

MINUTES
LDAC EXECUTIVE COMMITTEE
Friday, 26 March 2021
10:00h-13:30h
Virtual meeting - Online (Zoom)

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 - Adoption of the agenda and the minutes.**
 - a. Adoption of the minutes of the last Executive Committee (10 December 2020)**
 - b. Approval of the agenda.**

The Chair, Mr. Iván López, welcomes all attending members and observers, including the representatives of DG MARE - European Commission, FAO, STECF, MAC, MSC and representatives of Member States.

After counting the representatives of the member organisations present (21 of 24), the Secretariat informs that, in conformity with Article XXIV of the LDAC Rules of procedure, the necessary quorum for adoption of decisions by simple majority (at least 50% of the members present or represented) is acquired, if so required.

The complete list of participants (members and observers) is included in **ANNEX I**.

The agenda is then approved with no comments or modifications.

In addition, the minutes of the previous Executive Committee meeting held on 10 December 2020 are approved.

- 2. STECF Annual Economic Report on EU Distant Water Fleet.**

- a. Presentation by the Chair of STECF EWG AER (Raúl Prellezo)**

The Chair of the Expert Working Group (EWG) on Annual Economic Report (AER) of the Scientific, Technical and Economic Committee for Fisheries (STECF), Mr. Raúl Prellezo, starts his presentation by thanking the LDAC for its collaboration, especially the General Secretary, Mr. Alexandre Rodríguez, for having coordinated the regional chapters devoted to the long distance fleet (NAFO, ICCAT, IOTC and CECAF).

In his presentation, he outlines the features of long distance fleets, as well as their specific weight in the EU economy in terms of number of vessels, volume of catches and value of landings, people hired and economic return. He then breaks down the economic analysis of the performance of the EU long distance fleet segments for each particular RFMO included in the scope of the report. He recalls that the data analysed and validated by the Member States date from 2018, but that efforts are being made in order to carry out a data forecast up until 2020 in the near future. Moreover, this year the report includes an initial estimation of the impact of COVID-19 on the different fleets, and this work is expected to continue in this year's report.

The presentation made by Mr. Prellezo is available on the following link:
https://ldac.eu/images/Presentaci%C3%B3n_R_Prellezo_STECF_AER_2020.pdf

Full STECF Annual Economic Report is available on the following link:
https://stecf.jrc.ec.europa.eu/reports/economic/-/asset_publisher/d7le/document/id/2788167?inheritRedirect=false&redirect=https%3A%2F%2Fstecf.jrc.ec.europa.eu%2Freports%2Feconomic%3Fp_id%3D101_INSTANCE_d7le%26p_p_lifecycle%3D0%26p_p_state%3Dnormal%26p_p_mode%3Dview%26p_p_col_id%3Dcolumn-2%26p_p_col_pos%3D1%26p_p_col_count%3D2

b. Q&A from the floor and next steps.

After a round of questions and some discussion among the members, the following **ACTION** is agreed on:

To set up a study group on socio-economic aspects of fisheries data related to the long distance fleet: the group will analyse the latest STECF Annual Economic Report and will aim to enhance collaboration of affected operators and stakeholders with the STECF Group to improve the analysis and quantitative assessment of data by fleet segments (métiers). To this end, economic indicators and variables will be analysed, such as cost structure (including fuel), salaries, employment (FTE), gross and net profitability or prices and value of landings, among other.

3. Update on the work of Working Groups.

a. Report on: WG1, WG4 and WG5.

Mr. Michel Goujon, WG1 Chair, Mr. Julio Morón, WG4 Chair and Mr. Julien Daudu, WG5 Chair, summarise actions still pending from the last working group meetings. These were sent via e-mail to all members after each WG meeting.

b. Summary on LDAC input at the inter-AC meeting (22 Feb 2021)

Mr. Alexandre Rodríguez, General Secretary, summarises what happened at the Inter-AC coordination meeting with DG MARE in February to analyse aspects related to the Brexit process. The minutes of this meeting are available on the following link:
https://ldac.eu/images/Minutes_inter-AC_Brexit_22_02_2021.pdf

In addition, he sums up the content of DG Vitcheva's response to the consultation process held at the end of last year and at the beginning of this one to gather ideas to improve the operational running of Advisory Councils and the participation of British stakeholders in ACs' meetings. He highlights that the Commission has insisted on holding more frequent inter-sessional coordination meetings with ACs, in order to be better informed on cross-sectional matters such as, for instance, Brexit, and to encourage Advisory Councils to issue joint advice regarding common interest topics owing to coordination and efficiency reasons.

