

Baltic Fishermen's Association

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31 October 2005

Minutes

from the Baltic Sea RAC

Interim Executive Committee meeting 26 October 2005

Agenda for the meeting

1. Opening
2. Adoption of the Agenda
3. Approval of the minutes from the stakeholder meeting 22nd June 2005
4. Status on the preparation of the Baltic Sea RAC
 - 4.a. Statutes
 - 4.b. Budget estimate
 - 4.c. List of members of the Executive Committee
 - 4.d. List of members of the General Assembly
5. Any other business

1. Opening

Michael Andersen, Secretary for the Baltic Fishermen's Association (BFA) opened the meeting and welcomed everybody on behalf of BFA and was confirmed chairman of the meeting.

David Griffith, The International Council for the Exploration of the Sea (ICES), welcomed everybody on behalf of ICES and hoped for a future good cooperation between ICES and the Baltic Sea Regional Advisory Committee (BS-RAC). He mentioned that ICES wants to be an open organisation and that ACFM meetings are now kept open for observers.

It was decided that the minutes from the meeting should be verified by Niki Sporrang from the Fisheries Secretariat and Michael Andersen before they are sent out to others.

2. Adoption of the Agenda

The agenda was adopted.

3. Approval of the minutes from the stakeholder meeting 22nd June 2005

Dr. Piotr Gruszka, Polish Ecological Club, proposed some amendments of technical nature to the minutes from the June meeting. With these amendments the minutes were adopted.

4. Status on the preparation of the Baltic Sea RAC

Tobias Kerrn-Jespersen, Secretary of the future BS RAC, gave a presentation of the provisional timetable for the establishment of the RAC. The aim is to send a submission to the Member States and the Commission in November 2006 and to have the first General Assembly meeting in the beginning of March 2006.

Miriam Garcia-Ferrer, DG Fish and Maritime Affairs, found the timetable realistic. However, if the submission is sent to the Commission in December instead of November, the General Assembly meeting can probably not be held before April 2006. The Commission does not consider it realistic to evaluate the submission for the establishment of the RAC in less than 3 months. This is due to the internal procedure in the Commission and the upcoming Christmas holidays. She also informed the meeting that it is possible to consult the Commission on drafts of the submission, in order to avoid further delays in the process because of gaps or omissions.

The meeting agreed that the Secretariat should find a possible date for the General Assembly meeting in one of the first two weeks of March 2006.

Michael Andersen asked the participants to inform the secretariat (tkj@bsrac.org) no later than Wednesday 2nd November, in case there are days in the beginning of March where participation in a General Assembly meeting is absolutely impossible.

He expected that the timetable for the establishment of the RAC would make it possible for the RAC to react on the Commission proposal for a recovery plan for the cod in the Baltic Sea.

Henrik Svenberg, Swedish Fishermen's Federation, suggested that the RAC enter into a political agreement with the Commission which will guarantee that the RAC will be consulted on the recovery plan.

Miriam Garcia-Ferrer reminded the meeting that the Commission had interim meetings on relevant fisheries policy with the North Sea RAC before it was formally established. Similar meetings could be arranged between the Commission and the interim Baltic Sea RAC.

Jarmo Vilhunen, Finnish Government, ask the Commission to inform about the procedure and the practical arrangement for the approval by Member States of the submission from the RAC.

Miriam Garcia-Ferrer explained that as far as the other RACs are concerned, the Member State hosting the RAC secretariat has taken the leadership in the drafting of a joint recommendation and

in arranging a meeting among Member States where the final decision on the recommendation has been taken.

4.a. Statutes

Michael Andersen gave a short presentation of the Secretariat's proposal for the statutes for the BS RAC. The proposal is similar to the one sent out 8 July 2005 from the Interim Secretariat. However, the paragraphs have been reorganised with the help from Niki Sporrong from the Fisheries Secretariat in Sweden.

