

# MEDITERRANEAN REGIONAL ADVISORY COUNCIL – MRAC

## DRAFT

### BRIEF REPORT OF THE CONSTITUENT GENERAL ASSEMBLY OF THE MEDITERRANEAN REGIONAL ADVISORY COUNCIL – MRAC Rome, 1 April 2009

**Chair: Ervio DOBOSZ**

List of participants: see Annexe.

1. The Chair, Ervio Dobosz opened the session by welcoming participants and gave the floor to the representative of the national authorities, Ms E. Gianocari, who welcomed participants on behalf of the Minister and the Director-General. Ms Gianocari thanked the Commission for its support throughout the process of the creation of the RAC. The RAC was the first project that would make it possible to work with all stakeholders and to put together a CFP specifically tailored to the Mediterranean. There were serious issues on the table with the reform of the CFP and the control system. The administration was an active observer in the RAC, but committed to collaborate fully. Mrs Gianocari expressed her pleasure at being able to welcome the Mediterranean stakeholders to Rome and wished the meeting fruitful work.
2. The European Commission, representative, Mr Papaioannou, welcomed the establishment of the seventh RAC, the strength of which lies in the diversity of interests represented. He thanked Medisamak and Ms Martinez in particular for all the hard work they had put into setting up the RAC, as well as the Italian authorities and the Italian organisations hosting this event in Rome. The RACs were a pillar of the CFP. Since the first RAC was created in 2005, more than 200 recommendations had been submitted to the Commission which had taken much of this advice into consideration, particularly that concerning the long-term management plans. Consensus was difficult to achieve but gave recommendations greater weight. The Commission would support the structure but emphasised that it was up to stakeholders to ensure the proper internal functioning of the RAC.
3. The agenda was adopted with a slight change, adding a presentation of the final statutes as registered and of the rules of procedure of the Mediterranean RAC.
4. The President asked participants to each present the interests they represented and say whether they were founding members, observers or from new organisations applying for membership.

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5. Regarding the statutes, Ms Martinez presented verbally the latest changes made by the European Commission after the last preparatory meeting in Malaga to facilitate the acceptance of the statutes by the Member States. On this point, it was pointed out that the article on the composition of the Executive Committee and the issue of two thirds/one third had been taken out of the statutes and was now included in the rules of procedure which could also be supplemented later if necessary. The Commission had also proposed a procedure in Article 5 in the absence of consensus. This would permit voting by simple majority, with dissenting opinions recorded in the minutes of the meetings. The rules of procedure were submitted to the General Assembly. After the presentation, **the General Assembly approved both the final version of the statutes registered in Rome** and the final version of the rules of procedure.
6. Mr Papaioannou (DG MARE) then briefly presented the RACs elsewhere in Europe, the European Commission's consultation process, and of the role of the RACs (PowerPoint presentation available on request). Giving greater responsibility to the sector and stakeholders via the RAC is a priority for the Commission to ensure better implementation the rules adopted by the Council. When subjects are of interest to several RACs simultaneously, it is recommended that they coordinate among themselves to avoid presenting diverging views. Regarding the functioning of the RACs, the Commission adopted in June 2008 a report on the governance of fisheries in Europe. The report makes recommendations on the future role of RACs in the framework of the CFP reform, anticipating the effects of the entry into force of the Treaty of Lisbon. This report concludes that some RACs are more advanced than others, that all have improved the dialogue between stakeholders, that the number of opinions and their quality are rising, and that the current legal framework is satisfactory. The criticisms relate to the Commission's taking insufficient account of RACs' opinions. The Commission will be drawing up a proposal in the coming months to modify the current legal framework. More in-depth discussion will take place in the context of the Reform process. In this respect, the Green Paper will be published on 21 April 2009 and an extensive consultation launched
7. The updated list of General Assembly members was presented to participants for verification. During the preparatory constituent meetings, many organisations had expressed their wish to participate. However, not all financial commitment letters of these organisations had reached the secretariat. Changes had occurred: the mergers of several organisations, withdrawal of membership applications, shift from full membership to observer status, etc. In addition, not all Member States had confirmed their financial support to the Mediterranean RAC.