Then the Chair, Mr. Iván López, says that he believes it is important that, even though there are meetings addressing cross-sectional matters for several ACs, we do not lose sight of the richness and details of deep discussions within each Advisory Council, avoiding that these Inter-AC sessions replace discussions with DG MARE representatives in each AC. Moreover, he considers collaboration with other ACs positive on topics such as the one suggested by Mr. Raúl García, WWF, so that MEDAC, LDAC and SWWAC work together on fisheries management aspects with Morocco.

c. Further reflections: organisation of Working Groups/Focus Groups

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The Chair, Mr. Iván López, explains that due to the pandemic we are living, a lot of work has been carried out remotely. Therefore, a protocol is intended to be approved at the General Assembly to be held in May to regulate virtual operations and the accomplishment of work within Working Groups and Focus Groups.

ACTION: The Secretariat will send the final version of the draft code of conduct to perform virtual meetings presented in December 2020, in order to present it at the General Assembly to be held in May for its formal incorporation to the LDAC rules of procedure.

d. Election of Working Group Positions.

The Chair, Mr. Iván López, informs the members about the result of the election held in Working Groups 1, 4 and 5, according to which the following Chairs and Vice Chairs were elected by consensus and will work collectively:

- WG1: Chair Michel Goujon (ORTHONGEL) and Vice Chair Antonia Leroy (WWF)
- WG4: Chair Julio Morón (OPAGAC) and Vice Chair Sara Fröcklin (SSNC)
- WG5: Chair Julien Daudu (EJF) and Vice Chair Daniel Voces (Europêche)

The Chair congratulates all of them, indicating that they will have a three-year mandate and coordination period ending on 31 May 2024, concurring with the end of the LDAC financial year.

4. Update on the LDAC contribution to fisheries management processes in high seas.

4.1. Outcomes of FAO COFI34.

The representative of the EC, Mr. Marc Richir, summarises the conclusions of the 34th edition of the FAO Committee on Fisheries (COFI) meeting held virtually for the first time in its history. Many national delegations of the contracting parties participated in the latter, and there were over one hundred registered members and observers (including the fisheries sector and NGOs).

He highlights two milestones: 1. the celebration of the 25th anniversary of the Code of Conduct for Responsible Fisheries; and 2. the Intergovernmental Declaration for Sustainable Fisheries and Aquaculture that was adopted in that forum. The content of this Declaration is very important for FAO to reaffirm the importance of the fisheries sector for human nutrition and to strengthen its role in the different international fora relating to ocean management and having an impact on fisheries.

The wideness of its agenda and the lack of previous agreements enabling to reduce the number of topics to be addressed made the COFI meeting complicated. The possibility of having a sub-committee on fisheries and the issue of fisheries transshipments were even discussed, but were finally postponed until 2022. A general call was made both to FAO and COFI members to work together on the preparation of guidelines for sustainable aquaculture, due to the growth and development of this activity worldwide. In fact, the EC is also working on some guidelines to make aquaculture more sustainable from an environmental point of view.

In addition, safety aspects on board shipping vessels were addressed and so were guidelines on occupational risk prevention and safety at sea.

Moreover, an action plan was supported for 2022 to be the year of small-scale fisheries.

Besides, the European Green Deal was addressed, including the “Farm to Fork” (F2F) initiative and the Biodiversity Strategy as instruments to ensure the conservation and sustainable use of resources.

References were also made to underwater anthropogenic noise, but not enough support was received.

Finally, Mr. Richir underlined that there are proposals to improve the internal running and the work of COFI in the future. In fact, this year proved that the meeting preparatory process was not completely transparent in terms of contents to be included as items in the agenda. It is expected that next year more comprehensive preparatory work will be performed relying on the countries by means of a group of experts entrusted by the new Japan chairmanship.

