



## **MINUTES**

### **28<sup>th</sup> LDAC Working Group 2 Meeting Regional Fisheries Organizations and North Atlantic Agreements**

**Thursday 26 October 2021, 10:00h - 13:00h  
Videoconference (Zoom)**

#### **1. Welcome by the Chair.**

Mr. Gerard van Balsfoort, WG2 Chair, welcomes attendees and thanks the representatives of the European Commission for their presence.

The complete list of attendees is included in Annex I to this document.

#### **2. Approval of the minutes of the last WG2 meeting (Videoconference, 22 April 2021)**

The minutes of the previous meeting are approved without any comments or modifications.

#### **3. Approval of the agenda**

The agenda is approved with no additional items or changes to it, but the order in which the items will be addressed might change according to the availability of the representatives of the EC.

#### **4. North West Atlantic Fisheries Organisation (NAFO)**

##### **4.1. Report by DG MARE on results and decisions adopted at the 43rd NAFO Annual Meeting (20-24 September 2021)**

The representative of the EC and lead negotiator of the EU delegation at NAFO, Mr. Anders Jessen, explains that in spite of the fact that the meeting was held remotely, important decisions were made and they accomplished more than could be expected in this kind of format.

He then informs about the most important aspects for this year:

- 3M cod: there was an unexpected surprise at the annual meeting, since the Faroe delegation made public that they had unilaterally launched a national survey based on an industry-science partnership which meant doubling their quota in terms of catch volume. All delegations voiced their unanimous rejection to this unilateral measure and agreed on the fact that it was a violation of the CEM rules since it meant taking advantage of a loophole, so upon Canada's proposal they agreed to find a corrective measure for Faroe to be able to establish reductions in quota in subsequent years.



The proposal put forward requested the NAFO Council not to allow scientific fishing outside the conservation and enforcement measures (CEM), preventing this way similar situations from happening with other stocks in the future.

Regarding 2022 and the scientific advice for 3M cod, the TAC experienced a significant increase and went up to 4000 tonnes, which is within the values recommended by the Scientific Committee that set them between 3500 and 5000 tonnes.

- 3M shrimp: the scientific advice from 2021 recommended to close the fishery in 2022 again, since the level of catches allowed for had been exceeded in 2021 with only 20% of the fishing effort being quantified in terms of fishing days. This clearly shows that the current management system is not sustainable and for this reason a proposal was presented to change to a new system. In the future, reopening of a fishery has to be conditional on reaching an agreement on the design of the new system that could be based on quotas, fishing effort or be a mixed system.

- Closures and additional areas of closure: the main discussion focuses on the need to have a clearer idea about what the general objectives are both in terms of closures in force and of proposals for new areas of closure, there being discrepancies among scientists regarding the impact and size of the areas of closure. There is a threshold set on 60% for specific areas considered as vulnerable marine ecosystems, but calculations are not clear since areas expand every year and may become a target in themselves, causing significant impacts on areas with fisheries footprint or adjacent ones.

As for control measures, the Standing Committee on International Control (STACTIC) adopted numerous important measures, including an extension on the implementation of cod flanking measures or a 50% threshold for port inspections.

- With regards to management, France has finished its mandate on behalf of Saint-Pierre and Miquelon, Russia has been chosen to hold the chairpersonship and USA the vice chairpersonship.

Then there is a round of questions by WG2 members:

Mr. Vandeveld, PEW, asks whether there were any discussions on the ecosystem approach and if there is any news about the roadmap to achieve the gradual implementation of this approach in NAFO fisheries management.

Mr. López, AGARBA, thanks the whole EU delegation led by Mr. Jessen for their successful work and for having listened to the LDAC recommendations. He points out that the result for cod was the least worst possible, although the low biological state of this stock is still worrying, so he believes further efforts are required by the scientific community and the sector to contribute to its recovery.

He insists on the fact that the situation has become a very odd one after Faroe's initiative and that a reaction is required. As for VMEs and closures, the EU needs to have a clear strategy and be ready to lead the adoption of a work plan. He thinks it is a very ambitious plan by the

Ecosystem Committee, but that it lacks scientific basis. In his opinion, it would be advisable to have the mapping of the areas with historic and active fisheries footprint beforehand and of the scientific sampling areas. In addition, he notes that one of the main problems caused by NAFO closures is that those areas are still open to other extractive activities such as, for instance, the extraction of hydrocarbons and maybe in the future deep-sea mining exploration. He suggests that NAFO should propose a holistic plan introducing improvements through the alignment of specific and measurable objectives.

