

## Working Group 2: EU Markets

### Minutes

Monday, 28 March 2022 (14:30 – 18:00 CEST)

Zoom / Radisson Collection Hotel, Grand Place Brussels (Hybrid)

Interpretation in EN, ES, FR

#### Welcome from the Chair, Pierre Commère

Click [here](#) to access the Chair's presentation.

**Adoption of draft agenda and of the last meeting minutes (25.09.21):** adopted

#### Action points of the last meeting

- **State-of-play of the decision made during the last meeting - information**
- Initial Focus Group on Trade:
  - Report to be completed with additional species: trout, sea bass, and sea bream
  - Based on the report's conclusions, draft advice to be prepared
    - Report updated by Poul Melgaard Jensen and Mike Turenhout
    - Draft advice circulated: 21 March 2022
- EU Taxonomy for Sustainable Initiatives:
  - Topic to be included in the draft agenda of the next meeting
    - Agenda point included (14:45 CEST)
- Sustainable Fisheries Partnership Agreements (SFPAs):
  - Topic to be included in a future draft agenda, once the consultant's report and the Commission's Staff Working Document become publicly available
    - Documents not yet publicly available
- Illegal, Unreported and Unregulated (IUU) Fishing & Global Governance:
  - Maintain cooperation with CCRUP concerning the market of IUU fishing products in the Outermost Regions, including potential consideration of a joint draft advice
    - Participation by Secretary General at 15-16 March 2022 CCRUP meetings

#### Initial Focus Group on Trade

- **Presentation of updated report by Poul Melgaard Jensen, FG Chair**

Poul Melgaard Jensen (Danish Seafood Association) recalled that the report of the Initial Focus Group on Trade was presented at the previous meeting. It was agreed, as an action item, that the report would be completed with additional species: trout, sea bass, and sea bream. As previously agreed, draft advice was prepared based on the conclusions. Mr Melgaard Jensen further recalled that the aim of the exercise was to review available information on existing trade policy instruments and their



impacts on the market of fishery and aquaculture products. The Focus Group included representatives from seven organisations, including primary producers, processors, traders, suppliers, and other interest groups.

The report is divided into three parts. The first part is dedicated to data and sources, including relative importance of EU production and imports in the supply of the market. The report uses data from AIPCE-CEP's "Finfish study" and from EUMOFA's "EU Fish Market" report. The second part maps out individual trade instruments. The report also includes Sustainable Fisheries Partnership Agreements (SFPAs), even though these are not technically trade instruments, because these provide for a significant sourcing of the EU market. The third part combines the previous two parts, while providing examples of different species, to highlight the significance of each source. The division of individual species across trade instruments is not available. The Commission made available the Preference Utilisation Rates, but this data has clear limitations. It only covers one overall group of trade instruments. It does consider that several quotas are exhausted. As stipulated in its Terms of Reference, the Focus Group drew attention, in its recommendations, to limitations in the data sources and reports available. Suggestions were developed on how to develop more complete data, which would allow better policy recommendations in the future.

Mr Melgaard Jensen provided an overview of the draft conclusions and recommendations:

- a), all data sources should use the same live weight conversion rate, in order to have reliable information on food balances.
- b), the EU trade data does not allow for separate statistics on aquaculture and wild caught products, which would be relevant for food safety, food security, risk of IUU, and advice on new trade agreements.
- c), EU vessels have access to third countries' waters under SFPAs, which provides a significant supply, but data sources are missing to determine how much goes to local markets and how much goes to the EU market.
- d), data is missing to determine the significance of individual trade instruments.
- e), DG TRADE's yearly report on the implementation and enforcement of EU trade does not provide data on fishery and aquaculture products as a product group. Both imports and exports would need to be assessed.

Mr Melgaard Jensen thanked the members for their contributions, DG MARE and DG TRADE for the data provided and the exchanges, and the Secretary General for the assistance provided.

The Chair thanked Mr Melgaard Jensen and the members of the Focus Group for the report.

- **Consideration of draft advice on improvement of trade data**

*The Chair provided an overview of the background information. The Working Group proceeded with a consideration, on a paragraph-by-paragraph basis, of the draft recommendations.*



Yannis Pelekanakis (FEAP) thanked the Focus Group for the expansion of the report to include three additional species. Mr Pelekanakis recognised that there are limitations in the import data. When considering trade data of the past five to ten years, it is possible to see the evolution, allowing a more concrete understanding of the impact of each trade instrument, including connection to import trend and potential conflicts with EU production. Mr Pelekanakis wondered if, in a future exercise, the Focus Group would be able to work on trends across a certain period.