Then, Ms. Mariana Toussaint, from the FAO department of fisheries, says that at the beginning of February 2021, FAO carried out the 34th session period of the FAO Committee on Fisheries (COFI) in a virtual format, with the participation of 96 members and 32 observers. During the session, the Members analysed the report with the decisions and recommendations of the 17th Session of the FAO Sub-committee on Fish Trade (COFI: FT), informing and providing an update on the trade-related activities in progress carried out by FAO and relating to COFI: FT.

On the basis of this report, COFI members called on “*FAO to continue the work to develop fisheries and aquaculture-specific, voluntary, non-binding practical guidance on social responsibility in the fisheries value chains, based on existing international instruments and guidelines, in cooperation with relevant specialised agencies and stakeholders*” (resolution 39 of the document of conclusions).

In order to continue developing this work in an inclusive and collaborative fashion, FAO intends to organise a series of regional meetings worldwide with the participation of country representatives, FAO experts in regional or national offices and regionally appointed experts or national civil servants, with the collaboration of other UN agencies.

As for social responsibility in the Fish Value Chain, the Committee asked FAO to continue with this voluntary and non-binding guidance document in line with the existing legal instruments and working in a coordinated way with the relevant United Nations agencies and with stakeholders.

Once the general part of the document has been developed, work is now being focused on 6 appendices. For the next Sub-committee on Fish Trade (COFI:FT), a scope document was requested to provide more clarity and context on this sector, to explain the role of FAO in this process and to identify stakeholders and basic competences.

In the months to follow, regional meetings will be held with member states.

Lastly, Ms. Toussaint informs that the work document presented before the FAO Sub-committee on Fish Trade, containing the guidance drafting process and the guidelines project, is available on: <http://www.fao.org/3/nb389en/nb389en.pdf>

Ms. Béatrice Gorez, CFFA-CAPE, praises the fact that FAO listened to all the proposals put forward. It is very positive that all statements sent in writing are collected and made public, and she hopes they will keep on doing it in the future in the interests of transparency. Particularly, ⁴

she thanks Mr. Richir for his personal availability to hold a preparatory meeting with the LDAC prior to the COFI session, and for his efforts and those of the EU negotiating team to gather concerns presented both by the LDAC and by the NGOs safeguarding the sustainability of African fishing communities. NGOs wish to thank COFI as well for its willingness to highlight challenges and threats faced by small-scale fisheries, and find it very positive that coastal communities have been taken into consideration

The representative of the EC, Mr. Marc Richir, points out that sustainability messages need to continue being conveyed and that awareness needs to be raised towards small-scale fisheries, without forgetting the guide on social responsibility.

He highlights that arbitration work is increasingly important in order to include different opinions. He adds that aquaculture has grown a lot in Asia. Therefore, it is very important to make it sustainable, and so it is essential to take the Farm to Fork (F2F) strategy into account.

Mr. Juan Manuel Trujillo, ETF, encourages the EC and FAO to continue working to provide social sustainability with further content, since fishing is a resource generating millions of jobs, and contributing to the development of economy and industry. In the EU framework, transposition of Convention C188 and of the EU directive is essential to improve social conditions. In addition, the same ought to be done with the IMO STCW-F convention regarding training and safety of crew members on fishing vessels.

Lastly, he shows his support for the FAO guide and hopes that the Social Dialogue Committee may further collaborate with the ILO in order to promote the guide to best practice in the field of social responsibility, and make social partnership more relevant.

Ms. Mariana Toussaint, FAO, clarifies that the ILO and FAO have a good relationship, although their composition and way of working is different, but that they collaborate and request technical support when necessary. Moreover, she highlights that the guide on social responsibility in the value chain is aimed at business actors and not Member States.

To conclude, Mr. Alexandre Rodríguez, General Secretary, thanks the EC and the DG MARE team underlining the fact that the EU delegation included the LDAC comments in the document (for instance, with reference to the aforementioned recommendation 39).

