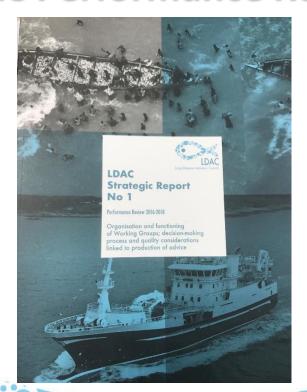


INTER-ACs meeting 2019 LDAC Performance Review



Brussels, 8th November 2019



BACKGROUND

- <u>December 2017</u>: Following the 10th anniversary of the LDAC creation, the **initiative was presented in the inter-Ac meeting**. The LDAC Executive Committee agreed to carry out a performance review study of the functioning of the organization.
- <u>June 2018</u>: A bidding process was launched by the LDAC to consultants with experience in the CFP and the work of the ACs. As a result, BG Consulting was selected.
- September 2018-1ST quarter 2019: the review process was done.
- <u>March 2019</u>: The **preliminary outcomes** were presented to DG MARE heads of unit and officials in Brussels.
- May 2019: the final publication was launched during the LDAC General Assembly, in Poland.



SCOPE (2016/2017, 2017/2018)

- Organisation of Working Groups
- Analysis of decision-making process
- Quality of production of advice and feed-back from EC
- Promotion of transparency



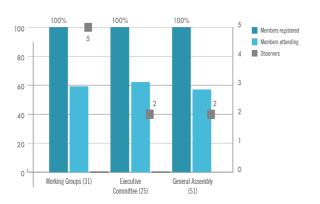


Methodology

- Qualitative face-to-face & remote interviews: with LDAC members (NGOs, productive sector, processors, Trade Unions), LDAC Secretariat and EC civil servants
- Analysis of existing documentation and legislation: LDAC work programme, rules of procedure, various LDAC's advice, EC replies...
- Observance and attendance to LDAC meetings: participation to LDAC WGs, Inter-AC meeting on impact of Brexit, LDAC Executive Committee meeting...









R.1: Strategic planning

Reset LDAC's core priorities through an extensive consultation of the GA members

Tools & task:

- Focusing on the four work priorities (i.e):
 - Management of resources
 - Creating a level-playing field at international level
 - Strengthening LDAC's role in the policy coherence for development
 - Promoting EU role in the international fisheries governance

Addressing these priorities on a multiannual basis would allow to:

Clarify LDAC's strategy Raise its profile & recognition from other bodies Be more influential



R.2: Foster informal & collaborative work to increase the preparatory work

Establish time-limited & targeted focus groups (with 5 members with knowledge on the topic, 1 appointed scientist/expert & EC services' focal point)

Tools & task:

- IT software to boost collective intelligence
- Secretariat to administrate the software & collect members 'knowledge and data
- Executive Committee to monitor and check the progress of proposals





R.3: Follow-up advice

Monitoring the impact of an advice should be done on a systematic basis in order to assess their influence & track the contributions in the legislative proposals of the European Institutions

Tools & task:

- Advice to be formalized
- Secretariat to check inclusion of advice in the legislative process
- Executive Committee to support & strengthen LDAC's advice amongst EU institutions





R.4: Strengthening international cooperation

Develop a comprehensive LDAC network and establish solid partnerships & stable relationships in the international arena.

Tools & task:

Executive Committee to foster international relations





LDAC 1st phase Performance Review

Full document can be found at:

www.ldac.eu

https://ldac.eu/images/LDAC_web-compressed_Performance_Review.pdf











Next steps: 2nd Phase Performance Review

The 2nd phase of the LDAC Performance review was approved by the LDAC General Assembly at its Annual Meeting in May 2019.