Sean O'Donoghue (KFO) expressed satisfaction with the high quality of the work undertaken by the Focus Group, which identified the five key gap areas that require further work. Mr O'Donoghue agreed with the previous intervention that there is data available, which allow some analysis. The adoption of the draft advice should proceed as soon as possible. Furthermore, the Focus Group should proceed with the next stage of the work.

Daniel Voces (Europêche) congratulated the Focus Group for the comprehensive work, serving as a good basis for future discussions and advice. Mr Voces proposed a rewording of draft recommendation c), to make clearer that the aim is to improve the monitoring of trade flows from the landings. He wondered if the LDAC's opinion on ATQs for tuna loins was taken into consideration by the Focus Group.

The Chair, in relation to draft recommendation c), agreed that it was important not to individualise the vessels, but to refer to the "EU fishing fleet" in general.

- **Way forward**

The Chair agreed with Mr O'Donoghue that it was important to proceed with the next stage.

Poul Melgaard Jensen (Danish Seafood Association) stated that a dialogue should be established with the Commission to develop a structure of the future work.

The Chair suggested the inclusion of a recommendation about the establishment of a dialogue with the Commission to improve the available data statistics.

Sean O'Donoghue (KFO) agreed with the suggestion, but argued that the Working Group should go further. It is important to establish the factual situation, in order to allow discussions between different industry sectors. The Working Group should proceed with the development of draft Terms of Reference for the next stage of the Focus Group.

Javier Ojeda (FEAP), in relation to draft conclusion d), suggested the addition of "as well as possible market distortions".

Matthias Keller (Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.) suggested the use of "market impacts", instead of "market distortions", to cover both potential distortions and positive effects.

Poul Melgaard Jensen (Danish Seafood Association) agreed with the previous intervention. In relation to Mr Voces's question about the LDAC's opinion on ATQs for tuna loins, Mr Melgaard Jensen clarified



that this document was not considered by the Focus Group, even though it could have been mentioned in the report. The issues of ATQs and tuna are both covered in the report.

*The Working Group agreed on the draft advice as amended.*

## Illegal, Unreported and Unregulated (IUU) Fishing & Global Governance

- **Update on existing procedures regarding third countries by Commission representative**

Roberto Cesari (DG MARE), in relation to the “carding system”, explained that the situation was quite complex due to the COVID-19 pandemic and the impossibility to undertake missions, a fundamental part of their work. Good progress was achieved on bilateral dialogues, even though several pre-identifications (“yellow cards”) were issued in 2021. Mr Cesari expressed hope that, in 2022, missions would be possible, following the lifting of sanitary restrictions.

In the context of the “carding system”, Mr Cesari explained that there are three countries with “red cards”: Cambodia, Comoros, and Saint Vincent and the Grenadines. There are nine countries with “yellow cards”: Cameroon, Ghana, Panama, Ecuador, Vietnam, Liberia, Sierra Leone, Trinidad and Tobago, and Saint Kitts and Nevis. Cameroon and Ghana were pre-identified in February and in June 2021, respectively. Besides the formal IUU dialogues with countries under “yellow cards”, DG MARE also maintains dialogues with countries that received “green cards”, for example Philippines, Sri Lanka, and Vanuatu, to ensure that commitments are being honoured.

DG MARE also maintains informal dialogues with several countries that were not under any “cards”, such as Mauritius, Seychelles, Ivory Coast, Malaysia, Oman, and Maldives. There are working groups with countries formerly under “yellow cards”, such as South Korea, Thailand, and Taiwan, to consolidate cooperation and maintain monitoring. There are also working groups established following joint statements on IUU, such as with the USA and Japan. Plus, there is a working group under the Ocean Partnership with China. In terms of regional dimensions, besides cooperation under RFMOs, MARE B4 has focused its attention on West Africa, cooperating with EFCA on the implementation of the PESCOA project. In Southeast Asia, there is cooperation with ASEAN. There is also cooperation in the West Indian Ocean.

