

## ANNEX I

### WORK PROGRAMME FOR LDAC Year 16

1 June 2022 - 31 May 2023

#### **Background**

##### Legislative framework

The Long-Distance Advisory Council (LDAC) is an EU fisheries stakeholder-led body that provides evidence-based advice to the European Commission and the Member States in relation to various issues on management of marine living resources outside EU waters. Its role and functioning are defined in the CFP Regulation (UE) No 1380/2013<sup>1</sup>, namely articles 43-45 and Annex III; as well as in the specific Delegated Regulations (EU) 2015/242, 2017/1575 and 2022/224, laying down detailed rules on the functioning of the Advisory Councils under the Common Fisheries Policy. Furthermore, Advisory Councils are recognized as organizations aiming a European interest and they are beneficiaries of co-funding by the European Commission in accordance with recital 28 and article 48(d) The (EU) Regulation 2021/1139 on the European Maritime, Fisheries and Aquaculture Fund.

The LDAC was formally established in 2007 and is fully operational since 31 May of that year. According to Annex III of CFP Regulation, its area of competence and geographical remit is all non-EU waters including both the EEZ of third countries and the high seas.

In terms of composition and membership, the LDAC is currently made up by 53 member organisations from 12 EU coastal Member States<sup>2</sup>. It has a 60:40 composition of fishing sector organisations (including catching, processing and marketing sectors, and trade unions), and other groups of interest (representatives of the civil society and in particular environmental and cooperation for development NGOs), respectively.

##### Transparency initiatives

The LDAC is fully transparent for its financial contributions and activities. As such, it is registered on the EU Transparency Register of organizations with ID No. 905805219213-67 – Link: <http://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=905805219213-67>

It is also included on the UIA Annual Yearbook of International Organizations – more info on <http://www.uia.org/yearbook>

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<sup>1</sup> Amended by the Regulation (EU) 2017/2092 of the European Parliament and of the Council of 15 November 2017.

<sup>2</sup> Since year 14, UK is not a member of the LDAC due to the Brexit. For year 16, two new organizations have applied for membership of the LDAC and are currently in process of admission subject to decision of the Member States, the Executive Committee and General Assembly. The two candidate organizations are BOLTON FOOD S.p.A (HQ: Italy) and ANEPAT (HQ: Spain). We have also received a request from The Shark Trust, but as it is an NGO based solely in UK with no EU office the application status is temporarily on hold pending further consideration.

## Mission and objectives

The **LDAC's mission** is to promote the conservation of marine biodiversity and the sustainable use and management of fisheries resources outside EU waters from an environmental, economic and social perspective. It also seeks to achieve a level playing field and improve the economic competitiveness of EU's Member States fleets *vis-à-vis* non-EU fleets.

To achieve this mission, the LDAC will continue providing the European Commission and Member States with timely, evidence-based, technical advice, either on its own initiative or in response to consultations and requests, with the aim to improve the implementation of the external dimension of the Common Fisheries Policy.

In terms of **objectives**, the LDAC aims to assist the European Commission and Member States to:

1. Promoting policy coherence for sustainable development, to ensure EU policies impacts promote the sustainability of external fisheries: <https://ec.europa.eu/international-partnerships/policy-coherence-development>
2. Ensuring effective implementation of the EU Fisheries Control system and in particular the fight against IUU fishing and transparency of fishing activities of the external fishing fleet (SMEFF Regulation).
3. Promoting decent labour conditions and social rights in fisheries value chains in line with international instruments.
4. Monitoring involvement and participation of the European Union in contributing to a better international ocean governance (IOG) through effective implementation of sustainable fisheries policies and promotion of dialogue with third countries, in line with one of the six Headline Ambitions and Priorities set by the European Commission "*making a Europe stronger in the world*".<sup>3</sup>
5. Providing advice to remove barriers to transparency, accountability and dialogues with coastal states stakeholders, in particular for implementation of SFPAs. The reference of "removing barriers to transparency" is linked to the dedicated section of the LDAC advice submitted in 2020<sup>4</sup>, under the section "Governance/transparency":  
In the last years, increasing emphasis has been put in the SFPAs on governance issues, including transparency (in particular regarding the overall fishing effort), participation of partner countries stakeholders, and non-discrimination of treatment regarding technical and financial condition *vis-a-vis* other distant water fleets by the partner countries.
6. Highlight the role, visibility and importance of local artisanal fishing communities of non-EU countries for socio-economic sustainability of fishing value chains, food security and poverty alleviation.
7. Participating in EC technical meetings in preparation of Annual and Intersessional Meetings of relevant RFMOs (NAFO, NEAFC, ICCAT, IATTC, IOTC, WPFC...) as well as attending those RFMO annual meetings where the LDAC has issued an advice, in member capacity within the EU delegation.
8. Representing the voice of EU fisheries stakeholders in international fora related to sustainable fisheries and related human activities at sea having an impact on fisheries, whenever possible and provided there is a clear mandate from the LDAC members and subject to prior consent of DG MARE (e.g. UNGA, FAO, UNDP, ISA...).

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<sup>3</sup> Von der Leyen paper titled "*My vision for Europe - Political Guidelines for the next EC 2019-2026*":

[https://www.eunec.eu/sites/www.eunec.eu/files/attachment/files/political-guidelines-next-commission\\_en\\_kopie.pdf](https://www.eunec.eu/sites/www.eunec.eu/files/attachment/files/political-guidelines-next-commission_en_kopie.pdf)

EC priorities for 2019-2026: [https://ec.europa.eu/info/strategy/priorities-2019-2024/stronger-europe-world\\_en](https://ec.europa.eu/info/strategy/priorities-2019-2024/stronger-europe-world_en)

<sup>4</sup> [https://ldac.eu/images/LDAC\\_Advice\\_on\\_improving\\_SFPAs\\_evaluationsR.13.20.WG4.pdf](https://ldac.eu/images/LDAC_Advice_on_improving_SFPAs_evaluationsR.13.20.WG4.pdf)

9. Helping to gather information and initiatives from fishing operators and other interest groups (OIG) which might be useful to the achievement of the UN 2030 Agenda for Sustainable Development, and in particular Sustainable Development Goal 14 on “Life below Water”.

