

## Executive Committee

### Minutes

Wednesday, 5 June 2024 (13:30 – 16:30 CET)

Copa Cogeca (Meeting Room A), Rue de Trèves 61, 1040 Brussels

Interpretation in EN, ES, FR

#### Welcome from the Chair, Yobana Bermúdez

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

The Chair, in acknowledgement of the planned retirement of Bruno Guillaumie as representative of EMPA, thanked Mr Guillaumie for his committed participation and expertise along the years in the MAC.

**Adoption of the agenda and of the last meeting's minutes (03.04.24):** adopted

#### Action points of the last meeting

- **State-of-play of the action points of the last meeting - information**
- Food and Agriculture Organisation:
  - Secretary General to follow-up with FAO in writing to the questions raised by members concerning the “Blue Transformation” roadmap
    - Written questions sent: 6 May 2024
- Working Groups:
  - Draft advice on “energy transition in EU fisheries and aquaculture” to be put forward for consideration and potential approval via an urgent written procedure
    - Approval via urgent written procedure: 29 April 2024
- Membership of the General Assembly:
  - Secretary General to continue the efforts on the representativeness of the membership
  - Introductory presentation of AECOC to be scheduled for a future meeting
    - Efforts on representativeness are ongoing
    - Introductory presentation of AECOC to be scheduled for 3 July 2024 meeting
- European Maritime Day:
  - Secretary General to engage with DG MARE to better reflect the areas of activity of the MAC in the title of the joint workshop
    - Title of the joint workshop updated: “EU Advisory Councils: Stakeholder engagement in policymaking for sustainable fisheries & aquaculture production and value chains”



## EU Market of Fishery and Aquaculture Products Policy

- **Keynote speech by Sven Langedijk (MARE A4)**

The Secretary General recalled that, on 2 May 2024, an informal meeting took place between Unit A4 (Economic Analysis, Markets and Impact Assessment) of DG MARE and the Chair, the Other Interest Groups Vice-Chair, and himself to introduce the work and functioning of the advisory council to the new Head of Unit, Mr Sven Langedijk.

Sven Langedijk (DG MARE) thanked Ms Bermúdez and Mr Reis Santos for the invitation to deliver a keynote speech, and outlined his previous professional experience in economics and external relations. Mr Langedijk underscored that the MAC plays a crucial role in helping shape the policy for the EU market in fishery and aquaculture. The expertise and dedication of the MAC ensure that the voice of all stakeholders – fishers, aquaculture producers, processors, traders, NGOs and consumers, are heard and integrated into the Commission’s policy-making processes. The fruitful cooperation between the MAC and DG MARE is essential for a robust, sustainable, and innovative market policy. Jointly, the MAC and DG MARE can strengthen the competitiveness of the marine and aquaculture sectors, benefitting both the economy and the environment. He added that he was looking forward for the collaboration and the insightful contributions of the MAC and proceeded to highlight various topics of interest.

Concerning the planned evaluation of the Common Fisheries Policy (CFP) and of the Common Market Organisation (CMO), Mr Langedijk recalled that the decision to conduct a comprehensive review of the CFP Regulation had been announced. The evaluation would be a follow-up to the “Fisheries and Oceans package” of February 2023. At the institutional level, European Parliament’s resolutions and Presidency’s conclusions at the AGRIFISH Council called for an evaluation of the CFP Regulation, which was previously revised in 2013. The evaluation would be carried out in accordance with the Commission’s Better Regulation Guidelines and would examine the CFP Regulation in all aspects. Its functioning and impact would be assessed across five key evaluation criteria: effectiveness, efficiency, relevance, coherence (internally and externally) and added value. While the exact approach and level of detail for the evaluation was still to be determined, topics such as allocation of quotas and access to waters would definitely be covered by the evaluation.

Mr Langedijk highlighted that the CMO would be fully part of the evaluation, as one of the pillars of the CFP. The evaluation would assess how the current CMO Regulation had contributed to achieving the objectives of the CFP. To support the analysis and facilitate the implementation of CMO measures, an external study on producer organisations and consumption information would be launched after the summer. The evaluation itself would be an assessment of the current legal framework’s performance and not yet a forward-looking exercise exploring policy options. The evaluation would be providing an evidence-based assessment of whether the current framework was fit-for-purpose or where lessons could be learned for improvement. With the evaluation as a basis, the decision for a possible future revision would be up to the next Commission.

As for the involvement of the Advisory Councils (ACs), Mr Langedijk recalled that a first meeting with the AC Secretariats took place on 7 May 2024. A call for evidence, open to all stakeholders, was



planned to be published shortly. A public consultation, targeted stakeholder consultations, and an extensive dialogue with the ACs were planned until the end of 2024. He added that previous advice and recommendations of the ACs would be considered in the evaluation of the CFP.

Concerning consumer information and labelling, Mr Langedijk explained that it would be one of the subjects thoroughly assessed in the evaluation, which he recognised was a topic of great interest to the members of the MAC. The Commission representative argued that consumer information requirements are crucial for consumers to make informed purchasing decisions and they promote transparency in the market of fishery and aquaculture products, thereby helping to ensure a level-playing-field. The requirements support fair competition among businesses and also have the potential to encourage sustainable practices. He added that the evaluation would need to shed light on several important questions, such as:

- “Do the measures still correspond to current consumer needs, and are they in line with the objectives to ensure transparent and clear information to consumers?”
- “Is the scope of products covered by mandatory consumer information rules appropriate? Will the extension of traceability requirements to prepared and preserved products be an opportunity to extend consumer information to these products? Should the HoReCa sector be covered, and if so, how?”
- “Are the current consumer information requirements sufficient to help consumers make sustainable choices?”

Concerning the development of sustainability indicators for fishery products, Mr Langedijk recalled that DG MARE worked with the STECF to develop methodologies to score products with respect to crucial fisheries-specific sustainability aspects. Methodologies for the state of the targeted stock and the impact on the seabed had been finalised, while DG MARE was still working with the STECF on the impact on sensitive species. In the view of DG MARE, this work was important progress towards more transparency. The Commission representative emphasised that, at the same time, firstly, these indicators do not cover the overall sustainability of a product, but only certain crucial aspects of wild caught fish, and secondly, that it was still entirely open whether and how this work would feed into a policy initiative. This would depend on the new Commission.

Mr Langedijk informed that DG MARE planned to launch a publicly available information system in 2025. This tool would allow consumers and operators to determine the score of the indicators mentioned on the basis of simple input parameters, such as the species, the catch area, and the fishing gear. DG MARE plans to involve MAC members in the testing of the tool. Additionally, the Commission representative drew attention to the ongoing work on the Product Environmental Footprint Category Rules (PEFCR) for marine fish. DG MARE was continuously informing the MAC about the topic. A public consultation on the PEFCR was planned to be launched on 12 June 2024, so both the MAC and the members were encouraged to actively participate.

Concerning Producer Organisations, Mr Langedijk highlighted that a closer examination of the functioning of producer organisations would be crucial in the context of the CFP evaluation. Producer



organisations play a vital role in the day-to-day management of the CFP and enable its collective implementation at the producers' level. DG MARE heard that there were several concerns that small-scale producers face difficulties in establishing new producer organisations to represent their interests or joining existing ones. Consequently, this aspect would warrant an in-depth exploration during the analysis performed for the CFP evaluation. DG MARE was interested in understanding whether any specific regulatory obstacles had been identified that hinder the establishment of producer organisations for small-scale operators. He expressed hope that the MAC could serve as a platform for small-scale operators to discuss the issue and agree on potential policy recommendations.

Concerning the energy transition initiative, Mr Langedijk recalled that, the previous year, the Commission published a Communication for the Energy Transition in EU fisheries and aquaculture, which included the announcement of a roadmap to achieve climate neutrality by 2050. To ensure a comprehensive approach, DG MARE established the Energy Transition Partnership, and was collaborating with Member States and all stakeholders, including the processing sector. The Commission representative emphasised that the active involvement of the MAC would be key for the construction of the roadmap, adding that DG MARE appreciated and took good note of the advice on the energy transition in EU fisheries and aquaculture. DG MARE would be sending an elaborated reply in the following weeks.

Mr Langedijk stated that the primary focus was ensuring economic resilience in fisheries and aquaculture during the transition. A techno-economic study detailing low-carbon energy solutions and the feasibility of decarbonisation technologies had been recently released. DG MARE would continue monitoring data on available solutions for the sector. While there was no one-size-fits-all solution, DG MARE would persist in backing innovation in these sectors. The Commission representative highlighted that enhancing the financial landscape and accessibility to funding was vital. With the Commission's guide on funding opportunities, published in November 2023, the aim was to raise awareness of the available funds for the sector's transition. Involvement of the private sector was also critical. From a market standpoint, the energy transition and reduction of CO2 emissions could bolster the resilience and competitiveness of the EU fishery and aquaculture value chain, minimise vulnerabilities, increase profitability by stabilising production costs and reducing days at sea, and offer more attractive products to environmentally aware consumers. He recognised that it remained important to study the impact of the energy transition on the market. Any available data on the topics from the members would be welcomed.