In relation to the advice on IUU fishing by Ghana’s industrial trawl sector, Mr Cesari explained that Ghana received a “yellow card” for the second time, being the second recidivist country in the history of the IUU Regulation. In July 2021, DG MARE held a videoconference with Ghana authorities, including the Minister of Fisheries and Aquaculture Development. A precise action plan was developed to tackle the identified shortcomings. The main issues identified in the Ghana’s fisheries control and management system were the illegal transshipment of “saiko” covering large quantities of undersized pelagic species, deficiencies in the monitoring, control, and surveillance system of Ghanaian flag vessels, ineffective sanctions, a legislative framework that is not in line with recent international standards and that hampers the activities of Ghanaian administrations, and the general implementation of the management measures. A progress report was submitted in February 2022. A face-to-face meeting took place, in Brussels, between the Commission and Ghana. There seems to be political will from the Minister and from the President. According to different sources, “saiko”



stopped, but the Commission representative highlighted that this does not mean the catching of small pelagic and undersized has been stopped. The activities might have just been modified. DG MARE hopes to organise a mission to visit ports and monitoring centres as well as to continue exchanging with the administration. FAO will be providing support for the revision of the legislative framework.

Concerning Ecuador, Mr Cesari explained that, since the “yellow card” in 2019, there were exchanges and work undertaken in a remote manner. In April 2020, Ecuador adopted a new fisheries law. In February 2022, the implementing regulation was adopted. The focus must be on the implementation on the new legal framework. Monitoring, control, and surveillance were not at the necessary level. Traceability, including control of the processing, was quite weak. These issues will be assessed through a mission, which is expected to take place after Easter 2022.

Concerning Vietnam, Mr Cesari recalled that the “yellow card” was issued in October 2017. A new legal framework has been in place since 2019. A high-level of political commitment by Vietnamese authorities has been confirmed on several opportunities. The implementation and enforcement of the new legal framework must be the priority. The relationship between the central government and provincial governments remains a challenge. A videoconference took place on October 2021. In December 2021, a progress report was received. DG MARE is aiming for a new videoconference before Summer 2022. A mission is expected to take place in Autumn 2022.

Regarding the study to assess the Member States’ performance on Articles 39 and 40 of the IUU Regulation, Mr Cesari informed that it is expected by early Summer 2022. The aim is to address potential gaps in the legal framework and in the enforcement practices of Member States concerning national supporting or engaging in IUU fishing activities. Afterwards, on a case-by-case basis, the Commission will decide on follow-up actions. As for the audit of the IUU Regulation by the Court of Auditors, Mr Cesari explained that the audit is ongoing, so the findings cannot be disclosed. The Court announced that the report will be published before Summer 2022.

On IUU fishing practices in French Guyana’s waters and entry of IUU products in the Outermost Regions, Mr Cesari recalled that, as these are EU waters, under the CFP, the primary responsibility to carry enforcement and implementation actions belongs to the Member State. Member States are entitled to EMFAF support for control and enforcement. In relation to the entry of IUU products, Mr Cesari emphasised that the catch certificate is one of the pillars of the IUU Regulation. Member States are empowered to check and verify the content of all catch certificates accompanying consignments imported in the EU market. If there are suspicions of non-compliance, Member States can check with the third countries and request verifications. Member States can also refuse the consignments. DG MARE is aware of a “Buy legal in the Azores” project in the context of CCRUP.

Concerning the Commission’s proposal on Sustainable Corporate Governance, Mr Cesari informed that DG MARE was consulted on the proposal. There are no direct links between this initiative and the IUU Regulation. In relation to the social perspective, the Commission deplores violations of fundamental rights of workers and is actively promoting the ratification by third countries of ILO Work in Fishing Convention 188. Member States are also in the process of ratifying the convention. The IUU Regulation is anchored on the definitions of the United Nations Convention on Law of the Sea. When cooperating with third countries, the Commission promotes positive impacts of controls on social



matters. When serious concerns are noted, DG EMPL is informed. A continued parallel dialogue on social matters has been activated. There can also be involvement of the European External Action Services and of the trade offices. The “carding system” cannot be used for labour issues, since they are outside of the legal basis.

- **Exchange of views & way forward**

Georg Werner (EJF), in relation to the proposal on Sustainable Corporate Governance, drew attention to President Ursula von der Leyen’s State of the Union Address, where a ban on imports of products that used forced labour was evoked. Since there is often a link between IUU fishing and forced labour, Mr Werner wanted to know if there were dialogues with DG MARE to cover illegal fishing in this ban.

Roberto Cesari (DG MARE) responded that the instruments are different. There are exchanges about labour issues, but the IUU Regulation will remain a separate instrument.