SCOPE / AREAS OF STUDY:

- → Cooperation & working practices with international organizations (incl. EFCA, RFMOs – NAFO & ICCAT, UNGA-DOALOS, FAO)
- → Communication policy and outreach
- → Aspects related to gender balance across sectorial policies
- September 2019: a bidding process was launched
- October 2019: BG Consulting was selected
- 4th Quarter 2019-1st Quarter 2020: drafting and delivery of final report





THANK YOU

www.ldac.eu











Representation of small-scale fisheries associations How the voice of SSF is heard in MEDAC







Importance of Small-scale Fisheries in the Mediterranean

- High social and cultural value
- Lower environmental impact compared to other fishing sector
 - > Wide variety of capture gears and target species
 - > Greater selectivity of the fishing gears
 - > Lower level of fishing efforts
 - > Seasonal nature
 - Expression of local knowledge and traditions
 - > Close connection with the existence of coastal communities



Predominance of SSF in the MED in terms of number of vessels and workers



SSF Associations in the Mediterranean



Moreover, the Low Impact Fishers of Europe (LIFE) is member in the 60%

MEDAC involves SSF in participatory approaches and decision-making processes, especially in WG5 "SSF and socio-economic impact", in WG1 "Reform of CFP" and WG4





Importance of small-scale fishing in the MEDAC – A documentation analysis

The last analysis of the MEDAC documentation carried out (2016): 101 Opinions and Letters and 202 documents

Since 2010 the SSF topic



It was mentioned in the 16% of the opinions and letters



It was discussed and/or mentioned in the 36% of the MEDAC meetings





www.med-ac.eu





REPRESENTATION OF SSF

Then, in the last years SSF management has been the main topic in the following MEDAC contributions:

- In 2016 MEDAC "Opinion on the interactions between recreational fisheries and SSF in the Mediterranean waters"



The debate started in 2014 concerning the most impacting conflicts between SSF and recreational fisheries





REPRESENTATION OF SSF

Other recent contributions on SSF agreed in the MEDAC

- In September 2018 MEDAC organized the **Side Event** at the «GFCM High Level Conference on SSF in the Mediterranean and the Black Sea», held in Malta, and titled «**Associating SSF to the participatory** approaches and decision-making processes: the role of fishing organizations»
- MEDAC started in 2018 the cooperation with the
 Friends of SSF platform (presented at the HLC in Malta in 2018). The platform is regional network aimed at promoting transnational cooperation and building synergies among ongoing work related to SSF.





RECENT CONTRIBUTIONS ON SSF

Moreover, during the meetings held in Venice in February 2019 a debate was started among the MEDAC members on the RPOA for SSF, as requested by the EU in light of the GFCM WG meeting in Montenegro and the GFCM HLC MedFish4Ever Initiatives



- MEDAC consultation (published in April 2019) on GFCM actions to be tackled as a **priority in the short-term** in the Regional Plan of Action of SSF:
 - Encouragement of **professional training** opportunities aimed to facilitate the generational turnover,
 - ➤ Equal opportunities and rights of women (throughout the entire chain)
 - Promotion of decent work (ILO 188)





SSF voice - MAIN ISSUES RAISED

There is no only one «small-scale fishery» definition.

The status of the fishing activity varies according to the vessel, the type of fishery, the season, the fishing area and the enterprise structure.

- Frequent conflicts (especially with trawlers and recreational fisheries);
- Lack of compliance with on board safety regulations;
- Lack of generational change;
- A low level of capitalization, extreme difficulty in borrowing and lack of capacity for investment and innovation;
- Obsolete vessels (on average over 30 years old);
- Low bargaining power on the market (except for direct sales in port or restaurants)

Micro-enterprises with high costs linked to bureaucracy and very volatile values of profitability of the enterprises







Improving the ACs: some problems and solutions

Anne-Cécile Dragon - WWF Jean-Christophe Vandevelde – The Pew Charitable Trusts

Inter-AC meeting, 8 November 2019, Brussels

What is the objective of the ACs?

"To contribute to the achievement of the objectives set out in Article 2" (art. 43)

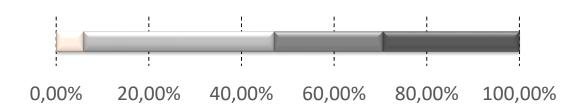
What is happening in the ACs? (or in some ACs?)

