
Draft

Regional Management in North Western Waters

The Perspective of the North Western Waters Advisory Council

(NWWRAC)

September 2013

(Revised November 2013)

The NWWRAC has been a very strong supporter of a shift away from the *micro-management* of our complex and diverse fisheries through blanket prescriptive legislation that has, until recently, characterised the CFP approach to fisheries management.

Our aspiration has been that the reform of the CFP would see a decisive shift to a more responsive and adaptive approach, centred on regionally cooperating Member States, working closely with the respective Advisory Council. Within the reformed Basic Regulation for the Common Fisheries Policy there is now a permissive framework which facilitates this approach.

We are eager that the transition to this new form of fisheries management takes place as soon as possible. Indeed, with the impending implementation of the *EU landings' obligation*, which in part pre-supposes such a regional decision-makingⁱ process, the early establishment of such arrangements appears imperative.

It is not clear at this stage how regionally cooperating member states will engage with ACs to produce joint recommendations to the Commission for adoption. We accept that the RACs do not currently have a legislative, as opposed to a consultative role. We also accept that this position will not alter after 1st January 2014 when RACs become ACs. Joint regional recommendations will go forward from the member states alone. Nevertheless, it makes little sense to us to have two parallel work streams linked by occasional consultations, on issues such as the landings obligation, the development of discard plans or multi. The priority must be to define a means through which regionally cooperating member states can work together in the most useful way. The key to progress is useful, informed, and meaningful *dialogue*.

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Against this background, we would put forward the following ideas for consideration::

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1. The early establishment of a *forum* which would articulate and support an ongoing dialogue between relevant member statesⁱⁱ and the North Western Waters Advisory Council;
2. The composition of the forum, regularity and location of meetings, the appointment of chair, and secretariat role to be *jointly determined*;

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3. Member States and the ACs should strive to achieve *consensus* rather than resorting to any form of voting procedure to agree joint recommendations;
 4. Consideration should be given to securing the services of an authoritative *independent chair*;
 5. Except in exceptional circumstances, we should strive to ensure that there should be *equality of numbers* between AC and Member States on the forum;
 6. The deliberations of the forum should be underpinned by access to *high quality scientific advice*;
 7. The *appropriate level or scale* at which joint recommendations are developed should be the subject of detailed discussions. It may be the level at which this work takes place will be determined by the issues involved.
Different options are available here:
 - Dialogue at *issue* based working groups;
 - Dialogue through *Sub-area* groups (e.g. Irish Sea, Celtic Sea, Channel, West of Scotland);
 - Dialogue at a *North Western Waters overview* level;
 8. In the initial stages of regional management, *priority* could be given to developing joint recommendations for the following:
 - Implementation of the EU landings obligation;
 - Technical Conservation Rules for NW waters;
 - The development of multi-annual management plans, where possible on a mixed fishery and multi-species basis;

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9. It is imperative that the ACs are integrated into the process of developing regional initiatives *from the outset*;
 10. There is an expectation that in normal circumstances joint regional recommendations, developed on the basis of consensus, will be adopted as a delegated act unaltered by the Commission;
 11. We note that the European Commission has a responsibility to facilitate the regionalisation process;
 12. The way that *impact assessments* for new joint recommendations are undertaken in this new process should be clarified;
 13. Regionally cooperating member states and the NWWAC should strive to ensure that their joint recommendations reflect a progressive movement to a practical understanding and application of measures consistent with an *ecosystem approach*;

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1. Spain, France, Ireland, United Kingdom, Belgium, Netherlands.
 2. Within the understanding of the provisions of the CFP Basic Regulation, which in turn reflects the legal constraints of the Treaty obligations