The representative of the EC, Mr. Jessen, replies that the roadmap on the implementation of the ecosystem approach was not discussed in detail due to time constraints. Despite limitations, the future steps and work plan were approved and he informs that a workshop will soon be carried out which is open to everybody interested on this subject. He highlights the need of scientists and managers from different countries to exchange views in order to reach a common understanding and manage expectations.

In response to Mr. López's questions, he says that the cod quota allocated to Faroe for 2021 was of 335 tonnes and that when they started the scientific survey they had nearly depleted the quota, with catches finally exceeding 500 tonnes and reported on this pretext. He points out the need to set clear rules for this kind of situations not to happen again in the future. This discussion will be resumed next year when they have the final figures.

Regarding marine protected areas, he says that a long-term view of the general objectives is missing, with a piecemeal exercise being carried out, and that a debate on this issue is yet to take place. He underlines that it is not easy to explain this to Canada, since they exclude fisheries, but then they award licences for oil and gas extractions that have a large impact on the seabed, on many occasions worse than that of fisheries. They have increased their questions for Canada, that is providing some information, but it is difficult to know the actual impact. He believes that solving this issue at NAFO is going to be complicated since its mandate covers fisheries only. However, he admits that it makes no sense to adopt these closures if they only focus on an economic activity. A discussion on long-term objectives is yet to take place.

Lastly, he says that consistency between fisheries activities and other activities carried out at sea must be enhanced, so in his opinion this process could be framed within the BBNJ treaty negotiations.

Regarding vulnerable marine ecosystems, Mr. Vandeveld, PEW, says that he does not consider it valid to discard his approach just because there are other activities different to fisheries that have an impact on the marine environment: Those areas were designed as a management tool to protect the seabed and vulnerable habitats from fisheries. He agrees that clear criteria and objectives based on science ought to be applied and that all threats should be assessed, although not only through RFMOs, whose mandate is limited to fisheries, but through processes such as the BBNJ one.

Mr. Jessen, EC, clarifies that he has not said that when other activities -apart from fisheries- take place a VME shall not be designated. He explains that there are cases where the result of this new area closed to fisheries causes the displacement of an activity whereas it allows for another extractive activity to take place, and so many operators ask themselves what the aim is: whether to protect from all human extractive impacts or to allow other activities excluding fisheries. It is



very dangerous to have 60% as an absolute objective, since if the closures of VMEs thrive and marine ecosystems increase in the surface, it will inevitably in turn more areas of closure to cover this minimum percentage, it being a wicked incentive.

Mr. Xavier Leduc, UAPF, insists on the fact that the position adopted by Faroe with its unilateral cod catches is unacceptable and that they have to pay for the situation they have caused. It is unacceptable that a contracting party acts unilaterally without any kind of sanction.

The representative of the EC, Mr. Jessen, says that even though they conveyed this issue to the Council, they did not know the final figures for catch volume. In addition, they did not have enough support to agree on an explicit sanctioning measure, so they are going to study the possibility of having the required support the following year. He underlines the lack of support from Canada and the United States.

Mr. López, AGARBA, notes that the fisheries industry supports VME protection efforts, but that discussion focuses on how to regulate and monitor hydrocarbon exploitation activities in the area with the support of Canada and the USA. In his opinion, it should be discussed with other member states. Regarding Faroe, he supports Mr. Leduc's words and believes that other parties must request Faroe Islands to give their quota back.

The following **ACTIONS** are agreed:

- **The representative of the EC, Mr. Anders Jessen, encourages the LDAC to continue with its fruitful collaboration with DG MARE and with its role as advisory council issuing advice and also with its active role at the annual meeting. Namely, he proposes that the LDAC focuses on issuing feedback on technical and management measures relating to key commercial stocks, as well as on providing guidance on the ecosystem approach, including current discussions about the roadmap, the work plan and the review and extension of Vulnerable Marine Ecosystems.**

- **The Secretariat will call a focus group in July and August 2022 (depending on the availability of the report of the NAFO Scientific Council). The aim of this meeting is to prepare a first draft that will be ready to be presented at the technical coordination meeting with DG MARE that is usually held on the last week of August. All WG2 members are invited to send their request to participate in this work to the Secretariat.**

