

DRAFT MINUTES

GENERAL ASSEMBLY (second session) LONG DISTANCE ADVISORY COUNCIL (LDAC)

**Virtual meeting via Zoom (owing to COVID-19)
Wednesday, 12 May 2021
10:00 – 13:00 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.

The Chair, Mr. Iván López, welcomes all attendees to the second session of the LDAC 2021 Annual Ordinary General Assembly.

He then informs about the vote delegations received in writing prior to the meeting:

- Ms. Katarina Sipic (AIPCE) delegates to Mr. Pierre Commere (EUROTHON/FIAC)
- Mr. Erik Olsen (The Danish Society) delegates to Ms. Béatrice Gorez (CFFA-CAPE)
- Mr. Francisco Portelarosa (VIANAPESCA) delegates to Mr. Luis Vicente (ADAPI)
- Ms. Anna Boulova (FRUCOM) delegates to Mr. Michel Goujon (ORTHONGEL)
- Ms. Rebeca Díez (CONXEMAR) delegates to Mr. Juan Carlos Martín Fragueiro (OP ANACEF)

As agreed on the first session of the annual ordinary General Assembly held the previous day (11 May), the first item to be addressed is item 5 of the agenda of the first session, which was moved to the second session because of time limitations.

- Item 5 of the GA (first session, 11 May)

5. Update on administrative and organisational issues:

5.1. Annual ratification of the LDAC Chair

The Chair, Mr. Iván López, is unanimously ratified and will continue holding his position until the end of his mandate (3 years). Members are informed that there is 1 year left until the next election is held prior to 31 May 2022.

Mr. Iván López, Chair, thanks the members for their trust.

5.2. Proposal for structure of Working Groups and Focus Groups.

The Chair, Mr. Iván López, suggests working on a proposal for structure of Working Groups and Focus Groups to be presented and discussed at the next General Assembly meeting in 2022.

The following **ACTION** is agreed:

The LDAC GA members approve the proposal tabled by the Chair to create a Focus Group (made up of a balanced composition of stakeholders) to prepare a specific proposal to change the structure and issues to be addressed within Working Groups. Once this document is agreed by the Focus Group, it will be presented at the ExCom meeting to be held immediately after for detailed discussion in order to ratify it at the next annual General Assembly.

5.3. Review and amendment of the LDAC Rules of Procedure: proposal for annex to the Code of Conduct for virtual meetings (GA/Ex Com/WGs/FGs)

The Secretariat reminds attendees about the content of this document which is available to all members on the LDAC website.

DECISION:

An annex to the LDAC Code of Conduct relating to virtual meetings is unanimously approved, as previously presented at the Executive Committee held on December 2020, including comments received by members. It will be attached to the existing LDAC Code of Conduct for face-to-face meetings and will be made available to all interested parties through the LDAC website.

The presentation is available on the following link:

https://ldac.eu/images/EN_Code_of_conduct_and_annex_Virtual_Meetings_LDAC_27-04-2021_1.pdf

2. Reflections on the external dimension of the EU Common Fisheries Policy.

2.1. NGOs' perspective:

Ms. Antonia Leroy, WWF, makes a presentation on how to improve quality of LDAC advice including in her arguments considerations related to an ecosystem approach to fisheries and its impact on marine habitats and ecosystems.

The presentation is available on the following link:

https://ldac.eu/images/Antonia_Leroy_EAFM_Presentation_12-05-2021.pdf

Following Ms. Leroy's presentation, there is a discussion that leads to an agreement on the following

ACTIONS:

- Ms. Béatrice Gorez suggests the inclusion of environmental, social and economic impact assessments regarding the conservation and management measures proposed in future LDAC advice, as well as impact assessments of the long distance fleet industrial fisheries activities in coastal communities. Besides, measures should be added to make up for and mitigate potential detrimental effects on ecosystems.
- Mr. Sean O'Donoghue suggests reviewing ICES work on the ecosystem approach at the WKIrish on the Irish Sea for reference purposes.
- GA members agree to set up a focus group to address this issue in order to clarify how this action might be implemented. This Group's Terms of Reference will be based on the analysis of existing work by ICES and other relevant bodies (such as NAFO) to highlight those central and constitutive elements that may inform on the structure of future LDAC advice and allow for discussion with DG MARE and DG ENV focal points.

