

## Working Group 2: EU Markets

### Draft Minutes

Wednesday, 29 March 2023 (09:00 – 13:00 CET)

Zoom

Interpretation in EN, ES, FR

Welcome from the Chair, Pierre Commère

Click [here](#) to access the Chair's presentation.

Adoption of draft agenda and of the last meeting minutes (26.01.23): adopted

#### Action points of the last meeting

- **State-of-play of the decisions made during the last meeting – information**
- Focus Group on Trade:
  - Establishment of the new Focus Group on Trade to be put on hold until the Commission replies to the previous advice on trade policy instruments
  - Under the draft agenda of the next meeting, FAO to be invited to present their study on the impact of trade instruments on the fisheries and aquaculture market
    - Agenda item scheduled
- Scientific, Technical and Economic Committee for Fisheries (STECF):
  - Agreed draft advice to be put forward to the Executive Committee for consideration and potential approval
    - Advice on fish processing industry adopted on 3 February 2023
- Banning Forced Labour:
  - Agreed draft Terms of Reference to be put forward to the Executive Committee for consideration and potential agreement, including of the associated expense
    - Terms of Reference agreed by Executive Committee on 27 January 2023
    - Contract with external consultant (Sakana) signed
    - 1<sup>st</sup> meeting of Steering Committee: 6 March 2023
- Illegal, Unreported and Unregulated (IUU) Fishing & Global Governance:
  - Based on the presentations at the 19 September 2022 and 26 January 2023 meetings, proposal of draft advice to be developed by EJF for consideration at the next meeting
    - Draft advice developed by EJF circulated: 10 March 2023



## “Carding System” against Illegal, Unreported and Unregulated (IUU) Fishing

- **Update on ongoing procedures regarding third countries by Commission representative (MARE B4)**

Click [here](#) to access the presentation.

Paweł Świderek (DG MARE) delivered an update on the ongoing procedures regarding third countries and other related developments. Mr Świderek informed that, earlier that month, the EU, on behalf of the Member States, at the Our Ocean Conference, in Panama, joined the IUU Fishing Action Alliance. The alliance was originally launched at the 2022 UN Ocean Conference by Canada, the UK, and the USA. The EU joined the alliance together with Korea, Panama, New Zealand and Chile. The alliance constitutes a reconfirmation, at international level, of the EU’s commitments and policy actions deployed on the basis of the IUU Regulation. In the view of the Commission, the pledge of the alliance does not foresee substantial operational actions other than those actually deployed by the EU.

Mr Świderek recalled that the European Court of Auditors published the “Special Report 20/2022: EU action to combat illegal fishing”, which recommended specific actions to the European Commission in relation to the implementation of the catch certification scheme. The implementation of the recommendations was work in progress. The Commission representative further recalled that the interinstitutional negotiations on the revision of the Fisheries Control Regulation were reaching the final stages. The revision would cover the catch certification scheme, particularly through the compulsory use of IT tools, the IT CATCH system. He highlighted that, the previous year, the EU was actively involved in the finalisation of the WTO Agreement on Fisheries Subsidies, plus on the development of the FAO’s Voluntary Guidelines for Transshipment.

In relation to the EU dialogues, Mr Świderek mentioned that, since the lifting of the restrictions related to the COVID-19 pandemic, DG MARE actively resumed visits to the third countries in the framework of the IUU dialogues. The Commission representative provided an update of the countries most relevant from the perspective of trade flows:

- Panama: The dialogue is taking place under a second “yellow card”. The first card was lifted in 2015, but, following a deterioration of the implementation of the legislation and actions as a flag State of convenience, a second card was issued. Several visits to the country took place. The national authorities seem to aim to please the European Commission, but without the necessary focus on implementation actions. In the context of the Our Ocean Conference, Panama presented itself as a leader in the fight against IUU fishing, but this did not change the technical assessment of the Commission. Recently, there was some progress, such as a new legal framework and some minor implementation actions. A new team was deployed for monitoring, surveillance and enforcement. Further collaboration is needed, and the dialogue will continue.
- Ecuador: The dialogue is very active and is very important due to trade and economic ties, particularly for tuna and shrimp commodities. The country demonstrated willingness to collaborate. The legal framework of fisheries control was reviewed. Implementing regulations



were recently adopted. Nevertheless, reticence to implement the legislation was noticed, in particular enforcement actions. Control of fishing activities, processing plants, particularly traceability across the supply chain is still incomplete. Since the beginning, Ecuador showed a strong commitment to address the issues. The Commission services plan to reassess the situation at the end of the year.