#### **4.2. Update on transposition of NAFO CEM rules into EU law.**

The representative of the EC, Mr. Bernard Blazkiewicz, thanks the LDAC for the letter sent<sup>1</sup> on the need for NAFO CEM rules to be directly transposed into EU legislation. This letter helped convey the message to the EP and the Council, that are deliberating on the level of mandate to be awarded to the Commission. In his opinion, they now understand better that there is no need to publish RFMO rules in the OJEU, and that it is enough to make reference to legislation in the OJEU or to simply transpose them. For the moment, they will continue to try to achieve the final

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<sup>1</sup> LDAC letter: [https://ldac.eu/images/LDAC\\_letter\\_transposition\\_NAFO\\_Regulation.pdf](https://ldac.eu/images/LDAC_letter_transposition_NAFO_Regulation.pdf)

EC reply: [https://ldac.eu/images/Reply\\_to\\_LDAC\\_NAFO\\_transposition\\_Director-General\\_1.pdf](https://ldac.eu/images/Reply_to_LDAC_NAFO_transposition_Director-General_1.pdf)



goal of transposing NAFO rules and other RFMO rules (such as SIOFA, SEAFO or CCMLAR) into EU legislation.

They are currently finishing the delegated act to transpose the areas of closure of VMEs, that they hope to have in 2 months' time.

#### **4.3. Follow up of outstanding actions and work plan for 2021.**

The General Secretary, Mr. Alexandre Rodríguez, explains that there are no outstanding actions to be carried out since the last working group meeting. In addition, he recalls that the LDAC is at DG MARE's disposal to respond to any specific questions that might be useful for the EC.

### **5. Bilateral and trilateral dialogues EU - North East Atlantic Third countries.**

#### **5.1- Svalbard FPZ: Update by DG MARE on the state of play of the negotiations for fishing opportunities and technical measures with Norway**

##### **5.1.1. Update from DG MARE**

The representative of the EC, Mr. Mindaugas Kisieliuskas, informs that Mr. Fabrizio Donatella is the head of the Unit on Fisheries Policy Atlantic, North Sea, Baltic and Outermost Regions (MARE.C). He says that there are currently two units of relevance for this group: Unit C1 on internal policies, that includes NEAFC and also relations between the EU and Russia, and Unit C5, that includes consultations regarding UK-EU, Faroe Islands and coastal states such as Norway.

Mr. Donatella, as Director, supervises all the work.

He then starts a summary on Svalbard explaining the historical background. He notes that, for the first time, the EU set a quota for Arctic cod for Norway in 1987, after its declarations as EEZ, due to the pressure exercised by Norway, since Spanish and Portuguese trawlers started to fish in a more significant and continuous way there; thus they requested the EU to limit their catches, including expansion to Svalbard.

In 1995, Norway declared that it would set a specific quota for the EU. In turn, the EU decides every year its fishing opportunities in Svalbard, as well as the distribution criteria for its fleets. For the internal distribution formula among EU countries, 1977-1985 was the period of reference to take into account historical catch data, in addition to a specific percentage for Arctic cod.

In 2020, Norway called a meeting to announce that it would base the EU quota on existing distribution criteria prior to setting a quota. The EU claimed 3.77% of the total quota for Arctic cod, while Norway implemented a methodology according to which it would take into account a historical period of 10 years prior to setting the Svalbard fisheries protection zone, i.e. from 1977 to 1986. Moreover, it withdrew the percentage relating to UK fleet activities from the EU quota, and this led to a much more reduced *de facto* quota for the EU.

The EU has exchanged numerous of the so-called "notes verbales" with Norway where a series of legal issues were presented. The EU has adopted a consistent position and will only accept measures provided that they are not discriminatory based on three conditions (that Norway is

not complying with so far): 1) They ought to be based on the best available scientific advice; 2) They are equally implemented by all parties and 3) They are accepted by all stakeholders.

In addition, he points out that Norway does not implement this methodology for any other contracting party fishing in these waters apart from the EU, in fact, an arbitrary figure based on recent activity has been set for the UK while Russia has unlimited access.

The EU has strived to engage Norway at different levels, even at diplomatic level and at the highest political level, with Mrs. Angela Merkel addressing this situation with the outgoing Norwegian prime minister. They believe that there will also be contacts with the President of the EC and the new Norwegian prime minister in the framework of current international negotiations. They expect that the Norwegian government will be more active in pursuing technical solutions, in order to ensure EU fisheries rights and to work in a more constructive way with Norway in the future.

