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Introduction

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Executive Summary

Over the last couple of years, *the governance option of regionalising the Common Fisheries Policy* (CFP) has become one of the hot topics in the debate about the content of the upcoming reform of the CFP. The recent Green Paper from the Commission has been instrumental in putting regionalisation firmly on the reform agenda.

Work Package 4 of the FP7 research project MEFEPO has been devoted to exploring the option of regionalising the governance system of the CFP in order to facilitate the incremental implementation of ecosystem-based fisheries management. The research has been conducted from June 2009 to September 2010. Six different approaches research approaches have been applied in completing the research: 1) literature review; 2) participant observations; 3) key informant interviews; 4) focus group interviews; 5) study of position papers and 6) conducting a survey covering four Regional Advisory Councils (RAC).

Results and Findings

Based on both interviews and observations as well as our survey, three models or more correctly three different archetypes (or families) of regionalised governance systems appear to be 'feasible' for implementation in connection with reform: *Regional Fisheries Management Organisations* (RFMO), *Regional Fisheries Co-Management Organisations* (RFcoMO), and *Cooperative Member State Councils*. Each of these models is a worthy candidate for CFP regionalisation if there is political will to go in that direction. For a description of each of the models, see the section on *Perceptions of Benefits, Options and Challenges of Regionalising the CFP* beneath.

Each model has its advantages and disadvantages, but implemented in the right way any of these models could be put into practice and deliver many of the benefits that people are seeking in relation to regionalisation. The strengths, weaknesses, opportunities and threats for each of the three models are presented in the table below. It is notable that all three models build on the matching of ecosystem levels and governance levels and thereby much more so than the current system facilitates the adoption and implementation of regionally distinct, tailor-made management approaches.

	Regional Fisheries Management Organisations model	Regional Fisheries Co-management Organisations model	Cooperative Member State Councils model
Strengths (internal)	* Structured according to ecosystems * Facilitates tailor-made management * Robust (institutionalised structure) * Clear distinction between those governing and those being governed * Transparent distribution of authority * Delivers break with centralised management * Offers flexibility *vis-à-vis* stakeholder participation	* Structured according to ecosystems * Facilitates tailor-made management * Robust (institutionalised structure) * Transparent distribution of authority * Delivers break with centralised management * Enhances stakeholder participation	* Structured according to ecosystems * Facilitates tailor-made management * Clear distinction between those governing and those being governed * Institutionally flexible and adaptive * Legally unproblematic
Weaknesses (internal)	* Legally challenging * Does not enhance stakeholder participation *per se* * Institutionally static * Risk of agency drift * Issue of how to deal with 3rd countries is contentious	* Legally challenging * Enhances stakeholder participation even if stakeholders are not ready * Some stakeholders might potentially feel left out * Blurring between those governing and those being governed (risk of 'regulatory capture') * Institutionally static * Risk of agency drift * Issue of how to deal with 3rd countries is contentious	* Institutionally weak (based on 'soft law') * Does not enhance stakeholder participation *per se* * Distribution of authority potentially non-transparent * No guarantee for break with centralised management
Opportunities (external)	* The regional organisation could be a natural ally of an equivalent environmental body	* The regional organisation could be a natural ally of an equivalent environmental body	* The central EU level would be more easily able to implement international requirements affecting regional management
Threats (external)	* The regional organisation could come in opposition to an equivalent environmental body	* The regional organisation could come in opposition to an equivalent environmental body * Conception of legitimate stakeholders changes and leaves the regional organisation illegitimate	

When choosing a model it is important that the chosen model can work as a common framework for all regions but also that the model incorporates flexibility to accommodate regions who develop their own regional governance approach. However, based on our findings it also seems likely that for some time it will be valuable to retain the 'default option' of the present system, thus allowing regions not yet ready to take on extra authorities presented by the RFMO model freedom to mature and develop at their own pace.

The two dedicated regional management organisation models: *Regional Fisheries Management Organisations* and *Regional Fisheries Co-Management Organisations* only differ on the aspect of how involved stakeholders are. In the RFMO model, stakeholders are basically by default kept with the same level of involvement as in the current system, 'co-managements by consultation'. In the RFcoMO model stakeholders are given a more prominent role, thus moving the system to 'co-management by partnership'. A key point in this regard is that the RFMO model is actually open to be transformed into stronger co-management *if there is a wish for that at regional level*. We would therefore hold that in choosing between the RFMO and the RFcoMO, the former appears superior insofar that not all regions will be prepared to implement greater stakeholder involvement.

The Cooperative Member State Council model, as well, allows the regions to calibrate the model to their situation. This model rests on one side on providing a high degree of flexibility within the present structures, but on the other hand this freedom comes at the expense of its scope as this family of models rests on voluntary agreements, soft law and *de facto* authorities based on quality of input rather than *de jure* authority to take decisions.

Whether going in one direction or the other is ultimately a political choice insofar that the legal challenges of the RFMO can be overcome, something that we are rather convinced of to be the case if there is political will to do so. If no political will to go this far, then there is still an important political discussion to be had to determine how ambitious a possible Cooperative Member State Council model would be. As documented in our research there are wide discrepancies among member states on this point and many stakeholders would be looking for a rather ambitious variant.

In the following sections we summarise each of the three main chapters of the overall report.

Getting behind the Concept of 'Regionalisation'
Understanding the present structural failures of the CFP closely relates to the mismatch in scales of governance, particularly the lack of ability to find the *'right fit'* of scales for governance intervention. Additionally, allocating power and responsibility to the best-suited scale of governance in line with the *principle of subsidiarity* has become an increasingly challenging task in the light of adopting ecosystem-based management in EU fisheries. Regionalisation has been seen as one answer to solve this problem. An important element when studying the issue of regionalisation of the CFP is identifying and organising explanations for why particular actors with an interest in EU fisheries management would want to (or not want to) regionalise the governance system. Consequently, we developed a typology allowing us to organise different perspectives on what regionalisation 'is good for'.
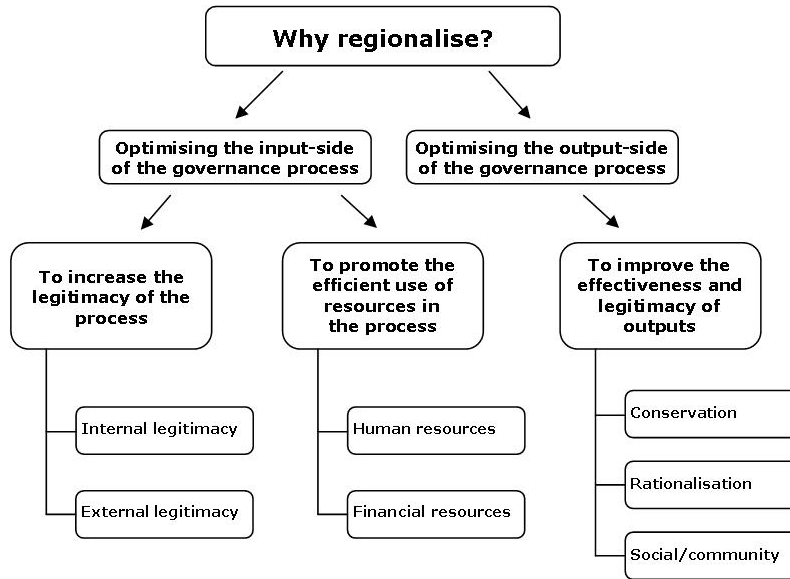
Strikingly the discussions of regionalisation in relation to the CFP have shown that the concept has been employed in both a multi-faceted manner—in the sense that it subsumes several discussions under one heading—and in an ambiguous manner—in the sense that as a description of a way of governing, it means different things to different people. In short the concept of regionalisation subsumes three interrelated discussions pertaining to *who, where,* and *what*—although difficult/impossible to separate in practice this division is helpful in developing our analytical framework shown in the table beneath.

	Main themes of the CFP discussion on regionalisation
The sub-discussion of *where* **to regionalise to**	In relation to the CFP, this sub-discussion has primarily been about the relative importance of different geographical levels in a perceived politico-administrative hierarchy of the CFP
The sub-discussion of *whom* **to regionalise to**	This has primarily been a discussion of the extent to which stakeholders should be involved in the fisheries management process of the CFP or merely subject to it
The sub-discussion of *what* **to regionalise**	This sub-discussion has in relation to the CFP mainly evolved around what tasks that need to be kept at a central level and which can be dispersed

Where?
The governance system of the CFP operates across three politico-administrative levels: the member state level, the intermediary level of regional EU seas (or the RAC areas), and the EU central level. One of the present challenges is that the scale of the governance system often does not correspond to the ecological system being managed. Thus, matching the scale of the natural system with the scale of the governance system will be essential and this calls for regionalisation in the shape of strengthening the intermediary (generally sea basin) level between the EU central level and the member state level.

Whom?
In the EU it is commonly accepted that those dependent on fishing for their livelihood ought to be well-represented in the management process. In order to examine different options for user and stakeholder involvement in fisheries management in the EU, we have applied an analytical framework that suggests five broad types:

Top-down hierarchical management by the state: where mechanisms for dialogue with users and stakeholders might exist, but only minimal exchange of information takes place and EU/National governments decide what information to share;

Co-management by consultation: where extensive formal mechanisms for consultation (and feedback on use of recommendations) with users and stakeholders exist, but all decisions are taken by EU/National governments;

Co-management by partnership: where EU/national governments, users, and stakeholders cooperate as decision-making partners in various aspects of management;

Co-management by delegation: where EU/national governments have devolved *de facto* decision-making power to users and stakeholders in relation to various aspects of fisheries management;

Industry self-management with reversal of the burden of proof: where government has devolved wide-ranging management authority to users and stakeholders, who must demonstrate to EU/national governments that management decisions are in accordance with the given mandate.

What?

The types of decisions to be regionalised need to be seen in relation to the concept of governance, which can be understood as a nested system having three different levels of rules or orders of governance that can be thought of as different spheres of influence that are encased in one another. *Constitutional rules* (principles) represent the outermost sphere, as they dictate the structure of governance and the overall political organisation of the system. *Collective-choice rules* (institutions) are nested within *constitutional rules*; they concern policymaking and management decisions. Lastly, *operational rules* (action) involve the daily decisions of managing fisheries, as they involve monitoring, enforcement, and other actions on the ground level. *Operational rules* are the innermost sphere and thus, are nested in *collective-choice* and *constitutional rules*. In practice depending on the form of regionalisation to take place the types of decisions will primary fall with the categories labelled as collective-choice and operational rules.

Perceptions of Benefits, Options, and Challenges of Regionalising the CFP

In advance of the coming reform of the CFP, stakeholders and other interested parties were invited to submit comments and input to a Commission Green Paper introducing various ideas for reform, including *regionalisation*. The Green Paper only gave vague indications as to how regionalisation could be put into practice. Hereby the Green Paper, although firmly putting regionalisation on the agenda for reform, basically left it up to those being consulted to flesh out the different possible governance models that could provide regionalisation. Although this created a very open consultation process, it also catered to a process where the consulted parties had to start from scratch and spend considerable effort figuring out not only if they favoured regionalisation but also which models were available—instead of being able to directly examine and discuss which of the available models they would prefer. Notably, they had to do this between preparing responses to the many other issues put on the agenda by the Green Paper and for which an answer was required by the end of 2009, roughly eight months after its publication.

With this in mind we solicited stakeholder opinions of CFP regionalisation with the dual purpose of learning more about people's perceptions of benefits, challenges and cleavages, as

well as fleshing out fundamentally different ways of putting regionalisation into practice. Our intension being to feed this back to stakeholders and other interested parties as food for thought in advance of the decisions to be taken in relation to the reform of the CFP.

Consequently, in research conducted from July 2009 to May 2010 we studied, among other issues related to the topic, how stakeholders and interested parties talked about regionalisation during the consultation period. We used several research techniques that—although to some extent overlapping—roughly followed each other in this order: observing meetings (4 in total) and conferences (5 in total), carrying out key informants interviews (19 in total) as well as one focus group interview (six participants from the Commission), and studying a number of position documents submitted to the Commission in relation to the Green Paper consultation process and supplemented with some additional documents from key players in the policy process.

Our observations, interviews, and study of position documents show great overall interest in regionalisation, understood as the strengthening of the intermediary level between the EU central level and the level of the member states. However, our work also documents diverging opinions particularly on what powers to regionalise and the role to be played by various regional actors, particularly the balance between stakeholders on one side and governmental authorities on the other. Whereas there seems to be partial agreement on what regionalisation should deliver; i.e. more tailor-made management suited to particular regional circumstances, there is consequently less agreement and developed perceptions of how a regionalised CFP governance system might look.

However, for those favouring regionalisation not only is the direct, goal-achieving value of more tailor-made management important, this value of regionalisation also responds directly to another of the main problems of the CFP, namely its lagging legitimacy, which among other things has contributed to the failure to cultivate a culture of compliance. In many respondents' perceptions a regionalised governance process has the potential to strengthen the *process* legitimacy of the CFP and the improved outputs capable of strengthening the *content* legitimacy—at best this could break the vicious cycle of failed management, low legitimacy, and non-compliance that the CFP has for long found itself in.

One of the defining elements of the regionalisation debate is, it seems, the question of the level of *de facto* authority that the regional level should have. Here opinions differs greatly, one position being that the member states cooperating at the regional level should be in a position—although subject to approval at the central level—to decide on vital issues such as whether and how to use quotas and/or effort regulation to reach long-term targets. On the other end of the spectrum we find a position arguing that the regional structure should basically be restricted to something that can facilitate member states cooperation on issues of implementation.

Another contentious debate revolves around the issue of the level of involvement of stakeholders. Here there is a noteworthy cleavage between those emphasising that regionalisation should include moves towards more genuine co-management, and those who for various reasons prefer keeping stakeholders at arms' length from the decision-making process by continuing the current modest CFP 'co-management by consultation' approach. Besides the more traditional legitimacy and compliance arguments for increased industry involvement, further advances towards evolved co-management; e.g. 'co-management by partnership', would potentially facilitate sharing of costs between industry and government

potentially reducing the present, costly process of fisheries management. On the other hand, there are concerns as to the readiness of the industry to take on this kind of responsibility from various sides, including the industry itself. Likely, we would argue, the level of industry involvement has to be decided on a region to region basis. Moreover, the more evolved co-management solutions may be legally more complex to put into practice than solutions where the redistribution of authorities is kept within the realm of public authorities.

As discussed, the debate over regionalisation is basically an integrated debate over the questions of *who*, *where*, and *what*. To be able to consult stakeholders on these issues in an integrated way, we outlined five qualitatively different governance models of regionalisation. In other words, each of the models presented in the box reflects an integrated perception of how the questions of *who*, *where*, and *what* should be tackled. By referring to these models as 'archetypes' we emphasise that they are—rather than detailed ready-to-apply systems—rough skeletons drafted primarily with the intention to create an illustrative suite of models that to some extent represent the different perceptions in the debate over regionalisation. We do not claim that this is a complete list of possible models—far from it. However, we do believe that these five models, which are based on empirical data, represent important perceptions of regionalisation of the CFP's governance system.

Based on our material we identified the Nationalisation model and the Regional Marine Management Organisation as outliers: Nationalisation, basically as the model of the past and the Regional Marine Management Organisation as possibly the model of the future—but not likely the immediate future. Consequently, we do not regard these two models as feasible candidates for putting regionalisation into practice in connection with the 2012 reform of the CFP.

Among the remaining models, a critical division is found in the question of whether the model should operate within the current allocation of authority or if the model presupposes transfer of authority to the member states and pooling of authority at an intermediary, regional level. Whereas the first approach, in our selection represented by the Cooperative Member State Council model, may prove to be the most pragmatic and feasible approach, the alternative, full-fledged regional

Nationalisation
The member states are awarded the responsibility for the conservation of resources in their own Exclusive Economic Zones. Issues relating to shared stocks would be sorted out through a system of bilateral agreements between member states or any other arrangements that the member states themselves deem necessary. The level of involvement of stakeholders would be an issue for the individual member state to decide.

Cooperative Member State Councils
The institutional structure and formal distribution of powers remains largely unchanged. However, the member states with fishing interests in a regional sea area establish mini-councils to deal with fisheries management issues specific to that area. These mini-councils forward their recommendations for formal approval to the overall EU Fisheries Council. The RAC would in most cases advice the mini-council rather than the central EU institutions. The exact extent to which stakeholders' input is given weight in the recommendations of the mini-council is up to that mini-council on a case-by-case basis.

Regional Fisheries Management Organisations
Under this model the member states would be given wide authority for fisheries conservation on the condition that the member states with fishing interests in a regional sea area establish a regional fisheries management organisation (RFMO) to deal with fisheries management issues specific to that area. A general framework for regional approaches will be provided by the central EU institutions. The stakeholders' input will continue to be channelled through the RAC. However, the RAC would in most cases advice the RFMO rather than the central EU institutions. The exact extent to which stakeholders' input is given weight in the decision-making process of the RFMO is up to that organisation on a case-by-case basis.

Regional Fisheries Co-Management Organisations
Under this model the member states would be given wide authority for fisheries conservation on the condition that the member states with fishing interests in a regional sea area establish a regional fisheries co-management organisation (RFcoMO) to deal with fisheries management issues specific for that area. A general framework for regional approaches will be provided by the central EU institutions. The RACs would cease to exist; instead stakeholders, scientists and member states' administrators would work together within the RFcoMO to determine the best strategies for their regional area.

Regional Marine Management Organisations
Under this model the member states would set up regional marine management organisations (RMMO) with responsibility for coordinating all matters relating to the regional sea areas. Stakeholders from all sectors would be involved in some form—either as advisors or in a more co-management-like structure. The RACs could continue to operate, but would only be providing advice as one of the affected sectors of the RMMO. Alternatively, the current RACs could be opened for a wider group of stakeholders. A general framework for regional approaches will be provided by the central EU institutions.

governance approaches, represented by the Regional Fisheries Management Organisation model and the Regional Fisheries Co-Management Organisation model, while more complicated and demanding to put into practice, may be more apt at delivering what particularly stakeholders are looking for, namely a regional institutional entity with significant authority over fisheries management to bypass the lengthy (and often perceived as illegitimate) involvement of the central EU institutions and get away from the current perception of the CFP as a monolithic and unresponsive fisheries management structure.

Although there is no single, clear choice on how to proceed, it is nonetheless clear that most people see regionalisation in some form as a step in the right direction. Likewise the industry generally expresses a wish to be more involved in deciding future management than is the case at the moment. These are important messages to carry forward in the coming reform.

Surveying Stakeholders on the Intended Outcomes and Models of Regionalisation
In order to uncover relationships between preferences for reform and particular participant attributes such as RAC membership, stakeholder type, and other population characteristics, we decided to instigate a survey as the research techniques of interviews and observations falls short in relation to this objective. The survey data yield comparisons between the priorities and challenges of four RACs, the North Sea, NWW, Pelagic, and SWW RACs. From the defined population of 329 potential participants, 138 completed the survey. The survey was designed to shed light on two separate but interrelated issues, namely the current capacities and functioning of the RACs, and preferences expressed by fisheries stakeholders on issues associated with regionalisation and in the same vein the level of acceptance for potential models of regionalisation. Consequently, although the two stories interact, it seems reasonable to divide this final discussion of the survey results in two sections.

The RACs
Displayed through the motivations of many interest group participants, people come to the RAC primarily to improve stakeholder input to the Commission and represent the interests and constituencies of their organisation, but notably also to interact with fellow stakeholders. The interest in networking with others is further pronounced in the trend toward using the RAC as a primary purveyor of information, both in its written communications (newsletters, emails, websites, etc.) and—though to a lesser extent—its membership.

Furthermore, the RAC has proven itself a worthwhile forum in terms of the added benefits of understanding and trust. While in many cases the level of trust and understanding remains unchanged, there are promising signs that interactions between industry and non-industry representatives have increased the level of understanding and trust. Few participants feel as though their level of trust and understanding decreased because of RAC interactions. Consequently, the RACs possess an additional—often not sufficiently recognised—role and value to the advice sent to the Commission in that they facilitate understanding across and within sectors and interest groups. However, it should raise some concern that the Commission representatives score low on this measure. To some extent it looks like the RAC participation of both Conservation and Industry participants has resulted in decreased levels of trust in and understanding of the Commission. On a final note in relation to building stronger ties within the stakeholder community, some increasingly important interest groups, such as consumer interests and aquaculture, seem almost absent in the RACs.

Notwithstanding, the RACs do provide a valuable side benefit or premium in fostering a more skilled and better informed fisheries stakeholder constituency in the EU. This indirect value of

the RACs is an important fundament to build on in future steps toward co-management and/or increased responsibility of the industry in management. In the 2012 reform the CFP may look to strengthen its democratic muscle by moving from a consultative arrangement to a more evolved form of co-management. Although communication appears to be an insignificant challenge to many of the RACs, they are nevertheless challenged by reaching consensus and navigating the different priorities of the membership either in terms of national designations or industry versus non-industry groups. In addition, each RAC or region must address particular needs, which in turn necessitate solutions that afford the opportunity to tailor policy to certain regional conditions. In relation to this, the resources available to the RACs may be lacking in terms of the scientific knowledge and expertise available to respond to specific advice requests. At least the respondents especially perceive economic and social science expertise as often being unavailable to them in their work within the RAC.

Not to be ignored, the relatively low feelings of impact of RAC participants paint a somewhat bleak picture of the efficacy of the process, fuelling the criticisms laid out against the RACs. Increasing the perception among RAC participants of being heard should, based on our results, figure among the priorities for the coming reform, whether that be e.g. through changing the mandate of the RACs or by installing a more structured feedback process so that RAC participants are better aware of how their input has been used.

Towards Regionalisation

Because the actual content and structure of regionalisation is ambiguous in terms of the adoption of potential governance structures, a central section of the survey presents the various archetypes of regionalisation to better understand the preferences and gain a concrete understanding of where stakeholders stand. Participants chose between a set of answers ranging from "I would approve" to "I would disapprove" with a neutral midpoint and statements of moderated approval and disapproval.
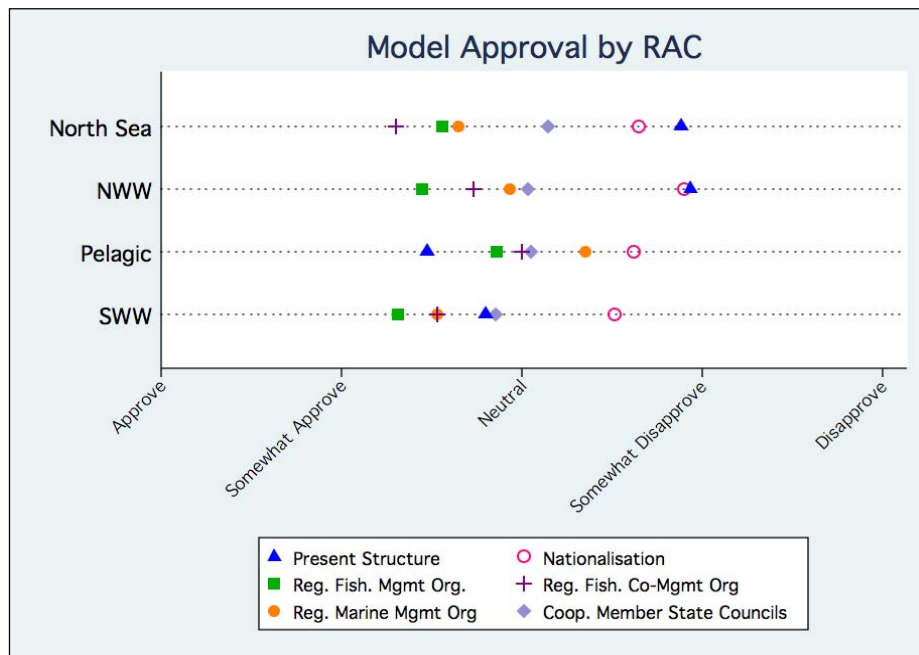
The graph above displays a graph of the four RACs' aggregate approval of all six models (five plus the current system); each coloured symbol represents a model's approval mean and

falls on the continuum between approve and disapprove to help visualise the differences and similarities in preferences for the models. The calculated averages derive from the numerically coded values of the answer choices. As illustrated here, there is no clear 'winner' in terms of chosen model, but rather there is strong preference for Regional Fisheries Management Organisation or a Regional Fisheries Co-management Organisation. The results shown in this graph are supported by other findings from the survey as well.

Seen through the disapproval of the Nationalisation model and the low agreement to the equation of regionalisation and greater national and subnational authority, RAC participants do not see regionalisation as the extensive passage of management decisions to the member states—at least not without the requirement that those powers be exercised in a concerted way at regional level. A minority of RAC participants do support the expansion of member state authority in their Exclusive Economic Zones, but the strong disapproval of the Nationalisation model and the largest proportion of participants selecting it as the least desirable model confirm the hypothesis that even though there are frustrations with the EU bureaucracy and the management under the CFP, EU fisheries stakeholders do in fact coalesce on the idea of a shared resources and unified management strategy. However, it should be noted that RAC participants from the northern member states are less firm in their dismissal of Nationalisation compared to their southern counterparts.

Although not strongly disapproved of like the nationalisation ideas, maritime integration and ecosystem-based approaches do not gain as much traction as other associations to regionalisation. Furthermore, certain stakeholder groups are far more enthusiastic about these ideas (Conservation and Multiple Interests namely) while generally the Industry provides a more tepid response to this conception of regionalisation. Not only does the Industry place less importance on ecosystem-based management and maritime policy integration, its members feel less compelled to incorporate parties unrelated to fisheries into the management process. The Industry's general hesitance to accept ecosystem-based management as one of the primary outcomes of regionalisation, indicates that fostering buy-in of this key stakeholder segment is a necessary step prior to the development of a governance system that builds institutional structures specifically to integrate fisheries with broader maritime management.

Improved efficiency and cost savings is important to some in the EU, but does not gain as much traction as other intended outcomes of regionalisation. Notably, EU stakeholders from the northern member states do look to regionalisation to disperse the central EU authority and thereby increase efficiency, but their counterparts in Southern Europe do not feel the importance of this goal to the same degree.

So, if regionalisation is not really about ecosystem-based management, maritime integration, nationalisation, or greater efficiency, for that matter, then what does regionalisation mean to EU fisheries stakeholders? In the minds of many survey participants, the measures associated with increased legitimacy for the CFP and fisheries management regimes enjoyed the greatest levels of approval. The preference for the Regional Fisheries Management Organisations and the Regional Fisheries Co-Management Organisations echoes the calls for greater integration of local knowledge, increased stakeholder engagement, and improved compliance from industry responsibility. The RACs have not gone far in terms of true stakeholder engagement in their decisions, which impact EU fisheries conservation. As discussed above, although participants feel good about the RACs, they are less enthused about the impact of their participation, highlighting the deficit in stakeholder involvement of the CFP as it stands now. However, some stakeholders are timid in their rejection of the current system, recognising the

difficulty of gaining consensus and managing what seems like an ever-diversifying set of fisheries stakeholder interests. Those in south are somewhat less intimidated by the thought of retaining the present system of EU fisheries management.

Chapter 1

Introduction

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1 Objectives

Over the last couple of years, the governance option of regionalising the Common Fisheries Policy (CFP) has become one of the hot topics in the debate about the content of the coming reform. The publication of the Commission of the European Communities' (Commission) Green Paper on 22 April 2009 (Commission 2009) has been instrumental in putting regionalisation firmly on the agenda in the coming years.

Work Package 4 (WP4) of the MEFEPO project kicked off in the summer of 2009, and the core team of researchers on WP4 decided in spring 2009 in agreement with the rest of the MEFEPO Consortium to focus WP4 more on regionalisation than originally envisioned in the project proposal. At that time regionalisation had emerged as a potentially interesting issue *vis-à-vis* the overall objectives of MEFEPO, and furthermore the timing made it possible to associate the research process closer with the activities related to the public consultation process that followed the publication of the Green Paper. As a consequence the objectives for WP4 were revised. These are the objectives that WP4 has been working towards:

- To get a picture of current options for and experiences with ecosystem-based regionalised fisheries management; primarily in a European context but also looking to comparable fisheries management systems elsewhere.

- To develop a number of draft scenarios/options for regionalised fisheries management under the CFP, incl. an overview of their qualities.

- To have the developed scenarios/options scrutinised by experts and stakeholders—partially by means of SWOTs—and subsequently improved and refined based on recommendations.

- To present—for each of the MEFEPO regions?—feasible scenarios/options for ecosystem-based regionalised fisheries management.

This chapter of the MEFEPO Work Package 4 Technical Report aims to provide the reader insight into how we in practice handled the task of exploring the governance option of regionalising the CFP. Moreover, this will also be the place to briefly introduce the different research techniques that we have employed.

2 Research Process

In MEFEPO WP4 we went through what can roughly be described as a five-step-research process[2] consisting of a review phase, an exploration phase, a reflection phase, a confrontation phase, and a consolidation phase:

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[1] Authors' names are listed alphabetically.

Step 1: Review Phase
In the initial phase we searched for and looked into the theoretical literature in order to deepen and structure our understanding of the concept of regionalisation as it was employed in the discussions related to the CFP. After having oriented ourselves within the literature we came to the conclusion that the theoretical concept best covering the regionalisation was the concept of decentralisation. Consequently that became the key term of our literature review.

The insights provided by the review resulted in the development of an analytical frame for understanding and exploring the option of regionalising the CFP. This framework is outlined in Chapter 2 of this report, which further puts the discussion on regionalisation of the CFP into context by providing a brief introduction to the challenges facing the CFP as well as the political context of the reform process. It should be emphasised that we did not attempt to provide a complete review and/or a synthesis of the body of literature on decentralisation. Rather we made excursions into a substantial body of literature to get a broad overview of the issues discussed as well as concepts and typologies employed.

Along with providing a deeper and more structured understanding of the concept of decentralisation—and thereby also regionalisation—the aim of this phase was also to percolate some ideas for the interview guide, which we made in preparation for the interviews in the following phase of our research process.

Step 2: Exploration Phase
The aim of this phase was to collect empirical material regarding which issues stakeholders, policymakers and managers perceived as being related to regionalisation in a general CFP context; and possibly also in the context of each of the Regional Advisory Council (RAC) regions dealt with under MEFEPO: North Western Waters (NWW); South Western Waters (SWW), and the North Sea (NS). In order to do this we employed four research techniques designed to provide data for qualitative[3] analysis: participant observations, key informant interviews, focus group interviews, and document studies/analyses.

In practice we started by observing meetings and conferences, carrying out key informant interviews, and then performing the focus group interviews. As mentioned, this part of our empirical data gathering efforts was primarily concerned with getting more into the details of the regionalisation discussion: the policy process, the political positions, the options, the challenges, and the perceived advantages. Subsequently, we turned our efforts increasingly towards studying a selection of the consultation documents received by the Commission upon the closure of the public consultation period on 31 December 2009. Accessing a body of position documents was intended to further assist us in identifying patterns and main themes of the debate about regionalisation.

Especially for the initial part of this phase of our research, which was the most intensive in terms of direct interaction with people external to the project, two MEFEPO leaflets were prepared to provide brief information on the project and in particular the work being carried out in relation to regionalisation. Leaflet 1 (attached as Appendix 1) was slightly more

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[2]The work under MEFEPO WP4 was undertaken from June 2009 to August 2010. Although the different steps of the research process did start in a stepwise order, the fact that they are referred to as 'steps' should not be taken too literally. Over most of the period we were working on several steps simultaneously or we left some steps for a time and revisited those steps later on in the process.
[3] The difference between qualitative and quantitative methods will be discussed briefly later in this chapter, as will the qualities of each of our techniques.

technical and detailed than Leaflet 2 (attached as Appendix 2) where priority was put more on using straightforward language than getting details across.

In this stage of our research other ways of 'spreading the word' about WP4 of MEFEPO included developing a relationship with the RAC secretariats, networking at the meetings and conferences we attended as well as a presentation of MEFEPO in Spanish at a meeting of the SWW RAC. This last opportunity evolved from an invitation from the RAC secretariat. This was convenient given that the SWW RAC region was, at the outset, considered the most difficult region for us to work in due to limited Spanish, Portuguese and French skills in the core team of researchers connected to WP4. On one hand, familiarising people with the WP4 of MEFEPO was important to get people to agree to act as key informants, but equally it was as important to pave the way for the survey we planned to carry out with the RAC meeting participants as part of step 4 of our research (see below).

Step 3: Reflection Phase
The aim of this step of our research process was to do a preliminary analysis of the empirical material gathered thus far. The analysis was done in part with assistance from qualitative text analysis software and emerged out of the framework developed during the first step of our research process (Chapter 2). The analysis provided a picture of possible political positions, options, challenges, and perceived advantages in relation to various ways of regionalising CFP. The results were subsequently gathered in a draft of Chapter 3 of this report. The analysis and draft of Chapter 3 enabled us to commence step 4 in which the most important task was the development and administration of a survey directed towards RAC meeting participants.

Step 4: Confrontation Phase
The aim of this phase was to collect feedback and more information from stakeholders, policy makers, managers etc. on the insights we had obtained so far. This was done in two ways: 1) developing and administering a mixed mode survey in the spring of 2010 through which we, among other things, asked for the level of approval/disapproval of a number of possible regionalisation models, and 2) arranging two small feedback sessions in Brussels in June 2010 (one with European Parliament Fisheries Committee members and assistants[4] and one with interested staff of DG MARE of the Commission[5]) in which we presented preliminary results of WP4 in a PowerPoint presentation. The presentations contained preliminary results of the survey as well.

The survey served multiple purposes, which were difficult to achieve solely through the qualitative techniques used earlier in the process. In particular, we were interested in exploring differences in perceptions across the different RACs, as well as across different types of stakeholders and other people with an interest in the CFP. The survey was designed as a mixed mode (e-mail and mail), sent out in English, French, Portuguese, and Spanish to a population consisting of RAC meeting participants.

Step 5: Consolidation Phase
During the last phase we processed the data from the survey, which eventually resulted in Chapter 4. We also revisited and finalised Chapter 2 and 3—partially in light of the

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[4] The session attracted two parliamentarians, namely the Committee's observer on the Green Paper (Committee on Fisheries 2010), Prof. Maria do Céu Patrão Neves, and the Committee's 2nd vice-chair, Mr Alain Cadec) as well as four assistants.
[5] The session attracted three members of the DG MARE staff.

information generated by the survey and the small feedback sessions. The overall output from this effort is the present report.

As we went through the different steps of our research process we used, for a variety of reasons, a number of different research techniques and tools. In the following sections, we will take a brief look at the main techniques and describe how we went about using them in practice. As mentioned above, please note that the protocol of the survey will be dealt with separately in Chapter 4 of this report.

3 Methodology

Before looking into the different research techniques, let us briefly discuss qualitative versus quantitative research. In the context of our research, qualitative and quantitative research is different ways of learning about people's perceptions of regionalisation of the CFP; each approach has its strengths and weaknesses.

Consequently, we are of the opinion that much can be achieved by combining qualitative techniques with quantitative techniques in order to make them complement each other. As an example qualitative research often scores high on validity (whether the researcher is actually investigating what he thinks he is investigating), while quantitative research often scores high on reliability (whether the research can be replicated with the same result). An appropriate combination of the two approaches can, we argue, ensure a better 'score' on these aspects than the combined score of the two approaches performed in isolation.

As described above, we employed a range of qualitative techniques, most significantly observations and interviews. A qualitative technique or simply qualitative research is often found appropriate whenever the objective is to get an in-depth understanding of an issue, as was the case in the first parts of our research process. Observing people discussing the issues of regionalisation during meetings or interviewing them about regionalisation enabled us to obtain rich and detailed information about perceptions and issues—albeit from a relatively limited number of people. Nevertheless, the limited 'sample' was of little concern in this phase of the research where our objective was primarily to identify and map the issues and perceptions at play, something which could be achieved by carefully selecting the meetings to attend and the people to interview.

Qualitative techniques such as interviews or observations can be time-consuming both to complete the data collection and to analyse the lengthy portions of text-based data. As a consequence such techniques are usually associated with relatively smaller samples and are thus not as well-equipped to measure the variation degree of perceptions across different sub-groups. Moreover the data does not often indicate the general level of support for certain ideas. This, however, was a primary objective of our research in which we additionally wished to investigate how widespread certain perceptions of regionalisation were and evaluate the level of support for certain models of regionalisation. In respect to those objectives we found quantitative techniques helpful.

As opposed to qualitative techniques, quantitative techniques enable the researcher to work efficiently with a much larger sample, which we took advantage of in the survey carried out during step four of our research process. The survey technique exemplifies the usefulness and shortcomings of quantitative techniques. By developing a questionnaire, which—with relative ease—can be administered to a large number of respondents, the researcher is able to get hold

of data from a much larger population than if she had to talk to people personally. Moreover, the quantitative researcher will make sure that the options for answering are fixed —as opposed to open-ended—so that the answers can be associated with numerical values and treated statistically. This way of doing research provides a high level of reliability in the sense of the research being replicable. However, respondents are unable to add new aspects as they would have been able to in an interview situation; likewise the respondents have to answer according to the predetermined options given—no matter if they would like to answer in another way or qualify their answer.[6] Moreover, it can be difficult to ensure that the questions are interpreted similarly by all respondents as the one asking the question is not available for consultation.

Due to the timeline of our research process we recognise that in our case it has primarily been the survey that has benefitted from the qualitative research that preceded it. The significant amount of qualitative research enabled us to make a much more elaborate and stringent questionnaire than we would have otherwise been able to do. Likewise, the many interviews and meeting observations helped us discover which words or phrases that could be misunderstood in different cultural contexts or languages and helped us weed those out from the questions.

In principle, going back and performing a new series of interviews with a new interview guide revised in the light of the results from the survey was tempting; in that way the qualitative research process would have benefitted from the quantitative. However, this was not feasible and would likely have provided only minimal benefit in comparison to effort and resources. Notably, it should be mentioned that Chapter 3 was not finalised before the end of the survey so we were in fact able to have the results of the survey in mind when finalising the analysis of the qualitative data. Nevertheless, arguably the integration of the qualitative and quantitative research lies as much in the process as in the outputs.

4 Research Techniques

In the following sections we describe how we have employed the various research techniques in practice.

4.1 Literature Review

A literature review is traditionally the first step in a research process, at what point the researcher reviews the current knowledge base and thereby outlines the basis for the future research. Our review in particular focused on theory that could help us understand and structure issues related to the topic of regionalisation of the CFP. For that purpose we deconstructed the term regionalisation and identified *decentralisation* as a key theoretical term. The literature related to decentralisation is, however, comprehensive and complex, and as a consequence we resorted to excursions into the literature to identify useful concepts and ideas; the result is reported in Chapter 2.

In practice, to facilitate work on step 1 of WP4 and later on in the MEFEPO project, we created a joint 'library' containing literature identified during the review, which was accessible to the core team of researchers. A list of search terms for the literature review can be found in Appendix 3.

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[6] Often the respondents are given the possibility to qualify their answers in a comments box but these qualifications will not affect the numerical values of the provided answers.

4.2 Participant Observations

Observing meetings is a sub-type of the method of participant observation. Traditionally, participant observation requires developing a relationship and adopting some sort of role within the group observed, a task that requires a time of participating and observing. However, the way we used the method was somewhat more opportunistic.

The observation of meetings served multiple purposes (for us). First and foremost, the objective of observing the participants deliberating in meetings was to give us a preliminary understanding of the issues and discussions surrounding the issue of regionalisation. This, in turn, would facilitate developing the guide for the key informant interviews. Secondly, attending the meetings presented an opportunity to meet some of the people who we had already planned to interview. We thought—that whenever possible—making initial contact face-to-face as opposed to the usual e-mail would increase our chance of getting that person to agree to be a key informant. Finally, we also felt that our presence at the meeting would help raise the awareness of MEFEPO in general and WP4 in particular. This exposure proved particularly useful when sending out the survey as part of step 4 of our research process.

As the timeframe in which we carried out meeting observations coincided with the period leading up to the closure of the public consultation process related to the Commission's Green Paper, there were several relevant meetings to observe. A list of meetings and conferences observed is included as Appendix 4. The observation of meetings took place in September to October 2009 prior to the period in which the key informant interviews were carried out. At least one researcher attended the meetings; however, at some meeting several researchers were present.

In practice the researcher(s) present at the meeting listened to the discussion and took notes during the meeting. Subsequently, the researcher(s) communicated the main insights from the meeting to the core team of researchers and distributed notes and in some cases presentations from the meeting.[7]

4.3 Key Informant Interviews

Key informant interviews are semi-structured interviews with persons who are expected to possess key information about a topic of interest to the researcher, in our case, regionalisation and reform of the CFP.

The key informant interview is particularly useful when there is limited access to written material on the topic, which we experienced to be the case in relation to the aspects of regionalisation we were interested in. At the same time we also found the key informant interview useful because we believed that the topic was of such interest that we would in fact be able to get interviews with the real key persons, even though they are known to be rather busy.

