

Director General  
Ms. Lowri Evans  
D.G. Mare  
Rue de la Loi 200  
B-1049 Brussels  
Belgium

Date: 6<sup>th</sup> November 2012

Dear Lowri Evans,

**Subject: the future of the Advisory Councils**

Please find enclosed on the following pages input from the BSRAC to the Commission's Consultation on the future role and composition of Advisory Councils. It reflects the discussions which have taken place within the BSRAC and the comments made at the meeting with DG Mare on 28<sup>th</sup> September 2012. We hope that this makes a useful contribution to the direction and shaping of the Advisory Councils post CFP-reform.

We also look forward to the prospect of a workshop to discuss this in more depth and detail and the BSRAC is ready to play a part in preparing it.

Kind regards,



Reine J. Johansson  
Chairman of the BS RAC



Ewa Milewska  
Vice-chair of the BS RAC

c.c. European Commission, Member States, Fisheries Council of the European Community, European Parliament, European Fisheries Control Agency, ACFA, ICES, HELCOM and Russian Federation (c/o Embassy)

6<sup>th</sup> November 2012

## **BSRAC input to the Commission's Consultation on the Future Role and Composition of Advisory Councils**

### **A) INTRODUCTION/GENERAL**

1. The BSRAC is glad of the opportunity to come with written input. The letter from the Commission is timely and gives some good and clearly phrased questions to consider and respond to.
2. The RACs also had a very good meeting with the Commission on 28<sup>th</sup> September 2012. It gave all the RACs the chance to have some initial frank and open discussions, which again focused on the questions in the Commission's consultation paper.
3. The BSRAC is already well anchored in a regional context. It is working well with relevant organisations and bodies in the region. Its links with science are improving and strengthening: this applies first and foremost to ICES and STECF, but also to regional and national institutes. Now is the time to think about how to further improve working relations and procedures and how to make the most of opportunities for fisheries management that we hope will be offered by increasing regionalisation, as well as involvement in decisions on the use of the Baltic Sea basin in general.
4. The BSRAC already works well autonomously and takes own initiatives. We want to be even better. We appreciate that resources are becoming stretched - both financial and in terms of manpower. We need together to find effective and efficient ways to work together and to streamline our working practices. This could be by means of more computer-based meetings (Webex) or within the RAC by making better use of smaller preparatory meetings in advance of working groups, or even more consultation of members by means of written procedures. It is clear that if we are to work more closely with member state administrations, European Parliament and other regional bodies, we will have to develop such procedures, thereby saving on travel and meeting costs.
5. Whilst greater autonomy in our working procedures is already practiced by the BSRAC, we do not feel we have the same level of freedom to manage our budget. More internal flexibility there, whilst respecting the principles of good housekeeping and observing expenditure ceilings, would be appreciated.
6. At the Inter-RAC meeting on 28<sup>th</sup> September, a proposal was made to hold a workshop in the spring to discuss the future of the ACs in more detail and depth. The BSRAC welcomes and supports this proposal and encourages the Commission to invite member state and EP representatives (at the appropriate level) to take part and join in the discussions. Otherwise, we will miss the chance to have proper involvement of all those responsible for and involved with fisheries management.

## **B) REGIONALISATION**

***What are the implications deriving from regionalisation for ACs?***

***How can duplication of AC consultation (by MS and the Commission) be avoided?***

1. Those ACs that already have a regional profile can see the potential gains from regionalisation.
2. However, we still need to define regionalisation and to find out exactly what form will it take post CFP reform. Clearly, one shoe size does not fit all. There will be different forms of regionalisation according to the different sea basins.
3. There must be scope and freedom to work with a more detailed fisheries management at regional level, working together with relevant member states.
4. The development of management plans, and their subsequent management and adjustment or adaptation, is one of the key areas of work that can be dealt with at regional level. The BSRAC has already experienced this with the development of a management plan for salmon – but we await the final adoption of the plan to see it carried out in practice. Current work on a Baltic multispecies multiannual management plan is another example. Another example is the discussions on a forthcoming discards ban.
5. For the Baltic the elements are already there for a regional approach. Scientists currently take part in a rather ad hoc way – we need to make this more systematic. Member states are also taking part, but in an uneven way. So we need to make the work and the process more systematic and be careful to save on precious resources. Duplication of advice may not be the concern. But we must take care to produce advice that the Commission and member states will listen to and will follow.
6. The Baltic already has a model for regional cooperation: BALTFISH. However, the BSRAC wants to see this develop into more than a seminar with member states. The BSRAC had already put forward its views on this. And both sides of the RAC are in agreement on this. The BSRAC would like to see some recognition of the contribution already made by the BSRAC to the work of BALTFISH. There is scope within the BALTFISH model to avoid duplication of consultation because the same people are involved. The forum can be enlarged to invite experts and representatives from science.

