

Rapporteur's Summary, Professor Anthony Hawkins, rapporteur for the North Sea Regional Advisory Council

There have been many presentations at this conference; all of them thought-provoking. My problem is how to do justice to them all. Rather than attempt a summary, which would take far too long, what I will do is make some general points which have come forth from our discussions.

First of all, it is quite evident from this meeting that the need for reform of the Common Fisheries Policy can be taken for granted. We are all believers in reform here. The various speakers have listed in some detail the flaws in the current policy; and there are many. It has also been emphasised that we need to get the reforms right this time. This may be our last chance.

Several speakers have stressed the importance of clarity in defining our future objectives for the policy – what exactly are we looking for in terms of results? It is likely that we can all agree on a long list of long-term objectives. However, defining short and medium term objectives may be more difficult, simply because we find ourselves in a state of crisis over the policy. One of those objectives will certainly be to move away from the habit of short-term decision taking. We must remove the current reliance on annual decisions, announced at very short notice.

Speakers have made a strong case for regionalisation of the policy. They have emphasised that management must be brought closer to local conditions in our regional seas or in specific fisheries. Some speakers have said that a regional approach will be essential for effective implementation of fisheries management. Concern has been expressed about geographical restrictions on who can participate in regional discussions – but this problem has already been resolved by the RACs. For example, both Spain and Poland are represented on the North Sea RAC. There is scope for flexibility over representation on regional management bodies.

If we are to move to a regional seas approach we are faced with the question of what needs to be done centrally under the CFP. What should the 'common' features be within the Common Fisheries Policy? What remains for the Commission and Council to deal with? And what can be delegated to others? There has been general agreement at this meeting on this question. Over arching policy, setting the overall framework and defining the objectives is clearly the responsibility of the Commission, Council and Parliament. However, the implementation of fisheries management measures is best achieved by a body which is closer to the fisheries and to fishers.

Throughout this meeting there has been emphasis on the need to involve fishers and other interests in decision taking. There has been an immense shift in thinking on this over the last five years. Before the RACs were established there was real scepticism in some quarters over the role that fishers and other professionals could play. Now, no-one would question their role. Indeed, fishers' participation is considered essential for the success of the CFP. Management measures cannot be implemented successfully without the involvement of fishers. The acquisition of information from the fleet can only be achieved through co-operation with fishers. Co-management can bring so many benefits.

The big question which has preoccupied us at this meeting is how the involvement of fishers can be achieved within the current legal framework. Is it even possible to devise an appropriate structure for involving fishers and other interests within the current legislation? And where will the RACs fit in under a new regional management body?

A number of different models for regional management with stakeholder participation have been discussed, ranging from stakeholders hovering on the fringes of management bodies to full delegation of decision-taking to fishers themselves. Discussion of these different models is going to pre-occupy many of us in future weeks. At the moment we all seem to be designing our own, very diverse, regional structures on scraps of paper. Perhaps we should not be too prescriptive about this. There is scope for a number of different options. The important thing is to devise mechanisms for making the best fisheries management decisions, with those decisions arrived at through discussion by all the appropriate parties. At this time we might be better to concentrate on defining the main management elements, the process for decision taking and the participants, rather than devising particular legal structures.

Fishers and environmental interests have agreed that one key element in future decision taking is the development of management plans for particular fisheries and their subsequent approval and audit. Long term fishery management plans are going to be very important. The RACs are already making significant progress with this. The long term fishery management plans coming from the RACs, in some cases without prompting from the Commission, illustrate how valuable it is for management to take place at the scale of the fisheries themselves. We can no longer concentrate solely on the management of individual stocks, or consider only biological issues. Our fisheries take the mix of species that are present on the fishing grounds; that is the reality; that is what leads to the problem of discards. We have to adopt an approach which considers management of each fishery as a whole and sets specific objectives tailored to the circumstances of that fishery. We have to adopt a bespoke approach.

The other key element which has been stressed is the need for fisheries management to adopt an ecosystem approach in its widest sense: that is, in terms of delivering goods and services for the benefit of man in a sustainable way. It is also evident that the scope of fisheries management in the future is going to be much wider. The reform of the CFP must take account of the need for an integrated maritime policy, and consider the requirements of the new Marine Strategy Framework Directive. There are resource implications in that. The RACs are already over-loaded. Fishers themselves wish to give their priority to running successful fishing enterprises rather than engaging in dialogue over broad maritime issues. Nevertheless we have to engage with these wider issues in an effective way.

Given the need for reform of the CFP, and our wish to introduce a new regional approach, how fast do we need to move to get to there? Several speakers have said that that the problems of the CFP are so serious that reforms are needed now, not in 2012. On the other hand it is clear that some managers and fishers are reluctant to move quickly, and wish to see change taking place only gradually. They would be unhappy with an abrupt 'big-bang' approach. Perhaps we can be flexible and adopt reforms in a differentiated way? In some regional seas, where long term management plans are already being prepared, it may be possible to move quickly, in one step. In other areas it may be sensible to move much more slowly and carefully.

Relative stability has been mentioned several times. Some speakers have said that it should not be the main focus of our discussions. Others have said that relative stability is the cornerstone of the CFP. Certainly the allocation of fishing rights is one of the few successes of the policy. Others have emphasised the deficiencies of relative stability; they have said it is too rigid. Flexibility is needed as some fishermen do not have sufficient quota to land the fish they are actually encountering on the fishing grounds. Quota trading and swapping is not yet sufficiently developed to handle this problem. Further discussion of this subject cannot be avoided.

The wider introduction of rights-based management has also been raised. Here there seems to be some agreement that this approach must be considered separately; perhaps for each of the fisheries and certainly for different regions and different cultures. There is no single arrangement that can be applied universally. It is perhaps a solution looking for a problem. We first have to define the problem that rights-based management is meant to solve.

There was also mention of control and compliance problems. The general view seems to be that control & compliance needs to be revisited. However, this should perhaps be done in the light of other reforms. There may be smarter ways of achieving control than through the highly prescriptive Control Regulation.

Finally a word of caution. We must ask ourselves whether we will really be given access to the kinds of freedoms we are seeking. I suspect that we have not yet heard from the reactionaries within the Commission and Council, or indeed within the fishing industry. There may be an unwillingness to accept full and far reaching reform, and especially a reluctance to pass responsibility downwards. The only option to be placed on the table may be Comitology. That is, the committee process favoured by the Commission to oversee delegated responsibilities. We must ask whether comitology can handle stakeholder participation properly. Such committees are made up of experts and officials from the EU countries. Is there any scope for stakeholders to participate? If not, the presence of the RACs as subsidiary advisory bodies may be the only way of ensuring that stakeholders can engage with the committees. The question then is how the RACs can be reformed to deal more effectively with this task. Should their advice have greater strength? Should it become mandatory for the committees to accept the advice of the RACs except under specified circumstances? We should consider whether a 'plan B' may be necessary, which considers how the RACs might engage more fully in fisheries management if the only option on offer is comitology. We might also consider how much scope there will be for flexibility and differences between RACs and between different regional arrangements.

Let us hope, however, that the reforms will be more far reaching; that we will move towards a more participative form of governance. That in five years time we will be sitting down discussing minor amendments to a new, more sustainable and successful Common Fisheries Policy.