- Discussions on how to implement (parts of) the CFP
- but do AC really contribute to the timely achievement of CFP objectives?
- No, at least in several ACs.

Just a few statistics (NGO survey, Feb. 2019, n=19)

- Do you feel there is adequate NGO involvement in the AC(s) you sit on?
- Do you expect the involvement of your organisation to increase, decrease or stay the same over the next 2 years?
- Would you recommend another NGO in your country or region to work in your AC(s) even if they do not get external funding for it?

- Do you feel there is adequate NGO involvement in the AC(s) you sit on?



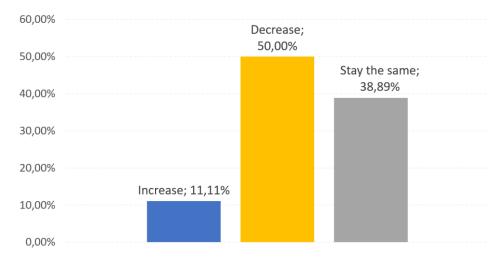
- Yes
- No, there are too few NGO representatives
- No, NGO representatives cannot put in enough hours to do the work
- Both 2 and 3

- Do you feel there is adequate NGO involvement in the AC(s) you sit on?



- Do you expect the involvement of your organisation to increase, decrease or stay the same

over the next 2 years

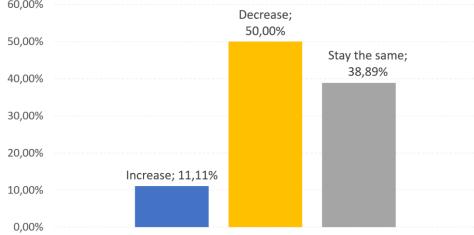


- Do you feel there is adequate NGO involvement in the AC(s) you sit on?



- Do you expect the involvement of your organisation to increase, decrease or stay the same

over the next 2 years



NO: 47,06%

- Would you recommend another NGO in your country or region to work in your AC(s) even if they do not get external funding for it?

YES: 52,94%

| Problems identified | Our constructive recommendations / good practices |
|--|--|
| Clarify what is the role of the ACs As OIGs don't have a mandate to re-litigate the CFP regulation. | The Commission to make it clear what ACs are and what they are not. Commission to monitor functioning and interfere when necessary; |
| | |
| | |
| | |
| | |
| | |

| Problems identified | Our constructive recommendations / good practices |
|---|---|
| Clarify what is the role of the ACs As OIGs don't have a mandate to re-litigate the CFP regulation. | The Commission to make it clear what ACs are and what they are not. Commission to monitor functioning and interfere when necessary. |
| Agenda mainly driven by industry: OIG time and energy is spent to control that advice are good enough. E.g.: time spent on discussing exemptions to the LO or validity of ICES advice compared to time implementing art. 8 and 11 | Shared ownership of the agenda Constructive drafting in line with CFP Commission to react when advice are not in line with CFP objectives |
| | |
| | |

| Problems identified | Our constructive recommendations / good practices |
|--|--|
| Clarify what is the role of the ACs As OIGs don't have a mandate to re-litigate the CFP regulation. | The Commission to make it clear what ACs are and what they are not. Commission to monitor functioning and interfere when necessary; |
| Agenda mainly driven by industry: OIG time and energy is spent to control that advice are good enough E.g.: time spent on discussing exemptions to the LO or validity of ICES advice compared to time implementing art. 8 and 11 | Shared ownership of the agenda Constructive drafting in line with CFP Commission to react when advice are not in line with CFP objectives |
| On the process/rules: Failure to reflect our minority positions Shortcomings and partiality of AC secretariats/AC chairs | Changes in AC rules: adoption of advice by consensus only? Protocols for the development and presentation of advice Shared best practices among ACs initiated by Commission |
| | |

Thank you for your attention

Improving the ACs: some problems and solutions

Anne-Cécile Dragon - WWF Jean-Christophe Vandevelde – The Pew Charitable Trusts

Inter-AC meeting, 8 November 2019, Brussels

Advisory Council

Good practice – the Role of the Chair

Basic rules – AC and Chair

- **1380/2013**, 2015/242, 2017, 1576
- Consensus, impartial, not member of ExCom

AC's advice on CFP and implementation of CFP

Role of Chair

- Secretariat
- Management of AC

Structure

Day-to day

Planning

The Role of the chair can not be seen in isolation



Advisory Council

The Role of the Chair can not be seen in isolation...

