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Rome, 14th March 2011

**MINUTES OF THE EXECUTIVE COMMITTEE MEETING OF THE MEDITERRANEAN REGIONAL ADVISORY COUNCIL –
RAC MED**

On 1 December 2010, at 10:00 am at the association's office at Via Torino 146, Rome, the Executive Committee met to discuss and decide on

the following agenda:

1. Approval of the minutes of the last two Executive Committee meetings (Marbella and Thessaloniki);
2. Presentation by Mr Buonfiglio of valid candidates for the post of Secretary-General and election of the Secretary-General by secret ballot;
3. Presentation of the financial position at 31.12.2009 and of the balance sheet presented to the European Commission;
4. Updated list of RAC MED members, payment status of 2010 dues, new membership applications;
5. As part of the application for operational funding for RAC MED for 2011, reviewing the draft 2011 Work Programme and the 2011 budget, choice of venue and date of the next General Assembly.

The following Ladies and Gentlemen were present at the indicated place and time: Gilberto Ferrari; Giampaolo Buonfiglio; Ioannis Bountoukos; Antonio Angotti; Edouard Pages; Antonio Marzoa Dopico; Maria Papadopoulou; Snezana Levstik; Gemma Quilez; Didier de Vandeul; Manuel Liberti; José Manuel Gil de Bernabé; José Maria Gallart; Antonio Pucillo; Mourad Kahoul; Francisca Martinez; Erika Monnati; Marina Illuminati; Isabelle Viallon; Encarnacion Benito Revuelta; Guillaume Barron; Apostolos Karagiannakos; Isabella Verardi; Elisabetta Giannocari; Eusebi Esgleas



Pares; Jorge Campos Ucles; Mario Vizcarro Gianni; Jérémie Corre, Psarou Kleio; Clothilde Guyot; Aurélie Dessen; Gianfranco Santolini.

The presence of the participants is also evidenced by attendance sheets signed by all participants. The attendance sheets will be kept in the archives.

Mr Mourad Kahoul chaired the meeting, with Ms Erika Monnati acting as secretary. Mr Kahoul then proceeded to review the agenda.

He opened the session and welcomed participants before proceeding to the approval of the agenda.

Item I: Approval of the minutes of the last two Executive Committee meetings (Marbella and Thessaloniki);

Regarding the minutes of the Marbella Executive Committee meeting, Ms Papadopoulou suggested amending, in item 12, the Greek version by the following: *"Regarding the letter sent by Mr Dimitris Kotzorgios of the Greek organization Hellenic Fishermen Confederation, Ms Papadopoulou was invited to read it, in the absence of the representative. In its letter, the Hellenic Fishermen Confederation deplored the lack of information both on the content of the management plan submitted by the competent Greek bodies to the European Commission, and on the objection raised by the Hellenic Fishermen Confederation to this plan"*. No further details having been given on this subject, the minutes of the Marbella Comex were approved.

Regarding the minutes of the Thessaloniki Executive Committee meeting, Mr Gil de Bernabé requested the floor to clarify three points. The first related to item 2: on the absence of the WWF, he wanted the minutes to indicate that the EC stated that this draft position could not be adopted due to the absence of the WWF. The second related to item 5: the passage where it says that the FNCP 'attempted to pay' should be rephrased as follows: *"it paid, but on a wrong account because, due to administrative problems, a wrong account number had been provided"*. Finally, in paragraph 7, it should be made clear that it was Mr Buonfiglio who briefed the European Parliament on the position adopted by the RAC in Marbella.

Regarding the absence of the WWF, Ms Viallon, speaking on behalf of the EC, reaffirmed that positions are adopted by a majority of members present. However, Mr Buonfiglio reminded those present that probably a notice of



meeting had not been sent, which is why, exceptionally, one week's written procedure had been granted to enable this organization to update the Greek translation and take note of any opposition.

After officially noting the exceptional nature of the written consultation and recalling the importance of adopting positions by a majority of those present, the minutes of the Thessaloniki meeting were approved.

Before moving to the next item on the agenda, Ms Levstik asked to present the situation of Slovenia's management plans to complete the picture presented the day before in the working group. On the situation in Slovenia, Ms Levstik reported that the number of interventions and investments needed in the ports was high. The Slovenian management plan had been presented and already confirmed by the European Commission and the STECF in 2008. Slovenia's priority was nevertheless to try and extend the management plan to include also provisions on fishing gear. This request had also been accepted by the European Commission but with the request to complete them. The delegate of the organization KGZS propose to publish all management plans on the Med RAC website. This would make it possible to see whether there is a provision for derogations, which in the case of the first management plan presented, concerned purse seines.

