



## **COMMON POSITION ON THE ROLE OF THE RACs IN THE FUTURE CFP REFORM**

### **European Parliament Public Hearing on Regionalisation**

### **Brussels, 21 March 2012**

#### **INTRODUCTION**

On behalf of the seven Regional Advisory Councils or RACs, I would like to thank the European Parliament for extending this invitation to address the issue of regionalisation in the context of future CFP reform.

Of the seven Regional Advisory Councils, five are based on the geographical regions of the Baltic Sea, North Sea, North Western Waters, South Western Waters and Mediterranean; one is based on Pelagic Stocks; and one focuses on High Seas and Long Distance fleets working in International waters. Furthermore, it is worthy to note that many RACs have a remit that sometimes goes beyond EU waters, and as a result of this they must participate in international organizations and establish contacts in their area of influence.

I have the honour to present the common views of six RACs in relation to regionalisation. I will also present later some divergent views from the Pelagic RAC, given their specific situation in relation to this matter. Several of my fellow RAC chairmen are attending this hearing as observers and will be available to provide further insight on their respective RAC positions, should this be necessary.

The Commission's Green Paper on the Reform of the Common Fisheries Policy (CFP) [COM (2009)163 final] acknowledged the fact that the current CFP has failed to address the core structural problems that are at the heart of European fisheries.

As a consequence, the current CFP has failed to achieve the sustainable management of fish stocks from environmental, economic and social perspectives, although it is acknowledged that the situation is improving for some stocks. The Commission has also recognised that one of the reasons for this shortcoming is an over-centralised and unresponsive "top-down" decision-making process relying on micro-management by the European institutions.

We are now facing a unique opportunity to put an end to this dysfunctional situation. The solution, however, requires us all to take an ambitious approach to the problem.

It is clear that existing "command and control" rules have been ineffective and that a more participatory approach is needed. It is also clear that the involvement of all relevant parties will be essential, in line with the principles of good governance and transparency of decision-making.

The idea of "bringing decisions closer to the grassroots" as advocated in the proposed *Basic Regulation* is key to finding management solutions that are tailored to the specificities of regional areas, sea basins or specific fisheries.



The Commission's non-paper on Regionalisation, released last December, provided a very brief outline of the future role of different legislative management bodies and the engagement of the Advisory Councils in the management process.

The generic nature of this document, however, means that it does not intend to provide any specific proposals or definitions on how this will be achieved. Our main challenge, therefore, is to define an agreed process that allows a decentralised system to take effect.

Such a process will need to engage all the relevant parties; the Member States, the EU institutions, the RACs, the scientists, NGOs and other stakeholders, from the beginning, to collectively work on the elaboration of proposals such as management plans or technical measures that are in line with the general principles adopted by the EU to deliver sustainable and well-managed fisheries.

Since their creation, the RACs have become an important forum for the exchange of views on strategic issues between stakeholders on a regional and species-based level. The RACs have served to strengthen cooperation, respect and understanding between the fishing industry and other interest groups and have proved to be an effective mechanism for informing Member States and the European Commission of concerns and opinions. The RACs have also become a natural forum for collaboration between scientists and stakeholders and in the last few years have participated as partners in several European projects.

However, what has been achieved so far is only the beginning of a journey and we still have a long way ahead of us. In order to build on the success of the RACs, there is a need to have a clear understanding of the expected role of future Advisory Councils and a realistic framework of financial support for their operation.

Last but not least, it is essential to understand that the seven current RACs, although established by an EU common legislative framework, have been instituted using a number of different national legal mechanisms. As such the RACs have individual characters and have evolved differently to best represent their function and the views and opinions of their members.

This allows for the RACs to hold different views even when dealing with horizontal issues such as the CFP reform.

**In summary, the RACs are of the opinion that the successful future of Advisory Councils is dependent on policy makers, stakeholders and scientists working together to achieve an appropriately decentralised Common Fisheries Policy concurrent with management objectives.**



## COMMON VIEWS

On behalf of all seven Regional Advisory Councils, which I am representing today, with the exception of one dissenting opinion by the Pelagic RAC on the first issue, I would like to inform you of the following common elements which the RACs would like to see included in the reformed CFP:

**1. A less centralised and more transparent decision-making process, with a regional dimension. The regional context is important as a decentralised approach should take into account the specificities and characteristics of individual fisheries.**

The RACs acknowledge that the effectiveness of the RACs as advisory bodies is as much dependent on their own capabilities and the quality of their advice as on the willingness and possibilities of the receivers to follow it. It is thus very relevant to the RACs, how the EU organises its governance system.