- Vietnam: There was political commitment from the federal government, but there were difficulties related to the political organisation of the country, since provinces have legal and regulatory powers related to fisheries. New legislation was developed, and new staff was deployed, but an uneven implementation of monitoring, control and surveillance, at the provinces' level, remained. The federal government showed strong commitment bilaterally and in the press, but the Commission continued to see different approaches at the regional level. Concerning the problem of the “blue boats” operating illegally in the waters of third countries, the phenomenon decreased significantly, but was not fully solved. There were still fishing vessels operating without VMS and without control in waters of third countries. A massive exercise would be needed for Vietnam to address, in terms of international relations, with neighbouring countries. The Commission remained optimistic that an adequate level of control could be reached.
- Sierra Leone: The Commission is extremely worried about the developments. Prior to the COVID-19 pandemic, the situation seemed to develop in a positive direction. Nevertheless, economic operators continued to act, on behalf of public authorities, in private registries worldwide. Fishing vessels, with the convenience flag of Sierra Leone, were conducting fishing and fishing related operations, including illegal fishing, in far-away waters. The situation was difficult, so the Commission would need to review the established cooperation.
- Liberia: The country serves as a flag of convenience for maritime authorities. A new fishing authority and a new fisheries legal framework were put in place. The country was still striving to control the entire fleet, particularly the external fleet. Previously, there were concerns about experimental fishing, but these activities seem to have ended. The Commission will continue to monitor the situation, but the main focus would be on supporting the national authorities in the monitoring and control of the entire fleet.
- Ghana: The country received a second “yellow card” due to lack of adequate control over fishing activities. The national authorities reacted positively to the second card. The authorities are reviewing the legislation and drafting management plans. The Commission is hopeful that there will be practical actions, particularly related to management and controls. Additional time is required. There were cases of trawl vessels remaining in port due to the inability to comply with national legislation.
- China: There are IUU Working Groups with several countries, such as with the USA, Korea, Japan, and China. China was quite relevant from several perspectives, not only IUU fishing. The IUU Working Group with China was established under the ocean partnership agreement signed in 2017. The working group allowed for frank exchanges between the Commission and Chinese authorities. No Chinese vessels were listed by RFMOs as engaging in IUU fishing. There were



enforcement actions, based on a reactive approach, from national authorities. The Commission is actively encouraging action from the Chinese authorities. China is expected, in the near future, to adhere to the Port State Measures Agreement, as encouraged by the Commission. China is planning to take action in relation to nationals operating in the external fleet. The external fleet involves fishing vessels with Chinese flag and flags from other countries, which is done through a system of subsidies for Chinese nationals. China was strengthening the outreach and control over nationals involved in the distant water fleet.

- Comoros: The country is under a “red card”. Discussions were resuming with the national authorities. The Commission conducted a visit in the country. The Commission is coordinating capacity-building activities through EU and FAO funds. The Commission services were hopeful with the recent approach of the country, which followed four years of reduced engagement.
- Trinidad and Tobago: The Commission conducted a visit to the country for the first time in six years. The situation was not satisfactory.

- **Exchange of views**

The Chair commented that several “yellow cards” were issued many years ago, so he wondered whether the duration of the identification was a factor in the Commission’s approach, particularly how the timeline should be interpreted. The Chair also wanted to know if the Council had validated the “red card” against Cameroon.

Paweł Świderek (DG MARE) responded that Cameroon received a “yellow card” in 2021. On 5 January 2023, the Commission adopted the implementing decision to issue a “red card”. At the same time, the Commission adopted the proposal to add the country to the list of non-cooperating countries. On 20 February 2023, the Council adopted the corresponding decision. As the country was listed, the measures foreseen in the IUU Regulation were triggered. The authorities of Cameroon were showing reduced interest in engaging dialogue, so the problem was far from being addressed. Cameroon was perceived as a flag of convenience and several of its vessels were listed by RFMOS as engaging in IUU fishing. The legal framework did not foresee measures against the distant water fleet operating outside Cameroonian waters.

Concerning “cards” issued several years ago, Mr Świderek exemplified that Cambodia was the earliest one and that dialogue continued. The Commission is providing assistance for capacity-building in Cambodia. There were six consultants working to assist in the development of fisheries and aquaculture in Cambodia. The Commission was waiting the finalisation of a new legal framework before moving on to the implementation phase. Trinidad and Tobago received a “yellow card” in 2016 and the situation did not progress, despite a recent review. Regarding Saint Kitts and Nevis, the representative highlighted that elections took place recently, which led to the appointment of a new President and a new Prime Minister. DG MARE and the corresponding EU Delegation were struggling to contact the national fisheries authorities. The aim would be solving the flag of convenience issue as well as the open register. A private company is running the register and, recently, some vessels



were delisted, while no new ones were added. The Commission services would like reassurance about this new approach, in order to maintain the dialogue.

Mr Świderek emphasised that the length of the dialogue depended on the reaction of the third countries. The Commission must consider the development status of the third country and their capacity to act. In the case of Saint Kitts and Nevis, there were uncertainties related to potential plans to rebuild the long-distance fleet. In the case of Sierra Leone, at the beginning, there was significant interest, but struggles have appeared overtime, which are particularly connected to a lack of political will. In the case of Liberia, elections were scheduled to take place in the next three months. Mr Świderek added that the capacity of DG MARE to undertake reviews also needed to be considered, particularly in the context of pending actions following the COVID-19 pandemic restrictions period.

