a more regular participation to AC meetings by relevant staff and to develop an advice feedback procedure to ensure ACs are kept informed of how their advice was followed-up. Similarly, more regular attendance by and exchanges with the Member States groups is expected.

One of the ACs reported that within their AC, some OIGs asked the Commission to monitor more closely the functioning of the ACs and to step in when necessary.

The issue of translation was also raised in several contributions, some members asking the Commission to provide translation of all documents it sends to the ACs. On this point, it should be reminded that translation is a responsibility that lies on the side of the ACs, for which they are encouraged to make use of their budget available under the grant agreement.

The Commission takes note of the points raised. DG MARE services are keen to organise more regularly inter-AC meetings dedicated to specific and horizontal issues, in order to streamline AC work internally and contribute to a common understanding and messaging of important issues to all the ACs. Possible material to ensure full compliance with and understanding of the rules on the functioning of the ACs could also be considered.

### **7. Promoting and valuing the work of the Advisory Councils**

A last set of elements relates to the promotion and valuing of the work of the ACs by the Commission. In this regard, one AC suggested giving more weight to AC positions submitted as contributions and replies to targeted and public consultation compared to those received from individual citizens or organisations. Another AC also suggested that

the Commission makes the work and added value of the ACs more visible when communicating to third stakeholders.

### **Questions**

- Do you agree with the suggestions mentioned above?
- Has your AC already put in place some of these elements? If yes, has it led to an improvement of the functioning of the AC?
- Which of these suggestions do you think should be implemented in priority?
- Is there any other suggestions you think is relevant to consider?

The Commission intends to make the inter-AC meeting as interactive as possible so that it builds on your experience and results in a lasting improvement in the functioning of the ACs. Therefore, we invite those having successfully implemented one of the suggestions above, or any further suggestion, to reflect on possible good practices they would be willing to present on 18 January. Should you wish to present one good practice, please contact [MARE D3](#).