A vital aspect of key informant interviews is selecting the right informants. At the level of the individual informant it is of course important to pick a person who has useful insights, but equally as important is that the person is able and willing to communicate these insights in an interview situation. In addition to carefully selecting the individual interviewee, it is important

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[7] As a curiosity it could be mentioned that one of the researchers from the core team is actually — in another capacity — serving on the RAC in which he was observing a meeting; so rather than being an outside observer, he was actually an observing participant.

that the group of interviewees as a whole is representative of different groups of people you wish to learn from (you want it to be somewhat representative).

During our research we carried out nineteen semi-structured key informant interviews[8] with various academics, stakeholders, managers, and policymakers[9] on the issue of regionalisation to get a better idea of the discussion, the policy process, the political positions, the options, the challenges, and the perceived advantages etc.

Prior to the interviews an interview guide was developed based in part on the insights from the review (Chapter 2). The interview guide, which was drafted by the core team of researchers working on WP4, was subsequently discussed and modified based on e-mail comments received from other researchers carrying out interviews for WP4, as well as comments received in connection with a final conference call held between the researchers involved in the WP4 interviews in order to coordinate interview tactics.[10] Furthermore, researchers doing interviews were encouraged to report possible problems with the practical use of the interview guide in the interview situation back to the core team so that it could be determined if the problem demanded attention in relation to the remaining interviews. The final version of the interview guide can be found as Appendix 5.

It should be noted, however, that the interviews were semi-structured and the interview guide was, as indicated by the name, only meant to act as a *guide*. It outlined suggested themes and questions and the different interviewers stuck to varying degrees to the guide. However, the researchers did not restrict the talk/discussion to issues brought up directly by the guide in any of the interviews. The interviewee was allowed and encouraged to follow his/her own thoughts, focussing on what he/she found most relevant in relation to the discussion on regionalisation. Most of the interviews turned out to be fruitful in terms of providing insights and perspectives.

As for persons to interview, these were chosen according to a variety of criteria. As we were carrying out key informant interviews, our most important concern relating to the individual interviewee was of course whether we were convinced that the potential interviewee held useful information (opinions, ideas, insights, etc.) on the issues of regionalisation. Of course another concern was whether the person was available and willing to openly debate the issues during an interview. For the entire group of interviewees we aimed, moreover, to make sure that 1) we got a reasonable geographical spread across the three MEFEPO RAC regions and 2) we got a reasonable mix of researchers, managers, policymakers, and stakeholder representatives (including the industry as well as other interests). Based on these concerns the involved researchers, who for the most part have been working with European fisheries management for many years, with help from their network developed a gross list of a little less than thirty people, of which we intended to interview approximately twenty allowing for up to ten declines from the list. As it turned out, only very few declined to act as key informants. **Fejl! Henvisningskilde ikke fundet.**1 below shows our interviewees distributed according to one of our main background variables.

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[8] In order to encourage the interviewee to focus on what he or she felt was important rather than merely sitting back and responding to asked questions, we made an effort to refer to the interviews as 'talks' when we contacted potential interviewees.

[9] Each researcher took care of the contact to the respondents that he or she was planning to interview — and first contact was predominantly done by e-mail. As we had different 'relationships' (e.g. no relationship, a common colleague or a previous contact) to the persons on the list no standard mail was used; however, Appendix 6 shows an example of a typical 'first-contact-e-mail'.

[10] The interviews were divided on seven interviewers, primarily due to the language skills required.

Table 1.1: Interviewees by type.

Type of interviewee	Number of interviews (total: 19)
Researcher	2
Manager	4
Policymaker	3
Stakeholders	10 (industry: 8; other: 2)

The intention was to do the interviews either face-to-face or over the telephone depending on what was most convenient. Eventually thirteen interviews were carried out face-to-face and six interviews were carried out over telephone. The interviews were carried out in the period from October 2009 to February 2010. The full list of people interviewed, as well as some details about each interview, can be found in Appendix 7. The standard length of the interviews turned out to be between 1 and 1½ hours, which was slightly longer than anticipated. The interviews were generally carried out in the mother tongue of the interviewee, recorded and subsequently transcribed into text-files (during the transcription the interviews not carried out in English were translated). Most interviews were transcribed in full; however, a few of the interviews were—based on a cost benefit analysis—only transcribed partially, or the relevant points of the interview were condensed and turned into text.

Finally, to facilitate analysis of the data from the interviews selected key interview transcriptions were imported into qualitative text analysis software, where the relevant text units were coded according to their topics in order to be able to create structure in the material.

4.4 Focus Group Interviews

Focus group interviews were not originally among the planned research techniques. However, when we contacted a key official in DG MARE to ask for an interview, this person decided that the topic was of interest to a wider group of his colleagues. He consequently invited five of his colleagues to participate as well. Informed about this we had short notice to change our plans and do the key informant interview as a focus group interview instead. The focus group interview was carried out in Brussels in November 2009.

As we only conducted one focus group interview, which was basically a coincidence, we will not discuss this method at length. Generally, however, focus group interviews are considered to be particularly useful because the format reduces the role of the interviewer, who will often only set the agenda for discussion between the focus group participants. Ideally this reduces the bias that can be introduced by the interviewer leading the discussion often by means of a guide or a questionnaire.

Rather than using the interview guide, which had been developed for the key informant interviews, we decided to introduce the focus group to a short PowerPoint presentation of approximately ten minutes to get the talk started. The presentation briefly outlined the objective of MEFEPO and gave a detailed account of the work carried out under WP4. The last slide of the presentation included a number of issues to discuss and remained on screen during the following talk to provide the group with a point-of-departure as well as structure and guidance (see Appendix 8). The format of the focus group interview turned out to work

well for the information we were after. To some extent, we were also able to benefit from the dynamic between different participants, which must be considered an added value compared to having done individual interview(s) instead. However, the dynamic between the participants was not as prolific as we would have liked. One explanation might be that there was a clear hierarchy between the participants from the same organisation. This was probably not be the best composition of focus group participants but in light of the way the focus group interview came into being this could not have been prevented.

Particularly due to the timing of the focus group (during the open consultation on the Commission's Green Paper) the participants asked to be kept anonymous, which was accepted. It was in any case never the intention to quote the persons we interacted with in the explorative phase by name. However, it can be disclosed that the in total six participants came from various parts of Directorate E (Baltic Sea, North Sea, and landlocked Member States).

The focus group interview took 1½ hours and was conducted in English, recorded and subsequently transcribed into a plain text. The transcription was, as the interview was very heavy on detailed information, done close to *ad verbatim*. Finally, to facilitate analysis of the data from the focus group interview, the transcription was imported into qualitative text analysis software, where the relevant text units were coded according to their topics in order to be able to create structure in the material.

4.5 Document Study

Studying and analysing documents was an important research technique for us. The timing of our research meant that we were able to access the pool of documents submitted in connection with the public consultation on the Commission's Green Paper as well as the Commission's synthesis paper of the submitted contributions (Commission 2010).

The Green Paper specifically puts regionalisation on the agenda; consequently many of these documents touch upon the question of regionalising the CFP. All documents received by the Commission in connection with the consultation process are by default public and accessible on a dedicated website.[11] The Commission received 382 contributions (Commission 2010). Consequently, we initially went through the list to identify the documents that were of interest to us ensuring that we captured a good variety and that we at least looked at the documents from key actors, e.g. the RACs.[12] Having narrowed down the number of documents substantially, we skimmed through them and discarded those which did not directly deal with issues of interest to us. Of the documents left we chose to focus on the ones that elaborated most on regionalisation, though still attempting to have a decent variety in these documents. Some position documents from key actors were not submitted as part of the public consultation process. For example, this was the case for the Committee on Fisheries' report on the Green Paper (Committee on Fisheries 2010). Those documents were also taken into account, as well as other texts that we found useful in attempting to outline the main issues, challenges and perspectives. The documents eventually selected for analysis were treated together with our interview data and the output from this effort can be found in Chapter 3.

4.6 Surveys

The final research technique that we employed was that of a survey. The objective of the survey was to uncover relations between preferences for reform and particular attributes of the

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[11] See http://ec.europa.eu/fisheries/reform/consultation/received/index_en.htm [accessed 23 July 2010].
[12] At this point of our research process it was—in general—also not feasible to consider documents submitted in other languages than English.

respondents, such as geographical affiliation, stakeholder type, and other population characteristics. The development of the survey presented us with a number of methodological challenges, the first one being how to define the population for our survey and subsequently get hold of contact information on the individuals.

Our first choice was to focus our attention on the RACs and the regional structure they represent. Given the objectives of our research, the RACs present a fitting subject of investigation: The RACs manifest an intermediary level of organisation between the central EU level and the member state level and they include a variety of people with an interest in the CFP. Furthermore, any institutional reform of the CFP will likely affect the RACs at a point when they are only nascent institutional bodies

Although the European Union's fisheries management system includes seven RACs, only four came under investigation in this survey, namely those covered by the MEFEPO project: North Sea RAC, NWW RAC and SWW RAC, and additionally it was decided that it was appropriate to include the Pelagic RAC as this species specific RAC spans the waters covered by the other RACs. Consequently, the survey utilises these four RACs to define the target population. The Baltic Sea, the Mediterranean Sea, and Long Distance RACs are not included in this investigation because of both limited resources and the unique circumstances of the Mediterranean and Long Distance RACs within the context to European fisheries management. At a point, The Baltic was considered an additional RAC to survey because of its efforts to move toward regionalisation and cooperative management; however, the language translations for the Baltic proved a sizeable challenge with the resources available on the project.

Defining and contacting EU fisheries stakeholders is a challenging task. Even with the four defined RACs, contacting all the active fishermen, interest organisations, and representatives would have been complicated. Within the four defined RACs, there were some concerns of how to define the exact population. We decided to define this as those who attended a General Assembly or the Executive Committee meetings in 2009. Hence, originally the survey population did not include working group participants, but once the translations were complete and the web survey was online it was apparent that the added costs of disseminating the survey to roughly 100 more people were low in comparison to the added representativeness and potentially richer data. As a result the participants from the first meeting within the 2009 calendar year of all working groups expanded the survey population to 329 total potential participants.[13]

The attendance lists of meetings were publically available, found online or through correspondence with RAC Secretariats. At first we considered using the internal membership mailing lists maintained by the RAC Secretariats to contact our population; however, as researchers we would have to forgo too much control and risk issues of bias and questionable credibility in terms of methods. As a consequence, the majority of the e-mail addresses used to contact participants for the web survey was found via Internet searches, but in some cases the RAC Secretariats provided contact information.

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[13] That particular type of interest groups or stakeholders would become overrepresented because of the means of defining the population posed a theoretical risk. For example, those organisations that have a number of individuals attending RAC meetings with no single person assigned to RAC participation could become overrepresented in the population; however, little could be done to control such a phenomenon.

While the RAC Secretariats' provision of the e-mail contacts was invaluable, in some instances it was apparent that the RAC holds a general contact e-mail for the represented interest group, not the individual e-mail address of a person representing the organisation. Through the process of finding e-mail addresses, it became apparent that for various reasons e-mail would not reach the full population. In particular, there was concern that a web survey would not be as effective in reaching some portions of the defined population, namely the smaller fisheries representatives from the SWW RAC. Consequently, we adopted a mixed-mode survey utilising both a list-based web survey with e-mail invitations and a postal survey to follow-up with those who did not complete the web format. In the case of the surveys sent out through the postal service we searched online for addresses and used some of the contact information provided by the RAC.

Since the survey population was tightly defined and the total number of participants was reachable via the outlined methods, we were able to send surveys to the entire population. The frame population therefore completely covers the target population and there was no sampling done randomly or otherwise. This meant that there were no replacements for participants who opted out or were unavailable through our methods of contact.

Before reaching its final form, the actual text of the survey underwent a rigorous draft process. The internal IFM-AAU team reviewed and revised multiple drafts of the survey after which IFM-AAU solicited comments from external MEFEPO partners working on WP4, namely those at the University of Tromsø and IMARES. Upon receiving comments from our external partners, some of our contacts and colleagues from outside the MEFEPO team were asked to review the survey. For instance, David Symes reviewed the survey and contributed the idea to ask respondents to explain how they believe the RACs would be affected under the model of regionalisation that they preferred. Finally, the survey went through a pilot test utilising the online SurveyXact tool to contact the pilot group and collect their answers with comments. The pilot group comprised seven individuals representative of the full survey population.

A separate challenge of the survey was the issue of language translations. Due to the wide range of countries and cultures represented in the four RACs, three MEFEPO colleagues translated the final English version of the survey into French, Spanish, and Portuguese. With the intention to keep the survey questions and response options as close to the original English as possible, all three of the translated surveys were translated back into English and checked by other colleagues competent in the three languages. It could be questioned whether other languages should have been included. In particular, it was considered whether German should be included; however, as the RACs in general only translate into French, Portuguese, and Spanish it was decided to limit it to those languages.

The survey begins with *Section I: Background* covering basic information such as age, gender, years of experience, and participant type. To populate the categories for the participant question, we used the EU's division of RAC interest organisations and also included options for those who participate in RAC meetings as non-interest organisations such as the European Commission, member state ministries/agencies and non-EU countries (Council 2004). We also provided an *"Other"* category with space for participants to self-define. Rather than try to predict the national, subnational, and regional affiliations of the participants the geographic affiliation remained an open-ended question.

In the process of compiling the list of potential participants from the RAC attendance, it became clear that a large number of people attend the meetings at more than one RAC. However, we planned to use RAC as a key division when analysing the data. Therefore, we first constructed a question compiling the three varieties of meetings (executive committee, general assembly, working group) in the four RACs, where a participant could select all possibilities or none at all. Then, the participant would select the RAC in which he/she was most involved and then prompted to answer the survey in reference to that particular RAC. Often employed by other surveys (Schwarz, Knäuper et al. 2008), the exercise of ticking all the applicable RAC meetings before naming the primary RAC aided participants in their selection of the RAC in which they are most involved. It was like that many respondents had no issue selecting the primary RAC.

The second part of the survey, *Section II: Current RAC Functioning and Capacity*, intended to measure the challenges facing the RACs and assess if the RAC participation had altered stakeholder information access, trust and other sociocultural markers relevant to the success of devolved decision-making. The RACs along with the Advisory Committee for Fisheries and Aquaculture (ACFA) represent the primary stakeholder forums in the current CFP arrangement, thus if regionalisation—through decentralising and possibly devolving power—is to deliver better management, we should appraise how well the present model operates. This section of the survey sought to parse through the devolution of powers and decision-making to stakeholders in its assessment of the resource availability, stakeholder trust, information access, and challenges in the current framework of RAC activities. Section II is subdivided into six different categories of questions most of which utilise scaled responses to ascertain the level of agreement or importance.

Section III: Reform of the Common Fisheries Policy and Regionalisation is the final section of the survey. The first two questions aim to assess the agreement on potential attributes of regionalisation and the intended outcomes. The survey concludes with the presentation of six models of regionalisation and questions probing the level of approval or disapproval for each, after which two questions ask participants to select the top choice and least desirable model from those presented. The final few questions of the survey are open-response format asking participants to speculate about the change to the RAC structure under their preferred model and provide any other thoughts provoked through the exercise of filling out the questionnaire.

In practice, the survey went out first through an e-mail, which provided a link to the online questionnaire. The cover letter e-mail was sent in the language of correspondence (English, French, Portuguese, or Spanish) as determined through name, organisation, e-mail address, or any combination thereof. After roughly one week, the participants received a second e-mail with the identical cover letter and information as provided in the initial distribution e-mail. Since the survey went out close to the Easter holiday, we waited until after the holiday to send a second e-mail reminder, this time with shorter text and more direct request to fill out the survey. We witnessed a considerable bump in the number of responses and a handful of participants e-mailed directly to inform us of their completion. It seems that a more personal tone may improve the survey response rate in a time when people are often bombarded with marketing research firm requests. Additionally, the survey also competed with other EU fisheries research projects vying for the stakeholder's attention. The final e-mail reminder did inform potential participants that mailed surveys would go out if they did not complete the online version. The paper questionnaire was then mailed through the post a little more than a month after the first contact through e-mail.

The English version of the survey as well as the survey cover letters and subsequent communication is included in Appendix 9 and 10 of this report.

The web version of the survey was created and managed with the tools of SurveyXact. Participants were allowed to skip or not respond to all questions in the web survey, which was obviously also the case for the mailed survey. The statistical software package STATA 10.0 enabled the quantitative data analysis and generation of graphs for Chapter 4 of this report.

The survey totals 138 observations, of which one hundred participants completed the online questionnaire, thirty completed the paper version and eight partially responded online providing enough answers to merit inclusion. The response rate for the survey stands at 41.9 % (138/329).

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Chapter 2

Decentralising the Common Fisheries Policy
- Getting behind the Concept of 'Regionalisation'

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1 Background

Although the extent of the failure of the Common Fisheries Policy (CFP), the fisheries policy framework of the EU, can be debated, one would be hard-pressed to find voices arguing that the policy has delivered satisfactory results. Recent reflections on the CFP (Sissenwine and Symes 2007), the Green Paper (Commission 2009) and Raakjær (2009) paint a rather dismal picture of the performance of the CFP. Most fish stocks are overfished and several are on the brink of collapse, but in all fairness it should be noted that small pelagic stocks show improvements after the implementation of long-term management plans (LMPs). Coers et al (2009) show that the five major small pelagic stocks in the North East Atlantic waters are in a relatively good shape. There is also indication that some of the threatened white fish stocks have shown improvement. Nevertheless, the EU fisheries sectors are characterised by poor profitability with sector employment steadily declining. In addition, the EU fishing sector is facing intensive competition from freshwater and marine aquaculture production, making the market extremely competitive. The lack of success of the CFP is primarily caused by a lack of political will and ability among member states to reduce fishing efforts and alter the present management path (Hegland and Raakjær 2008).

Raakjær (2009: 147-48) highlights the prominent characteristics (resource, economic structure, political, management regime, and regime change) of the EU fisheries policy system emphasising twelve important explanatory factors for the problems that the CFP faces:

- For many years overfishing has been evident resulting in a critical resource situation.
- A fragmented fishing industry, leading to a fragmented interest structure in the EU fishing industry.
- 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 interests.
- 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 is not 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.
- 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.

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[14] Authors' names are listed alphabetically.

It should be noted that both Sissenwine and Symes (2007) and the Green Paper (Commission, 2009) reach similar conclusions although phrasing the problems differently. There is an apparent need for change in the governance structure of the CFP. One such change is regionalisation (decentralisation) of the CFP, which has been discussed at varying intensities beginning in the mid-1990s (e.g. Symes 1997) through the 2002 CFP reform, which made the first move in this direction by establishing Regional Advisory Councils (RACs). Since 2004 seven RACs have been established, organised along either specific sea areas roughly corresponding to large marine ecosystems[15] (LME) (five RACs[16]) or specific types of fisheries (two RACs[17]). The RACs were introduced to provide a forum for stakeholders to discuss the particular issues in their region and bring attention to those issues and convey advice to managers and decision-makers in the central EU institutions as well as the member states.

Spurring from the nature of the challenges facing the CFP and the focus of public discussions on introducing new modes of governance generally to the EU, discussions of further decentralisation/regionalisation of the CFP (in line with the principles of subsidiarity) have increased considerably over the years. Stakeholders, researchers, administrators, and politicians still struggle to find long-lasting and innovative solutions to put the CFP on a sustainable track and create a governance structure that facilitates the move towards ecosystem-based fisheries and marine management in accordance to the Johannesburg Declaration (United Nations 2002).

As an example of the link between regionalisation and the ecosystem approach, the Convention on Biological Diversity[18] (United Nations 1993) outlines twelve guiding principles for the implementation of an ecosystem approach. Although the principles are—unlike the convention itself—non-binding on the contracting parties, they provide good guidance in the underlying philosophy of ecosystem-based management. Notably, several of these principles place regionalisation higher on the agenda in the effort to turn towards ecosystem-based fisheries or marine management. A handful of the twelve principles are potentially facilitated by regionalising the CFP depending on how it is carried out in practice. However, in the context of the CFP two of the twelve principles somewhat presuppose regionalisation. They are:

> Principle 2: Management should be decentralized to the lowest appropriate level.
> Decentralized systems may lead to greater efficiency, effectiveness and equity. Management should involve all stakeholders and balance local interests with the wider public interest. The closer management is to the ecosystem, the greater the responsibility, ownership, accountability, participation, and use of local knowledge."
> […]
> Principle 7: The ecosystem approach should be undertaken at the appropriate spatial and temporal scales.
> The approach should be bounded by spatial and temporal scales that are appropriate to the objectives. Boundaries for management will be defined operationally by users, managers, scientists and indigenous and local peoples. Connectivity between areas should be promoted

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[15] The concept of a large marine ecosystem was pioneered by the National Oceanic and Atmospheric Administration, United States Department of Commerce. A large marine ecosystem (LME) is defined as an area *"of the ocean characterized by distinct bathymetry, hydrology, productivity and trophic interactions"* (http://www.publicaffairs.noaa.gov/worldsummit/lme.html).

[16] Baltic Sea RAC, North Sea RAC, South Western Waters RAC, North Western Waters RAC and Mediterranean RAC.

[17] Pelagic RAC and Distant Waters RAC.

[18] This convention is traditionally identified as one of the original sources of the idea of an ecosystem approach to managing the environment.

> where necessary. The ecosystem approach is based upon the hierarchical nature of biological diversity characterized by the interaction and integration of genes, species and ecosystems. (http://www.cbd.int/ecosystem/principles.shtml)

Consequently, as described by Berghöfer, Wittmer, and Rauschmayer (2008) ecosystem-based fisheries management is closely linked to the idea of regionalisation. In the following we initially take stock of the way the discussion on regionalisation has been framed and subsequently take a step back to discuss what regionalisation covers as a theoretical concept.

The discussion of regionalisation, as it has unfolded in relation to EU fisheries management, is both complex and politically sensitive. The discussions to be taken are inherently complicated and sensitive; however, having observed and to some extent taken part in the discussions of recent years, we feel that the lack of a clear (and perhaps common) conceptual understanding of regionalisation further complicates them. Consequently, in this chapter we offer some concepts for understanding, which we believe resonate in the ongoing discussion of regionalisation as a way forward for the CFP. For this purpose we will look into both fisheries management literature as well as theoretical literature from relevant social science disciplines—particularly looking at the concept of decentralisation, as regionalisation[19] of the CFP can be considered a specific instance of decentralisation.

Strikingly the discussions of regionalisation in relation to the CFP have shown that the concept has been employed in both a multi-faceted manner—in the sense that it subsumes several discussions under one heading—and in an ambiguous manner—in the sense that as a description of a way of governing, it means different things to different people. In the present chapter we are primarily concerned with discerning the different facets of the concept of regionalisation in order to develop a framework for understanding and deciphering the discussion. However, in Chapters 3 and 4 of this report we will be based on empirical material on different understandings of regionalisation and how these have played out in recent discussions of fisheries management in the EU.

Much of the complexity of the regionalisation concept stems from, we would argue, the fact that the discussion of regionalisation subsumes three interrelated discussions pertaining to *who, where and what*—issues which can only be separated analytically. In practice each issue is difficult to discuss in isolation. An overview of the discussions subsumed under the heading of regionalisation of the CFP can be found in Table 2.1.

Table 2.1: Sub-discussions of regionalisation.

Sub-discussion	Main themes of the CFP discussion (for further information, see Chapter 3)
The discussion of *where* to regionalise to	In relation to the CFP, this sub-discussion has primarily been about the relative importance of different geographical levels in a perceived politico-administrative hierarchy of the CFP
The discussion *whom* to regionalise to	This has primarily been a discussion of the extent to which stakeholders should be involved in the fisheries management process of the CFP or merely subject to it
The question of *what* to regionalise	This sub-discussion has in relation to the CFP mainly evolved around what tasks that need to be kept at a central level and which can be dispersed

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[19] It should be stressed that the term regionalisation in terms of the EU fisheries policy has different connotations compared to the more common use of the term in political science on the EU as referring to processes taking place within the member states (e.g. Lagendijk 2005).

Before further dissection of the concept of regionalisation by means of literature related to the concept of decentralisation, it might be useful to provide a little background on the empirical context of the discussion on regionalisation of the CFP. For this purpose we wind back time to April 2009 and take our point of departure in the Commission's Green Paper, which formally kicked-off the current policy process towards the reform of the CFP.

2 The CFP Reform and Regionalisation

As anyone with an interest in European fisheries management will be aware, the CFP is reformed in ten-year cycles and the next reform package should be ready by the beginning of 2013. Consequently, by the end of 2012 a modified policy framework—based on a proposal from the Commission—will likely be negotiated and adopted jointly by the relevant ministers in the Council of the European Union (Council) and the members of the European Parliament (Parliament). This will allow the new framework for the CFP to be (progressively) implemented from 2013. The upcoming reform is projected to be substantial and affect a wide range of aspects of the CFP.

The official process towards the coming reform kicked off with the Commission's release on 22 April 2009 of its Green Paper, which intended to *"stimulate a debate on the reform to provide the Commission with feedback and guide its work"* (Commission 2009: 5).[20] Among other issues the Green Paper detailed the underlying historical foundation of the policy as well as the need for change by reference to five major structural shortcomings of the present framework:

> - a deep-rooted problem of fleet overcapacity;
> - imprecise policy objectives resulting in insufficient guidance for decisions and implementation;
> - a decision-making system that encourages a short-term focus;
> - a framework that does not give sufficient responsibility to the industry;
> - lack of political will to ensure compliance and poor compliance by the industry.
> (Commission 2009: 9)

Among other things, the latest reform of 2002 sought to encourage greater stakeholder engagement (particularly through the establishment of RACs) in an effort to achieve healthy, sustainable fisheries; however, most agree that the CFP is still some way from achieving this—and the bullet points presented in the beginning of this chapter lend support to this interpretation. Moreover, it can be argued that the majority of the listed policy ailments follow directly or indirectly (at least in part) from the centralised decision-making structure of the CFP. Therefore, although there is no single solution to address all of the problems of the CFP, reorganising the way that the rules in EU fisheries management are decided and implemented seems an important step on the way to achieving sustainable fisheries.

At this point it might be useful to introduce our distinction between regionalisation of the policies of the CFP (i.e. the actual rules that industry actors are subjected to) and regionalisation of the governance system of the CFP (i.e. the system or network of public and

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[20] Furthermore, the publication of the Green Paper launched a formal public consultation process that ran until 31 December 2009. Due to the 'deadline' on the public consultation process, particularly the fall of 2009 witnessed a number of conferences and meetings specifically dedicated to the 2012/13 policy reform. As it turned out, the issue of regionalisation became one of the hot topics of the second half of 2009 and the option of regionalising the CFP gained support from several sides. The way regionalisation was debated during the actual consultation process, which started on 22 April 2009 and was concluded with the publication of the Commission's synthesis of the received contributions (Commission 2010a), is dealt with further in Chapter 3 of this report.

private bodies having an impact on the content, implementation, enforcement or interpretation of policies adopted under the CFP, for details see Figure 2.2 in section 3.3). In line with this distinction, Symes (2007: 779) describes the governance system as *the engine that drives policy-making and the development of management strategies.* Although more regionally specific policies are arguably part of the answer to the problems of the CFP, what we understand as regionalisation is related to the governance system of the CFP. In principle there is nothing hindering the current centralised structure of the CFP from adopting regionally more specific policies, but this does not qualify as regionalisation of the CFP in our understanding of the concept. As discussed in section 2.1.1, the increasing calls for regional policies are, however, an independent driver for the development of a governance system for the CFP that includes a regional politico-administrative level.

The Green Paper—under the headline 'Focusing the decision-making framework on core long-term principles'—presents an idea of resorting to more specific regional management solutions which would allow the EU level decision-making framework, particularly the Council and the Parliament, to focus more on core long-term principles:

> Another option to be carefully considered would be to rely wherever possible on specific regional management solutions implemented by Member States, subject to Community standards and control. […] In most cases this delegation would need to be organised at the level of marine regions because shared fish stocks and shared ecosystems cover wide geographical areas and cannot be managed by individual Member States acting in isolation. Member States would therefore have to work together to develop the setups required.
> (Commission 2009: 10f)

In practice what the Green Paper suggested as one option was, consequently, a delegation from the central level of the EU institutions to the more decentralised level of member states acting together at the level of marine regions. However, the Green Paper went on to link the option of regionalisation with that of giving the industry larger responsibility, possibly to the extent of introducing self-management:

> Putting policy in its right place by letting Council and Parliament focus on principles and delegating implementation decisions to Member States, the Commission and/or self-management by the industry would lead to a simpler and cheaper policy. It would make implementation more sensitive to specific local conditions and give the industry more responsibility in shaping its own destiny. It would enable governments and the industry to adapt the implementation of the policy to their needs and to find the best solutions both technically and economically.
> (Commission 2009: 11)

The Green Paper hereby put all the questions of *who, where and what* into play. First, in relation to the *where*-question the Green Paper discusses in particular the option of delegating tasks previously held at the level of the EU institutions to member states acting together at a regional level. Secondly, the Green Paper addresses the *who*-question primarily by referring to the possibility of industry self-management and giving the industry more responsibility in shaping its own destiny. Finally, the *what*-question is less directly dealt with in the Green Paper but importantly it seems to suggest that there is a definable line between implementation decisions and decisions of a more principle nature. Although we agree that a difference does exist, it is likewise clear that it is debatable—and of fundamental importance—where to draw the line, if that line is to determine what can and cannot be decentralised.

2.1 Wider Context Policy Shapers

The CFP faces many governance challenges (Commission 2009, Raakjær 2009). Furthermore, it would be a mistake to approach the coming reform and the current challenges of the CFP in isolation from its wider context the coming CFP reform will be a product of the wider context in which the CFP is embedded. In the following we briefly introduce a handful of wider context policy shapers or trends that are particularly important to bear in mind in relation to the discussion on regionalisation.

2.1.1 Towards Holistic and Integrated Environmental Policies

As emphasised in the Green paper (Commission 2009) the fisheries sector needs to be seen in the wider maritime environment in which it is part. For centuries fishermen have been the primary users of the sea, but gradually more and more sectors are exploiting the marine environment (e.g. off shore energy, shipping, coastal development) and one can foresee increased competition for maritime space in the future. Thus, fisheries policies cannot be addressed in isolation and there is a large need for integration with other policies dealing with marine activities (van Hoof, 2010) e.g. the Integrated Maritime Policy (IMP) and its environmental pillar, the Marine Strategy Framework Directive (MSFD), the Habitat Directive, the Bird Directive, the Water Directive, all of which have a strong environmental orientation. Fragmentation can result in the adoption of conflicting measures (Commission 2006), and might negatively impact the marine environment or impose uneven constraints on competing maritime activities. All such reasons call for new holistic and integrated approaches to marine resource management, underpinning the need for an ecosystem approach for managing fisheries.

2.1.2 From Traditional Government to New Modes of Governance

Historically, fisheries management in the EU has been governed through a technocratic top-down bureaucracy (Figure 2.2 in section 3.3). However, across all sectors in the EU, the process of introducing *new modes of governance* has begun. The Commission in its white paper on European governance (Commission 2001) emphasised the importance of understanding the process itself and found it too narrow to only focus on policy outcomes. The Commission (Commission 2003) argued that more openness and greater consultation will deliver better policies as well as lead to more efficient implementation, both in the immediate and long-term interest of the EU. The enhanced participation in policy shaping should include authorities (national and sub-national) and an all-embracing inclusion of stakeholders. In fisheries management the concept of co-management was introduced and was based on a similar logic (Jentoft 1985), as it intended to involve stakeholders in decisions concerning their own livelihood and thereby improve compliance, reduce implementation costs, and ensure sustainable fishing (Hernes and Sandersen 1998). The concept of co-management is discussed further in section 3.3.3.

2.1.3 The Increasing Political Clout of Non-Industry Interests

As mentioned earlier fisheries have become a concern in the broader environmental debate and environmental movement across Europe, and particularly in northern Europe it is gaining strength. The closure of the "Wee Bankie" to sand-eel fishing in the name of protecting kittiwakes is an example of how ENGO interest has steered decision-making (Harald Østensjø, personal communication). Another example where non-industry voices successfully articulated their interest is in relation to the siting of wind farms in the Dogger Bank. Here, an interesting alliance between ENGO and the energy sector was illuminated.

Moreover, an alliance between conservationists and retail chains has been made leading to the establishment of the Marine Stewardship Council (MSC). This initiative has resulted in an increased focus on sustainable utilisation of fish resources. Many large retail chains are demanding that fish products be MSC certified and likewise MSC fish products are gaining market shares. This indicates that consumers and society are now focussing more on sustainability and conservation of fish stocks. Subsequently, ENGOs are becoming both acknowledged players in the political debate and legitimate participants in the consultative bodies dealing with fisheries management in the EU, i.e. the RACs and ACFA. (Raakjær, 2009).

2.1.4 The Ratification of the Lisbon Treaty

The role of the European Parliament (EP) has changed from being a consultative body to become a co-legislator, a direct result of the Lisbon Treaty that came into force on 1 December 2009. So far the role played by the EP in relation to fisheries policy has been marginal in comparison to a number of other policy areas. The coming reform of the CFP must be considered a turning point for EU fisheries policymaking insofar that the treaty provides that most fisheries legislation be subject to the co-decision procedure. The Commission heralded the anticipated move from consultation of the EP to co-decision in and of itself as a reason to refocus EU level fisheries management decision-making towards overarching policy decisions rather than detailed implementation decisions.

The enhanced involvement of the EP in EU fisheries policy making has a number of implications, which explain why the Commission specifically mentions this development as further complicating the continuation of an approach where the highest political level continues to be engaged in micromanagement and decision-making on questions of a technical character. First, the co-decision procedure is considerably more complex and therefore also lengthier than the traditional procedure. This implies that policy initiatives will take longer in the making and be increasingly more difficult to push through in a timely manner as responses to developments in the sector. Secondly, the concern has been raised to the degree members of the EP (MEPs) are equipped to make decisions on detailed technical fisheries matters. A similar argument can be made in relation to the ministers in the Council, but in contrast to the MEPs the ministers all have large support apparatuses behind them (and civil servants under them who in fact often reach *de facto* agreements on technical issues), which seldom is the case of MEPs. Thirdly, it is also expected that compared to the Council, where decision-making is already complicated by ministers trying to cater to short-term interests of specific national fisheries constituencies, some MEPs will be even more inclined to do this as their re-election is in some cases more directly linked to the ability to mobilise specific groups of voters.

2.1.5 Fragmentation of Interest

Although the term Common Fisheries Policy implies common interests and objectives among member states, this is far from the practical reality. Raakjær (2009) argues that the CFP has to cope with fragmentation rather than commonalities, because the species and abundance of fish and shellfish caught varies considerably between the different ecosystems and sub-ecosystems covered by the CFP. There is a high degree of variation in the business structure among and within EU member states from e.g. a large-scale, high-tech and capital-intensive pelagic sector in the North Atlantic to small-scale, low capital and almost subsistence-oriented fisheries in parts of the Mediterranean Sea, just to mention two extremes. Furthermore, large regional differences exist in the importance of fisheries sector in the regional economy. To further complicate the picture, fragmentation is not only seen within the fisheries sector, but

increasingly as a conflict of interest or clash of interests between fisheries and conservation interests as explained in section 2.1.1. Not surprisingly, this multi-fragmented situation has been led to a myriad of political interests and created cleavages among member states and between member states and the Commission and between the Commission and the EP, as mentioned above fisheries might be a playing field for MEPs pursuing local/regional or specific environmental interest adding further complexity into the decision-making processes.

3 A framework for Understanding the Discussion on Regionalisation

In this section, we will—taking departure from our understanding of regionalisation of the CFP (in whatever form it might eventually assume) as a specific instance of decentralisation—look into selected theoretical perspectives. It should be emphasised that we have not attempted to provide a systematic review and/or a synthesis of a specific theoretical body of literature. Rather, what we have done is to make excursions into the substantial body of literature relating to decentralisation to get a broad overview of the issues discussed as well as concepts and typologies employed.[21] Subsequently, we have narrowed it down to specific theoretical insights that we found useful in relation to the dominating issues in EU fisheries governance and the way the debate on regionalisation has been framed by the Commission— in the Green Paper and elsewhere.

3.1 Disentangling Decentralisation

As early as 1965 Fesler (1965: 536) concluded that *"Decentralization is a term of rich conceptual and empirical meaning,"* and that any apparent simplicity of the term—of which a basic notion of what it entails can arguably be gleaned from the word itself—is deceiving. Instead the term decentralisation seems actually to be highly complex with multiple meanings attached to it. Hart (1972) explains the confusion around the term with reference to the fact that several different disciplines within the social sciences converge in utilising the term. Our excursions into the decentralisation literature have not led us to believe that the complexity surrounding the term has diminished since the publications of Fesler and Hart. Rather, a recent article by Dubois and Fattore (2009), which takes on the task of reviewing the concept of decentralisation (in public administration research alone), supports this impression presenting numerous definitions and typologies 'on the market'. Consequently, as mentioned earlier, the aim of our excursions into the decentralisation literature was not to exhaustively review the term decentralisation, but rather to find and present theoretical insights that resonate in the discussion on regionalisation of the CFP.

In our case, we have chosen not to commit ourselves to a specific definition of decentralisation.[22] Nevertheless, it might be useful for our understanding of regionalisation as a specific instance of decentralisation to look systematically at what distinguishes different definitions and understandings of decentralisation from each other. Dubois and Fattore (2009) base their recent review of the concept of regionalisation on a selection of 40 different definitions. Based on their study they argue that the differences between the various

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[21] Details about our research method can be found in Chapter 1.

[22] In practice, however, the basic definition of decentralisation that seems to have gained the broadest appeal— not least because it appears to be the one that have caught on on the Internet—seems to be the different varieties employed by the world bank, as an example: *"the transfer of responsibility for the planning, financing and management of certain public functions from the central government and its agencies to field units of government agencies, subordinate units or levels of government, semi-autonomous public authorities or corporations, or area-wide, regional or functional authorities"*.
 (http://www1.worldbank.org/publicsector/decentralization/admin.htm).

definitions can be structured under the headings of 'dynamics', 'content' and 'receiving entity'.

In relation to dynamics, the decentralisation definitions differ in terms of whether they capture both the static *state* of decentralisation and a dynamic *process* of decentralisation or only one or the other. *"The process of decentralization of public administration refers to decentralization as a reform, and the state of decentralization refers to decentralization as a structure,"* (Dubois and Fattore 2009: 707); a distinction also noted by Fesler (1965). The 'dynamic process definitions' refer to transfer or dispersion, whereas those focusing on static state invoke the idea of degrees, range, or extent. In relation to the discussion of regionalisation of the CFP, it seems clear that we need to recognise decentralisation as a dynamic process since we are discussing a reform. However, it is also clear that what regionalisation should eventually lead to is a more regionalised state of the CFP.

According to Dubois and Fattore (2009), the second element where definitions of decentralisation differ is *content*. Recalling Table 2.1 of sub-discussions of regionalisation, the issue of content refers to the question of *what to regionalise*. In relation to this, scholars discussing decentralisation usually employ the terms of authority, responsibility or power, or a combination of those. Although some authors may disagree on making such terms synonymous, we use authority, responsibility, and power interchangeably in this work. Nevertheless for us, a useful distinction also reflected in the literature, is that between *formal* and *informal* authority. This distinction is of significant importance as the EU, as briefly discussed in section 2.1.2, is increasingly turning towards new modes of governance compared to the traditional and authoritarian command-control approach. It is therefore necessary that the understanding, we employ, does not restrict decentralisation to something necessarily related to formality.

Authority is, however, an overarching concept that says little about the exact nature of *what* is in fact being decentralised; Dubois and Fattore list the following types of authority as those typically discussed in the literature, *"decision-making, spending, planning, management, distribution, determining service provision level and quality, or use of resources,"* (Dubois and Fattore 2009: 709). What is important for us in relation to this is—again—that we keep an open agenda to the types of power / authority / responsibility that could be decentralised—or in the case of the CFP: regionalised. Consequently, we need to work from a broad understanding of the different types of powers, authorities, or responsibilities that are up for discussion to ensure that the conceptualisation of regionalisation does not exclude possible ways of strengthening the regional dimension of the CFP.

The third element that Dubois and Fattore (2009) argue that definitions of decentralisation differ is the question of *receiving entity*. Compared with our list of sub-discussions of regionalisation in Table 2.1, the issue of receiving entity collapses the sub-discussions of *where and who to regionalise to*. Given that the role of stakeholders is an important question in relation to regionalisation of the CFP and fisheries management in general, it is crucial that in our understanding of regionalisation we recognise that regionalisation is simultaneously a question of deciding on the administrative level to decentralise authorities as well as determining the extent to which private interests should be included in the tasks that are placed at various administrative levels.

In the following sections we will look into the main theoretical reasons for why decentralisation is perceived as an attractive option in some cases. Subsequently, we return to

the sub-discussions outlined in Table 2.1 and go through each of them to see how the literature can help us deepen our understanding of the issues that need to be sorted out when decentralising or regionalising.

3.2 Why Decentralise / Regionalise the CFP?

Decentralisation of governance, or in our case regionalisation of the CFP as a specific instance of decentralisation, is an attractive option for a number of case-specific reasons. An important element when studying the issue of regionalisation of the CFP is identifying and organising explanations for why particular actors with an interest in EU fisheries management would want to (or not want to) regionalise the governance system. Therefore, we outline a typology allowing us to organise these different perspectives on what regionalisation 'is good for'.