On the subject of the list of members and membership applications, Mr Gil de Bernabé insisted that the RAC accepts only representative organisations that are recognised at national level, in order not to distort the majorities and avoid operational

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problems (logistical, political and budgetary, for example). He informed delegates that the FNCP had approved the creation of a national association of auction bodies given that 50 cofradías make use of auctions in the Spanish Mediterranean. The National Federation represents more than 3,500 vessels. The RAC must therefore imperatively demand explanations from Member States and candidates before accepting membership applications.

Ms Yolanda Piedra explained that IVEA EMPA had handed in a copy of its statutes at the Malaga meeting and at the same time asked to participate as an organisation in the last third (diversification activities). IVEA Empa had asked the Spanish government to confirm its recognition of the organisation. The confirmation would be faxed during the day.

Turning to Greece, Ms Martinez asked the Greek delegation for clarification on the situation of the 'Gesase' organisation, which had not sent any letter of commitment. In addition, a letter had been received by the secretariat two days before the AGM from the 'Hellenic Fishermen's Confederation' confirming its desire to join and attaching its letter of financial commitment. Mrs. Papadopoulou asked for a little patience for Gesace which was right now in a process of internal reorganisation and for it to be kept on the list of RAC members. Mr Katsotourchis said, confirming what Mr Gil de Bernabé had said, that it was important to know what interests were represented via the organisations federated in the RAC, and that the PEPM represented 90% of production in Greece.

The Chair, Mr Dobosz confirmed that it was impossible to accommodate in the Executive Committee a multitude of organisations from each country. He therefore invited all applicants to merge or consolidate. In the absence of a financial commitment letter by Gesase, this organisation could not be considered as a member or take part in the elections and the other decisions taken that date.

Ms Martinez reminded those present that the annual budget had been completed and adopted, and that it was difficult to make provision for transport and subsistence allowances for a large number of additional organisations without running into financial difficulties, because their annual membership subscriptions would not cover their costs for 10 meetings.

The AMOP representative asked to speak and expressed AMOP's desire to join the working groups but said it was not looking for a seat on the Executive Committee. Mr Dobosz regretted that this request had been made late and did not follow the procedures.

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As for national governments: Italy, Spain, France and Cyprus had sent their commitment letters. The Maltese administration had not responded to requests for financial support for the RAC.

Given the foregoing, the updated list of General Assembly members was approved in session.

Mr Minnini sought confirmation as to whether the ETF was included in the two first thirds. This was confirmed and would be discussed under the item relating to the Executive Committee.

8. Under the same item, members listened to oral presentations by several organisations applying for membership of the General Assembly, in particular:
  - Penelope, an organisation representing women in the fisheries sector and a member of the Europe-wide Aktea association. Aktea is fighting for the recognition of the work done by women in the sector, regardless of the various functions they perform within the family fishing business, according to the European directive of 1986. Aktea represents women from 11 European countries, individually or grouped in associations. The women hope that through the RAC they will have direct access to the European institutions and will be able to make their voices heard.
  - Federop-it: a national federation of 24 fisheries and aquaculture producer organisations. The federation is working to better exploit the product and reduce the number of intermediaries. Federop-it is seeking membership in order to get POs' voice heard by the European bodies.
  - IVEA Empa: a grouping four national associations. It wants to sit in the last third. The interests it represents include fishing-related tourism (pescaturismo), cleaning the seabed as a remunerated sideline, an association of women in sea-related professions, and finally, professional divers.
  - Coordination of fishermen of the Etang de Berre and the region: organisation of Mediterranean small businesses (tuna fishing with vessels under 18 m).

There was a brief discussion during which it is clearly pointed out that organisations applying for RAC membership must be representative and have government recognition to be accepted. This is because the Mediterranean RAC is very expensive to run and subscriptions cannot be increased indefinitely to cover the transportation and subsistence costs of every minority or local organisation wishing to join. The next day's Executive Committee would issue an opinion on these applications. The organisations which had submitted their applications for membership would be informed of the final decision.

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9. On the RAC budget for 2009, Ms Martinez presented the budget accepted by the European Commission in the framework of the signing of the grant contract. She explained that certain costs were high, particularly those related to interpretation into five languages and translations of papers into five languages also, as agreed in the preparatory meetings prior to the establishment of the RAC. These very expensive items conditioned the amounts available for other items. It had to be pointed out that the number of member organisations confirming their financial commitment had greatly reduced compared to the list of members drawn up following the latest preparatory meetings. For this reason the budget had been revised several times before final submission for approval by the Commission along with the grant application file.