Daniela Costa (CCRUP) thanked the MAC for the cooperation on the issue of commercialisation of IUU products and MARE B4 for the interest. Ms Costa committed to sharing the minutes of their recent meetings, where the Azores project was presented, to DG MARE and to the MAC. At the 15 March 2022 meeting of the CCRUP IUU Working Group, members raised issues of commercialisation of IUU fishing products in the Canary Islands, particularly from recreational fishers. In the Outermost Regions, there are several cases of professional fishers using recreational licenses to operate. In relation to Mayotte, members raised the issue of illegal fish coming from Madagascar, calling for controls in land, particularly in restaurants. In relation to French Guyana, members mentioned illegal pelagic fisheries as well as the illegal use of Fish Aggregation Devices by competing fleets.

The Chair wanted to know, if the context of the Russian invasion of Ukraine, there were dialogues with Russia about their cooperation on IUU.

Roberto Cesari (DG MARE) clarified that several of the issues mentioned by Ms Costa were related to control by national authorities, for example in the case of commercialisation by recreational fishers. There are informal dialogues, but, in the Indian Ocean, there is no country under a “card”. In relation to imports from third countries into the Outermost Regions, Mr Cesari emphasised that the Member States have the responsibility of implementing the catch certification scheme. Under the IUU Regulation and the catch certification scheme, these products should not be entering the EU market. The Commission representative informed that IUU dialogue with Russia was not currently questioned.

### Trade Agreements & Trade Policy Instruments

- **Update on latest trade developments by Commission representatives, including on:**
  - **Anti-subsidy measures against aquaculture products from Turkey**

Lorella de la Cruz Iglesias (DG MARE) informed that there were no new developments on the topic. The anti-subsidy measures have been in place since 2015, following a complaint by the Danish industry on behalf of the EU industry, concerning subsidisation of portion trout by Turkey. Several



reviews have taken place, including by request of Turkey. The industry has requested the extension of the measures. Ms de la Cruz further informed that there is no ongoing review of the measures.

- **Application of EU health and environmental standards to imported agricultural and agri-food products**

Marta Moren Abat (DG MARE) informed that there was a call for evidence for an initiative on the application of EU health and environmental standards to imported agricultural and agri-food products. Previously, a public consultation took place from 16 February to 16 March 2022. The initiative follows a request from the Council and the Parliament for the Commission to prepare a report assessing the rationale and feasibility of applying the EU health and environmental standards, including animal welfare standards, processes, and production methods, to imported agricultural and agri-food products. As outlined by the publicly available documents, the initiative is focused on agricultural products. Fishery and aquaculture products are not covered.

In the context of internal discussions, DG MARE highlighted that the CFP requires a balancing of environmental and social objectives, while contributing to food supply. The CFP framework already includes environmental legislation and considers including legislation on sustainable marketing standards. Concerning aquaculture products, in Member States, production is usually linked to a monitoring plan for environmental impact. Considering these efforts, the initiative is focused on agricultural products. DG MARE will continue to monitor the progress.

The Chair asked whether animal feed of agricultural origin used in aquaculture production would be covered by this initiative.

Marta Moren Abat (DG MARE) responded that the initiative was exclusively for agricultural and agri-food products, meaning agricultural food production. In principle, the initiative does not cover feed for aquaculture.

- **Exporting of Brown Crab to People's Republic of China**

Sean O'Donoghue (KFO), considering the lack of availability of a Commission representative to exchange on the topic at the meeting, suggested the scheduling of an exchange under the next meeting's draft agenda. The aim should be the discussion of exports to China as well as intra-EU movement.

Pim Visser (VisNed) offered to provide additional details on the intra-EU movement to the Secretariat, to prepare for the next meeting. Sanitary criteria should be equal in the EU. If a product is transported from one Member State to another Member State before exporting to China, the second Member State should recognise the health certificate of the first Member State and restamp. Currently, Dutch authorities do not recognise health certificates from Ireland.

Frangiscos Nikolian (DG MARE) stated that health certificates were a competence of DG SANTE, but that DG MARE would be available to transmit the information.



Sean O'Donoghue (KFO) emphasised that the internal issue of health certificates was linked to exports. As such, the topic requires further discussion at the next meeting.

The Chair recognised the importance of the topic, since Member States follow the same EU rules. There should be equivalence of health certificates across the different Member States. Similar problems are faced when exporting smoked salmon to certain 3<sup>rd</sup> countries (e.g., Australia). The Chair suggested for Mr Visser to send information to the Secretariat. At the next meeting, the aim would be to advance as much as possible.