In light of this, six RACs are enthusiastically supportive of a less centralised, results-based management CFP that secures a role for all those involved in a given fishery, in a transparent manner.

This can only be achieved through the setting of clear objectives and common criteria at EU level that will be subsequently developed by management bodies convened to address specific topics at sea basin or fishery level. Alternatively the establishment of a new decisional framework for the implementation of legislative measures could be considered.

This will require an innovative process to be set in place in order to develop a new decentralised model for fisheries management which incorporates and defines all the overarching concepts, such as Maximum Sustainable Yield, fishing capacity and the ecosystem approach. Most importantly, it must also have an unambiguous and clearly defined mechanism for the implementation of fisheries management measures.

Decentralization must not lead to new complex bureaucratic structures at a regional level but must enable a more transparent approach to decision making from a regional perspective.

Furthermore, for a decentralised process to work effectively, a formal procedure needs to be set in place beforehand that defines the role of each participant in the process, while allowing flexibility for each management body to decide on its internal procedures and functioning.

If it is assumed that future multi-annual plans will adhere to the general objectives or main elements (e.g. mortality targets) set by the EU institutions, then technical measures such as mesh sizes, minimum landing sizes, marketing sizes, closed seasons and closed areas should be agreed at a regional level through integrated debate with all parties involved.



In exception to the above, the Pelagic RAC is of the opinion that due to the highly migratory nature of the major pelagic stocks, which are jointly exploited with non-EU countries, the pelagic sector should be left out of a decentralisation altogether, or, a separate pelagic entity should be established, on the condition that it would have fully devolved power, e.g. by having a mandate to negotiate with third countries, as it would otherwise merely add another bureaucratic level to an already complex governance system. In addition the Pelagic RAC is totally opposed to the management of pelagic stocks being scattered among or across the remits of several different regional entities.

**2. Future Advisory Councils must have an enhanced advisory role in relation to fisheries issues at sea basin level. Furthermore, advice provided by the Advisory Councils should be given enhanced recognition over individual contributions. This is important as the Advisory Councils represent a wide range of stakeholders and provide evidence-based advice, which recognises the opinions of all its members.**

The RACs are distinct, multi-stakeholder bodies that promote collaborative work between members representing the fishing industry (including small scale fisheries associations), NGOs and other interest groups. They also facilitate and encourage input from Member States and scientists as observers and are particularly keen to involve active members of coastal communities in their debates.

The main aim of the RACs is simply, but significantly, to provide evidence-based advice on fisheries management measures relevant to the geographical scope or operational remit of each RAC.

To ensure that advice produced by the RACs is formally recognised by the EU institutions and Member States as the unified voice of stakeholders, the objective of the RACs is to reach consensus positions whenever possible. Where this is not possible, minority positions are always reflected in RAC advice.

In this context it is extremely important that evidence-based advice provided by the RACs should have such formal recognition from the EU institutions and should take priority over contributions made by individuals or organisations, particularly when expressing a consensus view.

In order to build confidence and transparency into the relationship between the RACs and European Institutions, it is important that the Commission, Council and Parliament, provide regular feedback to the RACs in relation to advice that has been submitted for consideration. Such feedback is essential for the functional improvement of the current RACs and of the future Advisory Councils and should provide the reasoning behind decisions to incorporate or dismiss the recommendations of Advisory Councils.

Last but not least, the RACs would like to see clarification of the role of future Advisory Councils and a definition of their input into different types of consultations launched by the Commission and/or Member States. This should also include the degree of emphasis or weighting given to the advice of Advisory Councils in these consultations.



**3. Regardless of the regional management structure or model, the functions and duties of the RACs or Advisory Councils must be clearly defined in the new CFP regulation.**

There are very clear benefits gained by working through an Advisory Council structure. The RACs have already provided some suggestions about how the functioning and working methodologies could be improved and these are available in supporting documentation annexed to this contribution.

The Advisory Councils have acted on many occasions, in the words of the Commission, as *“brokers of possible deals”* to iron out differences between EU institutions and fishermen affected by legislation. This is a good example of how future Advisory Councils could achieve, evidence-based advice supported by consensus, where possible, on strategic issues.

This level of integration and interaction is essential and will only be achieved by a clear understanding of the function of the Advisory Councils and an explicit definition and recognition of their role. We must manage the expectations of all parties on this important issue.

There is, therefore, a joint responsibility on the Commission, European Parliament and Member States to overcome any constraints, legislative or otherwise, that could hamper the development of an effective form of regional fisheries management with full stakeholder involvement.

