

CFP reform – regionalisation

Why do we need regionalisation?

The purpose of regionalisation is twofold: moving away from micromanagement at Union level, and ensuring that rules are adapted to the specificities of each fishery and sea area (“region”). Regionalisation can build on existing co-operation among Member States, such as Baltfish or the Scheveningen group. While these are not formalised, they have nevertheless developed into very effective co-operation mechanisms among Member States. In other sea basins more work is needed to allow MS to work together, but there are positive examples like the co-operation between France and Spain on anchovy in the Bay of Biscay.

What is the legal and procedural framework for the seabasin approach proposed by the Commission?

Example 1 Long term management plans

On proposal by the Commission the European Parliament and the Council would decide on a long-term plan for hake, prawns and cod (the plan). This plan would set goals and the timeframe for these to be achieved, i.e. achieving Maximum Sustainable Yield (MSY), a lower fishing mortality or a higher biomass. The plan could prescribe selective gear and measures to avoid discarding. The plan would also have a flexibility article in order for new scientific advice to be taken into account quickly. The goals to be achieved will apply uniformly for all Member States (MS) fishing on the stocks covered by the plan in order to provide a level-playing field for all fishermen.

Via the plan the EU legislators would empower MS of a seabasin to set national measures to make the plan operational. In the framework of the seabasin approach the MS fishing these stocks would meet with fishermen, stakeholders and Advisory Councils to design these concrete national measures that can best manage these stocks and that can achieve the objective of the plan. Fishermen and other stakeholders would propose specific gears, area or seasonal closures, control measures, measures concerning fishing vessels or whatever other measure they believe will deliver the best results for their specific fisheries. They could also propose measures to implement the discard ban.

The heart of the seabasin approach is that MS implementing the plan could set up a co-ordinating system, meet in the region and exchange and agree on common measures and subsequently would enact these measures nationally. These measures would be the same in all MS implementing the plan. It is important to stress that MS have to work together and agree on measures. If they are unable to do so then the necessary conservation measures would be set by the Commission via delegated acts or by the EP and Council in the co-decision procedure.

Example 2 Framework technical measures

The same would be done for technical measures. On proposal from the Commission the EU legislators would adopt a framework regulation with broader technical measures proposed by the Commission. This framework regulation would be geared towards the key driver fish stocks in a given fishery, such as nephrops in the Irish Sea, hake and cod in the Atlantic or sole and plaice in the Channel. This regulation would define for specific driver fish stocks baseline standards on gear selectivity, on twine thickness and cod ends, as well as baseline standards on minimum sizes for commercial stocks. It would be less detailed than the current technical measures regulation.

In the framework of the seabasin approach the MS would meet with fishermen, stakeholders and Advisory Councils to design concrete national technical measures that can best manage stocks at a sustainable level and that are favourable to the marine environment. Stakeholders could propose alternative gears, which can achieve equivalent selectivity results to the baseline standards in the framework regulation and other technical measures they believe will deliver the best results for their specific fisheries. Again here the heart of the seabasin approach is that MS would meet in the region, exchange and agree on common measures and subsequently would enact them nationally. These measures would be the same in all MS implementing the plan.

Under both examples, the long term plans and the framework technical measures, the research institutes in the MS should support stakeholders in developing technical measures such as increased size selectivity for trawls, new fishing techniques etc.. Positive national examples already exist such as the Seltra trawl in the Kattegat, the more selective flatfish trawl from the 50% project in the UK, the nephrops panel from France to name only a few. In this way regionalization could improve the collaboration between research institutes and the fishing industry.

As a vital element of regionalization the sector should receive responsibility to manage fisheries. Producer Organisations (POs) or other associations of fishermen could manage the quota uptake of their members and work out a marketing plan. This brings better planning and a stronger role towards wholesalers to get a better price for their product. A proactive role for the fishing industry would foster a culture of involvement, responsibility and compliance.

The Advisory Councils could develop their role and support research institutions in following up management decisions.

Is the Commission trying to grab more powers?

No. It would only act as a last resort to avoid the risk of legal gaps, as this would have an adverse effect on conservation and on business security. The objective of regionalization is that MS agree to take the same measures. There is however a need to cater for the situation in which the MS concerned take no action or late action. In these cases, as a last resort, the EP and Council would empower the Commission to adopt delegated acts on the fisheries specific measures in question. The delegation to the Commission is limited to the types of measures that MS were empowered to adopt at national level, with the same objectives and targets that apply to all MS. The Commission's measures could only enter into force if no objection is expressed by either the EP or the Council and the delegation could be revoked any time by the EP or the Council. The same would happen in cases where the actions agreed by MS are proven by scientific advice not to reach the conservation targets fixed in Union law. The alternative would be co-decision by EP and Council.

What is the impact on control and implementation?

Union Regulations will continue to apply to all vessels fishing in Union waters. Furthermore rules adopted in a seabasin approach by MS under regionalization would be the same rules, with the only difference that instead of EU legislation they would be national laws. These laws would be notified to the MS, the European Fisheries Control Agency and the Commission so that they can be controlled by national inspectors in a uniform manner guaranteeing a level playing field.

What will be the administrative cost of regionalization?

The experience in the Baltic Sea and North Sea shows that cooperation at regional level should be feasible with the same level of resources. The better the involvement of industry and stakeholders in designing the measures, the better compliance will be. Because of less micromanagement at EU level the amount of work related to the discussion, negotiation and follow-up to the very complicated 'micro-management from Brussels' would be considerably reduced. All of this should lower costs for national administrations.