The Secretary, Mr. Alexandre Rodríguez, adds that there is very useful material that could be considered for this task. This material was presented at the annual meeting between ICES, Advisory Councils and other observers (MIACO). This material includes recent publication of reports on the state of ecosystems of some ecoregions, both in EU waters and in international waters in the North East Atlantic. This information is available on the following links:

ICES ecosystems by advisory areas: [ICES ecosystems and advisory areas](#)

ICES ecosystems overviews: [ICES ecosystem overviews](#)

- Presentation on: Evaluation of CFP: the case of the external dimension

Mr. Jean-Christophe Vandevelde, PEW, makes a presentation on the milestones of the EU fisheries policy throughout the last decade. These include the reform process for the current CFP (2009-2013), the implementation of the CFP currently in force (as of 01/01/2014) with greater stress on the achievement of fisheries management according to Maximum Sustainable Yield (MSY); control of fisheries activities and fight against IUU fishing, processes for normative simplification and regionalisation, including multiannual management plans, technical conservation measures and the effective implementation of the landing obligation for the period 2015-2019, the governance framework and consultation to stakeholders.

He finishes his presentation explaining future challenges.

Pew's presentation and report are available on these links:

https://ldac.eu/images/Pew_Presentation_AG_LDAC_12-05-2021.pdf

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

Then, Mr. Gerard van Balsfoort, DPFA, thanks Pew for sharing their reflections. Regarding the report presented clarifies that the core objectives of the CFP against overfishing are in some cases mitigated at practical level when analysing stocks and trying to achieve sustainable management in accordance with the CFP objectives, as it has been previously discussed within the PELAC. In addition, he highlights that in the North East Atlantic, after Brexit, the EU is not the main actor any more in terms of specific weight in this governance scenario, so we all need to adapt, not only the fisheries sector but also NGOs that monitor and promote the good use and management of shared resources. He gives the example of pelagics, of their historical development and the current situation compared to what the UK and Norway do.

As for the development of Article 15 of the CFP regarding the landing obligation, he points out that they were very critical at the time, there were changes in the implementation and one of the conclusions was that this CFP measure is not useful or effective to achieve the targets set. In his opinion, if an ecosystem approach is applied to fisheries management, a realistic sectoral policy that is feasible in terms of implementation needs to be built.

Mr. Sean O'Donoghue, KFO, explains that Brexit has changed everything. United Kingdom, Norway, Faroe Islands and Iceland have their own points of view and unilateral strategies which are different to those of the EU. With this new reality, the CFP is not going to be the main regulatory basis or "roadmap" to manage many stocks. In this regard, he recalls that there are 124 shared fisheries stocks in the Trade and Cooperation Agreement (TCA) between the United Kingdom and the European Union, 76 of which are bilateral/trilateral with coastal states. Hence, the future Specialised Committee on Fisheries between the EU and the UK will have a very important role as a decision-making lab. It is still unclear to both parties how stakeholders' participation will work and how it will be articulated within the said Committee.

Lastly, he highlights that Article 15 of the CFP is not adequate to the target set and has not been adapted to the new circumstances. He believes that the fact that Article 14 was not key to promote the avoidance and reduction of catches was a mistake in the reform of the CFP. In his opinion, emphasis should have been placed on Article 14 rather than on Article 15, since it has led to an unworkable situation with plenty of exceptions and derogations. There is a need for a change in approach.

