



## **DRAFT MINUTES**

### **LDAC EXECUTIVE COMMITTEE**

**Thursday, 28 May 2015 (14:00 - 16:00 h)  
Royal Marine Hotel, Dun Laoghaire, Dublin (Ireland)**

Chairman: Antonio Cabral  
First Vice Chair: Juan Manuel Liria

#### **1. Welcome.**

The Chairman welcomes those present and conveys the apologies of those absent and the delegations of vote received by the Secretariat:

Mr. Björn Stockhausen (Seas at Risk) delegates to Erik Olsen (The Danish Society for a Living Sea).

In addition, he informs of the observers attending the meeting.

The complete list of participants is included in Annex I.

The Chairman, Mr. Antonio Cabral, is on indefinite sick leave. At the General Assembly, Mr. Cabral requested the Secretariat to read out a letter about his condition to the members. Ms. Marta de Lucas read the letter out, which is available as Annex II to these minutes.

The Secretariat conveys the proposal of the Chairman Mr. Cabral to pass on his duties while he is on sick leave to the First Vice Chair, Mr. Juan Manuel Liria Franch. This proposal is unanimously approved.

**DECISION: Mr. Juan Manuel Liria Franch (First Vice Chair of the Executive Committee) will be acting as LDAC Chairman while Mr. Antonio Cabral is on sick leave, whose mandate expires on 31 May 2016.**

#### **2. Reading and approval of the agenda**

The agenda is approved with no comments or proposals to amend or add any other item.

#### **3. Reading and approval of the minutes of the previous meeting (Madrid, 26 November 2014)**

The minutes of the previous Executive Committee meeting are approved.



#### **4. Report by the Working Groups**

The Chairs of the Working Groups (or Vice Chairs or the Secretariat, in the absence of the former) summarise the actions carried out in the first four-month period of 2015 and list those actions that are still pending as follows:

##### **WG1 – TUNA AND TUNA STOCKS, AND HIGHLY MIGRATORY STOCKS AND RELEVANT RFMOs**

###### **Presentation by Alexandre Rodriguez (in absence of Michel Goujon / Julio Morón)**

###### **EXTERNAL MEETINGS**

- An item will always be added to the agendas of this WG for the members to sum up the information regarding meetings they have attended to or projects they are engaged in and also to comment on the calendar of future meetings.

###### **SHARK FINNING**

- The Commission is to be requested that they keep on working at RFMO level to try and convince opponents of the need to extend the ban on finning to all fleets or of the fins-attached landing obligation regarding sharks.
- The LDAC will ask the EC about the missing information on Member States regarding the annual report on the social and economic impact on fleets owing to the implementation of the ban on finning (the European Parliament asked a question about it, apparently).

###### **WESTERN PACIFIC**

- The LDAC sent a document supporting the role of the EC at WPCF and encouraging improvements in transparency by PNA countries in the application of the Vessel Day Scheme (VDS) (done)

###### **IATTC**

- NGOs that are members of the LDAC are requested to support the position of the EC at IATTC regarding the limitation of the capacity of the fishing fleet approved in 2002 (and also at WCPFC).

###### **ICCAT – SWORDFISH**

- Modification of the surface longline fleet closure is requested from October-November to April-May-June (in order to prevent juveniles from being caught).

###### **MoU LDAC-COMHAFAT**

- The LDAC will provide technical and logistic support to carry out one or two of the COMHAFAT workshops about a regional programme of observers and the promotion of sustainable fisheries agreements.
- The LDAC Secretariat contacted the COMHAFAT Secretariat to coordinate actions and helped to send a programme proposal requesting the possibility of benefitting from the budget line foreseen on the Commission's annual programme covered by EMFF (done).



#### MANAGEMENT OF FADs

- The EC invited the LDAC to participate in a workshop on FADs on 25 March (coordinated by Angela Martini from the EC CE). (Done)
- The LDAC will try to continue working on the impact of FADs with the possibility of organising its own event in Brussels together with the permanent representatives of the interested Member States.

