

# Aquaculture Advisory Council

## Executive Committee meeting

### Minutes

October 30<sup>th</sup> (13:00-17:00)

**Cyprus Permanent Representation to the EU**  
Avenue de Cortenbergh 61, 1000 Bruxelles, Belgium

**Attendants:** **Javier Ojeda** (Chair), **Luisa Alvarez** (FEDEPESCA), **Cynthia Benites** (Observer), **Phil Brooke** (CIWF), **Ole Christensen** (FEFAC), **Paul Denekamp** (Stichting Vissenbescherming), **Cécile Fouquet** (Secretariat), **Bruno Guillaumie** (EMPA), **Erik Bjorn Olsen** (Danish Society for a living sea), **Yannis Pelekanakis** (Federation of Greek Maricultures), **Angeles Longa Portabales** (CRMG), **Anne-Laure Prego-Cauchet** (CNC), **Giuseppe Prioli** (AMA), **Addy Risseeuw** (PO Mosselcultuur) **Farid Safi** (Secretariat), **Pier Antonio Salvador** (COPA), **Kathryn Stack** (FEAP), **Lavrendios Vasiliades** (Permanent Representation of Cyprus to the EU), **Douglas Waley** (Eurogroup for Animals)

**Excused:** **Marc-Philip Buckhout** (Seas at Risk), **Bruna Campos** (BirdLife), **Balazs Kucska** (COGECA), **Margreet van Vilsteren** (Goodfish foundation), **Wouter van Zandbrink** (CEP)

**Delegation of votes:** **Marc-Philip Buckhout** (Seas at Risk) to **Douglas Waley** (Eurogroup for Animals), **Bruna Campos** (BirdLife) to **Erik Bjorn Olsen** (Danish Society for a Living Sea), **Balazs Kucska** (COGECA) to **Pier Antonio Salvador** (COPA), **Wouter van Zandbrink** (CEP) to **Addy Risseeuw** (PO Mosselcultuur),

**Abbreviations :** **CFP** (Common Fisheries Policy), **EC** (European Commission), **EMD** (European Maritime Day), **Excom** (Executive Committee), **GA** (General Assembly), **WFD** (Water Framework Directive), **WP** (Work Programme), **WSI** (Women in the Seafood Industry),

The Chair thanked the Permanent Representation of Cyprus to the EU for hosting this meeting, for the excellent meeting room, for the brochures and books about Cyprus and for the refreshments.

The Chair welcomed all ExCom members, especially those that participated in the ExCom for the first time.

#### **1. Adoption of the agenda and approval of the last ExCom minutes** (September 10th 2019)

The agenda was approved with the following modifications:

- **Point 5:** The two following subpoints were added:
  - o "Modification to the Reimbursement rules"
  - o "Adoption of minor change to the AAC Work Programme requested by the Commission"
- **Point 8:** Subpoint "Strategic guidelines for the sustainable development of



European Aquaculture” was replaced by “Strategic Guidelines 1st recommendation and Work Plan for 2nd and 3rd recommendation – Approval”.

- **AOB:** Points requested by EMPA were added:

- Follow up of the AAC recommendation on the Control regulation’s revision
- Setting up a procedure to follow AAC’s recommendations after their release

**The agenda was approved with these changes.**

**The minutes of the last Excom meeting of 10 September were approved.**

## 2. Cypriot Aquaculture

**Lavrendios Vasiliades** (Permanent Representation of Cyprus to the EU)

Gave a welcome speech to the members and gave some information about the aquaculture sector and policy initiatives for the development of the sector in Cyprus.

## 3. Governance of the AAC

- Remarks of the Chair

**The Chair** reported about the earlier meeting he had (accompanied by 2<sup>nd</sup> Vice-Chair **Addy Risseeuw** and the Secretariat) with DG MARE in the morning of this same day. During this meeting, **the Chair** and Mr. Bernhard Friess (DG MARE) discussed about current AAC works, the next aquaculture strategic guidelines of the EC and the preparation of the European Maritime Day 2020.

**The Excom members will receive the minutes of this 30<sup>th</sup> of October meeting of AAC Chair with DG MARE.**

**The Chair** provides a reflection on the governance and functioning of the AAC:

**He** mentions that, unfortunately, he was unable to attend the September 10<sup>th</sup> General Assembly and ExCom. Nevertheless, after it he spoke with many of the members and he grasped a good summary of how both meetings developed. He acknowledges that he might have missed something, and he apologises if his understanding of what happened is not precise enough, but he thinks that if he describes what happened as unfortunate all will agree with him.