## LDAC WORK PRIORITIES FOR Y16

### **Overarching LDAC work priorities for Year 16: key deliverables identified**

The LDAC aims to work proactively on contributing to the promotion of sustainable, healthy and profitable fisheries around the world and to achieve a level playing field in terms of environmental, social and economic sustainability standards between EU and non-EU fleets, as an engine of change.

In order to establish and coordinate priorities, the LDAC will try to align its work with that of the European Commission through regular coordination meeting with DG MARE.

In Year 16, the LDAC intends to provide evidence-based advice to the EC in the field of international ocean governance. As a result, eight (8) work priorities have been identified as key deliverable indicators (KDI):

1. International Ocean Governance

The LDAC has actively contributed in the three editions of the IOG forums in 2020 and 2021<sup>5</sup>, and the public consultation launched by DG MARE, culminating in the publication of the EC report on IOG launched in March 2021. This report includes a number of recommendations that will now feed into the IOG agenda for the future. In year 16, the LDAC is committed to be actively engaged in the shaping and design of the IOG agenda. It will also continue assisting DG MARE in fulfilling the Headline Ambition of making “a stronger Europe in the world” set in the EC political guidelines 2019-2024 and embedded in the mandate of the Commissioner for Oceans, Environment and Fisheries. In particular, it will provide stakeholders’ advice prior to key negotiations taking place in the context of RFMOs and relevant international fora such as the UNGA, UN Ocean Conference, COFI, the BBNJ IGC sessions, the CBD or the ISA.

2. Promotion of Level playing field of fishing products between EU and non EU operators and traders to ensure the environmental and social sustainability of products in EU market

The LDAC has been working in 2020 and 2021 in developing a comprehensive and fully-fledged position paper identifying areas of uneven internal (intra EU between EU products) and external (between EU and imported products) dimension in the field of fisheries with regards to different aspects related to access to fair competition, traceability of products and value chains, transparency of fishing activities and access to EU market. This work has been complementary of that initiated by the MAC and looks specifically at aspects broader than but interlinked to trade such as international governance and policy frameworks, implementation of SFPAs, provisions of RFMOs, fight against IUU fishing, fisheries subsidies and labour, social and human rights. This position paper will serve as foundation to develop thorough year 16 a number of specific advice in relation to some/all of the above-mentioned topics.

3. Social Dimension of the CFP

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<sup>5</sup> More info: <https://webgate.ec.europa.eu/maritimeforum/en/frontpage/1469>

The LDAC will remain active in the promotion of labour and social issues related to fisheries in the EU agenda. The LDAC updated recently its joint work plan with the EU Social Dialogue Committee (EUROPECHE-ETF) to develop a road map with specific deliverables and actions for 2022 and beyond.

The overall aim is to produce series of recommendations in the following fields:

- 3.1. Promotion of a harmonized and robust legal framework within the EU in line with internationally agreed social and labour standards for fisheries – this might feed into the consultation process to the report on the CFP revision.
- 3.2. Request EU flag Member States to foster the adoption, transposition, ratification and effective implementation of key international legal instruments of maritime safety at sea such as ILO C188, IMO STCW-F or IMO Cape Town Agreement.
- 3.3. Formulation of specific recommendations on how to improve working and living conditions of fish workers along external fisheries value chains, including for example training and employment rights related to migrant workers (minimum salary, rest times, health and pensions benefits...), framework for collective bargaining agreements, or medical inspections; improving women in fisheries working conditions in partner countries.
- 3.4. Start a discussion on improving the measuring of fishing capacity (alternative systems for measuring Gross Tonnage and engine power) to ensure decent working conditions onboard whilst ensuring fishing capacity does not increase as a result.

In the international arena, the LDAC will also look at ongoing FAO initiative to raise awareness on the need to promote socially responsible fisheries value chains around the world. As such, it is envisaged that the LDAC will contribute as stakeholder in any future consultation processes and workshops set up by FAO in relation to development of the technical annexes to the Guidance Document on social responsibility of the fisheries value chains, in line with outcomes of FAO COFI 34 and inform EU and MS on forthcoming FAO Sub-Committees on Fisheries Trade and COFI<sup>6</sup>. It will also assist the EC to provide the stakeholders' views in preparation of the COFI35, scheduled for 5-9 September 2022.

#### 4. Evaluation of Sustainable Fisheries Partnership Agreements (SFPAs) with Third Countries.

The LDAC participated in 2021 both to the roadmap and the EU public and targeted consultations launched by DG MARE to provide a critical overview of the constituent elements of SFPAs and formulate recommendations regarding both the process and content of this overall evaluation, to make the whole exercise more efficient.<sup>7</sup>

The LDAC will follow closely the outcomes of the study on evaluation of SFPAs, planned for mid-2022 and exchanged view on how to optimize implementation of SFPAs and improve the efficiency of utilization of funds, allocated to the sectorial support. In relation to the latter, key actions must take place to improve capacity building, training and development of coastal State capacities and local communities from third countries, including artisanal fishers.