Concerning Illegal, Unreported and Unregulated (IUU) fishing, Mr Langedijk emphasised that the EU prioritises the fight against IUU fishing for the sustainability of fisheries resources and a fair market for EU fishers. The EU is globally recognised for its leadership in this fight. The Commission representative recalled that the catch certification scheme, covering nearly all marine fishery products imported into the EU, aims at preventing IUU fishing products from entering the market. As of 2026, the revised scheme would be utilising the real-time EU-wide IT system CATCH. The system will support risk identification in relation to imports, reduce administrative burden and foster cooperation between administrations. CATCH would also allow any authorised third country to produce catch certificates for exports to the EU directly, creating advantages in terms of data



reliability and a fully digital procedure that can save time for many. The revised catch certification scheme also enhances supply chain traceability data, benefitting data reliability and consumer information.

Mr Langedijk mentioned that a detailed reply from DG MARE to the joint MAC-LDAC advice on the activities of China's distant-water fishing fleet had been sent in February and expressed availability to discuss the matter in more detail in a future meeting of the MAC.

Concerning forced labour, Mr Langedijk emphasised that, alongside promoting decent working conditions in fisheries within its borders, the EU also actively supports decent work in fisheries globally. This was done in alignment with the goals of the International Labour Organisation (ILO), the International Maritime Organisation (IMO), and the Food and Agriculture Organisation (FAO), and in collaboration with partner countries. In that context, the EU was set to adopt a regulation banning products made with forced labour from the EU market. A provisional agreement on the text was reached by the European Parliament and the Council, which would require formal approval in the fall by the new Parliament. The Regulation covers all products, including fisheries and aquaculture, regardless of origin, encompassing EU-manufactured goods and imports. The Commission will investigate and determine risks of forced labour outside the EU, while Member States handle cases within the EU. As a global issue, forced labour requires international cooperation. The Regulation is based on internationally recognised ILO conventions against forced labour, with provisions for international cooperation, including dialogue with third-country government and technical assistance and accompanying measures to build the capacity of businesses and government.

Concerning due diligence, Mr Langedijk recalled that the Corporate Sustainability Due Diligence Directive (CSDD) had been recently adopted. It establishes a duty for the companies in scope to identify and address actual and potential adverse human rights and environmental impacts in their own operations, those of their subsidiaries and, where relevant to their chains of activities, those of their business partners. The scope of the Directive covers large companies with more than 1,000 employees or a net worldwide turnover of more than €450 million. The Directive includes comprehensive lists of rights and prohibitions in the area of human rights as well as prohibitions and obligations in relation to the environment. Depending on the size of the large in-scope company, the provisions would apply in 3 to 5 years. The Commission representative added that the Directive should generate numerous benefits, among others: human rights protection, better working conditions, living wages and income, protection of the environment, empowerment of local communities, including via meaningful engagement with the companies in scope, and increased competitiveness of companies in scope, for example via resource efficiency, access to finance, protection against risks, and innovation.

As a conclusion, Mr Langedijk stated that the wide range of policy initiatives mentioned underlined the importance of a fruitful cooperation between the MAC and DG MARE. The input of the MAC was instrumental in developing and implementation the policies. The Commission representative added that there was a shared commitment to a sustainable and inclusive development of the fishery and aquaculture sector, making a strong and productive partnership between DG MARE and the MAC crucial for achieving the common goals.



- **Exchange of views**

Jean-Marie Robert (Les Pêcheurs de Bretagne) expressed surprise that a new study would be launched about producer organisations, since the recent report on the implementation of the CMO Regulation had closely analysed the role of producer organisations and only small points for improvement were raised under the report. The findings of the mentioned report were very positive about the role of producer organisations. Mr Robert requested information on the aims of the new study and the connection with the evaluation of the CFP.

Bruno Guillaumie (EMPA) called for a Common Aquaculture Policy under the next mandate of the European Commission. Mr Guillaumie emphasised that it was necessary to investigate why aquaculture, including shellfish farming, was not growing, while production was increasing in the rest of the world. Regarding the evaluation of the CMO Regulation, Mr Guillaumie highlighted that there are unrecognised associations, preventing access to funding. The role of producer organisations in the aquaculture sector would need to be considered too. He wondered about the state-of-play for a certificate for harvested products. Concerning the new regulation against forced labour, he expressed support for the development of a level-playing-field.

Guus Pastoor (AIPCE) emphasised that, under the evaluation of the CMO, competitiveness was a key issue. Under the present market situation, there were many rules in place. New rules were being developed on sustainability and labour. While operators were generally supportive of the new initiatives, it was necessary to keep in mind the costs associated with administration and personnel. Mr Pastoor highlighted that there was insufficient supply of fishery products in the EU to the processing industry. EU aquaculture production was not growing. Therefore, the EU processing industry had to fill the gap with imported products to remain competitive. At the same time, there was a decrease in the per capita consumption of fishery and aquaculture products as well as other challenges in the profitability of the sector. The profit margins are quite low, and it was difficult to receive investment capital. He wondered how these concerns on value chain competitiveness, from the perspective of the processing sector, could be considered in the evaluation of the CMO Regulation.

Sven Langedijk (DG MARE), concerning the planned study on producer organisations, stated that the report on the implementation of the CMO showed general satisfaction with the role of producer organisations and the way these have improved the functioning of the market. There were indications of some specific issues concerning small-scale fisheries operators, which is what the planned study would be addressing.

Concerning the challenges faced by the aquaculture sector, Mr Langedijk stated that, under the valuation of the CFP, the Commission would be looking at the overall framework to determine whether the expectations have been met, which would cover the reduction in aquaculture production. The Commission representative stated that the Commission would address the role of aquaculture producer organisations, and encouraged Mr Guillaumie to submit his concerns under the planned public consultations. He stated that Mr Guillaumie's comments on the documentation of products were noted.



Concerning the competitiveness of the sector, Mr Langedijk stated that he took note of the concerns of the processing industry regarding the administrative burden. The Commission aimed for a level-playing-field, even though there could be tensions between the production and the processing sectors, so input from the MAC would be welcomed.

Gerd Heinen (DG MARE) emphasised that the new study on producer organisations was not a change of course, but aimed to follow-up on the specific issues identified in the report on the implementation of the CMO Regulation, while recognising the important role that producer organisations play. As for unrecognised associations, in the context of the evaluation, the Commission would also look into the recognition of producer organisations, while keeping in mind that producer organisations must meet certain criteria to be eligible for the exemptions from competition rules that are granted in the CMO Regulation.

Amélie Laurent (Oceana) requested more information on the objectives of the external study on consumer information, particularly whether it would cover the current requirements under the CMO Regulation and consumer needs, and whether it would feed into the evaluation of the CFP.

Daniel Voces (Europêche) recalled that, in 2022 and 2023, the Commission stated that the CFP was fit for purpose. Then, in 2024, following calls from the Council, the European Parliament, the Committee of the Regions, and the European Economic and Social Committee, the Commission suddenly announced that a new evaluation was needed. In the meantime, the Commission launched the “Fishers of the Future” foresight project. Mr Voces wanted to know what would be different in the new evaluation. He highlighted that farmers had been calling for a review of all European Green Deal policies impacting the agricultural industry and that a similar request had been done by the Dutch government to reduce administrative burden. Therefore, he wondered if similar concerns would be part of the evaluation of the CFP. In his view, it was necessary to take into account the socio-economic elements of legislation and non-legislative documents, such as the marine action plan.

Sven Langedijk (DG MARE) responded that the upcoming evaluation would be a full evaluation on the original expectations and objectives. The European Green Deal policies would not be part of the evaluation, as it would only cover the framework of the CFP. Mr Langedijk recognised that it is important to consider the burden reduction. Following the call from President Von der Leyen for a reduction in administrative burdens for operators, DG MARE was analysing the existing reporting obligations.

Gerd Heinen (DG MARE) explained that the study on consumer information could feed into the evaluation of the CFP. While in accordance with the CMO Regulation, an implementation report was published in 2023, there was a political decision in 2024 to undertake a full evaluation. The full evaluation would allow the next Commissioner to make a decision on the future policy.

The Chair thanked Mr Langedijk for his speech and the exchange with the members, expressing hope that the close relationship between the MAC and MARE A4 would be maintained in the future.