Finally, he informs that the Norwegian Director General for Fisheries will soon travel to Brussels to discuss this issue in depth, although in the last few weeks it seems that Norway has positively changed its position, so they are hoping to be able to find a solution with the new Norwegian government.

#### **5.1.2. Feedback: Industry views**

The Chair, Mr. Gerard van Balsfoort, thanks the representative of the EC for the explanation given. He then says that EU fishing vessels are currently fishing in the area, and that they have not reached full performance yet. He hopes that solutions are found with the new government.

Mr. Iván López, AGARBA, underlines that it is a sensitive subject, since it is not a question of reducing or increasing quotas, but we are discussing distribution formula keys.

Spain has been fishing for cod there for a long time, from 1977 to be more precise, with an average of 10,000 to 15,000 tonnes a year, while Norway is currently fishing close to 155,000 tonnes. However, Spain and Portugal are the main markets for Norwegian cod, these being duty-free exports. In his opinion, Norway has set up a monopoly and he wonders what would have happened if these unilateral aggressive practices had been performed by another country. He believes that that country would have probably been given a card following legislation against IUU fishing.

He adds that a 1% increase in the Arctic cod quota for Norway would involve a 33% reduction for the European fleet (mainly Spanish and Portuguese). He also highlights that Norway continues to make business as usual with the EU without any kind of trade or economic sanction and without there being a unanimous position among EU member states regarding this matter.

In his opinion, the NEA balance is at stake and negotiations should be seen as a whole. The EU can use its market as a weapon. However, if Norway is not willing to pay duties or does not respect the Treaties, it must not be considered a trustworthy ally. In fact, they have been putting up with this position by Norway for years with different problems, such as cold-water shrimp, snowcrab and currently cod.



Mr. Emil Remisz, NAPO, explains that problems have to be borne in mind with other species as well, since the issue of cod is as important as that of oceanic redfish or Greenland halibut. He believes that if the EU manages to find a solution for cod, it must not take it as a victory, since there are still important pending issues regarding other species.

The Chair, Mr. van Balsfoort, asks if trade-related or other sanctions could be set for Norway.

The representative of the EC, Mr. Kisieliauskas, on behalf of his colleagues from DG MARE, thanks the industry concerned for their comments and collaboration, as he considers essential to exchange information and have good coordination among stakeholders. As for potential sanctions, he explains that they are in consultations and that these will be based on the answer they receive from the EC legal services. Nevertheless, he recalls that Norway is still an important ally for the EU, it is a member of NATO and the EEA, and this is something to be taken into consideration. Therefore, political understanding between both parties is essential, although some issues could be solved through diplomatic means.

Mr. Xavier Leduc, UAPF, says that this issue started 11 months ago already, and highlights that a solution ought to be found before the end of the year or it could set a dangerous and negative precedent. He enquires about the TAC level to be adopted by the EU for next year.

The representative of the EC, Mr. Kisieliauskas, replies that the amounts to be set in the future TAC and quota regulation have not been decided yet, but he confirms that the international rights of the European fleet will be ensured.

Besides, he explains that discussions in NEAFC will be led by the EU, with a proposal to include Arctic cod and for it to be regulated by that RFMO as a commercial species. He also thinks that it is fundamental to create joint management measures, since the absence of an agreement could damage the sustainability of the stock. In fact, the stock biomass is in decline and fishing mortality way above  $F_{msy}$ . Norwegians would also be affected by this decline, as would the EU. They know that they cannot give Norway and Russia *carte blanche* and they will require having voice and active presence at the negotiating table to move towards a more ambitious approach.

The Chair, Mr. van Balsfoort, supports the new approach of the EU of paying attention to what is happening in areas I and II. Besides, he requests further transparency, since the reports and minutes of the Russian-Norwegian Committee are in Norwegian.

Mr. Boguslaw Szemioth, NAPO, expands on what Mr. van Balsfoort was saying, noting that the last protocol of the Russian-Norwegian Committee mentions the idea of regulating the shrimp fishery in the region, so it should be added to the list of important fisheries for the EU distant water fleet.