The Chair requested more information about the IUU Fishing Action Alliance. The Chair commented that international cooperation on the matter was fundamental. The EU would not be able to solve the problem alone.

Paweł Świderek (DG MARE) commented that, in his view, the alliance was very much a visibility exercise, which lacked so far concrete actions. The pledge of the alliance also referred to ILO and IMO. The pledge is an expression of political nature and maybe a coordination platform. Operational aspects were lacking and there is no high expectation to see them developed in a visible future. The participating countries joined as a political orientation, but without establishing a political structure. In case of interest to coordinate activities on a specific area with partner countries, bilateral exchanges would be needed.

Mr Świderek expressed concern about potential participants in the alliance. In the context of his role of organiser of the Our Ocean Conference, Panama was able to launch a significant mediatic promotion exercise on their political intention to fight against IUU fishing. Considering the ongoing dialogue with Panama, established under the EU legislation on IUU fishing, the EU would need to be cautious in its approach. The pledge should not translate into a weakening of the EU's IUU dialogues, particularly on the capacity to scrutinise the international obligations of third countries. The pledge provided adequate visibility for the actions of the EU against IUU fishing, which have been underway for the past 15 years. The EU supports of the objectives of the alliance. The Commission informed that France joined the pledge on behalf of its overseas territories.

Vanya Vulperhorst (Oceana), in relation to the actions of Member States to prevent products from IUU fishing from entering the EU market, highlighted that, in previous exchanges, the Commission indicated that the Member States needed to do a better job on consignments from high risk third countries, such as China. Ms Vulperhorst requested information on the engagement of DG MARE with Member States, particularly to improve checks on catch certificates. In relation to China, she drew attention to the fact that, recently, China had blocked the listing of two fishing vessels in the South Pacific Regional Fisheries Management Organisation, so she asked for Mr Świderek's views on the matter.

Paweł Świderek (DG MARE), in relation to the Member States and the catch certification scheme, stated that the Commission was hopeful that the working environment for a more harmonised



approach on the checks and verification of imports would happen with the adoption of the legal basis of the CATCH IT tool. Without the new IT tool, the Commission was undertaking all possible measures available under the existing legal framework. Under the existing framework, the catch certification scheme relied on a scattered and paper-based system.

Mr Świderek underscored that the Commission was bound by the recommendations of the Court of Auditors. A first action on digitalisation was foreseen, which depended on the outcome of the revision of the Fisheries Control Regulation. Checks and verifications need to be harmonised, benefiting from the biennial reports. There must be clarity on the obligations, particularly accounting for varying interpretations. The Commission and the Member States must work together on risk management. The current legislation allowed for different methodologies for risk management, including different national criteria.

As for China, Mr Świderek stated that the country, as a contracting party of RFMOs, was defending its cases. In the most recent case, it did not lead to the inclusion of Chinese vessels in the Provisional IUU Vessel List of the South Pacific Regional Fisheries Management Organisation.

Patrick Murphy (IS&WFPO) drew attention to the matter of shared fish stocks and the danger of unilateral increases beyond scientific advice due to the lack of an agreement, wondering whether such a situation would classify as IUU fishing. Mr Murphy particularly referred to Norway.

Paweł Świderek (DG MARE) responded that the described situation did not constitute IUU fishing, since it was about a country allowing increased fishing activity in the waters of another country that allowed it. Theoretically, it could be a situation of overfishing, but not IUU fishing, as competent authorities were authorising the fishing activities. But other units of DG MARE were addressing this matter with Norway.

### Illegal, Unreported and Unregulated (IUU) Fishing & Global Governance

- **Presentation of proposal of draft advice on assessing the effectiveness of EU controls to prevent illegal seafood imports by Thomas Walsh, EJF**

The Chair recalled that, at the two previous meetings, presentations were delivered on the issue of controls to prevent illegal imports. At the last meeting, it was agreed, as an action point, that EJF would prepare a draft advice on the topic. The proposal was circulated on 10 March 2023. No preliminary feedback from members was received prior to the meeting.

- **Consideration of draft advice**

Thomas Walsh (EJF) recalled that, the previous year, the EU IUU Fishing Coalition released a study analysing the 2018 biennial reports of the EU Member States on the implementation of the IUU Control Regulation and import controls. The study found that there was a lack of harmonisation across Member States concerning import controls and the implementation of the IUU Regulation. The lack of harmonisation opens the EU market to the risk of imports of products from IUU fishing, including due to the possibility of “control shopping”. There were six main findings which are described in the



state-of-play section of the draft advice. Mr Walsh provided an overview of the findings and highlighted that recommendations were provided for the European Commission and for the Member States, which particularly connect to the revision of the Fisheries Control Regulation and the implementation of the CATCH IT system. Even before the entering into force of the revision of the Fisheries Control Regulation, Member States should improve the implementation of import controls.

Sean O'Donoghue (KFO) suggested a reduction of the draft text, particularly of the background text, in line with previous efforts of the Executive Committee to adopt succinct advice. Mr O'Donoghue argued that the main focus should be on the recommendations. He was favourable to the recommendations proposed, particularly to the inclusion of recommendations to both the Commission and the Member States.