To make the Advisory Council work

- Members
 Involved
 Positive and active
 Representative
- Regional Groups
 Responsive/cooperative time frames
- Commission
- (Parliament)

Routes of advice.





Presentation of good practice by Advisory Councils: Ensuring high quality recommendations and their delivery in due time

PelAC Presentation

Inter-AC, 8 November 2019, Brussels, Belgium

Key Factors high quality recommendations

1. PelAC Initial objectives 2005

- a. Develop management strategies every stock
- No discussion sharing arrangements





Key Factors high quality recommendations

2. Based on robust scientific advice

- a. Great support scientific community
- Development & funding additional scientific research projects
- Participation ICES ADGs, Benchmarks and Workshops





Key Factors high quality recommendations

3. Building trust amongst Stakeholders

Vital component

4. Consensus Recommendations the norm

- Only one non-consensus recommendation in 14 years
- Total recommendations = 155
- Over 99% success rate





Key Factors high quality recommendations

5. Teamwork

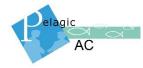
- a. Effective & efficient administration
- Key roles WGs, FGs, ExCom, MT, Chairs & Secretariat
- c. Preparatory Work in advance of meetings
- d. Active Participation of Members
- e. Focused Agendas
- f. Follow up on action items





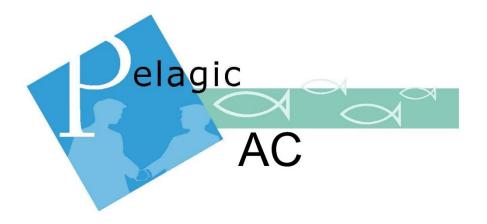
Delivery in due time

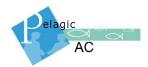
- 1. Setting appropriate meeting dates based on
 - a. ICES advice release dates
 - b. Coastal States meetings
- 2. Aware of Commission's deadlines
- 3. Anticipating difficulties
- 4. ExCom Flexibility adoption recommendations
- 5. Pro active Secretariat





Thank you!







Best Practices for ensuring high quality recommendations and their delivery in due time







BSAC

Baltic Sea Advisory Council

Demersal Working Group

They each have their own chairs and no fixed membership

Pelagic Working Group

Working Group on Ecosystem Based Management

- BSAC set up in 2006.
- Adopted a set of statutes AND rules of procedure for the BSAC.
- Have already 5
 times made
 amendments to the
 statutes and rules of
 procedure.
- A set of amendments proposed at November 2018 Extraordinary General Assembly not adopted.

Hard to keep making make separate amendments Agreed on a full revision needed >>>> Focus Group



Shorter, simpler + easier to read

The required 2/3 quorum for decisions in ExCom replaced by simple majority



New Rules of Procedure What's new?

For Gen Ass and ExCom written mandates can be included in the majority decisions

E mail decisions by ExCom need a maximum of 20 days

A fast track procedure is for the ExCom chair AND vice chair to coordinate

WG chairs can be elected for no more than three terms of three years

Secretariat sets a deadline for requests for interpreting

Secretariat will strive to provide web conference link at meetings

A personal data policy made clear on the BSAC website

Reference to EU Baltic Member States or to BALTFISH where relevant

One reference only at the start to EU legislation governing the ACs

Still elect the ExCom chair from within the General Assembly





Consensus is STILL the goal for the Executive Committee and the General Assembly



The Decision taking

But if that can't be achieved:

For General Assembly, we take a simple majority vote (including written mandates)

For ExCom we take a simple majority vote (including written mandates)

Dissenting opinions are recorded in the reports and recommendations

The rules of procedure are supported by:

 A clear set of Working Group procedures from 2016 – these feed into the ExCom work and decision-making process



• Terms of reference for its Management Team adopted 2019

• A set of Best Practices adopted 2019 – not rules, but a "perfect world" scenario







Finding consensus on fisheries policy isn't easy!