In the case of *ex-post* and *ex-ante* evaluations of SFPAs, LDAC will also look at reviewing and monitoring

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<sup>6</sup> Link to report of COFI 34 Session – see recommendation 39:

[https://ldac.eu/images/COFI\\_34\\_Draft\\_Report\\_for\\_Adoption\\_en.pdf](https://ldac.eu/images/COFI_34_Draft_Report_for_Adoption_en.pdf)

<sup>7</sup> The LDAC contribution can be found here: <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12728-Fisheries-evaluation-of-the-EU-s-sustainable-fisheries-partnership-agreements-SFPAs>

of agreements in force analyzing methodology and content of these evaluations; and will provide the Commission with concrete elements to support the identification of priorities linked to the agreement and needs assessment of recipients from third countries (policy makers and stakeholders). It will also reiterate its advice to improve the transparency of implementation of SFPAs through: publication of minutes of scientific and joint committees; publication of annual reports on the use of sectoral support; reporting of fishing activities via publication of public and private agreements from EU and non-EU vessels signed with the third country. In addition, LDAC will look at the impacts of SFPAs on the marine environment, where partial work has been done via the FarFish H2020 project<sup>8</sup>, incl. by-catch and non-targeted species; socio-economic analysis; value chains and trade flows.

5. Regional Fisheries Management Organizations (RFMOs)

The LDAC will aim to provide in Year 16 timely and strategic input to the EC designated negotiation teams prior to the intersessional panel meetings, special sessions and the plenary annual meetings of key regional fisheries management organizations of high interest for our members which we have historically worked with, namely NAFO, ICCAT and IOTC, but also on issues of relevance in the rest of the RFMOs. Special focus will be put on 3M Cod and Shrimp in NAFO; Atlantic bigeye tuna in ICCAT; or yellowfin and skipjack tunas in IOTC. Further work will be explored on providing more detailed feedback to proposals related to ecosystem approach to fisheries management in some of these areas, should there be information provided by relevant members both from the fishing sector and other interest groups/NGOs.

6. Review of EU Fisheries Control Systems; and effective implementation of Regulations on Fight against IUU Fishing (IUU) and Sustainable Management of the External Fishing Fleet (SMEFF)

The LDAC will continue working on Year 16 on proposals to the European Commission to improve the effective implementation of three key Regulations: the Control regulation (under review), the IUU Regulation, and the SMEFF Regulation. With that purpose, shortcomings will be identified and areas to improve from the side of the EU, Member States and fishing operators. Specific emphasis will be put on using the periodically updated EU database on fishing authorizations to inform our advice, and request publication of key features of beneficial ownership and measures to improve identification of vessels when required, including compulsory IMO numbers and promotion of FAO global record of fishing vessels.

The LDAC will also keep a close eye on the evolution of the review of the EU fisheries control system, currently under trilogue discussions under co-decision procedure, and in particular how new measures will apply to EU vessels fishing outside EU waters, and with what impacts. An important area of work in this new approach will be the transition phase from a paper-based to an electronic implementation of the EU Catch Documentation Scheme (CDS – IT CATCH). The LDAC is also interested at streamlining the current system of mutual assistance between MS for early detection of already rejected or suspicious consignments to avoid fraudulent entry of products in the EU market.

Last, the LDAC will ask for regular briefings and update from DG MARE IUU unit on state of play of EU carding system (green, yellow and red cards), and also dialogue with countries of interest for LDAC members where there might be specific issues related to IUU fishing or lack of transparency such as Morocco, Ghana, China, Thailand, Ecuador, Cameroon or Guinea Conakry, amongst others.

On the basis of such information added to LDAC stakeholders' information, the LDAC will envisage to produce a series of recommendations and advice on individual country level highlighting shortcomings

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<sup>8</sup> The LDAC was partner of EU funded H2020 FarFish: <https://www.farfish.eu/> a 4.5-year project which ended in 30 Nov. 2021.

and deficiencies and proposing remedial actions and measures to overcome them.

Last but not least, the LDAC is committed to continue playing an active role as member of the Advisory Board of the European Fisheries Control Agency (EFCA). In particular, it will give feedback and participate in the stakeholder consultation process for the new 5-year independent external evaluation of EFCA work for the years 2017-2021 which commenced on 26 November 2021. The LDAC will seek promoting an enhanced role and increased profile of EFCA in the international dimension of the CFP in line with previous advice in this subject from 2017<sup>9</sup>.

#### 7. Climate change and impacts on fisheries

The LDAC members have shown increased concern over the last years with the impacts of climate change on the marine environment, and in particular how it affects external EU fishing activities. This is for example the case in North Atlantic Fisheries, where most big and small pelagic stocks are migrating north with its implications for the fisheries governance in particular in the North East Atlantic in a post-Brexit scenario. Another case will be that of tuna migrations affecting catch for coastal countries fishing communities and distant water fleets operating in beneficiary countries of SFPAs. To this purpose, the LDAC will take into account the conclusions of the IPCC Assessment Reports on Climate Change<sup>10</sup> as well as the FAO technical paper on impacts of climate change for fisheries and aquaculture published in 2018<sup>11</sup>.

#### 8. Role of artisanal fisheries from non-EU coastal states in fisheries

The LDAC will investigate how the External Dimension of the CFP can contribute to support development of fishing communities in Africa. This can be materialised with three specific actions:

8.1. Organise events in 2022 to support and promote the International Year of Artisanal Fisheries and Aquaculture designated by UNGA<sup>12</sup>. One could be a high-level seminar or workshop on the implementation, benefits and challenges linked to implementation of SFPAs for coastal communities (including themes such as good practices in co-habitation and exclusive access to certain coastal zones, use of sectoral support, inclusiveness of stakeholders in ex ante and ex post evaluations of SFPAs, etc.).

8.2. Support innovation in African Artisanal Fisheries Value Chain (e.g. access to raw materials for local women fish processors, R&I to improve techniques for smoking and processing of pelagic fish, etc.).

