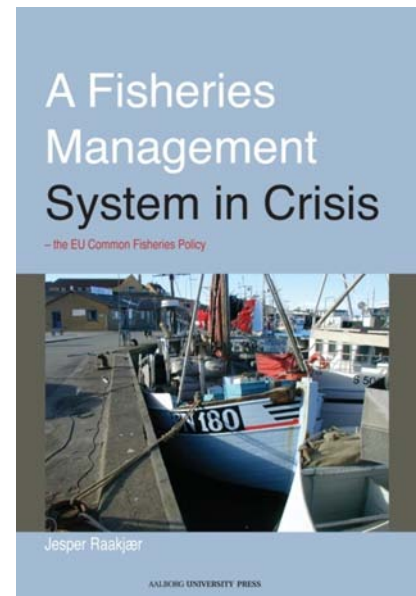


Governance and regional issues

Jesper Raakjær
Professor and Head of Centre

IFM
Department of Development and Planning
Aalborg University



Outline of the Presentation

1. What is regionalisation? and why!
2. Regionalisation and the CFP reform process
3. Regionalisation as an approach to foster more responsible management and avoid the micro-management trap
4. Different models/options for structuring regionalisation emerging from our research

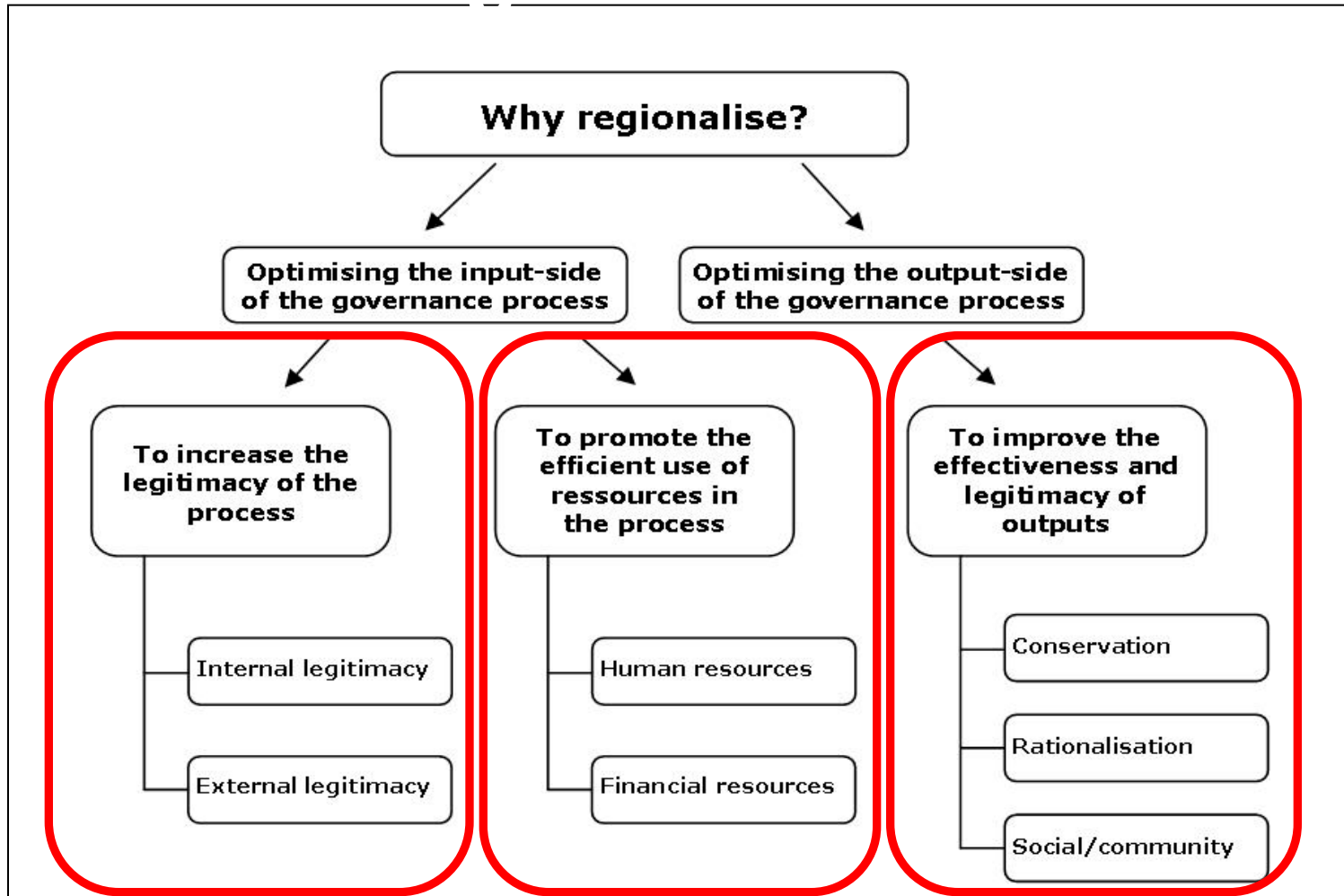


What is regionalisation:

- Regionalisation features potentially two elements: the ‘moving down’ and the ‘moving out’ of fisheries management and decision-making authorities currently held by the central level EU institutions.
- ‘Moving down’ refers to the fact that regionalisation responds to the concern of the limited efficiency and effectiveness of the CFP by relieving the central EU level institutions of tasks by **enabling lower level authorities to step in and design more tailor-made management for particular seas/fisheries.**
- ‘Moving out’ refers to the potential of regionalisation leading to **increased involvement of stakeholders** in the fisheries management process by **transferring authorities from pure public institutions to public-private cooperative institutions** or the fisheries sector itself.



Practical reasons to regionalise the CFP



Main themes of the CFP discussion on regionalisation

<p>The sub-discussion of <i>where</i> to regionalise to</p>	<p>This sub-discussion has primarily been about the relative importance of different geographical levels in a perceived politico-administrative hierarchy of the CFP</p>
<p>The sub-discussion of <i>whom</i> to regionalise to</p>	<p>This has primarily been a discussion of the extent to which stakeholders should be involved in the fisheries management process of the CFP or merely subject to it</p>
<p>The sub-discussion of <i>what</i> to regionalise</p>	<p>This sub-discussion has mainly evolved around what tasks that need to be kept at a central level within the CFP and which can be dispersed</p>



Whom to involve and how?

- *Top-down hierarchical management by the state*: where mechanisms for dialogue with users and stakeholders exist,
