



MINUTES

34th Working Group 5 Meeting – HORIZONTAL ISSUES

Wednesday, 16 October 2024, 09:30-17:00h CEST

Venue: Martin's Brussels EU Hotel - Boulevard Charlemagne 80, 1000 Brussels

Chair: Julien Daudu (EJF)

Vice Chair: Daniel Voces (Europêche)

1. Welcome by the Chair

WG5 Chair, Mr. Julien Daudu, welcomes all members and observers, including rapporteurs, representatives of the European Commission and of EU Member States' national administrations, and notes apologies for Mr. Juan Manuel Trujillo's absence (ETF).

The complete list of attendees is included in ANNEX I.

2. Adoption of minutes of the last WG5 meeting – 6 March 2024

The minutes of the previous WG5 meeting are approved with no changes or additional comments.

3. Approval of the agenda

The draft agenda is approved with no changes or comments to it.

4. DG MARE Dedicated Session on Evaluation of the Common Fisheries Policy (CFP)

4.1- Intro by DG MARE on timing and process of the CFP evaluation

The EC representatives, Ms. Julia Rubeck and Ms. Laurene Jolly, make a presentation that is available on the following link:

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

4.2- Feedback from the LDAC: Queries, comments and dialogue on how to improve the CFP focusing on the External Dimension

After several questions, the EC representative, Ms. Isabelle Garzon, replies as follows:

- All stateholders will be able to participate in the consultation.
- As for fishing companies with external investments (joint ventures), the EC is much interested in receiving a potential LDAC advice. She considers it appropriate to be able to have a transparent framework for investment in third countries.
- Regarding financial support, she recalls that the Gateway programme, which focuses on sustainable growth, was launched as part of the support for third countries, so she explains the framework of the programme and encourages companies to make use of these funds and apply for them.
- She informs that the EC has just published a mid-term review through DG INTPA that seeks a combination of private funding and ways to stimulate ocean governance sustainable management.

- Since the fisheries framework is so wide, it is of the essence to work with DG INTPA in order to improve sustainability and the blue dimension. The idea is to make the most of this opportunity to study what else can be done in the near future.
- She highlights the importance of working on both dimensions: at fisheries level and to achieve an ocean partnership. Part of the mission letter will address this. This is an important action for the coming years, it is a strategic approach linked to the evaluation of the CFP.
- Ms. Garzon explains that there are two new developments on which it remains to be seen whether changes will be implemented: one regarding the control regulation (new traceability rules for fresh and frozen products) and another one on the introduction of new rules for catch certification and catch certificates.

For her part, Ms. Laurence Jolly, EC, notes that there is a need to know the impact assessment of the European Maritime Fisheries and Aquaculture Fund (EMFAF). In fact, she points out that the CFP regulation is a framework and an opportunity to ensure consistency with the external dimension.

After discussing this issue, the following **ACTIONS** are agreed:

- **The EC representative, Isabelle Garzon, will send the LDAC Secretariat information on the Africa-Europe Working Group¹.**
- **A letter will be prepared to be sent to DG MARE on the potential use of the Global Gateway programme for European fisheries investments in third countries (joint ventures)**

4.3- Way forward: identification of elements for a draft advice and setup of a dedicated Focus Group

Mr. Julien Daudu, Chair, says that a Focus Group will be convened to start preparing a draft advice on the external dimension.

¹ The information received after the meeting is the following:

“ Africa-Europe Strategy Group: in case of need for further information on the Commission side, the contact person in DG MARE is Bénédicte Caremier, in Unit B1.

Regarding the Global Gateway and EU external financing, you can also contact Bénédicte for further information. As to the Commission report I referred to, you can find it here: [The EU's revamped International Partnerships - European Commission](#)

You can go deeper by reading the evaluation of the external funding instruments: [Evaluation of the European Union's External Financing Instruments \(2014-2020 and 2021-2027\) - European Commission](#)

And coincidentally, just published as well, a joint report takes stock of progress in the implementation of the Global Gateway Africa-Europe Investment Package. It was drafted jointly by DG INTPA, DG NEAR, the AU's Development Agency AUDA-NEPAD and the African Union Commission: [Joint report European Commission – AUDA-NEPAD: implementation of the 2030 vision - European Commission](#). It pinpoints examples of actions linked to our portfolio:

- 17) Blue Med Partnership
- 18) Africa-Europe Ocean Strategic Group
- 19) Africa ocean regional programmes
- 20) TEI Tanzania
- 58) Port of Cotonou”