8.3. Protect fisheries from other competing maritime economic sectors present in the blue economy. Promote a precautionary approach for the development of new blue economy activities that impact fisheries in line with multi-AC advice on the roadmap for a Maritime sector – a green post-COVID future submitted on December 2020:

[https://ldac.eu/images/EN\\_Multi-AC\\_advice\\_Blue\\_Economy\\_09Dec2020.pdf](https://ldac.eu/images/EN_Multi-AC_advice_Blue_Economy_09Dec2020.pdf)

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<sup>9</sup> [https://ldac.eu/images/documents/publications/LDAC\\_Opinion\\_on\\_EFCA\\_Role\\_on\\_International\\_Dimension\\_of\\_CFP.pdf](https://ldac.eu/images/documents/publications/LDAC_Opinion_on_EFCA_Role_on_International_Dimension_of_CFP.pdf)

<sup>10</sup> <https://www.ipcc.ch/>

<sup>11</sup> <https://www.fao.org/policy-support/tools-and-publications/resources-details/es/c/1152846/>

<sup>12</sup> The United Nations General Assembly has declared 2022 the International Year of Artisanal Fisheries and Aquaculture (IYAFA 2022). FAO is the lead agency for celebrating the year in collaboration with other relevant organizations and bodies of the United Nations system.

## Work priorities identified for each Working Group

### **Working Group 1: Highly migratory fish stocks (Tuna and Tuna-like species)**

- *Horizontal issues within the context of RFMOs:*

The WG1 will consider working on an advice to DG MARE on the access allocation process and fair ways to address development aspirations of developing countries simultaneously to the respects of EU investments in sustainable tropical tuna fisheries operations. As there can be a link with SFPA (which provide sectorial help and defines technical conditions for access), the subject might be discussed in a joint horizontal WG1-WG4 Focus Group.

More emphasis will be put on the ecosystem-based approach to fisheries in the context of tuna RFMOs, with specific emphasis on by-catch of key commercial species.

- *International Commission for the Conservation of Atlantic Tunas (ICCAT):*

The Secretariat and/or key members will attend if feasible PA1 (tropical tuna) and PA4 (sharks) intersessional meetings and workshops throughout the year to follow the deliberation process amongst CPCs and scientists. The LDAC will provide feedback to the Commission ahead of the Intersessional meetings and participate at the Commission's meeting with stakeholders expected to happen in fall 2022 in preparation of next ICCAT Annual Meeting planned for November 2022. As in previous years, a dedicated focus group will be set up with a balanced composition of fishing operators from different fleets and gears (purse seiners, long liners, pole and line...) and NGO members.

The aspiration will be to produce an advice focused on Atlantic stocks of commercial interest, in particular tropical tunas (with specific concerns on bigeye tuna). In respect to the northern Atlantic shortfin mako, the LDAC Secretariat endeavours to collect technical information on the EU longline fleet representatives from Spain and Portugal on the voluntary spatial measures they set in place to avoid catches significantly, namely spatial-seasonal closed areas and good handling practices via release of alive specimens. Furthermore, qualitative information will be asked on by-catch issues in line with the environmental based approach to fisheries.

Last, specific analysis will be dedicated to the development of regional observer programmes and coordination with co-existing initiatives at sub regional level, in particular in relation to West Africa.

- *Indian Ocean Tuna Commission (IOTC):*

The LDAC will provide feedback and aim to submit specific recommendations to the ongoing negotiations and inform the proposals tabled by the EU on fishing allocations and conservation and management measures (including FADs) for tropical tuna stocks with specific focus on yellowfin tuna and skipjack. It will also provide advice on items related to monitoring, control and surveillance of fishing activities and regional observer programmes, as well as data reporting issues, if requested from DG MARE or coming from the members. A dedicated virtual Focus Group on IOTC is operative since Year 14 and will continue its work in Year 16 to follow up decision on conservation and management measures discussed at the IOTC Annual Meeting (16-20 May 2022) for all gears targeting yellowfin tuna and associated tropical tuna stocks. The topic on introducing recommendations on measures to fight against IUU fishing will be also considered for inclusion.

- *Western and Central Pacific Fisheries Commission (WCPFC):*

The LDAC will aim to provide informal feedback (through dedicated coordination meetings and exchange of views at WG1 meetings) to the DG MARE including topics such as electronic monitoring schemes, cross-listing of vessels for IUU and other MCS provisions, labour conditions onboard fishing vessels, etc. In addition, the Secretariat will try to gather qualitative evidence of impacts of COVID-19 in the economic performance and activities for the EU fleets operating in the Pacific fisheries; stating specific examples of problems by fishing gears and if possible, suggest adaptive measures. They will also compile if possible, the adaptive measures taken and in general facilitate the flow of information between members and DG MARE.

- *Partnerships with organisations working in the Atlantic and Indian Oceans:*

The LDAC will seek consolidating and expanding its network of partners outside the EU through the promotion of the initiatives in the field of transparency of fishing activities and projects of research and collaboration for improving responsibility of EU distant water fleets and investments in third countries and contributing to development for cooperation of coastal communities in third countries. LDAC has a MoU signed with the Ministerial Conference on Fisheries Cooperation amongst African Coastal States in the Atlantic Ocean (ATLAFCO-COMHAFAT). It is now in dialogue for possible informal or formal collaboration with the Fisheries Division of FAO, the Pan-African platform of Non-State Actors in Fisheries and Aquaculture (AFRIFISH) within the framework of African Union and the Indian Ocean Commission within the framework of ECOFISH programme. The LDAC Secretariat will liaise with its partner in West Africa COMHAFAT to progress on the work plan on the feasibility study on CMM related to Fish Aggregated Devices (FADs) in the Atlantic fisheries of Africa (both in the high seas and EEZ of coastal states) and the creation of an RFMO dealing with regional management of demersal and small pelagic stocks in West Africa.