#### EXTERNAL DIMENSION OF THE CFP

- The LDAC attended a workshop on 31 March sponsored by the European Parliament and organised by CFFA-CAPE and WWF on the implementation of the CFP and its external dimension. (Done)
- The LDAC Secretariat will coordinate the creation of a Working Group to organise a Seminar on the External Dimension of the CFP in September in a place yet to be confirmed, possibly Las Palmas de Gran Canaria.

### **WG2 - REGIONAL FISHERIES ORGANISATIONS AND NORTH ATLANTIC AGREEMENTS**

#### **Presentation by Iván López (Vice Chair, in the absence of Nigel Atkins)**

#### NEGOTIATIONS EU-NORWAY-ICELAND-FAROE

- The LDAC will communicate in writing with the future substitute for John Spencer as chief negotiator with the Northern EU Agreements once he/she has been appointed. The idea is to welcome him/her, offer our collaboration and present the work of the LDAC. An informal meeting will be requested in order for delegation of WG2 to get in contact with him/her to exchange opinions on participation dynamics and communication between the EC and the LDAC, and to get to know the situation of negotiations regarding bilateral North Atlantic agreements.
- The LDAC will draft a letter on the issue relating to export taxes applied by Norway to the EU fleets landing there. All members having information on this topic are requested to submit it to the LDAC Secretariat in order to send it to Manuel Catalán and the EC staff.

#### SVALBARD

- The LDAC will start contacting the different Member States and will pay special attention to the meetings held in this regard, since a discussion is apparently being held at the European Parliament on this matter.

#### LANDING OBLIGATION IN NON-EU WATERS

- The landing obligation presentation prepared by the EC was made available to those interested on the LDAC web site (done)
- An opinion will be drafted by the LDAC defining the affected fisheries and species that are going to cause potential problems at RFMO level (NAFO and NEAFC) with the application of the landing obligation for EU vessels. Manolo Liria suggests the LDAC send a recommendation to the EC regarding the EC's delegated act, in order to consider the exemption of some fisheries - annex 1B with NEAFC subareas -. To this end, the active collaboration of WG2 members will be necessary in sending updated information about the activity of the fleets, periods of the year, discard volume, etc.



- The Secretariat will pay attention to the publication by the EC of a study entrusted to a consultancy firm (MRAG) aiming to identify conflicts deriving from the application of the LO and the fishing management rules of the RFMOs.

#### NAFO

- Social and economic data will be requested regarding 3M cod in order to include them in a study on MSE by IEO scientists.
- A delegation of the LDAC attended the presentation of the results of this study following the EC's invitation in May 2015 (done).
- Preliminary work will be carried out for the preparation of an opinion on management measures and fishing possibilities for 2016 for the NAFO Annual Meeting to be held in Halifax on the third week of September 2015.

#### NEAFC

- Proposal regarding snow crab fisheries: A new version of the ELDFFA proposal on cohabitation measures between crab pot fishermen and shrimp trawlers (taking into account comments contributed by ARVI and FEOPE).
- The ICES presentation was uploaded onto the LDAC web site (done) and so was the EFCA presentation (done) made on the last WG2 meeting in April 2015.

- **ELECTIONS TO CHAIRMANSHIP AND VICE CHAIRMANSHIP**

- Elections to Chair and Vice Chair: The Secretariat will e-mail the candidacies to Chair and Vice Chair of WG5.

### **WG3 – REMAINING RFMOs AND INTERNATIONAL WATERS NOT COVERED BY RFMOs**

#### **Presentation by J. A. Suárez-Llanos (Chair)**

- **CCMLAR**

- The EC will be requested to provide access to the scientific report on the situation of stocks at the Ross Sea.
- Questions will be asked about whether the EC has a minority position within CCMLAR, the allies it has and specific examples of backward steps on the negotiations that may jeopardise access to resources by the EU fleet.