- *Co-management by consultation*: where extensive formal mechanisms for consultation (and feedback on use of recommendations) with users and stakeholders exist
- *Co-management by partnership*: where EU/national governments, users, and stakeholders cooperate as decision-making partners in various aspects of management;
- *Co-management by delegation*: where EU/national governments have devolved de facto decision-making power to users and stakeholders in relation to various aspects of fisheries management;
- *Industry self-management with reversal of the burden of proof*: where government has devolved wide-ranging management authority to users, who must demonstrate that management decisions are in accordance with the given mandate.



Regionalisation and the CFP reform

- The CFP presently faces the most important challenge of its thirty years history.
- The reform needs to secure sustainable fisheries and ensure long term viability for the European fishing/processing industries and fisheries dependent regions.
- The reform needs to break with past path-dependency and challenge some of the deeply embedded assumptions concerning fisheries policy and embrace fundamental transformational change in the governance structure.
- The CFP must set out the common aims and objectives, but should provide provision for transferring responsibility for much of the detailed management to the regions and the industry.
- This is not a simple task, but regionalising of the CFP through a geographical framework synonymous with the major marine ecosystems of the European seas should be an essential element of the reform process



Regionalisation and the CFP reform (2)

- Looking only on the proposal for a new basic regulation (425) the future of regionalisation in a reformed CFP appears very bleak.
- Looking at the accompanying communication (417) we might remain some hope that genuine regionalisation will be included in the CFP reform.
- The open question is how this will be materialised - moving from the nice words to true action - and particular in a situation, where the required action is not backed by the proposed new basic regulation.
- Even back to the Green Paper - the Commission has been extremely weak in providing directions on how regionalisation can be shaped in practise and reluctant in regulatory text to promote or even encourage regionalisation.