## **Working Group 2: North Atlantic Fisheries Agreement and RFMOs**

- *Northern Fisheries Bilateral Agreements incl. UK, Norway, Iceland, Faroe Islands and Greenland:*

The LDAC will invite in Year 16 the negotiating team of DG MARE to forthcoming meetings to keep informed on the content of the EU proposal and the state of play of the negotiations with the above referred countries in the North East Atlantic. Based on feedback from members, it might consider providing ongoing feedback on the particularities of each of the agreement above mentioned including considerations such as annual fishing opportunities and utilization of the quotas assigned, technical and commercial measures, monitoring of EEA negotiations or, for the specific case of relations with Norway, fishing regime access to Svalbard Fisheries Protection Zone and the ongoing conflict on Arctic Cod stock.

Furthermore, the framework agreement between EU and Norway is planned for revision in 2023. Being that the case, the LDAC WG2 will be prepared to provide stakeholders advice to DG MARE on this subject.

- *Implementation of EU Trade and Cooperation Agreement between EU and UK:*

The LDAC will also continue liaising at Inter-AC level with other concerned ACs (PELAC, NSAC, NWWAC and MAC) to formulate recommendations on the role and participation of EU fisheries stakeholders in the Specialized Committee on Fisheries (SCF) as a result of the implementation of the EU and UK Trade and Cooperation Agreement (TCA):

[https://ec.europa.eu/info/relations-united-kingdom/eu-uk-trade-and-cooperation-agreement\\_en](https://ec.europa.eu/info/relations-united-kingdom/eu-uk-trade-and-cooperation-agreement_en)

The LDAC will be the host of one of these Inter-AC periodic Joint Focus Group during year 16.



This might require in Year 16 internal adjustments or adaptive ways of providing stakeholders' advice in coordination with other ACs in the context of bilateral EU-UK and/or trilateral EU-UK-Norway negotiations on fishing opportunities in 2023.

- *North East Atlantic Fisheries Commission (NEAFC):*

The LDAC will rely on the DG MARE correspondent unit and its own industry members to be informed on updated information from Coastal States consultations. Also, it will provide advice on issues other than fishing opportunities and it will exchange views with ICES (through participation in MIACO and other relevant fora) on how to improve knowledge on ecosystem approach (e.g., VMEs and OECMs) and biology and management of demersal and deep-sea stocks in this Regulatory Area<sup>13</sup>. Last, the LDAC is currently working with the PELAC in developing a joint initiative to discuss possible scenarios for the creation of a dedicated stakeholders' forum in the international waters of the NEA. This will be a theoretical exercise trying to identify structures to channel and organize EU fisheries stakeholders' participation in NEAFC.

- *Northwest Atlantic Fisheries Organisation (NAFO):*

Similarly, as in previous years, the LDAC will setup a dedicated task force/focus group to develop a fully-fledged advice to be presented in oral form at the EC technical meeting with stakeholders in August 2022 and in written form the adopted advice at least one week before the NAFO Annual Meeting planned for the third week of September 2022.

### **Working Group 3: International waters and other RFMOs**

This Working Group was formally removed in Year 13 as a result of the retirement of its Chair, the resignation of its Vice Chair and the lack of interest expressed by the members of the Executive Committee in keeping this meeting with very low attendance and lack of active participation. However, the topics dealt with there that were still of interest (e.g., CCAMLR, SEAFO, SIOFA, North Pacific Fisheries Commission, Atlantic South West, and role of fishing investments in third countries) have been reallocated between Working Group 5 and the Executive Committee. To this date, the number of the subsequent working groups have not been changed at this stage so we have actually four working groups: WG1, WG2, WG4 and WG5.

### **Working Group 4: Bilateral relations between the EU and third countries - SFPAs**

- The LDAC will invite DG MARE at forthcoming meetings in Year 16 and follow the progress on negotiation of new SFPAs, renewal of existing ones and implementation of those currently in force. The LDAC will consider developing advice on specific countries should they be requested from the members. For Y16, it is envisaged that special consideration will be given to the following countries: Morocco, Mauritania, Senegal, Gabon, Madagascar and Seychelles.
- The LDAC will endeavour to assess and advice on specific technical elements and aspects of the SFPAs, gathering information from operators and other interest groups on their concerns regarding problems with the implementation of the licensing system, technical measures (seasonal closures, zoning, allocation of fishing effort...) or quota (infra/over utilization and consumption) for certain technical modalities, as well as the use of sectoral support and promotion of EU environmental and social sustainability standards.
- In addition, the LDAC will look at how to improve the implementation of social clause in SFPAs as well as the implementation of ILO Conventions for partner countries sea-farers employment conditions (including

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<sup>13</sup> N.B. The competence on small pelagic stocks corresponds to the Pelagic AC.

salary conditions), providing equivalent level of protections to third country workers and the cooperation on training on safety standards.

- In continuation to the work of Year 15, the LDAC will give feedback in any forthcoming EU consultations or questions addressed by DG MARE on the evaluation process of the SFPAs building on the contribution submitted in relation to the public consultation in 2021: <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12728-Fisheries-evaluation-of-the-EU-s-sustainable-fisheries-partnership-agreements-SFPAs>
- The LDAC and COMHAFAT have agreed to hold a joint workshop sometime in 2022 or 2023, once travel conditions between the EU and African countries allow to ensure a wide participation from both EU and African coastal state and non-state actors, on the implementation of SFPAs identifying strengths and weakness with specific examples of countries. In terms of participation, it will involve European Commission, administrations from EU and MS, EU fleet operators, NGOs, and representatives of local fishing communities, including artisanal fishers and women in fisheries as well as civil society.
- The LDAC will aim at providing an integrated approach and vision of the industry and NGOs on a number of topics related to beneficiary countries of SFPAs in the Atlantic and Indian Ocean, namely:
  - Proposals on technical requirements, financial and administration conditions for creation of new RFMO for West African small pelagic and demersal species, with the possibility of upgrading the status of CEEAF: organigramme, governance, structure, role and functions of all parties including stakeholder's participation. This analysis will be based on two technical studies commissioned and published by COMHAFAT and DG MARE in 2020 and early 2021, respectively.
  - Role of fishing agents in third countries – reflect and showcase good and bad practices on labour conditions (e.g., remuneration, registration into Social Security schemes, repatriation, insurance, etc) for African crew members onboard EU and non-EU fishing vessels; as well as the influence and role of fishing agents with examples of third countries such as Senegal or Ivory Coast. A dedicated Focus Group will be convened on this topic to develop a draft using as reference the ITF/ETF report to be published in 2022.
  - Request for more transparency and good governance of SFPAs in third coastal countries through effective implementation of the transparency clause via better access to information and performance of public and private fishing agreements with long distance fleets.
- The annual coordination meeting between LDAC and ATLAFCO-COMHAFAT will be organised this time in mid-late 2022. The LDAC will explore with COMHAFAT if there are possibilities for implementation of regional programmes for scientific observers at sea onboard EU fishing vessels in African EEZs as well as harmonised control schemes at African ports. The possibility of developing a joint approach on how to improve capacity building and resources to carry out both initiatives will be contemplated with possibility of asking for financial aid via sectoral support and/or EU funded trade and cooperation projects to improve infrastructures, working and living conditions of local fishing communities and have a better image of the positive impact of EU fleets in those countries.