FISHERMEN



Continue operating their business

Ø.

KEEP
CALM
AND FIND THE
COMMON
GROUND

logical way

stakeholder

NGO'S



Reduce unwanted mortality

Agree the rules of engagement



Reinventing the NSAC

- → Review and agree statutes → Feb 2018
- → Review and agree rules of procedure → Nov
 2019
- → Have transparent chair selection process →
 Aug 2019



Opportunity to have a strategic discussion on the functioning of the AC



Representation of all stakeholders





- The NSAC will continue to give advice of the highest possible quality, declining to give opinionated, quick and dirty input on short notice to suit a political appetite.
- The chairman should at all times refrain from giving a partisan view when representing the AC. Making it clear to the world that the AC is a diverse stakeholder body where all opinions count but we base our advice on consensus.
- Change the status of the vice chairs so that when the chair comes from industry the 1st vice chair comes form the OIG and vice versa an industry 1st vice-chair if the ExCom chair is an OIG representative.
- Endeavour to have dual representation in all meetings where the AC is invited, it should be clear to all parties that an invitation to the AC will be interpreted as coming from at least two representatives.



Communication with management bodies



- Developed a MoU with the regional groups to facilitate coordination and cooperation after the CFP reform in 2013. The AC will revisit this MoU and see which additional agreement is needed to improve working relationships
- Active communication with the EC officials and Scheveningen group to ensure the relation remains positive but also to effectively manage expectations both ways.
- Assess the possibilities to engage the European Parliament by, for example, presenting our advice to the PECH committee meetings
- Assess the performance review the LDAC did and asses if this should be done to look at the effectiveness of the NSAC advice over the past 10 years. Should the AC choose to carry out a performance review this will be the basis for a conversation with the EC and regional groups on potential improvements.



Cooperation with other ACs





- The NSAC will make cooperation with other ACs a part of the strategic annual plan outlining specific activities like organising joint workshops and identifying possibilities for joint advice
- Actively share ToR's (Terms of Reference) on relevant advice subjects with other ACs inviting them to participate in the drafting process.
- The chairman will have an active role in approaching other ACchairs in setting op cooperation and gathering information on what other ACs are doing.



Smooth transition after Brexit



- Keep an active dialogue with all Brexit partners, asking for clarification and providing input where needed in the run up to Brexit.
- Endeavour to keep an active working relationship with the former AC-members from the UK, potentially including financial compensation for AC attendance.
- After Brexit take an active role (together with the LDAC and the PelAC?) in preparing for a new relationship with all partners around the North Sea to come to a new stakeholder forum.
- The AC chairman needs to ensure the AC is heard and that all AC members are informed about developments and that they have a chance to input.





Thank You







Inter-ACs meeting 8th November 2019, Brussels

Communicating on behalf of the Advisory Council: common challenges and good practices

by Emiel Brouckaert, NWWAC ExCom Chairman



Advisory Councils were established to enable the CFP to benefit from the knowledge and experience of all stakeholders.

Therefore, ACs should:

- Provide input to management decisions based on a balanced representation of all stakeholders;
- **Inform all relevant stakeholders** of management processes in fisheries in order for them to provide timely and relevant input.

How to ensure that communication on behalf of the AC is independent and impartial?

NWWAC communication strategy – Aims

- Increase awareness about NWWAC's work
- Improve existing dialogue with the audience
- Make the NWWAC's work more accessible to the audience
- Supply the audience with effective information to enable informed decisions

NWWAC communication strategy – Challenges

Target audience:

industry, OIGs, EU institutions, MS, scientific community



- Different languages (EN, FR and ES)
- Different opinions
- Different levels of engagement (language barriers, possibility to attend relevant meetings, type of organisation, ...)