The Secretary General recalled that, under the joint advice on production and marketing of brown crab, the issue of cadmium levels was raised. DG MARE's recalled that this issue was essentially under DG TRADE's competence. For the next meeting, in cooperation with DG MARE, the Secretariat would seek participation from DG TRADE and DG SANTE representatives.

### EU Taxonomy for Sustainable Initiatives

- **Presentation of the initiative by Commission representative**

Frangiscos Nikolian (DG MARE) explained that taxonomy is an integral part of the EU's efforts to mobilise finance towards the EU Green Deal's targets. It translates climate and environmental objectives into performance criteria for specific economic criteria for private investment purposes. Fisheries was not included in the previous delegated acts. On 23 March 2022, the Platform for Sustainable Finance delivered their second draft report to the Commission. The report will be the basis of a second Taxonomy delegated act to be developed in upcoming months, which will include sustainability criteria for fisheries. The Platform is an independent body composed of experts. DG MARE has commented on the criteria to improve these, but discussions are ongoing on how realistic these are. Mr Nikolian expressed disappointment that the Platform did not accept a fishery expert proposed by the Commission.

In terms of next steps, the Platform will submit its report and there will be a discussion on the delegated act. It will cover fishing activities, not aquaculture, based on NACE codes 03.11 "marine fishing", 03.12 "freshwater fishing", 10.20 "rental of pleasure boats", 84.24 "fishing practices for sport or recreational", 10.11 "processing and preserving of fish, crustaceans and molluscs". The Commission will have discretion to decide on the inclusion of the criteria proposed by the Platform. The criteria are voluntary, but these are being developed for all economic activities.

- **Exchange of views & way forward**

Jennifer Reeves (MSC) wanted to know why the Platform did not take in the proposed fisheries expert. Ms Reeves highlighted that several members provided detailed responses to the public consultation, expressing concern about the lack of fisheries expertise.

Frangiscos Nikolian (DG MARE) responded that the Platform was an independent body. The issue was raised and discussed with the Platform, but the suggestion was not accepted.



The Chair asked more information on the structure of the Platform, for example, “is it a public body or a private body receiving public financing?”.

Frangiscos Nikolian (DG MARE) responded that DG FISMA was overseeing the process. Following a decision of the Commission to develop criteria, a few years ago, there was a call for experts to establish the Platform.

Jennifer Reeves (MSC) highlighted that the Platform was set-up by the Commission, based on a call for proposals. The expert group that prepared the first version of the draft criteria includes MAC members, for example WWF. Europêche was proposed for the revised expert group. Ms Reeves asked about the next stages of the process, particularly if DG FISMA would have to accept the criteria proposed by the revised expert group in their second proposal. She also wanted to know if DG MARE would be working with DG FISMA to revise the criteria in the implementing act.

Frangiscos Nikolian (DG MARE) responded that DG MARE was involved and provided comments on the first proposals of the Platform. DG MARE is in continuous contact with DG FISMA and will analyse the report of the Platform.

Javier Ojeda (FEAP) expressed concern with the Commission taking on board advice developed by groups lacking expertise in the sectors covered. Mr Ojeda highlighted the relevance of technical screening criteria for the Taxonomy, but also for other matters, such as the marketing standards framework and the sustainable food system framework. Therefore, FEAP is establishing a working group to develop technical screening criteria for aquaculture, which will be submitted to the Commission services.

Frangiscos Nikolian (DG MARE) welcomed FEAP’s availability to produce criteria on aquaculture.

Pim Visser (VisNed) questioned about the impact that the definition of “green” activities by the Platform would have on the financing by banks, particularly as this would entail the steering of the economy by committees of experts: the committee would have a significant influence in the steering of future economic policy.

Frangiscos Nikolian (DG MARE) emphasised that the EU Taxonomy was in the context of the European Green Deal and the transition to a more sustainable economy. Incentives are needed for green financing. The criteria are voluntary. Finance institutions can choose not to follow them. Discussions need to take place in the Commission services and with stakeholders about the criteria and timeline.

Sean O’Donoghue (KFO) highlighted that, even if the criteria were voluntary, in the context of Environmental Financial Transitions, financial institutions are already developing criteria. Some financial institutions might even use the first proposals of the Platform. Mr O’Donoghue wanted to know about the implications, if the Commission decided not to include the fishing industry in the future delegated act.

Frangiscos Nikolian (DG MARE) agreed about the practical relevance of the criteria. Financial institutions will likely aim to attract clients by financing operations that do not significantly harm the



climate. If the screening criteria was based on MSY levels, then the result could be positive for most of the fishing industry.