Mr. Raúl García, WWF, points out that the current CFP Regulation is underused and that good use may still be made of it. As for management aspects, decentralisation is being hard to apply when

taking measures adapted to fisheries' real circumstances. In addition, most commercial species still do not have robust multiannual management plans, prioritising the development of short-term discard plans over medium and long-term multiannual plans. According to him, it would be worth studying how to foster the application of Article 17 and thus encourage more equitable, sustainable and resilient fisheries, and include ecosystem and biodiversity-related considerations, since in many countries almost no progress has been made in these areas. Moreover, progress should be measured using bio-economic models to assess fisheries and stocks and increase consistency levels among the different fisheries-related policies.

2.2. Industry perspective:

- Presentation by Javier Garat (Europêche/CEPESCA)

Mr. Javier Garat, CEPESCA, highlights the results of the annual report published by the EU Scientific, Technical and Economic Committee for Fisheries (STECF) on the economic behaviour of the European fleet, with the participation of the LDAC. He believes that further investments should be made in fisheries applied research and science to include socio-economic data and forecasts of present and future trends. He points out that the report does not include EU fisheries investments in third countries, even though it is an important fleet both in number of vessels (over 400 in Spain) and in catches (800,000t in fish and shellfish in Spain), and that they are in turn tools for development cooperation.

He places special emphasis on the importance of the EU distant water fleet (56% of the total number of catches in Spain) as well as in the reduction of units and effort carried out in the last decades. Furthermore, he recalls the robustness of the regulatory framework for this fleet, based on the SMEFF and IUU Regulations, RFMOs' resolutions, SFPAs protocols and international law instruments related to international ocean governance in order to achieve sustainability based on the three dimensions: environmental, social and economic.

Mr. Garat's full presentation available on this link:

https://ldac.eu/images/Europ%C3%A0che_J.Garat_presentation_LDAC_External_Dimension_CFP.pdf

A round of questions follows and attention should be drawn to the following aspects:

Mr. Javier Garat, CEPESCA, underlines the importance of consistency when negotiating SFPAs and trade agreements by the EU, in fact, mechanisms aiming to achieve a level playing field should be sought. (He mentions the different tariffs as an example).

Mr. Raúl García, WWF, insists on the importance of the impact of carbon footprint and the protection of biodiversity regarding bottom trawling, factors that are also linked to fisheries environmental and socio-economic aspects. In fact, he highlights a publication by Nature where it is said that trawling activities release CO₂ held in the seabed, with an estimated value ranging from 600 to 1500 million tonnes per year.

He recalls that barely 3% of the total surface of planet earth is still virgin with no commercial exploitation of any kind. In his opinion, at least 10% of marine protected areas should be entirely closed to fisheries and other human activities.

Ecological transition towards a sustainable exploitation model is essential for the future of our

planet, as temperature increase scenarios from 3 to 5 degrees Celsius are expected for biosphere.

He underlines important projects, such as INTEMARES, which they are part of, and that he believes are good initiatives to protect these areas and reduce the environmental impact.

Mr. Juan Manuel Trujillo, ETF, requests the EU to encourage and help other countries to implement the European model and promote responsible fisheries, increasing the development potential of their industries and infrastructures in third countries.

To conclude, Mr. Javier Garat, CEPESCA, clarifies the importance of traceability in fish consumption. He adds that he sees marine protected areas as good complementary management tools, but that he is worried about random figures being set, such as 30% by IUCN/CBD, without having a scientific basis.

Mr. Iván López, AGARBA, agrees with Mr. Garat and insists on the importance of reaching a level playing field in terms of regulatory compliance for all fishing operators and when using access to the EU market as a deterrent and control tool to ensure compliance with standards in line with the objectives of the CFP.

3. Presentation on the social and labour dimension – Daniel Voces, Europêche

Mr. Daniel Voces, Europêche, starts his presentation explaining the economic and social impact that the health crisis and mobility restrictions caused by the COVID-19 global pandemic have had on fisheries.

He then describes relevant milestones, such as the European Parliament resolution called “Fishers for the Future”, as well as the joint and coordinated work with European social partners in the fisheries social and labour dimension. He explains that Europêche, in coordination with ETF, presented several initiatives aiming to mitigate the impact caused by COVID-19 (access to vaccines, crew changes, amendment to the EMFF, etc.) a guide to prevent accidents at sea or to hire migrant workers.