Initially, we take a basic point of departure in the distinction between the *governance system of the CFP*—defined as the system or network of public and private bodies having an impact on the content, implementation, enforcement, or interpretation of policies adopted under the CFP—and the *policies of the CFP*—defined as the actual rules that industry actors are subject to the CFP. Accordingly, on a basic level we argue that any perception of regionalisation as a favourable option will be motivated by the belief that *either* the governance system of the CFP *or* the policy outputs of the CFP will benefit in one way or another from regionalisation. This distinction follows Scharpf (1997: 19), who argues that democracy must, *"Be understood as a two-dimensional concept, relating to the inputs and to the outputs of the political system at the same time."* Scharpf's distinction directs attention to the notion that a well-functioning democracy is contingent on both the system's ability to take up the preferences of citizens (inputs) and balance the differences and interests through the decision-making system along with the ability to transform preferences into actual outcomes that achieve stated goals.

The second level of our analytic framework builds on Lauglo (Lauglo and McLean 1985; Lauglo 1995), who, based on research in educational policy, writes about the perceived values of and rationales for decentralisation. Although Lauglo employs examples from education policy in his explanation of the implications of different forms of decentralisation, we find the distinction between three main values that he invokes relevant in the context of regionalisation of the CFP. Based on the work of Lauglo, we suggest that specific arguments for decentralisation will generally relate to at least one of the following three main values, *"a politically legitimate dispersal of authority, the quality of services rendered and the efficient use of resources"* (Lauglo 1995: 9). In relation to the distinction between the inputs to governance system and the outputs created by it, Lauglo's values of *politically legitimate dispersal of authority* and *efficient use of resources* relate to the input side of the governance system, whereas the value of *quality of services rendered* relates to the rules that the governance system produces, i.e. the output-side of the system.

Although we expect Lauglo's three different values to capture a variety of the case-specific motivations we encountered, we need to be able to apply a more extensive vocabulary that captures the specificities of the CFP and lends greater detail to our framework. Consequently, in the following sections we take a closer look at each of Lauglo's values while along the way associating each with complementary terminology.

3.2.1 Politically Legitimate Dispersal of Authority

The first value that Lauglo includes is the *politically legitimate dispersal of authority*, which, as we use it, relates broadly to the legitimacy of the processes and procedures of the governance system, of which the defining characteristic is arguably the authority enjoyed by the different participants involved the process.[23] Arguments for decentralisation that invoke this value are consequently concerned with how decentralisation can assist bringing about a system where the dispersal of authority across actors is perceived as more legitimate than an alternative system.

Specifically in the fisheries management literature the term *process (or procedural) legitimacy* has been employed to refer to the legitimacy that fisheries management measures derive from being the product of a governance process perceived as fair and just (Jentoft 1989; Jentoft 1993; Jentoft and McCay 1995; Raakjær Nielsen and Mathiesen 2003). Linked to the concept of process legitimacy is the concept of content legitimacy, which relates to another value Lauglo invokes in arguments for decentralisation (section 3.2.2). Jentoft and McCay (1995: 235) define the two concepts in the following way, *"By content we mean the ends and means of the regulatory systems, while by process we refer to the manner by which these decisions are reached..."*

In relation to Lauglo's value of *politically legitimate dispersal of authority*, which in the fisheries management literature is in essence mirrored by the term *process legitimacy*, Jentoft introduces an important distinction by emphasising the need:

> To distinguish between *internal* and *external* legitimacy, and to recognize that these two types of legitimacy may be in conflict. For those directly involved, user-participation in decision making may improve legitimacy, but for the general public and other groups that are outside the process, user-participation may well be seen as a step in the wrong direction.
> (Jentoft 2000: 145)

The core message is that a feeling of something being legitimate is subjective. Consequently, a governance process that is perceived as legitimate by involved user groups (*internally* legitimate) does not necessarily qualify as being legitimate in the wider context of the other interest groups or citizens of the society as a whole (*externally* legitimate). Literature on fisheries management, in particular literature on co-management, has argued that participation of user groups has a positive influence on the perception of the (internal) legitimacy of fisheries management measures and that this in turn will improve the level of compliance (Jentoft 1993; Raakjær Nielsen and Mathiesen 2003), which has been considered the *sine qua non* of successful fisheries management for many years. However, the so far privileged role of user groups in the fisheries governance process, which has not always been unproblematic in terms of goal achievement (e.g. Hegland and Raakjær 2008), is increasingly questioned and challenged by other groups of stakeholders, in particular environmental non-governmental organisations (ENGO)[24] as well as on a more general level by new understandings of what sustainable management entails (Mikalsen and Jentoft 2001).

This makes it relevant to distinguish between arguments for regionalisation, which are driven by concern for internal as compared to external legitimacy. As an example, industry self-management, which was suggested by the Commission in the Green Paper as an element of

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[23] Authority, in this context, has to be understood in its broadest of senses; hence, the right to be consulted would as an example also qualify as an authority.

[24] This seems in part to be the result of the continuing degradation of a resource traditionally perceived as public property (Mikalsen and Jentoft 2001).

regionalisation, might potentially increase the internal legitimacy of fisheries management at the expense of external legitimacy. However, importantly, self-management (or any other decentralisation option) cannot be judged solely on whether it represents a more or less *legitimate dispersal of authority.* Self-management may deliver better goal achievement (section 3.2.2) and/or a more efficient governance process (section 3.2.3), values that are also important to those who would potentially feel that a self-management scheme would represent a less legitimate governance system.

Consequently, we believe that Lauglo's value of *politically legitimate dispersal of authority* needs to be qualified in our context of fisheries policy with the distinction between internal and external legitimacy. Fisheries policy is in the process of moving from being a policy area of interest mainly to user groups subjected to it to being a policy area that attracts the interests of wider groups; many of whom viewing fisheries policy as a core component of marine environmental policy. This puts the discussion of internal versus external legitimacy, as well as who are legitimate stakeholders, at the centre of attention in the discussion of the legitimate dispersal of authority.

3.2.2 Quality of Services Rendered
The second value that Lauglo introduces is *the quality of services rendered.* Whereas Lauglo's first value in our interpretation focuses on the legitimacy of the governance system and the processes surrounding it, his second category focuses attention on the outputs from the system. In other words, a category of motivations for wanting to decentralise relates to the perception that this would lead to the governance system delivering better outputs in the form of rules and regulations.

Within the fisheries management literature this value is to some extent mirrored by the concept of content legitimacy, although Lauglo does not specifically highlight the issue of legitimacy. Content legitimacy broadly refers to the legitimacy that a measure can derive from being perceived as reasonable and appropriate by those subjected to it or with an interest in it. Jentoft (1989), focussing on the legitimacy of measures among fishermen, argues that there are primarily two elements at play in relation to content legitimacy: 1) that a measure—to be perceived as legitimate—has to *"coincide with the way the fishermen themselves define their problems"* (Jentoft 1989: 139) and 2) that the measure needs to be equitable. However, the specifics in relation to this are less important than the fact that Jentoft's account of what content legitimacy entails highlights the fact that content legitimacy is 'in the eye of the beholder', so to speak.

Of course fishermen prefer outputs that coincide with how they perceive the problems, as will other competing stakeholder groups; they will also have different perceptions of *what the problems are*. We argue that identifying which objectives to prioritise in the fisheries management system necessitates balancing these likely differences in viewpoint. Currently, the stated objective of the CFP is to *"Ensure exploitation of living aquatic resources that provides sustainable economic, environmental and social conditions"* (Council 2002: Article 2.1) and—if we momentarily ignore that the CFP has a questionable track record on all three fronts—the perception of whether CFP measures are appropriate to achieve the goals will to a significant degree depend on how the individual weighs these different objectives in relation to each other.

The three objectives of the CFP are reflections of what Charles (1992) has presented as the three conflicting fisheries management world views or paradigms: 1) the *conservation*

paradigm, which focuses on conservation and resource maintenance as the main objective of fisheries management; 2) the *rationalisation paradigm*, which focuses on economic performance and productivity as the main objective; and 3) the *social/community paradigm*, which focuses on community welfare and equity as the main objective. It should be noted, though that the paradigms are theoretical constructs, which will usually not be found in pure orthodoxies in real life but rather as blended preferences. For that reason Charles organises these paradigms in a triangle, where particular positions within the triangle symbolise different balances of the three paradigms.

Consequently, when dealing with the value of *the quality of services rendered*, it is important to keep in mind that the question of what constitutes 'good quality services' is debatable and that there might even be disagreement about what kind of services the system should deliver. Charles' understanding of these three different perspectives on the goals of fisheries management provides helpful context in qualifying Lauglo's notion of quality of services, underscoring that to some extent the fisheries management world view to which an individual ascribes determines his/her subjective idea of quality of services.

3.2.3 Efficient Use of Resources
Whereas the first of Lauglo's values related to the legitimacy of the governance system and the second to the quality of the outputs from the system, the final value relates to the efficiency with which the governance system produces outputs—or in Lauglo's terminology: *the efficient use of resources*.

Motivations invoking this value do not concern neither the legitimacy of the system nor the quality of the outputs; rather, this value is concerned with whether the same process could be organised more efficiently (preferably, of course, without reducing its legitimacy or the level of quality of its outputs). Consequently, motivations invoking this value will tend to advocate that decentralisation—or in our case regionalisation—can contribute to creating a situation where the same level of goal realisation can be achieved with the use of less resources by reorganising the system and putting the resources in play in a more efficient way. It is fully possible to imagine a governance system that for one or the other reason works inefficiently but at the same time produces goal achievement and enjoys legitimacy. However, if the same could be achieved in a more efficient way by reorganising the system to a more decentralised mode of operation, then it is still valid to call for change—even in relation to a successful system. In our interpretation this value relates to two interrelated but nonetheless distinct elements: the efficient use of financial resources and the efficient use of human resources. The two issues are interrelated insofar that financial resources are a means by which human resources can be acquired.

In relation to the efficient use of financial resources a main issue is the balance between the public costs of managing the fisheries sector *vis-à-vis* the public benefit of having a fisheries sector. In its Green Paper the Commission noted with concern that in several member states the value of landings is now lower than the costs on the public budget related to carrying out fishing activities. As the Commission puts it, the current system *"means that the European citizens almost pay for their fish twice: once at the shop and again through their taxes"* (Commission 2009: 7). Although the public benefit of having a fisheries sector can be difficult to make up and that value of landing is not a definitive measure for the public

benefit[25], this discrepancy clearly puts the issue of the efficient use of financial resources at the centre of attention for the reform of the CFP.

As mentioned above, in principle financial resources are a means by which human resources can be acquired. However, when we talk about the efficient use of human resources in the context of the governance system of the CFP, we primarily refer to human resources that simply cannot be acquired merely by spending financial resources wherefore it is more than 'just' a financial issue—highly limited human resources. Examples of this could be highly qualified scientific expertise or elected decision-makers. Consequently, when using limited human resources, it is vital that these resources are put to work in the most efficient way. In other words, you would not want scientists duplicating their work different places in the governance system and you would not want elected decision-makers to deal with miniscule questions at the expense of more politically important decisions.

3.2.4 A Conceptual Framework of the Values of Regionalisation
Based on the above sections we can now outline a framework, which enables us to organise the different specific motivations for wanting to regionalise the CFP, Figure 2.1.

Figure 2.1: A Conceptual Framework of the Values of Regionalisation
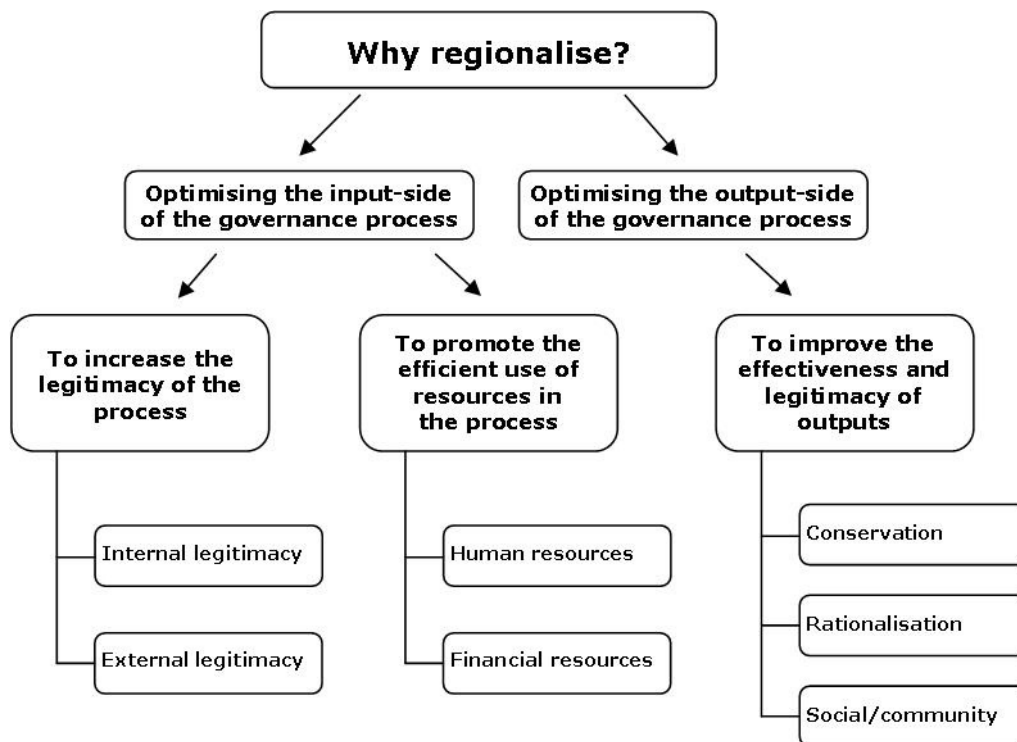
As described in section 3.2 our framework departs from the understanding that motivations for wanting to regionalise will be rooted in either a wish to improve the governance system (input-side) or alternatively improve the outputs from it. Based on Lauglo, we distinguished subsequently between the legitimacy and the efficiency of the governance system (input-side). For each of Lauglo's three values we then identified additional useful terminology, which enabled us to refine the conceptual framework. In relation to the legitimacy of the process,

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[25] As an example, in several member states fishing activities are considered part of a cultural heritage and something that attract tourists; likewise there might be regional concerns that are not easy to describe in monetary terms.

Jentoft's notion of internal and external legitimacy expands our vocabulary and acknowledges that legitimacy among those directly involved in and subjected to the governance system does not equate to legitimacy in a broader context. As for the efficiency of the process, we decided to distinguish between arguments departing from a concern over the efficient use of financial resources versus arguments departing from a concern over the efficient use of highly limited human resources. Finally, in relation to goal realisation we described how the CFP is committed to multiple objectives, which in part conflict with one another. Consequently goal realisation as a value of regionalisation will often link to the subjective understanding of what is the primary goal for the CFP: conservation, rationalisation, or social/community benefits.

3.3 Issues to Sort Out When Decentralising
Understanding the present structural failures of the CFP closely relates to the mismatch in scales of governance, particularly the lack of ability to find the *'right fit'* of scales for governance intervention. Additionally, allocating power and responsibility to the best-suited scale of governance in line with the *principles of subsidiarity* has become an increasingly challenging task in the light of adopting ecosystem-based management in EU fisheries.

The problem of scale and governance has been addressed by several scholars: Ostrom (1990), who invokes the concept of *nested enterprises*; by Kooiman *et al.* (2008), who refer to *order of governance*; and by Symes (2007), who uses the term *scales of governance.* They all introduce three different levels of rules or orders of governance[26] that can be thought of as different spheres of influence and encased in one another. *Constitutional rules* (principles) represent the outermost sphere, as they dictate the structure of governance and the overall political organisation of the system. *Collective-choice rules* (institutions) are nested within *constitutional rules*; they concern policymaking and management decisions. Lastly, *operational rules* (action) involve the daily decisions of managing fisheries, as they involve monitoring, enforcement, and other actions on the ground level. *Operational rules* are the innermost sphere and thus, are nested in *collective-choice* and *constitutional rules*.

This section outlines a framework of three important dimensions of decentralisation/ regionalisation of the CFP: 1) *what* types of decisions exist, 2) to *where* in the politico-administrative system should those decisions be placed and 3) *who* should enjoy the authority to make such decisions with special attention to stakeholder participation.

We start with the present complex governance structure, illustrated in figure 2.2 as a highly centralised, top-down policy-making and implementation system. Many actors are involved and a multifaceted stream of knowledge and information exists within the CFP governance system[27]. Furthermore, it is important to emphasise that the policy system is embedded in the binding principle of non-discrimination equating to a standard set of regulations, or "harmonisation" for its "common pond" (Symes, 1997) and EU allocates TAC shares based on the firmly rooted principle of "relative stability", which may be the most "path dependent" element of the CFP (Hegland and Raakjær 2008a). The implication hereof is that the CFP governance system has a very high degree of built-in micromanagement from the central EU

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[26] We will apply the terminology of Ostrom, but have inserted the terminology by Kooiman et al. in parentheses.
[27] Within the last ten years, a number of publications have dealt in-depth with respectively the knowledge, legal, and policy/management systems related to the CFP. For an overview of the knowledge system underlying the CFP see Hegland (2006) and for a more in-depth analysis Wilson (2009); for legal aspects of the CFP see Berg (1999), Long and Curran (2000), Markus (2009) and Long (2010); and for the management and policy issues, see e.g. Lequesne (2004), Sissenwine and Symes (2007), Gezelius and Raakjær (2008) and Raakjær (2009).

level and down the entire system perceived as one of the weaknesses of the CFP (Commission 2009).

Figure 2.2: The present governance system for EU fisheries.
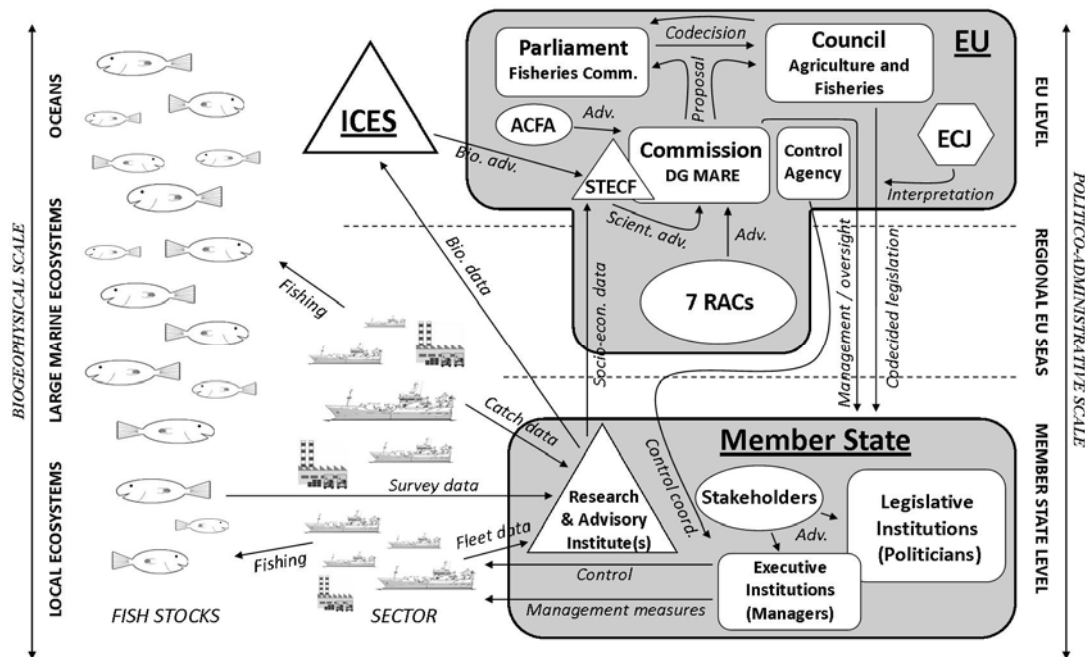
We argue that effective fisheries management relies on allowing rules to differ between different fisheries as pointed out by Symes (2007). Dividing policy formulation and implementation among different scales of governance strains the system at two junctures. To begin, the sovereignty of the nation state comes into conflict with the centralising and harmonising nature of regional initiatives. The nation state also faces pressure from local institutions that sense a loss of independence and self-determination of their communities and livelihoods. Furthermore, matching the political boundaries to manageable areas or ecologically appropriate scales poses particular challenges for fisheries and other marine management concerns. As an example, allowing rules to differ between many, small localities that abut an inshore fishery would overly burden those crossing border to fish with a *"dysfunctional mosaic of local regulations"* (Symes 2007: 38). Nevertheless, rules created by communities are better equipped to prescribe more equitable regulations based on the individual nuances of the case. This highlights the trade-off between *particularism* and *universalism*, the latter often sought by centralised, government-run management regimes (Jentoft 1989). It will also allow for a greater number of tailor-made solutions and avoid the tendency to apply one-size approaches, which is seen as one of the present problems the CFP is facing.

3.3.1 Decentralising What?
As discussed earlier, the Commission in its 2009 Green Paper (Commission 2009) addressed the need for change in relation to several problems faced by the CFP:

1) Fleet overcapacity
2) Imprecise policy objectives
3) Decision-making overly focused on short-term
4) Framework without sufficient responsibility for industry

5) Lack of political will to enforce regulations coupled with poor compliance by the industry

In addition, other factors have undermined the CFP's current ability to achieve sustainable fisheries. Over the past decades, membership to the European Union has expanded while the size of the internal fisheries bureaucracy has remained constant. The Commission and the Council are ill-equipped to address the issues facing numerous sea basins and stocks across the EU. Another confounding problem for the CFP relates to the circumstances during the policy's inception, a period characterised by high yielding stocks and abundance. Consequently, the division of the common pond was not concerned with sustainability and newly emerging pressures from maritime industries and other environmental problems. Rather, allocation was the primary concern.

Apart from the CFP-specific issues, external policy trends pertaining to fisheries management impact the 2012 reform. Symes (2007) articulate these trends as:

i. A shift from centralised, top-down management to a system of co-management with shared responsibilities
ii. Creation of increasingly ambitious management agendas (e.g. ecosystem-based management)
iii. Broadening of stakeholder classification to incorporate ENGOs, conservation-minded constituencies, consumer groups, and community organisations.

Such trends are echoed throughout fisheries governance literature (Jentoft, 1989; Noble, 2000; Raakjær, 2009). Trend (ii) and in part (iii) recognize improved policy coordination between domains tangential to fisheries. The EU's Marine Strategy Framework Directive and the Integrated Maritime Policy both pose new considerations for the fishing industry. Whereas the former stipulates that member states work individually or collaboratively to achieve "good environmental status" for the oceans and coasts, the latter seeks a more coordinated planning of maritime activities. The overlap of these two policies emerges in the arenas of ecosystem-based management and marine spatial planning (Symes & Hoefnagel, 2010: 272). Additionally, the expanding view of fisheries to their ecosystems has expanded the conception of fisheries stakeholders to include environmental organisations and other groups. Trends (ii) and (iii) complicate decisions devolved to lower institutional structures, while also necessitating the dispersal of authority, resulting in conflicting effects for trend (i). Overall, the three trends listed above signal increasing complexity and impose greater challenges for practice of good governance defined by *openness, participation, accountability, effectiveness,* and *coherence* (Commission 2001) and directly influence what type of decisions that could be decentralised.

Council Regulation (EC) No 2371/2002, known as the basic regulation, enables the Council with the necessary measures to govern access to fishing zones and resources and the sustainable pursuit of fishing activities, including limiting catches; limiting fishing effort; adopting technical measures; adopting multiannual recovery plans; and adopting multiannual management plans. Thus the basic regulation covers in reality all three orders of governance mentioned above. Although, it might be possible to decentralise most if not all measures were stipulated in the basic regulation, such a move will likely not gain political acceptance. Decisions of third order of governance, which set the principles for the CFP like setting Maximum Sustainable Yield as a target for stock exploitation, applying Ecosystem Approach to Fisheries a as management method, deciding how decentralisation/regionalisation shall be

institutionalised, or determining of the descriptors for good environmental status (GES) will likely maintain to be taken at the top central level. Whereas institutional decisions like allocation of fishing rights (in terms of kilowatt-days or TACs), standards for technical measures, or enforcement mechanisms more likely can be included in tasks to be decentralised. Action decisions like implementation of technical measures, quota and effort management; monitoring, surveillance, and control are already conducted at member states level.

3.3.2 Decentralising to Where? The Question of Geographical Scale
The governance system of the CFP primarily operates across three politico-administrative levels: the member state level, the intermediary level of regional EU seas (or the RAC areas) and the EU level. Moreover, the EU is embedded in a global international level, by signing up to a number of treaties, conventions, and declarations dealing with fisheries policy and management. Likewise, on the other end of the scale, a number of EU member states embed within them subnational politico-administrative levels with relevance for fisheries management.[28] For the purpose of clarity, we will focus on the two dominant politico-administrative levels in the CFP governance system, being the EU level and the member state level. This encompasses their intermediary level of the regional EU seas, which although currently being a relatively underdeveloped level is of core relevance in the context of regionalisation of the CFP.

In any effort to decentralise it must be decided to which level or component of the organisation or system that a particular authority could most appropriately be decentralised. In this respect it is important to bear in mind that the politico-administrative scale has its counterpart in a bio-geophysical scale reflecting the biological system of the sea (see Figure 2.2 in section 3.3). One scale level of the natural system could be a fjord or a bay, and on the other end of the spectrum the oceans or ultimately the global marine ecosystem lie. In between we have a relatively well-defined category of large marine ecosystems, of which the North Sea and the Baltic Sea are examples. The scale levels of the natural system are not, however, neatly reflected by corresponding levels of policy-making/management on the politico-administrative scale, which is one of the important challenges, we would argue, in terms of making ecosystem-based fisheries management operational. Thus, setting-up the corresponding scale of the natural system and the governance system will be essential and this obviously calls for regionalisation.

Within EU fisheries the most prominent interactions between the human system and the natural system go through the extractive activities of the fishing fleets of the various member states, which target fish stocks connected to any scale of the natural system as shown in Figure 2.2. Other interactions include the degradation of the marine environment resulting from destructive fishing practices. Furthermore, matching the political boundaries to manageable areas or ecologically appropriate scales poses particular challenges for fisheries and other marine management concerns.

3.3.3 Decentralising to Whom? The Question of Non-Governmental Actors
Most management schemes worldwide include interaction with users and stakeholders, generally known under the label co-management. However, this term covers a broad variety

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[28] Additionally, the level on which the users of the resource operate could be understood as a policy level - or, as Berg (1999) puts it, a level of governance. However, in our understanding the users are in the context of the CFP operating not on their own politico-administrative level but rather on the other levels directly through the stakeholder bodies and indirectly by 'private' interaction with primarily management and policy-making bodies.

of institutional arrangements. According to democratic theory, those affected by a decision should be given the opportunity to participate in the decision-making process (Dahl, 1989). In an EU context, it is not a straightforward matter to decide to whom management authority should be decentralised. Following Raakjær (2009) three crucial aspects encompass decentralisation in terms of participation and representation: 1) Who can claim legitimate rights to participate, 2) How shall users/stakeholders be represented, and 3) Are these organisations able to represent the interests of the grass-root constituencies within an "elected democracy"? In the EU it is commonly accepted that those dependent on fishing for their livelihood ought to be well-represented in the management process. Nevertheless, the EU is encouraging broader stakeholder representation from the public in general. Conservationists and consumers are represented in EU consultative bodies together with industry and community representatives. There are many interests related to fisheries issues and this might, at least in principle, call for direct representation of a broad set of stakeholder organisations.

Sen and Raakjær Nielsen (1996) provide empirical evidence on a variety of different co-management arrangements based on user and stakeholder involvement in fisheries management on five continents (Africa, Asia, Europe, North America and Oceania). Not surprisingly, the authors reported a large degree of variation across fisheries and regions and even within specific countries. Their final conclusion is that the proper design principles depend upon the context and conditions under which the co-management arrangement must operate. Sen and Raakjær Nielsen (1996) observed that the development of co-management arrangement often evolves gradually through a process of muddling through noting that the process is always dynamic; a finding also supported by Jentoft and McCay (1995). North (1990) observed that institutional change often occurs as marginal adjustments of old structures rather than radical innovations or total reorganisation. Thus, the move to decentralise the CFP coupled with the decision of whom to grant increased management responsibility will likely depart from the present institutional structures. In order to examine different options for user and stakeholder involvement in fisheries management in the EU, we found it helpful to apply to the CFP a revised and modified version of the analytical framework for fisheries co-management presented by Sen and Raakjær Nielsen (1996). Inspired by Raakjær (2009) we suggest five broad types[29], which indicate a continuum:

> ***Top-down hierarchical management by the state:*** where mechanisms for dialogue with users and stakeholders might exist, but only minimal exchange of information takes place and EU/National governments decide what information to share;

> ***Co-management by consultation:*** where extensive formal mechanisms for consultation (and feedback on use of recommendations) with users and stakeholders exist, but all decisions are taken by EU/National governments;

> ***Co-management by partnership:*** where EU/national governments, users, and stakeholders cooperate as decision-making partners in various aspects of management;

> ***Co-management by delegation:*** where EU/national governments have devolved *de facto* decision-making power to users and stakeholders in relation to various aspects of fisheries management;

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[29] It is acknowledged that this typology is a simplification of a very complex situation. There is a multitude of tasks that can be co-managed under different types of institutional arrangements and at different stages in the management process. Thus co-management covers a broad spectrum of possibilities for collaborative decision-making between governments and users and stakeholders.

> ***Industry self-management with reversal of the burden of proof:*** where government has devolved wide-ranging management authority to users and stakeholders, who must demonstrate to EU/national governments that management decisions are in accordance with the given mandate.

In the past, co-management within the CFP was primarily oriented toward the two top categories. The 2002 CFP reform introduced Regional Advisory Councils, which consolidated the "Co-management by consultation" approach in the CFP as the means to obtain inputs from the regional and local level into the CFP decision-making by broadening stakeholder representation.

The success of user and stakeholder representation is closely associated with the institutional design. Nonetheless, some authors caution that participative governance does not fully address the issues facing fisheries as there is no theoretical or empirical reasoning to suggest that the implementation of a stakeholder driven management system will radically shift the way things are done in fisheries (Symes, 2007). Based on past experience with stakeholder participation, it is relevant to examine to what degree it is possible or desirable to push the concept of co-management forward in the context of the CFP. Introducing partnerships that appear to be in line with the "new modes of governance" introduced in the EU will likely result in a more appropriate way to increase responsible behaviour among users and stakeholders.

4 Summary

Understanding the present structural failures of the CFP relates closely to the mismatch in scales of governance, particularly the lack of ability to find the 'right fit' of scales for governance intervention. Additionally, allocating power and responsibility to the best-suited scale of governance in line with the principles of subsidiarity has become an increasingly challenging task in light of adopting ecosystem-based management in EU fisheries. Regionalisation is seen as one answer to solve this problem. An important element when studying the issue of regionalisation of the CFP is identifying and organising explanations for why particular actors with an interest in EU fisheries management would want to (or not want to) regionalise the governance system.

The discussions of regionalisation in relation to the CFP have shown that the concept has been employed in both a multi-faceted manner—in the sense that it subsumes several discussions under one heading—and in an ambiguous manner—in the sense that as a description of a way of governing, it means different things to different people. In order to ensure consistency in the discussions we have developed a typology allowing us to organise different perspectives on what regionalisation 'is good for'. In short the concept of regionalisation subsumes three interrelated discussions pertaining to who, where, and what—although difficult or impossible to separate in practice this division is helpful in developing our analytical framework.

The discussion of *where to regionalise to* the CFP has primarily been about the relative importance of different geographical levels in a perceived politico-administrative hierarchy of the CFP. The governance system of the CFP operates across three politico-administrative levels: the member state level, the intermediary level of regional EU seas (or the RAC areas), and the EU level. One of the present challenges is that the scale of the governance system often does not correspond to the ecological system being managed.

The discussion of *whom to regionalise to* has primarily been a discussion of the extent to which stakeholders should be involved in the fisheries management process of the CFP or merely remain subject to it. The question of what to regionalise has in relation to the CFP mainly evolved around the tasks that need to be kept at a central level and which can be dispersed. In the EU it is commonly accepted that those dependent on fishing for their livelihood ought to be well-represented in the management process. In order to examine different options for user and stakeholder involvement in fisheries management in the EU, we have applied an analytical framework that suggests five broad types: 1) top-down hierarchical management by the state; 2) co-management by consultation; 3) co-management by partnership; 4) co-management by delegation and 5) industry self-management with reversal of the burden of proof.

The types of decisions to be regionalised need to be seen in relation to the concept of governance, which can be understood as a nested system having three different levels of rules or orders of governance that can be thought of as different spheres of influence that are encased in one another. Constitutional rules (principles) represent the outermost sphere, as they dictate the structure of governance and the overall political organisation of the system. Collective-choice rules (institutions) are nested within constitutional rules; they concern policymaking and management decisions. Lastly, operational rules (action) involve the daily decisions of managing fisheries, as they involve monitoring, enforcement, and other actions on the ground level. Operational rules are the innermost sphere and thus are nested in collective-choice and constitutional rules. In practice depending on the form of regionalisation to take place the types of decisions will primarily fall within the categories labelled as collective-choice and operational rules.

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Chapter 3

Fishing for Reform: Perceptions of Benefits, Options and Challenges of Regionalising the Common Fisheries Policy

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1 Introduction & Background

As described in Chapter 2 of this report, the Commission of the European Communities' (Commission) Green Paper, released 22 April 2009, put regionalisation and decentralisation on the agenda for the coming reform of the Common Fisheries Policy (CFP). By examining with a critical eye the current style of management, where almost all decisions are taken at the highest political level in Brussels, the Green Paper revealed significant problems facing the CFP in relation to the style of governance employed. Although the Green Paper did hint that the regional dimension of the CFP governance system could be enhanced by suggesting that the reform could engender a framework that resorts more to "specific regional management solutions implemented by Member States, subject to Community standards and control" (Commission 2009: 10), the document remained weak in terms of giving specific directions or suggestions on how regionalisation could be achieved in practice.

Stakeholders and other interested parties submitted comments and input on the Green Paper by 31 December 2009; thus, the Green Paper basically left it to those being consulted to flesh out the different, possible governance models that could provide regionalisation. Although, arguably, this created a very open consultation process, it also catered to a process where the consulted parties had to start from scratch and spend considerable effort figuring out which models were available instead of examining and discussing which of the available models they would prefer. Notably, they had to do this between preparing responses to the many other issues put on the agenda by the Green Paper. The challenge was not lessened by the fact that there was and is—as recently described by Long (2010)—uncertainty about the legal limitations imposed by the overall policy framework of the Lisbon Treaty in relation to increasing the regional scope of the governance system of the CFP.

One of our initial observations, as we started to study regionalisation, was the lack of common terminology (something we have attempted to remedy in Chapter 2) and the absence of specific models of 'regionalised' governance systems to use as a starting point in discussions.[31] This observation determined our research strategy onward, as we saw the need to figure out which models were in play, decipher their qualities, and present those models to stakeholders and others in a format where they could consider one model *vis-à-vis* other possible models. We hope that our small contribution in this regard can, to some extent fill a gap by providing more detailed information on the perceptions of regionalisation and the specific governance models under which regionalisation is put into practice.

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[30] Authors' names are listed alphabetically.
[31] It should be noted, that in particular David Symes, who has written extensively on regionalisation of the CFP over the years (e.g. Symes 1997; Symes 1999; Symes 2005; Symes 2007), attempted to fill exactly this gap in November 2009 by presenting a paper, outlining different models of regionalisation (Symes 2009b) and subsequently based on participation in a number of meetings presented a short synthesis of the discussions (Symes 2009a).

In research conducted from July 2009 to May 2010 we studied, among other issues related to the topic, how stakeholders and interested parties talked about regionalisation during the consultation period. We used several research techniques that—although to some extent overlapping—roughly followed each other in this order: observing meetings (4 in total) and conferences (5 in total), carrying out key informants interviews[32] (19 in total) as well as one focus group interview (six participants from the Commission)[33], and studying a number of position documents submitted to the Commission in relation to the Green Paper consultation process and supplemented with some additional documents from key players in the policy process. Details about the research process and method can be found in Chapter 1 of this report.

The aim of this part of the research was to gain better understanding of how people with an interest or stake in European fisheries management and the coming CFP reform perceived the issue of regionalisation, what kind of governance system they envisioned could come out of the reform, and what they saw as the primary opportunities and challenges of regionalising the CFP. As described in Chapter 2, prior to this component of our research, we had reviewed relevant literature for better understanding of the concept of regionalisation seen as a specific instance of decentralisation. The themes and terminology outlined in Chapter 2 are pursued and implemented in the present chapter. Moreover, we administered a web based survey of people who attended Regional Advisory Council (RAC) meetings to get their feedback on a number of issues relating to the performance and capacity of the RACs as well as their preferences when confronted with a suite of potential governance models of the CFP. The governance models presented in the survey surfaced out of the research reported in this chapter and are discussed as five 'archetypes' of regionalised governance models later in section 4. The results of the survey are also reported in Chapter 4.

However, before going any further, let us briefly account for what the Commission itself made of the contributions submitted as part of the public consultation process on the topic of regionalisation and decentralisation. The Commission's synthesis of the public consultation was published as a Commission staff working document on 16 April 2010 (Commission 2010). The following quote relates directly to the topic of regionalisation, which was raised in the Green Paper under the headline, 'Focussing the decision-making framework on core long-term principles' (see also Chapter 2 of this report):

> Support for a move to some form of increased regionalization is generalised. A mix of terminology is used—e.g. some refer to regionalization at the sea-basin level, others to regions within the MS. Some insist on subsidiarity where MS create regional committees for management and a high level of self-regulation. Others propose simple co-operation between MS on issues of implementation and control, and some see room for delegated decision powers on e.g. access, resource or fleet management.
> A significant number identifies the need for a separate regional body, with varying degrees of powers and responsibilities. Most, including the EP, envisage a mainly advisory body to discuss and prepare proposals for policy and legislation adoption by the EU institutions. Associating the

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[32] We remain grateful to: Helena Abreu from Instituto de Investigacao das Pescas e do Mar (IPIMAR) for carrying out interviews in Portugal; Christine Röckmann from IMARES, part of Wageningen UR; for carrying out interviews in the Netherlands; Claire Armstrong from the University of Tromsø (UIT) for carrying out interviews in Norway; and Paulina Ramirez from Innovative Fisheries Management (IFM) for carrying out interviews and observing meetings in Spain. Furthermore, we have benefitted from extensive comments from Staffan Zetterholm (IFM) and Luc van Hoof (IMARES) in relation to the development of the interview guide.

[33] When referencing interviewees the in total 25 individuals have been numbered from 1 to 25 and attributed with one of the following general labels: *researcher*, *manager*, *policymaker*, *industry* (incl. catching and processing etc.) and *non-governmental organisation* (NGO) (conservation organisations, women's groups etc.).

> stakeholders and others involved, the regional body would then be used for dialogue and discussion. […]Others envisage a regional body as the implementing entity for long-term plans with some room for operative regulating powers and implementation decisions. Some advocate devolution of powers (e.g. technical details and effort regulation). Some contributions suggest a combination of functions.
>
> On the composition most see the regional body as a MS-led entity, in a number of cases membership of industry and stakeholders is advocated, while in other contributions the stakeholders keep an advisory function through the RAC. The EC is envisaged as a member in some contributions while in others as an active observer/collaborator. Some propose a transformation of the RAC into a regional advisory body with both MS and stakeholders.

According to the Commission, the consultation provides the EU with a clear mandate to move toward "some form of increased regionalisation" of the CFP. However, it is equally clear from the above that the consultation did not provide the Commission with a clear indication of *how* to move forward; every imaginable model seems to be in play and likewise it is not clear in the Commission's synthesis who supports which models and on what grounds. Like we have done during our observations, the Commission also notes the employment of mixed terminology and different conceptions of what regionalisation entails. Nevertheless, there seems to be general agreement on some key aspects; e.g. keeping overarching principles and policy objectives as a task for the EU level and that micromanagement should be avoided.

The remainder of the present chapter is organised into three main parts: Following the conceptual framework outlined in Chapter 2, we start by looking at the various practical values that people ascribe to the option of regionalising the CFP governance system. Subsequently, still following the conceptual framework, we look at the sub-questions of *who*, *where* and *what*, which we argue are key issues to decide upon when wishing to regionalise the CFP governance system. In this section we identify the main issues and cleavages as well as the challenges that stakeholders feel that regionalisation presents under each of the sub-issues. In the final, main section we outline what we see as five different 'archetypes' of how regionalisation could be put into practice. Under each of the archetypes a variety of specific models can arguably be found and we explore these varieties in particular with reference to models presented in the documents submitted in relation with the open consultation on the Commission's Green Paper. Finally, we offer a brief discussion, where we sum up and provide an integrated discussion of the strengths, weaknesses, opportunities and threats *vis-à-vis* our five archetypes.

2 Why regionalise?

As expected, those we interviewed presented us with a broad variety of reasons why regionalisation of the governance system is an option worth considering. The different reasons reflect various perceptions of what regionalisation is 'good for'. Building on the work in Chapter 2 (Figure 2.1), we organise these varying perceptions into the framework based upon the values invoked in the informant's reasoning.

