

DRAFT MINUTES
LDAC EXECUTIVE COMMITTEE

Hybrid meeting: Madrid (NH Collection Eurobuilding) & Zoom
Wednesday, 18 May 2022
09:30-12:00 h

Chair: Iván López van der Veen

Vice-Chairs: Béatrice Gorez, Juan Manuel Liria and Marc Ghiglia

Rapporteurs (Secretariat): Alexandre Rodríguez and Manuela Iglesias

1. Welcome by the Chair and opening remarks by the Director General for Sustainable Fisheries, Ms. Isabel Artime, SGP-MAPA, Spain.

The Chair, Mr. Iván López, welcomes those present noting that today 18 May is **International Day for Women in Maritime**, and that 2022 is the first year where this day is celebrated to acknowledge women working in the maritime sector and will focus on: "Training-Visibility-Recognition: Supporting a barrier-free working environment".

As highlighted by IMO on Resolution A.1170(32) of December 2021, this is the day to "welcome the progress made in the maritime industry and lessons learned from the eminent women in the industry and the resilience and perseverance that drove their success".

He then welcomes the Director General for Sustainable Fisheries, Ms. Isabel Artime, Ministry of Agriculture, Fisheries and Food of the Spanish Government, who gives an opening speech and reminds attendees that the European Commission and the Spanish Government are the ones funding the LDAC.

The Director General for Sustainable Fisheries, Ms. Isabel Artime, starts her speech by expressing her gratefulness for having been invited and highlighting the importance of managing and protecting oceans and marine resources. Ocean governance cannot be understood without fisheries, since they play an essential role in the contribution to the 2030 agenda for sustainable development. Fisheries provide high quality protein, help eradicate hunger worldwide and also create jobs and generate wealth.

She then mentions the Law on Sustainable Fisheries and Fisheries Research passed on that same day.

As for the reform of the CFP, the Director General highlights the search for MSY, noting that it has to continue being a target, although the sustainable concept shall be addressed in a wider and more integrated way (including social and economic aspects). She then points out the importance of EU's presence at international level leading all fora, and the important role of RFMOs for all parties to continue with the correct management of fleets and resources.

The Secretariat informs that there is the necessary quorum for adoption of decisions by members present or represented.

2. Approval of the agenda.

The agenda is then approved with no comments or modifications.

3. Adoption of the minutes of the last Executive Committee - Madrid/Zoom, 16 February 2022

The minutes of the previous Executive Committee meeting held on 16 February 2022 are approved.

4. Presentations on present challenges to International Ocean Governance. - Reflections on work priorities for DG MARE in the CFP external dimension

The EC representative, Mr. Anders Jessen, summarises DG MARE's work priorities in the framework of different RFMOs and recalls the difficulty of holding meetings in virtual format only. He then informs on:

IOTC:

After three years, it is the first opportunity to meet face to face. The two relevant topics are:

1. The worrying situation of YFT in the Indian Ocean together with the reduction of catch opportunities, insofar as catch limitations cannot continue to be adopted while the rest increase their catches year after year.
2. FADs: very chaotic situation last year with Kenya's proposal. This year, Kenya's proposal arrived late, so only the EU's proposal will be discussed.

WCPFC:

In December 2021 a new measure was adopted for tropical tuna. Although it was successful, in some way it meant doing the same as the previous year. One of the problems are the numerous gaps and deficiencies found in the main conservation and management measures, particularly the wide exemption for Small Island Developing States (SIDS), of which China benefits from. For instance, half of the tropical tuna purse seine fleet uses FADs during the closure period thanks to exemptions. A measure relating to IUU fishing cross-listing could not be adopted. Unfortunately, FFA did not support it.

IATTC:

The priority for 2022 is the implementation of the latest resolutions on management of tropical tunas and PSMA. The other issue is the election of the new director.

ICCAT:

The next plenary is full of items for discussion:

- In terms of tropical tuna, regarding the key distribution of TAC, the possibility of increasing it (due to the situation of the stock) would enable to care for the increase for developing countries. FADs should not be an item for discussion this year, since a lot has been done.
- MSE process for BFT.
- As for shortfin mako, although not everyone is happy with decisions made last year, the recommendation provides a transition mechanism for some level of retention if certain requirements are met. However, the "battle" is not over yet in this regard. Discussions are also being held within CITES regarding the proposal of Panama that wishes to include the whole group of sharks -including blue shark- in Annex II.