- **VULNERABLE MARINE ECOSYSTEMS (VME)**

- It is suggested that an opinion be jointly drafted by Juan Manuel Liria and Raúl García on the South Western Atlantic regarding UNCLOS Resolution 61/105 for the protection of vulnerable marine ecosystems, requesting compliance with regulations to be extended to all non-EU trawler fleets (particularly, Korea).

- **ENTRY TO CHILEAN PORTS FOR UNLOADING**

- The Secretariat will follow up on this issue and will ask the negotiator representing the EC (Mr. Molledo) whether there are any novelties regarding the situation of Chilean ports before they are included in the Agenda of the next WG3 meeting.



## **WG4 – BILATERAL RELATIONS WITH THIRD COUNTRIES**

### **Presentation by José Ramón Fontán (Outgoing Chair)**

- MOROCCO
  - The LDAC will pay special attention to the situation regarding the issuance of permits and qualification of Moroccan crew members on board EU vessels.
  - The EC will be reminded that further flexibility in the application of the fisheries agreement is to be requested from Morocco in order to change the fishing modalities without exceeding the general capacity. This could be materialised with the incorporation of bottom trawlers to the fishing ground and exchanging WGs between the longline and trawling modalities.
  - Further rigour and improvements in the Joint Scientific Committees will be requested in the stock assessment, especially for cephalopods (squid and octopus).
- RELATIONS LDAC-WEST AFRICA REGIONAL ORGANISATIONS
  - The work agenda for a seminar or workshop will be set with COMHAFAT regarding a regional programme of observers.
- GUINEA CONAKRY
  - DG MARE will be requested to remind G. Conakry of the importance of their proactive collaboration and implementation of changes to revoke their “red card” in terms of the IUU regulation.
- INDIAN OCEAN COUNTRIES - IOTC
  - DG MARE will be reminded to formally ask the coordinators of the Smartfish project about the issue relating to the licence conditions (based on SFPAs).
  - Concern about the effort involved in fisheries displacement will be expressed.
  - The EC requests the LDAC to submit contributions and comments regarding the Smartfish project prior to the next meeting with IOTC in order to favour good governance.
- PARTICIPATION IN STECF
  - The EC will be requested to issue a favourable report in order for the LDAC to take part in the STECF meetings as permanent observer.
- FISHING AUTHORISATION REGULATION (FAR)
  - The Secretariat and the members will follow up on the review procedure of this Regulation and will submit comments and contributions for a future proposal by the Commission.

## **WG5 – HORIZONTAL ISSUES**

### **Presentation by José Carlos Castro (Vice Chair, in the absence of Julio Morón)**

- FIGHT AGAINST IUU FISHING AND IMPROVEMENT REVIEW OF THE CONTROL REGULATIONS
  - The LDAC will pay attention to and actively participate in public consultations issued by the EC on the analysis of the effective application of the IUU Regulation and the review of the Control Regulation (5 years later).
- LANDING OBLIGATION (LO)
  - The Secretariat will forward to all the members the list of NEAFC fisheries sent by Mr. Liria with target species, as well as supporting documentation.



- The drafting of an opinion or recommendation on the effects of the LO on EU fleets will be worked on, including examples of specific problems and its consistency with RFO regulations.
- **CONTROL OF IMPORTS**
  - ANFACO-CECOPESCA will send a reviewed and simplified new draft of the opinion proposed where effective control of tuna imports from non-EU countries is requested. In the event it is adopted, such opinion will be sent to the 5 relevant DGs of the EC (MARE, SANCO, TRADE, DEVCO AND DG ENV).
  - The Secretariat sent the baseline studies that support the draft opinion by ANFACO (done).
- **WORKING CONDITIONS / HUMAN RIGHTS**
  - The LDAC will send a letter to the relevant DG reporting the failure to comply with human rights and working conditions by some fleets (to be coordinated with ETF and EJF).
- **FAD-FREE CERTIFICATION AND LABELLING**
  - The text on “FAD free” approved by EUROTHON and EUROPECHE will be distributed to all members and, in the event a consensus is reached, the LDAC position on this matter will be sent to the EC.
- **ELECTIONS TO CHAIRMANSHIP AND VICE CHAIRMANSHIP**
  - Elections to Chair and Vice Chair: The Secretariat will send via e-mail the candidacies to Chair and Vice Chair of WG5.