María Luisa Álvarez Blanco (FEDEPESCA) underscored the importance of addressing the presented matter in the context of the MAC, since it was essential to ensure that fishery products entering the EU market do not originate from IUU fishing.

Alexandre Rodríguez (LDAC) informed that, at a recent meeting of the Long Distance Advisory Council (LDAC), a similar presentation by the EU IUU Fishing Coalition took place. Due to the relevance of the topic, the members of LDAC expressed interest in a joint endorsement of the advice, once the text was finalised by the MAC.

The Chair took note of the interest of the LDAC in the adoption of a joint advice, expressing a favourable view to the approach.

The Secretary General provided an overview of the recommendations outlined in section 4 of the draft advice.

The Chair commented that many recommendations focused on the CATCH IT system, which will be implemented after the agreement on the revision of the Fisheries Control Regulation. The advice would be adopted in an intermediary moment between the existing gaps and the introduction of a new system. In the view of the Chair, the recommendations would not be controversial. In relation to draft recommendation g) to the European Commission, the Chair suggested to replace “secure additional human resources” with “secure sufficient human resources”, to account for appropriate use of public resources.

Sean O'Donoghue (KFO) emphasised the importance of consistency in the development of advice. In his view, the recommendations should be maintained, while Mr Walsh and the Secretariat could reduce the background text.

Thomas Walsh (EJF) expressed availability to reduce the text, while arguing that such exercise should not jeopardise the quality of the document, since it was important to provide background information.

- **Way forward**



The Chair proposed, as a way forward, that Mr Walsh and the Secretariat, in coordination with Mr O'Donoghue, would work on reducing the length of the text. The Chair suggested that, since there was agreement on the draft recommendations, afterward, the draft advice could be put forward directly to the Executive Committee for consideration and potential approval via written procedure.

The Secretary General expressed support for the suggested approach.

The Chair encouraged the LDAC to proceed with the consideration of the draft advice in the same timeline as the consideration of the text by the Executive Committee of the MAC.

Alexandre Rodríguez (LDAC) expressed availability to coordinate with the MAC Secretariat to ensure alignment of the consultations.

### Autonomous Tariff Quotas

- **Update on preparation of new set of EU autonomous tariff quotas for certain fishery products for the period 2024-2025 by Commission representative**

Paweł Szatkowski (DG MARE) explained that, in 2022, the European Commission carried out a study on the sustainability dimension of the Autonomous Tariff Quotas (ATQs), focusing on the main impacts in case sustainability requirements were imposed on the imported products. The study used existing scenarios, such as GSP scheme and the sustainability chapters in Free Trade Agreements, as the benchmarks. The Commission services were still analysing the main findings of the study. The study assessed that, in the case of ATQs with low use, there would not be a large impact. The same would be for products that already enjoy duty-free access into the EU, such as trout, dogfish, rock lobster, mackerel, and cold-water shrimp. On the other hand, the imposition of sustainability requirements would have a major effect on the supply of core commodities that lack other tax free supply alternatives, such as surimi, Alaska Pollock, tuna loins, and codfish. These four products represent the largest volumes of the ATQs.

Mr Szatkowski emphasised that the mentioned study was merely theoretical. The study assessed the possible impact of imposing sustainability conditions under the ATQs Regulation, but does not provide information on the implementation of sustainability elements under the new scheme. The study does not constitute a full impact assessment and does not assist in the future steps. Together with other concerned DGs, DG MARE would be working on the next steps. The impact assessment would be expected to be launched quite soon, likely in May 2023. A public consultation would take place on the future of the ATQs regime and the sustainability elements. Considering the usual timeframe of impact assessments and for the development of legislative proposals, two years would likely be needed to adopt a legislative proposal.

Concerning the 2024-2025 period, Mr Szatkowski explained that DG MARE decided for a bridging solution until the new scheme, which was the reason for the new set of ATQs lasting for two years, instead of the usual three years. The Commission representative highlighted that MARE B3 was not acting in isolation, since there were other policy developments on sustainability to be considered,





such as the Sustainable Food System Framework, which will impact imported fisheries and aquaculture products.

Mr Szatkowski informed that consultations with stakeholders and Member States were ongoing for the 2024-2025 proposal. Letters were sent to the MAC, to some interested members, and to the Secretariat of the Council. The deadline for inputs was 28 March, but the Commission services would be flexible. Inputs were received from Spain, Portugal, and the Netherlands. Additional inputs were expected from Poland, Italy, France, and Sweden. In relation to the mentioned consultations, the Commission representative further informed that a meeting took place with Europêche, which particularly focused on the ATQ for tuna loins. An exchange took place with FRUCOM to inform them of the process.