5. Fight against illegal, unreported and unregulated (IUU) fishing

5.1- EU IUU carding process: questions from members on the state of play of dialogues with non-EU countries (based on a list of countries of interest and questions from the members shared with the Commission beforehand)

The EC representative, Mr. Roberto Cesari, informs on new developments in the following countries:

- Senegal: the first audit was carried out last week following the yellow card in April.
- Cameroon, Indonesia and Malaysia: there are no active exchanges, so there is no activity or news to report.
- Ecuador: with a yellow card since 2019. Following the dialogues, two shortcomings have been identified: control of landings and imports at tuna processing plants. Quota laundering has been identified both in the Indian and Atlantic Oceans, so enhanced control is recommended in processing plants. Worthy of mention is also the implementation of the sanction system of the new fisheries law, as it is not yet fully operational.
The progress report on this country was received in September, but no evolution is going to take place until these two aspects are improved. Information will be provided in this regard and the possibility of travelling there and discussing it there will be considered, if the situation in the country allows it. Elections will be held in March 2025. It is not clear that the situation will improve.
- Panama: there were elections before the summer and there were changes in the Ministry for Fisheries, with a new Minister willing to address shortcomings with the new team. Traceability is weak, the main focus is on the control of fleets operating in international waters. Cooperation is essential, but the situation in Panama is critical. The final stages are being approached. The EU's visit has been delayed to give the new team more time. It is likely that an audit will take place in the first quarter of 2025.
- Brazil: there is no contact with this country, whose commitment is clearly lacking.
- French Guiana: CCRUP reported the existence of illegal activities pointing towards Venezuela and Surinam, two countries that are involved in illegal activity in French waters and which must therefore be subject to strict fisheries surveillance. There is a need for enhanced control of imports, and the catch certificate and IT-Catch must be developed as tools that ought to be used.
- Venezuela and Surinam: progress has been made. In Venezuela there are doubts regarding imports and now the response to the IUU fishing questionnaire is awaited.
- Surinam: some vessels were arrested in its waters. A letter will be sent for an investigation to be carried out, a European delegation will probably go there.

- Ghana: the EC was there last year and issued many recommendations, including the review of basic fisheries. The Minister of Ghana addressed the issue of trawlers and transshipments in canoes/pirogues. This affected trawlers (high level of small pelagic stocks as non-authorised by-catches). The number of licences has decreased, there are currently 22 and there used to be more than 60. A two-month closure for trawlers was also agreed. Efforts are being made. The problem is that elections will be held again, so exchanges have slowed down. The country was requested to make progress regarding the new fisheries law, but no new developments have been reported, in fact, no sustainable fisheries draft has been received. The sanctions system was light, it is necessary to wait and see what happens after the elections.
- Liberia: the EC talked with this country during the FAO COFI and they also had a meeting in Brussels, but there have not been any improvements. In addition, there is utter confusion within the fisheries authorities, and this is not very helpful. Moreover, there is a great deal of diplomatic tension, the situation is similar to that of Panama.
- Senegal: with a yellow card. ICCAT detected serious shortcomings in the monitoring, control and surveillance system, and also in vessels flying the Senegalese flag that were operating outside its waters. There are poor import controls resulting in illegal imports into the European market. The EC is investigating this situation, but no actions have been taken and not much progress has been made. The situation is critical. The EC does not consider that Senegal has a positive attitude regarding control issues, and this is a very serious problem. The EC will issue a note, but this country is moving in the same direction as Ghana, and this is not acceptable.
- Sierra Leone: Last year they had elections and the new minister is less responsive to communications. The EC tried to hold a parallel meeting at COFI and will try to resume dialogue with this country, which does not have a yellow card yet.
- Vietnam: the evaluation has not been positive. There are not as many findings as in the past. The main observation is that the government is very aware. A progress analysis will be received in September. A preliminary study is taking place. The country knows that there are problems that need to be addressed at province level. The EC is considering going there.
- Comoros: the EC is optimistic after going there at the beginning of July and coming back satisfied as the country was receptive and reviewed what the EC asked them to do. There were elections a few months ago, so the country is at a standstill. They have a red card owing to flags of convenience. All the efforts made are being diluted, now it remains to be seen if there is margin to bring them back on track. At the moment they are a bit stagnant.
- Morocco: discussions on the fight against IUU fishing were held in the framework of the SFP, and the same should be done at ICCAT. Pressure should be put on Member States to strengthen the system. There is a need for MS to do their job (e.g. imports to Morocco). A change in approach is important.
- Philippines: an informal dialogue is taking place. The country had a yellow card. The EC was in contact with them at the COFI and not all their fishing vessels have a VMS.