## Working Group 5: Horizontal matters

- *Level Playing Field (LPF) in the production, processing and commercialisation of fishing products amongst EU and non-EU operators*

This action has been explained as main work priority for Y16 (see above) and will be dealt with on a topic-based approach building on the constituent elements indicated in the LDAC advice submitted on 2021 on this subject: [https://ldac.eu/images/EN\\_LDAC\\_Advice\\_LPFF\\_25May2021.pdf](https://ldac.eu/images/EN_LDAC_Advice_LPFF_25May2021.pdf)

- *International Ocean Governance*

The LDAC will liaise with DG MARE to be informed periodically on the IOG agenda and meetings calendar for 2022-2023. It will also follow up implementation of the outcomes highlighted in the DG summary report on the outcomes of the IOG consultation (published in February 2021)<sup>14</sup> and aim to participate in technical preparatory meetings with DG MARE in relation to the following topics:

- Negotiations at UN IGC for UN Treaty on Biodiversity Beyond National Jurisdiction (BBNJ)
- Implementation of UN 2030 Agenda and related UN Ocean Conference (SDGs)
- UNGA consultations on the Sustainable Fisheries Resolution
- Convention on Biological Diversity (CBD – Post-Aichi targets)
- UN Ocean Conference on implementation of SDG14 (Lisbon, 27 June-1 July 2022)

- *Labour and social aspects related to fisheries - Social Dimension of CFP*

The LDAC will aim to provide a series of recommendations on the labour and social dimension of fisheries, in particular through compliance of international regulations on maritime safety applicable to fishing activities, as well as respect and observance of social, labour and human rights provisions for crews on board EU and non-EU fishing vessels and fish workers both in third countries and at RFMO level. The LDAC will continue liaising on this with Social Dialogue Committee of the EU.

- *Implementation of IUU Regulation*

The LDAC will invite DG MARE to provide regular updates of their work on implementing the IUU Regulation. The main emphasis will be in providing feedback from operators and NGOs on strengths and weaknesses they found in practice. The LDAC will explore the possibility to develop advice on individual countries subject to the scrutiny of the EU carding system (in the present or recently). For the coming year, interest was indicated from members to develop an analysis of governance and IUU issues in countries such as Morocco, China, Ghana, Ecuador or Senegal.

- *Deepsea mining in the “Area”*

The LDAC will follow up the work plan for 2022 and 2023 and ongoing negotiations for the future adoption of a Draft Regulation for Exploitation and completion of the Mining Code taking place at the International Seabed Authority. The LDAC has coordinated and issued a recent Joint AC advice together with the PELAC and the NWWAC in November 2021 on this matter requesting for a moratorium on exploitation until further scientific knowledge and evidences are provided:

[https://ldac.eu/images/EN\\_Joint\\_LDAC\\_PELAC\\_NWWAC\\_Advice\\_Deepsea\\_Mining\\_Nov2021.pdf](https://ldac.eu/images/EN_Joint_LDAC_PELAC_NWWAC_Advice_Deepsea_Mining_Nov2021.pdf)

The LDAC Secretary will continue monitoring this file and act as liaison and coordinator of any further initiatives (either standalone or with other ACs) with the assistance of technical and scientific experts on this matter. The LDAC will liaise with the DG MARE unit and the Fisheries departments of the relevant EU MS upon request (e.g., Spain) to engage in technical preparations ahead of the forthcoming ISA Assembly and Council meetings scheduled for 2022 and 2023.

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<sup>14</sup> Link to IOG Forum in DG MARE website: <https://webgate.ec.europa.eu/maritimeforum/en/frontpage/1646>

Further discussions will be held with the DG MARE unit in charge of this file to align timelines and be prepared to inform the EU position if required. This work will be done on the basis that, in accordance with the UNCLOS, the Area and its resources are the common heritage of (hu)mankind; and that the development of an ISA Mining Code must be in line with international standards and commitments on the protection of marine environment, the Precautionary Principle and implementation of EBA in relation to regulation of deep-sea mining.

## OTHER ISSUES OF INTEREST

### Impact of COVID-19 in organization of work and financial implications for Year 16

Since the declaration of the health emergency situation caused by the COVID-19 pandemic and its outbreak in Europe in March 2020, the LDAC has held all its meetings in virtual format with the exception of the Executive Committee on 30 November 2021 and the Working Groups in March 2022, both in hybrid format with low attendance in persons (10-20 members vs 40-50 IN virtual). This has changed the way of working during year 15 and will most likely affect to Year 16 as well.