## Food and Agriculture Organisation (FAO)

- **Presentation on the EU's mandate for the 36th Session of the Committee on Fisheries (8-12 July 2024) by Commission representative (MARE B1)**

The Chair thanked Mr Richir for his availability to present the EU's position ahead of the 36<sup>th</sup> Session of the Committee on Fisheries (COFI) of the FAO. The Chair informed that the Secretary General sent a request to the COFI Secretariat for the MAC to receive observer status, which had been accepted.

Marc Richir (DG MARE) informed that, prior to the COFI session, the Small-Scale Fisheries Summit 2024 would be take place on 5 to 7 July 2024 in Rome, Italy, which would cover issues of access to markets and the social dimension. The Commission would be participating in the summit. A meeting of the network of Secretariats of Regional Fisheries Management Organisations (RFMOs) would also be taking place to reflect on common issues, such as IUU fishing, biodiversity, and the United Nations agreement on biodiversity beyond national jurisdiction (BBNJ Agreement).

Mr Richir explained that the COFI session would open with a high-level event to celebrate the 10<sup>th</sup> anniversary of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the context of Food Security and Poverty Eradication. Interventions from regional groups will take place, including an intervention by Director-General Vitcheva for the European regional group.

Mr Richir outlined several topics on the agenda:

- Participants would be discussing the “State of World Fisheries and Aquaculture” (SOFIA) report and the reports from the three COFI Sub-Committees. The FAO Secretariat expressed willingness to elevate the discussions on the reports of the Sub-Committees.
- Guidelines on Sustainable Aquaculture – Endorsement by COFI is expected. The Commission took a very active role in the development and negotiation of these guidelines, particularly on the reconciliation between intensification of aquaculture and sustainability, and would be promoting them.
- Guidance on Social Responsibility in the Fisheries and Aquaculture Value Chain – These would be discussed. The Commission would like to know more about how previous feedback was accounted for and about the timing of the guidance.
- Integrated water resources management in fisheries and aquaculture – This agenda item will be subject to a Written Correspondence Procedure. The focus is on inland capture fisheries and aquaculture. The Commission is considering the document provided by FAO and will respond highlighting the legal provisions of the Water Framework Directive and the river-based management approach.
- Global challenges in relation to aquatic food systems – Climate change, biodiversity, food security and nutrition, as well as the use of plastics in fisheries and aquaculture will be covered. On the latter,



- FAO is developing a Voluntary Code of Conduct for the Sustainable Use and Management of Plastics in Agriculture, which may also include fisheries and aquaculture. However, the European Commission has doubts about the opportunity to elaborate such a code for fisheries and aquaculture, and its possible added value, at the time an international binding agreement on plastics is under negotiations in the context of an International Negotiating Committee.
- Mr Richir regretted the omission of IUU fishing as a self-standing item on the COFI agenda. This omission has triggered reactions from the EU and other delegations, as well as a formal request to FAO to reinstate IUU fishing as a full agenda item. FAO will consequently review the agenda so that IUU fishing appears visibly and can be fully discussed.

Mr Richir provided an overview of the preparations for the EU's position ahead of the session. DG MARE initiated exchanges with the Council's Working Party on Fisheries. The Commission will welcome the FAO's Blue Transformation Roadmap and would like FAO to support members in its implementation. The Commission should refer to market access issues for small-scale fisheries. On the fight against IUU fishing, the Commission will emphasise the importance of legally fished products and will mention the new CATCH IT system. Since the FAO plans to develop a database on trade agreements, the Commission will reiterate the need to account for existing platforms, such as the EU's Access2Markets database. The EU will express support for the Guidance on Social Responsibility in Fisheries and Aquaculture Value Chains and will request to accelerate the work. The EU will also stress the importance of responsible consumption and informed choices.

Mr Richir highlighted that, at the past COFI, confrontational exchanges between the EU and Russia on the impact of the Russian invasion of Ukraine on the market of fishery and aquaculture took place. Despite the FAO commitment in the 2022 SOFIA report to continue assessing the situation, the 2024 SOFIA report is silent on this issue.

- **Exchange of views**

Bruno Guillaumie (EMPA) welcomed the development of the Guidelines on Sustainable Aquaculture, but added that, considering the stalled development of aquaculture production in the EU, the EU might not be the best example due to the lack of efforts from the Member States. Concerning the issue of the Water Framework Directive and water quality, Mr Guillaumie drew attention to the changes in pathogen behaviour due to climate change, as acidification was triggering less resilience in molluscs to these pathogens, including due to paleo pathogens. The issue was also raised in the Aquaculture Advisory Council's recommendation on the risks of bivalve mollusc pathogen emergence in connection with climate change. He also drew attention to the issue of coastal erosion and waste management. Some cities buried their waste and the was being released due to costal erosion. In his view frameworks to tackle these issues were missing, so should be addressed in the COFI.

Louis Lambrechts (WWF) underscored the importance of the fight against IUU fishing. Mr Lambrechts wanted to know when the EU's official position would be finalised and available in writing.



Marc Richir (DG MARE) responded that the EU's position would be available quite late. The discussion in the Council's Working Party on Fisheries was scheduled to begin on 20 June 2024. The EU positions will be made available at the COFI. Mr Richir added that potential feedback from the MAC would need to be received as soon as possible, preferably by the following week.

Concerning the connection between climate change and fisheries and aquaculture, Mr Richir welcomed the feedback from Mr Guillaumie. The Commission representative commented that the FAO gives increased priority to aquaculture production, the main producer being China<sup>1</sup>. In Mr Richir's view, small-scale production needed to be considered as well as the three pillars of sustainability. The increased focus on aquaculture should also not distract attention from effective fisheries management and eradication of IUU fishing.

Bruno Guillaumie (EMPA) stated that, in the context of aquaculture production, there were harvest certificates. Mr Guillaumie stated that there was illegal production from aquaculture, including from China. He recognised the need for balance between the three pillars of sustainability.

Marc Richir (DG MARE) argued that, with the increased development of aquaculture, operators and consumers will be pushed to reflect more on the conditions behind the production of these products.

The Secretary General expressed willingness from the MAC to, in the future, be more involved in the preparation of the EU's position for the sessions of the COFI and of the Sub-Committee on Fisheries Trade. The Secretary General wanted to know how far in advance should contributions be submitted to DG MARE. For the 36<sup>th</sup> session, he expressed availability to send a collection of previous advice on the topics mentioned by Mr Richir.

The Secretary General recalled that the MAC was approved by the FAO Secretariat as an observer to the COFI sessions. Mr Reis Santos asked members whether there was opposition to his participation in the meetings on behalf of the MAC.

Marc Richir (DG MARE) responded that contributions from the MAC should come as early as possible, while recognising that the official documents of the FAO would be published rather late. Mr Richir informed that a representative from another Advisory Council would be part of the EU's delegation to the session. If the MAC would like to be represented in the delegation, the request should be submitted as early as possible.

The Chair expressed willingness for MAC representatives to be included in the EU's delegation to the 36<sup>th</sup> session of COFI. Concerning the EU's position, the Chair argued that the Commission should emphasise the potential of EU products to provide food safety. She expressed interest in inviting Mr Richir for a future exchange on the outcomes of the session.

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<sup>1</sup> Since the MAC meeting, the FAO report on the State of the World Fisheries and Aquaculture has been released, which highlights that, for the first time in history, animal aquaculture production surpassed capture fisheries production.



## Competitiveness of the EU Fisheries and Aquaculture Sector

- **Presentation of European Parliament Policy Department's study on policy options for strengthening the competitiveness of the sector by Martin Aranda (AZTI)**

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

Martin Aranda (AZTI) delivered a presentation on the European Parliament Policy Department's study on policy options for strengthening the competitiveness of the EU fisheries and aquaculture sector. Mr Aranda outlined the objectives of the study: 1) identify the internal (EU) and external (non-EU) factors leading to the state of competitiveness of EU fisheries and aquaculture sector, and 2) provide policy recommendations for action at internal and external level that could improve the competitiveness of the sector.

Mr Aranda outlined the EU's self-sufficiency rate. In 2021, the EU production covered only 38% of the internal demand, thus, the EU is highly dependent on imports. In his view, a share of imported fishery and aquaculture products may have not been produced according to the strict requirements imposed on EU operators, and there is no level-playing-field between EU producers and many of their competitors. The EU is highly self-sufficient in small pelagic species, but the EU market is highly dependent on foreign producers of groundfish, crustacea, salmonids, and others. Regarding groundfish, changes in abundance due to situations of overfishing leading to strict conservation and management measures may explain the low self-sufficiency. A share of the crustacea imports come from countries that allegedly lack sanitary measures.