In relation to the timeline of the 2024-2025 proposal, Mr Szatkowski stated that the Commission services would work on the internal draft proposal within DG MARE and in consultation with other DGs, which would be submitted for inter-service consultation in the course of April and May 2023. The final draft proposal would be expected to be adopted in May or June 2023, so that it could be sent to the Council before the Summer break. In the development of the proposal, there are specific challenges related to China and Russia, which are the main beneficiaries of the ATQs scheme. The European Parliament is preparing a report about Chinese fishing implications, while the Commission is working internally on several topics related to trade with China.

Regarding methodology for the 2024-2025 proposal, Mr Szatkowski informed that the Commission services were considering past utilisation of the quotas, including the impact of Brexit. The EEA negotiations with Norway and Iceland, specifically the market access concessions, would also have to be considered. These negotiations happen every seven years in the context of the financial mechanism. The previous bilateral protocols expired in 2021. As a result of the expiration, the ATQs Regulation was amended for 2021 and 2022 to allow for new ATQs. The negotiations with Norway and Iceland are expected to be concluded in 2023, which means that new bilateral concessions will be implemented soon, likely in 2024.

- **Exchange of views**

The Chair encouraged members to avoid commenting on individual quotas, but to focus on general aspects of the preparation of the new set of ATQs for 2024-2025.

Poul Melgaard Jensen (Danish Seafood Association) informed that, the previous day, AIPCE sent their view to the European Commission on the proposal of ATQs for 2024-2025, plus a full list of requests for quotas and corresponding justifications, including existing and new species/products, qualifying value-added steps, and the amounts in tonnes. For 17 ATQs, AIPCE asks for the continuation of the existing amounts. For 13 ATQs, an increase of the amount is requested. Five new species are requested, which is due to evolutions in a dynamic market.

Mr Jensen emphasised that, in the last few years, the entire fisheries and aquaculture value chain faced major challenges due to Brexit, the COVID-19 pandemic, rising costs of energy and transport, and other production inputs, and the Russian aggression in Ukraine. The mentioned factors caused



disruptions in the supply chain and the sector continues to adapt. Problems in one part of the supply chain quickly become problems for the other parts of the supply chain. The need for imported raw material is evident. In the past years, global supply chains proved resilient. The ATQs instrument proved instrumental to maintain open trade and appropriate supply chain to the processing & value adding activities in the EU.

Mr Jensen argued that a restriction of imports of raw material for the EU fisheries and aquaculture processing industry would not be appropriate to face the mentioned challenges. It would impact the viability of the EU processing sector. The EU fisheries and aquaculture sector needs a strong trade and processing sector to deliver their production to consumers in an appropriate presentation. Supplies from third countries are a condition for this to happen. The EU processing industry would prefer raw material from EU production. The increase in fuel costs has impacted the EU fishing industry as well as the fishing industry of third countries. Raw material is needed to operate in a sustainable manner. Most of the important flatfish, codfish, hake, and other species are sourced sustainably. Landings in the EU of imported whitefish species, like plaice, codfish, and hake, increased significantly since 2014.

Mr Jensen drew attention to the “Finfish Study” annually published by AIPCE-CEP. According to the latest version, the EU’s self-sufficiency rate continuously dropped, reaching 35%, based on statistics from 2021. For important species, such as cod, imports cover 95% of the total need of the EU market. The market prices for fish are quite high. He exemplified that, in the German market, consumers tend to downgrade or even substitute seafood with cheaper protein sources, particularly in situations where the inflation rate is higher than the wage increases. A restriction of imports would further favour these developments, as it would put forward upward pressures on prices in the EU market.

Mr Jensen recalled that the ATQs instrument was evaluated in 2015. According to the report, the instrument was relevant, consistent, effective, and efficient. Along the years, the ATQs instrument has proven its relevance in ensuring supply for the EU industry. ATQs are only set for fishery and aquaculture products that will be used for processing with defined value-added steps. The ATQs instrument aims to create a level-playing-field with production from third countries. If value-added is not provided to these imports, processed products will enter the EU market from third countries, so added value and employment in the EU will be lost.

In relation to the EEA negotiations, Mr Jensen stated that, if the Protocol was not in place by the end of 2023, the EU processing industry would need an extension for another year of the related ATQs.

Emiel Brouckaert (EAPO) informed that his organisation was finalising its input to the Commission. Mr Brouckaert highlighted that, from the perspective of his organisation, the need for a tariff-free environment was understood, as it helps to maintain facilities in the EU, which also assists the EU production. Nevertheless, the tariff-free environment should be accompanied with a maximisation of the supply from the EU production. He added that the position paper of EAPO would include comments on the use of the ATQs and a spreadsheet on the amounts. Mr Brouckaert wondered about the potential follow-up in the MAC and its added value, particularly on the weight that the Commission would attribute to advice coming from the MAC in comparison with individual replies. He recognised that it would be quite difficult to develop a joint position.



The Chair recognised the importance of the question posed by Mr Brouckaert. In the view of the Chair, the deadline set by the Commission would not be realistic, particularly considering the known divergences on several items in the current ATQ list. At most, advice could eventually be developed on the general aspects of the exercise.

