

“What might ‘regionalisation’ of the CFP mean in practice for the Mediterranean Sea?”

14:30-17:00, 19th April 2012

Summary

A workshop was held with RACMED members on 19th April in Marseille to discuss the regionalisation of fisheries management, facilitated by the GAP2 project. The RACMED are keen to explore the options for achieving regionalisation of fisheries management during this reform of the Common Fisheries Policy (CFP). The RACMED agree that a regionalised approach in the Mediterranean could work if the right kind of model and consensus is found, involving all the Member States in the region. The RACMED would like to see the following:

- The role of the RACMED expanded
- All Member States in the Mediterranean Sea represented on the RACMED
- Increased representation on the RACMED from different sectors i.e. unions, scientists and researchers
- A stronger relationship with the GFCM (General Fisheries Commission for the Mediterranean)

Further development of a workable model of regionalisation is required within the restrictions of the current legislative framework but there appears to be potential to move fisheries management in the Mediterranean towards a more beneficial regionalised approach whilst allowing for more development of the concept under a new CFP.

In light of these discussions the RACMED hope to produce an opinion paper on regionalisation to submit to the Commission, to show their emerging thinking.

INTRODUCTION

Purpose of the discussions in the RACMED

In the recent non paper from the Commission on CFP reform process it has been specified that the EU would like to move away from micro management at a Union level, and to ensure that the rules are adapted to the specificities of each fishery and sea area (“region”).

From this non-paper and subsequent discussion in various fora, including the European Parliament¹, there seems to be commitment from the Commission to move towards a co-management approach, through regionalisation. There is unanimous support from the Regional Advisory Councils that this process should start now², and recognition that while regionalisation of the CFP will not be a one size fits all solution, it is an important opportunity to establish the governance structures and implementation approaches that encourage long-term sustainable management of fisheries.

The issue of regionalisation is thus an important issue that remains unclear despite its far reaching consequences to how EU fisheries are managed. The purpose of this discussion was to help the RACMED develop its thinking on what regionalisation of the CFP might mean in practice for the Mediterranean Sea region.

OUTCOMES OF THE DISCUSSION

Incentives and expectations of the RACMED to deliver a regionalised approach

The RACMED has already said that it prefers a bottom up approach to fisheries management with strong participation from stakeholders. The RACMED is however disappointed that the Commission non- paper didn’t take into account the intensions made in the Green Paper. There has been a lack of correspondence over regionalisation due to other problems raised by the Commission i.e. the Lisbon Treaty does not allow a decentralisation process where decisions can be fully devolved to Member States and hence the Commission has become limited in its ability to give clear direction. The regulation mechanism therefore needs to be

¹ <http://www.europarl.europa.eu/committees/en/PECH/events.html>

² http://www.nwwrac.org/admin/publication/upload/InterRAC_Common_Position_Paper_Regionalisation_21_March2012_EN.pdf

improved and elaborated. The mechanism proposed is that for areas/regions the Commission will draw up technical measures which the Member States will be entrusted to implement within a deadline. If this does not happen then the Commission will be given back its powers through delegated acts.

What model of regionalisation might work for the RACMED?

The Commission's non-paper indicates that Member States with fishery interests in a region should work together to develop plans for 'regionalisation'. To facilitate discussion, GAP2 partners presented two credible candidate models³ as follows:

1. Cooperative Member State Councils ("Mini-Councils")

- Institutional structures and formal distribution of powers largely unchanged
- MS establish mini-councils to deal with fishery issues in region
- Mini-councils forward recommendations for approval by EC Fisheries Council
- RAC advise mini-council rather than EU central institution
- Mini-council decides on weight given to stakeholders input on case-by-case basis.

or

2. Regional Fisheries Management Organisations (RFMO)

- MS given wide authority for fisheries conservation but must establish regional fisheries management organisations
- EU provides general framework for regional approach
- RFMO deals with regional fishery issues
- RACs channel the stakeholders input, advising RFMO rather than EU centrally
- Weight of stakeholder input to decision making decided by RFMO on case-by-case basis

These two models suggest establishing either a mini-council or a RFMO as the platform for discussion and formulation of a regional management plan. The discussions at the RACMED then went on to analyse how the current RACMED structure might integrate into these newly formed bodies or how a new RACMED model might be better equipped to carry out the functions required.

Ideally the RAC would like to see all administrations represented at the meetings so it can act as a co-ordinating/consulting body. This would mean that the RAC could be a forum for regionalisation and therefore no new councils would need to be formed.

³ These models emerged from discussions held with the North Sea, Pelagic, Northwest Waters and Southwest Waters RACs under the MEFEP0 project and recent developments. http://www.liv.ac.uk/mefepo/reports-and-outputs/wp4_reports_and_outputs/

As fisheries directors already sit on the GFCM (so already have a mini-council in effect), then it maybe the case that the working relationship with GFCM should be made stronger, instead of just the MOU that the RACMED currently have with them. The RACMED considered encouraging stronger involvement regional EU Member States in the RAC but should also look at extending the invite to GFCM when there is a need to include non EU Member States in the discussions. With more Ministries on board, the RACMED will have a greater capacity to respond.

Questions arising from discussion where further thinking is required

1. Is a mini-council or RFMO the right name for such a platform for regional management?
2. Where would the GFCM sit in the framework/model proposed?
3. Would it involve all the Member States of a region or just those involved in the fishery?
4. What would be the funding streams for such new models (bearing in mind the new EMFF)?

Potential issues that would need to be resolved with an extended role of the RACMED

- **Not all the Ministries currently take part in the RACMED meetings (all apart from the French Ministry)** - considering there are 7 Member States involved in the RACMED (in the future 8 with Croatia) this is a major issue. If it is possible in the future to secure all Member State representation at the RACMED, then the RACMED feels it would also be necessary to increase representation across the board i.e. unions, scientists and researchers.
- **The RAC would not want to see a proliferation of further working groups** due to this extended role however, as this would mean additional expenditure as well an increase in the complexity of the regionalization process.
- **A change to the statute of the RACs** to encompass a bigger representation/role to make the existing body better and bolster scientific input.
- **The funding scheme should be revised** in order to allow the RACMED to act efficiently in this new context.

Conclusion

There is a possibility that a very extended RAC may make it difficult to reach consensus or make decisions. However if the reformed CFP is requiring regionalisation and the RACs wish to input into the way the fisheries are managed and assessed, then they must look towards extending representation within the RAC i.e. to scientists, especially considering RACs will need to develop multi-annual plans and therefore will need to involve more scientific input.

There is no easy legal solution to the limitations imposed by the Lisbon Treaty so an agreed approach somewhere in the middle of giving lots of power to mini—councils or RFMOs needs to be found, and creative solutions are required. The RACMED are keen to explore further options and development of the regionalisation models.