NAFO:

The new fisheries scheme for shrimp 3M is still pending until the next annual meeting, since the intersessional meeting was cancelled due to the invasion of Ukraine. The result is uncertain, it is yet to be seen whether scientists will recommend reopening the fishery or not.

Regarding the Ecosystem and VME, last year the EU stressed the importance of enhancing

communication between scientists and managers in order to understand the aim of proposals suggesting new closures.

CCAMLAR:

Once again, the EU could not succeed in having 2 MPAs approved (MPAs in East Antarctica and the Ross Sea). It did succeed in increasing the number of members in favour, from 18 to 26 now, including USA this year. With the situation in Ukraine, pressure will only be exerted to increase sponsorship, although the proposals to be put forward this year are uncertain.

In response to the questions asked by the members, Mr. Jensen makes the following comments:

- Regarding ICCAT, the proposals to be presented have not been decided yet, but IUU fishing could be on the agenda.
- The International Ocean Governance communication is expected to be adopted in June. Focus is mainly placed on next steps and way forward.
- Panama's proposal at CITES on the inclusion of sharks in Annex II will be discussed within the ENV Council, but not within the AGRIFISH Council. DG MARE does not support this proposal since the scientific elements required for their support are missing due to the fact that the EU already has an attached fins policy.
- Regarding the situation of Spanish pole and line vessels in Senegal, licences have been unblocked thanks to the reception of the document that should allow to pay for the next sectoral aid. If it is delayed any further, it could lead to an eventual suspension of the SFPA, a situation that everyone wants to avoid.

During the exchange of opinions on the way of working with CITES, Mr. Jensen explains that in the CITES agreement there is already a provision stating that, when marine species are involved, more frequent consultations can be made not only to FAO but also to the RFMOs whose powers are being discussed. It has not been implemented yet. The first thing would be to convince environmental agents that it would be the way forward, both with CITES at European level and worldwide.

Within the European Commission, there are more regular meetings with colleagues dealing with environmental matters, there is no agreement on each topic, but communication has improved at least.

LDAC members showed their agreement on the importance to foster coordination among the different stakeholders in the marine environment.

- EJF report on activity of China's distant water fleet and LDAC proposal for advice – Julien Daudu (EJF / WG5 Chair)

Mr. Julien Daudu, EJF/WG5 Chair, gives a [PowerPoint presentation](#) on the report issued by EJF on China's distant water fleet. This report provides a comprehensive analysis of the vast, opaque and sometimes illegal global fishing footprint of China, in order to inform on the adequate and effective answers from decision makers regarding fisheries in China and worldwide.

Please click on the following link to access the presentation:

<https://ejfoundation.org/reports/the-ever-widening-net-mapping-the-scale-nature-and-corporate-structures-of-illegal-unreported-and-unregulated-fishing-by-the-chinese-distant-water-fleet>

Mr. Daudu then explains the LDAC draft advice on this matter.

LDAC members agree on the idea of strengthening the draft advice vis-à-vis what is being requested from the European Commission. Different topics are highlighted: the control system₃

of this fleet, the responsibility of coastal countries where the fleet operates and subsidies (with discussions at the WTO). In addition, a link was made to the European Commission communications on due diligence, forced labour and illegal work.

Discussions were held on the possibility of preparing joint advice with the MAC, since the fight against IUU fishing must also take place in the market. Once the MAC discusses the EIJ report, their involvement in the LDAC work on this matter will be decided.

ACTION: the MAC and LDAC secretariats will get in touch with one another to consider the possibility of preparing joint advice on the activity of China's distant water fleet. The LDAC informs that they will continue working on the advice and the MAC will decide whether once it is adopted by LDAC WG5 they are willing to support it.

- **Approval of WG4/WG5 advice on "the social dimension of Sustainable Fisheries Partnership Agreements (SFPAs) between the EU and Third Countries"**

Mr. Daniel Voces, in his capacity as advice coordinator, explains the basis of this advice and its arrangements:

https://ldac.eu/images/EN_DRAFT_v7_Social_Clause_SFPAs_10May2022_FGok.pdf

Comments received are discussed and it is decided at the meeting to introduce the possibility of Producers' Organisations using EMFAF for training, without forgetting dedicated funds within SFPAs.

The Executive Committee adopted the advice with these modifications.