Jennifer Reeves (MSC) highlighted that her organisation did an analysis of the number of stocks that would meet the criteria under the first draft of the Platform, which would be zero. Ms Reeves expressed availability to circulate the document to members and to the Commission services.

The Chair welcomed the suggestion of Ms Reeves. The Chair proposed to invite representatives of DG FISMA to attend the next meeting. At the next meeting, it would be possible to decide on the development of advice.

### Russian Invasion of Ukraine

- **Exchange of views about market impacts with Commission representative**
- **Way forward**

The Chair recalled that the Chair of the MAC, the Working Group Chairs, and the Secretary General held two informal meetings via videoconference with MARE A4 to discuss about different issues affecting members.

Frangiscos Nikolian (DG MARE) thanked the Chairs, the Secretary General, and the members for the information provided. Mr Nikolian informed that, on 25 March, the Commission triggered the crisis mechanism under Article 26.2 of the EMFAF Regulation. There are two requirements for this mechanism: a significant event and a market disruption. The war in Ukraine represents a significant event. Based on the information exchanged, DG MARE was able to demonstrate the market disruption, allowing the launch of the mechanism. The crisis mechanism can be used by Member States to provide financial compensation to fishery, aquaculture, and processing operators for income foregone and additional costs. It can also provide compensation to Producer Organisations implementing storage aid. Member States are expected to act rapidly. The mechanism can be immediately implemented by Member States with eligibility since 24 February 2022. Member States will be reimbursed once the operational programmes are adopted. Member States must define the criteria and the methodology. The aim of DG MARE was to simplify the procedure under simplified cost option. The action runs until 31 December 2022

Mr Nikolian further informed that the Commission adopted the Temporary State Aid Framework, which corresponds to € 35.000 for fishery and aquaculture undertakings. The amount comes in addition to € 30.000 of “*de minimis*”, if the company has not used the “*de minimis*” in the past three years. The Commission would be holding meetings with Member States to discuss the eligible measures. The Commission representative emphasised that lessons were learnt from the COVID-19 pandemic. Temporary cessation was not foreseen since food security must be ensured.

Daniel Voces (Europêche) congratulated the Commission for the prompt action, which is appreciated by the industry. Concerning the “*de minimis*” aid, Mr Voces wanted to know if it worked together with the EMFAF aid. For example, if an undertaking is already receiving the € 65.000, would it be possible



to request additional aid under the EMFAF. Mr Voces highlighted that an undertaking can have multiple fishing vessels, so for some undertakings, the aid would not be sufficient. In relation to the EMFF, he wanted to know if the Commission envisaged to allow use of unused funding. He commented that, if the aid is provided later in the year, operators might stop their activities.

Matthias Keller (Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.) drew attention to the announcement by Commissioner Sinkevičius and the European Investment Fund of a € 500 million equity fund for the blue economy.

Jean-Marie Robert (Les Pêcheurs de Bretagne), in relation to the triggering of Article 26.2 of the EMFAF Regulation, wanted to know how the emergency mechanism would be articulated with the Temporary State Aid Framework, particularly to compensate the increase in fuel costs. The aim of the fishers in his organisation is to continue fishing, in line with the attributed quotas. Considering the increase in fuel prices, fishing activities are not profitable.

Frangiscos Nikolian (DG MARE) responded that internal discussions on future developments are ongoing. DG MARE will be holding meetings with Member States to provide guidance on the methodology. The EMFAF crisis mechanism is for market disruption. Fuel is an input cost for the undertaking, which can be considered to define the loss of income. Fuel is a cause of market disruption, while the reimbursement is provided for the disruption. Mr Nikolian did not have information to provide on the equity fund for the blue economy, but highlighted the principle of reasonable support, avoiding double financing. The aid under the EMFAF and the aid under the Temporary State Aid Framework can be dissociated, as was the case under the COVID-19 measures. The Member States must take the necessary measures to avoid overcompensation.

Sean O'Donoghue (KFO) expressed appreciation for the prompt reaction of the Commission and for the informal exchanges with the MAC. In relation to the meetings with the Member States, Mr O'Donoghue wondered whether there would be a common methodology. Member States would eventually be expected to be reimbursed via the EMFAF, which could have a negative effect on the operational programmes. Mr O'Donoghue wanted to know if payments would have to wait for the approval of the operational programmes, which would cause significant problems for the EU industry. Concerning the de minimis aid, he wanted to know if the aid could be provided relatively quickly. He recalled that, under the Brexit Adjustment Reserve, there was support for temporary cessation, wondering about potential flexibilities.