Regionalisation and the CFP reform (3)

- We lack examples on how fisheries management and decision-making authorities can be transferred from the central to the regional level and ensure a higher degree of stakeholder involvement by creating partnerships rather than the present consultative co-management arrangement.
- Furthermore, we need to know how to prepare the fisheries domain in practice to move towards ecosystem-based management and ensure policy integration - fisheries with environmental (MSFD and HD) and maritime policies (IMP) all calling for regionalisation.



Regionalisation as an approach to foster more responsible management and avoid the micro-management trap

Need to develop a package having an inbuilt hierarchy—a funnel approach to representation and level of co-management

- EU level institutions **sets clear principles and long-term objectives**, e.g. fisheries should be sustainable (biological, economic and social), stocks exploited at MSY level and discarding of fish are unacceptable.
 - *Co-management by consultation*: where extensive formal mechanisms for consultation (and feedback on use of recommendations) with users and stakeholders exist, but all decisions are taken by EU/member states
- Regional level **develops implementation plans and guidelines tailored to regional conditions**, which must demonstrate to EU that implementation plans are in accordance to principles and long-term objectives
 - *Co-management by partnership*: where regional member states, stakeholders and users cooperate in developing implementation plans
 - *Co-management by consultation (enhanced involvement of stakeholders)*



Regionalisation as an approach to foster more responsible management and avoid the micro-management trap (2)

- **Result-based management** to make implementation plans into realities and users/industry more accountable
 - Industry self-management with reversal of the burden of proof: where regional member states devolve practical implementation to users/industry, who must demonstrate to EU/regional member states that fishing, is conducted in accordance to the regional implementation plans.



The options suggested developed through WP 4-7

Aim of the governance research within MEFEPO:

To support the transition towards an ecosystem approach to the management of European marine fisheries by **identifying how the overarching institutional framework needs to be modified.**

WP 4

Jesper Raakjær

Professor, PhD, DSc

E-mail: jr@ifm.aau.dk

Troels Jacob Hegland

PhD Fellow, MSc

E-mail: tjh@ifm.aau.dk

Kristen Ounanian

PhD Fellow, BSc

E-mail: kristen@ifm.aau.dk

More:

www.liv.ac.uk/marinebiology/mefepo.html



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“Consultation” Methods

- Observations (2009)
 - 4 RAC meetings and 4 conferences with regionalisation on the agenda
- Key-informant interviews
 - 20 interviews: 2 researchers, 5 managers, 3 policy-makers, 10 stakeholders (8 of which were from the fishing industry)
- Study of Documents
 - Relevant documents on CFP reform, incl. selected position papers submitted in connection with the consultation on the 2009 Green Paper
- Survey
 - 139 respondents (41%) from a population of 329 participants in selected RAC meetings held in 2009 (Pelagic, North Sea, NWW, SWW)
- MEFEPO Stakeholder workshops (Dublin, November 2010 and Harlem, April 2011)
 - 2 workshops with stakeholders have been conducted to discuss and elaborate regionalisation models



Different models/options for structuring regionalisation emerging from our research

From literature review, key-informant interviews and survey:

1. Co-operative Member State Councils (a love and hate model)
2. Regional Fisheries (Co-) Management Organisations (preferred by most stakeholders)

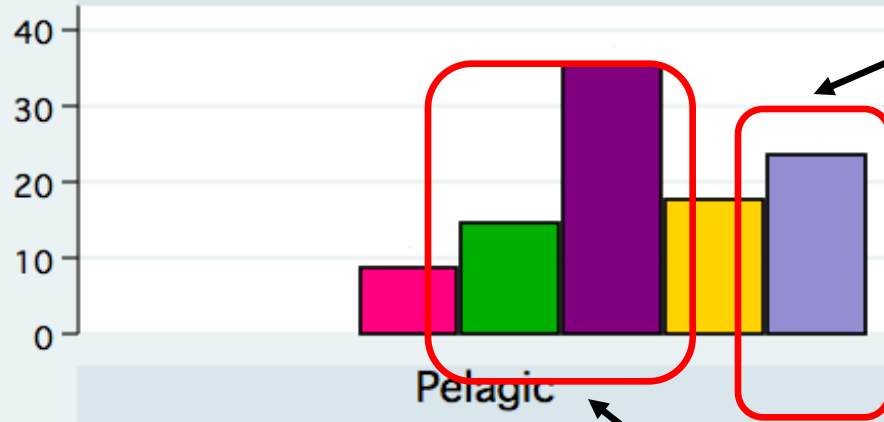
Developed based on 1 & 2 at workshops with stakeholders:

3. Decentralised Fisheries Management Board



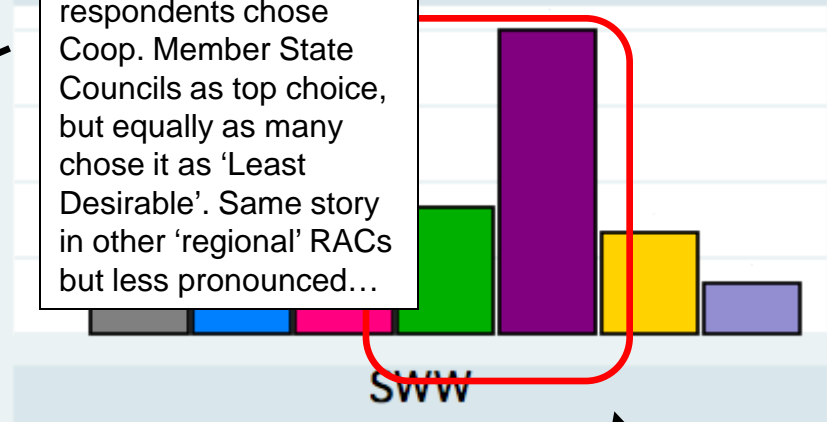
Percentage within the RAC

North Sea

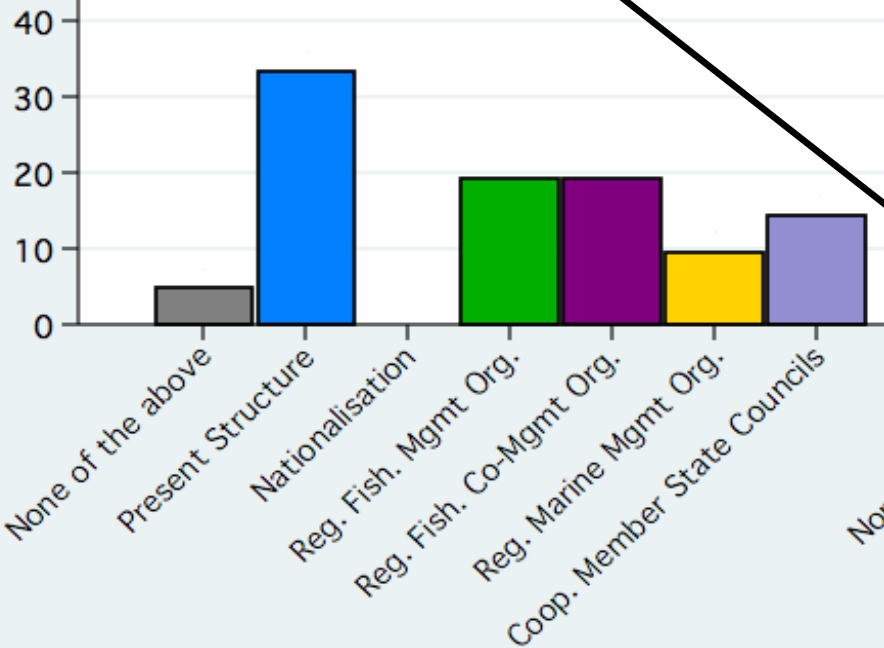


25% of North Sea respondents chose Coop. Member State Councils as top choice, but equally as many chose it as 'Least Desirable'. Same story in other 'regional' RACs but less pronounced...