5. Summary report on actions from the last LDAC Working Group meetings (22-24 March 2022) and adoption of advice:

- **Working Group 1.** The Chair, Mr. Michel Goujon, summarises the following actions/matters

ATLANTIC OCEAN - ICCAT:

Preparation of advice for ICCAT Annual Meeting 2022: WG1 agreed to start preparations of a draft LDAC advice containing the observations and comments from the members with focus on key stocks, namely tropical tuna stocks (YFT, BET, SKJ) and Atlantic Shortfin mako. The LDAC will also closely follow the development of MSE/HCR for Atlantic Tropical Tuna stocks. One of the identified issues was IUU fishing and lack of compliance by purse seine and long line fleets with non-EU flags (e.g. Ghana, Senegal, Taiwan, China) in relation to reporting of catches of bigeye tuna and mako. They also propose to link this obligation to comply with current MCS provisions with any coming discussions on quota reallocation given that the EU fleet is the only one consistently decreasing their quota and catch level in the last 7-8 years.

INDIAN OCEAN - IOTC:

Preparation of advice for IOTC Annual Meeting 2022: The LDAC will seek to draft a solid advice for the recommendations on tropical tunas focusing on YFT, including management of FADs, compliance issues by CPCs and issues related to fishing with large scale pelagic driftnets in the Convention area.

WESTERN PACIFIC OCEAN - WCPFC

The WG1 members will provide feedback, whether in writing or directly at the coordination meeting with DG MARE in preparation for the WCPFC Annual Meeting in 2022. Focus should be placed on harvest strategies for SKJ and southern albacore and South Pacific sharks (BSH and shortfin mako), as well as on potential target reference points for BET and YFT and compliance issues.

INTERNATIONAL OCEAN GOVERNANCE (IOG):

Draft opinion of role of RFMOs in the context of IOG-BBNJ: WG1 in coordination with WG5 will set a dedicated Focus Group to discuss the production of a LDAC opinion highlighting the role of (tuna and mixed) RFMOs within the context of IOG and forthcoming adoption of BBNJ treaty. The working document to be used as a basis for discussion will be the concept note written and presented by the WG1 Chair, Mr. Michel Goujon.

ATLAFCO-COMHAFAT:

Implementation of MoU between LDAC-COMHAFAT on the regional observer programme at sea and regional control scheme at ports: LDAC WG1 and WG4 will work jointly with COMHAFAT in developing a draft advice about the possibility of further developing a fully-fledged regional scientific programme of observers at sea as well as a regional control port scheme.

○ **Working Group 2** (Gerard van Balsfoort/Xavier Leduc)

The WG2 Chair notes that next week there will be a symposium on regional fisheries management of small pelagics in West Africa with the participation of scientists and managers, where the impact of climate change on these stocks will be analysed.

The following actions are then summarised:

NORTHWEST ATLANTIC FISHERIES ORGANISATION - NAFO:

The LDAC will work to develop advice on this RFMO prior to the annual meeting (third week of September), placing specific focus on management and technical measures related to key commercial stocks.

The LDAC will seek participation in forthcoming NAFO Workshops on Ecosystem and Precautionary Approach scheduled for August 2020.

WG2 will monitor the potential sanctions or deduction of quota applicable to Faroe as a result of its unilateral increase of catches above the allocated quota in 2021 for Cod in Subdiv. 3M.

COD IN SVALBARD FPZ AND NORWAY-EU NEGOTIATIONS

The WG2 Chair and the Secretary will prepare a letter on the state of play of the situation related to Cod in Svalbard as a matter of urgency. In the letter, the EU will be encouraged to be firm with Norway and to defend its historical rights and quota allocated as a result of the Paris Treaty which is duly reflected under the EU annual fishing opportunities.

NORTH EAST ATLANTIC FISHERIES IN INTERNATIONAL WATERS – NEAFC

- NEA Coastal States negotiations:

A point was raised by the PEW representative on the lack of inclusion under the EU delegation of NGO representatives for the NEA Coastal States meeting, unlike the case of UK and Scottish administrations where the registration process is automatic and there is transparent information for interested stakeholders on forthcoming meetings. This question might be raised by the LDAC at a forthcoming Inter AC meeting regarding the level of involvement of stakeholders in NEAFC.

- Proposal to set up an EU stakeholder forum in NEAFC:

The Secretariats of PELAC and LDAC will call for a joint Focus Group sometime in 2022 (open to other ACs) to discuss a concept note on possible scenarios and modalities for the setup of an EU stakeholders forum for the North East Atlantic Fisheries Stakeholders. Once agreed, the secretariats will consider the possibility of initiating a process for adopting a joint AC advice on this subject.