Mr Aranda explained that the extra-EU imports of fishery and aquaculture products appear to be fairly stable in terms of volume. There was an increase of 5% between 2008 and 2022. In terms of value, the increase in EU imports is higher, by around 89%, when compared to 2008. There is an increasing presence of some suppliers questioned due to non-sustainable practices, such as China (labour), Ecuador (labour), Vietnam (pangasius production), Morocco (cephalopods, sardines). In other countries, IUU fishing is taking place or is suspected. These include Ecuador, which received a "yellow card" in 2019, and India and Argentina (squid fishing). He exemplified that there were safety concerns about Vietnamese and Indian warm water shrimp. EU whitefish products face competition from low-priced imported substitutes, for example Alaska pollock, which mostly comes from Russia, putting pressure on prices. Additionally, demand reduced due to the increase in prices (inflation).

Mr Aranda highlighted that there were four case studies in the report: 1) whitefish in Northwestern Waters, 2) small pelagic species in the North Sea, 3) Brexit, and 4) Norway as a competitor. He outlined the lessons learned from the case studies. As part of the EU-UK Trade and Cooperation Agreement, significant reductions in fishing opportunities are planned for whitefish and small pelagic stocks during the 2021-2025 period, while the situation after 2026 is unknown. The British Overseas Territories are not covered by the agreement, which affects the competitiveness of EU producers dependent on imports, particularly from the Falkland Islands. Norway is becoming a competitor in the EU market for organic aquaculture products. There have been unilateral decisions on small pelagic quotas, namely by Iceland, Finland, and Greenland, which may lead to overfishing and loss of fishing opportunities. In his view, small pelagic fisheries could be considered unregulated due to the lack of



cooperation in quota setting, which may affect fishing opportunities in the future. Additionally, the aquaculture licensing system in Norway could provide useful policy lessons.

Mr Aranda outlined the factors affecting competitiveness. There is a large body of legislation besides the Common Fisheries Policy, such as legislation on trade, food safety, labour, and environmental regulations. There are increasing restrictions on the access to marine resources for fishing and space for aquaculture, plus increasing costs that affect the competitiveness of the EU fleet vis-à-vis external operators. The lack of effective customs controls in some Member States allows for “forum shopping”. Some countries that export regularly fishery and aquaculture to the EU do not fully observe resources sustainability, labour, quality, and hygiene conditions, while subsidising their sectors. He exemplified that aquaculture production in Turkey is growing fast due to subsidies and lower production costs. In his view, the EU can do very little to promote sustainable practices in non-EU countries. The EU sector can hardly compete on prices with non-EU countries. The low generational replacement negatively affects the competitiveness, particularly in the fishing industry. The leadership position in international ocean governance obliges the EU to lead by example.

Mr Aranda provided policy recommendations. Concerning access to the EU market: ensure greater uniformity in the application of customs controls in all Member States to prevent access of non-EU products that do not meet EU standards. It should be made compulsory to label fishery and aquaculture products of non-EU country under whose flag the vessel operates. Strengthen coordination between the EU’s trade and fisheries policies, particularly when negotiating trade agreements. The programme of inspections in non-EU countries should be improved by increasing the number of inspections. Improve the collection of trade data from non-EU countries for traceability purposes. Investigate production methods in non-EU countries. Strengthen food safety and hygiene measures for pangasius and similar non-EU products.

Concerning international agreements and relations, new Sustainable Fisheries Partnership Agreements should be signed to reduce the dependence on imports. It is essential to analyse the economic and social impacts of Free Trade Agreements on the sector. Consider whether small pelagic species should be excluded from the Autonomous Tariff Quotas scheme. Renegotiate access to UK waters, particularly in the light of the post-2026 situation. Member States should be signatories of all international agreements on decent working conditions in the sector. Strengthen coordination with China through the Blue Partnerships and the fight against IUU fishing. Benchmark the experience of Norway with license schemes in aquaculture. Concerning the EU’s structural support to competitiveness, encourage the comprehensive use of the European Maritime Fisheries and Aquaculture Fund resources to enhance the competitiveness of the sector in terms of human capacities, markets, and added value. Maintain some state aid framework to adjust to the ongoing geopolitical unrest due to the level of energy prices.

- **Exchange of views**

Guus Pastoor (AIPCE) argued that the report was focused on the actions of external actors in relation to the EU, even though competitiveness policy should also cover the actions of the EU. As an example,



the report did not provide information on the cost structures faced by EU operators. Additionally, in his view, evidence was lacking for some of the claims made<sup>2</sup>.

Martin Aranda (AZTI) replied that the objectives of the study were determined by the European Parliament, covering both external and internal factors. There are several structural factors that impact the competitiveness of the sector, such as costs, administrative measures, licenses for aquaculture, impacts of restrictions in the access to marine resources, and impacts on prices. The purpose of the study was not to make recommendations about how the sector should optimise their competitiveness, but to assist policymakers, via policy recommendations, on how to facilitate it. The study does signal that the sector should refer to the structural funds and makes references to Producer Organisations, the European Maritime Fisheries and Aquaculture Fund, awareness campaigns, among others.

Janne Posti (Conxemar), concerning the recommendation that the implementation of the Common Fisheries Policy should lead to equal treatment by requiring that imported products align with the EU's internal requirements, wanted to know which third countries were not complying with these requirements. Mr Posti also wanted to know, if the EU would only import from the countries that meet the mentioned requirements, by how much would the supply of fishery and aquaculture products to the EU drop, and how would these be replaced.

Martin Aranda (AZTI) recognised that there were limitations to how much the EU could do for third countries to put in place similar measures, as sovereign States set their own measures. Nevertheless, as a market State, the EU can impose market measures on social and environmental responsibility. Mr Aranda exemplified that there was the IUU “carding system” and import control rules. If the EU was to restrict imports from countries that do not meet equivalent requirements, there would likely be a decrease in the supply. Third countries would have difficulties in promptly meeting the requirements. In his view, EU consumers are increasingly aware that non-EU products do not meet EU standards and want imported products to meet the same standards.

Juan Manuel Trujillo Castillo (ETF) stated that references to the ongoing modifications to the fishing fleet were missing, particularly on the decarbonisation of the fleet. It was necessary to consider how the energy transition could take place without leading to unemployment. Regarding generational renewal, Mr Trujillo argued that improving the conditions onboard would help make the industry more attractive to younger workers. It was necessary to change the legal limits that prevent the renewal of the fishing vessels due to capacity. In his view, there should be sufficient room on the fishing vessels for the crew to feel safe and comfortable.

Martin Aranda (AZTI) replied that the issue of decarbonisation of the fishing fleet was covered by the study. In the context of the European Maritime Fisheries and Aquaculture Fund, it would be possible

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<sup>2</sup> Mr Aranda requested the recording of the following statement in the minutes: “The legal and trade experts took great care to provide evidence for all the statements. The study contains many references to scientific literature, official documents and data, and specialised media. The study includes an extensive bibliography and a large number of footnotes”.



to improve the carbon footprint of fishing vessels. Mr Aranda recognised that there were limitations based on the capacity of the fishing vessels and that there were requests from operators to policymakers to address these. He agreed that the improvement of the conditions onboard fishing vessels would make the industry more attractive to the younger generation.

Bruno Guillaumie (EMPA) argued that the Generalised Scheme of Preferences allowed investments in countries and products at very low prices, which tend to not respect the EU's social and environmental standards. Mr Guillaumie exemplified that there were large companies of mussels that externalise the processing. In his view, this situation was not addressed in the study.

### Working Groups

- **Reporting by Julien Lamothe, Chair of Working Group 1**

The Secretary General on behalf of Julien Lamothe (EAPO) informed the Executive Committee that, at the 4 June 2024 meeting of Working Group 1:

- Members exchanged views about the study supporting the evaluation of the landing obligation. A Commission representative was not able to participate in the meeting, but a presentation was delivered. Written questions would be sent to DG MARE.
- The Danish Fishermen Producer Organisation (DFPO) delivered a presentation about the projects financed under their Production and Marketing Plan. Paul Thomas (EAPO) delivered an update on the guide document listing all the fisheries and aquaculture Producer Organisations and their work. It was agreed that Mr Thomas would exchange with aquaculture representatives to ensure that the template meets the requirements of both the fisheries and the aquaculture sectors.
- Members considered draft advice on the development of sustainability criteria for fishery and aquaculture products by STECF. It was concluded that the text required additional work and would be redrafted and reconsidered again at a later opportunity.
- Members considered draft advice on suggestions for the work programme of EUMOFA. The Working Group decided that the agreed draft should be put forward to the Executive Committee for consideration and potential approval.