**4. RACs need more funding in order to improve their internal functioning and be able to carry out their increased responsibilities and perform their tasks within a reformed CFP;**

The need for increased funding and budget flexibility has been presented by the Inter-RAC group to the Commission on several occasions through exchanges of correspondence and at coordination meetings.

The RACs have based these requests for increased support on the findings contained in the Commission’s Communication on the review of the functioning of the RACs in 2008 [COM(2008)364 final] and a subsequent independent consultants’ report published in 2010, which clearly advocate the provision of additional operational resources.

On this basis the current level of funding should be increased for the RACs in order that they can continue to operate effectively and develop projects or activities beyond their current operational framework, which is currently limited to a number of strategic actions on an annual basis. The RACs must have the financial facility and flexibility within their budgets to be both reactive and pro-active.

The future European Maritime Fisheries Fund (EMFF) should allow for the funding of transnational projects on a regional basis rather than being dependent on individual applications from Member States. This would allow future Advisory Councils to have access to joint projects in partnership with other organisations. The RACs also suggest that the EMFF should contain a *“fast track”* procedure for Advisory Councils to apply for specific resources to develop projects directly related to priority actions such as management plans, technical measures, discards or data deficiencies for stocks assessments.



Whereas the RACs and future Advisory Councils will require multi-annual planning of their activities in relation to the available funding and budget flexibility, they would also like to be involved in the identification of the wider research priorities of the Commission.

Such integration would underpin the development of a more strategic, long-term relationship with the Commission, through the harmonization of multi-annual work programmes with the wider research priorities of the Commission.

**5. To improve coordination and to avoid the duplication of effort and expense, member states and scientists should have a greater involvement in the work of the Advisory Councils.**

The Commission has established a framework for formal cooperation between the RACs, ICES and STECF, which works well.

Significant progress has been made particularly in relation to data poor stocks and the review of Multi-Annual Management Plans in force.

As this work advances there will be a requirement to engage scientific opinion in order to maintain the pace of progress. Improved access to scientific resources is therefore essential for the RACs or future Advisory Councils to underpin the provision of the highest quality input and advice.

It is important that consultations with future Advisory Councils take place at an early stage in the development of fisheries management policy. This will ensure that stakeholder involvement in the elaboration and production of advice is proactive and integrated with Commission thinking. Such engagement will, in turn, foster compliance among end-users and enhance the legitimacy of decisions.

In conclusion, stakeholder engagement through the RACs must remain a critical component of CFP governance, whatever form this finally takes. The work of the RACs has evolved significantly since they were introduced in the last reform of the CFP as capacity and expertise has been built over time and we would like this evolution to continue in the future. In particular, an enhanced and more defined advisory role for the RACs would be welcomed, with adequate and flexible resources made available for the RACs to provide high-quality advice to policy makers.

Regionalisation presents both a challenge with regards to its practical implementation and an opportunity to reflect the diversity of Europe's seas and fisheries. The RACs are ready to meet this challenge and seize the opportunity to improve the effectiveness of the CFP.

On behalf of the seven RACs I would like to thank you once again for the opportunity to address this hearing. We look forward to a close and productive working relationship with the European Parliament in the future.

---END---



## ANNEX I. INDIVIDUAL RAC POSITIONS ON CFP REFORM AND REGIONALISATION

### North Sea RAC – [www.nsrac.org](http://www.nsrac.org)

- Position Paper on CFP Reform (March 2012)
- Statement on Governance (6 July 2010)

<http://www.nsrac.org/wp-content/uploads/2010/08/Statement-on-governance-from-NSRAC-060710.pdf>

- NSRAC Paper on 2012 CFP Reform (23 February 2009)

[http://www.acsfilmmfest.co.uk/nsrac/wp-content/uploads/2009/08/wd20090216\\_NSRAC\\_paper\\_on\\_2012\\_CFP\\_Reform\\_230209.pdf](http://www.acsfilmmfest.co.uk/nsrac/wp-content/uploads/2009/08/wd20090216_NSRAC_paper_on_2012_CFP_Reform_230209.pdf)

### North Western Waters RAC – [www.nwwrac.org](http://www.nwwrac.org)

- NWWRAC Opinion on CFP Reform – Response to Commission’s Framework Regulation on CFP Reform (November 2011)

[http://www.nwwrac.org/admin/publication/upload/NWWRAC\\_Opinion\\_EC\\_Proposal\\_CFP\\_Reform\\_28Nov2011\\_EN.pdf](http://www.nwwrac.org/admin/publication/upload/NWWRAC_Opinion_EC_Proposal_CFP_Reform_28Nov2011_EN.pdf)