TCA BETWEEN UK AND EU

Regarding the role of stakeholders in the Specialized Committee on Fisheries, an Inter AC letter (PELAC-NWWAC-NSAC-LDAC-MAC) has been recently circulated for adoption and approval.

EU BILATERAL AND MULTILATERAL RELATIONS WITH NORWAY, FAROE AND ICELAND

WG2 agreed that it would be interesting to be in contact with the DG MARE unit on North Atlantic to follow up ToR and content of negotiations of a new EEA Fisheries Framework Agreement (the current one dates back to 1980) meant to be ready for early 2023.

○ **Working Group 4** (Julio Morón)

State of play of SFPAs

WG4 will flag any issues related to the implementation of the protocol of ongoing SFPAs plus concerns related to negotiation/renewal of new protocols. In this case, specific attention will be devoted to Morocco, Mauritania, Guinea Bissau, Guinea Conakry, Côte d'Ivoire, Gabon and Seychelles.

REGIONAL FISHERIES MANAGEMENT FOR SMALL PELAGIC SHARED STOCKS IN WEST AFRICA

A Focus Group will be set up to draft a specific advice on this topic, with special mention to the poor state of the sardinella stocks due to a lack of sound scientific evaluations, regional cooperation and political will from coastal states (Morocco, Mauritania and Senegal) and overexploitation of small pelagic stocks due to IUU activities.

ROLE OF EUROPEAN FISHING INVESTMENTS IN THIRD COUNTRIES

At the request of the LDAC Chair, a dedicated Focus Group / Steering Committee was launched to develop ToR for the setup of an international Conference (i.e. programme, logistics, venue, interested hosts/patrons and sponsorship, names of identified speakers and organisational protocols...).

OUTREACH AND NETWORK OF EXTERNAL PARTNERSHIPS

The aim is to strengthen the relationship with different partners such as FAO, AFRIFISH, COMHAFAT and ECOFISH.

○ **Working Group 5** (Julien Daudu)

Mr. Julien Daudu summarises the most important actions agreed:

Fight against illegal, unreported and unregulated fishing (IUU)

- Morocco:

A proposal for opinion or joint letter addressing a number of issues related to improving cooperation and governance regarding fisheries between Spain/EU and Morocco will be prepared. Once the draft document is ready, a Focus Group will be established. In parallel, the LDAC will follow the developments on the appeal to the recent ruling of the EU's General Court of Justice annulling the Council's decisions on EU trade and fisheries agreements in the Sahara dispute.

- Implementation of IUU Regulation and nationals engaged in IUU activities:

The Secretariat will invite DG MARE to the next WG5 meeting to make a presentation on the EU report on the study on nationals engaged in IUU activities. The Secretariat will make available the report from the European Court of Auditors on the implementation of the IUU Regulation.

LDAC contribution to EU online consultation on CFP: measurement of fishing capacity:

The Secretariat will launch a call for interest amongst WG5 members to set up a dedicated FG on capacity ensuring adequate representation from the fishing sector and OIG and inviting associated experts (naval engineers, shipbuilders, policy makers) to consider different options to the current system to measure fishing capacity in GTs.

International Ocean Governance

- EU Agenda for implementation of IOG: WG5 will follow the outcomes of the online consultation on items to be included in the IOG agenda, and will look at developments related to its publication in 2022.

- Deep-sea Mining – ISA: The Secretariat will share with WG5 members the latest scientific research paper published on Marine Policy on potential impacts of deep-sea mining on the environment mentioned by the DG MARE representative at the meeting, Ms. Arianna Broggiato.

EU Social Dimension and work with the EU Social Dialogue Committee

The Secretariat will launch a call for interest and set up a FG to discuss the recent Commission proposal for a Directive on corporate sustainability due diligence and decide on the next steps.

Interested WG5 members will monitor consultations and legislative developments around the Port State Control and Flag State directives and will propose a way forward for WG5 to engage in the consultations.

Russian invasion of Ukraine – socio-economic impacts on fishing activities

The Secretariat will seek clarification from DG MARE on the sum of temporary aid granted to EU fishing companies (not vessels) drawn from the EC Communication on Temporary Framework on State Aid.

Collaboration with EFCA

Mr. Julien Daudu was the main LDAC representative, assisted by Mr. Alexandre Rodríguez, at the EFCA Advisory Board hybrid meeting on 4 April. They both prepared a summary note to inform EFCA about work developments since last EFCA Advisory Board meeting and future priorities in the field of MCS. They also agreed to make a comment on the issue of implementation of FAO PSMA at EU ports by EU flagged vessels as a result of query posed by Matthew Camilleri from FAO on this matter.