### **Calendar of next LDAC Working Group meetings.**

The Secretariat informs that they will be held at the end of October in Brussels, most probably the week starting on 19 October to avoid overlapping with technical meetings at ICCAT.

## **5. Election procedures**

The LDAC Secretary General explained the election procedure regarding the following positions:

### a) LDAC chairmanship and functions of the Vice Chairs:

According to the LDAC Rules of Procedure, the Chair and Vice Chair of the Executive Committee are chosen by the members of the Executive Committee once the latter have been appointed by the General Assembly. There has to be at least a 50% quorum among the members present or those who have expressly delegated their vote in order for decisions to be taken.

These positions have a 3 year mandate, and the current period goes from 1 June 2013 to 31 May 2016.



The current Chair is Antonio Cabral (who is on sick leave), the First Vice Chair and current acting Chair is Juan Manuel Liria Franch, the Second Vice Chair is Raúl García and the Third Vice Chair is Marc Ghiglia. Members are invited to reflect upon future candidacies and to discuss this matter at the Executive Committee to be held in November.

b) Chairs and Vice Chairs of the Working Groups

The LDAC Rules of Procedure only establish that it is up to the members of each Working Group to choose their Chair and Vice Chair by consensus (if there is only one candidate) or by absolute majority voting in the event there is more than one candidate.

Chairmanship of Working Group 5 (Horizontal issues) is currently vacant, since Mr. Julio Morón has been appointed Chair of WG4 due to the fact that Mr. José Ramón Fontán has retired. The Secretariat has received two different candidacies: María José Cornax (Oceana) and José Carlos Castro (ANFACO-CECOPECA). Therefore, unless one of them withdraws their candidacy, the election to Chair will be voted on at the next WG5 meeting to be held in October, offering the position of Vice Chair to the candidate receiving fewer votes.

In addition, elections to Chair and Vice Chair of WG2 will probably be held, since the current Chairman, Mr. Nigel Atkins, is retiring. The Secretariat will open a period for the reception of candidacies and, in the event that more than one candidacy is received for the abovementioned positions, the same procedure as in WG5 will be followed.

**6. Inter-AC Group and coordination meetings with the European Commission**

The Secretary General, Alexandre Rodríguez, sums up the topics to be addressed at the coordination meeting to be held every six months with the Chairs and Secretariats of the ACs and the representatives of the DG MARE. The next meeting will be held on 23 June in Brussels.

The LDAC Secretariat has acted as coordinator of its counterparts and has compiled a list of issues to be put forward to the Commission for discussion together with political matters and public consultations.



- Critical review of the Delegated (Act) Regulation of the Commission: clarification of undetermined legal concepts and provisions:
  - Definition of “Fishermen” and inclusion of this category
  - Concept of “equitable” quotas
  - Procedure to request an increase in the number of seats/positions as members of the Executive Committee from 25 to 30: established criteria for the acceptance/rejection of the request.
  - Procedure for the inclusion of new members
  - Role of Member States ensuring ACs have “suitable” financial and logistic support
  
- Could the EC provide more detailed information about institutionalised work dynamics between ACs and the European Parliament? For instance, how would Communication with the Secretariat and the members of the EP Committee on Fisheries be articulated?
- Summary of the national operating programmes of the EMFF existing in the Member States and their regional coordination.
- Multiannual management plans and discard plans: Examples and perspectives for demersal species in the North Sea, NWW and SWW
- MoU between the EC and ICES relating to consultations by the ACs and participation of scientists in ACs’ meetings (and vice versa).