The LDAC has tried to keep up the pace of work, including taking advantage of the circumstances to hold online focus groups on specific issues. For this reason, a specific protocol has been agreed to have such type of meetings. Besides the ordinary Working Groups, multiple topic-based Focus Groups (estimated between 4-8) will now be called in Year 16 with pre-agreed terms of reference to discuss in depth technical matters with a smaller representation of LDAC members (10-15 representatives of organisations) who are directly concerned or interested and have proven knowledge and expertise on the matter. The aim of these Focus Groups will be to produce position papers to be presented for discussion at the plenary sessions of the Working Groups (ordinary procedure) or Executive Committee (fast track procedure) meetings. These papers will integrate all comments made by the relevant experts, including, where necessary, minority or diverging positions.

This budgetary impact is still unknown as the cost of hybrid meetings is considerably higher to date than those exclusively presential or virtual. In this sense, even if travel and subsistence expenses are foreseen to be kept a relatively low level due to national measures on travel restrictions and company policies to reduce number of missions for their staff, there might be still considerable spent associated to preparation and organization of plenary meetings, namely: technical equipment and staff, software license and use purchasing and venue hiring (bigger meeting rooms to maintain distance between participants).

For year 16, the LDAC staff will keep working with IT multiple language conferencing and meetings software (e.g., Interactio, VoiceBoxer, WebEx, Zoom, Google Meet...) providing simultaneous interpretation services as well as online consultation tools.

The Secretariat has created a dedicated section on its website titled "COVID-19: EU and international legislation" to help members and observers: <https://www.ldac.eu/en/topical/topical-covid-19>. It is regularly updated with screening and monitoring measures taken by WHO, European Commission and national governments to mitigate the socio-economic impact of the COVID crisis.

## **Working practices and relations with DG MARE**

Following the recommendations made at the first part of the LDAC performance review, the LDAC will seek to resume a regular contact with the DG MARE coordination team and staff from relevant DG MARE units working with the LDAC to keep them timely informed on pending actions and upcoming advice. This could be either through the usual formal channels (MARE AC) or calling for bilateral coordination meetings (online or presential) with dedicated units for specific topics of interest. The LDAC appreciates greatly the commitment of DG MARE to hold regular Inter AC coordination meetings every 2 months with Secretariats for dealing with administrative and financial issues, in particular informing on implementation aspects of the new “lump sum” approach for direct management and funding of the ACs. The increase of frequency (from 1-2 to 4-5 a year) in the Inter AC coordination meetings between DG MARE and the Advisory Councils is also welcome as allow us to be informed regularly and discuss high policy and agenda issues set by DG MARE and be updated on the calendar for future public and targeted consultations.

Lastly, the LDAC highlights one more year the importance of the role of the AC coordination team in DG MARE, as it is essential not only to ensure the attendance of the several EC representatives requested in working groups meetings, but also to channel specific advice requests of highly technical nature and ensure a smooth communication flow with DG MARE officials to channel responses without unnecessary work overload. We always welcome our coordinators from DG MARE to attend at least once a year to our General Assembly and/or Executive Committee meetings held in mid/late May each year to present and/or clarify administrative, budgetary and procedural matters, oversee election procedures and/or assist in informing policy decisions when required.

### **Work coordination with other Advisory Councils:**

#### **- Inter AC cooperation**

The Inter AC Secretaries (and Chairs) meetings in 2021 and 2022 have identified a number of horizontal policy issues of common interest for several ACs. Taking into account of the new reality arising from travel restrictions and remote work as a result of COVID-19, the LDAC Secretariat will favour its coordination with other ACs via regular virtual meetings. In this sense, it will adopt an approach on a topic by topic basis to liaise only with those relevant or interested ACs to develop joint papers or positions in topics of shared interest such as impact in the work of the Advisory Councils of the post-Brexit process (e.g. PELAC, NSAC, NWWAC, MAC); ecosystem approach to fisheries management (including impact of human activities such as windmills or deep-sea mining), social and labour dimension of CFP, marine plastics, blue economy, review of fisheries control and fight against IUU fishing, climate change in fisheries MPAs or ocean governance, amongst others.

#### **- The Market Advisory Council (MAC)**

The LDAC Secretary will continue attending the Market Advisory Council Meetings (in particular WGs1 and 2 and Executive Committee) in observer capacity in order to follow the mandate provided by the LDAC members to coordinate and report back on the topics and actions of shared interest for both ACs, e.g., implications of FTA, ETA and trade partnership agreements, GSP+ systems and WTO trade related measures to human, and labour rights, or aspects related to fight against IUU fishing or flags of convenience for EU distant water fleets and stakeholders.

#### **- The Outermost Regions Advisory Council (ORAC-CCRUP)**

The LDAC will continue inviting the ORAC-CCRUP key representatives (i.e. Chair, Vice Chairs and Secretary) to regularly attend our meetings and have regular exchanges to coordinate or approach to topics of common interests related to stakeholders' views in preparation of RFMOs such as ICCAT, CECAF or IOTC, amongst others.

## **Work initiatives with European and international organisations:**

### **- Scientific, Technical and Economic Committee for Fisheries (STECF)**

As in previous years, the LDAC Secretary will continue participating at the two meetings of the Expert Working Group (EWG 22-02 AER-1 and 22-06 AER-2) on the Annual Economic Report of the EU Fishing Fleet for 2022, provided he is invited by the organizers in individual expert capacity based on its work experience of the last four years as coordinator and rapporteur of the regional chapters on the Distant Water Fleets (under “Other Fishing Regions”). In year 15, he was tasked with drafting partially or fully the sections related to North Atlantic-NAFO, ICCAT, IOTC and CECAF<sup>15</sup>. This work required a review and fine tuning of methodology (performance indicators, percentage of coverage and level of detail of geo-indicators provided by MS) and to carry out a comprehensive EU-MAP data analysis. Also, a qualitative assessment of economic data was carried out to increase coverage of DWF in the report to be more tailored to reality as well as to describe future trends and outlook based on feedback from fleet segment representatives. The STECF EWG will be held on the week commencing on 13 June 2022.