**5.2- Presentation by DG MARE on the state of play of the negotiations for fishing opportunities and technical measures related to:**

- **Norway**
- **Norway and UK**
- **Faroe Islands**





The representative of the EC, Mr. Norman Graham, presents apologies on behalf of Messrs. Joost Paardekooper and Fabrizio Donatella, for not being able to attend this meeting.

He informs that they are in an intense negotiation period, for instance, last week they had quite a positive round on mackerel in London. He says that unilateral movements by Faroe and Norway have made the EC insist on its position to achieve an equitable distribution, as well as agreements on quota swaps. However, there are problems with other coastal states, since they are already discussing this week about blue whiting and Atlanto-Scandian herring (ASH). Discussions have not shown much progress so far.

Concerning dialogue with Norway and UK, there is a need to remain vigilant in this regard. The plan is to continue with hybrid meetings, but maintaining coordination with all parties concerned.

Trilateral discussions will be held on the third week of November.

Four-week long consultations will also be held in parallel with the EU and the UK, where problems to access the Skagerrak area will be addressed. Parallel consultations with the EU and Faroe are also expected to take place on the first week of December.

In the past they used to have time to prepare consultations but now they have strict time limitations, since the bilateral agreement between the EU and the UK must be signed before 16 December. Although the scientific advice was issued at the end of autumn, these periods have many ongoing activities. They see no actual commitment deriving from the consultation. There are many topics relating to demersal species. They hope to be able to make progress in all these aspects.

Then there is a round of questions by WG2 members:

Mr. Sean O'Donoghue, KFO, asks when the meeting between the EU and the UK will take place and whether the deadline to reach an agreement is 10 December or if they consider it could be extended another 10 days by means of a grace period.

Besides, he expresses his concern about what happened regarding blue whiting and the involvement of Faroe, Norway and Greenland, indicating that only the EU complies with the rules in terms of sustainability and the fight against IUU fishing. He regrets that the EU has not adopted a stronger position regarding Norway and Faroe implementing trade restrictions, for instance. The EU has been at the forefront of sustainability so they should have made a public statement in this sense and take action. Finally, he highlights that this afternoon negotiations on mackerel will be resumed, insisting that terms of reference on the distribution of stocks must be clear.

Regarding the EU-UK Specialised Committee on Fisheries (SCF), Mr. Esben Sverdrup-Jensen, DPPO, highlights that they have seen the efforts made by the UK in the different areas to undermine Community fisheries, in many areas such as Dogger Bank and the Scotland public hearing for sandeel and Norway pout.

As for Iceland, he asks if there are any efforts to restore the bilateral agreement (in the case of Denmark, they are interested in fishing opportunities for capelin).





Concerning the specific date of the meeting, the representative of the EC, Mr. Norman Graham, says that he will look it up. However, he indicates that being realistic the agreement should be concluded at the beginning of the month of December so that the EU internal procedures may be finalised at the end of the year.

He explains that Faroe has a clear position, they want to go back to a distribution agreement similar to that of 2014. The change of duties within the EEA may cause difficulties.

As for mackerel, he informs that it is a complicated issue in the short and medium term owing to the consequences that not having a multilateral agreement may have for stock conservation. He understands that no information was given about what happened. They are still putting pressure on coastal states like Norway that is mainly fishing in its EEZ waters, although in international waters to some extent too. The position of the EC was very clear with a clear counterproposal based on objective data on the Arctic ecosystem, as well as information on distribution of mackerel. Despite everyone, Norway and Faroe are still reluctant, choosing to use up diplomatic channels, but there are conflicting topics that go beyond the Regulation against IUU fishing. He agrees with Mr. O'Donoghue on the fact that this situation is unacceptable. Not reaching an agreement is complicated.

Regarding consultations for terms of reference, they are waiting to see the reaction of member states and they will resume them with Norway.

There are issues with the different data. Traditionally, when seeing distribution criteria, they know what happens when there are many critical aspects. This is something they closely follow.

As for relations with the UK and the implementation of the Trade and Cooperation Agreement (TCA) in terms of fisheries, he explains that they have a series of administrative groups with many Brexit-related topics. They had an administrative meeting and they are having a follow up meeting tomorrow with the UK. They still have to address procedures, guides and guidelines, and they also have mandate-related restrictions.

Regarding industrial fisheries, conversations with the UK are very complex. There have been some delays, but there will be legislation to be adopted soon. There is also a philosophical side to it. The problem is the destination of catches. A consultation process was launched that is a questionnaire to get to know the opinion of the people.

