Fisheries policy and management in Europe
Can we expect sustainable fisheries in future?

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Background of the presenter

Academic
- 1992 PhD with the thesis entitled: “Structural problems in the Danish fishing sector in a socio-economic perspective”
- Involved in numerous research projects focusing on governance aspects of fisheries and marine management (presently heading the governance work packages of the FP7 ODEMM and SOCIOEC projects)
- Visiting scholar/professor at universities in Canada, Iceland, Norway, South Africa and USA

Practical
- Grew up in a fishing community and during the period 1975 – 1988 working as part-time professional fisherman (estimated to 4 years full-time employment)
- During 10 years board member of Danish herring processing companies
- Since 2009 representing AIPCE-CEP at the Pelagic RAC
- Since 2010 member of the Advisory Committee for the FARNET Support Unit providing inputs to the Commission in respect to EFF (axis 4)
The Pathology of the CFP

Resource characteristic
• Overfishing has been evident for many years, resulting in a critical resource situation for several stocks. However, signs of improvement for some stocks. High discard rates and no real control on fishing mortality.

Economic structure characteristic
• Fragmented fishing industry, leading to a fragmented interest structure in the EU fishing industry.

Political characteristic
• Lack of commitment within the Council to ensure sustainable fishing.
• Persistent lack of political will in the Council and the member states to reform the CFP.
• Member states emphasise domestic economic interests.

Management regime characteristic
• A strong tendency to apply off-the-peg approaches (one size fits all).
• Inconsistency between structural policy elements and conservation elements within the CFP.
• The TAC management regime has not proven effective in multispecies demersal fisheries.
• Problems of “implementation drift” and lack of enforcement exist in the member states.
• A clash between the ways administrators and fishermen view the goals and means of the management regime.

Regime change characteristic
• Attempts to introduce elements of “New modes of governance” have not been successful in the fisheries domain.
• The type of co-management introduced has not led to responsible behaviour.
The CFP Reform – A governance perspective

• 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**.

• The CFP must set out the common aims and objectives, but should provide provision for the **transfer of 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.
Key points in the reform proposal

• Introduction of a discard ban
  – Discard is a major problem and a ban seems appropriate, but in practise it will be rather complicated to introduce.

• Maximum Sustainable Yield (MSY)
  – Most long term management are already aiming to reach MSY.

• Regionalisation
  – Getting a lots of attention, but looking at the reform proposal it appears to be lip-service. Regionalisation is legally challenging, but most fisheries management problems can only be addressed at the regional level. The CFP was to begin with a regional policy.

• Social dimension
  – Reverse decline in employment and increase job attractiveness in the fisheries sector using EMFF as the main tool.

• Transferable Fishing Concessions (TFCs)
  – Member States and EP have already clearly stated that the **shall** in the proposal to be revised to a **might**.
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’ (decentralisation) 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’ (devolution) 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.
A complex user and policy seascape
Different uses
Fisheries is becoming part of a broader set of integrated policies

- Integrated Maritime Policy
- Habitat Directive
  - Demarcation of Natura 2000 sites
- Bird Directive
- Water Framework Directive
- Marine Spatial Planning
- Integrated Coastal Zone Management
- The future “EU 2020” Strategy (Growth and jobs)

Requires all Member States in the EU to achieve and maintain good “environmental status” in the marine environment by 2020

11 Qualitative descriptors for determining good environmental status (short):

1) **Biological diversity is maintained.**
2) Non-indigenous species introduced by human activities.
3) **Populations of all fish and shellfish within safe biological limits.**
4) **Retention of full reproductive of marine food webs.**
5) Human-induced eutrophication is minimised.
6) **Ensure sea-floor integrity.**
7) Permanent alteration of hydrographical conditions does not adversely affect marine ecosystems.
8) Concentrations of contaminants are at levels not giving rise to pollution effects.
9) Contaminants in fish and other seafood do not exceed established standards.
10) Properties and quantities of marine litter do not cause harm to the coastal and marine environment.
11) Introduction of energy, including underwater noise do not adversely affect the marine environment.

For detailed information see: www.ices.dk/projects/projects.asp#MSFD or www.liv.ac.uk/ODEMM/
Integrated Maritime Policy

Objectives

• Promote the integration of governance structures in the Member States

• Improve the quality of sector policies such as the transport, energy and fisheries policy

• The MSFD is considered the conservation pillar of IMP

• Implement tailor-made solutions for specific problems taking into account the Regional Seas Conventions

• Adopt new approaches to marine resource management (i.e. the Ecosystems Approach and Marine Spatial Planning)
Institutional ambiguity makes integration difficult

- Different institutional settings come together
- Mismatch between institutions of the different policy making settings
- Room to negotiate new and change existing rules of the game
- The larger this misfit, the more room to manoeuvre actors have in negotiating and changing the institutional rules
  - Enabling (innovative developments, fit to context)
  - Constraining (inertia, institutions and actors working against each other)
To answer the question can we expect sustainable fisheries in future

- Hopefully, but the CFP
  - has been very resistant to reform (1992 and 2002)
  - has an in-built systemic irrationality where different levels of policy-making and policy implementation seem to work against each other instead of collaborating towards common goals
  - reform is this applied in relation to the Lisbon Treaty giving the EU Parliament a prominent role making it difficult to predict what to expect

- Strong pressure to secure sustainable fishing from eNGO’s and powerful retail (e.g. MSC).
  - Might push the political system out of the deadlock and secure a major reform this time

- Comprehensive legal EU policy frameworks in support of sustainable fisheries management.
Can national audit institutions contribute to improve national fisheries management?

- I am outside my comfort zone and very uncertain

• Focus on implementation drift
  - Legal (against policy intentions) or Non-legal (violation of management rules)

• Harmonise fisheries inspections to ensure appropriate and identical enforcement across EU.

• Make sure that EMFF is designed to achieving policy objectives and preventing implementation drift in the coming decade.

• Focus on cost/benefit ratios in relation to different policy instruments.
Thank you for the attention and time for questions and discussions!