**The Chair** is not satisfied with how the governance of the AAC is working, and after September 10<sup>th</sup> he is deeply concerned. And he really does not care if the situation in other Advisory Councils is the same or even worse. We are not only going to make this Advisory Council work, and even make participation enjoyable. On the other hand, this stressed governance hasn’t affected, yet, the producing of Recommendations of the AAC. Nevertheless, our annual ratio of Recommendation production is 6 per year. Considering our annual budget, this means that we spend 53 000 euros of tax-payers money to produce each Recommendation. **The Chair** is

not too happy with that.

The diagnosis of **the Chair** of the situation is that the existence of the 60% - 40% divide, and how each of you feels about the capabilities of these two categories, is poisoning the system. He already said at his first meeting as Chair of the AAC: there should not be a 2-category system irrelevant, and he sees that he still hasn't convinced you. You all have to stop thinking in 2-Category mode and think in Individual-member mode. Each member with its own opinion. Each of you with your own position. This will make everything in the governance of the AAC be much easier.

**The Chair** has had detailed conversations with the European Commission on this issue and he assures the ExCom members that there are only two principles that he feels obliged to adhere to as Chair and these are:

- 1) That the opinions of every single member of the AAC will be heard here, will be considered and will be included into our recommendations, hopefully in a consensual way, if not, as dissenting opinions,
- 2) Hold an Open-door policy: meaning that exterior opinions will also have the opportunity to come in. Any EU organisation with interest in aquaculture has to be accepted into the AAC.

He says that this is it. Full stop. The rest of your concerns (voting rights, representativeness, etc.) are just of secondary importance. As the AAC Chair, he will strive to fully comply with those two essential points.

This means that also the members of the ExCom should only be concerned about those two principles and not be worried about the rest, even if they are engraved into the Common Fisheries Policy and the Delegated Acts, as they are of secondary importance here. Including:

- 1) The allocation of members into any of the two category groups. This categorisation is absolutely irrelevant.
- 2) As a group, we are not going to be paralysed by not being able to adopt decisions. If no consensus is possible -and be sure this will happen many times- we will go for voting and the voting process and the results of the voting will be accepted by you all.
- 3) No stakeholder of the AAC must mistake the right they have to have their opinions considered and communicated, with their obligation to accept the possibility to have their position outvoted in a voting procedure.

The Chair also mentions that we have to completely discard bad habits: No one is going to threaten with leaving the room of any AAC meeting because of not being happy with the adoption of a decision, or because of going for a voting process they dislike. If any member organisation wishes to leave a meeting it is free to do so, of course, but leave and don't come back. You will leave the AAC.

And of course (and the Chair feels deeply ashamed to have to say this): No insulting, nor denigration will be accepted in the AAC.

He reminds the non-trespassing lines that will not be crossed while he is Chair of the AAC that are the two principles on Member Opinions he mentioned: respect for all opinions and open-door policy. And he is absolutely convinced that up until today all Opinions of member organisations of the AAC's have been considered.

The paralysation of the decision making in the AAC leads to unpleasant situations that he will simply not accept (as for example, the WSI tweet). The Chair doesn't care if what WSI has written in this tweet is true or not: the first half is true and the second is not. But when the General Assembly meets it is the plenary representation of this organisation and it must take decisions.

The Chair mentions that the image that the AAC is giving right now is more the one of a Banana republic than the one of a democratic and transparent body. It is the obligation of all of its members to correct this.

- Appointment of Birdlife as a 40% representative in the ExCom

**The Chair** said that all members should respect the timing of elections. There was a renewal of ExCom members in September and this is when Birdlife should have put forward its application to become an ExCom member.

Nevertheless, as the Statutes are not clear and the ExCom hadn't taken a clear stance on this timing, for the sake of solving the present tensions, **the Chair** requests the ExCom to accept Birdlife's membership in the ExCom, and proposes a voting on it.

The ExCom members proceeded to a vote:

Against: None

In favour: 13

Abstentions: 5

**As a result of this voting, Birdlife is approved as member of the ExCom.**

**The Excom decided that, in the future, any Excom applicant would have to go through formal elections to be elected.**

- Report on the appointment of Chairs and Vice-chairs in the WGs

**The Chair** expressed the need for more clarity when candidates for WG Chair and Vice Chair positions are appointed and presented in the WG meeting in which they are to be approved. This approval of the candidates by the WG is to be clearly expressed and agreed by the members.

In particular, in WG3 members were not clearly asked whether they accepted the arrangement that Bruna Campos would take the Presidency and Brian Thomsen the Vice-Presidency, after having both of them presented their candidacies for Chair. Such agreements must be expressly informed to and approved by the WG members.