Frangiscos Nikolian (DG MARE) responded that, from the Commission's side, aid can be provided immediately. Member States can launch an immediate call of interest for beneficiaries. Mr Nikolian encouraged members to contact their national authorities. In relation to a revision of the EMFF, DG MARE is analysing the possibilities. While the EMFAF crisis mechanism can be launched by the Commission directly, a revision of the EMFF requires adoption also by the Parliament and the Council. Some Member States still have funds available. On the Brexit Adjustment Reserve, Mr Nikolian emphasised that it was directed for a different crisis. The crisis mechanism does not foresee temporary cessation. The budget of the support tools is different.



Emiel Brouckaert (EAPO) asked about whether the Commission was still considering additional sources of funding.

Frangiscos Nikolian (DG MARE) responded that the Commission was available to continue to work together with the Member States. The methodology will be decided at the Member State's level, while accounting for a framework developed by the Commission.

Jean-Marie Robert (Les Pêcheurs de Bretagne) emphasised the importance of working together to avoid interruptions in the production chain. Mr Robert stated that, in France, the prices and landings seemed to be stable. Nevertheless, there would be a very significant impact of the fuel costs on profitability and salaries. Therefore, it would be better if aid was provided as a compensation for fuel costs, allowing operators to continue fishing activities. He asked more information about the implementation of Article 26 of the EMFAF Regulation.

Frangiscos Nikolian (DG MARE) thanked Mr Robert for the information provided, particularly on costs. Mr Nikolian confirmed that, under the crisis mechanism, when determining the financial compensation, fuel costs could be considered for the calculation of the income foregone and the additional costs.

Massimo Bellavista (Copa Cogeca) suggested an anticipation of the period of the obligatory temporary stop of the fishing vessels for biological reasons. Alternatively, there could be a voluntary temporary cessation, as was the case under the COVID-19 pandemic. Mr Bellavista argued not to include limitations based on the length of the fishing trip, since there are small vessels that undertake quite short trips. He asked the Commission to consider the impacts on cooperatives providing services to fishers, for example for cold storage, and depuration of mussels. In relation to the EMFF, he asked for an exemption from the rule on the years covered.

Pim Visser (VisNed), in relation to the EMFAF crisis mechanism, highlighted that Member States would have to spend in advance of their national programmes. In some Member States, it could require significant time to develop and implement a methodology, while the Commission wants fishing operations to continue. Therefore, Mr Visser underscored of providing confidence to national authorities that they can proceed with the expenses.

Frangiscos Nikolian (DG MARE) responded to Mr Visser that those were the aims of the meetings with the Member States and that the legal framework is clear. In relation to Mr Bellavista's intervention, Mr Nikolian emphasised that the aim of the crisis mechanism was not temporary cessation. The Commission services are considering an amendment of the EMFF, which does foresee temporary cessation. Mr Nikolian underscored that food security and continuation of fishing activities must be the priority. He drew attention to a Communication from the Commission, published on 23 March, on safeguarding food security and reinforcing the resilience of food systems.

## AOB

None.



## Summary of action points

- Initial Focus Group on Trade:
  - Amended draft advice on improvement of data of trade policy instruments to be put forward to the Executive Committee for adoption.
  - Ahead of the next meeting, new draft Terms of Reference to be prepared, to launch the next stage of the work on trade policy instruments.
- Trade Agreements & Trade Policy Instruments:
  - In relation to brown crab, Secretariat to request exchange with DG SANTE and DG TRADE representatives concerning recognition of health certificates and exports to People's Republic of China, respectively. Prior to that, Pim Visser (VisNed) to prepare document outlining problems concerning the recognition of health certificates.
- EU Taxonomy for Sustainable Initiatives:
  - Jennifer Reeves (MSC) to circulate document analysing the first draft criteria.
  - Secretariat to request exchange of views with DG FISMA representatives.