As discussed in Chapter 2 the most important distinction when discussing motivations for regionalisation is, we would hold, between whether regionalisation is seen as a way to 1) increase the legitimacy of the process, 2) promote the efficient use of resources in the process, or 3) improve the effectiveness and legitimacy of outputs from the process. In the following sections we present the main reasons for regionalisation that we have come across in our research and discuss these. It should be noted that most respondents quote a variety of values of regionalisation from more than one of the categories, so generally regionalisation is, as we

also described in Chapter 2, seen as an omnipotent solution that potentially solves different problems simultaneously facing the CFP.

2.1 Legitimacy of the process

The first category of motivations for regionalisation under our conceptual framework directs attention to the value of a legitimate governance process. As described in Chapter 2, one reason to reorganise the governance system of the CFP with a stronger regional focus is the perception that such a system would enjoy a higher degree of process legitimacy than the current style of governance.

As indicated in Figure 2.1 of Chapter 2, process legitimacy has two sides: internal legitimacy and external legitimacy (Jentoft 2000). In our use of the terms, internal legitimacy relates to the legitimacy of the process among the user groups subjected to the policy (i.e. fishermen), whereas external legitimacy relates to the legitimacy of the process among other interests groups, who to some extent reflect the broader societal interest. Internal legitimacy of the process is considered a key component in avoiding non-compliance. On the other hand, external legitimacy is the key for providing broader societal support for the fisheries governance system. As described in Chapter 2, the continuing resource crisis in fisheries management and the increased political clout of environmental interests in fisheries management has led to a situation where interest in fisheries management has broadened as compared to earlier, when fisheries management issues could often be handled in relative isolation by policymakers, managers, and those directly affected, i.e. the fishermen. Nevertheless, it is important to note that there is not necessarily a trade-off between the two types of process legitimacy.

In our material, particularly internal legitimacy and resulting increased compliance figure as important motivations for reorganising the governance system of the CFP towards regionalisation. Several of our respondents pointed to the fact that fishermen themselves need to be involved more in the management process to avoid non-compliance, and that one way of accomplishing this was through regionalisation. One of our respondents summed it up like this:

> If we do not find ways of involving the fishermen, letting them assume part of the management in the future, they will always find some way of protecting themselves from any organised scheme created.
> (Respondent 9, NGO)

This is by no means a new or controversial statement, but apparently this remains a relevant observation. Several of our respondents indicate that the current system of RACs has not sufficiently solved this issue of providing (process) legitimacy or a feeling of ownership over the adopted fisheries management measures. The following quotation encapsulates this notion, referring to the input from the RACs to the policymaking process, "They hear what we say but do not listen […] even when we have a common document from all RACs" (Respondent 9, NGO).

Other voices emphasise the value of regionalisation in relation to legitimacy in a broader sense by focussing less on the internal legitimacy related to fishermen and the compliance issue and more on the fact that decentralising authority to the regional level has the potential to, in general, increase the feeling of process legitimacy by reducing the perceived distance between those taking decisions and those subjected to them—be it fishermen or other stakeholder groups who also have to live with the results of fisheries management. Another

side to this perspective is the perceived illegitimacy of the fact that in the current centralised governance system, in principle decisions with only direct relevance for a particular region can be modified or blocked by member states without direct stake in the area due to strategic voting behaviour or the perception that the decision can in time create a precedent that might be contrary to the blocking member states' interests in the regions where they do have direct stake. Eliminating or reducing the ability to engage in this sort of practice might also increase the feeling of process legitimacy. Potentially, reducing the number of member states responsible for making specific decisions for a particular region might also create a system where it will be easier to identify who are responsible for certain decisions, as it will be complicated to 'pass the buck' to other member states or the Commission.

One of the NGO respondents referred to the CFP as "a policy of non-subsidiarity" (Respondent 9, NGO) where the people furthest away from those affected are the only ones with a real say. Along the same lines, several respondents also pointed to the fact that although regionalisation—conventionally understood as the strengthening of the intermediary level between the EU and the member states in the governance system of the CFP—is a good and necessary first step, there is a strong need to make further decentralisation arrangements in the governance system. While (internal) process legitimacy in relation to some fisheries might be facilitated by the strengthening of this intermediary level, other fisheries are even more locally anchored. This seems to be of most acute concern in the southern parts of Europe due to the larger presence of smaller and artisanal vessels. Some of our respondents were of the opinion that these smaller fleet segments are not able to make themselves heard in the current RAC system, which seems better geared towards the more industrialised part of the fleet. Consequently, there is a perception that this weakness needs to be taken into consideration and not reproduced in a future governance system.

To sum up, several of our respondents argued that a future governance system needs to be better at actively involving the stakeholders in the development of management—in particular fishermen and vessel owners—which would potentially lessen the prevalent feeling among fishermen that the measures they are subjected to are basically a product of Brussels, over which they have had very little say. Moreover, in general there is a wish to get a closer match between those making the decisions and those subjected to them, which in turn would also entail that member states' without direct stakes in a region should have less say over matters in that region than presently.

2.2 Efficiency of the process
Following the conceptual framework, the second category of motivations for regionalisation relates to the issue of efficient use of resources in the governance process. As described in Chapter 2, it is helpful to distinguish between financial concerns (along the lines of "the current system is too expensive"), and concerns about limited human resources (along the lines of "we only have this many qualified scientists and they should concentrate on doing science"). As in relation to the value of process legitimacy described above, there are also several sub-issues at play in relation to the value of efficiency. However, based on our material it seems that regionalisation is mainly seen as a way to enable efficient use of limited human resources rather than as a step towards a fisheries management system that will be less costly to operate in financial terms.

Importantly, most of our respondents considered it highly inefficient that the central EU institutions engage in and spend time on discussions of miniscule issues applicable only to specific regions or fisheries, i.e. "such things as twine thickness and ridiculously small things

like that" (Respondent 20, Manager), instead of spending the effort on deciding and developing the overall principles and taking specific decisions that due to their actual nature need to be taken at a central level. This is widely considered a misuse of resources and a distraction from what should really be in focus at this level, namely the long-term perspective and overall strategic decisions.

Several respondents pointed to the fact that this type of inefficiency was only going to be even more prominent after the entry into force of the Lisbon Treaty, which demands much more involvement of the European Parliament and a more complicated decision-making process at central level, as described in Chapter 2. The entry into force of the Lisbon Treaty was also raised as a turning point by this respondent explaining why previously hesitant (southern) member states' industries are now beginning to support regionalisation, "The truth is that now with the entry of the Lisbon Treaty and the […] long period of time that it supposedly it will take to take decisions, the concept of regionalisation starts to soak through in the different countries" (Respondent 19, Industry).

Another efficiency value that some voice is that a regionalised CFP governance system might be the more efficient way of achieving integration of policies. The main point raised is that the Marine Strategy Framework Directive (MSFD) (European Parliament and Council 2008), a vital environmental policy initiative (also section 2.1.1 of Chapter 2), presupposes member states working together at regional level and that it would therefore be beneficial that fisheries management also employed this strategy as fisheries is a major anthropogenic pressure on the marine environment and is something dealt with by the MSFD. This way of viewing regionalisation can be exemplified by this quote:

> When I think of regionalisation, I don't think of regionalisation of the CFP, I think of regionalisation of the wider management of the North Sea […] I want there to be regional management, not regional environmental management and regional fisheries management.
> (Respondent 13, Manager)

Indicating clearly a preference for more integrated structures, the same respondent furthermore gave us this insight in how he felt the current situation when trying to unite an environmental initiative with the CFP:

> I now have the experience in my current main occupation, which is to do the protection of the Natura 2000 sites, that it is very difficult and cumbersome and it takes a very long time, to try to unite those two frameworks of Natura 2000 and CFP. And I always use this metaphor that I want to put up this poster on the wall. And I know what I need. I need a drill and I need a screwdriver. And then I can put up this poster. So I want a drill and a screwdriver. So I go to the toolbox of the CFP, I want to take a drill and a screwdriver. But then the CFP says: No, no. No no no, not that easy. You can open my toolbox, but I want you to put in order everything in my toolbox, from big to small, including a hammer, including all sorts of instruments that I know I will not use, no. You have to somehow structure them in line, from big to small, colour by colour, and have everybody who also wants to maybe use that toolbox to have a look at it. Is it ok that I take just these two? And then, after a process of a couple of years, I can finally take my screwdriver, and my drill and I can put it up.
> (Respondent 13, Manager)

Finally, a particular perspective on regionalisation relates this closely to a shift towards a management approach where the industry carries a larger share of the burden of management by introducing result-based management, possibly combined with reversal of the burden of proof. In general this approach entails that the industry is presented with certain targets or limits that they have to comply with and—as long as respecting those limits—the industry

itself may decide on how it wants to do management. And if this is combined with a reversal of the burden of proof, the industry itself would moreover have to cover the costs of documenting that they are within the limits. This way of perceiving regionalisation also links it to the issue of financial efficiency by giving the industry more manoeuvrability and self-determination with the caveat that the industry takes over (some of) the costs associated with fisheries management.

Consequently, as described, there are different values of regionalisation invoked in relation to efficiency of the governance system. The one that figures most prominently is the fact that regionalising decisions of a less principal nature would free human resources to act and think more strategically at the central level. At the same time intellectual capacities present at the regional level, which are currently not necessarily being put to use to its full potential, would be encouraged to take on more responsibility in the process. Moreover, there is also the perspective that regionalisation might be the most efficient way towards the integration of policies and that regionalisation combined with new freedoms and responsibilities for the industry might result in a less costly fisheries management process.

2.3 Quality and legitimacy of outputs
The final category of motivations that our conceptual framework highlights is that of the perceived quality (and subsequently directly associated legitimacy) of outputs. As described in Chapter 2, this category of motivations centres on the extent to which a regionalised CFP governance system would provide outputs that better realise the policy goals seen as important to individual stakeholders and, in turn, give the policy a higher degree of content legitimacy. However, as discussed in the previous chapter, people place the importance of certain goals among three pure stances: conservation, rationalisation, and social/community concerns. Oftentimes people possess their own individual combinations of these stances with some leaning toward one versus another, but they are seldom exclusively inclined to a singular stance. This in turn means that 'good quality' means different things to different people, and what gives content legitimacy in some circles might be disqualifying in others.

Generally, there seems to be a common perception of the current system that is not sufficient for responding to the varying needs of a diverse fisheries sector—or to the unique requirements of distinct ecosystems. One respondent puts it like this, "The CFP should be regionalized because without this, it will be impossible for the policy to take into account all the different realities that exist" (Respondent 10, Industry). Another of the respondents (Respondent 7, Manager) argued that the CFP in its current form prevented the use of targeted regional solutions. He pointed to a discard ban in the Baltic Sea as an example of a measure that could not be implemented because such a measure posed challenges in other regions. In reality, the argument goes that the lack of regionalisation results in a system where the lowest common denominator of all regions continuously puts a ceiling on the ambitions in specific regions.

Consequently, it is widely felt that responding in the most suitable way to the needs and interests of, in particular, segments of the European fishing fleet would be more possible in a system where detailed knowledge of the specifics of the local or regional setting could be put to use in management, whereas the current system is perceived as trying to manage fisheries on the continental scale from Brussels without being sufficiently connected to the level of society where measures are applied. Although there are differences in how strongly this is felt, it seems to be a common perception. Notably it is not only the industry that has this

point-of-view as evidenced by this quote from an NGO representative, who argues for—within a certain centrally defined frame—experimenting with taking more decisions at:

> a more regional or local level where fishermen basically can be more involved in coming up with the solutions that would result in the objectives that have been agreed—because most often you have a number of different choices, different ways to do things.
> (Respondent 17, NGO)

Some voices in the debate also point to the fact that a diversification of approaches in fisheries management across the different marine regions would also facilitate the development and identification of 'best practice' that other regions—although of course always having to consider their own circumstances—could learn from. Consequently, regionalisation could potentially result in much more testing different approaches than is currently the case.

On a different note, an NGO respondent favoured regionalisation as a way to reduce what was perceived as an imbalance between the Northern European and the Southern European fisheries interests. The respondent was of the opinion that although centralised management may be a problem for all countries, this was first and foremost a problem for—especially small-scale—fisheries interests in Southern Europe because the management measures adopted by the central level were mostly geared towards the interests of the northern member states, who according to this respondent have most influence on the "bureaucrats in Brussels" (Respondent 9, NGO).

A slightly different aspect relating to the quality of fisheries legislation and management is the increased time it will take to reach decisions in the area of fisheries at the EU level after the entry into force of the Lisbon Treaty. Several respondents argued that this in itself requires regionalisation to make sure that the decision-making framework can still respond to emerging needs in a timely manner. This value is strongly related to the similar point made under the discussion of the efficiency value earlier; however, in the present context the concern is about the actual ability to apply timely management measures rather then the efficient use of human resources—but arguably the two values are intimately linked. On a last note, it should also be mentioned that the point made about the efficient integration of policies earlier is also reflected here, as several argue that regionalisation can facilitate better and more correct integration of policies because both environmental policy (MSFD) and fisheries policy (CFP) would have a regional set-up.

Consequently, as described above, regionalisation is perceived as possibly being able to contribute to better management measures. A key point is the perception that regionalised governance will allow more tailor-made approaches (in part developed by local stakeholders) that will be more capable of reaching the intended goals and thus be perceived as more (content) legitimate exactly because they are designed specifically for the context in which they are applied, rather than being off-the-peg solutions. Another prominent concern is the perceived inability to apply management in a timely manner if all matters have to follow the lengthier decision-making procedures outlined in the Lisbon Treaty.

2.4 Why Regionalise: A brief concluding discussion

In short—mirroring the Commission's conclusions as quoted earlier—our material indicates that there is a widespread support for exploring the option of a stronger regional dimension in the governance system for the CFP. Furthermore, there seems to be a considerable agreement on one of the main perceptions as to why this would be preferable, namely to reduce the

degree of Brussels-imposed, standardised management towards an entire—often locally or regionally distinct—industry. But as described, a number of other values of regionalisation are mentioned, as well.

Furthermore, not only is the direct, goal-achieving value of more tailor-made management important, this value of regionalisation also responds directly to another of the main problems of the CFP, namely its lagging legitimacy, which among other things has contributed to the failure to cultivate a culture of compliance. In many respondents' perceptions a regionalised governance process has the potential to strengthen the process legitimacy of the CFP and the improve outputs capable of strengthening the content legitimacy—at best this could break the vicious cycle of failed management, lacking legitimacy, and non-compliance that the CFP has found itself in for long.

3 How to regionalise? Main cleavages and challenges...

In the following sections we have distilled from our material some of the points-of-view on the issues, which seem to be the most contentious in the discussion of regionalisation. These issues can be organised under three headings, each referring to a sub-discussion of regionalisation: *where* to regionalise; *whom* to regionalise to, and *what* to regionalise. However, it should be emphasised that in practice these issues are predominantly discussed simultaneously and separating them into isolated issues should be regarded an analytical exercise to enable an identification and presentation of key debates within the overall debate on regionalisation. In practice perceptions on one issue was attached to particular perceptions of other issues. The regionalisation archetypes presented in section 4 represents an attempt to present and discuss these key issues in a more integrated way.

3.1 Where to regionalise to...

As described in Chapter 3, the central parts of the CFP governance system stretch over three politico-administrative levels: the central EU level, the (currently less developed) intermediary level exemplified by the RACs, and the member states' level. Generally, there is agreement that regionalisation should be about strengthening the underdeveloped, intermediary level as this level corresponds more or less to the biogeophysical level of large marine ecosystems or sea basins (Figure 2.2 in Chapter 2). So where there is, as we will discuss in the following sections, significant debate about who and what, the where is—more or less—agreed.

One of our respondents (Respondent 7, Manager) explained that he/she believed it was crucial for EU fisheries management to increase the geographic proximity between the ecosystem/sea basin in question and those making the decisions regarding that ecosystem, the reason being that if decision-makers are closer to where the problems are felt, they will be much more likely to adhere to sustainability criteria. Currently, in the EU there is quite a different situation: decisions are made far away from where the problems are experienced and all member states even those completely deprived of a direct stake in a sea area have in principle a say in decisions relating to it. The current state of affairs has, our respondent argued, resulted in a perverse logic where higher quotas are perceived and presented as victories won by governments fighting away from home in Brussels on behalf of their industry; conversely failures of fisheries management can be blamed on 'Brussels'. Regionalisation as the development of an intermediary level between the EU level and the member states is promising because it offers a way out of the dilemma that the EU fisheries management has been caught in, namely that even though the current centralised management model of the

CFP is not working and likely cannot work because it is impossible to do targeted fisheries management on a continental scale, the alternative of letting the member states individually take over management would be even worse.

Nonetheless, as mentioned earlier, several of our respondents also pointed to the need for getting management even closer to those affected, meaning regionalisation as a subnational process or by collaboration of fewer member states than in the RACs, which would be relevant in cases where only a few member states have interests in a certain sea area. However, it does not seem that there is a great tension between these perceptions, rather the stakeholders arguing for a 'local' regionalisation also generally saw the need for an intermediary level and even to some extent were of the opinion that regionalisation, as we generally understand, could facilitate this move by introducing a transition from a central management system to a management system built on the idea of nested systems (Chapter 2). Actually in most RACs there are already sub-working groups that deal with smaller geographical areas than the RAC as such, so such a development might already be on its way. In most instances our respondents seem to be of the opinion that any step away from the central management is a step in the right direction.

The most significant cleavage, within the general agreement that the intermediary level is what regionalisation should be about, is found between those basically favouring regionalisation as something related to the current RAC regions (determined by fisheries policy) and those of the opinion that the geographical units of regionalisation should basically come out of other policy areas (generally environmental policy and the MSFD). Both points of view have their merits. From a fisheries perspective it is clear that building as much as possible on the current system is useful and the RACs have been set up to best reflect functional regions within fisheries management. At the same time it could be argued that the integration of policies requires that an effort is made to reconcile the different spatial divisions used in different policy areas.

Finally it should be emphasised that on the issue of geographical coverage the Pelagic RAC requires—as in the current set-up—a special solution due to the nature of its stocks.

3.2 Whom to regionalise to...

The discussion of whom to regionalise to primarily relates to the role stakeholders should have in any future regionalised governance structure; the options ranged from self-management (by industry) to an advisory role *vis-à-vis* a regionally organised decision-making or decision-proposing institutional structure—basically the role stakeholders presently have through the RACs (section 3.3.3 of Chapter 2 for a typology of stakeholder involvement). Part of this discussion relates also to who are legitimate stakeholders and how should input from different groups of stakeholders be balanced and treated. On a different note, included under this heading there is also the role of the coastal member states in each possible region as opposed to other member states without coastline in that region, but with fishing interests there nonetheless.

One respondent argued that to cultivate a feeling of responsibility for and ownership of the management process among stakeholders, an empowerment process where stakeholders were actively engaged in management rather than merely being consulted, needs to be developed, since a *"Share of responsibility creates more conscience to the fishers and more realism to the environmentalists"* (Respondent 9, NGO). However, the same respondent also argued that developing shared management was really in most cases a task for the national

administrations. However, within the current framework the member states have limited manoeuvrability to do such a thing since most management measures are decided centrally. Another respondent emphasised that the industry (as opposed to other interest groups) is the key player by arguing to, *"Bring closer the debates, the consultations, even the decision process, to those who would be affected, and the main affected are us as fishing organizations, as ship owners"* (Respondent 19, Industry). However, the same respondent also recognised the value of the RACs, although in his opinion relatively non-influential in their current configuration, as forums for interaction between industry and other interest groups (and also to some extent scientists). The respondent elucidated, *"Many of the taboos that existed and many preconceived ideas have been changing through time,"* confirming that the forced interaction between industry and other interests has challenged preconceived notions. The role of the RACs as builders of trust and understanding across different groups is further explored in Chapter 4 of this report.

Another respondent cautioned that RACs are not elected and that therefore it was vital that whatever decisions the RACs could be involved in they should at the very least be taken in cooperation between RACs and elected representatives of society. This issue has become particular contentious with the increased involvement of the Parliament following the adoption of the Lisbon Treaty. In essence, some of the respondents raised concerns as to what the democratic legitimacy of a regional structure would be. In relation particularly to suggestions of increased power to the stakeholders through the RACs, possibly equal to *de facto* decision-making powers, one of our respondents concluded: *"RACs are not representative. Decisions should be taken in cooperation between RACs and elected people"* (Respondent 15, Policymaker).

For several respondents the capacity of stakeholder's representative organisations was also of concern. Some argued that participation in decision-making and/or advice formulation at the scale of the RAC regions or equivalent in practice is only feasible for larger organisations, and even larger organisations can be stretched beyond their capacity. In some countries most of the industry is organised through one or a few organisations but in other countries the representation of the industry is fragmented, which suggests that differing solutions might have to be pursued.

In terms of who should be incorporated in a regionalised system, this discussion also concerns whether it should only involve those immediately affected member states or all member states that feel they have an interest in the area. In the current RAC the inclusive interpretation is made; however, generally there seems to be agreement that regionalisation only makes sense if it is the more narrow interpretation that prevails. However, it is clear that member states might have very different interests in this dependent on the structure of the fleets. One respondent (Respondent 7, Manager) explained that due to proximity being an important creator or responsibility only the coastal states around a specific sea basin/ecosystem should take part in the decision-making process for that ecosystem; other member states with fishing interests there would have to be protected by relative stability or similar.

A final challenge highlighted by several respondents is how to handle third countries who also fish on regional stocks. The respondents gave no clear indication on this issue but considered it a major challenge to really decentralise decision-making authority because at present the Commission is responsible for all negotiations with third party countries.

3.3 What to regionalise…

Probably the most contentious issue in the debate over regionalisation relates to the question of what to regionalise. Several sub-issues could be identified in relation to this. First, of all there was the question of whether any possible regional institutional structure should remain merely advisory, as is the case in the current RAC system, or if it should be authorised (*de facto* or *de jure*) to make decisions. Secondly, if the latter were the case, what decisions would then be appropriate for the regional level. It seems clear that in principle a hierarchy of decisions exists, where some decisions are more natural to keep at central level and others are better suited for regionalising; however, how people determine such a hierarchy is debatable. In Chapter 2 we presented an understanding of three different categories of decisions: *Constitutional rules* (principles), *collective-choice rules* (institutions), and *operational rules* (actions). Thirdly, there was also the issue of whether regionalisation should be something related to the CFP alone or rather if regionalisation should be discussed in terms of marine management more broadly.

An advisory version of regionalisation without any decision-making competence being delegated must be considered a weak instance of regionalisation; however, this is a relatively uncomplicated type of regionalisation to put into practice, as it does not to pose legal problems—as one of our respondents put it, "It is just a policy recommendation, even as an NGO you can recommend something that is easy, and that has not serious requirements on structure, mandate, legal status, and things like that" (Respondent 20, Manager). On the other hand, there is a great risk that this does not create significantly more feeling of regional ownership over management than the current RAC system has done, which is exactly a system where the regional level provides advice to the central level. A concern raised by several of our respondents has been that most of what comes out of the RACs is not taken into consideration:

> In spite of the fact that the fishing sector and the rest of members are doing praiseworthy work, investing lots of hours, money and time in RACs work, the reality is that when the recommendations are generated from the RACs and sent to the Commission, most of them are not being taken into account, attention is not paid to them—and the truth is that this demotivates and discourages a lot of those who work in the RAC.
> (Respondent 19, industry)

However, other respondents did argue that the introduction of the RAC, even though advisory, had actually improved their ability to be heard and influence policymaking. At least one respondent representing a small-scale fishery argued that the possibility to participate in the RAC had in particular enabled them to influence the combined industry position, which was difficult before the RACs were set up, as the fishing industry position was often just equal to the position of the biggest organisations, which had the ability to lobby effectively. So this respondent was definitely of the opinion that the regional institutional structure had improved the ability to feed more balanced information to the central level.

One idea, which was raised in the debate and is to be found in several position documents, was the idea of continuing basically with the current system, but with the crucial modification that unanimous advice coming from a RAC should be binding—*binding advice*. Some informants clarified this concept of *binding advice*, explaining that in instances where a RAC produces a piece of advice through consensus, if the Commission decides to reject such advice it should be required to articulate its reasoning rather than simply disregard the stakeholders. This solution was thought to be able to perhaps create more ownership without

posing legal challenges. However, this sort of solution likely does *de facto* involve the transfer of decision-making power and as such it does probably present legal challenges.

When considering regionalising some degree of decision-making authority, one of the cited concerns relates to the potential risk of regionalising too much—in the sense of regionalising authority that rightfully should be kept at the central level; e.g. in order to ensure that the industry, which is part of a common market, operates on a level playing field. Although room for competition between regions should be allowed so that best practice can be developed, it is perceived as important that regionalisation does not lead to varying degree of fulfilment of the overall objectives and principles across regions. One respondent cautioned that:

> A policy that promotes and establishes common rules that we have to obey, for a space that is public domain, must be seen as a strength. The application of uniform processes and common rules can only be questionable in its results, not in its principles.
> (Respondent 9, NGO)

The fisheries industry operates on a common market and ensuring a level playing field was by several of our respondents referred to as a challenge if deciding to regionalise the governance system of the CFP. Although there is an interest to allow for more regionally distinct solutions it is also emphasised that there is a need to ensure that the fisheries policy remains common, i.e. decisions regarding the overall structure of European fisheries management continues to be planned centrally. Again however, this leads us back to the question of what to regionalise and the lack of a common understanding of what can be considered implementation decisions, technical decisions, essential legislation, or decisions of a more political or principal nature—to mention but a few of the terms that has been applied to the various types of management decisions in our material.

Some of our respondents also emphasised that regionalisation must not be allowed to lead to greater discrepancy across Europe in terms of industry compliance or the level of full/loyal implementation of shared management measures by the member states. From the point of those focussing more on conservation than on industry concerns, it was stressed that regionalisation should not lead to differences in the protection of the environment across Europe. These concerns are, however, but variations over the 'level playing field' theme discussed further above.

As mentioned in the introduction, a further cleavage is found between those arguing that decentralisation is about fisheries management and those arguing that regionalisation should relate to all marine management. Generally, most of our respondents seemed to think of regionalisation as something related to fisheries management rather than marine management at large but some did have that perspective though, as also discussed particularly in section 2.1.1.

A main challenge presented by regionalisation is thus that insofar that regionalisation represents the creation or at least strengthening of the level of governance between the member states and the central EU level, it also potentially represents one more level, where a drift from the original intentions of the principal decision-makers at the central EU level can take place. Gezelius and Raakjær (2008) argue and present evidence of such a drift even in the current highly centralised system with little room for manoeuvrability for the member states, ways to drift from the original intentions have been found which undermines conservation. In the worst case, regionalisation, which to some extent changes management from two tiers to

three in the hierarchical structure, could further pronounce this element of EU fisheries management by making the principal-agency relationship[34] more complicated.

3.4 How to regionalise: A brief concluding discussion

As indicated above, in our research we experienced a strong preference for at least exploring the option of increasing the regional dimension of the CFP and most disagreement in relation to the topic of regionalisation seems to be over which kind of model for regionalisation would be preferable or legally possible. We will not go into the details of the legal challenges, but just mention that the whole issue of regionalisation is surrounded with great uncertainty when it comes to the question of what is and is not legally possible within the limits imposed by the Lisbon Treaty. A thorough discussion of this can be found in Long (2010). A main issue is the fact that within the EU system authority can generally be placed either at the central level or at the level of the member states; there is no stipulation as how to allocate power to a regional body but the general idea as to how to get around this, which is also hinted at in the Green Paper (Commission 2009), is to grant more authority to the member states but on the condition that these authorities are exercised through some sort of regional cooperation.

4 A Selection of Archetypes of CFP Regionalisation

As discussed in Chapter 2, the debate over regionalisation is basically an integrated debate about the questions of who, where, and what. Based mostly on key informant interviews and observations we have, in the above sections, presented perceptions related to each of these sub-issues as well as to the motivations for wanting to regionalise the CFP. The following section outlines five qualitatively different governance models of regionalisation related to the CFP and discusses them in relation to ideas and models found in various position papers on the Commission's Green Paper. In other words, each of the following models reflects integrated perceptions of how the questions of who, where, and what should be answered.

By referring to these models as 'archetypes' we emphasise that they are—rather than detailed ready-to-apply systems—rough skeletons drafted primarily with the intention to create an illustrative suite of models that, to some extent, represent the different perceptions in the debate about regionalisation. We do not claim that this is a complete list of possible models— far from it. However, we do believe that these five models, which are based on empirical data, represent important perceptions of regionalisation of the CFP's governance system.

Before turning to the actual models, it should be mentioned that we have prioritised presenting and discussing models that represent a significant and qualitative change from the current system. Therefore, we have not put much effort into models representing variations of the current system, although it is also possible to find positions that support this under the heading of regionalisation. Symes (2009b) outlines four models of regionalisation; of these we discuss variants of the two more robust models, whereas we disregard the two weaker options. The rejected models relate to increased use of a special administrative EU procedure involving the Commission and member states—known as comitology[35] as well as a dispersal solution, in which all powers basically remain where they are with only physical dispersal of

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[34] We refer to Gezelius et al. (2008) for more on the application of the principal-agency approach to EU fisheries management.

[35] Simply put, under the comitology procedure the Commission will adopt implementing measures but in doing so it will be assisted by a committee consisting of member state representatives so that implementation practices will reflect, to some extent, the wishes of the member states. The powers of the member states *vis-à-vis* the Commission depend on the type of comitology committee.

Commission personnel to regional offices. It should be noted that Symes also considers the two models as the ones out of his four that will deliver least benefits as compared to the current system

4.1 Nationalisation

The first alternative to the current governance system is a Nationalisation model. The Nationalisation model represents a qualitatively different configuration to the current system and also stands in contrast to the subsequent models outlined, where an intermediary level of governance between the EU and the member states is actively sought—which is not the case under the Nationalisation model *per se*.

Box 3.1: The Nationalisation Archetype.

Nationalisation

The member states are awarded the responsibility for the conservation of resources in their own Exclusive Economic Zones. Issues relating to shared stocks would be sorted out through a system of bilateral agreements between member states or any other arrangements that the member states themselves deem necessary. The level of involvement of stakeholders would be an issue for the individual member state to decide.

The Nationalisation model, as described in Box 3.1, entails the most radical change from the current system among the presented selection of regionalisation models. In fact Long (2010) argues that nationalisation would require an amendment of the Lisbon Treaty. This might entail that the Nationalisation model presents a theoretical concept more than an actual option. This model turns EU fisheries management upside down by awarding the authority for resource conservation measures to the member states within their own Exclusive Economic Zones (EEZ)—as opposed to the current system where this is one of only a few exclusive competences of the EU. Management of stocks shared by different states would then, likely, be a matter of setting up bilateral or multilateral agreements among the countries (EU as well as non-EU) in whose EEZs the stock in question inhabits.[36]

The Nationalisation model would per definition eliminate the problem of excessive micromanagement or one-size-fits-all solutions from the EU level, as in principle the EU would not even be in a position to coordinate approaches. Because it will in general be up to the individual member states to decide their national approach, it is difficult to say much more about how such a system would operate in practice. E.g. micromanagement may continue under such a system depending on the national style of management. Nonetheless, stakeholders exclusively concerned with stocks present in the EEZ of only their own member state will likely feel that decisions are being made closer to them and they could, depending on the national style of management, have more direct say in the management of such stocks. In opposition, those concerned with stocks shared with other member states or stocks in other member states' EEZs will have less say, and their interests will have to be defended by their government in negotiations with other states. Notably, the geophysical characteristics of EU waters result in a high number of shared stocks. Moreover, historical fishing rights would further complicate matters if the Nationalisation model was to materialise.

The role of the RACs is highly uncertain under the Nationalisation model. The RACs would definitely no longer be EU bodies and therefore, if they still were to operate, they would have

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[36] This would be much like the agreements that are negotiated yearly between for instance Norway and the EU.

to find a completely new form and funding. Most likely, since the main recipient of the RAC advice has been the EU level, the RACs would become obsolete.

One interview informant (Respondent 19, Industry) argued that the whole debate on regionalisation originated in the Nationalisation model from the wish of primarily the UK industry to re-nationalise fisheries management. Over time, according to this respondent, the advocates of nationalisation have for the most part come to accept that nationalisation is not achievable taking the Treaties and interests of other member states into consideration. Consequently, for these advocates the discourse moved from nationalisation to the option of regionalisation at the level between the member states and the EU, gaining support over time particularly from other Northern European member states.

According to our respondent, in general the southern member states have been sceptical toward regionalisation in part because the ideas are rooted in the nationalisation discourse, but in later years even those member states have opened up to the idea. The respondent argued that the movement that began the regionalisation discussion is still active and is now trying to promote the RACs as decision-making bodies. Nevertheless, voices arguing for nationalisation remain audible in the debate, which in our view makes it an important model—although slightly odd one—to include as a regionalisation archetype.

As described by the respondent, most of those who previously argued for nationalisation have turned their attention to regionalisation as the more feasible way forward. In support of this view, none of our interview respondents favoured nationalisation and nor did any of the major position papers that we looked into advocate this view.

4.2 Models of Regional Management Organisations

The following three models, though distinct, all have a common thread: they entail the creation of formalised regional management organisations in which eligible member states take part. Importantly, only the member states with a documented interest in the specific sea area covered by the individual regional management organisation would participate meaning that to take part a member state would likely need to have parts of its EEZ in the regional sea area or be able to document an acute interest in the management of fisheries in the area.

Each of the regional management organisation models has its distinctive trait, but they also share a number of features. First, in the way we outlined these models, two of them require that the member states be given 'wide authority' over management on the condition that they establish joint regional management organisations to address issues of the specific regional area. In addition, in all regional organisation models the EU provides a general framework for regional approaches, which seems to be what most prefer, as also concluded in the Commission's synthesis on the Green Paper consultation (Commission 2010). The archetypes do not specify an upper or lower limit to autonomy granted under "*wide* authority," but the text does imply a relatively loose framework that would at least allow different regional organisations to develop different approaches to management. We have deliberately chosen to leave the 'wide authority' somewhat vague, but with reference to the orders of governance outlined in section 3.3 in Chapter 2, it is reasonable to assume that at least *constitutional rules* (actions) decisions world be addressed by these organisations. Decisions related to *operational rules* (principles) would not. The issue of *collective-choice rules* (institutions) is, however, more debatable and—as also discussed above—it is also on this issue that we find stakeholder viewpoints diverge to the greatest degree.

The geographical coverage of the individual regional management organisation is described as a 'regional sea area', which may have different meanings to different sets of interests. However, generally the term 'regional sea area' when discussed in the context of EU fisheries management would refer to seas such as the North Sea or the Baltic Sea, or marine regions such as those covered by the RACs or the regions and sub-regions outlined in the Marine Strategy Framework Directive (European Parliament and Council 2008).

All the regional management organisation models offer a number of advantages compared to the current system. To begin, they relieve the central level of the burden of micromanaging; at the same time, the EU would maintain a coordinating role as well the ability to set the overarching goals and the frame for the regional approaches. This would potentially increase the system's ability to tailor-make management as the EU would not have to apply off-the-peg, one-size-fits-all management solutions to the same extent as today. Furthermore, all three models potentially reduce the feeling of distance between the decision-making body and the place where impacts of management or mis-management are felt. Delegation of some authorities to a lower level would potentially facilitate for more timely management measures as only the most principal decisions would have to go through the lengthy process of joint decision-making between the EU Council and Parliament.

Ideally, therefore, these models offer a more efficient governance system as well as outputs would closely correspond to the needs of the specific region. However, these advantages are not guaranteed. In contrast it could also be argued that the governance system will lose efficiency by including yet another decision-making level and that the system loses legitimacy because of even more complex procedures. Moreover, establishing mechanisms for ensuring delivery of the targets/the frame agreed at central level remains a challenge in all the regional management organisation models.

In the following three sections we describe the distinctive traits of each of our three variants of the regional management organisation models and associate them with specific positions encountered in our empirical studies, including visions of similar models and variations thereof.

4.2.1 Regional Fisheries Management Organisations
The first variation on the regional management organisation theme that we have included in our selection is the Regional Fisheries Management Organisation (RFMO) model.

Box 3.2: The Regional Fisheries Management Organisation Archetype.

Regional Fisheries Management Organisations
Under this model the member states would be given wide authority for fisheries conservation on the condition that the member states with fishing interests in a regional sea area establish a regional fisheries management organisation (RFMO) to deal with fisheries management issues specific to that area. A general framework for regional approaches will be provided by the central EU institutions. The stakeholders' input will continue to be channelled through the RAC. However, the RAC would in most cases advice the RFMO rather than the central EU institutions. The exact extent to which stakeholders' input is given weight in the decision-making process of the RFMO is up to that organisation on a case-by-case basis.

The RFMO model, as we outline it above in Box 3.2, as opposed to the Marine Management model outlined beneath in section 4.2.3, focuses solely on issues related to fisheries management. Consequently, coordination with other policy areas would need to be taken care

of through the general framework decided upon by the central EU institutions or possibly in cooperation with other regional management organisations charged with other elements of marine management.

Under this model the RACs would continue to provide stakeholder input to the decision-making process. The RACs would continue operating as they do under the current system with the modification that instead of the EU Commission being the primary recipient of advice, the RFMOs or the member states in their capacities as part of the RFMO would become the main recipients.

What this model offers *vis-à-vis* the two other variations of the regional management organisation theme is first and foremost that of the three this is the model that builds most directly on the present system. The RAC can, as an example, be allowed to continue operating in a relatively unchanged format as an advisory body. As a consequence, this model also offers a governance system where there is a clear differentiation between those governing and those being governed; based on advisory input from stakeholders, the EU and the member states would decide how to do management.

In terms of the level of stakeholder involvement this model does not move beyond the weakest form of co-management, namely co-management by consultation (Section 3.3.3 of Chapter 2). However, as mentioned in the overall introduction to the regional management organisation models above, the feeling of actually being heard (and maybe also in reality being heard) might be increased by getting a closer match between the RACs as advisory bodies and the RFMOs as decision-making bodies within the frame outlined at the central level. Moreover, it should be noted that there is nothing in the model that hinders that a decision could be taken at regional level to involve stakeholders more in the decision-making process, which would then potentially move the regional system towards more evolved co-management even though the model does not dictate this.

The RFMO model is widely referenced in the position documents we consulted. E.g. several of the position documents written by major environmental NGOs (with Greenpeace as an exception, Section 4.2.3) outline the establishment of RFMOs as a useful way to move toward regionalisation. Birdlife International outlines in their position document on the CFP reform (BirdLife International 2009) a relatively detailed vision for a regionalised governance system for the CFP, which seems very close to our RFMO archetype. Birdlife International sums up their vision as such:

> We strongly support regionalisation of the CFP and advocate a two-tier approach, with delegation of management powers on technical matters to Regional (sea) Management Organisations (RMOs) led by Member State representatives for the relevant marine sea basin. RMOs would operate within Community principles, limits and standards set by the top tier of Commission, Council and Parliament. The RMO will continue to take advice from enhanced RACs.[37]
> (BirdLife International 2009: 3)

This description is arguably close to our archetype; however, the extent to which 'management power on technical matters' corresponds to 'wide authority' is up for interpretation. Technical measures (or matters) in the context of the CFP correspond generally

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[37] Although referring to Regional 'Sea' Management Organisations, the position paper as a whole makes clear that they are basically talking about committees charged with fisheries management.

to measures regarding where, when, and how to fish, as opposed to how often to fish (days-at-sea) and how much to catch/land (TACs/quotas).

Also worth noting is that Birdlife favours moving toward regionalisation in an incremental process that does not necessarily move at the same pace in each region, as Birdlife argues that the individual region needs to demonstrate that it will be able to deliver sustainable fisheries, reflecting the concern that if regionalisation is not done with caution this could lead to a race to the bottom conservation-wise.

OCEAN2012, an alliance of more than 60 organisations (primarily marine environmental NGOs) set out specifically to work on issues related to the coming CFP reform, seems open to the idea of establishing regional fisheries management organisations, as long as these are working within a frame agreed upon at the central level. In several places in its position document, OCEAN2012 (2009) mentions examples of decisions that could be taken at a regional or ecosystem level. This might require new institutional structures to be set up:

> We suggest that the Council of Ministers—and, under a ratified Lisbon Treaty, the European Parliament—focus on the over-arching vision, objectives and targets of the CFP and leave the detailed implementation to more appropriate bodies such as the Commission, Member States, or new bodies specifically created for the purpose.
> (OCEAN2012 2009, emphasis added)

In a separate position document one of the OCEAN2012 members, Seas at Risk (2009), cites the requirements of the Marine Strategy Framework Directive (MSFD) as a reason for why the establishment of new regional fisheries management bodies—or at least adaptations of the RACs—would be important.

When introducing variants of the RFMO model, it seems appropriate briefly to mention that a related option was outlined in a recent paper by Long (2010). In order to reap some of the benefits of a RFMO model without having to create an unprecedented structure in EU governance, Long suggests setting up an EU regulatory agency for fisheries management. The agency option does not involve specific RFMOs for each region but rather a central agency amenable to regionalisation. It should be mentioned that the agency format clearly delimits the level of authority that can be delegated.