The challenge for the Philippines is that their large companies establish these vessel monitoring systems and the obligation of having them on board. This case went to the Supreme Court, but the decision is still unknown. The amendment of the fisheries code is also suggested. There is alarm within DG MARE about what will happen. The EC believes that they will go back to the situation they were in back in 2014.

- South Korea: there is a working group on IUU fishing, and they met recently. They are focused on Korea's port measures and reef practices. They have been given some recommendations and they wish to cooperate. Work has been carried out in connection with FADs and sanctions.
- China: there is a working group on IUU fishing. The EC had access to a great deal of information. In 2024 there were 35 new sanctions. 6 companies were suspended, there are problems with catch certificates, since the country issues processing certificates because the raw material comes from Russia, Norway and USA. After discussing this issue with China, the 6 companies were suspended. The fisheries administration wishes to ratify the Port State Measures Agreement (PSMA), they are making progress with the Ministry of Justice, but it really is up to the council to decide. The EC is insisting that they publish a list of vessels authorised to fish. The figures say that there are 2,800 vessels in total (including those controlled by China but flying a third-country flag). The list of vessels ought to be published. The problem is that these are third countries, there is a need to see what will happen in China. If the EC says that shipments are going to be rejected, that is when they will pay attention to them. As the system becomes more digitised, the links can be strengthened.
- Japan: the working group on IUU fishing met. The Japanese control their imports. There is positive cooperation with them.
- Thailand: the working group on IUU fishing also met. They know they risk being given a yellow card. There is now a committee drafting the new law, with a point to be amended related to the list of serious infringements. DG MARE and DG TRADE are coordinating the work, since they wish to sign as soon as possible.
- Uruguay: there is no active dialogue in progress. DG MARE needs more staff.

5.2- Summary from DG MARE on digital CDS and implementation of IT-Catch and identification of elements for a draft LDAC advice/potential areas for collaboration with ATLAFCO-AFRIFISH.

The EC representative, Mr. Roberto Cesari, informs that training sessions have been provided and teaching materials, such as videos and tutorials, have been prepared. In addition, 7 regional information seminars have been developed for about 120 countries worldwide (both for African countries, and for those in the Pacific Ocean, Asia and America).

6. China's role in world fisheries and aquaculture

6.1- Presentation by Planet Tracker of a research report on financials and economics of the Chinese Distant Water Fleet.

Mr. François Mosnier, Planet Tracker, makes a presentation via Zoom that is available on the following link:

https://ldac.eu/images/2024-10-16_Planet_Tracker_Chinese_DWF_Francois_Mosnier.pdf

6.2.- Presentation by EU IUU Coalition on preliminary findings on import control verification procedures by EU MS.

Ms. Amelie Giardini, EJF and member of the IUU Coalition, makes a presentation that is available here:

https://ldac.eu/images/EU_IUU_Fishing_Coalition_presentation_16_10_24-preliminary_analysis_import_control_implem_Amelie_Giardini.pdf

6.3- Update from EU fishing industry on problems with exports of EU fishery products for renewal of licences in the sanitary registry of China.

Mr. Edelmiro Ulloa, OPNAPA/OPP3/ACEMIX/AGARBA, summarises the demands of the Chinese authorities for EU companies, indicating that they are excessive and unacceptable. An example of this is the fact that they request confidential data (regarding health, invoices, vessel blueprints, among other). Failure to provide these requirements would prevent a company from being registered as authorised to export.

As for the Chinese mission that visited Vigo, he informs that they visited vessels and factories, at the moment the unofficial information they have is that the list of species authorised by China is going to be extended.

After discussion among the members, where they express that there is a lack of level playing field, the following **ACTIONS** are agreed:

- **Regarding the problems with exports of EU fishery products in terms of Chinese bureaucracy/paperwork and the requirement to provide confidential and private data to obtain a renewed licence from the Chinese sanitary registry, it was approved that a draft letter be sent to DG MARE explaining the problems with the renewal of the registration of companies that export to China, pointing out the need for the EU to include "mirror clauses" on the requirements that Chinese fishery products have to meet to enter the EU market, so that they meet the same/similar requirements as those demanded from EU companies exporting their products to the Chinese market.**
- **It was agreed not to address the topic of forced labour in the Chinese DWF in this letter.**



7. International Ocean Governance (IOG) – Report and update on UN processes

7.1- Report on 36th Session of the FAO COFI (Rome, 8-12 July 2024)

The EC representative, Ms. Cristina Pichel, summarises developments at the 36th session of the FAO Committee on Fisheries (COFI), attended by 110 members, about 40 intergovernmental organisations, 36 non-governmental organisations and some 20 observers.