Regarding communications and digital tools, the launch of mobile app “Fishery Speak” as a tool to facilitate communication on safety of seagoing vessels was announced, as well as access to glossaries with fisheries-related terminology in different languages.

Mr. Voces’s presentation is available on the following link:

https://ldac.eu/images/Europ%C3%A4che_presentation_LDAC_Social_Dimension.pdf

After some discussion, the following **ACTION** is agreed:

Ms. Béatrice Gorez, CFFA-CAPE, suggests working on a draft opinion on the effective implementation of the social clause in existing SFPAs, carrying out a benchmark and trying to see what elements there are and how they work in practical terms.

4. International Ocean Governance:

4.1. Update from DG MARE on state play of negotiations for BBNJ Treaty.

The representative of the EC, Mr. Ramón van Barneveld, starts by thanking the LDAC for their contributions and informal conversations in the framework of international ocean governance.

As for the negotiations timeline of this global treaty, he informs that the pandemic caused by COVID-19 had a considerable impact since the fourth session of the Intergovernmental Conference which was initially planned for March 2020 had to be postponed. However, they thank the Singaporean chairmanship for holding informal meetings with the different delegations in order to know the state of play of pending topics to be able to move forward.

During these meetings, the different parts of the Draft BBNJ Treaty were addressed:

- 1) Marine genetic resources
- 2) Establishment of marine protected areas and area-based management tools
- 3) Environmental impact assessment
- 4) Fisheries capacity-building and technology transfer
- 5) Cross-sectional matters necessary to make the treaty operational

Five informal intersession thematic meetings were held (one per section) in the last year among 6-7 contracting parties in average. Worthy of mention is the absence of important actors, such as Russia and China, in these meetings.

In addition, virtual meetings were held with different stakeholder groups, such as High Seas Alliance (which includes Pew and Greenpeace, among other) with expertise in high seas management.

Besides, he points out that member states have made the most of their time, have actively listened to other parties and have conveyed their position. This was important when preparing the negotiation. The ultimate ambition is to succeed in adopting this treaty.

Regarding the issue of whether discussion on the inclusion of fisheries in BBNJ negotiations continues, he says that fisheries should remain out of the negotiation scope and excluded from the definition of marine genetic resources, since it is already in the field of competence of RFMOs.

As for coordination between the area-based management tools and marine protected areas, delegations are the ones to ensure consistency among existing RFMO provisions on MPA with regard to BBNJ. Multisectoral plans with specific actions need to be defined, the regulatory and implementing powers of which have to be determined by the relevant body in each situation. In this case, the adoption of measures such as the one related to Vulnerable Marine Ecosystems could be strengthened and maybe expanded to other activities beyond fisheries.

BBNJ negotiations offer the opportunity to join and link bodies such as ISA or IMO for their efforts to be more effective and for a holistic approach to be taken for high seas management. The idea is not to have a higher body, since it does not have any mechanisms to ensure that all measures become linked and are effective.

The BBNJ secretariat is in charge of managing the daily work, although there will be a management body that will meet regularly, as well as a scientific and technical body made up by experts.

4.2. Overview of international processes related to conservation of marine biodiversity and management of fish stocks (UN-FAO-UICN-CBD)

Ms. Despina Symons, EBCD, makes a presentation where she summarises the main international processes related to marine biodiversity conservation and fish stock management. The presentation is available on the following link:

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

5. Follow up of EU public consultations and policies: way forward.

5.1. Biodiversity Strategy.

Mr. Alexandre Rodríguez, General Secretary, summarises this item based on the presentation made by the EC at the Inter-AC meeting (on 5 May) that is available on the following link: https://ldac.eu/images/EC_Presentation_InterAC_Biodiversity_Strategy_5May2021.pdf

5.2. Evaluation of SFPAs.

Ms. Béatrice Gorez says that the EC is carrying out an evaluation of SFPAs with the collaboration of the LDAC. This AC will continue its active participation to reply to any questionnaires received. The results and conclusions will be made available in the fourth quarter of the year.