Recognising that Long (2010) provides a reconfigured version of the RFMO, the heart and soul of the RFMO model remains to be the establishment of formalised structures with 'institutional personalities' at the regional level and that the RFMOs are given authorities—within their mandate—to be exercised without interference from the central EU level. The major uncertainty of the RFMO model is the extent of the 'wide authorities', which can, in principle, range from merely coordinating measures decided at the top level to deciding fundamental issues related to second order governance; i.e. size of TACs or whether TACs and quotas are the right way to move towards the long-term targets.

4.2.2 Regional Fisheries Co-Management Organisations

Our second variation on the regional management model theme, the Regional Fisheries Co-Management Organisations (RFcoMO) model, distinguishes itself from the RFMO model described in the previous section by specifying stronger direct involvement of stakeholders in the regional decision-making process.

Box 3.3: The Regional Fisheries Co-Management Organisation Archetype.

Regional Fisheries Co-Management Organisations
Under this model the member states would be given wide authority for fisheries conservation on the condition that the member states with fishing interests in a regional sea area establish a regional fisheries co-management organisation (RFcoMO) to deal with fisheries management issues specific for that area. A general framework for regional approaches will be provided by the central EU institutions. The RACs would cease to exist; instead stakeholders, scientists, and member states' administrators would work together within the RFcoMO to determine the best strategies for their regional area.

As described in Box 3.3, this model delivers stronger ownership of regulations by those subjected to them. Where the previous model allowed regional decisions to be made by the member states' representatives alone acting on advice from stakeholders in the RAC, this model presupposes joint decision-making between member states' representatives and stakeholders. Consequently, not only does this model decentralise portions of decision-making to the regional level with the potential benefits that entails, it also moves the system from 'co-management by consultation' to 'co-management by partnership' (Section 3.3.3 of Chapter 2) in relation to the specific authorities given to the RFcoMO.

Enlarged with government representatives and possibly scientists, in principle the RACs could be reorganised into RFcoMOs since the stakeholder expertise needed is already present in the RACs. In any case, the RAC, as the type of organisation it is presently, would likely cease to exist. As compared with the RFMO model, the RFcoMO model represents a more drastic change from the current system. Not only does the RFcoMO require delegation of authority from the central level to the regional level—via delegation of authority to the member states on condition that they exercise their power jointly—it also blurs the line between those being governed and those elected to govern. A lack of distinction such as this could pose particular challenges in terms of the good governance criteria of accountability and transparency, as it might become less apparent who is actually doing the governing and in relation to some of those involved it will be difficult to hold them democratically accountable.

Among the position documents that seem basically to favour a model of regionalisation along the lines of the RFcoMO model, we highlight the position documents of two key actors: the European Parliament's Committee on Fisheries (2010) and the umbrella-organisation of European fisheries associations, Europêche (2009). Both documents call for the establishment of regional organisations with some degree of decision-making power with general objectives and principles laid down at the highest level. The position of the Parliament is that the industry and other stakeholders should be part of these organisations together with member state representatives, scientists, and others.

Europêche goes even further, suggesting that those sitting in the decentralised management bodies, as the document refers to them, should be *the appropriate representatives from the industry*" (Europêche/Cogeca 2009: 7). Whether that entails that the regional committees should not encompass member state representatives, scientists, etc. as well is not quite clear but does seem to be the case. Consequently, implementation of the vision of Europêche would move the system not just to co-management by partnership, as our archetype does, but in fact on certain parts of management to co-management by delegation. Europêche, however, cautiously mentions that this approach represents significant change and will require a transition period. Moreover, the organisation stresses that "it will also be necessary to avoid the emergence of disparities within the EU (different measures for similar fisheries in various

maritime regions)" (Europêche/Cogeca 2009: 7). This highlights a major dilemma in the industry's approach to regionalisation; even though regionalisation and a degree of co-management is widely appealing to the industry, at the same time there is uneasiness about the fact that the industry is in any case delivering to a common market. Hence, different measures should not lead to distortion of competition. However, one of the important potential benefits of regionalisation is learning from best practice. If regions are not meant to figure out different solutions, then what is the point of regionalising? Of course the common framework installed needs to ensure that the regions do not engage in a 'race to the bottom' in relation to e.g. on control but that should go without saying.

Several other position documents detail variations of the RFcoMO model; many of those positions statements come from the sector itself. E.g. the Danish sector refers to regional decision committees comprised of catching sector representatives and representatives of the member states and the Commission in its position paper (Danish Fisheries Sector Organisations 2009). An example of a particularly detailed vision can be found in the contribution from the Federation of Irish Fishermen (Federation of Irish Fishermen 2009).

Also the European processing industry (AIPCE-CEP 2009) suggests an approach where the industry is given a larger say via the establishment of regional organisations. A suggestion is made that this larger say from the industry and other stakeholders could be made by giving the RACs the ability to provide binding advice. Although somewhat a contradiction of terms, this solution would in principle correspond to co-management by delegation as the top-level would have to outline the areas for which the RACs were *de facto* the decision-making body. However, this remains a highly contentious idea that involves significant legal challenges.

Finally, we should mention that the model entitled 'the new Regional Advisory Council' outlined by Symes (2009b) is a variation on the RFcoMO. According to Symes, this model:

> Requires the formation of a dedicated RMO with a permanent secretariat and fixed abode within the region that would help to give it a clear identity. Its broadly based representation, including major stakeholders, MS administrators and their scientific advisers is more likely to win the approval (and therefore compliance) of the fishing industries, though lack of executive function means that it falls short of providing a true co-management solution. It would supersede the existing RAC in so far as its membership now includes MS administrators and its terms of reference give it a more ambitions role. This enhanced role – developing a robust, medium/long term regional strategy and coordinating MS fishing activities in line with both Community policy and the region's strategy – makes it the most radical solution and signals an end to the old, centralised and monolithic CFP
> (Symes 2009b: 7).

Symes' model is close to our archetype but does not to the same extent grant the regional organisation formal authority, rather Symes' organisation remains a quasi-independent body that issues recommendations and develops strategies to be formally adopted at a central level and implemented by member states. This is somewhat weaker than our archetype but likely less complicated to put in place, which was a major concern for Symes when outlining his models.

As documented above, our brief look into the position documents submitted seems to indicate a favourable view on the co-management solution among particularly the industry actors, as opposed to the ENGOs, which as described in the previous section seem to favour a solution where decision-makers are somewhat more shielded from the industry, which should come as no surprise.

As mentioned the benefit offered by the RFcoMO model over the RFMO is the guaranteed greater involvement of stakeholders. However, this fact also complicates its implementation. First, there are legal challenges to handing over authorities to stakeholders, which must be sorted out. Moreover, it can be expected that the weight of different stakeholder groups' input in the process will be highly contentious. When establishing the RACs in connection with the previous reform the balance between industry and other interests was among the most contentious issues. And, notably, the RACs are only advisory and not decision-making as the RFcoMO would be.

5.3.3 Regional Marine Management Organisations

The final variation on the regional management organisation theme included in our selection is the Regional Marine Management Organisation model. As indicated by its name this organisation, which is outlined in Box 3.4 beneath, broadens the perspective of the envisioned organisation from dealing exclusively with management of fisheries to managing several or all activities of a specific regional marine area. Establishing this kind of organisation attempts in particular to tackle one of the coming years' major challenges: implementing a more holistic approach to environmental management (Section 2.1.1 of Chapter 2).

Box 3.4: The Regional Marine Management Archetype.

> **Regional Marine Management Organisations**
> Under this model the member states would set up regional marine management organisations (RMMO) with responsibility for coordinating all matters relating to the regional sea areas. Stakeholders from all sectors would be involved in some form—either as advisors or in a more co-management-like structure. The RACs could continue to operate, but would only be providing advice as one of the affected sectors of the RMMO. Alternatively, the current RACs could be opened for a wider group of stakeholders. A general framework for regional approaches will be provided by the central EU institutions.

As was the case with the other models, the EU would provide only a framework for operation and the member states would take on the task of actually coordinating the needs of all involved interests. The advantage of this model is its holistic approach, which goes hand in hand with the ecosystem approach to management. Potentially, the RMMO would be a forum for coordination of all the interests that claim their right to the marine space in a particular region. Having an integrated organisation for this would be an advantage insofar that integration of policies would be much more manageable since it would only involve one organisation and not several organisations having to interact.

However, a particular challenge of this model is that it only, to a very limited extent, builds on the current system. Although the HELCOM (Helsinki convention for the Baltic Sea) and OSPAR (convention for the North Sea) may be appropriate organisations to form the basis of such marine management organisations, those two conventions are both weaker organisations and not part of the EU system.

In terms of the actual authority of the RMMOs, our text suggests that the organisation would be tasked with 'coordinating' all matters relating to a particular marine region, which might be interpreted as somewhat weaker than the 'wide authority' phrasing used in the previous two regional management organisation models. When discussing the issue of stakeholder involvement this archetype leaves that as an open question—but the mere fact that the text suggests that it will be more limited powers that will be regionalised indicates that this option is not a strong co-management option.

Whereas the position documents of most environmental NGOs seem to favour, or at least remain open to the creation of dedicated regional fisheries management organisations (Section 4.2.1), Greenpeace stands apart. When it comes to regionalisation of the governance system for the CFP Greenpeace argues for retaining (a variation of) the current system while advocating a more holistic approach within that framework. In their position document on the CFP reform, Greenpeace (2009) specifically rejects the idea of giving any decision-making powers to a new regional organisation or assigning more powers to the RAC. The principal reason for the rejection centres on the possible lack of democratic oversight of a regional level organisation. Speaking specifically about the RACs, Greenpeace proposes that these institutions could evolve into "regional seas management committees" (RSMACs). The most substantial differences between the current RACs and the RSMACs are that RSMACs would have a wider membership base and a mandate to advise on regional maritime governance rather than only fisheries-specific issues. The emphasis on a holistic focus on marine management rather than fisheries management may, to some extent, position the RSMACs somewhere between the current system and the Regional Marine Management Organisation archetype. What distinguishes the Regional Marine Management Organisation from the other models is exactly the focus on marine management rather than fisheries management. The RSMACs are designed as advisory structures only, whereas our Regional Marine Management Organisation model presupposes the establishment of an organisation with its own responsibilities in the coordination of marine management. Greenpeace does, however, mention *"that some of the detailed, operational aspects of decision-making may in future be delegated to a lower level of decision-making (i.e. avoiding lengthy Council and European Parliament negotiations)"* (Greenpeace 2009: 16) but, as mentioned above, Greenpeace is not referring to a regional structure.

The RMMO model remains like the Nationalisation model an outlier. As indicated by the few references to variants of this model in position documents, few see this as where regionalisation should be taking us—at least not in the short term. Although some see this as a possible long-term objective and that it is recognised that this sort of integration would facilitate ecosystem-based management and the integration of policies, it is in the eyes of most to far from the current system. Consequently, to some extent the Nationalisation model is broadly considered a model of the past, whereas the RMMO might be considered the model of the future—but notably not the immediate future.

4.3 Cooperative Member State Councils

Of our five archetypes, the Cooperative Member State Councils necessitates the least change to the current CFP governance structures.

Box 3.5: The Cooperative Member State Council Archetype

> **Cooperative Member State Councils**
> The institutional structure and formal distribution of powers remains largely unchanged. However, the member states with fishing interests in a regional sea area establish mini-councils to deal with fisheries management issues specific to that area. These mini-councils forward their recommendations for formal approval to the overall EU Fisheries Council. The RAC would in most cases advice the mini-council rather than the central EU institutions. The exact extent to which stakeholders' input is given weight in the recommendations of the mini-council is up to that mini-council on a case-by-case basis.

As described in Box 3.5, the formal distribution of power and the institutional structure stays largely as it is in the current system. Consequently, the central EU institutions remain in

principle in charge of deciding on most fisheries management issues in EU waters. However, for each regional sea the member states concerned would set up (on a more or less formalised basis) mini-councils to provide the central EU Fisheries Council with recommendations on fisheries management issues specific to that area. The RACs would provide regional mini-councils with stakeholder input and thus the RACs would continue to operate more or less in the current form with the member states of the regional mini-council and the Commission as the primary recipients of advice.

To provide significant advantages as compared to the current system, it is vital that the recommendations from the mini-councils are, as a general rule, not challenged by or renegotiated in the central EU Fisheries Council, but rather adopted as the position of the Council in the decision-making process. Consequently, this model is highly dependent on the presence of political will in the EU Fisheries Council and the Commission—as well as in the European Parliament—to allow for different approaches and accept that one region might favour another path than another region.

The primary advantage of this model is the relative ease with which it could be installed. Although under this model the EU central level would still apply management from the centre, the exact nature of that micromanagement could *de facto* (but notably not *de jure*) be decided at the regional level. This would allow countries sharing an interest in a specific region to develop their own strategies without having to worry about how the adopted approach will be received by all the other EU member states, who by default would opt out of having a say in management in the areas where they do not have a direct interest.

Although empowerment of stakeholders is not a specific aim of this model, it is nevertheless likely that a relationship could develop between the mini-council and the relevant RAC. Potentially this could reduce the feeling of distance between those making the decision and those subjected to them, perhaps enabling stakeholders to propose measures that better fit the actual situation of the region in question. However, in contrast to the regional management organisation models, this model does not have the same potential in terms of delivering more timely management by excluding the central level from a number of more technical decisions.

In the position documents we find several variations of the Cooperative Member State Councils model. One such paper is the position of the Danish government, which on the issue of regionalisation takes the position that no new formal regional structures should be set up. Consequently, if necessary, a *"further development of the regional level in the CFP must take place through informal structures,"* (Ministry of Food, Agriculture and Fisheries 2009: 5) between the relevant member states. However, more than these structures being a forum for issuing recommendations to the Council as in our archetype, the role imagined by the Danish government relates more to the coordination of implementation. Although this might be a useful first step, this must be considered a very weak instance of regionalisation. To relieve the Council and Parliament of tasks the Danes prefer extended use of the comitology procedure, which is also suggested by the Commission in the Green Paper. Noticeably, this is a distinct view as compared to the Danish fisheries sector, which opted for something along the lines of a Regional Fisheries Co-Management Organisation model. In contrast, the government's position specifically states that stakeholders must remain in an advisory role.

The German government also argues for something similar to the Cooperative Member State Council model; the Germans refer to this as *"intensivere regionale Zusammenarbeit"* (Bundesministerium für Ernährung 2009: 6), which they find especially needed in the area of

technical measures. The German vision is very close to our archetype and entails no decision-making authority to the regional level, which will basically provide recommendations to the top level.

The UK position paper contains a particularly detailed vision for regionalisation by means of a variation of what we call the Cooperative Member State Council model, Figure 3.1.

Figure 3.1: UK vision of regionalised CFP.
(United Kingdom Permanent Representation to the European Union 2009: 20)
Note: Cion is a standard expression for the commission.
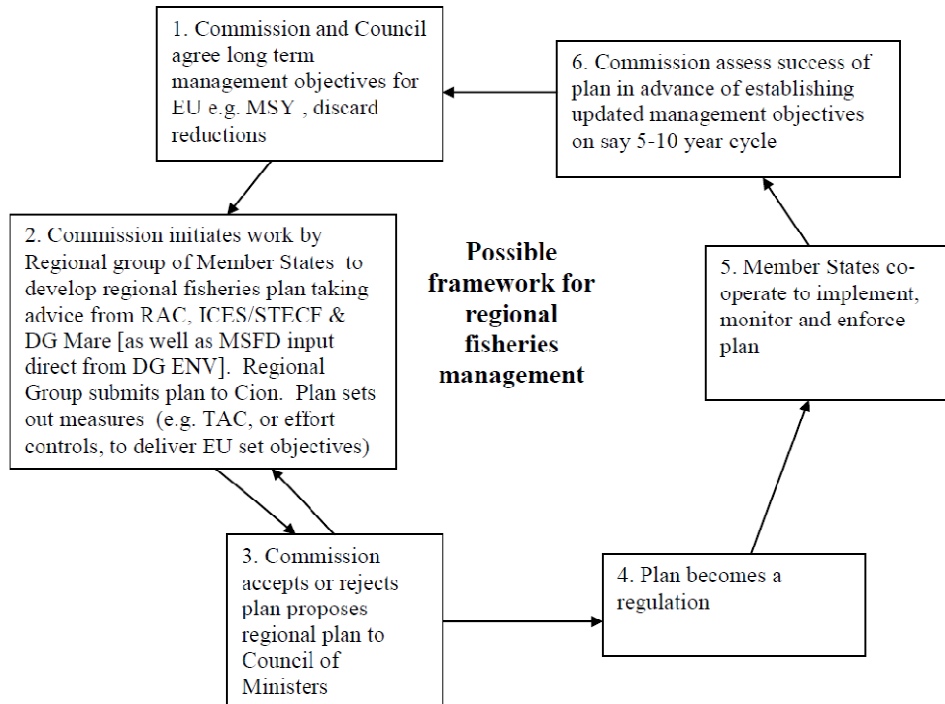
The UK position paper states that this model is based on the EU setting "biological and ecological targets in the form of long term outcomes" (United Kingdom Permanent Representation to the European Union 2009: 19). The cooperating member states would, as outlined in Figure 3.1, develop regional plans on how to deliver the desired outcomes and the same member states would cooperate to implement, monitor, and enforce the plan. However, in contrast to, in the case of a RFMO, the authorities will be kept at the central level, which can adopt or reject the regional plan.

The UK position paper illustrates that the Cooperative Member State Council model is not per se less ambitious than the RFMO model in terms of regionalisation. The decisions that the UK imagines could be taken by the regional group of member states are quite substantive and wide-ranging. It would for instance be up to the regional group of member states to determine if they wish to deliver the desired outcome by means of effort regulation or quotas. This kind of authority is often not foreseen given to the RFMO in many of the positions favouring this model.

The Dutch government—like the UK government—is prepared to support a rather comprehensive regionalisation of the CFP. In many respects the Dutch position paper argues along the same lines as what we presented above under the RFMO, where "wide authority" is

transferred to a formal regional body. However, the Dutch position paper does not specify a specific regional organisation that would be granted wider authority. Like in the UK model, it is worth mentioning that the Council must approve regional plans. Even if this in reality most often will be a rubber stamping process no formal authority has been delegated to the regional level.

The Dutch position paper emphasises the importance hereof in order to allow the EU level to interfere and make adjustment in the case needed if regional plans does not fulfil the European principles or guarantee a level playing field across regions. Thus, the Dutch approach falls within the broad category of Cooperative Member States Councils models.

The Dutch do not only wish to regionalise the CFP, but they are particularly concerned about enhancing stakeholder involvement and argue, *"Closer cooperation must be effected between the government, fisheries sector and other stakeholders in determining and achieving the goals. At regional level the RACs play an important role. Their role must be reinforced and their composition expanded."* (Ministry of Agriculture, Nature and Food Quality, 2010: 32)

Symes (2009b) Model C—the administrative solution—is close to the Danish position. According to Symes this model "Makes a real attempt to separate the functions of the Commission and MS by establishing a standing conference of MS administrators meeting at regular intervals with their advisers to interpret and implement Community policy, without intervention from Commission or Council. In effect, the standing conference would become the principal recipient of the RAC's advice," (Symes 2009b: 7). However, it is appropriate to mention that Symes after having presented the paper with different models of regionalisation (Symes 2009b), later in 2009 he presents a strengthened vision of this model as the one he finds has the most support, a chance of actually being adopted and possibility of delivering the advantages that people are looking for *vis-à-vis* regionalisation (Symes 2009a). This variation is close to the one outlined by the UK position paper.

In his overview of various models of regionalisation, Symes (Symes 2009b) calls his equivalent to our Cooperative Member State Council model the pragmatic solution. We very much second this opinion. Indisputably the model has some advantages especially in terms of the relative ease with which it could likely be installed, as the way it is often envisioned circumvents most of the legal challenges. Likewise it builds directly on the current system. Potentially, on many accounts, it also delivers on some of the things people seem to be looking for in regionalisation.

5 Discussion

Our observations, interviews and study of position documents show overall great interest in regionalisation, understood as the strengthening of the intermediary level between the EU central level and the member states. However, our work also documents diverging opinions particularly on what authorities to regionalise and the role to be played by various regional actors, particularly the balance between stakeholders on one side and governmental authorities on the other. Whereas there seems to be partial agreement on what regionalisation should deliver; i.e. more tailor-made management suited to particular regional circumstances, there is consequently less agreement and developed perceptions of how a regionalised CFP governance system might look.

One of the defining elements of the regionalisation debate is, it seems, the question of the level of *de facto* authority that the regional level should have. Here opinions differ greatly. As discussed immediately above the UK position paper includes a vision, which entails that member states cooperating at the regional level would be in a position—although subject to approval at the central level—to decide on whether and how to use quotas and/or effort regulation to reach long-term targets. On the other end of the spectrum we find positions (like the Danish one), where a regional structure is basically seen as something that can facilitate member states cooperation on issues of implementation.

Another contentious debate evolves around the issue of the level of involvement of stakeholders. Here, there is a division between those emphasising that regionalisation should include moves towards more genuine co-management, and those who for various reasons prefer keeping stakeholders at arms' length from the decision-making process by continuing the current modest CFP co-management by consultation approach. Besides the more traditional legitimacy and compliance arguments for increased industry involvement, further advances towards co-management would facilitate sharing of costs between industry and government potentially reducing that at present very costly process of fisheries management. On the other hand, there are concerns as to the readiness of the industry to take this kind of responsibility from various sides, including the industry itself. Likely as a minimum this would have to be approached on a region to region basis. Moreover, the co-management solutions might be legally more complex to put into practice than solutions where the authorities are kept within the system of public authorities.

In the final part of this chapter we outlined five different so-called archetypes of regionalisation. The Nationalisation model and the Regional Marine Management organisation were identified as the outliers: Nationalisation, basically as the model of the past and the Regional Marine Management Organisation as a possible model of the future—but likely not the immediate future. Among the remaining models, a critical cleavage that we have not yet touched upon in this final, brief discussion is whether the model should operate within the current system of authorities with the restriction on formal mandate that this entails or if the model presupposes transfer of authority to the member states and a new pooling of that authority at the intermediary level. Whereas the first approach, in the framework, represented by the Cooperative Member State Council model, may prove to be the most pragmatic and feasible approach, the alternative, a full-fledged regional governance approach represented by the RFMO and the RFcoMO, while more complicated and demanding to put into practice, may be more apt at delivering what many are looking for; namely a regional entity with significant authority over fisheries management to bypass the lengthy (and often perceived as illegitimate) involvement of the central EU institutions.

Although there is no single, clear choice on how to proceed, it is nonetheless clear that most people see regionalisation in some form as a step in the right direction. Likewise the industry generally expresses a wish to be more involved in deciding future management than is the case at the moment. These are important messages to carry forward in the coming reform.

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Chapter 4

Surveying Stakeholders on the Intended Outcomes and Models of Regionalisation

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1 Introduction

As described in the previous chapters, the centralised decision-making system associated with the European Union's (EU, Union) Common Fisheries Policy (CFP) poses numerous problems including limited legitimacy of both processes and outcomes, lagging efficiency in management, and an inability to employ sufficiently nuanced approaches to different stocks, fishing fleets, and habitats. Consequently, as also described in the previous chapters, *regionalisation* has emerged out of discussions on what to do to improve the CFP and its burdensome, centralised governance structure. A concrete example of such discussions was the joint meeting of the EU's Regional Advisory Councils (RAC) held in Edinburgh in November 2009, which gathered more than one hundred fisheries stakeholders to discuss numerous aspects of the CFP institutional reform, including governance and regionalisation. However, as evidenced through key informant interviews reported in Chapter 3 as well as the discussions at the aforementioned meeting, it appears that regionalisation means all things to all people. Particularly, in the discussions related to regionalisation and the CFP reform, there is often confusion between decentralising decisions and/or devolving powers to bodies governed by fishermen or a group of broader stakeholders. This chapter draws upon the discussions percolating in the previous chapters tying the theoretical outline (Chapter 2) and interview/position document findings (Chapter 3) into a new set of empirical data derived from a survey of RAC participants.

By way of the previous investigations, it became clear that when facing the option to regionalise the CFP, not only must the Union decide what, where, and whom (see Chapter 2), but the decision on the institutional structure will reflect the importance it places on particular values and tenets of governance. As emphasised in much of fisheries management literature, there are often trade-offs between particular institutional attributes, for example efficiency may decrease in the name of wider stakeholder inclusion (Hanna 1995; Berghöfer, Wittmer and Rauschmayer 2008). In Chapter 2 we developed a structured understanding of the different values associated with regionalisation, which forms the foundation for this work. This chapter aims to elucidate the stakeholder preferences for reform and parse through the expected outcomes of regionalisation to guide the coming 2012 reform.[39]

Notably, the previous reform of the CFP adopted in 2002 introduced a novel set of stakeholder bodies, the RACs, to provide advice to the Commission of the European Communities (Commission) on matters pertaining to the fisheries in a defined geographic area (or relating to specific fisheries). RAC membership comprises fishing industry and non-industry stakeholders from the member states who share stocks, habitats and interests in the

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[38] Authors' names are listed alphabetically.
[39] The European Union revises and reforms the Common Fisheries Policy in ten-year cycles with the next reform slated for 2012 with progressive implementation starting in 2013.

defined region. As the purpose of this investigation is to assess the potential of regionalisation and the implications for stakeholder input and reform of a centralised system, the RACs present a fitting subject of investigation. The RACs manifest one such intermediary level of organisation between the central EU level and the member state level. Furthermore, any institutional reform of the CFP will likely affect the RACs at a point when they are still nascent institutional bodies. Therefore, to consider any upcoming institutional reform, it behoves us to investigate the RACs' current capacities and their memberships' opinions on reform.

The latter was also done by the Commission by inviting the RACs to provide opinions on the Green Paper in connection with the public consultation related to the document (Chapter 3). However, what the Commission achieved through the consultation was consolidated positions from the RACs, specifically responding to the content of the Green Paper. We, as it should be obvious, chose a different approach by contacting individual persons.

Consequently, to inform the policy process and reform of the CFP this survey of meeting participants from four RACs, specifically the North Sea, North Western Waters (NWW), the Pelagic and South Western Waters (SWW) RACs aims to:

1. Assess elements of the current capacities and functioning of the Regional Advisory Councils.
2. Identify the preferences and opinions expressed by fisheries stakeholders as well as the relationships of such preferences and opinions with certain stakeholder characteristics.
3. Enumerate the level of acceptance for potential models of regionalisation.

With the empirical data, our research seeks to match stakeholder preferences with theoretical benefits of decentralised authority and co-management. Qualitative data gained from meeting observations and discussions of regionalisation inform us that individual regions or stakeholders face different obstacles in the management system and thus a single model may not be suitable for all regions. Therefore, this research aims to probe those differences further and look into other cleavages in the EU fisheries stakeholder community.

The data analysis focuses on stakeholder preferences for *good governance* norms, namely legitimacy and efficiency, as well as the emerging trend toward maritime policy integration and ecosystem-based approaches to fisheries management. A primary component of this research will look at a number of models of regionalisation, which possess certain attributes over others. As policymaking often requires trade-offs between benefits and deficits, this paper takes the theoretical underpinnings of regionalisation and fisheries governance outlined in Chapter 2 and operationalises those ideas into survey questions in order to draw preference profiles linked to particular models.

As documented later in this chapter, our research shows that there are indeed major cleavages in the EU fisheries stakeholder community that need to be considered when reforming governance and management. Furthermore, our research provides preliminary guidance as to which models of regionalisation will stand the best chance of gaining support of those presently participating in RAC work.

2 Background

As briefly highlighted above, the RACs came into existence as a product of the 2002 CFP reform in an effort to correct one of the policy's primary deficiencies, a lack of stakeholder involvement as identified by the Commission's 2001 Green Paper (Commission 2001). Gray and Hatchard (2003) contend that the Commission's statements related to the 2002 reform and surrounding discourse exceeded the impact of actual policy. The central criticism laid against the structure of the RACs was that stakeholder input was restricted to the pre-decision phase while the EU central level retained its decision-making authority (Gray and Hatchard 2003). The authors are blunt with their critique, *"All these reservations and restrictions seriously question the Commission's commitment to the principle of participation as a right or entitlement of stakeholders,"* (Gray and Hatchard 2003: 548). Beyond participation, decentralisation also became a topic of interest in 2002, but little change supported the Commission's rhetoric. Gray and Hatchard point out that while the EU tried to lower its *"uniformitarian tenor"* (Gray and Hatchard 2003: 551), the effort to fully synchronise member states' fisheries enforcement systems highlights that the Commission still prioritised universal rules as opposed to locally calibrated sanctions. Symes (1997) has also pointed to the paradox of the EU attempt to balance harmonising member state policies to fit into a common framework and the Commission's voluntary commitment to the idea of subsidiarity. Outside of the EU-specific context, Jentoft (1989) provides a theoretical understanding of this phenomenon in the discussion of the differentiated values of institutional levels noting that smaller, locally oriented forums prefer particularism, underscoring the importance of case-by-case understanding whereas larger, higher levels of governance often emphasise universalism in the application of rules.

Gray and Hatchard (2003) suggest morphing the Regional Advisory Councils into Regional Management Councils in order to correct the wayward reform of 2002. While the criticisms are in line with much of the principles of improved management and conservation outcomes as laid out by Ostrom (1990) and others (Chapter 2), Gray and Hatchard overlook the evolutionary aspect of institutional reform and neglect the need to build institutional capacity. Research identifies that in fisheries management the gradual development of stakeholder forums often improves the management system as the slow pace affords time for collective learning and information sharing leading to more successful stakeholder participation forums (Hanna 1995). Gray and Hatchard (2003) do point to such benefits as they conclude that the 2002 reform did improve communication between the Commission and EU fisheries stakeholders.

The Commission itself also reaches the latter conclusion in its brief and overall positive review of the functioning of the RACs from 2008 (Commission 2008a), which also contains other remarks on the positive contributions of the RACs to the CFP governance system, such as improved communication between different stakeholder groups and an increasing number of recommendations submitted. However, the Commission's evaluation focuses on the technical functioning of the RACs such as geographical coverage, composition of RAC bodies and operational procedures. Gray and Hatchard's scepticism is certainly well-founded, as their review came only one year after the reform, it will likely prove beneficial to look at the RACs after a few years of operation to see what they have accomplished and what their membership is still calling for in 2010.

In light of the subject matter of this chapter the position papers submitted by the four RACs under investigation deserve attention here. In its review the Commission highlights one important message coming from the RACs:

> On the RAC there are some clear messages: their success should be expanded through strengthening them, and (according to the RAC themselves) by giving more weight to their advice, particularly is cases of unanimity of the advice. (Commission 2010: 5)

While the Commission's synthesis mentions that the RACs indicate that their recommendations should be given greater weight, when it comes to the RACs' perspectives on regionalisation the synthesis remains silent even though the RACs are central to the discussion. Looking at the contributions of the four RACs in our investigation, this is understandable; although all of the RACs devote considerable space to regionalisation, a common message does not develop making it difficult for the Commission to draw a single conclusion.

The Pelagic RAC's recommendations—although using considerable space to discuss various ways of regionalising and devolving authority to stakeholders—predominantly concern what the Pelagic RAC does not wish from regionalisation. Basically, it shines through in the position of the Pelagic RAC that they are not a 'regional' RAC, but rather a RAC that deals with specific stocks—notably stocks that are in many cases shared with countries external to the EU. The Pelagic RAC maintains that the RACs should remain advisory bodies, and if a decentralised management body were in fact to be designed for pelagic stocks it would need wide-ranging powers to negotiate with countries outside the EU (Pelagic RAC 2009).

The three 'regional' RACs under investigation (North Sea, NWW, and SWW) converge on a few ideas related to regionalisation and the role of the RACs. In each of the three position documents there is marked support for the progress made by the RACs coupled with an understanding that regionalisation may require a slightly new conception of their role and purview of power. The SWW RAC explicitly names co-management of technical measures as the next step in CFP reform, advocating progressive set-up and implementation of such reform, but at the same time providing few details on the institutional structure it envisions. Nonetheless, the SWW RAC is clear in its belief that RAC advice on implementation measures should be binding under the newly reformed system and relies heavily on the existing RAC constituency to do so (SWW RAC 2009).

Both the North Sea and NWW RACs underscore the importance of reducing micromanagement and allowing the adoption of regionally appropriate measures. Both RACs also point to the need for greater resources and access to expertise in relation to providing advice or gaining new decision-making authority. The North Sea RAC aims to build on the work done thus far stating, "The central question now is how the RACs can be further developed to fulfil their full potential," (North Sea RAC 2009). The NWW RAC specifically names a proposal put forward by its industry members to move toward self-regulation and use long-term management plans as a means of reducing EU micromanagement while at the same time meeting sustainability standards (NWW RAC 2009). While the specifics put forward by each of these RACs may differ, they all advocate the closer proximity of decisions and implementation in a regionalised CFP.

3 About the Survey

As described in the introduction, our survey questions and subsequent analysis seek to uncover relations between preferences for reform and particular participant attributes such as RAC membership, stakeholder type and other population characteristics. Furthermore, the survey data yield comparisons between the priorities and challenges of the four RACs: the North Sea, the NWW, the Pelagic, and the SWW RACs. Because the actual content and

structure of regionalisation is ambiguous in terms of the adoption of potential governance structures, a central section of the survey presents various models of regionalisation (described in detail in Chapter 3) to better understand the preferences and gain a concrete understanding of where stakeholders stand. The English version of the survey as well as survey cover letters and subsequent communication are included in Appendices 9 and 10 of this report.

In terms of the scope of the survey, although the European Union's fisheries governance system includes seven RACs, only four are under investigation in this survey. The overall MEFEPO project, under which this analysis was conducted, designated the RAC regions of the North Sea, NWW, and SWW as the areas of interest. Additionally, we decided that it was appropriate to include the Pelagic RAC along with the other three RACs of the same name as the marine regions because of the Pelagic RAC's distribution throughout those geographical areas. Consequently, the survey utilises these four RACs to define the target population. Among the RACs included in the project, the Pelagic RAC faces unique circumstances in comparison to the other three as pelagic stocks are highly migratory and share quotas with non-EU member states. Within the analysis the special circumstances of the Pelagic RAC are considered.

The Baltic Sea, the Mediterranean Sea, and the Long Distance RACs are not included both because of limited resources as well as because of the unique circumstances of the Mediterranean and Long Distance RACs within the context of European fisheries management. At one point the Baltic was considered an additional RAC to survey, particularly because of its ongoing efforts to move toward regionalisation and cooperative management; however, the language translations for the Baltic proved a sizeable challenge with the resources available. The data obtained, therefore, can say little about the specific preferences of these three other RACs; yet some of the overarching themes and problems associated with the CFP likely apply to these bodies as well.

Defining and contacting EU fisheries stakeholders is challenging. Even with only four chosen RAC regions, contacting a representative set of all the potential participants, including fishermen, professional industry representatives, various non-governmental organisations, based on geographical affiliation alone would have been close to impossible. Furthermore, within the four defined RACs, there were concerns of how to define the population and the uniformity of lists of 'active members' available. At first we considered using the internal membership mailing lists maintained by the RAC Secretariats; however, as researchers we would have to forgo too much control and risk issues of bias and questionable credibility in terms of methods. We then considered defining the population as members of each RAC's Executive Committee, but felt that such a definition was too constrained to draw conclusions on fisheries stakeholders within the EU and would reflect more of an elitist stakeholder sample.

Thus, we eventually decided to define the population as those who attended a general assembly or an executive committee meeting in 2009. Originally, the survey population did not include working group participants, but once the translations were complete and the web survey was online it became apparent that the added costs of disseminating the survey to roughly 100 more people were low in comparison to the added representativeness and potentially richer data. In effect, the participants from the first meeting within the 2009 calendar year of all working groups expanded the survey population to 329 total potential participants. Admittedly, using RAC meeting attendance still misses those stakeholders who

feel disenfranchised by the CFP and do not participate in the current advice processes. Likewise, the population outlined includes few so-called 'grassroots' organisations. Nonetheless, the RACs do draw critical groupings of fisheries stakeholders from all member state industries as well as other interest groups. Therefore, we felt confident that the opinions and preferences of this population would bare insight on regionalisation and the direction of the CFP.

The attendance lists of meetings were publically available, found online or through correspondence with RAC Secretariats. The majority of the email addresses used to contact participants for the survey was found via Internet searches, but in some cases the RAC Secretariats provided contact information. Since the survey population was tightly defined and the total number of participants was basically reachable, we were able to distribute surveys to the entire population. The frame population therefore completely covers the target population and there was no sampling done, random or otherwise. This meant that there were no replacements for participants who opted out or were in fact unavailable through our methods of contact.

During the development of the survey several other issues arose, such as translation, where we eventually distributed the survey in English, French, Spanish and Portuguese, and the method of contacting our population, where we ended up opting for a mixed-mode survey utilising both a list-based web survey with email invitations and a postal survey with paper versions to follow-up. A more detailed account of our protocol and the approach to various issues accounted can be found in Chapter 1 of this report.[40]

4 Results

The survey totals 138 observations, of which 100 participants completed an online questionnaire, 30 completed a paper version, and eight partially responded online providing enough answers to merit inclusion. The response rate for the survey stands at 41.9 % (138/329). Five individuals replied and requested not to be involved and a limited number of the 329 potential participants likely did not receive the survey due to incorrect or outdated contact information. Some of the potential participants no longer work for the stakeholder organisations that they once represented. Due to the meeting attendance definition of the population, some individuals received the survey even though their position related little to fisheries or was purely administrative. Nevertheless, most of those who did not reply likely made a deliberate decision not to participate for a myriad of reasons.

4.1 Basic Information Questions

This section will enumerate the basic information of those who participated, shed light on the present circumstances of the RACs, and conclude with the findings explicitly related to regionalisation of the CFP. In general the results from the survey follow the outline of the questionnaire itself. Prior to reporting the results directly pertaining to fisheries management and regionalisation, this section lays out the background information provided by the survey respondents, such as age, gender, years of experience, and participant type.

Participants ranged in age from 23 to 78 years with both arithmetic mean and median coming to 46 years. Apart from those working in fisheries for less than two years, which was also by far the narrowest of our age categories, the survey participants were relatively evenly distributed over the yearly divisions presented. In terms of gender the survey participants included 100 men and 38 women.

Figure 4.1: Distribution of survey participants' years of experience in fisheries.
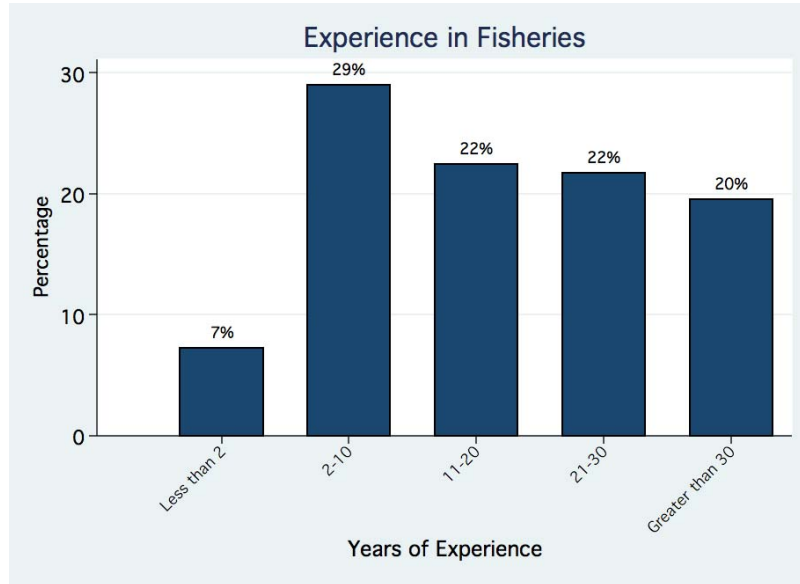
The survey asks participants to select the RAC in which they have been most involved. Figure 4.2 summarises the distribution of participants according to the RAC selected. The survey garnered a relatively even distribution of the four RACs under investigation, with the North Sea and SWW sharing the highest number of participants. The designated primary RAC provides a means of comparison to analyse the patterns of approval or disapproval of the regionalisation models as well as other survey information pertaining to the RAC performance. Two participants did not supply an answer to the question of their primary RAC.

Figure 4.2: Results from the survey question asking participants to choose the RAC in which they have been most involved.
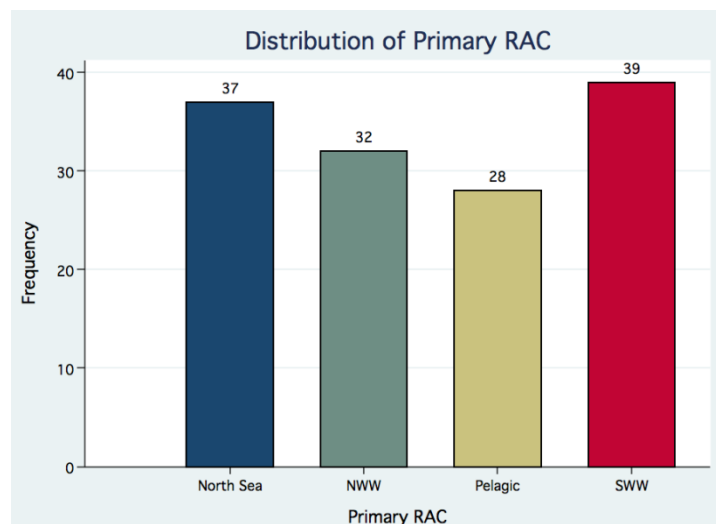
In addition to gathering information on the primary RAC, the survey asked participants to report the general assembly, executive committee and working group meetings they attended in 2009 and 2010 at any of the four RACs under investigation.

