

Context: Commission proposal 2011/0195 (COD);

The CFP should support the environmentally, economically and socially sustainable development of the aquaculture industry. Aquaculture contributes to food security and growth and jobs in coastal and rural regions. Serious progress can be achieved when Member States develop on the basis of Union strategic guidelines national strategic plans to facilitate the sustainable development of aquaculture in relation to the business security, access to waters and space, and administrative simplification of licensing. There is a clear Union dimension in aquaculture development: strategic choices made at national level can have a bearing on such development in neighbouring Member States. It is essential that Member States have an opportunity to know what other Member States are planning for future aquaculture development.

The Commission considers that the specific nature of aquaculture requires a focalized stakeholder consultation body, and proposes to this effect the creation of an Advisory Council for Aquaculture.

The specific nature of aquaculture requires an Advisory Council for stakeholder consultation on elements of Union policies which could affect aquaculture.

CFP proposal Art.52

- Advisory Councils are established for each of the areas of competence set out in Annex III (Aquaculture) to promote a balanced representation of all stakeholders.
- Each Advisory Council shall establish its rules of procedures.

CFP proposal Art.53

The tasks of the Advisory Councils are to:

- (a) Submit recommendations and suggestions on matters relating to aquaculture to the Commission or the MS concerned;
- (b) Inform the Commission and MS of problems relating to aquaculture in their area of competence;
- (c) Contribute, in close cooperation with scientists, to the collection, supply and analysis of data necessary for the development of conservation measures.

The Commission and, where relevant, the Member State concerned, shall reply within a reasonable time period to any recommendation, suggestion or information received, pursuant to paragraph 1.

CFP proposal Art.54

Composition, functioning and funding of Advisory Councils

1. Advisory Councils shall be composed of organizations representing interest groups affected by the CFP.
2. Each Advisory Council shall consist of a general assembly and an executive committee and shall adopt the measures necessary for its organization and to ensure transparency and the respect of all opinions expressed.
3. Advisory Councils may apply for Union financial assistance as bodies pursuing an aim of general European interest.

FEAP opinions and suggestions

Compared to the Regional Fisheries Advisory Councils, the FEAP recognizes that many of the issues that have been debated within the ACFA are European in nature and required access to competence within the European Commission for effective debate, pursuant to identifying solutions.

The FEAP supports the concept for the creation of an Aquaculture Advisory Council but, given the specificities of aquaculture, notes the absence of clear propositions for:

- Structure of the Advisory Council
- Objectives
- Terms of Reference

The COWI review of the work of ACFA (2008) said that there was a 'need for clearly specified rationale and purpose' and that 'Advisory Councils [should] have clear structure and mandate'. The COWI report also noted that 'the aquaculture organisations (FEAP/EMPA) to a larger extent combine the economic and environmental interests (sic) of the sector' and also highlighted the excellence of the work achieved by the Aquaculture Working Group of ACFA.

'The functioning of the Working Group [on aquaculture] is generally perceived as more effective and efficient by both the ACFA members and the Commission. Working Group II deals with issues which are relatively less politically controversial and more with technical matters, which partly explains the high level of productivity. Moreover, the Working Group is the only venue within the Commission structure where a structured dialogue between the Commission and the aquaculture stakeholders is currently possible.'

The Recommendations of the COWI report for ACFA included

- A more flexible structure allowing for specific issues to be dealt with exclusively by short-lived ad hoc working groups could be a way of achieving greater focus of debate and output - drawing together those representatives and experts most suited for the task of debating often technical and complex issues.
- The inclusion of aquaculture interests in ACFA has been most useful in providing a clear platform for aquaculture interaction with the Commission. Working Group II, dominated by aquaculture interests, functions comparatively well and is brought into play also by other Directorate Generals than DG MARE due to the multi-sectoral nature of aquaculture issues. Two factors are important in explaining the higher level of effectiveness achieved in this Working Group: The relatively narrow scope and clear delimitation of the main areas covered by this Working Group and the fact that the Working Group is a unique point of entry to the Commission for aquaculture interests.

Following debate within the FEAP, the following suggestions are put forward.

The objectives of the AAC should include:

- Assuring that European aquaculture develops sustainably so as to make significant contributions to EU fish and shellfish supply, reducing both imports and the protein deficit and providing higher levels of food security.
- Contributing to market stability
- Providing a stable income to those employed in the aquaculture sector

The core objective of the AAC would be to prepare and provide advice on the management and development of European aquaculture on behalf of the aquaculture sector and other interest groups in order to contribute to a successful CFP. Such advice will be forwarded to the Fisheries Council of the European Community, the European Commission, individual Member States of the European Community, the European Parliament, the International Council for Exploration of the Sea (ICES), the FAO and other bodies as decided by the AAC. These bodies could include EFSA, the JRCs and the European Medicines Agency as examples.

For the AAC to be effective, it needs to be in contact with different Directorates of the European Commission, such as DG Mare, DG Sanco, DG Environment, DG Trade, DG Enterprise, DG Agri.

Since individual representatives for the different responsibilities are not necessarily known to persons outside of the Commission, it is essential to clarify how the AAC will achieve the provision of its advice, be active and efficient in the consultative process.

This consultation process established under the ACFA must be maintained. The follow-up and status of advice and consultation must be maintained in a timely and well-managed manner (monthly status report) for circulation to AAC membership, the Commission and other interested bodies.

While DG MARE could continue to assure the Secretariat, should it decide otherwise, a contact person within DG MARE would still be needed to assure that these aspects are achieved.

For example, an invitation to participate in a meeting should lead to compulsory attendance of the appropriate Commission staff. However, in understanding work commitments of Commission representatives and that travel organization can be difficult, it is felt that the AAC should be Brussels-based or oriented.

This would facilitate presence for Commission staff on technical/legal issues and attendance of representation of the European Parliament, Social Committee, Committee of the Regions etc.

It is also recognized that there are 4 core production components of European aquaculture;

1. *Shellfish aquaculture [Coastal Europe]*
2. *Coldwater marine fish aquaculture (salmon, trout, cod, halibut...) [Northern Europe]*
3. *Freshwater fish aquaculture (trout, carps...) [Central Europe]*
4. *Mediterranean fish aquaculture (seabass, seabream, turbot...) [Mediterranean Europe]*

For specific issues that only affect these sectors, Working Groups would be created and financed by the AAC. The option for creating and financing AAC Working Groups must be statutory

For horizontal issues that affect all sectoral components, the AAC would cover these.

Membership

Given that this Advisory Council is a European one, it will be difficult to structure the activities around National interests and national representation. The FEAP proposes that the Membership of the AC be restricted to European or Federated organisations that would require to fulfil transparency conditions on their individual membership and financing.

In the structure of the Advisory Council, two thirds of the seats should be allocated to representatives of the aquaculture production sector and one third to representatives of the other interest groups affected by the role of aquaculture Common Fisheries Policy. Such representation should include:

- *Fish feed manufacture*
- *Processors*
- *Retail sector*
- *Pharmaceutical sector*
- *Environmental interest group [European]*

In the new Advisory Council system a solution should be provided for the disappearance of ACFA's WG-3 (Markets & Trade Policy). A meeting point for horizontal issues (such as commercialization) that affect all fisheries and aquaculture stakeholders will continue to be required in the future.

FEAP SECRETARIAT - 6th June 2012