*The Executive Committee approved the advice on “European Market Observatory for Fisheries and Aquaculture (EUMOFA): Suggestions of studies to be integrated in the Work Programme (2024)”.*

- **Reporting by Pierre Commère, Chair of Working Group 2**

Pierre Commère (AIPCE) informed the Executive Committee that, at the 4 June 2024 meeting of Working Group 2:

- DG MARE representatives delivered a presentation on trade developments, including the planned sustainability element of the Autonomous Tariff Quotas, the court cases on the preferential trade agreement and the Sustainable Fisheries Partnership Agreement with Morocco, Southeast Asia,



including the negotiation of a Free Trade Agreement with Thailand, the negotiation of the WTO's fisheries subsidies agreement, and trade relations with the European Economic Area and Norway. Due to the significant interest expressed by the members on developments in the EU-Norway trade relationship, it was agreed that an urgent written procedure would be launched to prepare advice on the matter.

- Members exchanged views with a DG MARE representative on the new rules of lot composition and traceability of fishery and aquaculture products. Members agreed that further exchanges and work on the implementing legislation would take place in the future.
  - Due to the lack of availability of the European Commission, the presentation on the implementation of the United Kingdom's Border Target Operating Model did not take place. Even though it was identified as a commitment under the annual work programme, members agreed that it was not longer relevant to draft advice on the topic.
  - The Environmental Justice Foundation delivered a presentation on the place of China in the global supply chains of fishery and aquaculture products, specifically on their recent reports on IUU fishing and human rights violations by China.
  - The planned presentation of a proposal of advice on the application of the forced labour regulation and the Corporate Sustainable Due Diligence Directive was postponed to the September 2024 meeting.
  - Members considered draft advice on the initiative on better protecting sharks through sustainable fishing and trade. General agreement was reached on the recommendations with the exception of one. It was agreed that editorial changes were needed in the background text. The Working Group agreed that the Secretary General would informally exchange with interested members to undertake the editorial changes, which would be followed by a written procedure for formal consideration and potential approval.
- **Reporting by Benoît Thomassen, Chair of Working Group 3**

Benoît Thomassen (FEAP) informed the Executive Committee that, at the 5 June 2024 meeting of Working Group 3:

- A DG GROW representative delivered a presentation of the final report of the "Transition Pathway for a More Resilient, Sustainable and Digital Agri-Food Ecosystem". The representative informed that, in February 2025, a website will be launched to list good practices and provide information on available funding. It was agreed that to invite DG GROW again in 2025 to deliver a presentation on the mentioned website. At the meetings, concerns were expressed by some members on the lack of reference to "fish" or "seafood" in the initiative's title.
- The Marine Stewardship Council delivered a presentation of the GlobeScan's survey on "seafood consumer insights 2024". Some members suggested that, in the next edition, the survey could include sub-questions to differentiate between farmed and wild caught products.



- DG MARE representatives delivered an update on the fourth edition of the “Taste the Ocean” campaign. The edition appeared to be successful, even though some members were not aware of its launch. Two HORIZON projects on raising awareness about fishery and aquaculture products were recently launched, so the Working Group would be following-up on those in the September 2024 meeting. At the meeting, some members raised the importance of targeting schools and children in future campaigns.
- Members considered draft joint advice with the Aquaculture Advisory Council, the Outermost Regions Advisory Council, and the North Sea Advisory Council on the valorisation of fisheries and aquaculture by-products. The Working Group reached agreement on the text and agreed that the draft should be put forward to the Executive Committee for consideration and potential adoption.
- The Secretary General delivered an update on the joint MAC/AAC Focus Group on Consumer Information in the HORECA Sector.

*The Executive Committee expressed general agreement with the draft advice on valorisation of fisheries and aquaculture by-products. Final approval would depend on the amendments introduced by other three Advisory Councils.*

### Membership of the General Assembly

- **Presentation of the most recent members:**
  - **Aquaculture Stewardship Council (ASC)**

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

The Secretary General recalled that the Executive Committee had recently approved, via an urgent written request, the Aquaculture Stewardship Council (ASC), the Dutch Fish Auctions Association (NOVA), and the European Salmon Smokers Associations (ESSA) as members. The Secretary General informed that he recently held a meeting with a representative of the NGO The Nature Conservancy (TNC), and a meeting with representatives of the association of fish wholesalers of Madrid (AEMPM). The Greek Aquaculture Producers Organisations (HAPO) expressed interest in becoming a member. Mr Reis Santos also informed that he recently delivered a presentation about the work of the MAC at an online seminar organised by the Aquaculture Advisory Council.

Alessandro Manghisi (ASC) outlined the vision, mission, and development of his organisation. Mr Manghisi emphasised that ASC drives the world’s leading programme for responsibly farmed seafood, which increasingly provides value and additional impact beyond certification. The ASC representative explained the seven principles of his organisation, which aim to be robust and relevant standards covering all key environmental and social impact areas, which include human rights as a crucial part. The ASC follows the ISEAL’s Codes of Good Practice and follows a multi-dimensional layer approach to assurance. He provided an overview of the ASC’s farm certification process and the main EU files of interest for his organisation, which include consumer rights, environmental claims, due diligence, forced labour, sustainability reporting, and taxonomy.



## Inter-Advisory Council's Coordination

- **Reporting back on the following meetings:**
  - **Workshop on Financing the Marine Action Plan (12 April 2024)**

The Secretary General informed members about the workshop on financing the marine action plan, which took place on 12 April 2024, online. The MAC was represented by the OIG Vice-Chair Christine Absil and by the Secretary General. Topics covered included various financing opportunities, particularly via the European Maritime Fisheries and Aquaculture Fund, Horizon Europe, Mission Ocean, the LIFE Programme, the European Investment Bank, and INTERREG. At the workshop, no interventions were made on behalf of the MAC.

Bruno Guillaumie (EMPA) highlighted the relevance of the presentation delivered by the European Investment Bank. Mr Guillaumie suggested that the MAC should invite the representative of the mentioned institution to present the funding available beyond the European Maritime Fisheries and Aquaculture Fund, particularly on the mechanisms of financial engineering and the conditions of the next programming phase.

- **Workshop on rebuilding the European eel stock and sustainability of sectors: silver eel capture and release (24 April 2024)**

The Secretary General informed members about the workshop on rebuilding the European eel stock and sustainability of sectors: silver eel and capture and release, which took place on 24 April 2024, online. The MAC was represented by Julien Lamothe, Industry Vice-Chair and Working Group 1 Chair. Topics covered included management, science and practitioners, mitigating the impact of hydropower on silver eel escapement, engaging stakeholders for the conservation of the European Eel, projects in cooperation with hydropower energy companies, the EU Biodiversity and Restoration Law, and funding under the EMFF and the EMFAF. At the workshop, no interventions were made on behalf of the MAC.

- **Secretariats' coordination meeting with DG MARE (7 May 2024)**

The Secretary General informed members about a coordination meeting between DG MARE and the Secretariats of the Advisory Councils, which took place on 7 May 2024, online. The Secretary General participated on behalf of the MAC. The main point of the meeting was to plan the work and involvement of the Advisory Councils in the context of the evaluation of the Common Fisheries Policy Regulation, since, from September 2024, there would be dedicated exchanges with the Advisory Councils. The Common Market Organisation would be part of the evaluation. Several topics on the social dimension of fisheries were addressed at the meeting, such as the "Fishers of the Future" foresight project, the transposition of the International Maritime Organisation's STECW-F Convention, and the next steps following the consultation on social indicators and Article 17 of the Common Fisheries Policy Regulation. The planning and format of future Inter-AC meetings were also discussed. The Secretariats called for increased time for exchanges of views with Director-General Vitcheva.



The Secretary General recalled that the presentations made at the coordination meeting had been circulated via email to all members.

- **Inter-AC Brexit Forum (17 May 2024)**

The Secretary General informed members about the Inter-AC Brexit Forum meeting, which took place on 17 May 2024, online. The MAC was represented by Julien Lamothe, Industry Vice-Chair and Working Group 1 Chair. At the meeting, DG MARE delivered an update on the Specialised Committee for Fisheries and related Working Groups. DG MARE also reacted to several related issues raised by the Advisory Councils, namely on the role of the Commission's legal services in analysing and addressing discrimination, disproportionality and scientific underpinning of the 13 Marine Protected Areas established by the UK, the UK's consultant process and the time provided before the changes come into effect, the consultation procedure under the Trade and Cooperation Agreement's dispute settlement for sandeel fishery ban, the review of "footnotes and flexibilities", and the post 2026 considerations. Participants also review the list of horizontal topics identified by the Forum.

The Secretary General recalled that, at the request of DG MARE, the minutes of Inter-AC Brexit Forum meetings were not circulated. Under the rotation system, the MAC would be responsible for the organisation of the next meeting. Participants had agreed to hold the next meeting in July 2024, but the Secretariat received a request from DG MARE to reschedule to September 2024.

- **European Maritime Day (30 & 31 May 2024)**

The Secretary General informed members about the European Maritime Day event, which took place on 30 and 31 May 2024 in Svendborg, Denmark. The MAC was represented by the Secretary General.