Regarding Iceland, he informs that they do not show much interest in restarting the bilateral agreement with the EU, which is still dormant. The Council has not shown any formal interest in reopening it, although there might be a slight chance with capelin. A follow-up will be conducted to be addressed by the Specialised Committee. Regarding the Dogger Bank, there has been no reply to the letter sent in March, they are following up through legal services and it is quite likely that it will be discussed at the SCF.

Mr. Vandeveld, PEW, asks about coastal states regarding mackerel and blue whiting. NGOs are surprised to see that there is no long-term management plan for these stocks. There are ways to design a strategy if access to catches has been taken into account. Nevertheless, he points out that the results are disappointing for next year and for subsequent years.



The representative of the EC, Mr. Graham, confirms the interest of the EC in having a long-term strategy for all stocks. They wish to reach an agreement with coastal states, but we must not accept the long-term management strategy (LTMS) under the premise of wrong assumptions about catch levels of their counterparts. In the case of mackerel, some steps need to be taken regarding the LTMS, but the main aim is still distribution, from 3% to 5% of the mackerel TAC is caught in Norwegian waters. The problem with blue whiting is not that there is no management plan, since it is already regulated according to MSY and additional considerations.

## **6. Multilateral – update on NEAFC Coastal States negotiations and relevant issues for decision at Annual Meeting**

The representative of the EC, Mr. Mindaugas Kisieliauskas, informs that a hybrid NEAFC meeting will be held in London with limited capacity. As attendees know, Mr. Gerard van Balsfoort was appointed to attend the NEAFC annual meeting in person. However, he requests that the LDAC provide the names of those interested in attending subject to their availability. He explains that, if there are vacancies in the European delegation and taking restrictions into account, there would be no problem for some industry representative to attend.

He then informs about an action to include Arctic cod in the list of species regulated by NEAFC, with shrimp being dragged into the spotlight since they were contacted by some member states about this species. Taking all this into account, the Permanent Committee on Management and Science (PECMAS) will be requested to study HCRs for shrimp. However, he understands that the scientific advice will be issued after the annual meeting, and this will limit its scope. Nevertheless, the idea is to ask all stakeholders to collaborate in the management of the stock.

Regarding mackerel, he informs that the coastal states' process has some limitations. They are very interested in the limit of catches for international waters. In addition, they have close contact with their British counterparts. They are analysing their intentions and objectives regarding measures for mackerel and potential catch limits in international waters.

Then there is a **round of questions by WG2 members:**

Mr. Jean-Christophe Vandeveld, PEW, requests a seat for NGOs/OIG in the EU delegation at the NEAFC annual meeting to be able to have equitable representation.

Mr. Sean O'Donoghue, KFO, believes it is essential that the EU joins forces with the UK for mackerel management and that they submit a joint recommendation at NEAFC.



The representative of the EC, Mr. Mindaugas Kisieliauskas, replies to Mr. O'Donoghue that they are already in contact with the UK to follow up on mackerel. However, he points out that the problem is Iceland's unilateral increase of catches, although its dynamics are different from Norway's and Faroe's, both of which have also increased their quotas. It is important to maintain EU fishing rights and the level of quotas, not allowing for a reduction of the catch distribution keys. To this end, he offers their collaboration and spirit of dialogue both with EU MS and stakeholders. He recalls that NGOs are already present and have special status at NEAFC, since they can attend as observers. The deadline to submit expressions of interest ended in September. The EU received a significant number of proposals from NGOs to participate as members of the delegation.

Mr. Ivan López, AGARBA, says that if NGOs wish to attend, they shall comply with the same rules as the industry. In fact, participating in the EU delegation means accepting EU proposals and not criticising them or issuing a specific position. So, in his opinion, PEW should consider this as the international organisation it is because if it wishes to participate it must reject being outside the EU position.

Mr. Vandeveld, PEW, says that he agrees with Mr. López, but that he is not going to give up his role as observer at NEAFC. He explains that his comments referred to the general feeling of NGOs having been pushed aside by member states, although it seems that this is gradually changing.

The representative of the EC, Mr. Mindaugas Kisieliauskas, explains that at the annual meeting they work together with the industry and NGOs and that both inputs are welcome.