Annelie Rosell (SPFPO) wanted to know the Commission's view on the inclusion of semi-processed products amongst the products that receive preferential treatment. In the view of her organisation, as much as possible of the added value should take place in the EU. The import quotas should stimulate the landing of catches from third countries in EU ports. Therefore, preferential treatment for semi-processed products should only happen when there are special reasons for it.

The Chair wanted to know, in relation to the study on sustainability requirements mentioned by Mr Szatkowski, whether the study referred to environmental sustainability or to the three pillars of sustainability. In its assessment, the Commission should consider the impact on the EU industry, particularly on its economic sustainability.

Paweł Szatkowski (DG MARE) explained that the study looked into different benchmarks, such as those in the development chapters of Free Trade Agreements, and requirements imposed on GSP countries based on international environmental conventions. The study also considered social sustainability, but focused on the fishing activity, particularly the applicable international conventions. The aim would be to put the EU fleet and the fleet from third countries in a level-playing-field. In the case of China and Russia, it is known that the same standards are not followed. The impact would vary depending on the source of the products. The study did not specifically cover social aspects in the EU.

Concerning the issue of semi-processed products raised by Ms Rosell, Mr Szatkowski stated that a decision had not been taken by the Commission yet on the approach. The current regulation provides ATQs for both raw and semi-processed products. The value added for the EU is considered, which depends on the operations carried out with the products. EUMOFA was asked to update the research on the value added, since there was significant evolution in market prices connected to the COVID-19 pandemic, the war in Ukraine, and the lower availability of supplies.

Mr Szatkowski took note of the intervention of Mr Jensen, confirming good reception of the AIPCE-CEP position, which would be further analysed. The Commission representative recognised that the EEA negotiations would be an important element. He added that other deals, such as the Free Trade Agreement with New Zealand, and ongoing negotiations, such as with India and Indonesia, would have to be considered.

Mr Szatkowski thanked Mr Brouckaert for the intervention, adding that it was always necessary to consider the self-sufficiency of the EU and the maximisation of the EU production. As for advice from the MAC, the Commission representative recognised that it would be a complex process and that it would be quite difficult to reach a compromise on each individual quota. The important aspect was for the MAC to be aware of the consultation and for the Commission to receive input from the individual interested organisations, in order to assist in the development of its proposal, to be later considered by the Council.



Anne-France Mattlet (Europêche) welcomed the initiative of the Commission to include sustainability criteria, which goes in the direction of a better level-playing-field for EU vessels. In relation to the ongoing exercise, Ms Mattlet wanted to know if the study would be made public and, if yes, when. Regarding China, she recalled that a joint advice on the distant water fleet of the country had been adopted together by the MAC and the LDAC.

Paweł Szatkowski (DG MARE) replied that that he was aware of the joint MAC-LDAC advice on China, plus of the LDAC advice on ATQs for tuna loins. Regarding the study, the Commission is legally obliged to publish it in connexion with the ex-post evaluation, which will be part of the impact assessment. The study would likely be published together with the public consultation.

Rosalie Tukker (Europêche) informed that her association would soon submit reflections on individual species. Ms Tukker highlighted that the EU is basing the latest EU fisheries policies on a climate emergency and biodiversity decline. The EU fleet was not only facing high oil prices but harsh EU environmental policies that are decimating the size and landings of the fleet. Therefore, she wondered why such an urgency was not applied to the ATQs system, plus she further wondered if the Commission was planning to increase ATQs volumes to replace decreasing EU production as a consequence of EU policies.

Ms Tukker wondered, in the context of a cut in fisheries governance ties between the EU and Russia, how it would be possible to grant trade preferences to products coming from that country. Ms Tukker also highlighted that, under the previous exercise, the Commission included in the motivation of its proposal that the MAC was consulted on the topic, when that had not been the case. The ongoing exchange should not be considered as a proper consultation of the MAC in the context of the upcoming proposal.

Paweł Szatkowski (DG MARE) recognised that the ongoing exchange was not a consultation, but an information point about the process followed. The Commission was awaiting proper inputs from several stakeholders and the input of Europêche would be considered. The Commission representative emphasised that both Russia and China represented challenges. The sanctions against Russia only covered crustaceans and caviar products. In the case of cod and some other species, Russia was the main beneficiary of the ATQs. These matters would be considered by the Commission.

- **Way forward**

The Chair highlighted that there were ongoing bilateral exchanges between the Commission and the interested associations. In his view, it would be overly ambitious to prepare advice on behalf of the MAC that would cover the individual quotas. It would be possible to develop advice on the general aspects of the ATQs instrument, but even that would be rather complex.

Sean O'Donoghue (KFO) agreed that it was unrealistic for the MAC to produce a position in such a short notice, particularly accounting for the diverging views amongst the membership. Instead, the MAC should focus attention into the upcoming impact assessment, so that it could be considered in the work programme of the next operational year.