She highlights that there were tensions between the EU and Russia due to the situation in Ukraine as portrayed in the SOFIA report, among other issues.

The following topics were addressed: aquaculture (the FAO Director pointed out in his opening speech that for the first time it had overtaken wild extractive fishing), FAO voluntary guidelines, the importance of sustainability, etc. The EU insisted on the need to strengthen the fight against IUU fishing, the role of RFMOs and that of the recently created Sub-Committee on Fisheries Management.

Besides, the food security debate was also raised with regard to the role of fisheries and aquaculture for nutrition and access to food.

Other topics discussed were climate change, the role of women in fisheries and the issue of plastic pollution.

7.2- 29th Session of the International Seabed Authority (ISA) Council (15-26 July) and General Assembly (29 July-2 Aug 2024)

Ms. Pichel, EC, informs that at the ISA meeting Ms. Leticia Carvalho, from Brazil, was elected as ISA Secretary General. Even though decisions were not agreed on consensus, the preservation of the marine environment and its protection were welcomed.

Then, the General Secretary, Mr. Alexandre Rodríguez, explains the draft letter coordinated by the LDAC with recommendations on deep-sea mining and its impact on fisheries, that includes a reply to the Draghi report on "the future of European competitiveness" and the impacts of mining on high seas fisheries and Norway's plans to push ahead with Arctic exploration and exploitation activities.

The following **ACTION** is agreed:

- **The LDAC Secretariat will send the draft letter to its members for approval. In addition, it will be sent to other ACs interested in this matter (PELAC, NWWAC, SWWAC and CCRUP) for them to consider whether they wish to support the letter with their signature and send it to the EC jointly as an Inter-AC initiative.**



7.3- United Nations Conference on Biodiversity (COP16) (21 Oct-1 Nov 2024)

Ms. Despina Symons, EBCD, reports that the CBD COP begins next week in Colombia, noting that both fisheries and oceans are high on the agenda.

It is expected that this COP will include elements of interaction and collaboration and that the CBD will play a key role in the implementation of BBNJ, as it has worked hard over the past years. In fact, it has adopted guidelines on marine genetic resources.

She then notes that numerous side events linked to fisheries and oceans will take place. Indeed, DG MARE will be represented at this COP for the first time.

Lastly, she encourages attendees to check the presentation "*The Ocean Breakthroughs*" available on this link: https://ldac.eu/images/Ocean_Breakthroughs_UNFCCC_Despina.png

The Ocean Day programme to be held on 27 October 2024 can be checked on this link: https://ldac.eu/images/CBD_Ocean_Day_Programme_Despina.pdf

7.4- UNGA Resolution on Sustainable Fisheries (New York, 11-18 Nov 2024)

Regarding the UNGA resolution, the EC representative, Ms. Pichel, reports that DG MARE prepared a contribution with more than 30 amendments. Amendments were also submitted to DOALOS, although these comments are being evaluated.

On BBNJ she notes the state of ratifications of this agreement: so far more than 100 countries have signed it, although 60 ratifications are needed for it to enter into force (38 to date). She points out that the EU and its member states have the political commitment to finalise and ratify the agreement at the annual conference to be held in Nice in 2025.

Moreover, she informs that the second phase of negotiations is under preparation, for which a preparatory committee was set up at the General Assembly, in order to address the issues to be discussed at the COP and also to prepare for the entry into force of the BBNJ agreement. In fact, she informs that the 2025 COP will have two sessions, one in April and one in August, with different topics for discussion. She notes that all documents are available on the BBNJ website.

Regarding COFI, she stresses that further work and discussion is needed on fisheries management issues, access arrangements and continued debates on the distant water fleet, as well as on the impact of FAO voluntary guidelines for small scale fisheries (SSF). Finally, she says that there is no date yet for the next meeting of the FAO sub-committee on fisheries.

7.5- Way forward: identification of elements for draft LDAC advice on Implementation of EU IOG agenda

This item is not discussed due to time restrictions.