The following **ACTION** is agreed:

**- To agree on the LDAC representative(s) that could attend the NEAFC meeting as part of the EU delegation.**

## **7. State of play of the Joint AC work on the (re)positioning of the EU and stakeholders' role in the post-Brexit new fisheries governance framework on NEA.**

### **7.1. Review of impact of Brexit on international fisheries**

#### **7.1.1. Update from DG MARE on state of play of TCA UK-EU negotiations and role of Specialised Committee on Fisheries (SCF)**

The representative of the EC, Mr. Norman Graham, explains that negotiations are progressing at a slower pace than expected. There are still many legal loose ends to clarify.



**ACTION: Implementation of the TCA between the EU and the UK and bilateral negotiations**

- The representative of the EC, Mr. Norman Graham, encourages the LDAC to participate in the consultation process launched by the UK on industrial fishing for sandeel and Norway pout, indicating that it would be very positive if it were based on scientific data.

Link to the consultation website (deadline: 19 November 2021)  
<https://www.gov.uk/government/consultations/future-management-of-sandeel-and-norway-pout-in-uk-waters-call-for-evidence>

**7.2. Proposed way forward on work of the ACs:**

**7.2.1. Discussion on the draft LDAC proposal for advice on role of EU in NEA fisheries governance.**

After some discussion among the members, the following **ACTION** is agreed regarding the proposal of Recommendation of the LDAC on the (re)positioning of the EU in the post-Brexit new fisheries governance framework on NEA.

- The Secretariat will call a focus group that will be open to any WG2 member that might be interested (with a recommended limit of 10-12 delegates maximum) to discuss the document drafted by the Secretariat based on the input received from Europêche and Pew in June and September 2021, respectively. Once agreed, it will be sent to WG2, and if agreed, it will be submitted to the Executive Committee for approval.

**7.2.2 State of play of joint PELAC-LDAC work on a concept note for definition, role and competencies of a NEA Stakeholders forum.**

The General Secretary, Alexandre Rodríguez, presents the work jointly carried out by the PELAC and LDAC Executive Secretaries formulating a series of potential theoretical scenarios and the possibility of holding a stakeholder forum to inform political decision-makers on fisheries management in international waters in NEA (FAO 27). He explains that this document was only distributed internally among the chairs and vice chairs of the LDAC and PELAC respective Executive Committees.

Then the Chair, Mr. Gerard van Balsfoort, explains that he prefers that the EU document on governance in NEA is first approved and then resumed at the beginning of 2022 in dialogue with PELAC.

Mr. Iván López, AGARBA, agrees on the approach expressed by Mr. van Balsfoort.

The following **ACTION** is agreed:

- The PELAC and LDAC Secretariats will call a joint focus group on the first quarter of 2022 (open to other ACs) to discuss a concept note on potential scenarios and modalities for the organisation of an EU stakeholder forum on fisheries on NEA. Once agreed, the secretariats will analyse the possibility of initiating a process to adopt joint advice on this matter.



## **8. AOB - Closing of the meeting.**

With no other issues to address, the Chair thanks the Secretariat, the interpreters, the members and rapporteurs for the work carried out and closes the meeting.

## **END OF THE MEETING**

## **ANNEX I: LIST OF ATTENDEES**

### **MEMBERS**

1. Gerard van Balsfoort. DPFA
2. Xavier Leduc. UAPF
3. Juan Manuel Liria. CEPESCA
4. Emil Remisz/Boguslaw Szemioth. NAPO
5. Edelmiro Ulloa. Opana / Anamer / Acemix / Agarba
6. Rob Banning. DPFA
7. Iván López. AGARBA/CEPESCA
8. Despina Symons/ Jacopo Pasquero. EBCD
9. David Troncoso. ANASCO
10. Anaid Panossian. CFFA-CAPE
11. Daniel Voces/Rosalie Tukker. EUROPECHE
12. Laurens van Balsfoort. DPFA
13. Tim Heddema. DPFA

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14. Sigurður Steinn Einarsson. DHV/DFV
15. Christine Adams. Seas at Risk
16. Jean-Christophe Vandeveld. The Pew Charitable Trusts
17. Eloy García. CONXEMAR
18. Juan Carlos Martín Fragueiro. ANACEF
19. Juan Manuel Trujillo. ETF
20. Sean O'Donoghue. KFO
21. Luis Vicente. ADAPI
22. Esben Sverdrup-Jensen. DPPO

#### **OBSERVERS**

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