4.2. Processes related to management and conservation policies for fishery resources in the high seas.

The representative of EBDC, Ms. Despina Symons, summarises the most important decisions and processes for this year in the framework of the Convention on Biological Diversity (CBD):

- Work will continue on the definition of the post-2020 Aichi biodiversity targets: there was a working group session to prepare these targets at international level and a meeting will be held prior to the CBD COP in September 2021. The new framework aim does not include targets by sectors and does not refer to fisheries, they are related to the weather with targets for 2030.
- The designation and implementation process of the 30% target in terms of Marine Protected Areas in international waters is under discussion. Furthermore, the inclusion of the definition of other effective conservation measures (OECM) in this definition of MPAs is under consideration. In this context, FAO will develop some guidelines to hold a series of regional workshops. She underlines that EBCD will coordinate a workshop in relation to NEAFC, NAFO₅

and WCPFC, in order to identify different aspects. In this regard, ICES will also hold a working group meeting and will issue a report in May.

- Initiative for the preparation of a global dialogue among RFMOs and the different actors to be held in Korea in March.

The Chair, Mr. López, thanks Ms. Symonds for her comprehensive summary, and given the short time she had for her presentation, the following is agreed:

ACTION: Ms. Symonds will be invited to expand on her presentation on CBD processes and international governance at the next Executive Committee meeting to be held in May.

5. Organisation of the debate on the North Atlantic fisheries management

The Chair, Mr. Iván López, presents the topic enquiring how we are going to address the post-Brexit scenario from the LDAC perspective as advisory council in terms of bilateral and multilateral negotiations between the EU and third countries for the conservation and management of fishery resources in the North Atlantic.

He thanks the representative of the EC, Mr. Erik Lindebo, and his team for their attendance and involvement in the different meetings. In reference to the letter received from MARE Director General, Ms. Vitcheva¹, Mr. López believes it is fundamental to get to know the opinions of the members in this regard, in order to study the possibility of setting up a specific Focus Group to be able to discuss/approve a document at the LDAC meetings to be held in May.

Mr. López considers that Brexit turns the United Kingdom into a third country for all purposes, that is therefore covered by the External Dimension of the CFP, so future relationships affecting the LDAC and other ACs (NSAC, NWWAC, SWWAC, PELAC, etc.) need to be analysed. In his opinion, an option to divide the work would be to separate the technical aspects by fisheries or basins (other ACs) from the political negotiation aspects (LDAC).

Therefore, he suggests restructuring LDAC WG2 and proposes that the LDAC should coordinate and compile all the information from other ACs also involved in order to prepare negotiations with DG MARE.

On the member composition of the different Focus Groups and Working Groups, Mr. Raúl García, WWF, highlights that in his organisation, for instance, they have an international structure and certain topics do not receive support from European offices (e.g. driftnets in the Indian Ocean), so in some cases they would wish to have the support of experts from those third countries. Moreover, he points out that, if it were not possible, the members of sectoral fisheries organisations representing joint ventures would also be likely to enter into conflicts of interest and be challenged. In his case, he would like to rely on WWF international knowledge for specific issues, so he requests some rethinking takes place in this regard.

Mr. Iván López, Chair, agrees on the fact that the composition of both Working Groups and Focus Groups needs to be thought through. He highlights that the representation of the organisation is what really matters, and not the nationality of its individuals, but that the representation held ought to be taken into account.

¹ Letter available here: https://ldac.eu/images/Letter_CV_Brexit_Inter-AC_08_03_2021.pdf

Ms. Béatrice Gorez, CFFA-CAPE, believes that this issue should be reflected upon from a long-term point of view. A definition of what is understood by conflict of interest should be provided, as well as the meaning of being an active observer. She thinks that these two topics could be addressed at an ad hoc Focus Group on Brexit.

Mr. Alexandre Rodríguez, General Secretary, clarifies in writing (taken from the virtual meeting chat) the current procedure: *“ in conformity with the EU CFP, third countries’ organisations may continue participating in Advisory Council meetings as active observers when issues that affect them are discussed, according to provisions set forth in article 2, letter k), in annex III of the CFP Regulation. They may also be reimbursed for their participation in meetings according to provisions set forth in article 6, section 2 of the Regulation.*

Regarding the participation of third country citizens on behalf of EU organisations, there is the possibility that LDAC members appoint / propose colleagues from their network as technical and scientific coordinators in their capacity as experts to participate in working groups and focus groups.