Good practices – NWWAC internal communication

- Coordination by the Secretariat (with the Chairman's supervision)
- Main channels: email, face to face meetings, conference calls, website
- Identify all members and ensure that their specific interests and influence are understood and recorded
- Inform members how to contribute to decision-making and plan consultation and involvement as early as possible, in order to involve the right stakeholders at a meaningful time
- Keep members informed of progress before, during and after delivery of the advice
- Keep members informed of other members' opinions and positions
- Provide information/documents in all languages needed
- Monthly activity report to members

Good practices – NWWAC external communication protocol

- Official NWWAC documents, papers, reports, presentations, press releases or any other media carrying the name or logo of the AC are in general to be issued through the Secretariat
- The Secretariat consults directly with the Chairman and Vice Chairs in respect of any type of material to be disseminated carrying the name or logo of the AC
- The decision to consult with members of Executive Committee or with other members of the AC will be the responsibility of and at the discretion of the Chairman
- Members of the AC who express opinions on the work or any other aspect of the NWWAC should clearly indicate that such opinions do not, necessarily, represent the opinion of the AC.
- If an official comment on any issue is required from the NWWAC the request should be forwarded to the Secretariat and an appropriate response obtained from the Chairman and/or the Executive Committee as appropriate

Thank you!





Inter-ACs meeting 2019 - How ACs' advices were taken on board in 2018.



















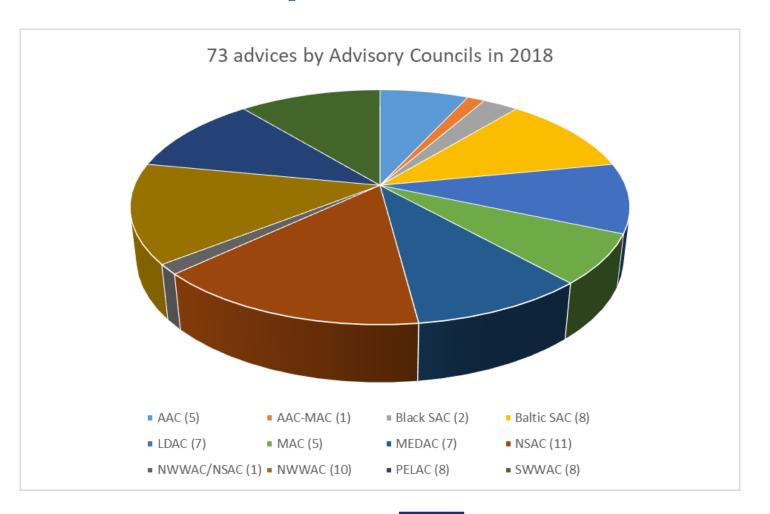


Pascale COLSON MARE-D-3

CFP and structural support, Policy Development and Coordination Coordinator of ACs

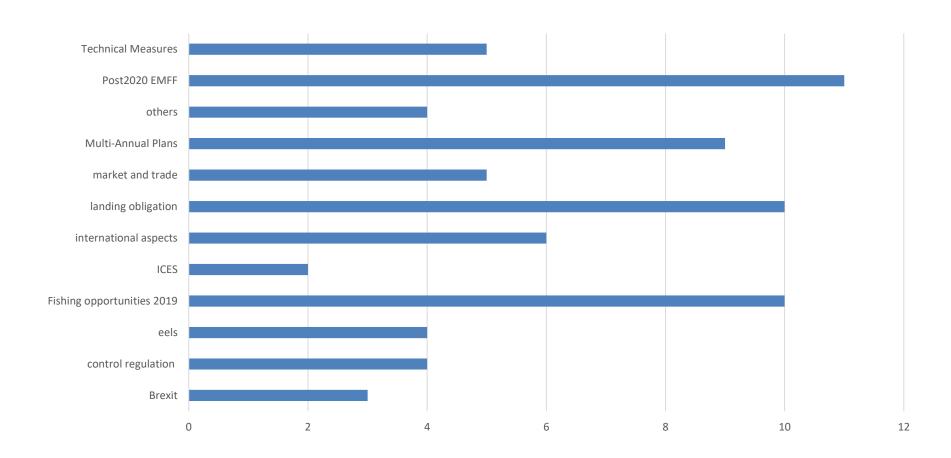


73 advices by 10 ACs in 2018





What were these recommendations related to in 2018?