For more information on the consultation, please click on this link: <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12728-Fisheries-evaluation-of-the-EU%E2%80%99s-sustainable-fisheries-partnership-agreements-SFPAs-es>

Closure of the meeting:

Before concluding the meeting, an LDAC video is shown, which was updated on May 2021. This video is available in three languages (English, French and Spanish) on the following link: <https://www.youtube.com/watch?v=3SaFR6NDGhM>

The Chair, Mr. Iván López, closes the session thanking the members and observers for their attendance and active participation; the interpreting team for their work throughout the meeting and the Secretariat for all the work in terms of logistics, organisation and content in preparation for this meeting.

The second session of the annual ordinary General Assembly is officially closed.

List of attendees
Long Distance Advisory Council General Assembly
Second session
Zoom, 12 May 2021

MEMBERS

1. Iván López. AGARBA/CEPESCA
2. Béatrice Gorez. CFFA-CAPE
3. Emil Remisz. NAPO
4. Juan Manuel Liria. CEPESCA
5. Javier Garat. CEPESCA
6. Rocío Béjar. CEPESCA
7. Luis Vicente. ADAPI
8. Vanya Vulperhorst. OCEANA
9. Sigurður Steinn Einarsson. DHV/DFV
10. Julien Daudu. EIJF
11. Christine Adams. Seas at Risk
12. Michel Goujon. ORTHONGEL
13. Rosalie Crespín. CNPMMEM
14. Despina Symons. EBCD
15. Jacopo Pasquero. EBCD
16. Juan Manuel Trujillo. ETF
17. David Troncoso. ANASCO
18. Juan Carlos Martín Fragueiro. OP ANACEF
19. Ferenc Szalay. Confédération Internationale de la Pêche Sportive- CIPS
20. Yaiza Dronkers. International Pole & Line Foundation
21. Juana Parada. ORPAGU
22. Sara Fröcklin. Swedish Society for Nature Conservation
23. José Manuel F. Beltrán. OPP Lugo
24. Rosalie Tukker. EUROPECHE
25. Daniel Voces. EUROPECHE
26. Mati Sarevet. ELDFA
27. Francisco Mari. BFW
28. Roberto Carlos Alonso. ANFACO-CECOPECA
29. Esben Sverdrup-Jensen. Danish Pelagic Producers Organisation
30. Raúl García/Antonia Leroy. WWF
31. Gerard van Balsfoort. DPFTA
32. Xavier Leduc. UAPF
33. Sean O'Donoghue. KFO

OBSERVERS

34. Ramon van Barneveld. DG MARE B1 Ocean Governance, Law of the Sea, Arctic Policy
35. Jesús Iborra.EP
36. Irene Vidal. EFCA
37. Paulus Tak. The Pew Charitable Trusts
38. Jean-Christophe Vandavelde. The Pew Charitable Trusts
39. Jeanne Delor. TUPA - Earthworm Foundation
40. Anna Gruszczynskar. Ministry of Maritime Economy and Inland Navigation Poland.
41. Teresa Molina. Ministry for Agriculture, Fisheries and Food (MAPA) Secretariat General for Fisheries
42. Margarita Mancebo. Ministry for Agriculture, Fisheries and Food (MAPA) Secretariat General for Fisheries
43. Amaia Silanes. Ministry for Agriculture, Fisheries and Food (MAPA) Secretariat General for Fisheries
44. Jorge Tovar. Ministry for Agriculture, Fisheries and Food (MAPA) Secretariat General for Fisheries
45. Sophia Kochalski. Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)
46. Sonia Doblado. Farfish Project
47. Alexandre Rodríguez. LDAC
48. Manuela Iglesias. LDAC
49. Marta de Lucas. LDAC