Members are also informed about the fact that the ACs’ Secretariat will request a private meeting be held on the second semester of 2015 with their daily coordinators at the DG MARE to solve issues regarding the interpretation of administrative and financial rules relating to the management of the Framework Partnership Agreement and the annual subsidy (for instance, the final calculation of the subsidy, limits and amounts for tender procedures, combination with multiannual external projects, criteria to determine the responsibility of ACs in case of insolvency, contingency fund, etc.).

## **7. Request of observer status for the LDAC at RFO’s.**

It is considered necessary for the LDAC to play an active role in specific RFMO’s (NAFO or ICCAT, for instance) and thought should be given to the possibility of studying whether to request observer status and to the analysis of pros and cons of its relationship with the European Commission.

It is agreed that this issue be put forward within the Working Groups and that the latter issue a recommendation to the Executive Committee in the future.

The acting Chairman recalls the importance of having a team of members that can coordinate themselves to follow up on the meetings of interest to each RFMO throughout the year (Fisheries, Technical and Scientific Councils...).



## **8. Next meeting of the Executive Committee (venue and date)**

The Secretariat informs that the next meeting will be held in Madrid at the end of November, as it has been the case in previous years.

## **9. AOB**

There are no further issues to be discussed.

## **10. Closure**

The Chair thanks all members for their attendance and participation, the Secretariat for organising the event, and the interpreters for the quality of their services.

**The meeting is adjourned at 16:00 h.**



## **ANNEX I. LIST OF ATTENDEES**

### MEMBERS OF THE EXECUTIVE COMMITTEE

1. Juan Manuel Liria. FEOPE
2. Rocío Béjar. ONAPE
3. Beatrice Gorez. CFFA-CAPE
4. José Carlos Castro. ANFACO-CECOPESCA
5. Vanya Vulperhorst. OCEANA
6. Erik Bjørn Olsen. Living Sea
7. Iván López. AGARBA/FEABP
8. Raúl García. WWF
9. Mati Sarevet. ELDFFA
10. Sandra Sanmartín. EBCD
11. Peter Breckling. DHV
12. Sean O'Donoghue. KFO
13. Marc Ghiglia. CNPMEM
14. Emil Remisz. NAPO
15. Juan Manuel Trujillo. ETF
16. Barrie Deas. NFFO
17. Pablo Lourenzo. AIPCE-CEP

### CHAIRS OF WORKING GROUPS

18. José Ramón Fontan. ONAPE/OP-ANACEF
19. José Antonio Suárez-Llanos. ANAMER/AGARBA/ANAPA/ACEMIX

### OBSERVERS

20. Irene Vidal. EJF
21. Juana Parada. ORPAGU
22. Alexandre Rodríguez. LDAC
23. Marta de Lucas. LDAC



**ANNEX II. OPENING LETTER BY THE LDAC CHAIRMAN,**  
**MR. ANTONIO CABRAL**

Dear members and colleagues of the LDAC,

Sorry for not being able to attend these important meetings in Dublin, but unfortunately my health troubles don't recommend so far travel efforts.

Despite so, I want to express words of gratitude to every LDAC members for the full support I have felt along those 8 years, since 2007, during which I deserve your trust to have the honour to be president. It was an incredible experience, and an opportunity to learn from everyone.

When I was invited to assume this responsibility, and elected in the first GA, my single commitment has been to be neutral, impartial and an add-value to keep a good environment to an honest and frank dialogue among members, not looking their origin or interested fields.

By this time I could not offer, any expertise or knowledge in the fishing business because the little work done in the sector since 2007. Honestly my initial commitment was filled with your comprehension and support.

I want to express as well many thanks to the WG presidents, that were always crucial to provide due information during the ex-com and GA meetings.

Many thanks to all my colleagues of the LDAC, and especially to the 3 vice presidents that were always available to replace myself in several events when my professional job unable my attendance.

You can count with me and my organization as basic members, in the near future. So help me God.

Antonio Cabral