## European Year of Skills

- **Consideration of draft advice about the employment needs of the fisheries and aquaculture supply chain**

The Chair recalled that, at the latest meeting of the Executive Committee, a Commission representative delivered a presentation about the designation of 2023 as the European Year of Skills and that members expressed interest in the development of advice on the topic. Prior to the meeting, the Secretariat circulated a questionnaire from 24 February to 10 March 2023. Replies were submitted by ADEPALE, ALIF, and Conxemar. Based on the replies, the Secretariat prepared a draft advice, which was circulated on 21 March 2023. Comments and additional contributions were received from ETF, FEDEPESCA, FEAP, and EAPO. The Chair highlighted that, amongst the contributions received, there were no diverging views.

The Secretary General provided an overview of the draft advice, including of the preliminary feedback received prior to the meeting.

The Chair, in relation to draft recommendation d) on measures to promote the attractiveness of the sector, which had been shortened following a preliminary comment of EAPO, argued that it remained important to mention, in the recommendations, the issue of lack of availability of housing and transport for workers.

Emiel Brouckaert (EAPO) expressed preference for a short recommendation d), while the issue of housing and transport could be raised in a separate point.

The Secretary General suggested the inclusion of a new draft recommendation e) reading “in order to attract workers, undertake measures to increase availability of housing and transport”.

Silvia Gil (FEDEPESCA), in relation to section 2 “Employment and skills in the fisheries and aquaculture supply chain”, emphasised the lack of available vocational training.

The Secretary General highlighted that footnote 2 provided more details about the situation in Spain.

Silvia Gil (FEDEPESCA), in relation to recommendation j) on the engagement of aquaculture and fishing undertakings, suggested an explicit reference to “retail undertakings”.

*The Working Group agreed on the draft advice on the European Year of Skills.*

- **Way forward**

The Chair proposed to put forward the agreed draft advice, as amended, to the Executive Committee for consideration and potential adoption.

## EU-Angola Sustainable Fisheries Partnership Agreement

- **Presentation of the results of the Secretariat’s questionnaire**



The Chair recalled that the Secretariat was contacted by an external consultant of the European Commission, which has been tasked with an ex-ante study on a possible EU-Angola Sustainable Fisheries Partnership Agreement. The Secretariat circulated a questionnaire, from 24 February to 10 March 2023, to gather feedback. A reply was received from ADEPALE, which served as a basis for a draft advice, circulated on 16 March 2023.

- **Consideration of draft advice**

The Secretary General provided an overview of the draft advice.

Vanya Vulperhorst (Oceana) suggested to reiterate several recommendations made under the advice on the “Roadmap on the Evaluation of the Sustainable Fisheries Partnership Agreement (SFPAs)” adopted on 9 March 2021, particularly on transparency and the social dimension.

The Secretary General suggested the addition of new recommendation b) calling on the ex-ante evaluation and the possible SFPA/Protocol to cover the fight against IUU fishing, transparency, and a more even playing field between the various fishing fleets operating, plus a new recommendation c) recalling the considerations on social issues under the advice of 9 March 2021.

The Chair suggested to, under the new recommendation c), to also make a reference to market and trade aspects. The Chair commented that, in future opportunities, it would be relevant to assess Sustainable Fisheries Partnership Agreements from a market and trade perspective.

*The Working Group agreed on the draft advice on a possible EU-Angola Sustainable Fisheries Partnership Agreement.*

The Chair proposed to put forward the agreed draft advice, as amended, to the Executive Committee for consideration and potential adoption.

### Vice-Chair

- **Exchange of views to determine potential suggestion of Working Group 2 Vice-Chair**

The Secretary General recalled that the matter of Vice-Chairs for the Working Groups was raised at the latest meeting of the Executive Committee, drawing attention to Article 4 of Regulation 2015/242. The Secretary General encouraged members to express interest in becoming Vice-Chair.

Vanya Vulperhorst (Oceana) expressed appreciation for the work of the Chair and recognised the importance of maintaining engagement. Ms Vulperhorst stated that OIG members were facing capacity difficulties, so would not be presenting a suggestion of potential Vice-Chair. The situation could be considered again in the next months.

The Chair encouraged the OIG members to, in case of increased capacity, signal the development to the Secretariat.

### AOB



- **Evaluation of 2019-2024 Protocol to the Fisheries Partnership Agreement between the EU and the Republic of Cabo Verde**

The Secretary General informed that, earlier that day, the Secretariat was contacted by an external consultant of the Commission who was tasked with an evaluation of the 2019-2024 Protocol. The consultant wanted to know the view of the MAC on the existing Protocol and its potential renewal.

The Chair suggested to follow a similar approach to the preparation of advice on the EU-Angola Sustainable Fisheries Partnership Agreement, including a potential questionnaire from a market and trade perspective. If there was input from the members, draft advice could be prepared. Considering the derogations to rules of origin, there could be relevant trade implications.