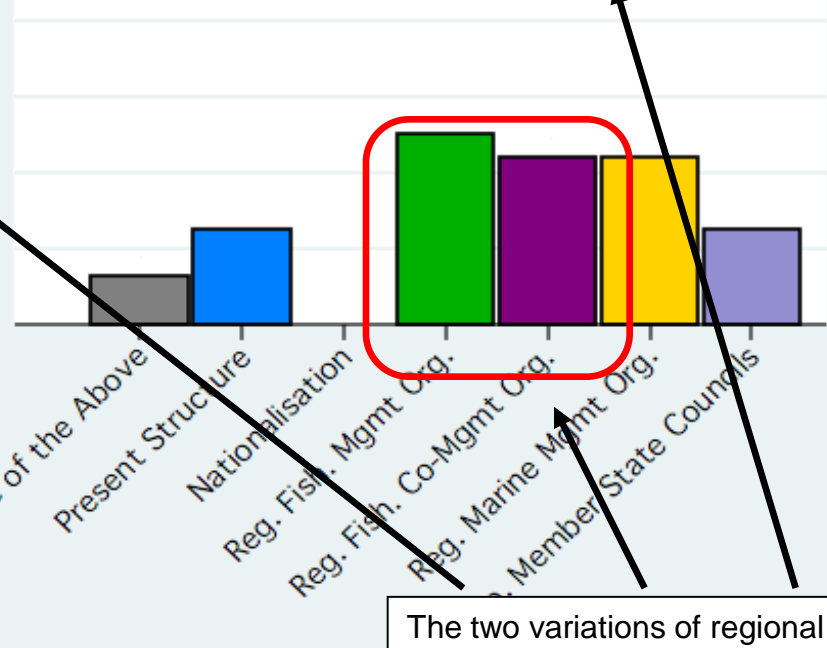
NW



Pelagic



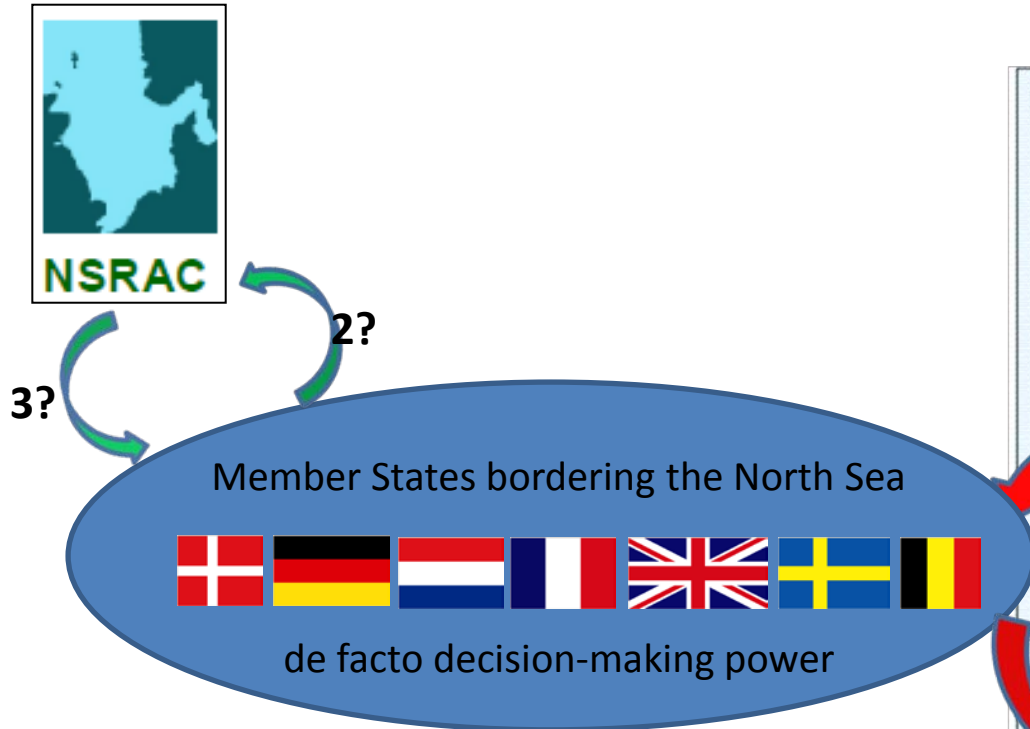
SWW



Top Choice Model by RAC

The two variations of regional fisheries organisation models scored relatively high in all 'regional' RACs—in particular the co-management solution