He also presented a paper from the North Sea Commission offering inspiration for possible amendments to the current draft of BS RAC statutes.

Suggestions for amendments:

Paragraph 15

Niki Sporrong suggested an amendment in order to distinguish between permanent changes and provisional changes of nominated persons.

Pim Visser, European Association of Fishing Ports and Auctions, reminded the meeting that according to the statutes for the NS RAC and the Pelagic RAC, the organisations can appoint a stand in, if a person can't come to a meeting.

It was agreed that each organisation should be allowed to send whoever they want to the meetings. However, the Secretariat and the Chair have to be informed in writing (letter, mail or fax) in advance about any changes of representatives. It is not necessary to send a copy to the Commission. The Secretariat will make the necessary amendments in the draft statutes.

Paragraph 22

Niki Sporrong suggested that "relevant background documents" should be sent to the members and observes of the General Assembly together with the agenda at least 3 weeks in advance of a General Assembly meeting.

It was agreed to add "relevant background documents" to the paragraph.

Paragraphs 28 and 37

Niki Sporrong pointed to the inconsistency between paragraphs 28 and 37 when it comes to the appointment of the Chair of the BS RAC.

Miriam Garcia-Ferrer mentioned that it is up to the RAC to decide on the rules for the appointment of the Chair. According to the procedures in the other RACs, the General Assembly nominates the Chair and the Executive Committee takes the final decision.

Michael Andersen mentioned that as the General Assembly is the highest authority of the RAC it would be most logic if they take the decision.

It was agreed that that the General Assembly should appoint the chair of the BS RAC. The Secretariat will amend the draft statutes accordingly.

Paragraph 31

It was decided to add at the end of the paragraph: “The Commission should be informed”.

Paragraph 37

The benefits of having two vice-chairmen for the RAC were discussed.

It was agreed that for the time being only one vice-chairman should be elected.

Paragraph 45

Miriam Garcia-Ferrer saw a need to add the following text to paragraph 45: “Any changes to the objectives of the BS RAC shall have the consent of the European Commission.”

It was decided to insert the proposed text from the Commission and to exchange operating principles for statutes in the heading as well as in paragraph 45.

Rules of procedure

Niki Sporrng mentioned that the initial rules of procedure might be incomplete and that the NGOs will provide suggestions for amendments to this section of the current draft.

Other paragraphs

Niki Sporrng noticed that the words “Secretariat” and “Secretary” were not always used in a consistent way.

It was decided that the Secretariat should look further into this.

Michael Andersen asked the meeting to inform the Secretariat by e-mail on any other proposed changes or additions to the draft statutes no later than 9 November 2005.

He concluded that the Secretariat will now prepare a final draft of the statutes to be used in the submission to the Commission. However, the statutes will remain as a “living” document until the first General Assembly meeting.

4.b. Budget estimate

Tobias Kerrn-Jespersen informed the meeting about the financial contribution from the Danish Government to facilitate the establishment of the RAC and to cover rent and a Danish membership fee the first four years of the RAC’s life.

He presented a draft budget for the first year of the RACs life and underlined that the budget was based on several assumptions which could be further discussed.

He presented examples on how the expenses could be financed through contribution from Member States and fees from Ex. Com. members and other members of the RAC. He also mentioned that the current Commission budget rules create some technical problems in the budgeting strategy. The rules prevent the RACs from transferring any surplus from one year to another without a subsequent loss of funding from the Commission.

Marcus Brill, German Ministry for Consumer protection, Food and Agriculture, called the attention to the fact that Article 9 of the Council Regulation 585/2004 on the establishment of RACs does not suggest any extra financing from Member States, and therefore such funding should not be taken for granted. He underlined that the contribution from Member States to the North Sea RAC covers only the first 3 years.

Niki Sporrang, supported by **Gunnar Norén**, considered it somewhat backward that the Ex. Com. members had to pay more than other members of the RAC, as they also contribute through time and hard work.