#### **4. Approval of new members**

**The Chair** asked the Secretariat to clarify in the draft minutes of the GA of the 10<sup>th</sup> of September that WSI was approved as an AAC member during this meeting, as this decision didn't seem clear for all.

The Chair mentions that he does not wish to open another full-blown debate on this issue.

Due to the inexistence of consensus about in which stakeholder category of the AAC (Sector organisations or Other interest groups) should the WSI organisation be included, a voting is proposed by the Chair. The result of this voting was the following:

Votes in favour of WSI's allocation in the Other interest group: 10  
Votes in favour of WSI's allocation into the Sector organisations: 6  
Abstentions: 2

**The Excom decided that WSI should become a member of the Other interest group. This decision will be submitted for approval in the extraordinary GA meeting in February 2020.**

## 5. Amendment proposal to the AAC Rules of Procedure and Statutes

- Presentation of legal advice on some specific points

**The Chair** presented the draft modified AAC Statutes regarding the issue of quorums and compared it with the comments received from a lawyer requested by the AAC.

**The ExCom decided the following:**

**(1) The next version of the draft Statutes will state that ordinary decisions of the GA will be taken by consensus, and when consensus is not possible by simple majority based on the members present (or represented) rather than on its component members.**

(2) For decisions related to changes in Statutes or other special decisions, a minimum of two thirds (2/3) of GA members must be present or represented by proxy. If this quorum is not reached, the draft Statutes will state that a new meeting will be held within a period **of at least 15 days** (instead of a month's time as in the current Statutes).

**Giuseppe Prioli (AMA)** requested that next time that a legal advice is presented, a translation in English be made available.

**The Chair** agreed but explained that the legal advice was received by the Secretariat shortly before the meeting and that some technical terms were difficult to translate.

- Debate and decision on approval of proposed amendment

**The Chair** proposed the following amendment proposal to the reimbursement rules (in blue), due to the complain of a member about not finding flights at cost below the ceiling for travel expenses even if purchased well in advance:

*"As a general rule only economy fare airplane tickets, train tickets, bus tickets, boat tickets, parking toll, motorway toll and car mileage (0.18€ / km) will be reimbursed, with a maximum of 350 EUR. If travel expenses are higher than 350 EUR but inbound and outbound tickets are same-day ones the reimbursement ceiling for travel expenses will be raised to 450 EUR. In this case, no accommodation allowance may be allocated. **In the case of travel expenses higher than 350 EUR, and inbound and***

*outbound ticket dates being different ones, the reimbursement ceiling for travel expenses will be of 400 EUR in the case that the purchasing of the tickets was performed 45 days in advance of the conveyed meeting."*

**Yannis Pelekanakis** (FGM) and **Bruno Guillaumie** (EMPA) suggested that the Secretariat blocks hotel nights for events in the manner of travel agencies.

**Although sceptical due to the high amount of work incurred by this action, the Chair said that the Secretariat will investigate the feasibility of this idea.**

**Bruno Guillaumie** (EMPA) asked for investigating possibilities for virtual conferences in order to avoid some physical meetings and thus travel costs.

**The Secretariat has looked into this and the ExCom has already decided to reduce the number of travels for AAC meetings next year.** A web conferencing tool (Arkadin) is available for the FG to be meeting online via the Secretariat.

A discussion occurred on how to access cheap air fares and how to prove they are the cheapest. No clear conclusion was reached.

**The amendment proposed by the Chair was not approved.**

- Adoption of minor change to the AAC Work Programme requested by the Commission

The Excom approved to include the following phrase as requested by the EC about the need to support its work on the drafting of the New Strategic Guidelines in the WP for 2019-2022:

*"support to the work realised by the EC on the drafting and elaboration of new strategic guidelines for the sustainable development of European aquaculture"*

**The Secretariat will circulate the amendment to the GA for approval and then send the updated WP to the Commission.**

## **6. Texts approved by the Working Groups tabled for adoption by ExCom:**

- AAC Advice on the quality of shellfish waters (WG2)
- AAC Advice on the WFD Fitness Check (WG2)

**Bruno Guillaumie** (EMPA) was Rapporteur of both texts and briefly described them, including the modifications which were made following comments by some members.

**Both recommendations were approved by consensus.**

## **7. Recently approved Recommendations**

- AAC recommendation on the proposal for the European Maritime and Fisheries Fund

**The Chair** recalled that this recommendation had been approved by the ExCom through written procedure. The EC has appreciated and valued its content.