**Table 4.1: Frequency and percentage for the tally of the
RAC meeting types presented in Question 4a.**

Meetings	Frequency	Percent
0-1	29	21
2	35	25.5
3	43	31
4	11	8
5	6	4.5
6 or more	14	10
Total	**138**	**100**

As seen in Table 4.1, a majority of those surveyed attended three or fewer meeting types in the year and a half, with a few individuals attending between five and nine. It should be noted that this distribution has an upper limit of twelve meetings (four different RACs multiplied by three different meeting types) and a lower limit technically of zero, though all participants should have attended a RAC meeting in 2009 in order to be selected as a survey participant. The resulting total tally of general assemblies, executive committee and working group meetings does not indicate the entire number of RAC meetings attended, but gauges the participant's level of involvement and shows that many participants attend various meetings types as well as meetings at RACs other than their primary one.

Stakeholder or meeting participant type provides another lens in which to view the data. The survey provided fifteen different participant categories, which were basically based on the categories mentioned in the Council of the European Union (Council) decision that is the legal foundation of the RACs (Council 2004). Granted, survey respondents did not populate every category (e.g. Aquaculture and Consumers[41]), and having only three observations in some categories created a challenge for analysis.

Collapsing related categories to make large enough cells for analysis, we generated eight different categories. The largest portion of the survey participants fell under the Industry category, which includes catching and processing sectors. Interest organisations related to recreational fishing, women in fishing, regional development, and those who selected the "Multiple Interests" option combined into the new Multiple Interests category. Conservation, primarily populated by those working for environmental NGOs, were left separate from Multiple Interests stakeholders because although many are not explicitly industry related, those groups are nevertheless tangentially linked to extractive interests.[42] Based on written-in responses, a few observations also populated an Observer group. The other categories retained their original groupings: Science/Research, Member State, EU Commission, and Other. The

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[41] This is in itself a notable observation since consumers and aquaculture are among the interests that the Commission in its review of the functioning of the RACs specifically mentions in respect to the need to be more actively involved in the RACs (Commission 2008a). Our data does not suggest that this has happened.

[42] Whereas women in fishing and regional development interests are in the context of the RACs most often closely associated with the commercial fishing industry, this is generally not the case for recreational fishing interests. These interests — at European level predominantly represented by the European Anglers' Alliance (EAA) — most often find themselves in opposition to the commercial industry. However, at the same time it would not be reasonable to group these representatives within the Conservation category, since they do represent an interest and an industry that base activities predominantly on the extraction of fisheries resources.

full breakdown of participant type is summarised in the following pie chart with the divisions for each RAC included in Figure 4.3.

Figure 4.3: Pie Chart of Survey Respondent's self-selected stakeholder categorisation.
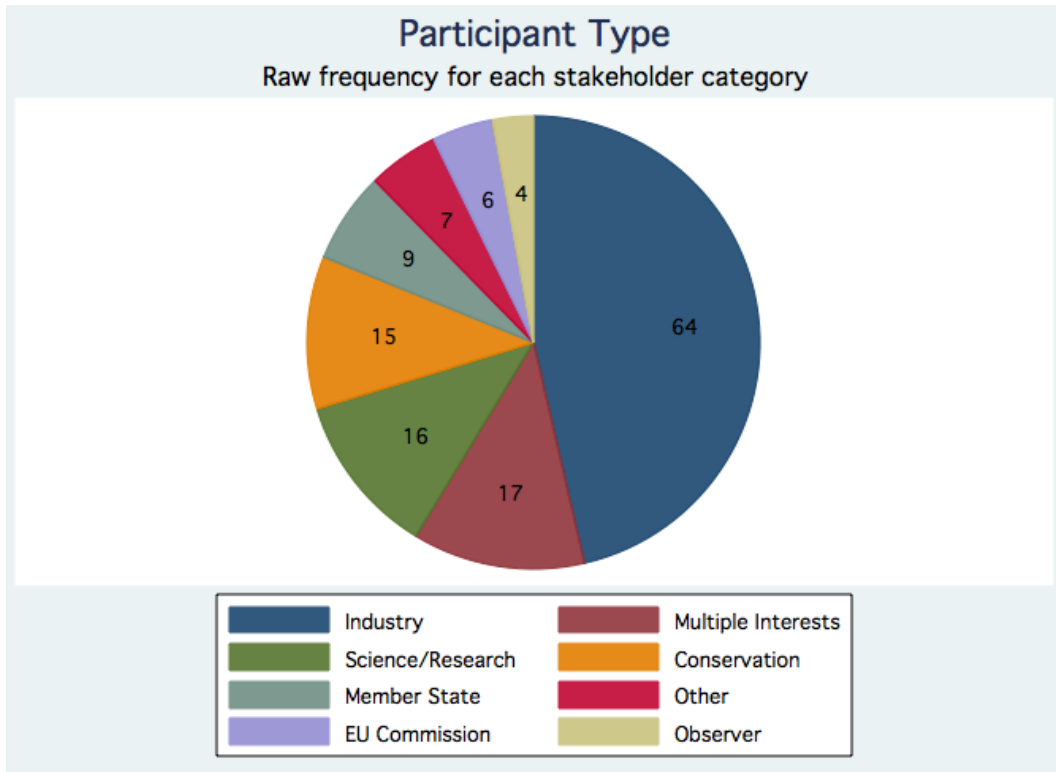
A little under half of the survey participants designated themselves in the Industry category. Combining the number of Multiple Interests with Conservation respondents the survey's response population approaches the industry to other interests two-thirds/one-third ratio mandated by the EU policy for the RACs (Council 2004). Such a mirroring of the RAC membership reflects positively on the representativeness of the survey respondents. Science/Research amounts to the third highest participant type.

Figure 4.4: Frequency distribution of participants within the self-designated RAC.
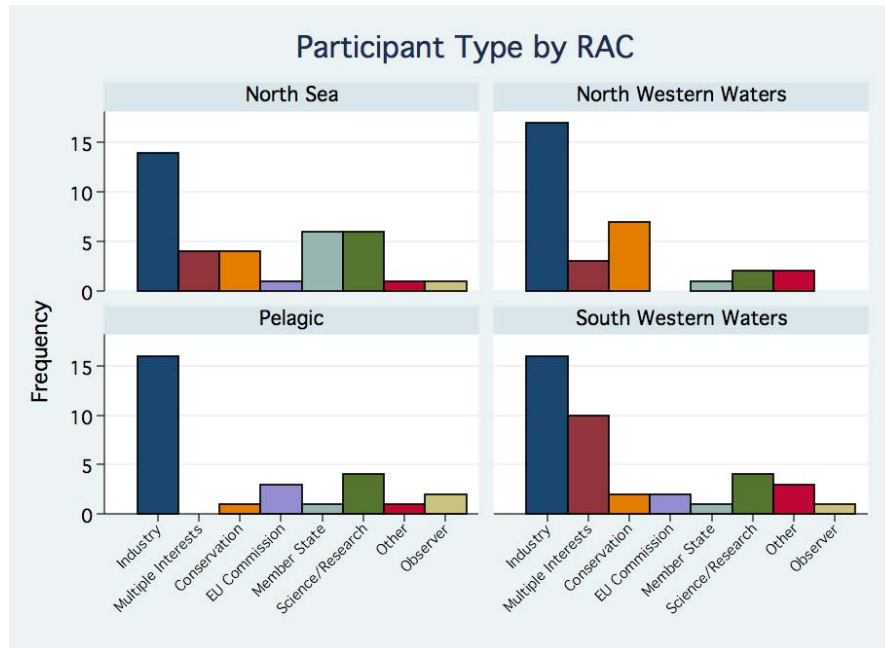
Although there is some variation in the interest composition of participants when organised by primary RAC, Figure 4.4 shows that in all four RACs Industry stakeholders take the largest share of respondents. Notably, the Pelagic RAC has no respondents under Multiple Interests and the smallest share of Conservation representatives. Meanwhile, Multiple Interest stakeholders are more represented in the SWW RAC than in the other RACs.

The survey covers a range of countries, some of which are not members of the EU, but who still have people attending RAC meetings as observers, scientists, or other experts. In the case of country, the answers were coded from an open response question, which asked participants to write the geographic affiliation of their organisation. In the case that participants did not represent an organisation, the question prompted respondents to simply write where they were from. The resulting tally in Table 4.2 reflects the distribution of countries that have stakes in the four surveyed RACs. It should be noted that participants who specifically wrote Scotland populated their own category and are not included in the total of United Kingdom participants. Those who simply wrote United Kingdom comprise their own separate category.

Table 4.2: Geographic distribution of survey participants.

Geographic Affiliation	Frequency	Percent
Belgium	3	2.2
Denmark	12	8.8
Germany	2	1.5
Netherlands	9	6.6
United Kingdom	12	8.8
Scotland	12	8.8
Ireland	7	5.1
Poland	1	0.7
France	28	20.4
Portugal	8	5.8
Spain	20	14.6
Europe/European Union	16	11.7
International	5	3.7
Norway	1	0.7
Faeroe Islands	1	0.7
TOTAL	137	100.0

The highest percentage of participants came from France and Spain, which reflects the prevalence and importance of fishing in those countries. Additionally, France borders all four of the RACs under observation, which may well have bolstered the number of French participants in this particular survey. The number of respondents from Denmark and Scotland, both totalling 8.8 %, also mimics the relatively larger share of fisheries interests within the population of the EU. When combined with Scotland, the United Kingdom amounts to 17.5 % of observations. Referencing the EU measures of national fishing activity, Denmark, France, Spain, and the United Kingdom rank within the top five EU member states in terms of production, total catch, and landings (Commission 2008). Additionally, France, Spain, Portugal, and the United Kingdom rank within the top five member states in terms of employment (catching and processing), per capita consumption, and monetary aid. Therefore, the spread of nations represented in the survey aligns with multiple dimensions of member state interest in fisheries.[43]

While the number of observations for each individual country was too low to form reliable analyses, the country of affiliation was used to define a North-South category. South comprises France, Portugal, and Spain with the remaining countries of Belgium, Denmark, Germany, Ireland, the Netherlands, Scotland, and the United Kingdom populating the North category. Those who designated "Europe" or "International" as their geographic affiliation combined with Poland[44], Norway and the Faeroe Islands to form an Other grouping, which due to its diversity is generally not included in the analyses related to geographical affiliation.

It should be noted that the North-South category used in this analysis does not match the rough north-south divide that characterised the Council in the previous reform adopted in 2002, where a group of southern member states—but notably also Ireland—formed a semi-

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[43] An anomaly in terms of country of affiliation appeared with the complete absence of Swedish respondents. In fairness, some of these could have defined their geographic scope as "Europe" of "International" rather than the country itself. While many of the Swedish participants appeared on the attendance lists of the North Sea RAC, it is likely that the Swedes are more closely affiliated with activities concerning the Baltic RAC. As explained before, the survey did not allow participants to indicate the Baltic RAC as their primary one. Therefore, if the Swedes considered their primary RAC to be the Baltic, they would be less inclined to fill out the survey.
[44] Although Poland is an EU member state unlike Norway or the Faeroe Islands, it was included in the Other group because it did not fit into the North-South dichotomy.

formal grouping, referred to as the 'Friends of Fishing' to primarily lobby against the reduction of certain types of structural aid[45] to the sector. This group found its counterpart in a looser network of primarily Northern European states, 'Friends of Fish' (Hegland and Raakjær 2008). However, the data from the present survey suggest that the preferences in term of member state affiliation divide more across a traditional geographical north-south dimension than the Friends of Fishing *versus* Friends of Fish; presumably, one could imagine, because the issue of regionalisation relates to governance rather than structural aid.

4.2 Current RAC Functioning

The second part of the survey intended to measure the challenges facing the RACs and assess if RAC participation has altered stakeholders' access to information, trust, and other socio-cultural markers relevant to the success of devolved decision-making. The RACs along with the Advisory Committee for Fisheries and Aquaculture (ACFA) represent the primary stakeholder forums in the current CFP arrangement, thus if regionalisation—through decentralising and possibly devolving power—is to deliver better management, we should appraise how well the present model operates.

4.2.1 Motivations for RAC Participation

Little variation exists among survey respondents on the reasons for participating in the RAC meetings. Unlike for many of the scale questions presented throughout the survey, a person's primary RAC does not provide a suitable lens for analysis for the motivation questions. Therefore, participant type provides a more fitting category of analysis in this context. Because many groups of participants total less than ten respondents, the analysis focuses on Industry, Multiple Interests, and Conservation.

Looking at the stakeholder groups with definitive interests, the motivations for participation are somewhat uniform. "Improve stakeholder advice in the EU" ranks as the top motivation for all three groups with results indicating important to very important on a five-point scale ranging from "not important at all" (score 1) to "very important" (score 5). For Industry and Multiple Interests respondents, serving those represented by the organisation results in the second highest means, whereas the Conservation group is slightly lower on this measure; however, the Conservation mean of 4.15 still indicates significant importance for this motivation. Networking with other stakeholders is also important for these groups. "Communicate directly with Commission representatives", "Interact directly with scientists who provide fisheries advice", and "Observe" fall from mild to neutral levels of importance.[46]

4.2.2 Challenges of the RAC

In a series of questions the survey asks participants to assess the degree of difficulty that the RAC experiences when dealing with six outlined challenges. For this series, answers score 1 for "very easy" and 5 for "very difficult".[47] In addition to asking participants to rate the degree of difficulty, a follow-up question prompts respondents to select the most critical

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[45] Spain receives the lion's share of EU fisheries aid (44 %) according to most recent figures, which dwarfs the next highest recipient, Italy (10.9 %) (Commission 2008).

[46] Participants who categorise themselves as a non-interest organisation (i.e. member state representatives, scientists, EU Commission representatives) feel some of the questions in the series are not applicable, which is somewhat expected for these groups. Those opting for not applicable on the motivations measures total to less than ten and are evenly dispersed throughout the different participant types. However, on the motivation measure stating, "Serve those I represent in my organisation," fourteen participants chose "not applicable", many of which fell into the *Science/Research, EU Commission,* and *Other* categories.

[47] To avoid participants becoming frustrated with the question, an answer option of "not applicable" was included as well. On none of the six measures did an overwhelming number of participants select this option.

challenge to the success of the RAC from those presented. Overall there was a great deal of convergence on the difficulty of the challenges among the RACs and stakeholder types.

Appearing first in the series of challenges, "Reaching consensus" ranks as one of the two most difficult challenges for all four RACs. The averages range from 4.00 for the NWW RAC and down to 3.38 for the Pelagic RAC respondents. The aggregate mean (3.72) is significantly higher than the hypothesised mean associated with neutrality (p= 0.0001, t=5.39), meaning that cultivating consensus is perceived as somewhat difficult in all four RACs. The NWW RAC does stand out on this measure since it is statistically higher than all other means for the challenge questions[48] and its mean is statistically higher than the overall average (3.63) of the three remaining RACs. In addition to the NWW, participants in the Conservation category produce a higher average in comparison to all other groups. Fourteen observations for this group yield an average of 4.21 for this measure with answers limited to the neutral "3" to "very difficult" equalling 5. Therefore, the Conservation group stands statistically higher on this measure than the remaining groups' combined average.

Following in the order presented in the series, RACs also struggle with the challenge of "Cultivating better cooperation between industry and non-industry interests". For the North Sea RAC, this challenge ranks highest (3.67) of all presented, though in relation to some of the other challenges the difference is not statistically significant. However, twelve of the thirty-five North Sea respondents view the relationship between industry and non-industry members as the challenge most critical to the RAC's success, but nearly the same number choose building consensus for the critical challenge question as well. The proximity of these two means and the priority placed on them indicates that the North Sea RAC struggles with these two elements of RAC functioning, but also sees them as integral to its success. The NWW RAC (3.60) and SWW RAC (3.52) fall close to the overall mean and to the North Sea RAC average. The Pelagic RAC averages the lowest of the RACs on the industry and non-industry challenge (3.16)—statistically lower than the combined average of the other three RACs (3.60). Bear in mind that more so than in any of the other RACs surveyed, the Industry stakeholders predominate the composition of Pelagic RAC respondents with few other stakeholders counterbalancing. The Pelagic RAC's small size and relative stakeholder homogeneity may also contribute to the tightness of the range in difficulty for the presented challenges.

The survey includes a question on the difficulty of "Communicating in different languages and across cultures" in order to measure if RACs with more diverse composition of countries, such as the NWW RAC struggle with this factor more than a RAC that is able to communicate almost entirely in one language, such as English in the North Sea RAC. Furthermore, to a degree this question gauges the North-South divide without explicitly naming the ostensible phenomenon. Indeed the NWW RAC ranks the highest level of difficulty (3.00) of the four and is statistically higher than the mean for the other three RACs (p=0.10). Nevertheless, the NWW RAC mean reflects a neutral rating. Somewhat surprisingly the SWW RAC averages the lowest with 2.6 in terms of difficulty, but is in close proximity to the North Sea RAC (2.67) and the Pelagic RAC (2.76) averages; moreover, there is little difference in the frequency distribution of answers along North-South lines. Communicating in different languages and across cultures does not seem to pose a major challenge in the perception of participants for any of the RACs.

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[48] The difference in means between "Reaching consensus" (4.00) and "Addressing different national catching sector priorities" (3.63), the second highest mean, was statistically significant at 0.10, whereas all other measures were statistically different from consensus at levels of 0.05 to 0.001.

"Addressing different national catching sector priorities" represents a key challenge for the NWW RAC (3.63) while the North Sea stands apart from the other three RACs on this measure because of the below neutral mean (2.83). The North Sea RAC participants view this challenge as significantly easier than participants in the NWW, SWW, and Pelagic RACs (p=0.01). In contrast, the NWW RAC grapples with this challenge more than the other RACs when looking at the difference in averages (p=0.01, t=2.9). The Pelagic and SWW RACs fall between the North Sea and NWW RACs and closely to one another with averages of 3.32 and 3.27 respectively. A total of 63 % of the NWW respondents rank the challenge as somewhat difficult (score 4) to "very difficult" (score 5), whereas only 27 % of the North Sea respondents rate the challenge as such. Of the Pelagic RAC survey participants, nearly half regard the challenge as neutral likely pulling the RAC's mean up to 3.32. Furthermore, 48 % of the North Sea RAC respondents find the challenge of addressing different national catching sector priorities somewhat easy (score 2) to "very easy" (score 1). Within the three other RACs, NWW, Pelagic, and SWW, respondents selecting those same categories amount to shares between 13 and 18 %. Additionally, 4 North Sea RAC respondents find this challenge to be "not applicable", which is not reflected in the averages and the answer tabulations as aforementioned; none of the NWW participants believe this challenge is not relevant. This measure likely does not score high on difficulty for the North Sea due to the relative similarity of national fleet structures in the North Sea countries.

Along with fostering consensus, the SWW RAC has the greatest difficulty with "Balancing small-scale vs. large-scale fishing priorities". A total of 66 % of the SWW respondents rank the measure somewhat difficult (score 4) to "very difficult" (score 5); while in the other RACs such answers comprise 45 % of responses. In addition to the difficulty mean of 3.77, a quarter of the SWW participants select this challenge as the most critical to the RAC's success. Notwithstanding, geographic affiliation highlights a starker contrast for the difficulty associated with the proposed obstacle. A total of 32 % of the survey participants from the North rate the challenge as more difficult than neutral; in comparison 66 % of those from the South rank it as more difficult than neutral. Like in the case of the SWW RAC, more than a quarter of the 52 South category participants believe the issue of scale is the most critical to the RAC's success while none in the North category regard scale as the most important challenge. This is one of the more pronounced cleavages between northern and southern perspectives that we found among our results.

There is a division between RACs on the difficulty of "Responding to specific advice requests ('fire fighting')" presented to the RACs. Both the North Sea and NWW RACs experience greater difficulty with this challenge as compared to the Pelagic and SWW RACs. Both the Pelagic and the SWW RACs average to slightly below neutral with 2.95 and 2.91 respectively, while the North Sea and NWW are slightly above the neutral mark with 3.38 and 3.45 respectively. The difference between these RACs on this measure is statistically significant (F=2.75, significance level: 0.05, $R^{2=}0.07$). It could be speculated that this divide is due to the precarious situation of several stocks in the North Sea and to a lesser extent the NWW has led to more demands on providing advice to specific requests, often referred to as 'fire fighting' as compared to the two remaining RACs. However, few participants from each of the RACs selected this challenge as the most critical; highlighting that is in any case not one of the most salient issues to RAC participants.

There is no significant association between the choice of most critical challenge and the RAC membership; however, the North-South divide proved a strong relationship. The North Sea, NWW, and the Pelagic RAC participants all rank the consensus measure and the cooperation

between industry and non-industry members as the first or second most critical challenge to the RAC's success at a share of about 30 % within each RAC. While SWW participants recognise reaching consensus as a critical challenge, 25 % from this RAC selects balancing small- versus large-scale priorities, the highest proportion of the SWW responses. The North-South divide illuminates the division over scale even more. None of the participants from the North category view scale as the most critical issue, while fourteen of the 52 South category respondents do. There is significant association between geographic affiliation and most critical challenge chosen (Fisher's exact=0.00). The participants from the North category focus more on consensus and cooperation between industry and non-industry members. On the other hand, those from the South category make up 82 % of those selecting small- versus large scale as the top issue.[49] "Reaching consensus" and "Addressing different national catching sector priorities" also rank high for those from the South category, 10/52 and 9/52 respectively.

4.2.3 Access to Information
The RACs have proven to be an asset to stakeholders not only as advice forums, but also through the increased collection of and access to information, a finding also suggested by the Commission's review of the functioning of the RACs (Commission 2008a). Presenting the option to choose the two main information sources sought for information related to the impacts and implementation of EU fisheries management, participants designate the RAC as a primary source. Figure 4.5 summarises the findings for each RAC, which illustrates the strong preference for the RAC as an information source for those in the North Sea, Pelagic and SWW RACs. The NWW RAC displays a slightly different pattern with a stronger preference for "Information from industry groups and associations" as well as "Other" sources; however, the RAC category still fields a number of observations for those from the NWW RAC.

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[49] The *Other* category of geographic affiliation drew the remaining 18 %.

Figure 4.5: Top Information Sources by RAC – respondents were free to choose two answers from the list.
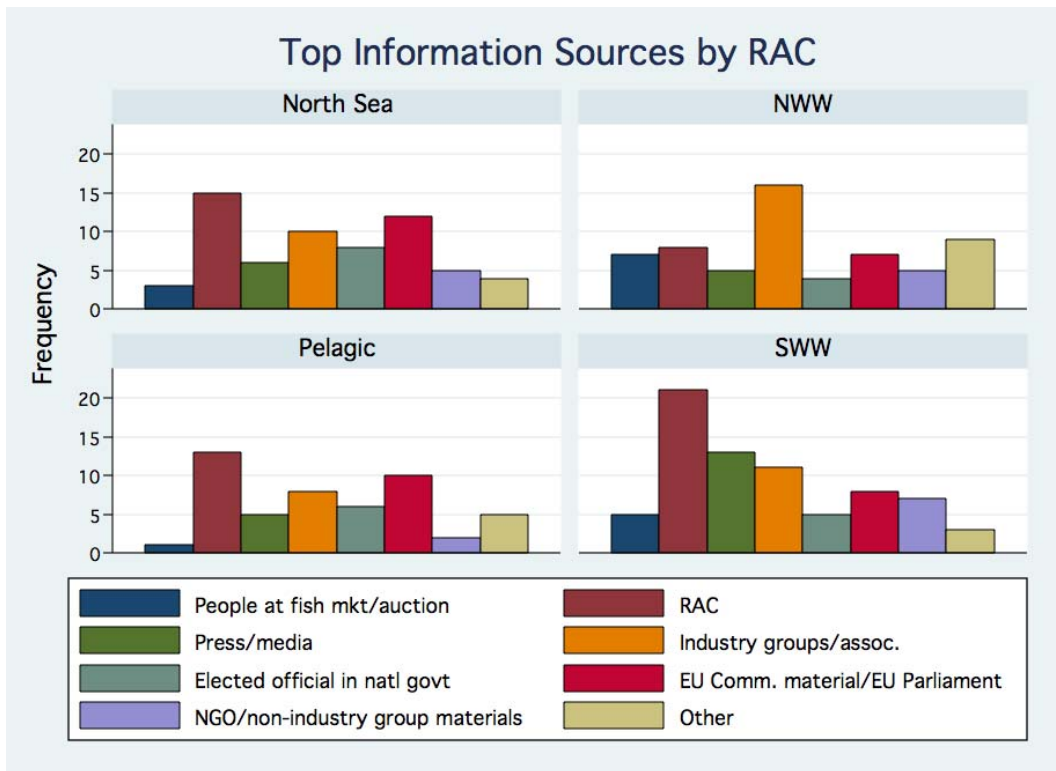
When subsequently asked specifically about which RAC information sources the participants employ written communication from the RAC proves to be the most popular among survey participants. All four surveyed RACs demonstrate the identical trend of the overall population as seen in Figure 4.6, with a step-like pattern of decreasing relevance for the categories. Notably, very few participants do not consult RAC materials. Table 4.3 provides more detail for each of the RACs and the information sources that are often consulted by the meeting participants.

Figure 4.6: RAC Information Sources Most Often Sought.
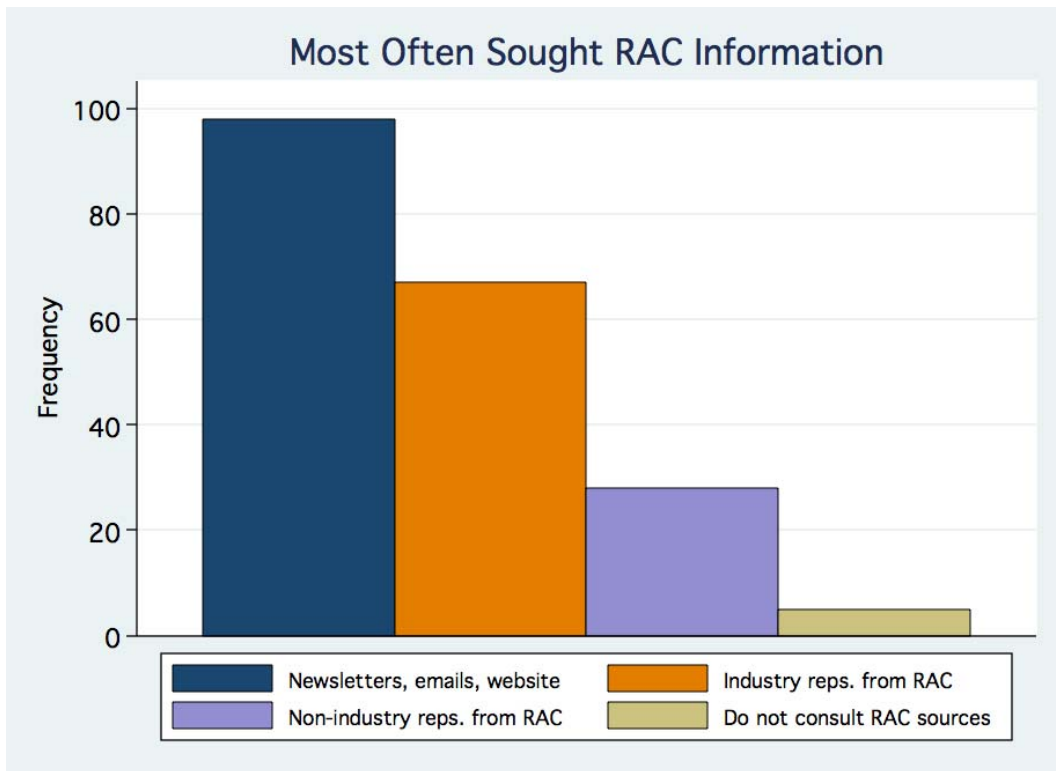
Table 4.3: Most sought after RAC sources listed by RAC;
respondents were free to check all answers that applied.

	Newsletters, email, website	Industry Reps from RAC	Non-Industry Reps from RAC	Do not consult RAC sources
North Sea	59%	54%	24%	0%
NWW	81%	59%	22%	<1%
Pelagic	57%	54%	25%	<1%
SWW	82%	31%	13%	<1%

There may not be as much information seeking and sharing across organisational lines. Industry, Multiple Interests, and Conservation participants differ slightly in the sources of information that they seek. Likely the preference for information from industry representatives in the overall question and the RAC-specific question is due to the preponderance of Industry participants in the survey.

Industry respondents are less likely to seek information from NGOs and other non-industry groups, as only 3 % often consult such sources (overall question), and only 11 % of the Industry category seek information from non-industry representatives on the RAC based on the RAC-specific question. In comparison, 47 % of Conservation respondents consult NGO sources (overall question) and 33 % seek non-industry RAC representatives (RAC specific question). Nevertheless, the Conservation respondents still consult industry groups and associations, as 33 % of this group select the category in the overall question and 47 % of the Conservation category consult industry representatives of the RAC for information (RAC-specific question).

Finally, RAC meeting participants see the establishment of the RACs as a boon to information access. The vast majority of those surveyed say the RAC "somewhat improved" or "greatly improved" access to information with an impressive 41 % electing the latter. While the survey included the option to select "no improvement at all," no participants chose this response and a minority feel as though the RAC has only slightly improved information access. Table 4.4 below details the full set of responses on this measure.

Table 4.4: Number of participants selecting the answer options for the extent to which the establishment of the RAC has improved access to information. *NB: None of the survey respondents chose the fourth answer choice in the series, "No improvement at all".*

	Improved very little	Somewhat improved	Greatly improved	Total
North Sea	4	19	10	33
NWW	3	15	14	32
Pelagic	2	13	10	25
SWW	2	18	17	37
TOTAL	**11**	**65**	**51**	**127**

The impression that the RACs have claimed a noteworthy role in information sharing system related to the CFP governance system is also covered in the Commission's review, which encourages further development in the area (Commission 2008a).

While the RACs appear successful in aggregating and disseminating information, the message is more mixed looking at the data on access to scientific expertise to support the work of the RACs. Whereas access to technical and practical fisheries knowledge[50] is mostly available (through the stakeholder representatives on the RAC and their networks presumably), the perceived availability drops when talking about expertise on ecosystems and fish stocks (i.e. biologists and ecologists). The perception of availability drops even further in relation to economic expertise, and even more so to socioeconomic expertise, the latter two categories generally being under the stipulated neutrality mean with the exception of the Pelagic RAC. The Pelagic RAC was significantly higher for all forms of knowledge and expertise measured in the survey when compared to the mean of the other three RACs, meaning that it is more satisfied with the access to knowledge and expertise as documented in Table 4.5.

Table 4.5: The means associated with the availability of certain forms of knowledge and expertise in each of the RACs.

	North Sea	NWW	Pelagic	SWW
Technical fisheries knowledge	4.0	3.5	4.24	3.46
Practical fisheries knowledge	4.18	3.44	4.28	3.31
Scientific expertise on the ecosystem and fish stocks	3.18	2.72	3.48	3.06
Economic expertise	2.47	2.34	3.17	2.49
Social science expertise	2.18	2.03	2.58	2.36

5 equals "always available", 1 equals "never available"

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[50] Technical fisheries knowledge relates to matters roughly associated with gear and vessel types. Practical fisheries knowledge is mostly gained from day-to-day operations from those who work regularly on the water or in onshore fishing related industries. While the survey intended to capture any difference in the level of availability of experiential fisheries knowledge through the "practical fisheries knowledge" measure, it is likely that many respondents did not detect the nuance in our employment of "technical" versus "practical" wording.

The low scores for economic and social science expertise resonate with a suggestion in the Commission's review to expand the notion of scientists needed to support the RACs to economists among others (Commission 2008a). Looking at the data, in fact, social science expertise is the area that RAC participants perceive as lacking most often.

4.2.4 Trust and Understanding

Looking at trust through the division of RAC illuminates a few interesting patterns. Overall, "Trust" in industry, non-industry, and Commission rate from neutral to increase, with none of the means indicating a decrease in trust due to participation in the RAC, see Table 4.6. The means for increased or decreased levels of "Understanding" trend more on the increase side of the spectrum than the trust responses, which aligns with the hypothesis that understanding of different stakeholder priorities is easier to achieve than trust in those parties.

Table 4.6: Means associated with increase or decrease in understanding and trust for different RAC membership categories.

	Understanding	Trust
Industry Stakeholders	2.34	2.54
Non-Industry Stakeholders	2.59	2.76
Commission Representatives	2.69	3.0

The survey asked, "Please score the degree to which your level of trust (understanding) in the following groups has increased or decreased due to your participation in the RAC." A mean of 1.0 is associated with "greatly increased" whereas 5.0 are associated with "greatly decreased".

For the full survey population trust in industry stakeholders rates significantly higher than the trust in Commission representatives and non-industry stakeholders (see Tables 4.7, 4.8, and 4.9). However, in the case of industry versus non-industry stakeholders, the large representation of industry members likely affects the outcome on this measure. Notably, few participants feel that their level of trust or understanding decreased through participation in the RAC, but interestingly the Commission is not as insulated as other groups. Figure 4.9 shows that roughly 40 % of Industry participants feel their trust in the Commission has decreased and about 20 % of those in the Conservation category feel the same way. Nevertheless, the overall trend of these measures reveals that communicating and working together in the RACs is associated with heighted feelings of connection across stakeholder type.

Figures 4.7: Change in the level of Trust in Non-Industry Stakeholders through participation on the RAC divided by Industry and Conservation respondents.
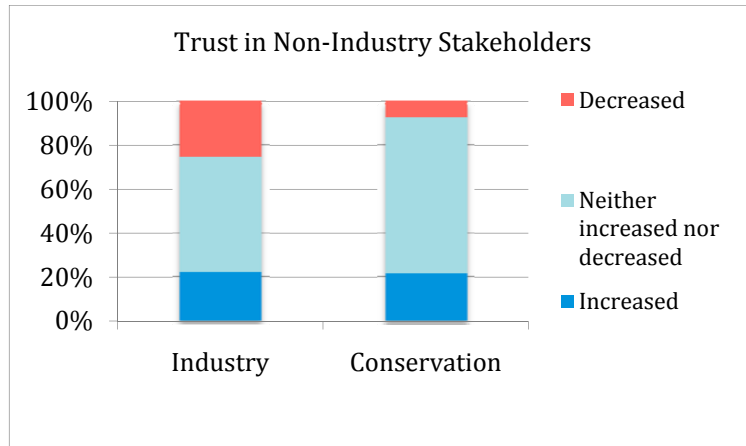
Figure 4.8: Change in the level of Trust in Industry Stakeholders through participation on the RAC divided by Industry and Conservation respondents.
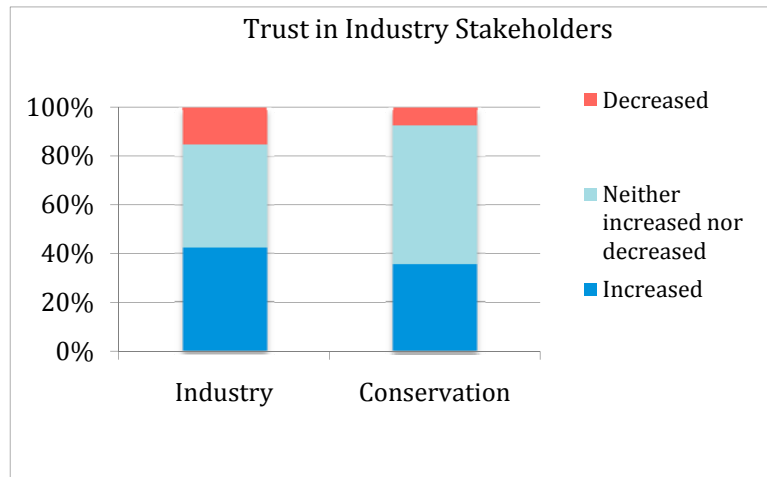
Figure 4.9: Change in the level of Trust in Commission Representatives through participation on the RAC divided by Industry and Conservation respondents.
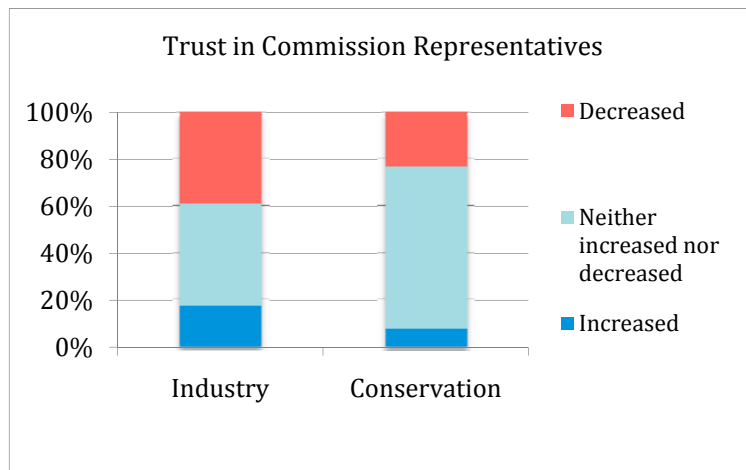
4.2.5 Feelings of Impact

The results of the feelings of impact question do not paint as optimistic a view of the RAC. Figure 4.10 divides the results of feelings of impact, highlighting a modest split among RACs. A total of 53 % of the North Sea and NWW RAC participants find that their organisation's participation in the RAC "impacted very little" the course of fisheries management in the European Union. Pelagic and SWW participants are less despondent, with only 26 % and 38 % of each RAC (respectively) saying that their organisation has "impacted very little" to had "no impact at all". While over half of the participants in the Pelagic and SWW RACs feel they "somewhat impacted" EU management decisions, a very small portion say they "greatly impacted" decisions.

Figure 4.10: The extent to which survey respondents felt their organisation's participation in the RAC impacted the decisions that change the course of fisheries management in the EU. Responses of "Not applicable" not included in graphs.
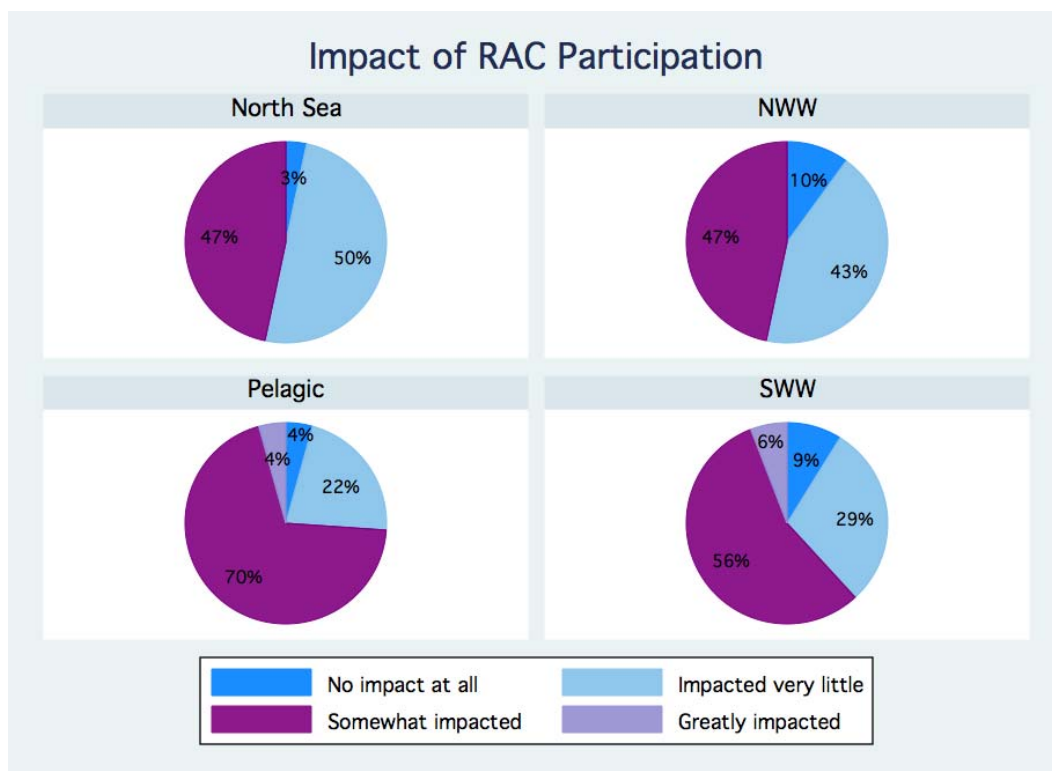
4.3 Conceptions and Objectives of Regionalisation

Section III of the survey begins with two multipart questions on regionalisation, one addressing the extent of agreement on what regionalisation should entail and the other assessing the importance placed on a selection of intended outcomes.