The co-financing from the European Commission has a ceiling of 62% and a maximum of € 250,000. The fiscal year runs from 1/1/2009 to 31/12/2009.

Minor adjustments were possible by means of transfers from one heading to another with the prior written consent of the European Commission, depending on the development of the RAC's activities in 2009. Ms Martinez also said that, as of 1 April, the Italian delegation had been unable to obtain the bank guarantee which would allow the release of the Commission grant money and that therefore the RAC would not be 100% operational until such time that this important administrative matter had been resolved in Rome. Indeed, the recruitment of staff, the commitment of operating costs (furniture, website, reimbursement of meeting expenses, translation, interpretation, etc.) all depended on the available financial resources. The number of meetings planned for 2009 included one General Assembly, three executive committees and 5 full days of work. Participants did not formulate any questions and the draft budget was approved 'as is'. WWF pointed out that the annual subscription of 1,500 euros was the highest of all RACs. Ms Martinez said that this situation was explained by the lack of financial commitment letters and the number of working languages.

10. For reasons of transparency, the Chair gave the floor to Ms Martinez for the presentation of the 2009 work programme of the Mediterranean RAC, as submitted in the grant application and included in the grant contract between the RAC and Commission. Given the available budget and the institutions' annual timetable of meetings, the work programme contains some ten 'essential' meetings, including one general meeting, three executive committees, one meeting to prepare for the ICCAT plenary, one meeting to prepare for the GFCM plenary, one meeting with third countries, one meeting on scientific research in the Mediterranean, one meeting on the reform/crisis/EFF and one meeting on technical measures/management plans/control. All other issues arising during the year can be inserted in one or the other scheduled meeting but the first year's budget leaves little space for setting up one or more working groups that will generate multiple meetings in turn.

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11. Concerning the work programme of DG Mare and prospects for 2010 and beyond, Mr Lamplmair (DG Mare) presented a PowerPoint document (available on request) on the Common Fisheries Policy in the Mediterranean (framework regulation and regulation on technical measures), the international component (GFCM, ICCAT, partnership agreements), scientific support and the European Commission's work programme for 2009-2010. An allusion was made to the partnership agreements between the EU and third countries. The reform will focus on possible bilateral agreements with Mediterranean coastal states. Internationally, it will also be important to follow the work of the Barcelona Convention.

Scientific support is provided through STECF, which helps formulate policy and to bring issues for discussion at the RACs. Proposals by RACs may also be submitted to STECF for its opinion. FAO regional projects (international cooperation) like Eastmed, Copemed and Adriamed are also part of the scientific support in the Mediterranean. In addition to these there are also the GFCM and ICCAT scientific committees. European regulations on the collection of data make it possible to adopt more appropriate measures. Mention should also be made of research as such (7<sup>th</sup> Framework Programme which includes a fisheries section) and of the studies conducted by the Commission, institutes and universities that together make up a rich scientific base.

Concerning the Commission's work programme: in the context of the Mediterranean regulation it will be necessary to finalise the management plans sent in by States and submitted to STECF. Issues in 2009-2010 will be protected fishing zones and the respecting of technical measures. The RAC will be consulted upstream and downstream of any Community management plans. The work programme also provides for assistance to southern Mediterranean countries in certain tasks, via workshops (setting up fleet registers, VMS, IUU fishing regulation, pooling of experiences, etc.). Other work priorities are the Green Paper to be published soon and on which all RACs will be invited to give their opinion, and the 'control' package that is already under discussion. The RACs are not really called upon to express their views on the 'control' packages, which fall more within the remit of the Advisory Committee on Fisheries and Aquaculture. To be noted, finally, is the Action Plan for sharks, published recently as a Commission communication to the other institutions, and the ecosystem approach (the communication has been published and RACs are free to express their opinions).

12. Finally, General Assembly members heard brief presentations from the various candidates for the positions of Chairperson and Vice-Chairpersons. The candidates for the post of Chairperson are Mourad Kahoul and José María Gallart. For Vice-Chairman they are J. M. González Gil de Bernabé, G. Tumbiolo, D. Taoultzis, E. Iani, O. Ribalta, M. Ordan, De Cugis. Replying to a question from Mr Papaioannou, the

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Chair, Mr Dobosz specified that the Vice-Chairpersons' role is to assist the RAC Chairperson in his or her decisions. Mr Minnini reminded those present that it was good practice for these persons to be impartial, and willing and able to represent the diversity of interests represented in the Mediterranean RAC beyond those of their home organisations. Delegates were reminded that two Vice-Chairpersons should come from the two thirds and once Vice-Chairperson from the last third.