**Bruno Guillaumie (EMPA) reiterated his request to get information about the EMFF adoption process. The Secretariat will send an email to the ExCom members with this information.**

#### **8. Ongoing work of the AAC:**

- Strategic Guidelines 1st recommendation and Work Plan for 2nd and 3rd recommendation – Approval

**Due to the time schedule with which the EC is working on the revision of the Strategic Guidelines and the timing of its delivery of drafts, the Chair** suggested the following 3-steps work plan:

1. 1<sup>ST</sup> Recommendation: Approval in this Excom meeting
2. 2<sup>nd</sup> Recommendation: To be finalised shortly after the 10<sup>th</sup> December meeting
3. 3<sup>rd</sup> Recommendation: new draft to be developed in 2020 depending on the content of the next EC proposal

**Bruno Guillaumie (EMPA)** said that DG MARE should have consulted the AAC before so as to get our input.

**Ole Christensen (FEFAC)** expressed some reservations about the 1<sup>st</sup> draft Recommendation but consented to have it approved and shared with the EC.

**The 1<sup>st</sup> recommendation on the Future Strategic Guidelines for the Sustainable Development of the EU Aquaculture was approved by consensus.**

- Preparation of the next European Maritime Day workshop

**The Chair** reminded that the deadline for application to the next EMD was the 3<sup>rd</sup> December 2019. He listed the topics suggestion received from the AAC members for next EMD in Cork, Ireland. According to him, the Irish context should be taken into consideration when selecting the topic as a big share of participants will be from the host country.

The 2 topics kept were:

- Compatibility of aquaculture with other activities: many Win-Win possibilities (renewable energy, tourism, environmental protection, fishing and aquaculture)
- Relationship Aquaculture vs. Environment

**Both topics will be shared with the Irish members of the AAC (IFA and Coastwatch Europe). The ExCom members will be informed of the final topic chosen for approval and decision on the speakers to invite.**

On a side note, **Yannis Pelekanakis (FGM)** stated that the new Commissioner should be better prepared when delivering his speech because during 2019 EMD,

aquaculture was not mentioned even once during his speech.

- Others?

**Cécile Fouquet** (Secretariat) informed about the indicative cost of a participation in this year's Aquaculture Europe event – as an indication for a possible decision to participate next year:

Standard booth (2x3m): €2500

Corner booth (2x3): €2800

## 9. AAC external activities:

- Results of the AAC presentation at the Copernicus event in Athens (24<sup>th</sup> September).

**Yannis Pelekanakis** (FGM) represented the AAC at this event in Athens. It was an interesting event and an opportunity for scholars to meet industry representatives. He noted that the AAC should continue to be involved in these meetings.

The Chair thanked Mr Pelekanakis for representing the AAC in the Copernicus event.

- Information point on meetings attended on behalf of the AAC by the Secretariat, the Chair and the Vice-Chairs:
  - Workshop on fisheries and aquaculture products traceability (Brussels, 10<sup>th</sup> October)

**Cécile Fouquet** (Secretariat) attended the meeting of the 10<sup>th</sup> October with **Cynthia Benites** (COGECA) and **Luisa Alvarez** (FEDEPESCA). For her, the meeting was useful because they were able to discuss with the Commission about the improvement of traceability of products from aquaculture.

- Information on future events:
  - MAC/NWWAC Plastics workshop (07<sup>th</sup> November)

**Cécile Fouquet** (Secretariat) and **Vice-Chair Marc-Philip Buckhout** will attend this meeting.

- Inter-AC meeting (08<sup>th</sup> November)

**Cécile Fouquet** (Secretariat), **Chair Javier Ojeda** and **Vice-Chair Marc-Philip Buckhout** will attend this meeting.

- AAC/MAC event in the European Parliament (12<sup>th</sup> November)

**The Chair Javier Ojeda, Vice-Chair Addy Risseeuw** and the Secretariat will attend this meeting.

## 10.AAC Budget: update on ongoing financial year and closing of the accounts

**Cécile Fouquet** (Secretariat) provided an update on the ongoing financial year. She reminded that each single line of the budget will be checked by an external auditor on the 12<sup>th</sup> December.

## 11.AOB

- “Follow up of the AAC recommendation on the Control regulation’s revision”

**Bruno Guillaumie** (EMPA) suggested that the AAC gets in touch with the assistant of the Rapporteur for the Control Regulation (MEP Clara Aguilera Garcia) to follow-up on our recommendations, in particular the legal analysis needed on the issue of aquaculture vessels. **The Chair** will meet her on the afternoon of November 12<sup>th</sup> and will pass on the message.

- “Setting up a procedure to follow AAC’s recommendations after their release, so as to ensure their full implementation

**Bruno Guillaumie** (EMPA) would find it interesting to establish a rule to follow up our recommendations and see if are taken into consideration in the final decisions taken.

## 12.Date and place of the forthcoming meeting

6<sup>th</sup> February 2020, Brussels (from 9 to 13)