## Attendance List

Representative	Organisation	Role
Alexandra Philippe	Market Advisory Council (MAC)	Secretariat
Alexandre Rodríguez	Long Distance Advisory Council (LDAC)	Observer
Anna Boulova	FRUCOM	Member
Annelie Rosell	Swedish Pelagic Federation Producer Organisation (SPFPO)	Member
Antonia Leroy	WWF	Member
Benoît Guerin	BG Sea Consulting	Observer
Benoît Thomassen	Federation of European Aquaculture Producers (FEAP)	Member
Bruno Guillaumie	European Molluscs' Producers Association (EMPA)	Member
Cécile Fouquet	Aquaculture Advisory Council (AAC)	Observer
Christine Absil	Good Fish	Member
Daniel Voces	Europêche	Member
Daniel Weber	European Fishmeal	Member
Daniela Costa	Outermost Regions Advisory Council (CCRUP)	Observer
Desiree Kjølsen	European Commission	Expert
Emiel Brouckart	European Association of Fish Producers Organisations (EAPO)	Member
Francisco Lahoz Molina	Federación de Asociaciones Provinciales de Empresarios Detallistas de Pescados y Productos Congelados (FEDEPESCA)	Member
Frangiscos Nikolian	European Commission	Expert
Garazi Rodríguez	Asociación Empresarial de Acuicultura de España (APROMAR)	Member
Georg Werner	Environmental Justice Foundation (EJF)	Member
Jaroslaw Zieliński	Polskie Stowarzyszenie Przetworców Ryb (PSPR)	Member
Javier Ojeda	Federation of European Aquaculture Producers (FEAP)	Member
Jean-Marie Robert	Les Pêcheurs de Bretagne	Member
Jennifer Reeves	Marine Stewardship Council (MSC)	Member
Jens Mathiesen	Danish Seafood Association	Member



Representative	Organisation	Role
Jérôme Dorgelo	Marine Stewardship Council (MSC)	Member
Joash Mathew	EU Fish Processors and Traders Association (AIPCE) / European Federation of National Organizations of Importers and Exporters of Fish (CEP)	Member
Jérémie Souben	Fédération des Organisations de Producteurs de la Pêche Artisanale (FEDOPA)	Member
José Basilio Otero Rodríguez	Federación Nacional de Cofradías de Pescadores (FNCP)	Member
José Carlos Escalera	Federación de Cofradías de Pescadores de Cádiz (FECOPESCA)	Member
Juana María Parada Guinaldo	Organización de Palangreros Guardeses (OR.PA.GU.)	Member
Julio Morón Ayala	Organización Productores Asociados Grandes Atuneros Congeladores (OPAGAC)	Member
Lorella De La Cruz Iglesias	European Commission	Expert
Louis Lambrechts	WWF	Member
Katarina Sipic	EU Fish Processors and Traders Association (AIPCE) / European Federation of National Organizations of Importers and Exporters of Fish (CEP)	Member
Marta Moren Abat	European Commission	Expert
Massimo Bellavista	COPA COGECA	Member
Matthias Keller	Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V.	Member
Miguel Lizaso	European Commission	Expert
Mike Turenhout	Visfederatie	Member
Nicolás Fernández Muñoz	Organización Productores Pesqueros Artesanales Lonja de Conil (OPP72)	Member
Noémie Jegou	Market Advisory Council (MAC)	Secretariat
Norah Parke	Killybegs Fishermen's Organisation (KFO)	Member
Pablo Iraeta	Spain	Observer
Patrick Murphy	Irish South & West Fish Producers Organisation (IS&WFPO)	Member
Pedro Luis Casado López	Asociación de Armadores Punta del Moral (OPP80)	Member
Pedro Reis Santos	Market Advisory Council (MAC)	Secretariat
Pierre Commère	Association Des Entreprises de Produits Alimentaires Élaborés (ADEPALE)	Chair



Representative	Organisation	Role
Pim Visser	VisNed	Member
Poul Melgaard Jensen	Danish Seafood Association	Member
Roberto Carlos Alonso de Sousa	ANFACO-CECOPECA	Member
Roberto Cesari	European Commission	Expert
Rosalie Tukker	Europêche	Member
Sean O'Donoghue	Killybegs Fishermen's Organisation (KFO)	Member
Sergio López García	Organización de Productores Pesqueros de Lugo (OPP-07-LUGO)	Member
Signe Aaskivi	European Fisheries Control Agency (EFCA)	Observer
Maria-Sofia Villanueva	European Commission	Expert
Tamara Frunse	European Commission	Expert
Thomas Kruse	Danish Fishermen P.O.	Member
Tuure Eskelinen	EuroCommerce	Member
Vanya Vulperhorst	Oceana	Member
Yannis Pelekanakis	Federation of European Aquaculture Producers (FEAP)	Member
Yobana Bermúdez	Asociación Española de Mayoristas, Importadores, Transformadores y Exportadores de Productos de la Pesca y Acuicultura (CONXEMAR)	Member