8. Impact of climate change on high seas fisheries and external fleets:

8.1- Presentation from UNCTAD (Mr. David Vivas) on “Energy transition of fishing fleets: opportunities and challenges”.

Mr. David Vivas, UNCTAD, makes a presentation that is available on this link: https://ldac.eu/images/Fishing_fleets_and_emissions_WG516Oct_D_Vivas_REV.pdf

After a round of questions and discussion among the members, Mr. Luis Vicente, ADAPL, requests that it be noted for the record that the fisheries sector emits a very small percentage of CO₂, however, he stresses that this sector is not provided with aid to renew the fleets or to be able to research methods to enhance efficiency or fight climate change.

8.2- Update on LDAC work plan and ToR for Focus Group on impact of Climate Change on international fisheries.

Mr. Alexandre Rodríguez, General Secretary, makes a presentation on the work plan suggested on this topic that can be checked on the following link:

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

The following **ACTION** is agreed:

- **To accept the action plan suggested and convene the Focus Group in order to prepare a specific advice on the impact of climate change on international fisheries.**

16:55h

9. AOB (only information points)

Mr. Julien Daudu informs that yesterday, 15 October, he attended virtually the Advisory Board of the European Fisheries Control Agency (EFCA). At that meeting he summarised the LDAC activity since the last meeting. As for EFCA, they presented a general update on the state of play of Joint Development Plans (SCIPs-JDPs), international projects, work on remote surveillance and electronic monitoring, as well as plans to celebrate the 20th anniversary of the creation of the Agency.

With no other issues to address, the Chair, Mr. Daudu, announces that the next WG5 meeting will be held in March 2025 in Brussels (exact date to be confirmed). To conclude, he thanks participants for their contributions, the interpreters for the quality of their work and the Secretariat for their coordination work and efforts throughout the year.

CLOSURE



**Annex I: List of LDAC WG5 attendees
Brussels, 16 October 2024**

Working Group 5 Members

1. Julien Daudu. EJF — WG5 Chair
2. Daniel Voces. EUROPÊCHE — WG5 Vice Chair
3. Béatrice Gorez. CFFA-CAPE
4. Anne-France Mattlet. Européche Tuna Group
5. Raúl García. WWF Spain
6. Marc Ghiglia. UAPF
7. Roberto Alonso. ANFACO-CECOPESCA/AIPCE
8. Luis Vicente. ADAPL
9. Vanya Vulperhorst. OCEANA
10. Rob Banning. DPFA
11. Sean Parramore. EJF
12. Julio Morón. OPAGAC
13. Edelmiro Ulloa. OPNAPA / OPP3/ ACEMIX / AGARBA
14. Rosalie Tukker. EUROPECHE
15. Ignacio Fresco. OCEANA
16. Caroline Gamblin. FIAC
17. Emil Remisz. High Seas Fish Producers Organization
18. Iris Ziegler. Seas at Risk
19. Anertz Muniategi. ANABAC
20. Xavier Leduc. UAPF / ORTHONGEL
21. Iván López. AGARBA/CEPESCA
22. José Ramón Fontán. ANEPAT
23. Janne Posti. CONXEMAR
24. Nikolas Evangelides. The Pew Charitable Trusts
25. Despina Symons. EBCD
26. Héctor Fernández. Bolton Food
27. José Manuel Beltrán. OPP-Puerto Burela
28. Joelle Philippe. CFFA-CAPE
29. Aivaras Labanauskas. Lithuanian Long Distance Fisheries Association
30. Amélie Giardini. EJF
31. Charlotte Goulot. Oceana
32. Maximilian Schwarz. EBCD

Observers

33. Roberto Cesari. DG MARE B4
34. Desiree Kjolsen. DG MARE B4
35. Isabelle Garzon. DG MARE Advisor
36. Laurene Jolly. DG MARE
37. Julia Rubeck. DG MARE D.3
38. Soumaya Bouker. DG MARE D.3
39. Cristina Pichel, DG MARE B.1. DG MARE
40. David Vivas. UNCTAD (Zoom)



41. Juan Acacio. Secretariat General for Fisheries (SGP), Ministry for Agriculture, Fisheries and Food (MAPA) (Spain)

42. Pedro Reis. MAC

43. Francois Mosnier. Planet Tracker (Zoom)

44. Hannah Richardson. Fauna & Flora

45. Neil Ansell. EFCA

LDAC Secretariat

46. Alexandre Rodríguez. LDAC

47. Manuela Iglesias. LDAC

48. Marta de Lucas. LDAC (Zoom)