The issue of conflict of interest is a different concept from a legal point of view and needs to be permanently analysed on a case by case basis, regardless of the nationality”.

The following **ACTION** is agreed:

- To convene a Focus Group to discuss the role of the LDAC in the post-Brexit scenario.

The representative of the EC, Mr. Erik Lindebo, thanks participants for their contributions and believes this discussion is beneficial for Advisory Councils, so he encourages that they continue with this work. From his perspective, in the ACs’ scope for action or opinion regarding aspects related to Brexit, legal definitions are necessary as well as a clear delimitation of competences. Thus, an adaptation will be required in terms of what is expected vis-à-vis the development of the implementation of fisheries issues in the framework of the trade and cooperation agreement (TCA) between the EU and the UK. To this end, DG MARE has set up a specific unit for Northern agreements, there is a lot of work in progress and there will be further discussions among stakeholders.

The Chair, Mr. Iván López, thanks the representative of the EC, offering the EC the LDAC’s collaboration to issue advice regarding any topic they may need.

The following **ACTION** is agreed:

- Composition, role and functioning of Advisory Councils in the context of the Brexit process: the LDAC will follow the evolution of negotiations regarding the implementation of the TCA in the area of fisheries and will contact those ACs involved to reflect upon this matter. The possibility to set up an Inter-AC coordinated Focus Group will be considered.

6. Organisation of the debate on social certifications in the EU.

a. Introduction by the Chair.

The Chair, Mr. Iván López, explains that there are currently many international certifications, many of which are private and B2B. One of the best known ones is MSC and attention should be drawn on a new one called FISH.

[NOTE of the Secretariat: *The FISH Standard provides a voluntary, independent and accredited third-party certification programme for labour practices on vessels in wild-capture fisheries around the globe. The FISH Standard was developed to assure seafood buyers that the fish they are buying and*

selling is harvested by crews that are: recruited and hired ethically; treated with respect on the vessel; paid properly and have processes to address grievances.

More information on: <https://fishstandard.com/>

Mr. López highlights that on many occasions, in certain areas, some certifications have lower social standards than those set forth as minimum requirements on the ILO Convention, C188, and thus confusing traders, retailers and consumers since, for instance, in Europe they would not be meeting the minimum compliance levels established by law from a social sustainability point of view.

Mr. Julien Daudu, EIJ, supports the idea and approach voiced by Mr. López, although in his opinion it is better not to include it within the level playing field (LPF) advice since it is too long and detailed as it is, and suggests that one should be developed to address this issue.

Besides, Mr. Daniel Voces, Europêche, underlines that there are over 200 labels certifying the environmental and social dimension of fisheries worldwide. He believes that a distinction should be drawn between what is mandatory and what is voluntary, and that the minimum threshold to be met by everyone must be identified. Europêche is following up on this issue with ETF and ITF to ensure that decent conditions and labour rights are being complied with beyond the legal framework set forth. He offers his collaboration to participate in these discussions.

Mr. Juan Manuel Trujillo, ETF, agrees with Iván and Daniel in strengthening compliance with international regulations in terms of maritime safety and labour rights of fisheries workers. He champions the work carried out by the European Social Dialogue Committee on this field with proposals to include the international acquis in EU regulations.

b. Way forward.

The following **ACTION** is agreed:

- **To set up a Focus Group on social and labour certification and its impact on the EU market: the group will analyse existing voluntary and mandatory requirements related to social certifications (FISH included) and will explore the minimum standards to be met in conformity with existing international instruments on maritime safety and decent labour conditions at sea (for instance, ILO C188, IMO STCW-F, the EU Social Partners Directive, etc.).**
- **The LDAC will invite FAO, ITF, ILO and other technical experts to attend this Focus Group's discussions in their capacity as observers.**

7. How to improve quality of advice based on the ecosystem approach to fisheries.

Ms. Antonia Leroy, WWF, makes a presentation that is available on this link: https://ldac.eu/images/Presentation_A.Leroy_ecosystem_approach_2021.pdf

After the presentation and given the importance of integrating the ecosystem approach in fisheries management in international waters, the following **ACTIONS** are agreed:

- **To add this item to the agenda of the Executive Committee/General Assembly to be held in May, so that there is time for discussion with the members.**
- **The proponents of this initiative will develop a concept note with a structured outline (data compilation framework, legal design and advisory structure for the EU, RFMOs and CSR) based**

on the research document “How to improve EAFM advice within the EU’s CFP” published by Elsevier and the related presentation carried out by WWF in this regard.