## **C) ROLE AND TASKS**

***Should ACs have a say in the identification of research priorities?***

***How could cooperation between ACs and scientists be further strengthened in the most cost-effective way?***

***Should ACs become involved in the design of control measures?***

1. Many of the AC members are practitioners out in the field and can see in a very practical way what and where there can be benefits from research and development. For example, specific needs and work in stock assessment can be highlighted. The development of improved and new gears and fishing technologies can be put forward by ACs. There is great scope for increased fisher-science cooperation and collaboration with the ACs as a focal point.
2. The BSRAC supports some kind of shared meeting or process to identify research priorities and to try to look at timescales and calendars so as to get a better overview.
3. On the science front, the BSRAC is developing a good working practice and more systematic routine with STECF, ICES and so on.
4. On control issues, the BSRAC could never envisage RAC work without the involvement of control considerations and cooperation with the European Control Agency. The BSRAC has been working closely with the Control Agency since the very start. A current practical example is the work on a forthcoming discards ban in the Baltic. So far, representatives from the Control Agency have been able to join in the BSRAC meetings and to provide useful insights into the practical implications of a discards ban for the Baltic.
5. So the BSRAC is in favour of cooperation and involvement in control issues. The ACs have a lot of knowledge that can be put to better use; and there is already good and useful cooperation with EFCA. In practical terms it is not always easy given the distances to be travelled. Webex meetings can be one way to bring people together when discussing specific control issues.

## **D) FUNDING**

***How can ACs adapt their membership fees to the size and financial capacity of the member organisations?***

***What other sources of funding could ACs identify and draw from?***

1. The BSRAC thinks that we need some common rules on fees and membership. In other words, common to all RACs is that there must be the three pillars of funding: Commission, member states and members.

2. The BSRAC feels that setting membership fees is an internal issue for each RAC. The fees should be set at an appropriate level so as not to deter membership. At the same time, membership fees should show an ability to pay and are a sign of commitment. No one wants to develop a category of second class citizens paying a reduced fee.
3. The BSRAC knows where it wants to go with its work and work programmes. It does not support the idea of outside funding from donors. This could bias or compromise the work done by the ACs. So we urge caution on sponsorship of the ACs.
4. The future EMFF should be adapted to make funding available to the RACs. There has not been a decrease in general funding provided for EU fisheries – though it is proposed to be restructured and more integrated under the new EMFF. The initial comments made by the Commission under this section do therefore not stand. But it is a matter of how available funding sources are used to support the management objectives and structures. Regional management and opportunities to fund regional efforts are properly incorporated in the Fisheries Fund in its current format.
5. Increased regionalisation is clearly going to create a greater workload and increasing costs for member states in implementation. Yet, no funding is foreseen for this under the proposed EMFF. Funding for cross-boundary processes could be provided under Art. 30.
6. EMFF support should also be available to support stakeholder participation in regional processes and for the establishment of co-management groups at fishery level, involving the ACs.
7. Consideration should be given to the role of different recipient groups, such as Producer Organisations, Fisheries Local Action Groups (FLAGs) and Advisory Councils, and how inter-linkages between these groups and other stakeholders can be ensured to strengthen regional processes.
8. There are also significant research budgets available. The ACs seem to fit the bill very well, but accessing funding is difficult. The secretariats of the ACs could benefit from some help and guidance here in applying for funding.

#### **E) COMPOSITION OF FUTURE ACs, ADOPTION OF ADVICE, FOLLOW-UP OF ADVICE**

***How could adequate participation/representation of certain, legitimate interests, such as small-scale fisheries, be ensured?***

***Should there be a differentiation concerning the composition rules for decision-making bodies or should the same rule apply to all ACs?***

***Should the rule that ACs adopt recommendations by consensus (and record dissenting voices where no consensus was found) be maintained?***

1. The BSRAC currently has a well-balanced representation on its membership, which includes the small scale sector, as well as women's groups.

2. The BSRAC is not in favour of positive discrimination to enable specific interest groups to take part. As mentioned, the BSRAC sets its membership fees at a level to encourage as wide a membership base as possible. The fees clearly need evaluating, in the light of increasing costs, but they should not discriminate.
3. It is worth considering whether the different ACs with differing focus on stocks, and fisheries should consider a differentiation in composition. The creation of an AC for aquaculture gives rise to new thinking. The fact that two ACs single themselves out by not having a regional focus (pelagic and long-distance) could also imply a different composition of membership. This needs careful thought by all ACs.
4. The ACs should continue to try to reach consensus in their advice and decision-making, but still recording minority views and statements in the output.

## **F) INTERNATIONAL DIMENSION**

***In view of the intense external agenda, how can provision of comprehensive advice from stakeholders in preparation of international meetings be ensured?***

***How can AC with an international dimension take into consideration the views of stakeholders of third countries?***

***Is the participation of third country stakeholders in ACs as observers sufficient, or should the EU in addition to that, promote stakeholder consultation by RFMOs?***

1. The BSRAC wants to underline its working relationship with Russia. Currently having a Russian fisheries counsellor based in Copenhagen is a clear advantage in terms of direct contact, especially when BSRAC meetings are held in Copenhagen. The BSRAC wants to highlight the opportunities offered under the EU-Russia fisheries agreement to take a broader approach and also deal with issues such as control, research and safety at sea.
2. The BSRAC will work together and ensure that Russia remains an observer in the RAC and playing as active a role as possible.
3. HELCOM provides a regional forum for involving all Baltic Sea states. Its mandate is to deal with the protection of the Baltic marine environment, but it has established a Fisheries/Environment Forum for the implementation of the HELCOM Baltic Sea Action Plan on Fish/Fisheries related items. The BSRAC is taking part in the Forum and strengthening its links from stakeholder level.

## **G) CREATION OF A NEW AC ON AQUACULTURE**

1. The BSRAC supports the creation of an AC for aquaculture.