- Letter on Funding associated to the role and functioning of the RACs in a Reformed CFP (April 2011)

[http://www.nwwrac.org/admin/publication/upload/NWWRAC\\_Letter\\_DG\\_MARE\\_Role\\_RACs\\_Funding\\_190411\\_EN.pdf](http://www.nwwrac.org/admin/publication/upload/NWWRAC_Letter_DG_MARE_Role_RACs_Funding_190411_EN.pdf)

- Response to the Commission’s Green Paper on CFP reform (December 2009)

[www.nwwrac.org/admin/publication/upload/NWWRAC\\_Opinion\\_Reform\\_CFP\\_181209\\_EN.pdf](http://www.nwwrac.org/admin/publication/upload/NWWRAC_Opinion_Reform_CFP_181209_EN.pdf)

### South Western Waters RAC – [www.ccr-s.eu](http://www.ccr-s.eu)

- Advice 52 on Regionalisation (November 2011):

[http://www.ccr-s.eu/EN/avis.asp?id=74&annee=2011&mois=11&id\\_comite=18&#bottom](http://www.ccr-s.eu/EN/avis.asp?id=74&annee=2011&mois=11&id_comite=18&#bottom)

- Advice 44 on Regionalization (March 2011):

[http://www.ccr-s.eu/EN/avis.asp?id=65&annee=2011&mois=3&id\\_comite=16&#bottom](http://www.ccr-s.eu/EN/avis.asp?id=65&annee=2011&mois=3&id_comite=16&#bottom)

- Contribution to Green Paper – section on governance (December 2010):

[http://www.ccr-s.eu/EN/avis.asp?id=40&annee=2009&mois=11&id\\_comite=12&#bottom](http://www.ccr-s.eu/EN/avis.asp?id=40&annee=2009&mois=11&id_comite=12&#bottom)





**Baltic Sea RAC – [www.bsrac.org](http://www.bsrac.org)**

- BSRAC letter to the Baltfish chairman inviting to a high level meeting to discuss regionalisation in the Baltic area (March 2012)  
[http://www.bsrac.org/mod\\_inc/?p=itemModule&id=1827&kind=11&pageId=1084](http://www.bsrac.org/mod_inc/?p=itemModule&id=1827&kind=11&pageId=1084)
- BSRAC recommendation on CFP Reform (December 2009)  
[http://www.bsrac.org/mod\\_inc/?p=itemModule&id=1417&kind=11&pageId=1724](http://www.bsrac.org/mod_inc/?p=itemModule&id=1417&kind=11&pageId=1724)

**Mediterranean RAC- [www.racmed.eu](http://www.racmed.eu)**

- Opinion of the RAC MED on the proposal of the CFP Reform (October 2011)  
[http://www.racmed.eu/index.php?option=com\\_content&view=article&id=86&Itemid=49](http://www.racmed.eu/index.php?option=com_content&view=article&id=86&Itemid=49)

**Long distance RAC – [www.ldrac.eu](http://www.ldrac.eu)**

- LDRAC Document on the Communication by the European Commission on the “External Dimension of the Common Fisheries Policy” (2011)  
<http://www.ldrac.eu/upload/archivo-Advice-regarding-the-external-dimension-of-the-CFP-R-02-11WG5-4ed4c4b456228.pdf>
- LDRAC Position Paper regarding the Green Paper on the CFP reform (2009)  
[http://www.ldrac.eu/upload/Definitive%20LDRAC%20Draft%20position%20on%20Green%20Paper%2024%2011%202009\\_ENG%20\(final\)\\_ES.doc](http://www.ldrac.eu/upload/Definitive%20LDRAC%20Draft%20position%20on%20Green%20Paper%2024%2011%202009_ENG%20(final)_ES.doc)

**Pelagic RAC – [www.pelagic-rac.org](http://www.pelagic-rac.org)**

- Position paper on the reform of the CFP and its governance system including the future of the RAC (December 2009)  
[http://www.pelagic-rac.org/images/stories/Documents/recommendations/2009-2010/PRAC\\_Position\\_Paper\\_on\\_the\\_CFP\\_Reform\\_and\\_the\\_Future\\_RACs.pdf](http://www.pelagic-rac.org/images/stories/Documents/recommendations/2009-2010/PRAC_Position_Paper_on_the_CFP_Reform_and_the_Future_RACs.pdf)