At the opening session of the event, Commissioner Sinkevičius highlighted the obstacles faced, namely Brexit, the COVID-19 pandemic, and Russia's war against Ukraine. The Commissioner also highlighted the achievements of his mandate, namely a new approach to sustainable Blue Economy, the EU Algae Initiative, the EU Mission Ocean, the Energy Transition Partnership, the revised Fisheries Control Regulation, the launch of a full evaluation of the Common Fisheries Policy, the communication on the EU ocean governance, the Arctic policy, the EU's leadership on the United Nations' treaty to protect biodiversity in the high seas, the EU's pledge on ocean protection, and the revision of the EU's maritime security strategy.

At the opening, Director-General Vitcheva emphasised that DG MARE was waiting for the results of the European elections, while still preparing for the future. The Director-General highlighted several initiatives, including the Energy Transition Partnership, covering the guide in development, the pilot project, and planned roadmap, the EU's digital twin of the ocean initiative, the inter-regional partnerships, the strengthening of collaboration on offshore renewable energy, and the European Blue Forum. She also drew attention to the importance of climate action, ocean restoration, a circular and regenerative blue economy, and competitiveness.

The Secretary General provided information on the workshop jointly organised by the Advisory Councils titled "EU Advisory Councils: Stakeholder engagement in policymaking for sustainable



fisheries & aquaculture production and value chains”. The workshop counted on 110 registered participants. There was a panel on stakeholder engagement and audience breakout groups. The input was used for artificial intelligence-generated recommendations on stakeholder engagement and improvement of the functioning of the Advisory Councils.

The Secretary General highlighted one event of particular interest, which was the EUMOFA workshop on “marketing of alien, invasive and low value species”.

### European Fisheries Control Agency (EFCA)

- **Reporting back on Advisory Board meeting (23 April 2024) by Daniel Voces (Europêche)**

Daniel Voces (Europêche) informed members about the meeting of the Advisory Board of EFCA, which took place on 23 April 2024, in Vigo, in which he represented the MAC. Mr Voces thanked the Secretary General for his assistance in the preparation of the intervention to be made at the meeting.

Mr Voces explained that his intervention made reference to the advice on forced labour in the market of fishery and aquaculture products, to the advice on the ongoing negotiations of the EU-Thailand Free Trade Agreement, including the sensitives for certain products, the advice on the Terms of Reference of the 2024 edition of the STECF’s annual economic report on the EU fishing fleet, the advice on the impact of the Marine Action Plan on the market, including the need for a comprehensive socioeconomic impact assessment, and the joint advice on the Chinese distant-water fleet. Mr Voces highlighted that Executive Director Steele presented the annual report of the agency.

### Press Interviews and Opinion Articles

- **Exchange of views about the appropriate procedure for press interviews and opinion articles on behalf of the MAC**

The Chair informed that the agenda point had been requested by ANFACO-CECOPECA. Following the publication of an article in the Spanish newspaper “Industrias Pesqueras” in her name as Chair of the MAC, ANFACO-CECOPECA expressed concerns about the procedure for press interventions and opinion articles on behalf of the MAC.

The Secretary General explained that, in the case of the mentioned article, the practice followed had been the same as for previous interviews and articles on behalf of the MAC. The established practice has been that, if the positions expressed in the interview/article correspond to positions previously adopted by the MAC, it was not necessary to circulate the text for approval by the Executive Committee. The mentioned article had been written by the Chair and the Secretary General and based on positions previously adopted by the MAC in several pieces of advice, namely the ones on the European Year of Skills, the Marine Action Plan, Brexit, the COVID-19 pandemic, the Russian invasion of Ukraine, and the health and environmental value of seafood. After the publication by “Industrias Pesqueras”, the article was circulated to all members for their information.

The Secretary General informed that, following informal consultations with other Secretariats, the same practice appeared to be followed in several other Advisory Councils. The Secretary General



stated that, in his view, if agreed by the members, the established practice could be replaced by an urgent written consultation of the Executive Committee before submission of the text, but that such an approach would likely mean a duplication of consultations and impact the possibility to reply in a timely manner to requests from the press.

Iñigo Azqueta Ruiz-Gallardón (ANFACO-CECOPECA) stated that the request was a suggestion aimed at improving the procedures followed by the Advisory Council, as there could inadvertently be changes in meaning when transposing previously adopted positions into interviews / articles. Due to the importance of consensus in the MAC, the texts should be circulated beforehand and approved.

Bruno Guillaumie (EMPA) argued that it would not be possible to prevent third parties, including journalists, from consulting documents published by the MAC and making their own assumptions. Mr Guillaumie drew attention to the example of the general conditions of utilisation for scientific articles, which foresee implicit levels of authorisation.

Janne Posti (Conxemar) expressed support for maintaining the established practice, as it was based on positions previously approved by the MAC. Mr Posti argued that the addition of an additional approval would delay any media work on behalf of the Advisory Council.

Paul Thomas (EAPO) also expressed support for maintaining the established practice.

Daniel Voces (Europêche) congratulated the Chair and the Secretariat for the quality of the opinion article published in “Industrias Pesqueras”. In his view, since the Secretariat ensured the respect of the general interests of the members, it was not necessary for the Executive Committee to also consider the texts before submission.

Louis Lambrechts (WWF) expressed agreement with Mr Voces, highlighting that, when undertaking media work, timing was an essential element.

Juan Manuel Trujillo Castillo (ETF) emphasised that the mentioned article was based on the work of the MAC and had been drafted by the Chair and the Secretary General. Mr Trujillo argued that media work was part of the representative functions of the Chair, and that it aimed to disseminate information, requiring prompt reaction to requests from the press. As these texts do not constitute advice, the approval procedure foreseen for advice should not be followed. He expressed agreement with continuing following the previously established practice.

Iñigo Azqueta Ruiz-Gallardón (ANFACO-CECOPECA) stated that his organisation did not doubt the work of the Secretariat, emphasising that the suggestion only aimed at improving procedures.

*The Executive Committee agreed to continue following the established practice for press interviews and opinion articles, meaning that, if these were based on positions previously adopted by the MAC, it was not necessary to circulate the text to the Executive Committee for prior approval.*

The Chair underscored that, in situations of requests from journalists for views on topics on which the MAC does not have an adopted position, the members would be consulted.



## AOB

- **Exchange of views on the scope of advice**

Paul Thomas (EAPO) requested an exchange of views about the scope of the advice developed and the competences attributed by the Common Fisheries Policy Regulation to the Advisory Council. Mr Thomas emphasised that the request was not aimed at a specific Working Group or advice. In the case of several recent drafting processes, some comments and discussions had overly focused on the fisheries sector and on management matters. While recognising that management measures have an impact on the market, in his view, it was necessary to represent the fisheries and aquaculture sector as a whole and to respect the competences of the other Advisory Councils.

The Chair expressed satisfaction with the work done by the Secretariat to follow the initiatives launched by the Commission and to meet the commitments made under the annual work programme, while also encouraging members to maintain a market perspective.

The Secretary General recalled that the Common Fisheries Policy Regulation outlines the competences of each Advisory Council, emphasising that the Secretariat aims to respect the competences attributed to the MAC, including the competences on fisheries management attributed to the regional fisheries Advisory Councils, even though the same courtesy was not always provided by other Advisory Councils to the MAC.

The Secretary General recognised that, in some drafting processes, there had been suggestions from some members to introduce text on issues that were more appropriately addressed by other Advisory Councils. In several cases, the Secretariat asked members to retract text / comments that were not directly relevant for market policy. When gathering input from members, the Secretariat always encouraged members to provide a market-perspective, for example in the questionnaires circulated to the Working Groups. The Secretary General stated that due note was taken of the concerns expressed by Mr Thomas, which would be taken into account in future drafting processes.

Paul Thomas (EAPO) agreed with the Chair that the Secretariat was doing positive work in focusing the work of the Advisory Council into a market perspective. Mr Thomas encouraged the other members to focus on the market perspective in their contributions.

Katarina Sipic (AIPCE-CEP) stated that, in the cases of some pieces of advice, there was a very high level of ambition, requiring a very significant commitment from the members. In her view, it was necessary to set realistic targets in the annual work programme.

The Chair suggested to address the concerns expressed by Ms Sipic in more detail at the next meeting, since the Executive Committee would be preparing the work programme for the following operational year then.

Pierre Commère (AIPCE) stated that he was not aware of advice where a “red line” had been clearly crossed in terms of competences. Mr Commère exemplified that, in the case of the ongoing draft on better protecting sharks through sustainable fishing and trade, it was difficult separate production



topics from market topics. Therefore, it was necessary to have some margin of discretion and some pragmatism. It could be quite complex to implement a clear delineation in competences, but, generally, the MAC had respected the attributed competences and focused on the market aspects in great detail.

