

To:

Mr. Aurelio Bilbao Barandica, Chairman South West Waters Advisory Council  
Ms. Chloe Pocheau, Secretariat South West Waters Advisory Council  
Ms. Pascale Colson, European Commission MARE.D.3

**Subject: Termination of Seas At Risk membership in the South West Waters Advisory Council**

Dear Mr. Bilbao Barandica, Ms. Pocheau and Ms Colson,

Seas At Risk has been an active member of the South West Waters Advisory Council (SWWAC) since its establishment and, after 15 years, has decided to terminate its membership. We would like to explain with this letter the reasons behind this decision, which is a combination of functional flaws paired with the limited resources we can dedicate to improve the situation and make a good use of the potential of the SWWAC.

Environmental NGOs have raised their concerns about the malfunctioning of the Advisory Councils (ACs) in terms of governance, decision making and stakeholder involvement on numerous occasions and, despite certain efforts from the Commission or even the ACs themselves, progress has been too slow and many flaws remain. The SWWAC is not oblivious to this general malfunctioning, and despite the efforts made by the current secretariat - which we acknowledge - there are moments where we have been disappointed with its functioning.

For example, the chairman sent letters based on industry positions on behalf of the whole SWWAC without Executive Committee approval. Specifically, one relating to the Covid-19 crisis in March 2020 as well as the response to the Commission's answer to the Advice 145, in March 2021. In this last letter, the Commission asked the SWWAC to only provide advice in line with the shared objectives of the CFP, and industry representatives did not agree and reacted against it on behalf of the whole SWWAC, and without approval of the Executive Committee. This was especially frustrating as we very much welcomed this written answer from the Commission, as part of their recent commitment to ensure better functioning of the ACs.

Another situation that remains unresolved is the fact that two organisations with industry representatives, FREMSS and BlueFish, are still occupying Other Interest Groups (OIGs) seats in the Executive Committee, which goes directly against the rules of the CFP basic regulation.

In general, the way the ACs are structured – in particular the 60%-40% allocation of seats in favour of industry representatives in the General Assembly and Executive Committee – makes it difficult for the OIG minority to obtain internal procedural improvements and ensure the rules of the CFP are upheld. Likewise, it is frustrating to see how advice that goes against the CFP provisions can be approved and sent on behalf of the AC because of this structural majority. An example is the Advice 146 sent by the SWWAC on increasing the gross tonnage limit (capacity) of the fishing fleet, which NGOs did not agree with as it was contrary to the shared objectives of implementing the CFP. It was sent anyway, with a minority position at the end explaining why NGOs did not agree.

In addition, the fact that the secretariat shares offices with an industry representative and SWWAC member, *Les Pêcheurs de Bretagne*, does not help to counter presumptions of partiality.

We are sadly not the first, and probably neither the last environmental NGO to leave an AC for very similar reasons. We believe in dialogue with fishers, and we wished the ACs truly served as a platform to support this dialogue. Steps that would serve to improve the functioning of the ACs were already suggested by the NGOs on several occasions (e.g. the presentation SAR did at the Fisheries Committee hearing on July 2017), and include: impartial, inclusive and transparent chairs; presentation of advice only in line with the CFP and with the different opinions equally represented; the Commission to monitor ACs functioning and interfere when necessary or; AC performance reviews including their contribution to the CFP implementation). However, given the current flaws, and our limited resources, we have decided to invest our capacity only in the Long Distance AC, whose functioning has been proven good to date, as well as in other channels where we will more effectively help improve the management of our fisheries and deliver a healthy marine environment, including the establishment of genuine conservations with the sector by other means.

We hope that in the future - if these bodies solve the current flaws and start functioning sufficiently well to ensure constructive dialogue and credible advice on policy decisions -we will be able to re-join.

Yours sincerely,



Monica Verbeek  
Executive Director Seas At Risk