### Summary of action points

- Illegal, Unreported and Unregulated (IUU) Fishing & Global Governance:
  - The Secretariat, in coordination with the interested members, to shorten the length of the main text of the draft advice on effectiveness of EU controls to prevent illegal imports, while maintaining the recommendations
  - Amended draft advice to be put forward to the Executive Committee for consideration and potential approval via written procedure
  - Secretariat to contact the LDAC Secretariat for coordination of potential joint adoption of the draft advice
- Autonomous Tariff Quotas:
  - In the work programme of the next operational year, consider the upcoming public consultation and impact assessment on the inclusion of sustainability requirements in the ATQs instrument
- European Year of Skills:
  - Agreed draft advice to be put forward to the Executive Committee for consideration and potential approval
- EU-Angola Sustainable Fisheries Partnership Agreement:
  - Agreed draft advice to be put forward to the Executive Committee for consideration and potential approval
- Vice-Chair:
  - Chair to inform the Executive Committee about the lack of expressions of interest, plus to schedule the agenda item again in a future meeting, if a member expresses interest
- AOB:
  - Secretariat to circulate questionnaire on the Evaluation of 2019-2024 Protocol to the Fisheries Partnership Agreement between the EU and the Republic of Cabo Verde



Draft





## Attendance List

Representative	Organisation	Role
Aitana López Baquero	Spain	Observer
Alexandre Bonneau	SNCE	Member
Alexandre Rodríguez	Long Distance Advisory Council (LDAC)	Observer
Anna Rokicka	Polish Association of Fish Processors (PSPR)	Member
Anne-France Mattlet	Europêche	Member
Annelie Rosell	Swedish Pelagic Federation Producer Organisation (SPFPO)	Member
Anna Boulova	FRUCOM	Member
Arthur Yon	FROM Nord	Member
Bruno Guillaumie	European Molluscs' Producers Association (EMPA)	Member
Carmen Asencio	Spain	Observer
Desiree Kjølsen	European Commission	Expert
Elena García	Spain	Observer
Emiel Brouckaert	European Association of Fish Producers Organisations (EAPO)	Member
Felicidad Fernández	ANFACO-CECOPESCA	Member
Garazi Rodríguez Valle	APROMAR	Member
Georg Werner	Environmental Justice Foundation	Member
Gonzalo Delgado	Spain	Observer
Guus Pastoor	Visfederatie	Member
Isabel Mariño Prieto	Conxemar	Member
Jaroslaw Zieliński	Polish Fish Producers Association (PFPA)	Member
Javier Ojeda	Federation of European Aquaculture Producers (FEAP)	Member
Jens Høj Mathiesen	Danish Seafood Association	Member
Jérémie Souben	FEDOPA	Member
José Deniz	European Fisheries Control Agency (EFCA)	Observer
Julien Lamothe	Association Nationale des Organisations de Producteurs (ANOP)	Member



Representative	Organisation	Role
Katarina Sipic	EU Fish Processors and Traders Association (AIPCE) / European Federation of National Organizations of Importers and Exporters of Fish (CEP)	Member
María Luisa Álvarez Blanco	Federación de Asociaciones Provinciales de Empresarios Detallistas de Pescados y Productos Congelados (FEDEPESCA)	Member
Marine Cusa	Oceana	Member
Massimo Bellavista	COPA COGECA	Member
Matthias Keller	Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.	Member
Miguel Lizaso	European Commission	Expert
Mike Turenhout	Visfederatie	Member
Natalia Sánchez	Spain	Observer
Nicolás Fernández Muñoz	OPP72 – Organización Productores Pesqueros Artesanales Lonja de Conil	Member
Patrick Murphy	Irish South & West Fish Producers Organisation (IS&WFPO)	Member
Paweł Świderek	European Commission	Expert
Paweł Szatkowski	European Commission	Expert
Pedro Reis Santos	Market Advisory Council (MAC)	Secretariat
Pedro Luís Casado López	OPP80 – Amadores Punta del Morel	Member
Petra Spaniol	European Fisheries Control Agency (EFCA)	Observer
Pierre Commère	Association Des Entreprises de Produits Alimentaires Élaborés (ADEPALE)	Chair
Pim Visser	VisNed	Member
Poul Jensen	Danish Seafood Association	Member
Quentin Marchais	ClientEarth	Member
Ricardo Carvalho	European Fisheries Control Agency (EFCA)	Observer
Roberto Carlos Alonso Baptista	ANFACO-CECOPECA	Member
Rosalie Tukker	Europêche	Member
Sean O'Donoghue	Killybegs Fishermen's Organisation (KFO)	Member
Sergio López García	OPP Puerto de Burela	Member





Market Advisory Council

Representative	Organisation	Role
Silvia Gil	Federación de Asociaciones Provinciales de Empresarios Detallistas de Pescados y Productos Congelados (FEDEPESCA)	Member
Thomas Walsh	EU IUU Fishing Coalition	Expert
Tintti Vitikkala	Market Advisory Council (MAC)	Secretariat
Tuure Eskelinen	EuroCommerce	Member
Vanya Vulperhorst	Oceana	Member
Yobana Bermúdez	Asociación Española de Mayoristas, Importadores, Transformadores y Exportadores de Productos de la Pesca y Acuicultura (CONXEMAR)	Member
Zarah Bellefroid	European Association of Fish Producers Organisations (EAPO)	Member

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