### **- European Fisheries Control Agency (EFCA)**

The LDAC will continue attending and actively participating at EFCA Advisory Board meetings twice a year. Since 1 April 2022, the LDAC is the alternate representative of all the ACs before EFCA Administrative Board. It will become the main AC representative within Y16, i.e., 1 April 2023.

Regarding its focus, the LDAC will promote a higher visibility and role of EFCA in the international dimension of fisheries, through regional monitoring and control programmes (such as the one which is part of PESCOAO project in West Africa...), regional JDPs including RFMOs areas (NAFO and ICCAT), and capacity building and training missions to third countries and tools (e.g., online manuals for inspectors).

Furthermore, it will also channel through the DG MARE any contribution or response to future proposals by EFCA or the designated external consultancy company on the review of the functioning of the Advisory Board and relations with Administrative Board as part of the second five-year performance review process of EFCA for 2016-2020.

### **- Ministerial Conference on Fisheries Cooperation among Atlantic States bordering the Atlantic Ocean (ATLAFCO-COMHAFAT)**

The LDAC signed a memorandum of understanding (MoU) with ATLAFCO-COMHAFAT in 2013. This MoU is still in force and actively enforced through mutual attendance and participation at joint meetings, seminars and events; and including an annual coordination meeting expected to take place in the third or fourth quarter of 2022.

In terms of specific areas of work for Year 16, a joint high-level workshop is desired to take place in the second half of 2022 on Implementation of SFPAs from a third country’s perspective: progress and drawbacks. These shall include specific case studies of African countries benefiting from the agreements and not only EU and African fishers, political authorities and administrations will be invited and involved, but also African small-scale fishers, workers in the value chain including women, and civil society including NGOs.

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<sup>15</sup> CECAF got a qualitative characterisation of fleets and fisheries with no qualitative analysis due to the absence of economic data reported by flag MS; and the North East Atlantic could not be completed due to lack of time and relevant expertise.

- **IOC/ECOFISH and AFRIFISH**

In line with the recommendations made for expanding the network of partnerships at the Second part of the LDAC Performance Review<sup>16</sup>, the LDAC is currently establishing informal contacts with responsible coordinators from ECOFISH Programme run by the Indian Ocean Commission (IOC) with the view of collaborating in specific actions and develop a partnership in the West Indian Ocean. The LDAC will develop in Year 16 a strategy to close links with ECOFISH/IOC through a concept note based on the informal meeting held in February 2021 in order to identify possible areas of collaboration and participation in the programme during Year 16. A clear mandate will be sought first by the Executive Committee to decide if there will be an institutional agreement (MoU) formalized between both institutions; or rather it will rely on punctual collaborations in tasks or actions a more informal manner.

The same principles will apply with the Pan-African Platform of Non-State Actors in Fisheries and Aquaculture (AFRIFISH), an organisation within the framework of African Union which has submitted a letter to collaborate in February 2022 inviting the LDAC to initiate dialogues and building collaboration towards a strong EU-Africa cooperation for a collective approach and action to move forward a sustainable fisheries agenda.

**PROVISIONAL PLANNING OF LDAC MEETINGS (1<sup>st</sup> June 2022- 31<sup>st</sup> May 2023)**

| <b>Title of the meeting</b>                                | <b>Date</b>                                 | <b>Place</b>                            | <b>Issue to be discussed</b>   |
|--|---|---|--|
| <b>Coordination meeting with DG MARE</b>                   | <b>June-July (TBC)</b>                      | <b>Videoconference/ To be confirmed</b> | <b>Alignment and coordination of topics of the work programme of the LDAC</b>  |
| <b>Coordination meeting of LDAC Chairs and Vice Chairs</b> | <b>September 2022 and February 2023</b>     | <b>Videoconference/ To be confirmed</b> | <b>Development of proposals for advice in relation to high profile issues which must be dealt with by the LDAC prior to its next round of Working Groups</b> |
| <b>Working Groups 1, 4, 5</b>                              | <b>Mid-September/Mid-October 2022</b>       | <b>To be confirmed</b>                  | <b>Items related and important for each WG (see above)</b>   |
| <b>Working Group 2</b>                                     | <b>October / Early November 2022</b>        | <b>To be confirmed</b>                  | <b>Items related to WG2 (North Atlantic Fisheries Agreements and RFMOs)</b>  |
| <b>Executive Committee</b>                                 | <b>Late November / early December 2022</b>  | <b>To be confirmed</b>                  | <b>Administrative, communication and financial issues. Adoption of letters and advice.</b>   |
| <b>Working Groups 1, 2, 4 and 5</b>                        | <b>March / April 2023</b>                   | <b>To be confirmed</b>                  | <b>Items related and important for each WG (see above)</b>   |
| <b>Executive Committee</b>                                 | <b>May 2023</b>                             | <b>To be confirmed</b>                  | <b>Administrative, communication and financial issues. Adoption of letters and opinions.</b>   |
| <b>General Assembly</b>                                    | <b>May 2023</b>                             | <b>To be confirmed</b>                  | <b>Global overview of the AC financial year, work plan and actions, and summary of advice adopted</b>  |
| <b>"Ad-hoc" Focus Group</b>                                | <b>During the year (at members request)</b> | <b>To be confirmed</b>                  | <b>Topic-based meetings identified as important or relevant by the LDAC</b>  |

<sup>16</sup> See pages 30 (international cooperation practices) and 51-52 (networking and policy work): [https://ldac.eu/images/FINAL\\_PerformanceReview\\_II\\_v5.2\\_compressed\\_26\\_05\\_2020.pdf](https://ldac.eu/images/FINAL_PerformanceReview_II_v5.2_compressed_26_05_2020.pdf)