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Date : 27 May 2021  
Our reference : 2021PAC62  
Subject : PELAC comments Commission Proposal amendments to the Delegated Act on functioning of ACs

Dear Ms. Charlina Vitcheva,

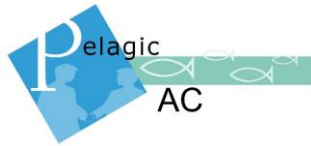
In response to the proposals by the Commission for amendments to the Delegated Act on functioning of the ACs presented at the Inter-AC meeting on the 5<sup>th</sup> of May 2021, we submit to you in Annex I comments from the Pelagic AC on the proposed changes regarding the classification of members and the inclusion of a template for advice documents. If you have any questions in relation to these comments, please do not hesitate to contact the secretariat.

As regards the revision of the Delegated Act, the Pelagic AC would be very grateful to know what next steps the Commission foresees and what the timelines for implementation of the (proposed) amendments are.

Yours sincerely,

A handwritten signature in blue ink that reads 'Jesper Raakjaer'.

Jesper Raakjaer  
Pelagic AC Chairman



## Annex I

### DRAFT PELAC comments Commission Proposal amendments to the Delegated Act on functioning of ACs

May 2021

#### Criteria Classification of members

The Pelagic AC (PelAC) welcomes the additional clarity offered by the Commission to enable correct classification of members in either one of the two 60/40 categories: 'sector organisations' or 'other interest groups'.

The PelAC proposes the following inclusion in the amendment for the classification of the 'other interest group' category:

**"2. An organisation shall be classified 'other interest group' when all following criteria are met:**

- (a) the organisation is independent, in particular from government, other public authorities, from political parties or from economic interests linked to commercial fishing, aquaculture, processing, marketing, distribution or retail of seafood;
- (b) the organisation is primarily active in the field of environment, consumers or human rights, health, animal welfare or recreational or sport fishing

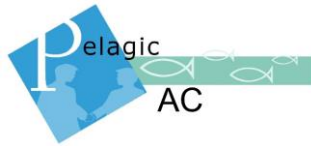
***Alternatively, any organisation representing or with economic interests linked to the use of the marine environment or sea basin other than those listed in paragraph (1) shall be classified 'other interest group'."***

The rationale for this insertion is to remove any ambiguity over the potential classification of organizations representing e.g. off-shore or deep-sea mining sectors. Such sectors have economic interests in the marine environment, but they conflict with the interests in the seafood value chain. The PelAC believes that such non-seafood value chain commercial sectors should therefore be classified as 'other interest groups' rather than 'sector organisations'.

#### Template for advice documents

The PelAC welcomes efforts by the Commission to offer the ACs further guidance in the manner in which its advice documents are structured and presented prior to submission.

While fully recognizing the validity of specifying working methods that led to the production of the advice in question, as well as its contributions to the CFP objectives, the PelAC may incidentally encounter (policy) developments on ad-hoc basis where advice in an alternative format would be better suited or more desirable (such as a letter, or response to a Commission consultation



questionnaire). The PelAC therefore considers the template put forward by the Commission as guidance for structuring advice with only the first section covering “Advisory Council, Title of the Advice, Type of Advice, Reference of the Advice, Additional Information” common to all advices, and requests a certain degree of flexibility would still remain possible for the remaining sections.

Secondly, the final section of the template specifically invites insertions of dissenting opinions: The PelAC has a long-standing tradition of providing advice to the Commission that is consensus-based only. Being proud of that achievement, the PelAC believes this practice is one to be encouraged and followed by other ACs, to strengthen the value of the advice provided. The PelAC thus feels that an over-emphasis on minority statements contradicts this objective and should be avoided.