

21 October 2011

Dear Fisheries Attaché,

We, a number of environmental and developmental NGOs, active in one or more of the Regional Advisory Councils (RACs), would like to provide some input into the current debate and thinking about regionalisation and the RACs in the context of CFP reform. We send this joint letter highlighting some of our experiences and concerns as members of the 1/3 group in the RACs, and hope that they will be taken into account when the regional aspects of the future Common Fisheries Policy are outlined and discussed during the meeting with DG MARE next week.

We acknowledge that the RACs represent a step forward in terms of sharing information and seeking stakeholder advice in fisheries management. They also provide a clear platform for enhancing dialogue and understanding between different stakeholders. However, RACs suffer a number of weaknesses and in their current form and function we do not see them as an appropriate structure for the delivery of regional decision-making under the future Common Fisheries Policy. These weaknesses would need to be remedied for them to be playing a fully balanced and effective role in the reformed CFP. This is why the future tasks and composition of the RACs will have to be considered and developed along with the structures and tools envisaged within the new framework of regionalisation.

We believe that RACs should retain an advisory function only, and that it is necessary for them to focus on other long-term, ecosystem-based approaches such as spatial planning as well as LTMPs.

In an attempt to summarise our experiences of working in the RACs, we would like to make the following points:

Representation

- Effective stakeholder engagement is likely to work best when no one interest group is overly dominant. It is likely that management will be best developed and implemented by stakeholder groups that are more mixed and balanced than the RACs. These will need to include Member State representatives, scientists, key catching sector representatives from the fishery under discussion, processors and environmental interests.
- The stakeholder mix in the RACs needs to be reviewed – both in terms of overall structure (1/3 and 2/3) and in terms of in which members belong to which group.
- RACs currently also have a heavy bias towards large-scale industrial fishing, which makes them less representative of the sector than is desirable or needed.
- In some cases, other key partners/stakeholders should be invited to participate in the work of the RACs, for example stakeholders from Russia to BS RAC meetings, from Norway to Pelagic RAC meetings, and stakeholders from countries with which the EU has fishing access agreements in the LD RAC.
- An area of particular concern is RAC representation in external meetings, as RAC Chairs are all industry representatives and do not always have a mandate from RAC member groups to put views forward at official meetings.
- Another related representational issue is that sometimes the Commission or other management bodies choose to discuss an issue with only a particular stakeholder group, while it would have been appropriate to discuss it with the relevant RAC to receive a

wider range of views. An example of this is that Commission staff meet with the sector but not with NGOs on tuna – despite the existence of a Tuna WG in the LD RAC.

- In the future, cross-cutting issues which may not have strong regional focus will need to be discussed somewhere. The current ACFA is not an appropriate forum for such discussion, as it is heavily biased towards the industry. However, there is a need to have a permanent consultation mechanism – probably not the RACs – for consultation on cross-cutting issues, where the different stakeholders are fairly represented.
- While we consider working within most RACs mostly worthwhile, as a minority group we often have a limited influence on the work and views of the RACs, and being effective in getting our message across requires a high level of engagement for a sometimes limited return.

Priorities

- We believe RACs need to prioritize advice on long-term issues and spend less time on other issues like annual TACs and quota negotiations. RACs should primarily be involved in considerations of long-term management plans and similar. It would clearly be inappropriate for the Commission to impose this expectation on the RACs, but such a development can be encouraged by requesting more long-term advice, for example on regional implementation of long-term targets such as the 2002 Johannesburg declaration.
- There is a need for improved “house-keeping rules”: At present, many NGO members have problems due to documents being sent out at short notice, which means the members cannot prepare adequately for meetings or be fully up to speed on all the issues. Many RACs do not have any provision concerning notification prior to meetings in their statutes. In other cases, it remains unclear at the end of meetings what has actually been decided.
- Better transparency needed (notes should always be official as should voting).
- We also believe it would be helpful if Commission responses to RAC advice or position papers were more substantial and dealt with the points at hand in greater detail.

What would we like to see instead?

- Fisheries management under the new CFP must consider multi-species interactions and wider ecosystem functions and conditions. There is a need to set in place long-term management strategies that deliver the objectives of the CFP as well as the Marine Strategy Framework Directive (MSFD). We are of the view that Member States, in co-ordination with key stakeholders (catch sector, processors, scientists, NGOs), should establish such ecosystem-based, long-term management strategies for their waters in each region or sub-region established under the MSFD. These strategies should describe the regional objectives for stock recovery, fleet management and regulation of fishing activities consistent with the aim to achieve GES.
- More detailed fishery-by-fishery management plans should be adopted by means of collaboration between relevant Member States and stakeholders. These would be submitted to the European Commission, which would assess whether, in the case of each plan, the sum of the elements constitute a management framework which will meet the objectives of the CFP (including relevant MSFD requirements). If deemed to be the case, the plans would pass through and be adopted by means of co-decision procedure.
- These fishery level stakeholder fora will facilitate a much more effective form of engagement for all concerned because they will be fishery-focused and all members will have the long-term interest of the same fishery as their central concern. Some key elements will be essential to enhance the role of stakeholders in any fora and these include:

- Fair representation
- Transparency
- Good access to science
- Training in fisheries management
- Provision of incentives to stakeholders
- Holding stakeholders accountable for meeting their management responsibilities.
- Access to environmental justice

We hope that our experiences and views will be taken into consideration in your deliberations and would welcome opportunities to discuss this further.

Sincerely,

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