In the first series of questions, participants are asked to mark from "strongly disagree" (score 1) to "strongly agree" (score 5) on six measures with statements beginning, "Regionalisation should…" followed by a description of various attributes that evolved out of interviews and meeting observations carried out as part of the research in Chapter 3. Though similar in its theme, the second question probes participants on slightly more concrete aspects of regionalisation and CFP reform. For full text of the questions, refer to questions 11a and 11b in the survey, Appendix 9. Some interesting associations between RAC and regionalisation do arise, but oftentimes those differences are more aptly attributed to the North-South divide.

4.3.1 Views on What Regionalisation Should Involve

Interestingly, the statement suggesting that the RACs assume greater authority shows strong agreement for those in the South category while the agreement is not as strong in the North. The full question proposes that regionalisation should give the RAC more influence within the present management structure to which 79 % of respondents in the South agree, a large portion of which strongly agree. Although 61 % of North participants agree with the statement (scores 4 and 5 combined), 16 % are neutral on the concept, and 21 % disagree. One might expect that granting a stakeholder body more influence would link in participants' minds to devolving authority to the industry; however, the question of greater RAC influence does stipulate a general maintenance of the current system, which might be the key to the North-South divide on this question.

In comparison to the RAC gaining greater authority, many of the Industry participants are eager to see the industry gain greater responsibility. Industry respondents with an aggregate mean of 4.34 on the measure are considerably more enthused by this prospect than other stakeholders, such as Multiple Interests and Conservation who rank 3.12 and 3.21 respectively. Scientists and researchers are somewhat more optimistic regarding this idea with a mean of 3.67. There appears to be a slight difference between the North and South on this measure as well; 82 % of North respondents see this as a fitting conception of regionalisation, whereas 61 % agree in the South, and 20 % feel neutral about the idea. Nonetheless, organisation affiliation appears to bear more meaning in this context and understandably so as one of the main stakeholder constituencies would stand to gain under this perception of regionalisation.

The questions that equate regionalisation with more pronounced forms of decentralising, such as nationalisation or granting authority to subnational constituencies score the lowest overall, though the means are not below the neutral 3.0. The nationalisation measure states, "Regionalisation should be about giving the member states greater authority over fisheries management in their own Exclusive Economic Zones (EEZ)," the results of which show no difference between the RACs or on geographical affiliation. However, the question of subnational governments gaining more say in fisheries garners higher levels of acceptability among participants in the South. While these two measures do not make the same statement, they are two statements representing somewhat pronounced views of regionalisation and decentralisation. For all four RACs there is no statistical difference between these measures. Furthermore, there is no marked difference in terms of North-South for the question of increased national authority in the EEZ; however participants from the South do support the notion of increased subnational authority to a statistically higher degree (0.05, t=2.03). Along similar lines, the SWW RAC averages 3.7 for the subnational question, which is significantly higher than the other three RACs' combined average of 2.97 (p=0.01, t=3.35). However, these two measures gain the least support of the six presented.

The statement, "Regionalisation should bring together all interested parties related to a sea area—not just those related to fisheries", conveys interesting results in the Pelagic RAC and the Industry overall. Table 4.7 summarises the averages for the measure according to RAC and further divides the population into those representing the Industry category for each RAC.

Table 4.7: Means of agreement for statement, "Regionalisation should bring together all interested parties related to a sea area — not just those related to fisheries".

	Overall	North Sea	NWW	Pelagic	SWW
All except Industry	4.09	4.0	4.07	3.78	4.27
Observations	*67*	*21*	*14*	*9*	*22*
Industry mean	3.23	3.31	3.38	2.58	3.5
Observations	*56*	*13*	*16*	*12*	*14*

As seen in Table 4.7, the Pelagic RAC's overall mean is significantly lower (p=0.05, t=-2.35) than the other three RACs' and indicates a more neutral feeling toward this conception of regionalisation, especially as compared to those from the SWW RAC. Looking at only those participants from the Industry category, there is a marked drop in agreement for regionalising fisheries policy with other marine stakeholders not directly related to fisheries. Although not the most surprising finding, the difference in the overall survey population mean is significantly higher than the overall Industry mean (p=0.001, t=-3.99). Once again, the Pelagic RAC stands out because of its lower value indicating neutrality to mild disagreement in comparison to the other RACs that post means falling between neutrality to mild agreement. Notably, all the Industry participants from all the RACs were lower than the mean for all other participants on the RAC. The Pelagic RAC produces the most marked split (p=0.05, t=-2.08) between Industry and all others on the RAC, and the SWW also shows a strong divide between Industry and non-industry (p=0.10, t=1.83).

The Industry mean (3.23) stands in stark comparison to the mean for the Conservation category (4.63), which falls between mild agreement and "strongly agree" on the incorporation of non-fisheries interests into a regionalised management system. There is no significant difference between North and South survey participants on this measure.

The second question in the series asks participants to state their degree of agreement to the statement, "Regionalisation should give the RAC more influence within the present management structure". This measure highlights the geographic divide in the EU as the South averages to 4.26, which is statistically higher than the North, 3.76. The North-South divide echoes in the degree of agreement for SWW survey participants with a mean (4.44) falling between mild to strong agreement. For the SWW RAC this conception of regionalisation is statistically higher than all other concepts.[51] North Sea (4.03) participants also agree with increasing the RAC's influence while the NWW (3.84) and Pelagic (3.45) RACs show less enthusiasm, but are still above neutral. Industry representatives agree with this measure at higher rates overall as displayed by the elevated means, but the difference is statistically insignificant. Those from the Multiple Interests category are highly supportive of this measure with an average of 4.41; although difficult to draw any conclusions from a mixed subgroup of seventeen observations, the degree of agreement is significantly higher than the overall average (p=0.10, t=1.86).

The survey goes on to assess the conception of regionalisation where intermediate institutional structures—between the EU and member state levels—would be established to deal with fisheries management issues in the present RAC regions. All four RACs show rather uniform results, ranging from 3.62 (North Sea) to 3.86 (SWW). The Industry (3.44) does not agree as strongly as the overall population (3.78) and participants not categorised as industry (4.02). Interestingly, although the SWW RAC registers the highest mean overall, the Industry

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[51] The difference between the suggestion that regionalisation should be about including all interests being significant at p=0.1 and all other measures significant at p≤0.05.

representatives from that RAC average the lowest level of agreement for all four RACs. The difference between SWW Industry (3.27) and rest of the RAC (4.13) proves a significant difference.

Many survey participants equate regionalisation with increased responsibility of industry in fisheries management (the measure stated "Regionalisation should be about letting the industry assume a larger responsibility in fisheries management"). The North Sea RAC displays the most agreement with an average of 4.09, but the RACs are all tightly packed approaching agreement. The SWW responses average to 3.68, but this is not a statistically lower mean than the others. The Industry strongly supports this notion of regionalisation, producing the highest means among this group. The North Sea RAC Industry participants strongly support this conception producing a mean of 4.69; moreover, North Sea Industry participants exclusively choose mild agreement (score=4) and "strongly agree" (score=5). In comparison to Industry, Multiple Interests and Conservation agree with the statement to a lesser degree with averages of 3.12 for the former and 3.21 for the latter. There may be a slight geographic divide on this dimension, as the North (4.10) tends to agree with the statement to a slightly higher degree than in the South (3.78) (p=0.1, t=-1.71). Nonetheless, the major storyline here is the enthusiasm of the Industry to assume greater responsibility while other RAC stakeholder groups may be more hesitant about the industry doing so.

4.3.2 Views on What Regionalisation Should Deliver
While question 11a probes the level of agreement on certain views of regionalisation, question 11b looks at the importance given to the intended outcomes of a reform. Of the six sub-questions included under question 11b, recalling the framework outlined for values of regionalisation in Chapter 2, two fall under the efficiency umbrella as they aim to assess the importance participants place on streamlining the governance structure and reducing the costs of management. Meanwhile, other questions grow out of the legitimacy concern and eventually two questions deals directly with the specific challenge of integration with environmental policy and other maritime activities. Thus, the hope is that these questions will not only enlighten the understanding of the preferences of groups of stakeholders, but also highlight the degree of importance for the reform outcomes of efficiency, legitimacy, and, more specifically, integration with other areas.

The first sub-question in the 11b series relates to the efficiency objective and asks respondents to score the degree of importance for "Relieving the EU central level of tasks (Council, Commission, Parliament)". On initial review of the means along RACs there is a perceptible difference: the Pelagic and North Sea RACs (3.60 and 3.40) falling on the higher end of the scale and the NWW and SWW RACs on the lower end (both 2.81). The Pelagic and North Sea RACs' combined mean (3.46) is statistically higher as compared to participants from NWW and SWW (2.81, p=0.01, t=2.99). Upon further examination, the results of North and South indicate a strong discrepancy on the importance placed on this outcome. The North category participants rank the measure as 3.53, between neutral and important categories. The South category participants in the survey score a lower average at 2.61 indicating neutrality to unimportance (p=0.001, t=4.15).

Notably, the difference between the North and South on relieving the EU of its tasks produces the greatest difference on any of these measures. The division is visible in Table 4.8, where roughly 48 % of those in the South believe this outcome is not important, while about 18 % feel that way in the North. About half of North respondents feel that decentralising management tasks is an important outcome in comparison to roughly a quarter of the South

respondents. This finding builds the case that the North is more hostile to the EU's centralised management in comparison to its counterparts in the South category. The North has likely experienced more of the fallout from the CFP without benefits like subsidies and access to areas like the South. Therefore, the distaste for the current system might be echoed in the findings of this survey question. The following table displays the complementarities of North and South in terms of the importance of relieving the EU central bodies of fisheries management tasks.

Table 4.8: North-South divide on intended outcome,
"Relieving the EU central level of tasks (Council, Commission, Parliament)".

	Not important at all = 1	2	Neutral = 3	4	Very Important = 5	TOTAL
North	1	8	16	15	11	51
Row %	1.96	15.69	31.37	29.41	21.57	100.00
Column %	6.25	33.33	47.06	45.45	61.11	40.80
South	12	14	14	11	3	54
Row %	22.22	25.93	25.93	20.37	5.56	100.00
Column %	75.00	58.33	41.18	33.33	16.67	20
Other	3	2	4	7	4	20
Row %	15.00	10.00	20.00	35.00	20.00	100.00
Column %	18.75	8.33	11.76	21.21	22.22	16.00
TOTAL	16	24	34	33	18	125
Row %	12.80	19.20	27.20	26.40	14.40	100.00
Column %	100.00	100.00	100.00	100.00	100.00	100.00

The other measure of efficiency goals appear in the final sub-question. The question gauges the importance of "Making fisheries management less costly by giving the industry more responsibility." Although the question related to relieving the EU of tasks scores the lowest average for all participants (3.12) as explained before this is due to the low importance from the South pulling down the overall average, for the cost efficiency measure, the overall average is universally low in terms of importance for many participants. There is no perceptible difference in the means for geographic affiliation or for RACs. Nonetheless, the overall importance of reducing costs is significantly lower than the other regionalisation outcomes sub-questions. Averages of other measures dwarf the 3.32 mean of this measure. Currently, EU fisheries stakeholders are not accountable for the costs of oversight, scientific assessments, and other operational expenses, which may explain their reluctance to prioritise lowering costs. Together with the other measure of efficiency it appears that the survey participants do not weight this goal of regionalisation as heavily as other outcomes.

Table 4.9: Importance placed on the outcome of reducing management costs.

	Overall	North Sea	NWW	Pelagic	SWW
Industry	3.52	3.92	2.95	3.75	3.67
All except *Industry*	3.19	3.50	3.21	3.22	2.95

North Western Waters RAC participants are the least interested in the objective of reducing costs as indicated by the significantly lower average as compared to the North Sea (3.66, p=0.05, t=-2.20). Interestingly, the Industry participants surveyed grant this outcome greater importance, but with small sub-populations the differences are not statistically significant; however this trend is not displayed in the NWW RAC; see Table 4.9. For all RACs the

difference in means between relieving the EU of tasks and reducing costs is insignificant. There is no significant difference between North and South on the cost of management dimension.

As discussed in Chapter 2, Symes (2007) highlights the increasing pressure on fisheries management to meet new environmental standards and operate within a broader framework of maritime affairs. In the series two sub-questions tackle this issue. One question poses the integration of fisheries into general maritime policy and the other gauges the importance of the eventual path toward ecosystem-based management. For simplicity, we combine these two priorities under the broader category of policy integration. Overall, these two measures of integration average close to one another in terms of importance with the maritime question averaging slightly lower than the ecosystem-based management question, 3.75 versus 3.89 respectively. Within each of the RACs the means for maritime integration and ecosystem-based management do not differ statistically. Nonetheless, the Pelagic RAC appears the most apathetic to the idea of maritime integration and ecosystem-based management. However, the difference between the Pelagic and the other RACs is only statistically significant for the ecosystem-based management measure (p=0.10, t=1.70).

The type of stakeholder reveals the most interesting comparisons on these measures. Table 4.10 summarises the means calculated for both questions and for three of the stakeholder types displaying the greatest spread. For ecosystem-based management the industry ranges from 3.08 in the Pelagic RAC to 3.67 in the SWW RAC, but due to small sample sizes the difference cannot be categorised as significant. The RACs are even tighter in the range for maritime integration. Comparing the overall Industry to the other stakeholder interests confirms a marked difference in the level of importance placed on these potential reform outcomes. In the case of Conservation participants, they exclusively select somewhat (score 4) to "very important" (score 5) for the ecosystem-based management measure, whereas Industry responses distribute more evenly throughout the answer options with 31 % choosing below neutral, 24 % selecting neutral, but still 45 % choosing above neutral. The difference in importance on this outcome represents one of the major cleavages between the EU fisheries stakeholder groups with industry on one side and the conservationists on the other. Perhaps it is not shocking that those working for organisations promoting the environment highly value ecosystem-based management as an outcome. Nevertheless, the neutrality of the Industry uncovers a discrepancy in the intentions of regionalisation as it does not equate to ecosystem-oriented planning for all stakeholders.

Table 4.10 Outcomes of regionalisation measuring importance of policy integration.

	Maritime integration	Ecosystem-based management
Industry	3.40	3.31
Multiple Interests	3.94	4.59
Conservation	4.50	4.93

On the measures of fisheries integration, there is little perceptible difference between North and South. While the results of the ecosystem-based management question mimic the trends of the maritime integration question, the differences along stakeholder type are more pronounced. Within the measure on ecosystem-based management, there is little difference along the lines of geographic affiliation or RAC, but the stakeholder type shows a significant and meaningful difference in the level of importance granted to ecosystem-based management implementation. Furthermore, the difference coefficient of determination is 0.32, meaning

that a respondent's stakeholder type accounts for 32 % of the variability in the answers to the question of maritime integration.

One final note on the discussion of integration of fisheries management, although the RAC and geographic affiliation do not produce statistically different means, the relative importance placed on these two elements by the SWW RAC is somewhat striking. It should be noted that the North Sea RAC also ranks above average on both measures.

Two questions pose outcomes related to legitimacy. The first asks how important it is for regionalisation to increase compliance by giving stakeholders a larger say in fisheries management (in Chapter 2 described as process legitimacy). The following question seeks the level of importance in providing better management by taking into consideration local/fishermen's knowledge of the system (which combines process legitimacy with output/ content legitimacy). Both legitimacy measures score the highest within the full set of six sub-questions for all survey participants and for each RAC. With the exception of NWW, all RACs post averages that are statistically similar for both measures. In the case of the NWW RAC, the importance placed on incorporating local knowledge is somewhat greater than increasing the compliance (p=0.10, t=-1.68). The SWW RAC posts the highest means (4.3 and 4.41) among all four RACs, but these are not significantly higher than the other three RACs.

Looking at the results grouped by stakeholder type, the means are closely packed around means of somewhat important with the majority above the 4.0 mark. The difference between the compliance and local knowledge measure is not significant for all respondents, nor is it for many of the stakeholder types. However, the difference in means for Industry stakeholders is significant (p=0.001). The North Sea Industry does stand out on the importance placed on incorporating local knowledge compared to other Industry participants on the three other RACs (p=0.10, t=-1.69). The Industry participants tend to place a higher importance on the incorporation of local knowledge (mean of 4.52) than on compliance (mean of 4.10).

4.4 Models of Regionalisation
In the final section of the survey participants score their level of approval or disapproval for six possible models of regionalisation. The models appear as only rough outlines of the intended institutional structures, closer to fisheries institutional archetypes than fully developed governance models. To read the full text of each model description and accompanying explanation, please refer to Chapter 3 of this report. Three of the six models, the Regional Fisheries Management Organisation (Model 3), Regional Fisheries Co-Management Organisation (Model 4), and Regional Marine Management Organisation (Model 5) differ slightly in their conceptions of stakeholder involvement, but ultimately they represent a single regional fisheries management archetype. In the case of the other three models, each is distinct in its institutional structure. While most of the survey dissects various components within the fisheries management system and the RAC as a human organisation, the models aggregate different aspects of governance into potential outcomes of CFP reform.

Participants chose between a set of answers ranging from "I would approve" to "I would disapprove" with a neutral midpoint and statements of moderated approval and disapproval. Figure 4.10 displays a graph of the four RACs' aggregate approval of all six models; each coloured symbol represents a model's approval mean and falls on the continuum between approve and disapprove to help visualise the differences and similarities in preferences for the models. The calculated averages derive from the numerically coded values of the answer

choices. A mean of 1.0 represents unanimous approval whereas 5.0 indicate unanimous disapproval with 3.0 representing the neutral midpoint.

Figure 4.11: Average of approval ratings for each model of regionalisation.
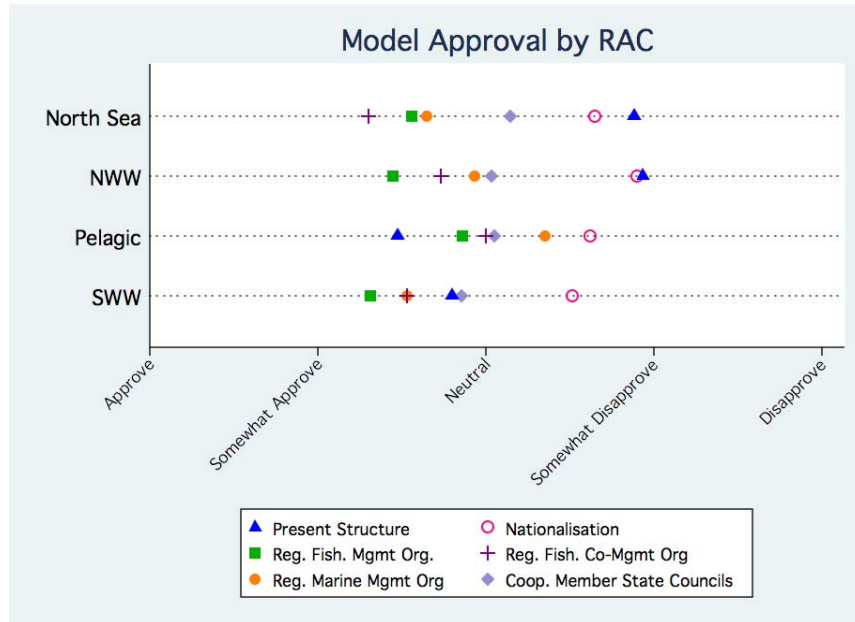
After scoring the degree of approval for each of the six models, participants were asked to select their top choice and least desirable model out of those presented with the option to select "none of the above" included. The following Tables 4.11 and 4.12 summarise the frequencies and relative percentages delineated by RAC. The table provides the number of observations for the selection of *Top Choice* and *Least Desirable* model divided by RAC. The row percentage indicates the percentage within the RAC with the column percentage listed below represents the amount from the RAC making up the model preference.

4.11: Frequencies and Percentages for the model chosen as "Top Choice".
The table displays the number of observations within the cell, the percentage share within the RAC,
and the percentage share of RAC participants selecting the model.

Top Choice	None	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	TOTAL
North Sea	0	0	3	5	12	6	8	34
Row %	0.00	0.00	8.82	14.71	35.29	17.65	23.53	100.00
Column %	0.00	0.00	60.00	22.73	34.29	31.58	47.06	29.06
NWW	2	3	2	5	12	4	2	30
Row %	6.67	10.00	6.67	16.67	40.00	13.33	6.67	100.00
Column %	40.00	21.43	40.00	22.73	34.29	21.05	11.76	25.64
Pelagic	1	7	0	4	4	2	3	21
Row %	4.76	33.33	0.00	19.05	19.05	9.52	14.29	100.00
Column %	20.00	50.00	0.00	18.18	11.43	10.53	17.65	17.95
SWW	2	4	0	8	7	7	4	32
Row %	6.25	12.50	0.00	25.00	21.88	21.88	12.50	100.00
Column %	40.00	28.57	0.00	36.36	20.00	36.84	23.53	27.35
TOTAL	5	14	5	22	35	19	17	117
Row %	4.27	11.97	4.27	18.80	29.91	16.24	14.53	100.00
Column %	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00

Figure 4.12: Percentage share within the four RACs for the 'Top Choice Model' selected.
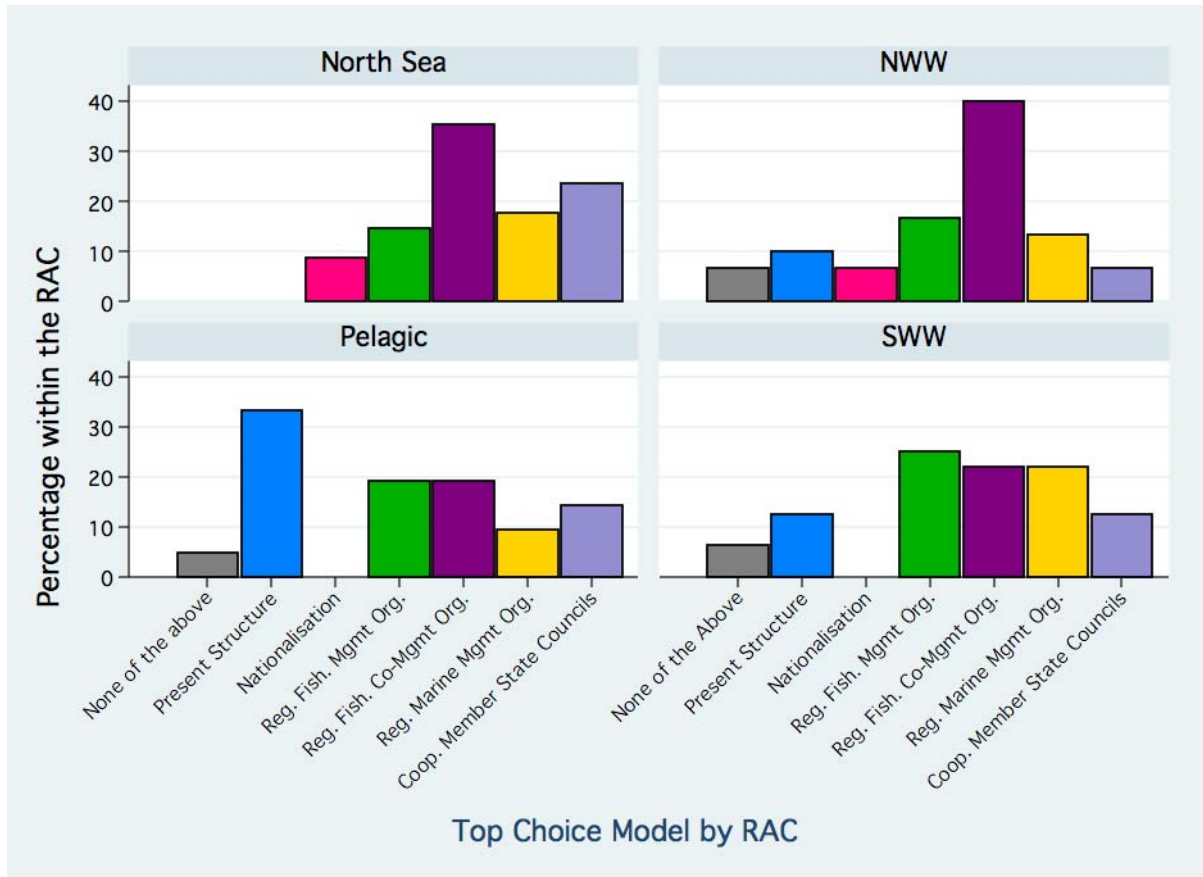
Table 4.12: Frequencies and Percentages for the model chosen as "Least Desirable".
The table displays the number of observations within the cell, the percentage share
within the RAC, and the percentage share of RAC participants selecting the model.

Least Desirable	None	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	TOTAL
North Sea	0	9	12	2	2	3	7	35
Row %	*0.00*	*25.71*	*34.29*	*5.71*	*5.71*	*5.71*	*20.00*	*100.00*
Column %	0.00	37.50	25.53	50.00	50.00	37.50	35.00	30.70
NWW	0	8	10	0	1	2	6	27
Row %	*0.00*	*29.63*	*37.04*	*0.00*	*3.70*	*7.41*	*22.22*	*100.00*
Column %	0.00	33.33	21.28	0.00	25.00	25.00	30.00	23.68
Pelagic	2	3	7	1	1	1	5	20
Row %	*10.00*	*15.00*	*35.00*	*5.00*	*5.00*	*5.00*	*25.00*	*100.00*
Column %	28.57	12.50	14.89	25.00	25.00	12.50	25.00	17.54
SWW	5	4	18	1	0	2	2	32
Row %	*15.62*	*12.50*	*56.25*	*3.12*	*0.00*	*6.25*	*6.25*	*100.00*
Column %	71.43	16.67	38.30	25.00	0.00	25.00	10.00	28.07
TOTAL	7	24	47	4	4	8	20	101
Row %	*6.14*	*21.05*	*41.23*	*3.51*	*3.51*	*7.02*	*17.54*	*100.00*
Column %	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00

There is a statistical association between RAC and Top Choice Model (Fisher's exact= 0.06) meaning that a person's primary RAC is somewhat predictive of the model he or she chooses as the *Top Choice*. The association between RAC and *Least Desirable* model is not significant

due to the high disapproval of Nationalisation (Model 2) dispersed over the four RACs. Nonetheless, we did notice a strong tendency for the SWW RAC participants to find the nationalisation model to be least desirable leading us to test if there was a North-South divide on the issue and indeed that turned out to be the case (Fisher's exact = 0.01). Notably, in relation to the Nationalisation model approximately half of the South category selected this as the least desirable model whereas this was only the case for roughly a quarter of the North. This pattern maybe stems from a combination of the North being more dissatisfied with the centralised system and the South putting emphasis on access to fishing waters enjoyed by the distant water fleet.

Although the number of participants in each stakeholder category is not uniform and neither does the type of stakeholder dictate preference for particular models, Table 4.13 aims to illustrate the diversity of preferences, but also the general convergence of preference for regional management organisation models.

Table 4.13: Top Choice Model divided by Participant Type (percentage and frequency both presented).

Top Choice Model	Industry	Multiple Interests	Conservation Organisation	Member State Representative	Science/ Research
None of the Above	5.5 %	6.7 %	15.4 %	0 %	0 %
Frequency	*3*	*1*	*2*	*0*	*0*
Present Structure	14.6 %	13.3 %	0 %	0 %	13.3 %
Frequency	*8*	*2*	*0*	*0*	*2*
Nationalisation	7.3 %	6.67 %	0 %	0 %	0 %
Frequency	*4*	*1*	*0*	*0*	*0*
Reg. Fish. Mgmt Org	20.0 %	26.7 %	0 %	22.2 %	13.3 %
Frequency	*11*	*4*	*0*	*2*	*2*
Reg. Fish. Co-Mgmt Org	25.5 %	20.0 %	61.5 %	11.1 %	26.7 %
Frequency	*14*	*3*	*8*	*1*	*4*
Reg. Marine Mgmt Org	5.5 %	26.7 %	23.1 %	33.3 %	40.0 %
Frequency	*3*	*4*	*3*	*3*	*6*
Cooperative Councils	21.8 %	0 %	0 %	33.3 %	6.7 %
Frequency	*12*	*0*	*0*	*3*	*1*

4.4.1 Present Structure, Cooperative Member State Councils, and Nationalisation
A few interesting findings emerge when examining Figure 4.11, the plot of approval means above. First, there is a significant split along RACs on the Present Structure (Model 1), which proposes retention of the CFP system as it stands now. The North Sea and NWW RACs both disapprove of Present Structure, whereas the Pelagic and SWW RAC respondents fall between neutrality and approval of the current system. The analysis of variance (ANOVA) confirms the statistical significance in the difference in approval means by RAC (p=0.001, F=10.07, R^2=0.21). The associated combined mean for the North Sea and NWW RACs (3.91) indicates that most respondents from those RACs somewhat disapprove of the current system (p=0.001, t=6.91).

The results of the Cooperative Member State Councils (Model 6) draw an interesting picture. The Cooperative Member State Councils' approval-disapproval rating for all respondents averages to 3.00, an indication of exact neutrality or an average of two extremes. Moreover,

the mean plots reveal that the model sits closest to neutral for all four RACs under observation (North Sea, 3.14; NWW, 3.03; Pelagic, 3.05; SWW, 2.86). Looking at Tables 4.11 and 4.12, the frequencies for *Top Choice* and *Least Desirable* model reveals a sort of "love it, or hate it" dichotomy. The North Sea RAC displays this phenomenon most clearly as eight (23.5 %) North Sea respondents selected the model as the Top Choice and seven (20 %) chose it as the Least Desirable model. As described in Chapter 3, a possible explanation to this might be that among our models this one is likely associated with the largest number of actual practical variations, which differ significantly in terms of 'how far' they will take regionalisation.

The story on Nationalisation (Model 2) is a brief one: few people think this is the way forward. Nationalisation draws the highest percentage of respondents on the Least Desirable model and apart from the option of "none of the above" drew the fewest selections for Top Choice (see Table 4.11); as mentioned above, it is less unpopular in the North than in the South. Comments on the model explain that it is seen as antithetical to the notion of the European Union and would be a step backwards. The overall mean for Nationalisation is 3.69, beneath neutral and leaning toward mild disapproval; moreover this is the lowest approval mean of all models.

4.4.2 Regional Management Organisation Models

As previously discussed, three of the models fall under a single, broader category due to similarities in their overall institutional composition: Regional Fisheries Management Organisations (Model 3), Regional Fisheries Co-Management Organisations (Model 4), and Regional Marine Management Organisations (Model 5). The Regional Fisheries Co-Management Organisation model ranked highest in terms of Top Choice, exceeding the next top rated models, Regional Fisheries Management Organisations and Regional Marine Management Organisations, by 10 %. In terms of approval means, the Regional Fisheries Management Organisation model averages to a level associated with the greatest degree of overall approval (2.48) and the Regional Fisheries Co-Management Organisation model is associated with slightly lower levels of approval (2.66). In Table 4.14 the mean indicating the greatest approval among the three models is italicised for each RAC and overall. However, the three models' means are not statistically different from one another. Therefore, the survey data does not indicate any clear choice as to which model is most preferred.

Table 4.14: Means for Regional Management Organisation Models by RAC.

	Regional Fisheries Management Organisation	Regional Fisheries Co-Management Organisation	Regional Marine Management Organisation
North Sea	2.59	*2.30*	2.65
NWW	*2.45*	2.73	2.93
Pelagic	*2.86*	3	3.35
SWW	*2.31*	2.53	2.53
Overall	***2.48***	**2.65**	**2.81**

Examining the data further, Table 4.15 reveals interesting differences in the replies of respondents. The table details the number of observations for each of the answer categories for the three models discussed. The table further divides the statement frequencies by RAC; the four numbers in the right-side column thus add to the total in the cell to the left.

Table 4.15: Raw frequency breakdown for Regional Management models displaying total number of observations with each RAC's total in the column to the right

	Regional Fisheries Management Organisation TOTAL	North Sea NWW Pelagic SWW	Regional Fisheries Co-Management Organisation TOTAL	North Sea NWW Pelagic SWW	Regional Marine Management Organisation TOTAL	North Sea NWW Pelagic SWW
I would approve (1)	33	10 / 5 / 6 / 12	30	9 / 9 / 4 / 8	25	7 / 5 / 3 / 10
I would somewhat approve (2)	35	8 / 13 / 4 / 10	42	13 / 7 / 5 / 15	34	13 / 9 / 3 / 9
Neutral (3)	21	6 / 6 / 3 / 6	10	4 / 2 / 3 / 1	18	4 / 5 / 3 / 6
I would somewhat disapprove (4)	17	7 / 3 / 3 / 4	17	0 / 7 / 5 / 5	21	5 / 5 / 6 / 5
I would disapprove (5)	13	3 / 2 / 5 / 3	19	5 / 5 / 4 / 5	20	5 / 6 / 5 / 4

The Regional Fisheries Co-Management Organisation option draws fewer neutral rankings and when considered with the high level of overall preference in the Top Choice question, the interest in co-management is indeed articulated by this population. Furthermore, the Regional Fisheries Management Organisation and Regional Fisheries Co-Management Organisation models carry the lowest share of the Least Desirable model question with the Regional Fisheries Co-Management Organisation drawing 3.45 % (4 of 116) and the Regional Marine Management Organisation model drawing 6.9 % (8 of 116).

5 Discussion

Our survey was designed to shed light on two separate but interrelated issues, namely the current capacities and functioning of the RACs, and preferences expressed by fisheries stakeholders on issues associated with regionalisation and in the same vein the level of acceptance for potential models of regionalisation. Consequently, although the two stories interact, it seems reasonable to divide this final discussion of the survey results in two sections.

5.1 The RACs

As described earlier in this chapter, several criticised the establishment of the RACs in the 2002 CFP reform arguing that they did not go far enough to engage stakeholders in decision-making (e.g. Gray and Hatchard 2003). While such criticisms are valid in terms of the democratic deficit of the CFP, in some ways the RACs can be seen as representing an interim institutional stage, facilitating better information sharing, and cultivating stakeholder relationships. Displayed through the motivations of many interest group participants, people

come to the RAC primarily to improve stakeholder input to the Commission and represent the interests and constituencies of their organisation, but notably also to interact with fellow stakeholders. The interest in networking with others is further pronounced in the trend toward using the RAC as a primary purveyor of information, both in its written communications (news mails, websites, etc.) and—though to a lesser extent—its membership.

Furthermore, the RAC has proven itself a worthwhile forum in terms of the added benefits of understanding and trust. While in many cases the level of trust and understanding remains unchanged, there are promising signs that interactions between industry and non-industry representatives have increased the level of understanding and trust. Moreover, few participants feel as though their level of trust and understanding decreased because of RAC interactions. Consequently, the RACs possess an—often not sufficiently recognised—additional role and value to the advice sent to the Commission in that they facilitate understanding across and within sectors and interest groups. However, it should raise some concern that the Commission representatives score low on this measure. To some extent it looks like the RAC participation of both Conservation and Industry participants has resulted in decreased levels of trust in and understanding of the Commission. On a final note in relation to building stronger ties within the stakeholder community, some increasingly important interest groups, such as consumer interests and aquaculture, seem almost absent in the RACs.

Notwithstanding, the RACs do provide a valuable side benefit or premium in fostering a more skilled and better informed fisheries stakeholder constituency in the EU. This indirect value of the RACs is an important fundament to build on in future steps toward co-management and/or increased responsibility of the industry in management. As explained in Chapter 2, co-management encompasses a broad array of levels of authority; in 2012 the CFP may look to strengthen its democratic muscle by moving from a consultative arrangement to cooperative or advisory (Sen and Raakjær Nielsen, 1996). Although communication appears to be an insignificant challenge to many of the RACs, they are nevertheless challenged by finding consensus, navigating the different priorities of the membership either in terms of national designations or industry versus non-industry groups. In addition, each RAC or region must address particular needs, which in turn necessitate solutions that afford the opportunity to tailor policy to certain regional conditions. In relation to this, the resources available to the RACs may be lacking in terms of the scientific knowledge and expertise available to respond to specific advice requests. At least the respondents especially perceive economic and social science expertise as often being unavailable to them in their work within the RAC.

Not to be ignored, the relatively low feelings of impact of RAC participants paint a somewhat bleak picture of the efficacy of the process, fuelling the criticisms laid out by Gray and Hatchard (2003) and others. Increasing the perception among RAC participants of being heard should, based on our results, figure among the priorities for the coming reform, whether that be e.g. through changing the mandate of the RACs or by installing a more structured feedback process so that RAC participants are better aware of how their input has been used.

5.2 Towards Regionalisation

Seen through the disapproval of the Nationalisation model and the low agreement to the equation of regionalisation and greater national and sub-national authority, RAC participants do not see regionalisation as the extensive passage of management decisions to the member states—at least not without the requirement that those powers be exercised in a concerted way at regional level. A minority of RAC participants do support the expansion of member state

authority in their Exclusive Economic Zones, but the strong disapproval of the Nationalisation model and the largest proportion of participants selecting it as the least desirable model confirm the hypothesis that even though there are frustrations with the EU bureaucracy and the management under the CFP, EU fisheries stakeholders do in fact coalesce on the idea of a shared resources and unified management strategy. However, it should be noted that RAC participants from the North are less firm in their dismissal of Nationalisation compared to their southern counterparts.

Although not strongly disapproved of like the nationalisation ideas, maritime integration and ecosystem-based approaches do not gain as much traction as other associations to regionalisation. Furthermore, certain stakeholder groups are far more enthusiastic about these ideas (Conservation and Multiple Interests namely) while generally the Industry provides a more tepid response to this conception of regionalisation. Not only does the Industry place less importance on ecosystem-based management and maritime policy integration, its members feel less compelled to incorporate parties unrelated to fisheries into the management process. Nonetheless, as Symes (2007) points out, fisheries management will inevitably have to move toward integration with other maritime activities and marine ecosystem indicators in the coming years due to explicit stipulations of the Commission and various EU acts, e.g. the Marine Strategy Framework Directive (European Parliament and Council 2008). In this context, the moderate preference for the Regional Marine Management Organisation model both in terms of approval and top choice model should not be ignored. The enthusiasm about integration seen by a few stakeholders apparently cannot generally overpower the other glaring concerns regarding EU fisheries management. The SWW represented perhaps the RAC most enthusiastic about maritime policy integration as demonstrated by its respondents' preference for the Regional Marine Management Organisation, and its highest degree of importance its membership places on those outcome measures. However, the Industry's general hesitance to accept ecosystem-based management as one of the primary outcomes of regionalisation, indicates that fostering buy-in of this key stakeholder segment is a necessary step prior to the development of a governance system that builds institutional structures specifically to integrate fisheries with broader maritime management.

Improved efficiency and cost savings are important to some in the EU, but they do not gain as much traction as other intended outcomes of regionalisation. Notably, EU stakeholders from the North do look to regionalisation to disperse the central EU authority and thereby increase efficiency, but their counterparts in the South do not feel the importance of this goal to the same degree.

So, if regionalisation is not really about ecosystem-based management, maritime integration, nationalisation, or greater efficiency, for that matter, then what does regionalisation mean to EU fisheries stakeholders? In the minds of many survey participants, the measures associated with increased legitimacy for the CFP and fisheries management regimes enjoyed the greatest levels of approval. The preference for the Regional Fisheries Management Organisations and the Regional Fisheries Co-Management Organisations echoes the calls for greater integration of local knowledge, increased stakeholder engagement, and improved compliance from industry responsibility. As Gray and Hatchard (2003) suggest the RACs have not gone far in terms of true stakeholder engagement in the decisions, which impact EU fisheries conservation. As discussed above, although participants feel good about the RACs, they are less enthused about the impact of their participation, highlighting the deficit in stakeholder involvement of the CFP as it stands now. However, some stakeholders are timid in their rejection of the current system, recognising the difficulty of gaining consensus and managing

what seems like an ever-diversifying set of fisheries stakeholder interests. Those in the South are somewhat less intimidated by the thought of retaining the present system of EU fisheries management.

In addition, the Pelagic RAC is an outlier, if the RAC system of geographically based advisory councils were to evolve into decision-making bodies. For the Pelagic RAC a special solution will have to be made, like it has in the current framework, where the Pelagic RAC and Long Distance RAC exist as the only two structured along certain types of fishing than along a geographical region. The Pelagic RAC also writes this in its position paper on the Green Paper (Chapter 3).

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Chapter 5

Conclusion

Hegland, Troels J.; Ounanian, Kristen; Raakjær, Jesper[52]

Based on empirical data, we outlined five different archetypes (or families) of regionalised governance systems in Chapter 3. However, we also identified two of these as outliers: The Nationalisation model, which is perceived as a model of the past, and the Regional Marine Management Organisation, which is perceived as possibly the model of the future, but likely not the immediate future. This in turn leaves us with three more 'feasible' models: Regional Fisheries Management Organisations, Regional Fisheries Co-Management Organisations, and Cooperative Member State Councils. Each has its advantages and disadvantages but implemented in the right way anyone of these models, we believe, could—if there is the political will—be put into practice and deliver many of the benefits people are seeking in relation to regionalisation. In other words we regard these models as worthy candidates for CFP regionalisation. The survey reported in Chapter 4 did not provide clear indications of which model to choose either, although it did confirm our perception of the Nationalisation model being outdated and the idea of integrated management being somewhat contentious.