How were these recommendations taken on board? (1/2)



- ✓ On the EMFF proposal, many priorities and recommendations were taken on board, but only under some conditions for some of them.
- ✓ Recommendations related to the implementation of the landing obligation highly contributed to the identification of potential choke solutions and the best available tools to deal with them.
- ✓ ACs were also associated to the preparation of 4 discard plans and of MAP for demersal stocks in the western Mediterranean Sea.

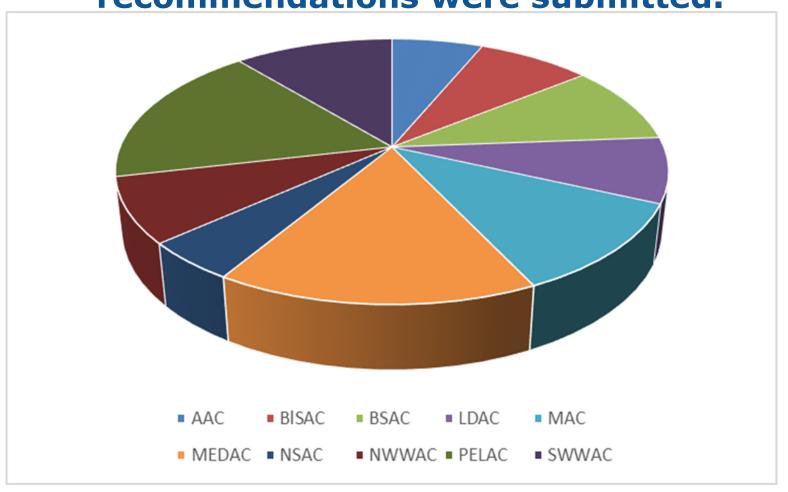


How were these recommendations taken on board in 2018 ? (2/2)

- ✓ The Commission paid great attention to ACs' recommendations on fishing opportunities when elaborating its proposals on TACs.
- ✓ The ACs' numerous letters to the Commission on the consequences the Brexit may have raised awareness on potential issues and contributed to the preparation of 2 Commission decisions on it.
- ✓ On the Control Proposal, some recommendations such as those on sanctions were incorporated.
- ✓ The support of ACs on Technical Measures was also very useful.

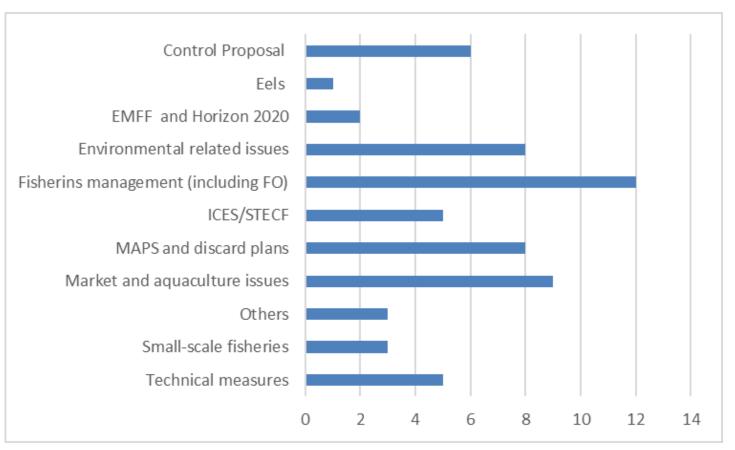


Between January and October 2019, 62 recommendations were submitted.





What were these recommendations related to in 2019?





To conclude

- ✓ You have the knowledge and experience we need when preparing new legislation. Your advices and recommendations are very useful on key legislative files and in the implementation of the CFP.
- ✓ The role you are playing in the context of regionalization is essential.
- ✓ We hope you will continue developing your advices.







THANK YOU FOR YOUR ATTENTION!

DO YOU HAVE QUESTIONS?