Bruno Guillaumie (EMPA) expressed agreement with Mr Commère. In his view, it was necessary to analyse the consequences for the market of various policy initiatives that are directed at production, such as the marine action plan. In the case the revision of the Fisheries Control Regulation, the MAC had adequately focused on the processing and traceability matters. Mr Guillaumie suggested that, in the future, in the titles of the adopted advice, it should be clearly identified that the document is about the market perspective / consequences. The same approach should be followed when making commitments under the annual work programme. He argued that members should be aware that some topics are out of scope, for example comments on the management of stocks.

The Chair agreed to take into account Mr Guillaumie's suggestion in future pieces of advice, especially in the development of the next annual work programme.

- **Exchange of views about the procedure followed for the approval of the advice on “Terms of Reference of the Study on Feasible Traceability Systems and Procedures for Prepared and Preserved Fishery and Aquaculture Products”**

Iñigo Azqueta Ruiz-Gallardón (ANFACO-CECOPECA) requested an exchange of views on the procedures followed by the Secretariat in the context of the advice on “Terms of Reference of the Study on Feasible Traceability Systems and Procedures for Prepared and Preserved Fishery and Aquaculture Products”.

The Chair expressed the view that the Secretariat had correctly followed the applicable procedures in the adoption of the mentioned advice. The Chair also asked Mr Azqueta to clarify in the name of which organisation he was intervening, since he had originally registered as FEICOPESCA, which is not a member of the Executive Committee.

Iñigo Azqueta Ruiz-Gallardón (ANFACO-CECOPECA) clarified that he was intervening as a representative of ANFACO-CECOPECA.

In the view of ANFACO-CECOPECA, the Secretariat had not followed point 28 of the Rules of Procedure, which reads that “If the MAC has been required to meet tight timelines, an urgent procedure can be launched at the call of the Chair of the Working Group in question. Members of the Working Group shall have a minimum of 3 working days to respond. Members of the Executive Committee shall have a minimum of 2 working days to endorse the approved draft. If these requirements are not met, the MAC will not publish an opinion on the matter”.

Under the last urgent written consultation of the Executive Committee on the draft advice, five members introduced a modification to the text, but no opportunity to comment on this modification was provided to the other members. In his view, point 28 of the Rules of Procedure did not foresee exceptions and did not provide the Secretariat with the possibility to prevent comments. Mr Azqueta



stated that the lack of respect of point 28 of the Rules of Procedure was likely a technical oversight from the Secretariat and should, accordingly, be corrected.

The Secretary General expressed concern that there were doubts about the respect of the Rules of Procedure by the Secretariat and clarified that it was an issue of differing interpretations of the applicable rules, not of a technical oversight. The Secretary General proceeded with an overview of the background of the procedure in question.

MARE D4 expressed availability to deliver a preliminary presentation about the new rules on lot composition and traceability at the 2 April 2024 meeting of Working Group 2, which would be followed by a more comprehensive exchange at the 4 June 2024 meeting of Working Group 2. To prepare for these meetings, from 29 February to 14 March 2024, the Secretariat circulated a questionnaire titled “preliminary input on market-related aspects of the revision of the Fisheries Control Regulation (lot & traceability rules)”. Replies were sent by FRUCOM, EuroCommerce, Oceana, FEDEPESCA, ADEPALE, UMF, and CONXEMAR.

At the 2 April 2024 meeting of Working Group 2, MARE D4 delivered the agreed presentation. The Commission representative mentioned that DG MARE was planning to have the Terms of Reference of the study on feasible traceability systems ready by June 2024. Working Group 2 agreed, as an action point, that the Secretariat would prepare draft advice on the Terms of Reference of the study, which would be put forward for consideration via written procedure. For the preparation of the draft, the Secretariat took into account the replies to question 2 “study on feasible traceability systems and procedures (Article 58)” and question 5 “visits to processing plants” of the mentioned questionnaire.

In line with points 24 and 28 of the Rules of Procedure, a first urgent written procedure under Working Group 2 took place from 11 to 18 April 2024 allowing members to provide feedback on the entire draft text. Feedback was received from FEDEPESCA, PACT'ALIM, ANFACO-CECOPECA, and Oceana. The amendments were introduced to all sections of the draft with the exception of section 1 (“background”).

A second urgent written procedure under Working Group 2 took place from 29 April to 3 May 2024 allowing members to provide feedback on the amendments introduced under the first written procedure. Feedback was received from FEDEPESCA and CONXEMAR. FEDEPESCA requested an additional amendment to recommendation b) of section 3 (“recommendations”). Due to holding different views than ANFACO-CECOPECA, CONXEMAR expressed disagreement with the wording of the last paragraph of section 2, requesting that instead of a consensual position, separate positions of specific members be recorded. The views of CONXEMAR on the issue addressed by the mentioned paragraph were also shared by Oceana.

A third urgent written procedure under Working Group 2 took place from 7 to 10 May 2024 allowing members to provide feedback on the amendments introduced under the second written procedure. Feedback was received from Europêche, FEDEPESCA, and Oceana. Europêche and FEDEPESCA requested for their sectors to be included in the penultimate paragraph of section 2, joining the separate position of CONXEMAR and Oceana. Oceana requested the deletion of the last paragraph of subsection 1.2., which had been previously added by them, as it was a reference to the legal



framework of Switzerland that is no longer valid. The Secretary General did not accept amendments requested by Bundesverband der deutschen Fischindustrie und des Fischgrosshandels e.V., as these went beyond the consideration of the amendments introduced under the second written procedure.

On 13 May 2024, the Secretariat informed the members of Working Group 2 that the previously described changes did not affect the agreed content of the text, so these had been incorporated and the draft advice would be put forward to the Executive Committee for consideration and potential adoption.

In line with points 24 and 28 of the Rules of Procedure, a first urgent written procedure under the Executive Committee took place from 13 to 15 May 2024. Feedback was received from AIPCE-CEP, MSC, CONXEMAR, and ANFACO-CECOPECA. The feedback of AIPCE-CEP and MSC introduced amendments to all sections of the draft with the exception of section 1 (“background”). CONXEMAR requested clearer identification of the stakeholders subscribing to the separate positions recorded in the last two paragraphs of section 2. The references to the sectors were replaced by explicit references to the member organisations. ANFACO-CECOPECA and AIPCE-CEP (based on input from PACT’ALIM) introduced further precisions to the separate position recorded in the last paragraph of section 2.

A second urgent written procedure under the Executive Committee took place from 16 to 20 May 2024 allowing members to provide feedback on the amendments introduced under the first written procedure. Feedback was received from Oceana and FEDEPESCA, which introduced changes to the amendments of MSC. ANCIT and Unione Italiana Food were added to the specific position recorded in the last paragraph of section 2. These two associations are not members of the Executive Committee, but it was considered that the addition was procedurally on behalf of AIPCE-CEP.

A third urgent written procedure under the Executive Committee took place from 21 to 24 May 2024 allowing members to provide feedback on the amendments introduced under the second written procedure. Good Fish, EJF, WWF, EAPO, and ETF requested to be added to the separate position recorded in the penultimate paragraph of section 2. The members subscribing to the mentioned paragraph requested the additional of one additional sentence. CONXEMAR requested a clarification of the separate position recorded in the last paragraph of section 2. The Secretary General did not proceed on the request, as it referred to a specific position attributed to identified members, of which CONXEMAR was not part of.

On 24 May 2024, the Secretariat informed the members of the Executive Committee that, as the additions do not affect the content of the main text agreed by all members, the changes were incorporated, and the agreed advice would be circulated to the General Assembly. The advice was circulated to the General Assembly and submitted to the European Commission.

The Secretary General recalled the provisions of points 23, 25, and 28 of the Rules of Procedure:

- Point 23 reads “Any dissenting opinion within Focus Groups or Working Groups should be registered as soon as possible. The Secretariat will draft a MAC opinion trying to accommodate all points of view. In case these dissenting opinions would not be solved, minority opinions will be



recorded. If a minority opinion is supported by one organisation, it will be recorded as a foot note. If it is supported by more than one organisation, it will be added on the text of the advice. If the minority opinion requests further explanation, it can be added as an annex no longer than one page”.

- Point 25 reads “The Executive Committee shall, where possible, adopt recommendations by consensus. Should the Executive Committee encounter dissenting opinions, these shall be recorded in the recommendations adopted by the majority of the members present and voting”.
- Point 28 reads “If the MAC has been required to meet tight timelines, an urgent procedure can be launched at the call of the Chair of the Working Group in question. Members of the Working Group shall have a minimum of 3 working days to respond. Members of the Executive Committee shall have a minimum of 2 working days to endorse the approved draft. If these requirements are not met, the MAC will not publish an opinion on the matter”.