Gunnar Norén thought it might be better to have a lower budget and let organisations pay more of the expenses themselves.

Michael Andersen mentioned that the Ex. Com. members had more influence than other members of the RAC and that this had been taken into consideration when deciding on the membership fees for the NS RAC.

Pim Visser advised the meeting to take a broader view on the budget. If the RAC proves to be successful, i.e. if the Commission sees the RAC as a valuable tool, it will most probably be easier to receive funds from Member States and the Commission in the coming years. Therefore, the Secretariat should start by making a budget for the first year and not waste too much time on speculations regarding the coming years.

Bengt Ingerstam, Swedish Consumers Coalition, argued that Member State contributions are the most democratic way to finance the RAC. This is a way for the Member States to contribute to sustainable fisheries, but the Governments have to be convinced about this.

Marcus Brill reminded the meeting that Member States/taxpayers already pay for the RAC through the contribution from the Commission.

Jarmo Vilhunen advised the RAC (Secretariat) to also look for alternative sources of funds.

Espen Norberg, WWF, and other representatives at the meeting expressed concern about the levels of fees included in the presented examples.

Michael Andersen underlined that the examples which had been presented were only meant as “food for thoughts”. Based on the comments from the meeting the secretariat will now further consider the budget for the first year of the RAC. He stated that it is important to have a high level of participation in the RAC, and this should be taken into account when deciding the membership fee.

4.c. List of members of the Executive Committee

Michael Andersen informed about the outcome of the meeting in the Baltic Fishermen's Association (BFA) 25 October 2005. The meeting had agreed to recommend the allocation of two seats to the catching sector of each of the Member States: Denmark, Germany, Sweden and Poland and one seat to the catching sector of each of the Member States: Finland, Estonia, Latvia and Lithuania.

Michael Andersen mentioned that BFA had recommended that the last 4 seats of the 16 seats in the 2/3 group are covered by European-level organisations

The following 5 organisations expressed interest in being in the Ex. Com:

- European Association of fishing Ports and Auctions (EAFPA)
- Danish Workers Union (3F)
- European Transport Workers Federation (ETF)
- Federation of National Organisations of Importers and Exporters of Fish (AIPCE-CEP)
- European Association of Producers Organisations (EAPO)

Michael Andersen asked if the two organisations representing employed fishermen could share a seat or be represented only at European level.

Mogens Hansen, 3F, responded that this should first be discussed internally among the organisations concerned. He stated that for the time being 3F wants its own seat in the Ex. Com.

Niki Sporrøng informed the meeting that the 5 non-governmental organisations which had expressed interest in a seat in the Ex. Com at the stakeholder meeting in June are still interested in seats. These organisations are: European Anglers Alliance (EAA), The Fisheries Secretariat (FISH), Coalition Clean Baltic (CCB), Swedish Consumers Coalition (SKIS) and the World Wide Fund for Nature (WWF).

Andreas Enqvist, The Åland Islands Fish Farmers Association, also asked for a seat. Andreas Enqvist will contact the European organisation for aquaculture to see if the fish farming industry can be represented at a European level or if their seat can be shared between The Åland Islands Fish Farmers Association and the European organisation.

Peter Monert, European Anglers Alliance, proposed the European Fishing Tackle Trade Association (EFFTA) as a new candidate.

Bengt Ingerstam proposed Alliance of Socially and Ecologically Consumer Organizations (ASECO) as another new candidate which is a European-level consumer organisation.

Henrik Svenberg questioned if the Fisheries Secretariat could be part of the Executive Committee, as the organisation is financed by the Swedish government.

Niki Sporrøng answered that the Fisheries Secretariat is fully relevant in the RAC as it is not a government organisation but an umbrella organisation for 3 NGO's (The Swedish Anglers' Association, WWF-Sweden and the Swedish Society for Nature Conservation. It receives funds

from the Swedish Government but the Government has no influence on the activities of the organisation.