6. Election procedure for the Executive Committee & change of HQ

- **Description of the election procedure by the Secretariat**

Mr. Alexander Rodríguez, General Secretary, explains the election procedure available on the LDAC website, on the following link:

https://ldac.eu/images/EN_Updated_Electoral_Procedure_Executive_Committee_LDAC_May2022.pdf

- **Candidatures received:**

- **Chair and Vice Chairs**

The General Secretary, Mr. Alexandre Rodríguez, informs about the candidatures received for the positions of Chair and Vice Chairs as follows:

- For the position of Chair:

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- Iván López (AGARBA) Catching sector
- For the position of Vice Chairs:
 - Vanya Vulperhorst (OCEANA) Other Interest Groups
 - Juan Manuel Liria (CEPESCA) Catching sector
 - Marc Ghiglia (CNPMEM) Catching sector

o Executive Committee members

Candidatures received for the position of member of the Executive Committee are explained by Mr. Rodríguez and are available on the following link:

https://ldac.eu/images/List_Candidate_Organisations_ExCom_2022-2025_5May.pdf

• Change of Secretary HQ - statutory requirement

The new HQ will be located on c/Núñez de Balboa 49-3^º izquierda. Madrid 28001.

The Articles of Association will be updated to include the new address.

12:00 AOB - Closure of the meeting

With no other issues to address, the session is adjourned by the Chair thanking members and observers for their attendance and collaboration, the LDAC Secretariat for their efforts in organising and coordinating logistics and documents, and the interpreting team for their excellent work.

The meeting is closed.

ANNEX I: LIST OF ATTENDEES
18 May 2022, Madrid/Videoconference

ON-SITE ATTENDEES

1. Iván López. AGARBA/CEPESCA
2. Béatrice Gorez. CFFA-CAPE
3. Juan Manuel Liria. CEPESCA
4. Rocío Béjar. CEPESCA
5. Marc Ghiglia. CNPMM
6. Juan Manuel Trujillo. ETF
7. Vanya Vulperhorst. OCEANA
8. Despina Symons. EBCD
9. Raúl García. WWF
10. Aivaras Labanauskas. Lithuanian Long Distance Fisheries Association

ATTENDEES via ZOOM

11. Luis Vicente. ADAPI
12. Tim Heddema. Dutch Pelagic Fisheries Association
13. Sean O'Donoghue. KFO
14. Roberto Alonso. ANFACO/AIPCE-CEP
15. Francisco Mari. Bread for the World
16. Emil Remisz. NAPO
17. Erik Bjørn. Living Sea
18. Einar Bergur Ingvarsson. ELDFFA (Estonian Long Distance Fishing Association)
19. Esben Sverdrup-Jessen. DPPO
20. Jean Christophe Vandeveld. PEW
21. Pierre Commere. FIAC

WG Chairs and Vice Chairs

22. Gerard van Balsfoort. DPFA (via Zoom)
23. Julien Daudu. EJF (via Zoom)
24. Daniel Voces. EUROPÊCHE (on-site)

ON-SITE OBSERVERS

25. Ignacio Fresco. OCEANA
26. Anne-France Mattle. EUROPÊCHE
27. Ment van der Zwan. EUROPÊCHE
28. David Troncoso. ANASCO
29. Isadora Moniz. OPAGAC
30. Alexandra Philippe. EBCD
31. Eduardo Míguez. Puerto Celeiro
32. Alexandre Rodríguez. LDAC
33. Manuela Iglesias. LDAC

OBSERVERS via ZOOM

34. Anders Jessen. DG MARE
35. Edelmiro Ulloa. OPNAPA/ACEMIX
36. Angela Cortina. OPP3
37. Rosalie Tukker. EUROPÊCHE
38. Katarina Sipic. AIPCE-CEP
39. José Beltrán. OPP-7 Burela
40. Yobana Bermúdez. Conxemar
41. Jeanne Delor. Earthworm Foundation – TUPA
42. Okeloh Namadoa. AFRIFISH
43. Ana Sedenko. Ministry of Agriculture of the Republic of Lithuania.
44. Annina Bürgin. Marinnleg
45. Carla Baz. Marinnleg
46. Guiomar Henares Rodríguez. Secretariat General for Fisheries, MAPA
47. Carlos Lorenzo Amigo. SG Legal Affairs, Secretariat General for Fisheries, MAPA
48. Isabel Artime. SGP
49. Teresa Ribera. SGP