After a pause and after some discussion, Mr Mourad Kahoul (FR) was elected chairperson unanimously and by acclamation. Messrs. Oriol Ribalta (ESP), González Gil de Bernabé and Ettore were elected Vice-Chairpersons by consensus. Mr Dobosz congratulated all the appointees and also, for their courtesy and fair play, the candidates who had withdrawn to reach a consensus. He mentioned in particular Mr Tumbiolo, who wishes to maintain his proposal to move forward with his project of collaboration and cooperation among countries of the southern Mediterranean to ensure peace and prosperity in the region. Regarding the election of the Vice-Chairpersons, the reserves of the French Fédération internationale de pêche sportive were noted.

The elected Chairman thanked everyone for their confidence, and in particular Commander Dobosz. He committed himself to work vigorously to ensure the proper functioning of the RAC in a harmonious understanding of all interests represented. As Marcel Ordan emphasised, along with the sports fishermen, Mr Kahoul, a professional fisherman from a fishing family for five generations, had always fought against poaching and had worked to clean up the seabed, to install artificial reefs at Marseille, set up several nature parks, etc. Mr Kahoul had always sought to bring about frequent meetings between sports and commercial fishermen and monitor all fishing-related matters in international fora like ICCAT and GFCM.

13. The Assembly then considered the proposed composition of the Executive Committee as submitted for approval. During the debate, Mr Tumbiolo proposed the Unicoop Sicilia representative, Mr Amoroso to replace Ettore Iani who is already Vice-Chairman. Isabelle Viallon explained that the statutes stipulate that the Chairperson has no voting rights vote, but that the Vice-Chairpersons may serve on the executive committee and have the right to vote. The Chair, Mr Dobosz pointed out that the four Italian organisations were financially supporting the RAC and had participated in all preparatory meetings. They had also been represented in Brussels for many years. He stressed that organisations had been supposed to agree at national level, preferably before the General Assembly, on the composition of the Executive Committee. Mr Tumbiolo confirmed his unhappiness on this matter. Ms Martinez asked the Commission if a possibility existed to increase the number of seats of the EC. Mr Papaioannou mentioned the possibility of a rotation, given that not all RACs are in

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favour increasing the number of seats and that the procedure would take almost two years.

After the participants had agreed on the composition, Ms Martinez asked each country represented to name the representatives who will sit for each of the posts (titular representative and alternate) and took good note of the names submitted and pending appointments, including for the posts of alternates. The lists will be supplemented by written channels, especially given fact that certain member organisations are absent. Some posts remain vacant in the last third and can be supplemented later, particularly after acceptance or not of the organisations applying for membership. Mr Papaioannou requested that a certain flexibility be maintained for later organisations representing diverse interests.

14. Regarding the procedures for recruiting the Secretary-General and assistant, Ms Martinez presented the profiles that had been developed for these functions, in agreement with the European Commission. A debate followed, after which it was agreed that the Chairperson and Vice-Chairpersons would act as a selection committee to consider candidacies received after widely circulating the advertisements for the jobs (through the Commission, stakeholder organisations, existing RACs, etc.). Hiring interviews for shortlisted candidates would be held at the Rome headquarters. Candidates' transportation expenses would not be paid. Employment contracts would be established on the basis of Italian law.
15. Before closing the meeting, participants suggested that, like at other RACs, it be the Chairperson, Mourad Kahoul who sits on the Advisory Committee of the European Fisheries Control Agency in Vigo and that he appoint his replacement in the event of being unable to attend.
16. Mr Marzoa Dopico took advantage of the Constituent General Assembly to congratulate Commander Ervio Dobosz for his masterly bringing of the work to a good conclusion. Congratulating him for his long career in the maritime sector and thanking him for his dedication to the fisheries sector, he presented him with a decoration that can only modestly reward the effort and time spent both at the national and the international level.

Participants applauded Commander Ervio Dobosz, who closed the session, thanking the interpreters, the Commission members and Ms Martinez for their work.

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