The Secretary General explained that, via email messages to the Secretariat, ANFACO-CECOPECA expressed disagreement that the advice could be considered adopted. In their view, the Secretariat did not respect point 28 of the Rules of Procedure, because two days were not provided for the Executive Committee to approve the sentence added by the five industry members CONXEMAR, Europêche, FEDEPESCA, EAPO, and ETF and the four Other Interest Groups members Oceana, Good Fish, EJJ, and WWF to the separate position recorded in the penultimate paragraph of section 2.

In the view of ANFACO-CECOPECA, the text should have been modified to include an additional sentence from FEICOPESCA to the separate position recorded in the last paragraph of section 2 and the Executive Committee should be provided with two working days to endorse. In their view, if the Executive Committee was not able to reach agreement via written procedure, the Secretary General should have organised an express meeting.

The Secretary General outlined the interpretation followed by the Secretariat. Despite attempts to solve the dissent, it was not possible to reach a consensus on the issues raised at the end of section 2, and, following the second written consultation of Working Group 2, members agreed to proceed with separate positions. The separate position expressed in the penultimate paragraph was subscribed by nine identified members. The separate position expressed in the last paragraph of section 2 was subscribed by four identified members. Therefore, these do not represent a position of the MAC, in the sense of “recommendations adopted by the majority of the members”, and constitute, instead, “dissenting opinions” to which points 23 and 25 of the Rules of Procedure apply.

Points 23 and 25 state that, in case dissenting opinions could not be solved, these will be recorded. Point c) of paragraph 1) of Article 5 of the Commission Delegated Regulation (EU) 2015/242 also mentioned that “dissenting opinions expressed by members shall be recorded”, while referring to the recommendations as being “adopted by the majority”. There is no reference to a requirement of approval by the Executive Committee of the recording of the dissenting opinions. Subjecting a dissenting opinion to an approval procedure would essentially mean that the views of the minority would be subject to approval by the majority, which would go against the spirit of these provisions.



Point 28 states that the members of the Executive Committee shall have a minimum of two working days to endorse the approved draft. As dissenting opinions are not subject to approval, the endorsement of the “approved draft” must be referring to the remaining sections of the text, which were approved by consensus or by majority of the membership. Otherwise, a member in a minority would be able to continuously postpone the approval of the recommendations of the majority by simply amending their own minority position and forcing new written consultations.

Therefore, regarding the views of ANFACO-CECOPESCA on the procedures applicable to the mentioned advice, the Secretary General concluded that:

- As these are not consensual or majority positions, the two separate positions expressed in the penultimate and in the last paragraphs of section 2 constitute “dissenting opinions” in the sense of point 23 of the Rules of Procedure;
- In line with Point 23 of the Rules of Procedure, the separate positions have been recorded and are not subject to approval from the majority;
- All members had the same number of opportunities to register their dissenting opinions, allowing for their recording;
- “Approved draft” refers to text agreed by consensus or majority, in the sense of point 28 of the Rules of Procedure, meaning the entire text with the exception of the last two paragraphs of section 2;
- As there were no further amendments proposed to consensual / majority text, the text could be considered approved under the third urgent written consultation of the Executive Committee.
- There was consistency in the interpretation and application of points 23, 25 and 28 of the Rules of Procedure across the entire process of the advice, since the inclusion of the reference to additional sectors in the penultimate paragraph of section 2 under the third written procedure of Working Group 2 was followed by submission of the draft advice to the Executive Committee, not by a fourth consultation of Working Group 2;
- There was consistency in the interpretation and application of points 23, 25, and 28 of the Rules of Procedure in comparison with previous processes, for example the approval of the advice on EU-level targets for food waste reduction on 18 March 2024, and the consultation of Working Group 1 on the advice on incorporation of sustainability on 7 December 2024;
- In the abovementioned instances, no opposition was expressed by the members to the interpretation followed by the Secretariat;
- As FEICOPESCA is not a member of the Executive Committee, FEICOPESCA cannot introduce amendments under a consultation of the Executive Committee;
- The rules of procedure do not foresee the possibility of “express meetings” of the Executive Committee on the initiative of the Secretary General to solve dissenting views in drafts.



Iñigo Azqueta Ruiz-Gallardón (ANFACO-CECOPECA) maintained the view that point 28 of the Rules of Procedure was not adequately followed, as two working days were not provided to allow the Executive Committee to consider the additional sentence introduced. In his view, the approach followed by the Secretary General did not respect the legal principle of equality of arms, as other members of the Executive Committee did not have the opportunity to react to the new sentence. There would be a risk of members requesting the recording of a long dissenting opinion without members having the opportunity to react.

The Secretary General responded that the recorded dissenting opinions are supposed to dissent from the majority position, not from each other, so all members had the same number of opportunities to request for their dissenting opinion to be recorded. According to point 23 of the rules of procedure, prior to the recording of the minority opinion, efforts are expected to be made to solve them, and minority opinions cannot be longer than one page.

Bruno Guillaumie (EMPA) drew attention to the practice followed by the Aquaculture Advisory Council for the recording of dissenting views. In their case, in the “recommendations” section of the document, under the majority positions, it is explicitly written “minority statement” with the identification of the subscribing members.

Pierre Commère (AIPCE) stated that, as Chair of Working Group 2, he had closely followed the process for the adoption of the advice on “Terms of Reference of the Study on Feasible Traceability Systems and Procedures for Prepared and Preserved Fishery and Aquaculture Products”. In his view, during all the steps, there had been appropriate consultation of the members. He had not perceived any difficulties in following the Rules of Procedure.

*With the exception of ANFACO-CECOPECA, the members of the Executive Committee expressed support for the interpretation followed by the Secretary General in the context of the procedure for the approval of the advice on “Terms of Reference of the Study on Feasible Traceability Systems and Procedures for Prepared and Preserved Fishery and Aquaculture Products” advice.*



## Summary of action points

- Food and Agriculture Organisation (FAO)
  - o MAC to attend the 36<sup>th</sup> Session of the Committee on Fisheries (8-12 July 2024), preferably integrating the EU's delegation.
- Membership of the General Assembly
  - o Secretary General to continue the efforts on the representativeness of the membership.
  - o Introductory presentations of AECOC, NOVA, and ESSA to be scheduled for the 3 July 2024 meeting.
- Marine Action Plan
  - o In a future opportunity, invite representatives of the European Investment Bank to deliver a presentation about the funding available beyond the European Maritime Fisheries and Aquaculture Fund.
- Scope
  - o In the context of future work programmes, explicitly mention the market-perspective in the title of the recommendations adopted.



## Attendance List

Representative	Organisation	Role
Amélie Laurent	Oceana	Member
Anna Rokicka	Polish Association of Fish Processors (PSPR)	Observer
Aodh O'Donnell	Irish Fish Producers Organisations (IFPO)	Observer
Benoît Thomassen	Federation of European Aquaculture Producers (FEAP)	Member
Bruno Guillaumie	European Molluscs' Producers Association (EMPA)	Member
Christine Absil	Good Fish	Member
Christophe Vande Weyer	European Commission	Expert
Daniel Voces de Onáindi	Europêche	Member
Dominic Rihan	Killybegs Fishermen's Organisation (KFO)	Member
Emiel Brouckaert	European Association of Fish Producers Organisations (EAPO)	Member
Iñigo Azqueta Ruiz-Gallardón	ANFACO-CECOPESCA	Member
Gerd Heinen	European Commission	Expert
Guus Pastoor	EU Fish Processors and Traders Association (AIPCE)	Member
Janne Posti	Conxemar / OR.PA.GU. (via proxy)	Member
Jean-Marie Robert	Les Pêcheurs de Bretagne	Member
John Lynch	Irish South and East Fish Producers Organisation (ISEFPO)	Observer
Julien Lamothe	European Association of Fish Producers Organisations (EAPO)	Member
Katarina Sipic	EU Fish Processors and Traders Association (AIPCE) / European Federation of National Organizations of Importers and Exporters of Fish (CEP)	Member
Louis Lambrechts	WWF	Member
Marc Richir	European Commission	Expert
Martin Aranda	AZTI	Expert
Maximilian Schwarz	Market Advisory Council (MAC)	Secretariat
Paul Thomas	European Association of Fish Producers Organisations (EAPO)	Member
Pedro Reis Santos	Market Advisory Council (MAC)	Secretariat





Market Advisory Council

Representative	Organisation	Role
Pierre Commère	EU Fish Processors and Traders Association (AIPCE)	Member
Rosalie Tukker	Europêche	Member
Sven Langedijk	European Commission	Expert
Yobana Bermúdez Rodríguez	EU Fish Processors and Traders Association (AIPCE)	Chair