8. Participation in the Advisory Board of the European Fisheries Control Agency (EFCA): election of LDAC representatives.

The Chair, Mr. Iván López, informs that the following EFCA Advisory Board meeting will be held on Thursday 15 April 2021, hence the need to chose a representative that will attend, since in recent years this representation was occasionally held by the Chair, Vice Chair and General Secretary.

The General Secretary, Alexandre Rodríguez, clarifies that being the LDAC representative before EFCA means participating in two face-to-face meetings per year (usually around March-April and September-October) in Brussels or Vigo (or remotely in COVID times) and to follow up on the actions taken. In addition, the General Secretary, Mr. Alexandre Rodríguez, will attend these meetings as an active observer whenever possible to provide the appointed representative with technical support.

DECISION: Following a brief discussion, it is agreed that Mr. Julien Daudu, Chair of Working Group 5 on horizontal issues including control and IUU fishing aspects, should be the LDAC permanent representative to participate in EFCA meetings. In the event that he is not able to attend, the alternative representative would be the Vice Chair, Mr. Daniel Voces, Europêche.

9. Closure of the meeting

With no other issues to address, the session is adjourned by the Chair thanking the representatives of the European Commission for their participation; the members and observers for their attendance and collaboration and the LDAC Secretariat for their efforts in organising and coordinating logistics and documents.

The meeting is closed right on time.

ANNEX I: LIST OF ATTENDEES
LDAC Executive Committee
26 March 2021, Videoconference

ATTENDEES

1. Iván López. Chair. AGARBA/CEPESCA
2. Béatrice Gorez. First Vice Chair. CFFA-CAPE
3. Juan Manuel Liria. Second Vice Chair. CEPESCA
4. Javier Garat. CEPESCA
5. Juan Manuel Trujillo. ETF
6. Rosalie Crespín. CNPMEM
7. Roberto Alonso. AIPCE-CEP
8. Emil Remisz. NAPO
9. Despina Symons. EBCD/ Stavroula Kremmydiotou/Jacopo Pesqueiro. EBCD
10. Rob Banning. DPFA
11. Raúl García. WWF
12. Francisco Mari. BFW
13. Esben Sverdrup-Jensen. DPPO
14. Christine Adams. Seas at Risk
15. Luis Vicente. ADAPI
16. Vanya Vulperhorst. OCEANA
17. Erik Olsen. The Danish Society
18. Sean O'Donoghue. KFO
19. Aivaras Labanauskas. Lithuanian Long Distance Fisheries Association

WG Chairs and Vice Chairs

20. Julio Morón. OPAGAC
21. Michel Goujon. ORTHONGEL
22. Julien Daudu. EJF
23. Sara Fröcklin. SSNC
24. Antonia Leroy. WWF
25. Daniel Voces. EUROPECHE

OBSERVERS

26. Edelmiro Ulloa. Anapa, Anamer, Agarba and Acemix
27. David Troncoso. ANASCO
28. Yaiza Dronkers. International Pole & Line Foundation
29. Ferenc Szalay. Confédération Internationale de la Peche Sportive.
30. Rosalie Tukker. EUROPECHE
31. Raúl Pallezo. AZTI-BRTA
32. Marc Richir. EC (point 4. Update on LDAC contribution to UN/FAO)
33. Erik Lindebo. EC (point 5. debate on the North Atlantic)
34. Mariana Toussaint. FAO
35. Alberto Martín. MSC
36. Jean-Christophe Vandeveld. The Pew Charitable Trusts
37. Anna Gruszczynska Polish Ministry of Maritime Economy & Inland Navigation
38. Pedro Reis. MAC
39. Sonia Doblado. FARFISH Project Coordinator - LDAC
40. Alexandre Rodríguez. General Secretary. LDAC
41. Manuela Iglesias. LDAC Secretariat - Policy and Communications.
42. Marta de Lucas. LDAC Secretariat - Administration and Finance.