Markus Brill suggested that Niki Sporrong should circulate information about the Fisheries Secretariat.

Pim Visser suggested to follow the procedure from the North Western Waters RAC, where a candidate should be supported by other member organisations to qualify for a seat on the Ex. Com..

A longer debate took place on the RAC and the Fisheries Secretariat and it was agreed to continue the debate internally among the concerned organisations in Sweden. For the time being the Fisheries Secretariat will still be on the list of organisations which has expressed interest on having a seat in the Ex. Com.

Jarmo Vilhunen remarked that the Finnish Government had still not a position on the proposal to allocate only one seat to the Finnish fishermen.

Chris Karppinen confirmed that the Federation of Finnish Fisheries Associations is still interested in a seat in the Ex.Com.

Michael Andersen mentioned that Finland of course could claim more seats but he would presume that the size of the fishing sector will have an influence of the number of seats, as it has had in the NS-RAC.

Miriam Garcia-Ferrer pointed out that Member States have to approve members of the General Assembly but that it is up to the General Assembly to approve the members of the Ex. Com.

It was agreed to continue the work toward the establishment of the RAC with the following interim Executive Committee:

From the Fishing sector (2/3)

Poland: 2 seats to Polish Fishermen's Chamber/Association of Fishermen of the Sea.

Germany: 2 seats to German Cutter and Coastal Fishermen's Association

Sweden: 2 seats to Swedish Fishermen's Federation

Denmark: 2 seats to Danish Fishermen's Association/Association of Danish Fishermen's Associations (to be decided)

Latvia: 1 seat to Latvian Fisheries Association

Lithuania: 1 seat to Lithuanian Fisheries Producers' Association/ The confederation of Fishermen and Fish Processors of West Lithuania

Estonia: 1 seat to Estonian Fishermen's Association

Finland: 1 seat to Finnish Fishermen's Association

European Association of fishing Ports and Auctions (EAFPA)

Danish Workers Union (3F)

European Transport Workers Federation (ETF)

Federation of National Organisations of Importers and Exporters of Fish (AIPCE-CEP)

European Association of Producers Organisations (EAPO)

From other interest groups (1/3)

Coalition Clean Baltic (CCB)
World Wide Fund for Nature (WWF)
European Anglers' Alliance (EEA),
The Fisheries Secretariat (FISH)
Swedish Consumers' Coalition (SKIS)
European Fishing Tackle Trade Association (EFFTA)
Alliance of Socially and Ecologically Consumer Organizations (ASECO)
The Åland Islands Fish Farmers Association/FEAP

It was agreed that 1 January 2006 is the deadline for new candidates and for solutions on the internal problems regarding the candidates.

In January a provisional decision should be taken at a meeting or by email-correspondence on a balanced representation of organisations in the Ex. Com. The final decision on the composition of the Ex. Com. will be taken by the first G. A.

4.d. List of members of the General Assembly

Niki Sporrang asked the Commission for advice on what happened if the balance of 2/3 and 1/3 was not struck, as organisations are free to apply for membership themselves and this process cannot be controlled.

Miriam Garcia-Ferrer explained that this was indeed the case in the NS RAC, where the issue was solved by setting a limit for membership at 45 and dividing this into 2/3 and 1/3, leaving some available seats in the last 1/3 vacant.

It was decided that the Secretariat should work on a balanced composition of the G.A. (2/3 from the fishing sector and 1/3 from other interest groups) based on the current list of organisations which have expressed interest in the BS RAC.

It was also decided that the Secretariat should send out (together with the minutes of the meeting) a list of the organisations which have expressed an interest in being members of the BS RAC.

5. Any other business

There was no discussion on this agenda point.

Michael Andersen concluded that the meeting had been constructive and had provided the Secretariat with some useful information to be used in the further work to establish the BS RAC. He repeated that any comments to the draft statutes should be received by the secretariat no later than 9. November 2005.