Role of the ACs in the Social dimension of the Common Fisheries Policy

Dovile.VAIGAUSKAITE
Structural Support, Policy Development and Coordination
Maritime Affairs and Fisheries DG
European Commission



Social objectives of the 2014 CFP

- Ensure that fishing activities "are managed in a way that is consistent with the objectives of achieving economic, social and employment benefits"
- Contribute to a fair standard of living for those who depend on fishing activities



Working conditions

- EU Directives on :
 - health and safety
 - working time
 - mutual recognition of qualifications
- International Conventions:
 - ILO work in Fishing (C188)
 - Training, Certification, Watchkeeping (STCW-F)
 - Torremolinos Convention/Cape Town Agreement



Governance

- Regionalization
- Advisory Councils: increasing interest.
 Coordination of findings and opinions needed.
- EU Social dialogue



Fair standard of living - funding

EMFF programmed:

- EUR 519 mio programmed for community led local development (CLLD):
 - Fisheries Local Action Groups (FLAGs)
 - **FARNET**
- EUR 65 mio for:
 - advisory services,
 - training projects,
 - promotion of human capital and social dialogue
 - health and safety projects
- Plus: support to young fishers



Documents to discover:

- Report from the Commission urging Member States to ratify the IMO STCW-F agreement: https://ec.europa.eu/maritimeaffairs/press/training-and-certification-fishermen-commission-adopts-report-calling-eu-member-states-ratify_en
- Joint guide by EU-OSHEA (European Agency for Occupational Safety and Health and EU social partners on risk prevention in small fishing vessels: https://op.europa.eu/s/npng



Latest developments

- STECF report on social indicators
- EESC opinion on the social dimension of fisheries
- Ongoing preparation new funding period



Upcoming...

- 15/11: Implementation by all Member States of Directive 2017/159 based on ILO Convention 188
- Report on the functioning of Common Fisheries
 Policy
- Entry into force of Cape Town agreement following Torremolinos declaration?
- ACs have a role to play in this area.

Thank you for your attention!





Inter-ACs meeting 9 November 2019 State of play – key files





















Elisa ROLLER
Head of Unit MARE-D-3
CFP and structural support, Policy
Development and Coordination



State of play of key files (1/2)

- . EMFF
- . Revision of the EU Fisheries Control System
- . Discard Plans



11 discard plans in place (1/3)

- 1. Turbot fisheries, Black Sea (DR 2017/87), ends on 31/12/2019.
- 2. Pelagic fisheries, North Western Waters (DR 2018/190), ends on 31/12/2020.
- 3. Pelagic fisheries, South Western waters (DR 2018/188), ends on 31/12/2020.
- 4. Small pelagic fisheries and fisheries for industrial purposes in the North Sea (DR 2018/189), ends on 31/12/2020.

11 discard plans in place (2/3)

- 5. Salmon in Baltic Sea (DR 2018/211), ends on 31/12/2020.
- 6. Demersal South Western Waters (DR 2018/2033), ends on 31/12/2021, DR submitted this year under scrutiny
- 7. Demersal North Western Waters (DR 2018/2034), ends on on 31/12/2021. DR submitted this year under scrutiny
- 8. Demersal North Sea (DR 2018/2035), ends on 31/12/2021. DR submitted this year under scrutiny



11 discard plans in place (3/3)

- 9. Cod and plaice in Baltic Sea (DR 2018/306), starts on 1/1/2018, evaluation of the impact of the survivability exemption to be done in 2020.
- 10.Demersal in MED (2018/2036), ends on 31/12/2021.Extension under scrutiny (period extended by 2 months by the EP).
- 11.Venus shells in MED (DR 2016/2376), ends on 31/12/2019. New DR adopted this year under scrutiny(period extended by 2 months by the EP).





State of play of key files (2/2)

Fishing opportunities:

- Baltic Sea
- Atlantic and North Sea
- Mediterranean and Black Sea

Support from EMFF for fishermen affected by the closure of the Eastern Baltic cod.







THANK YOU FOR YOUR ATTENTION!

DO YOU HAVE QUESTIONS?