”Cooperative Member State Councils” Mini Council (ex. North Sea)



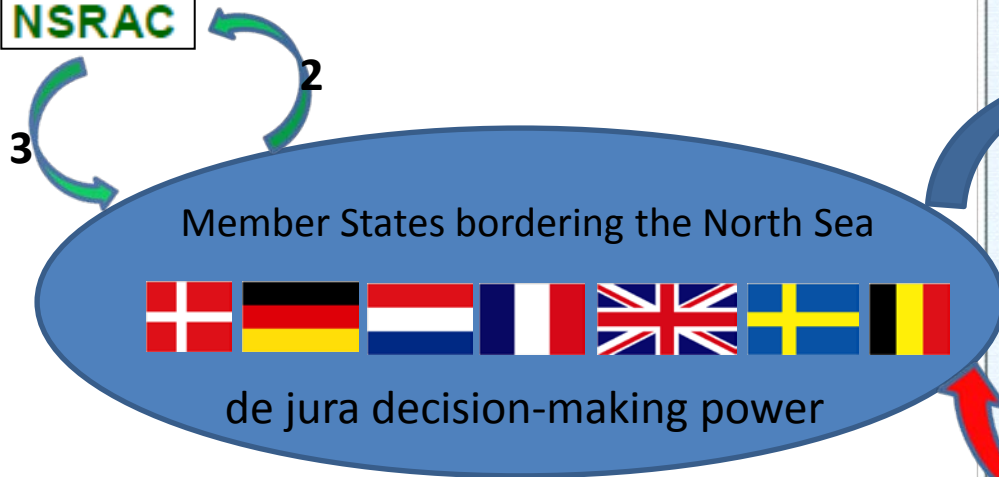
Existing examples with similarities to this model: Baltfish (Baltic Sea) and Scheveningen group (North Sea), but for both these examples there is no formal RAC input

Cooperative Member State Councils

- The institutional structure and formal distribution of powers remains largely unchanged
- **Voluntary agreements, soft law and *de facto* authorities based on quality of input** rather than *de jure* authority to take decisions
- MS with fishing interests in a regional sea area establish CMS councils to deal with fisheries management issues specific to that area
- The CMS councils forward their recommendations for formal approval to the overall EU Fisheries Council
- The RAC would in most cases advice the mini-council rather than the central EU institutions.
- The exact extent to which stakeholders' input is given weight in the recommendations is up to each CMS council
- *The Cooperative Member State Council* model allows the regions to calibrate the model to their situation.
- This model rests on one side on providing a high degree of flexibility within the present structures, but on the other hand this freedom comes at the expense of its scope as this family of models rests on voluntary agreements, soft law and *de facto* authorities based on quality of input rather than *de jure* authority to take decisions.



Regional Fisheries Management Organisations (ex. North Sea)