Item II: Presentation by Mr Buonfiglio of valid candidates for the post of Secretary-General and election by secret ballot.

Mr Buonfiglio reminded delegates that a first selection of candidates had already been presented in Marbella, but without result, as the Executive Committee had been unable to reach a consensus on any one candidate. As mandated by the General Assembly, it had therefore been decided to reopen the selection process. In this new selection process, several factors had been taken into consideration: knowledge of languages, diplomas, experience in the sector, number of publications. The four candidates who, after two selection rounds, had scored highest against the criteria considered, had been invited to come and present themselves her to the Executive Committee.

After briefly reviewing each candidate's curriculum, MM and Mss Alessandro Buzzi, Rosa Caggiano, Sara Fioravanti and Benoît Guérin were invited to present themselves.

In the first secret ballot, Mr Guerin and Ms Caggiano received the most votes, after the second round it was Ms



Caggiano who was elected Secretary-General with nine votes against five for Mr Guerin.

Ms Caggiano thanked all members for their confidence and repeated her desire to work for and commit to RAC MED and hoped that she would come up to expectations. The President, Mr Kahoul, once again indicated that the selection process had been very difficult in the light of the candidates' excellent profiles and their levels of professional experience. The President congratulated the new Secretary-General and welcomed her, expressing the hope that she would have the desire and opportunity to make known the reality of the Mediterranean countries outside the area.

Mr Gil de Bernabé moved that Mr Guerin be reimbursed for his travel expenses, at least for one of his two journeys to Rome, Mr Guerin being the only candidate to reside outside Italy. Ms Viallon confirmed that this would be possible if there was still money left under the 'missions' heading

Item III: Presentation of the financial position at 31.12.2009 and of the balance sheet presented to the European

Commission

The Chairman gave the floor to Ms Martinez, coordinator of the MED CCR, who presented the 2009 balance sheet. With regard to income, Ms Martinez stressed that at the Marbella meeting the Committee had reviewed the budget and the payment status of membership dues. However, the fact that certain Member States and organizations had not yet paid their dues made it difficult to close the accounts. It had therefore been decided to set 30 September 2010 as the final deadline for the regularization of payments of dues and to exclude those who had not regularized their situation by then. On the expenditure side, the auditor's examination had found that some expenses were not eligible but could nevertheless be covered by an ad hoc transfer.

This last point led to some confusion in terms of revenue management and the operation of the European Commission funding. This led Ms Martinez to remind delegates that the maximum funding of 250,000 euros to be paid by the European Commission was justified if CCR MED spent 100% of its resources, as provided in the budget, otherwise the grant would have to be adjusted.

Ms Martinez also informed the Executive Committee of the 2010 budget adjustments. The 2010 balance sheet, in



fact, differs considerably from the budget, the President's travel costs being much higher than expected. With the appointment of the Secretary-General not finalized during the first part of the year, the President had had to make a number of unforeseen trips for administrative reasons and for the different selection procedures.

Mr Buonfiglio said that the high level of expenditure was due not only to the lack of effective internal staff at the RAC MED, forcing it to make use of external consultants, but also the high number of meetings and working groups (five in one year).

Mr Gil de Bernabé also stressed that the function of the RAC MED President should also be representative and it was therefore necessary to provide a representation allowance for the President's participation in various seminars and meetings. He suggested providing additional compensation if the per diem allowance provided by the European Commission was not sufficient to cover costs.

Ms Viallon in reply stated that the President payment of compensations has to follow the tender's rules.

Item IV: Updated list of RAC MED members, payment status of 2010 dues, new membership applications

Following the procedure set in Marbella, i.e. to wait until 30 September for the regulation of contributions, 21 organizations were currently effective members of RAC MED, as shown in Annex 2. Twelve former RAC MED had been excluded for failing to settle their dues. Meanwhile, however, nine applications for membership had come in. For new memberships, under the rules approved by the General Assembly in Marbella, it had been requested that the competent ministries confirm the existence of each of them and their representative nature at sector level, on the understanding that, in the absence of any indication, the rule of tacit consent prevailed. The new organizations would be convened shortly to attend the 2011 Annual General Meeting.

Mr Gil de Bernabé said that to ensure that applications for new membership would not be subject to legal reservations, the FNCP had requested that the following information be obtained for each new organization: size of the association, number of boats and places of activity. Insofar as membership of a large number of organizations of minor importance or small size could unbalance RAC MED, he considered this information to be of fundamental importance and that, in this case the FNCP could consider swapping its own membership for that of its various



component organizations. In this context he asked whether, in the case of the 'Asociación Nacional del Cerco', the number of 60 members represented 60 organizations or, simply, 60 boats. If this association, with just 60 boats, were to be accepted, there would be no grounds to refuse any other organization. It was therefore necessary to ask what was RAC MED's desired objective: to be more numerous or to be representative?