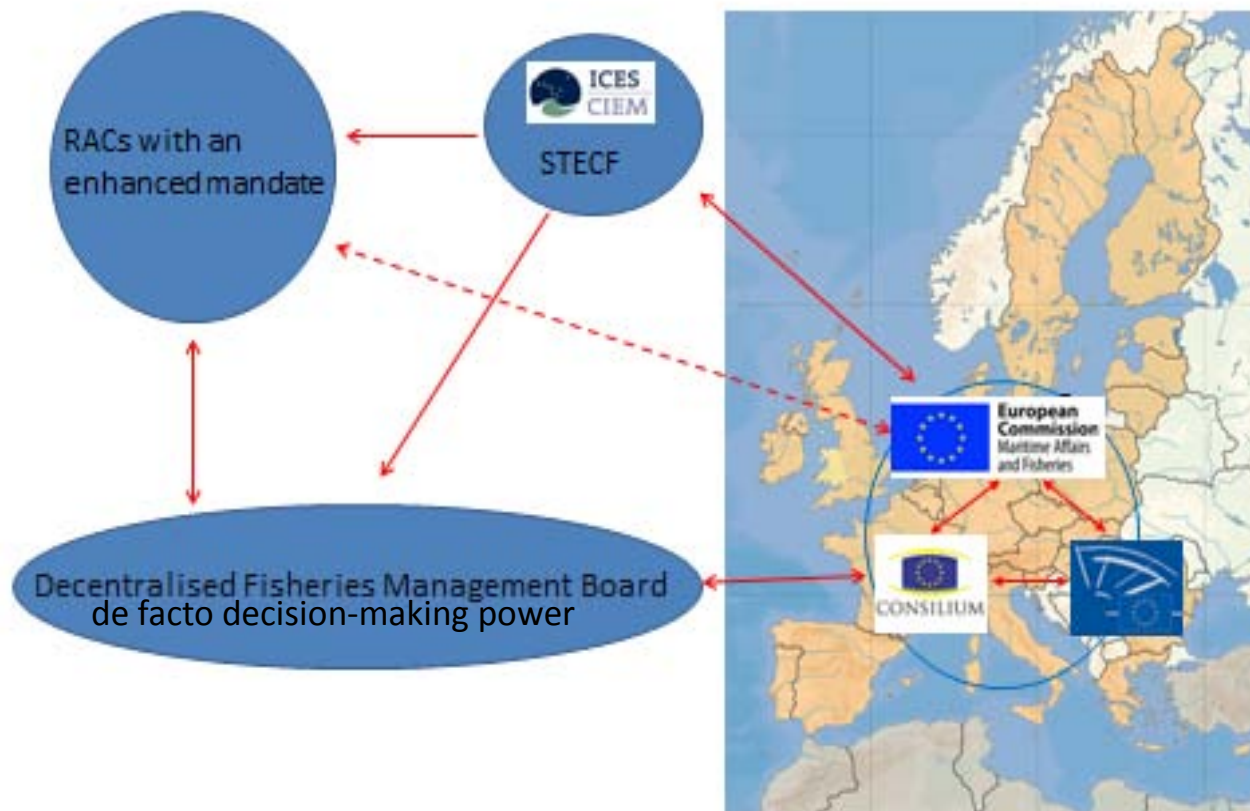
Similarity with Regional Fishery Management Councils in the US, which have been in existence for more than 40 years. These Councils are co-management bodies made up of state officials, stakeholders, and one federal official.

Regional Fisheries Management Organisations

- Member states are given wide authority for fisheries conservation in a specific area.
- **A general framework for regional approaches will be provided by the central EU institutions.**
- The stakeholders' input will continue to be channelled through the RAC; however, the RAC would in most cases advise the RFMO rather than the central EU institutions.
- A variant of the RFMO can be to establish ***Regional Fisheries Co-Management Organisations (RFcoMO) providing for direct stakeholder participation*** similar to the US model.
- In the RFcoMO model, stakeholders can be given a more prominent role, thus moving the system to 'co-management by partnership'.



Decentralised Fisheries Management Board



The role of the DFMB


- DFMB would address fisheries management issues specific to their geographic area, fisheries or stocks.
- MS with fishing interests in a regional sea or migratory stocks would become members of the respective DFMB.
- **The mandate of the DFMBs would be to draft implementation strategies,** including long term management plans (LTMPs) and thus become *de facto* involved in drafting proposals. and would provide (R)ACs with an enhanced mandate to be involved in the decision-making process and create incentives for tailor-made management to suit regional needs.
- The DFMB model would allow each region to calibrate the model to their situation, providing a high degree of flexibility within the present structures despite based on *de facto* delegation of authority.
- The exact extent to which stakeholders' input is given weight in the recommendations is up to each regional DFMB of the on a case-by-case basis.
- **The Commission will remain the approving authority and will be responsible for auditing** that existing, proposed and future plans are implemented in accordance to the principles and long-term objectives that have been decided by the EU.



The role of the enhanced RAC

- **Enhanced (R)ACs will become a working group for DFMB,** and indirectly to the Commission, and provide input to and suggestions for implementation strategies including LTMPs.
- Enhanced (R)ACs will identify and put forward requests for provision and improvement of scientific advice. In most cases, the enhanced (R)ACs will advise the DFMBs rather than the central EU institutions.
- **Representatives of the (R)ACs will be granted 3 observer seats at DFMBs:** the (R)AC chair and two others from the RAC maintaining the present 2-1 balance between industries and NGOs.





**Thank you for the attention and
time for questions!**