Mr Buontoukos of Pepma, participating for the first time since his appointment to head Pepma's work with RAC MED, also made a reservation on the admission to RAC MED of the organization Archipelagos, in its capacity of maritime research and protection institute.

Mr Ferrari, representing Federcoopesca, shared Mr Gil de Bernabé's objections and expressed reservations as to the rule of tacit consent. There should be a more detailed evaluation by the ministry, or one should at least wait to receive comments on this subject. Indeed, the rule of tacit consent had certain limits as it could happen that, due to accumulated work delays, the competent ministry office had simply had not had the time to consider the application within the deadline. Mr Buonfiglio pointed out that Council Decision **2004/585/EC** does not provide any criterion of discrimination or representativeness to be adopted. Ms Viallon expressed her concern about the positions taken by some members and the objections to the admission of new members. She invited members to stick to the rules established by RAC MED and considered the rule of tacit consent to be valid. On the assessment of applications for membership Ms Levstik proposed that they should in any case wait for a response from the competent authorities and thereafter change the rule of tacit consent. Mr Santolini suggested further making sure that the candidate organization did not already belong to another organization already affiliated with RAC MED. Ms Benito, representing the Spanish Ministry, asked for the floor to clarify that considered that there are not representativeness percentage criteria necessary to become RAC member, the Spanish Administration recognised the representativeness of the associations that have a statute and are representative of a segment of the sector. This is the case of the "Asociación Nacional de Cerco" because of his statute and that it is usually invited to participate at the meetings of the fishery sector. Knowing of any limits or criteria underpinning the notion of 'representativeness' could also be useful for administrations when required to give their decisions.



Mr Buonfiglio proposed that they accept in any event applications from organizations for which no legal reservation had been made. It was therefore decided to invite the following organizations to the next General Assembly: Penelope Aktea, AMOP and Big Game Italia. In contrast, legal reservations were expressed in respect of Archipelagos, Anapi Pesca, IveaEmpa, Asociación Nacional de Cerco, APPCCR and Etang de Berre.

Mr Buonfiglio confirmed that the rule of tacit consent had been decided by RAC MED itself to avoid the waiting for a replies leading to long periods of inaction and delay. Given the legal reservations expressed against certain organizations and since the RAC MED statutes do not provide criteria for who gets to be admitted and who does not, Mr Buonfiglio proposed that an application for a definitive opinion on this point be drafted and sent to the Commission. The Executive Committee approved this proposal.

Item V: Review of draft 2011 Work Programme and 2011 budget, choice of venue and date of next General Assembly

On the question of the 2011 work program and working groups, Mr Ferrari suggested a working group devoted to bluefin tuna in the Mediterranean. M. Dopico suggested setting up a working group on the subject of monitoring in collaboration with the Marseilles group.

To limit the costs of organizing meetings, Ms Martinez moved to organize working group meetings immediately before or after Executive Committee or General Assembly meetings, so as to also reduce participants' travel costs.

Regarding the President, Mr Kahoul, it was decided to institute an annual allowance to meet the costs of presenting RAC MED. Ms Martinez reminded those present that for contracts of more than 5000 euro it was necessary to follow the tendering procedure recommended by the European Commission. Mr Ferrari and Mr Devandeul both expressed their agreement on the compensation awarded to the President and on the procedure.

Mr Marzo Dopico proposed organizing the working groups by homogeneous linguistic groups to reduce interpretation costs. As for the topics covered by the working groups, Mr Devandeul also proposed paying special attention to the themes of traceability and of the CFP reform that the European Commission was due to present in spring 2011.



Mr Santolini invited all members to hold the next General Assembly in Rimini, during the second week of February, between 19 and 22 February, parallel with the fishery products fair being held at the same time, in order to take advantage, for the RAC MED meeting, of the discounts and promotions on offer at this time. The Executive Committee members agreed.

The agenda having been completed, the President thanked all participants for their cooperation, especially Mr Buonfiglio for the goodwill he had shown in acting, free of charge, as General Secretary *pro tempore*. He also thanked Ms Martinez, for her commitment in coordinating RAC MED, and the secretary for the organization and interpreters.

After that, there being nothing more to discuss and nobody wishing to speak, the meeting adjourned at 17:00.