The table below provides an overview of identified strengths, weaknesses, opportunities and threats (SWOT) of each of the three models evaluated in relation to the *objective of providing biologically, socially, and economically sustainable ecosystem-based fisheries management in the EU*. 'Strengths' and 'weaknesses' relate to internal factors (*in casu* internal to the CFP), whereas 'opportunities' and 'threats' relate to the external situation (*in casu* the external environment surrounding and putting pressure on the CFP and the fisheries context). The SWOT-analysis is a convenient way of evaluating different ideas or projects with regard to a stated objective. However, a word of caution: the SWOT-analysis needs to be treated appropriately otherwise its findings can be deceptive. This is the case insofar that the SWOT makes no attempt to rank the different strengths or weaknesses, etc but merely provides an overview of these. Consequently, no conclusion as to what the 'best' option is can be reached by counting the number of strengths *versus* the number of weaknesses or by comparing the number of weaknesses of two different ways of getting to the same end goal. So, the SWOT-analysis should not be regarded as a decision-*making* tool, but rather as a decision-*support* tool.

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[52] Authors' names are listed alphabetically.

Table 5.1: SWOT of the three most feasible archetypes.

	Regional Fisheries Management Organisations model	Regional Fisheries Co-management Organisations model	Cooperative Member State Councils model
Strengths (internal)	* Structured according to ecosystems * Facilitates tailor-made management * Robust (institutionalised structure) * Clear distinction between those governing and those being governed * Transparent distribution of authority * Delivers break with centralised management * Offers flexibility *vis-à-vis* stakeholder participation	* Structured according to ecosystems * Facilitates tailor-made management * Robust (institutionalised structure) * Transparent distribution of authority * Delivers break with centralised management * Enhances stakeholder participation	* Structured according to ecosystems * Facilitates tailor-made management * Clear distinction between those governing and those being governed * Institutionally flexible and adaptive * Legally unproblematic
Weaknesses (internal)	* Legally challenging * Does not enhance stakeholder participation *per se* * Institutionally static * Risk of agency drift * Issue of how to deal with 3rd countries is contentious	* Legally challenging * Enhances stakeholder participation even if stakeholders are not ready * Some stakeholders might potentially feel left out * Blurring between those governing and those being governed (risk of 'regulatory capture') * Institutionally static * Risk of agency drift * Issue of how to deal with 3rd countries is contentious	* Institutionally weak (based on 'soft law') * Does not enhance stakeholder participation *per se* * Distribution of authority potentially non-transparent * No guarantee for break with centralised management
Opportunities (external)	* The regional organisation could be a natural ally of an equivalent environmental body	* The regional organisation could be a natural ally of an equivalent environmental body	* The central EU level would be more easily able to implement international requirements affecting regional management
Threats (external)	* The regional organisation could come in opposition to an equivalent environmental body	* The regional organisation could come in opposition to an equivalent environmental body * Conception of legitimate stakeholders changes and leaves the regional organisation illegitimate	

Looking at the table, it should be emphasised that all the three models dealt with in principle live up to the main criteria of facilitating ecosystem based management by being built on the idea of organising management according to regional seas. Consequently, it also allows tailor-made management.

To narrow down the number of models it might be useful to briefly discuss whether we are looking for a single model that will suit all regions or different models for different regions. A common framework for all regions is necessary, yet such a framework should accommodate individual regions that wish to develop their own regional governance approach. Moreover, it may be necessary to retain the default of the present system for a period of time for regions not yet ready to take on extra authorities presented for instance by the RFMO model. Given this, it is notable that among our final three models, there are two that only differ on the degree of stakeholder involvement. In the RFMO model, by default stakeholders are kept at the same level of involvement as the current system, 'co-management by consultation'. In the RFcoMO model stakeholders are given a more prominent role, thus moving the system to 'co-management by partnership'. In many ways the latter option might be the one that creates the most legitimacy, which is perceived one of the main keys to improving the performance of the CFP. However, at the same time the RFcoMO model is ambitious in terms of requirements on stakeholder capacity and willingness to actually take on new tasks and responsibilities.

Looking at the situation within the EU, some regions may be more mature than others in relation to stakeholder capacity. A key point in this regard is that the RFMO model is actually open to a transformation into stronger co-management *if there is an interest at the regional level to do so*. Consequently, if the preference is to have the same institutional framework solution for all regions in the EU, which there is good reason for wanting, then the RFcoMO is likely overambitious in regard to stakeholder involvement. If opting for a RFMO, on the other hand, each region could itself develop stronger stakeholder involvement if that were its preference. In our opinion, this strengthens the case for choosing the RFMO over the RFcoMO, simply because the RFMO can be modified into a form of the RFcoMO if desired.

How then does the preference for a unified framework, within which regions can develop their own approach to governance, affect how the Cooperative Member State Council model is perceived? As also indicated in Table 5.1, the trademark of this model is the flexibility and the adaptability of the model, so on this perspective the model definitely lives up to our requirements: the regions can tune the model to their situation. However, this flexibility lies in the fact that the model develops within the present structures. Therefore it is also delimited in scope by the present structures, which means that it rests on voluntary agreements, soft law and *de facto* authorities based on quality of input rather than *de jure* authority to make decisions. Whereas employing voluntary agreements and soft law when it is difficult to agree to more binding constructions often yields favourable results, it is unclear whether within the fisheries domain this model will diminish the perception of a monolithic and centralised CFP, a major concern of stakeholders as documented in Chapter 4. Nevertheless according to North (1990) institutional change often implies marginal adjustments of old structures rather than radical innovations or a total reorganisation. Thus the Cooperative Member State Council model may be the next, pragmatic step paving the way for more formalised regional models in future.

Clearly, there is a cleavage (found both the position documents and our survey) between member state preference for the Cooperative Member State Councils and stakeholder

preference for the RFMO/RFcoMO. Most stakeholders are looking for something more regionally distinct and institutionalised that would actually result in regions being able to operate within a common framework decided with the ability to determine their own individual paths.

Going in one direction or the other is ultimately a political choice, insofar that the legal challenges of the RFMO can be overcome, and we are rather convinced that this is mostly a matter of political will. If political will is lacking, then there is still an important political discussion to determine how ambitious a Cooperative Member State Council model could be—as indicated in Chapter 3 there are wide discrepancies among member states on this point and many stakeholders are looking for a rather ambitious variant, not the least based on the dissatisfaction with the present system documented in Chapter 4.

This research does not provide a single, clear solution for the CFP reform, nor did it intend to do so. As the Commission, the Council and the European Parliament, together with all those with an interest in the CFP, considers what to do after 2012, the hope is that this research will facilitate discussion. As previously stated, the models we presented in our research are rough outlines and many decisions must be made regarding the attributes and values to infuse into the system. As documented, each of our regionalisation models is associated with myriad variations each with its strengths and weaknesses in relation to the values that people associate with regionalisation: efficiency, legitimacy and better goal achievement. Nevertheless, our results show that most stakeholders are looking to be more engaged in the decision making process and to move the institutional structures closer to the areas where the decisions take effect, i.e. at the regional sea basin level.

Appendix 1: MEFEPO leaflet 1

MEFEPO partners

- MEFEPO Project Coordinator:
  University of Liverpool (ULIV)
  UK

- Instituto de Investigacao das Pescas e
  do Mar (IPIMAR)
  Portugal

- IMARES, part of Wageningen UR
  Netherlands

- Université de Bretagne Occidentale
  (LEMAR/IUEM)
  France

- Marine Institute
  Ireland

- University of Tromsø (UIT)
  Norway

- Centre for Environment, Fisheries and
  Aquaculture Science (CEFAS)
  UK

- Innovative Fisheries Management
  – an Aalborg University Research Centre
  (IFM)
  Denmark

- University of the Azores
  Portugal

- Spanish Institute of Oceanography (IEO)
  Spain

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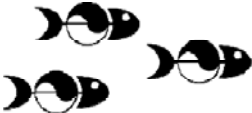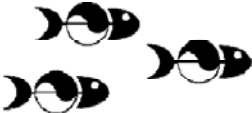
Feel free to log on to the project website
where you will find more information about
the project as well as results of the
research as these become available:

www.liv.ac.uk/marinebiology/mefepo.html

The MEFEPO project started
November 2008 and ends October 2011

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MEFEPO

**Making the European
Fisheries Ecosystem
Plan Operational**

Supported by the Commission of the European
Communities, 7th Framework Programme

Cover

MEFEPO Introduction

MEFEPO is a cross-disciplinary research project, which includes natural as well as social scientists who are trying to make ecosystem based fisheries management work in Europe. In recent years considerable effort has been devoted to addressing the governance, scientific, social and economic issues required to develop and introduce an ecosystem approach to European marine fisheries. MEFEPO seeks to harness and apply these efforts.

Fisheries management needs to support the 'three pillars of sustainability' (ecological, social and economic). One of the greatest challenges of management is searching for ways of achieving these objectives simultaneously. However, the economic and social pillars can be considered subsidiary to the ecological pillar since the loss of an ecological resource base will mean that no social and economic benefits can be derived from the seas.

MEFEPO & Governance

MEFEPO deals with a range of issues related to the challenge of making ecosystem based fisheries management work. Particularly during 2009 and 2010, MEFEPO will deal with issues related to the (future) governance arrangements under the Common Fisheries Policy.

In particular, MEFEPO will explore the possibilities of increasing the role of the regional level (roughly corresponding to the level of the Regional Advisory Councils) in EU fisheries governance.

Research Strategy

During 2009 and 2010 we will – to get a picture of options for an increased role of the regional level in EU fisheries governance - go through a research process of five phases:

Review phase

During this phase we will review literature and debates of relevance to reorganising the CFP governance system towards a larger degree of regionalised fisheries management.

Exploration phase

Following the review phase, we will gather further information on the issues by observing relevant meetings and conferences, and by carrying out talks with a range of knowledgeable people with in-depth experience of European fisheries management

Reflection phase

In the reflection phase we will process the information we have gathered in the two first phases. The aim is to outline different ways in which to further regionalise the Common Fisheries Policy as well as to discuss challenges.

Interaction phase

During this phase we will confront by means of various techniques such as workshops and questionnaires selected stakeholders from various Regional Advisory Councils with our findings. This is done both to inform them and to gain further input, as well as to look into differences in across regions and types of stakeholders.

Consolidation phase

In the final phase we will consolidate our information and present it in various ways (popular articles, technical report, academic journal articles etc.) and in various forums (conferences, stakeholder meetings etc.). We hope that our insights will help inform the decision-making process leading to the 2012 reform of the Common Fisheries Policy. The aim is not to present 'ready-to-apply' models but rather to present a range of the options and opinions.

Inside

Appendix 2: MEFEPO leaflet 2

Cover

Inside

Appendix 3: Search terms for literature review

- Regionalization / regionalisation
- Decentralization / decentralisation
- Delegation
- Common Fisheries Policy / CFP
- Reform
- Stakeholder
- Co-management / comanagement
- Self-management
- Regional Advisory Councils / RAC(s)

Appendix 4: List of conferences and RAC meetings observed

Meetings:

➢ Working Group Meetings / Pelagic RAC, 16. Sept. 2009, Amsterdam, the Netherlands (Observer: Jesper Raakjær)
➢ Demersal Working Group / North Sea RAC, 14 Oct. 2009, Haarlem, the Netherlands (Observer: Troels Hegland)
➢ Meeting of the ad hoc group on the green paper on the reform of the Common Fisheries Policy / SWW RAC, 23 Oct. 2009, Madrid, Spain (Observer: Paulina Ramirez)
➢ Working Group on Horizontal Issues (i.e. CFP Reform) / NWW RAC, 28 Oct. 2009, Dublin, Ireland (Observer: Kristen Ounanian)

Conferences:

➢ Annual Science Conference 2009 / ICES, 21-25 Sept. 2009, Berlin, Germany (Observers: Jesper Raakjær and Troels Hegland)
➢ Regional Fisheries Management - Making It Work for Fisheries and the Environment / WWF and Ocean 2012, 29 Sept. 2009, Brussels, Belgium (Observers: Troels Hegland and Staffan Zetterholm)
➢ A new fisheries policy for fishers to take over stewardship of the fishery / DanFish, the Ministry of Food, Agriculture and Fisheries and the Danish Export Association, 8 Oct. 2009, Aalborg, Denmark (Observer: Kristen Ounanian)
➢ Regionalization of the CFP / Nordic Council of Ministers, 13 Oct. 2009, Copenhagen Airport, Denmark (Observers: Troels Hegland, Kristen Ounanian and Staffan Zetterholm)
➢ Decision-making within a reformed Common Fisheries Policy (CFP) / Inter-RAC Conference, 3-4 Nov. 2009, Edinburgh, Scotland, UK (Observer: Kristen Ounanian)

Appendix 5: MEFEPO interview guide

Guide for Key-Informant Talks

Directions for researcher: Prior to staring the discussion, provide the participant with some basic information about yourself, the project, and the aim of the talk. The text outlined below should be used as a guide, not a definitive script.

Name
Organization
MEFEPO involvement

Thank you very much for letting me have some of your time. The input the MEFEPO project gets from this and other talks is a key step in our efforts to learn more about regionalization as one possible way to reform the Common Fisheries Policy to facilitate the implementation of an operational eco-system approach to fisheries management, which is the main concern of the over all MEFEPO project. When we made this appointment I told you about the background of the MEFEPO project and the special interest we have in looking at possibilities and problems of regionalizing fisheries management in Europe, namely the CFP.

I hope that it is okay with you that I tape our talk. Taping these talks is important for us to review the discussion at a later time and compare with the notes we have written today. However, we will not be quoting you by name in our report. Instead we will refer to the people we interview with labels such as e.g. scientist, policy-maker, manager, eNGO representative, industry representative etc.

A.   Background

1   Initially I would like to know a little more about you and your background. I am particularly interested in how your work relates to the Common Fisheries Policy.

B.   Perceptions of Current System and Regionalization
As you know, this talk is largely related to the issue of regionalizing the Common Fisheries Policy of the European Union. However, as you are probably also aware there seems to be no clear picture of what regionalization exactly entails.

2   Firstly, I would like you to expand on what you think are the major weaknesses and/or strengths in the way fisheries management decisions are currently made under the Common Fisheries Policy management system?

3   Could you try to expand on what comes to mind when you hear the phrase: regionalization of the Common Fisheries Policy? (If no response, then possibly suggest different ideas to the respondent – get inspired by Symes' paper…)

4   What would you list as the primary objectives for regionalizing Common Fisheries Policy fisheries management structure? Why would you like or *not* like to regionalize the CFP?

1

5   As you see it, are there particular lines of division in relation to the discussion on regionalization? Are there certain alliances of countries, eNGOs or fisheries industry interests etc. with particular ideas about regionalisation?

6   Where do you stand and what is your opinion on these differences in viewpoint?

7   From your point of view, do you see a link between regionalization and increased stakeholder participation? Why or why not?

8   Have participation in the Regional Advisory Councils led to particular groups gaining increased influence on the national fisheries policy in the country you know the best? For example, fishermen's organizations, eNGOs etc.?

C.   **Role of the Regional Advisory Councils**
At present the Regional Advisory Councils are the most concrete examples of a regional level in EU fisheries management; and it seems unlikely that a reform including some sort of regionalization would leave the Regional Advisory Councils unaffected.

9   To what extent do you see the introduction of Regional Advisory Councils as a form of regionalization of fisheries policy? Please explain.

10   How would you describe the current role and performance of the Regional Advisory Councils?

11   What implications for the Regional Advisory Councils do you foresee as a result of regionalization? How will this affect the functioning of the RACs?

12   When you speak of the performance and future possible role do you then have a particular Regional Advisory Council or management area in mind?

13   With reference to the Regional Advisory Council you know the best, are there different opinions on the need for regionalization and on what regionalization should entail?

D.   **The Policy-Process**
As you know the CFP is up for reform in 2012 and in the years from now a policy-process will take place that will determine the contents of this reform in relation to regionalization.

14   Until now in what ways have you participated in the policy-process related to regionalization? Conferences on the issue, meetings, discussions with peers etc?

15   What do you expect will eventually be the outcome of the coming reform in relation to regionalization? Please explain why you see this as the most likely outcome and why other outcomes are less likely.

2

Appendix 6: Example of 'first-contact-e-mail' for key-informant interviews

Dear Mr. XXX,

My name is Kristen Ounanian; I am a colleague of Jesper Raakjær at IFM. We are working together on the MEFEPO project, which aims to find ways to ease the implementation of ecosystem-based fisheries management. IFM's work within MEFEPO addresses fisheries management in the EU, particularly the potential for regionalization of the Common Fisheries Policy. For your information I have attached a pamphlet we put together regarding IFM's portion of the overall MEFEPO project. At the moment we are reviewing literature, observing meetings, and talking to people who we expect to help us uncover the different perspectives on and positions toward regionalization. Jesper suggested you as a good person to speak with on this topic to provide a Scottish perspective on fisheries management and governance issues. It would be very interesting to hear your observations as XXX and as member of the Pelagic RAC. To be clear, you will not be quoted by name in our reports and findings. Would it be possible to have about an hour of your time to discuss some questions and issues around the CFP and regionalization?

I will be in Edinburgh for the inter-RAC meeting, arriving the weekend prior and departing Thursday morning. I do not know if you plan to attend the meeting, but I thought it might be convenient to meet while I was in Edinburgh. Please let me know if it would be possible to meet on Monday, November 2 or any other time during that week. If not, perhaps we could arrange something else.

Thank you for your time and consideration. If there is any further information that you would like from me please do not hesitate to ask. My contact information is at the bottom of this email.

Sincerely,

Kristen

Kristen Ounanian
Fulbright Fellow
Innovative Fisheries Management, IFM
- an Aalborg University Research Centre
Aalborg University, Fibigerstræde 13, room 66
DK - 9220 Aalborg Ø, Denmark
Tel.: +45 9940 8026
Mobile: +45 5260 4435
Fax: +45 9894 4833
E-mail: kristen@ifm.aau.dk
Web: www.ifm.aau.dk
Skype name: kristen.ounanian

Appendix 7: List of key informants

Name	Country	Position	Details about the interview *
Mr John Scott	UK (Scotland)	Member of the Scottish Parliament / representing Ayr	Interviewer: KO Telephone Language: English NB: Not recorded
Mr Derek Duthie	UK (Scotland)	Chief Executive of the Scottish Pelagic Fishermen's Association / Pelagic RAC participant	Interviewer: KO Telephone Language: English
Mrs Cristina Moço	Portuguese	Mútua dos Pescadores; Rede Portugesa das Mulheres da Pesca – AKTEA (women in fisheries network)	Interviewer: HA Face-to-face Language: Portuguese
Mr Jan Birger Jørgensen	Norwegian	Vice-Secretary General of the Norwegian Fishermen's Association	Interviewer: CA Face-to-face Language: Norwegian
Mr Sean O'Donoghue	Irish	Chief Executive of Killybegs Fishermen's Organisation / NWW RAC and Pelagic RAC participant	Interviewer: KO Face-to-face Language: English
Mr Sverre Johanssen	Norwegian	Head of Department at the Norwegian Ministry of Fisheries and Coastal Affairs	Interviewer: CA Face-to-face Language: Norwegian
Mr Peter Gullestad	Norwegian	Former Director of the Norwegian Directorate of Fisheries (1996-2008)	Interviewer: CA Telephone Language: Norwegian
Mr Alain Cadec	French	Member of the European Parliament (Group: European People's Party), 2nd vice-chair of the Fisheries Committee	Interviewers: TJH + JR Face-to-face Language: French NB: Simultaneously translated to English by assistant of Mr Cadec
Mr Liberato Fernandes	Portugal (Azores)	President of the Federation of Fisheries of the Azores	Interviewer: PR Face-to-face Language: Portuguese NB: Simultaneously translated to Spanish by colleague of PR
Mr Harm Dotinga	Dutch	Lawyer at Netherlands Institute for the Law of the Sea	Interviewer: CR Face-to-face Language: Dutch
Mr Ole Poulsen	Danish	Head of the Fisheries Policy Section in the Danish Ministry of Food, Agriculture and Fisheries	Interviewers: JR+TJH Face-to-face Language: Danish
Mr António Cabral	Portuguese	Secretary General of ADAPI Associação dos Armadores das Pescas Industriais (Portuguese Industrial Fishery Association)	Interviewer: HA Face-to-face Language: Portuguese
Mr Martin Pastoors	Dutch	Director at Wageningen UR Centre for Marine Policy, former (Vice-)Chair of Advisory Committee at	Interviewer: CR Face-to-face Language: Dutch

		ICES	
Mr Hans van Nieuwenhuisen	Dutch	Project manager for Natura2000 Noordzee at the Dutch Ministry of Agriculture	Interviewer: CR Face-to-face Language: Dutch
Mrs Isabella Lövin	Swedish	Member of the European Parliament (Group: The Greens / European Free Alliance), member of the Fisheries Committee	Interviewers: JR+TJH Face-to-face Language: Swedish and Danish
Mr Javier Garat Perez	Spanish	President of Europêche, the Association of National Organisations of Fishery Enterprises in the European Union	Interviewer: PR Telephone Language: Spanish
Mrs Aurora Vicente	Spanish	Representative of the EU Fish Processors and Traders Association (AIPCE-CEP)	Interviewer: TJH Face-to-face Language: English
Mrs Niki Sporrong	Swedish	Director of a Swedish NGO, the Fisheries Secretariat, one of the main persons behind Ocean 2012	Interviewer: TJH Telephone Language: English
Mr Michael Park	UK (Scotland)	Chairman of the Scottish White Fish Producer's Association / North Sea RAC participant	Interviewer: KO Telephone Language: English

* The following researchers carried out interviews: Paulina Ramirez (PR), Troels Jacob Hegland (TJH), Jesper Raakjær (JR), Kristen Ounanian (KO), Christine Röckmann (CR), Claire Armstrong (CA) and Helena Abreu (HA).

Appendix 8: Last slide of the focus group presentation

Appendix 9: Survey

Making the European Fisheries Ecosystem Plan Operational

The survey is part of an EU project, Making European Fisheries Ecosystem Plan Operational (MEFEPO) and is the undertaking of Innovative Fisheries Management – an Aalborg University Research Centre. It aims to assess the current capacities of the Regional Advisory Councils (RACs) and opinions on regionalisation of the Common Fisheries Policy (CFP).

This is a voluntary and anonymous survey, which we expect to take about 30 minutes to complete.

Section I: Background

1: Gender

Please indicate your gender.
- ❑ Female
- ❑ Male

2: Age

Please write your age: _____

3: Experience

How long have you been involved with fisheries?
- ❑ Less than 2 years
- ❑ 2-10 years
- ❑ 11-20 years
- ❑ 21-30 years
- ❑ More than 30 years

4: Regional Advisory Councils participation

4a: Please indicate the type of meeting(s) you attended at the following Regional Advisory Councils (RACs) during 2009 and 2010.

N.B. The four RACs listed below are the subjects of investigation for the MEFEPO project, thus we have purposely NOT included the Baltic, Long Distance, and Mediterranean RACs.

	Executive Committee	General Assembly	Working Group
North Sea	❑	❑	❑
North Western Waters	❑	❑	❑
Pelagic	❑	❑	❑
South Western Waters	❑	❑	❑

4b: Primary RAC

Please indicate the RAC of the four surveyed here in which you consider yourself to have been **MOST** involved.

- ❑ North Sea
- ❑ North Western Waters
- ❑ Pelagic
- ❑ South Western Waters

** When answering questions from this point onward please base your responses, whenever relevant, on the RAC you just listed above.

5: Details of organisation/institution

5a: When attending meeting(s) in the RAC you selected above, have you primarily participated as:

- ❑ A representative of an interest/stakeholder organisation, please specify:
  - ❑ Catching industry
  - ❑ Processing/trading
  - ❑ Aquaculture
  - ❑ Recreational fishing
  - ❑ Consumers
  - ❑ Women in fishing
  - ❑ Environmental
  - ❑ Other
  - ❑ Multiple interests
- ❑ A representative of an organisation/institution that is **NOT** an interest organisation, please specify:
  - ❑ European Commission
  - ❑ EU Member State
  - ❑ Non-EU country
  - ❑ Scientific body
  - ❑ Other
- ❑ Other, please specify: _____

Comments:

_____

_____

_____

_____

5b: Please write the country or geographic affiliation of the organisation/institution you represent. In the case that you DO NOT represent an organisation, please write where you are from.
(Examples given: Spain; Baltic Sea region; Europe; International): _____

Section II: Current RAC Functioning and Capacity

6: Motivations for RAC participation

Please score how important you feel each of the following motivations are for you professionally when participating in RAC meetings.

	Not important at all = 1	2	3	4	Very Important = 5	Not Applicable
Improve stakeholder advice in the EU	❑	❑	❑	❑	❑	❑
Network with other stakeholders	❑	❑	❑	❑	❑	❑
Communicate directly with Commission representatives	❑	❑	❑	❑	❑	❑
Serve those I represent in my organisation	❑	❑	❑	❑	❑	❑
Interact with scientists who provide fisheries advice	❑	❑	❑	❑	❑	❑
Observe	❑	❑	❑	❑	❑	❑

Comments on the issue of *Motivations for RAC participation*:

_____

_____

_____

7: Challenges of the RAC

7a: Please score the degree of difficulty for each of the following challenges that may face your primary RAC.

	Very Easy = 1	2	3	4	Very Difficult = 5	Not Applicable
Reaching consensus	❑	❑	❑	❑	❑	❑
Cultivating better cooperation between industry and non-industry interests	❑	❑	❑	❑	❑	❑
Communicating in different languages and across cultures	❑	❑	❑	❑	❑	❑
Addressing different national catching sector priorities	❑	❑	❑	❑	❑	❑
Balancing small-scale vs. large-scale fishing priorities	❑	❑	❑	❑	❑	❑
Responding to specific advice requests ("firefighting")	❑	❑	❑	❑	❑	❑

7b: Of the challenges listed on the previous page which one do you consider to be the **MOST** critical to the success of your RAC?

- ❑ Reaching consensus
- ❑ Cultivating better cooperation between industry and non-industry members
- ❑ Communicating in different languages and across cultures
- ❑ Addressing different national catching sector priorities
- ❑ Balancing small-scale vs. large-scale fishing priorities
- ❑ Responding to specific advice requests

7c: For your primary RAC, please score the degree to which each of the following types of knowledge and expertise are available:

	Never Available = 1	2	3	4	Always Available = 5
Technical fisheries knowledge	❑	❑	❑	❑	❑
Practical fisheries knowledge	❑	❑	❑	❑	❑
Scientific expertise on the ecosystem and fish stocks	❑	❑	❑	❑	❑
Economic expertise	❑	❑	❑	❑	❑
Social science expertise	❑	❑	❑	❑	❑

Comments on the issue of *Challenges of the RAC*:

_____

_____

8: Trust and understanding

8a: Please score the degree to which your level of trust in the following groups has *increased* or *decreased* due to your participation in the RAC.

	Greatly Increased = 1	2	3	4	Greatly Decreased = 5
Industry stakeholders	❑	❑	❑	❑	❑
Non-industry stakeholders	❑	❑	❑	❑	❑
Commission representatives	❑	❑	❑	❑	❑

8b: Please score the degree to which the presence of the following groups at RAC meetings has *increased* or *decreased* your understanding of their priorities (being able to see issues from their point of view).

	Greatly Increased = 1	2	3	4	Greatly Decreased = 5
Industry stakeholders	❑	❑	❑	❑	❑
Non-industry stakeholders	❑	❑	❑	❑	❑
Commission representatives	❑	❑	❑	❑	❑

Comments on the issue of *Trust and understanding:*

_____

_____

_____

9: Information

9a: Where do you most often seek information related to the impacts and implementation of EU fisheries management and policy decisions? Please select **TWO** from the list below:

- ❏ People at fish market and/or auction
- ❏ RAC
- ❏ Press/media
- ❏ Industry groups or associations
- ❏ Elected official in national government
- ❏ Information material from EU Commission or members of the EU Parliament
- ❏ Information from NGOs and other non-industry groups
- ❏ Other, please specify: _____

9b: From which RAC sources do you most often seek information? Check all that apply.

- ❏ Newsletters, emails, and/or website
- ❏ Industry representatives from the RAC
- ❏ Non-industry representatives from the RAC
- ❏ I do not consult RAC sources

9c: To what extent has the establishment of the RACs improved your access to information?

- ❏ Greatly improved
- ❏ Somewhat improved
- ❏ Improved very little
- ❏ No improvement at all

Comments on the issue of *Information:*

_____

_____

10: Impact of RAC participation

To what extent do you feel your organisation's participation in the RAC has impacted the decisions that change the course of fisheries management in the European Union?

- ❏ Greatly impacted
- ❏ Somewhat impacted
- ❏ Impacted very little
- ❏ No impact at all
- ❏ Not applicable

Comments on the issue of *Impact of RAC participation:*

_____
_____
_____

Section III: Reform of the Common Fisheries Policy and Regionalisation

As you probably know, the concept of 'regionalisation' of the Common Fisheries Policy (CFP) has been intensely debated, particularly over the last year. In this section we ask a number of questions in order for us to get a better understanding of your perspective on this issue.

** Some of these questions may feel like they are oriented to certain groups or RACs. Nonetheless, you are still encouraged to answer all of the questions as truthfully as possible.

We understand that in your capacity as a participant in the RAC you may represent an organisation; however, when answering the questions please do so based upon your personal opinions, not the official statements of your organisation.

11: Conceptions and objectives of regionalisation

11a: Please indicate in the box beneath to what extent you agree or disagree with the following statements about regionalisation.

	Strongly Disagree = 1	2	3	4	Strongly Agree = 5	Not Applicable
Regionalisation should bring together all interested parties related to a sea area—not just those related to fisheries	❏	❏	❏	❏	❏	❏
Regionalisation should give the RAC more influence within the present management structure	❏	❏	❏	❏	❏	❏
Regionalisation should be about giving the member states greater authority over fisheries management in their own EEZs	❏	❏	❏	❏	❏	❏
Regionalisation should be about setting up intermediate institutional structures—between the EU level and the member state level—to deal with fisheries management issues in the current RAC regions	❏	❏	❏	❏	❏	❏
Regionalisation should be about letting the industry assume a larger responsibility in the fisheries management	❏	❏	❏	❏	❏	❏
Regionalisation should be about giving sub-national governments and authorities more say in fisheries management	❏	❏	❏	❏	❏	❏

11b: Please score how important you feel each of the intended outcomes of regionalisation is.

	Not important at all = 1	2	3	4	Very Important = 5
Relieving the EU central level of tasks (Council, Commission, Parliament)	❑	❑	❑	❑	❑
Increasing compliance by giving stakeholders a larger say in fisheries management	❑	❑	❑	❑	❑
Providing better management by taking into consideration local/fishermen's knowledge of the system	❑	❑	❑	❑	❑
Integrating fisheries into general maritime policy	❑	❑	❑	❑	❑
Paving the way for ecosystem-based fisheries management	❑	❑	❑	❑	❑
Making fisheries management less costly by giving the industry more responsibility	❑	❑	❑	❑	❑

Comments on the issue of *Conceptions and objectives of regionalisation:*

_____
_____
_____
_____

12: Models of regionalisation

As you may be aware, several models or understandings of 'regionalisation' have been presented during the past year. Setting aside the fact that to some extent these models appear as only sketched frameworks and some have been criticised for being legally problematic, please indicate your level of approval/disapproval for each model. You are welcome to provide comments for each of the models.

Model 1: The present structure
The present system with the current division of responsibilities and tasks continues to operate. The role of the RAC remains the same as what presently stands with possible minor adjustments.

    ❑ I would approve

    ❑ I would somewhat approve

    ❑ Neutral

    ❑ I would somewhat disapprove

    ❑ I would disapprove

Comments on *Model 1:*

_____
_____

Model 2: Nationalisation

The member states are awarded the responsibility for the conservation of resources in their own Exclusive Economic Zones. Issues relating to shared stocks would be sorted out through a system of bilateral agreements between member states or any other arrangements that the member states themselves deem necessary. The level of involvement of stakeholders would be an issue for the individual member state to decide.

❑ I would approve

❑ I would somewhat approve

❑ Neutral

❑ I would somewhat disapprove

❑ I would disapprove

Comments on *Model 2:*

_____

_____

Model 3: Regional Fisheries Management Organisations

Under this model the member states would be given wide authority for fisheries conservation on the condition that the member states with fishing interests in a regional sea area establish a regional fisheries management organisation (RFMO) to deal with fisheries management issues specific to that area. A general framework for regional approaches will be provided by the central EU institutions. The stakeholders' input will continue to be channelled through the RAC. However, the RAC would in most cases advise the RFMO rather than the central EU institutions. The exact extent to which stakeholders' input is given weight in the decision-making process of the RFMO is up to that organisation on a case-by-case basis.

❑ I would approve

❑ I would somewhat approve

❑ Neutral

❑ I would somewhat disapprove

❑ I would disapprove

Comments on *Model 3:*

_____

_____

Model 4: Regional Fisheries Co-Management Organisations
Under this model the member states would be given wide authority for fisheries conservation on the condition that the member states with fishing interests in a regional sea area establish a regional fisheries co-management organisation (RFcoMO) to deal with fisheries management issues specific for that area. A general framework for regional approaches will be provided by the central EU institutions. The RACs would cease to exist; instead stakeholders, scientists and member states' administrators would work together within the RFcoMO to determine the best strategies for their regional area.

- ❏ I would approve
- ❏ I would somewhat approve
- ❏ Neutral
- ❏ I would somewhat disapprove
- ❏ I would disapprove

Comments on *Model 4:*

_____
_____

Model 5: Regional Marine Management Organisations
Under this model the member states would set up regional marine management organisations (RMMO) with responsibility for coordinating all matters relating to the regional sea areas. Stakeholders from all sectors would be involved in some form—either as advisors or in a more co-management-like structure. The RACs could continue to operate, but would only be providing advice as one of the affected sectors of the RMMO. Alternatively, the current RACs could be opened for a wider group of stakeholders. A general framework for regional approaches will be provided by the central EU institutions.

- ❏ I would approve
- ❏ I would somewhat approve
- ❏ Neutral
- ❏ I would somewhat disapprove
- ❏ I would disapprove

Comments on *Model 5:*

_____
_____

Model 6: Cooperative Member State Councils
The institutional structure and formal distribution of powers remains largely unchanged. However, the member states with fishing interests in a regional sea area establish mini-councils to deal with fisheries management issues specific to that area. These mini-councils forward their recommendations for formal approval to the overall EU Fisheries Council. The RAC would in most cases advise the mini-council rather than the central EU institutions. The exact extent to which stakeholders' input is given weight in the recommendations of the mini-council is up to that mini-council on a case-by-case basis.

❑ I would approve

❑ I would somewhat approve

❑ Neutral

❑ I would somewhat disapprove

❑ I would disapprove

Comments on *Model 6:*

_____

_____

13: Model ranking

13a
Model ranking: Please indicate your *top choice* and *least desirable* model from those previously presented.

Top Choice:
❑ Model 1: Present Structure

❑ Model 2: Nationalisation

❑ Model 3: Regional Fisheries Management Organisations

❑ Model 4: Regional Fisheries Co-Management Organisations

❑ Model 5: Regional Marine Management Organizations

❑ Model 6: Cooperative Member State Councils

❑ None of the above

Least Desirable model:
❑ Model 1: Present Structure

❑ Model 2: Nationalisation

❑ Model 3: Regional Fisheries Management Organisations

❑ Model 4: Regional Fisheries Co-Management Organisations

❑ Model 5: Regional Marine Management Organizations

❑ Model 6: Cooperative Member State Councils

❑ None of the above

13b
Possible changes to the RAC: How do you think the work of the RAC would change if the model you picked as your top choice above were adopted (e.g. focus of activities, changes in membership, ability to reach consensus, costs, time, etc). Please write your answer in the space below.

_____
_____
_____
_____
_____
_____
_____

Comments on the issue of *Model ranking:*

_____
_____

14: Final thoughts?

Thank you for your contribution. In the box beneath you are free to provide any comments on regionalisation that you feel you have not been able to provide through answering the questions.

_____
_____
_____

OPTIONAL: Please provide your contact email for the chance to win an internet shop gift certificate worth 50 euro in appreciation for your participation. _____

Appendix 10: Survey communication

First contact by e-mail:

Dear XXX,

To receive this letter in Portuguese instead, please respond to kristen@ifm.aau.dk
To receive this letter in Spanish instead, please respond to kristen@ifm.aau.dk
To receive this letter In French instead, please respond to kristen@ifm.aau.dk

You have been selected to participate in a survey to assess the current RAC capacities and functioning, as well as RAC participants' preferences for reform towards regionalisation of the European Union's Common Fisheries Policy. You have been selected because your name appears on at least one of the RAC meeting attendant lists, which we have used to identify our respondents.

The survey takes about a half hour to complete. The survey is administered in an online format, which you may access by simply clicking the following link or alternatively cutting and pasting the link into your browser:

[UNIQUE LINK]

The survey is anonymous and results will not be linked to you. However, each survey has a unique identification number to track the survey's progress, which will allow us to send email reminders only to those who have not yet completed the survey. Likewise the ID enables us to generate a list of those who have responded and ensure that they—as the first—receive a personal copy of the results of the survey.

Thank you for your time and consideration. We hope that you can take the time to contribute as your responses to the survey will be invaluable to our research. If you have any questions, comments, or concerns, please do not hesitate to contact Kristen Ounanian via email (kristen@ifm.aau.dk) by phone (+45 9940 8026).

Sincerely,

Kristen Ounanian, Troels Jacob Hegland, and Jesper Raakjær
Innovative Fisheries Management – a Research Centre under Aalborg University, Denmark

More information about the survey

Over the last couple of months we have communicated with the Secretariats of the Pelagic, North Sea, North Western Waters, and South Western Waters RACs about our intention to do this survey. The RAC secretariats have been helpful by directing us to the publicly available lists of attendants for General Assembly and Executive Committee meetings in 2009, which we have used to identify our target audience.

It is important to note that this survey is not a RAC initiative, we would like to emphasise, however, that the RAC Secretariats have indicated to us that they support our attempt to get a better picture of how RAC participants perceive the issue of regionalisation of the CFP.

The survey is part of the Making the European Fisheries Ecosystem Plan Operational (MEFEPO) project, which has isolated the North Sea, North Western Waters, Pelagic, and South Western Waters RACs as the areas of interest. For further information about the broader aims of the project, please visit our project website, http://www.liv.ac.uk/mefepo/. The MEFEPO project is financially supported by the European Union's 7th Framework Programme for Research.

An email reminder will arrive roughly one week after initial contact if the survey has not been completed. A week after the email reminder if the online survey is still incomplete, a paper copy with return postage will be mailed to those individuals in hopes that it might be more convenient to complete the survey in that manner.

Reminder by e-mail:

Dear XXX,

Once again, we request your participation in the MEFEPO survey and urge you to take the time to answer the questions. Your responses will greatly improve our analysis of the issues facing the RACs and the preferences for CFP reform. To encourage your participation, we have included the chance to win a prize of a 50 euro gift certificate with the completion of the survey.

Please click the link to complete the survey: [UNIQUE LINK]

Please note that we have surveyed those who attended RAC meetings because it was a concrete way of defining a population knowledgeable about fisheries issues across the EU. Therefore, if you have avoided completing the questionnaire because you believe you do not fit the profile of an active RAC participant, we still encourage you to fill out the questions to the best of your knowledge. You may even skip some questions if you feel that is totally necessary.

Please be aware that this is the last email reminder. If the system does not indicate that you have filled in the survey, we will send a printed version through the postal service with return envelope included. However, the online version is far easier to administer, so we would greatly appreciate if you could complete the survey online if possible.

Thank you for your time and consideration. Feel free to contact Kristen Ounanian with any questions.

Sincerely,

Kristen Ounanian, Troels Jacob Hegland, and Jesper Raakjær
Innovative Fisheries Management - an Aalborg University Research Centre, Denmark

Cover letter for paper version of survey:

Making the European Fisheries Ecosystem Plan Operational

26 April 2010

Hello,

We request your participation in a research project, which aims to assess the current RAC capacities and functioning, as well as RAC participants' preferences for reform towards regionalisation of the European Union's Common Fisheries Policy. The survey that accompanies this letter was first sent to you online, but you have not yet accessed it. Thus, we encourage you to fill out the questionnaire in its paper version and use the enclosed, paid-postage envelope to return it.

You have been selected because your name appears on at least one of the RAC meeting attendant lists, which we have used to identify our respondents. Please note that we have surveyed those who attended RAC meetings because it was a concrete way of defining a population knowledgeable about fisheries issues across the EU. Therefore, if you have avoided completing the questionnaire because you believe you do not fit the profile of an active RAC participant, we still encourage you to fill out the questions to the best of your knowledge.

We request your participation in the MEFEPO survey and urge you to take the time to answer the questions. Your responses will greatly improve our analysis of the issues facing the RACs and the preferences for CFP reform. To encourage your participation, we have included the chance to win a prize of a 50 euro gift certificate with the completion of the survey.

Thank you for your time and consideration. We hope that you take the time to contribute as your responses to the survey will be invaluable to our research. If you have any questions, comments, or concerns, please do not hesitate to contact Kristen Ounanian via email (kristen@ifm.aau.dk) or by phone (+45 9940 8026). If you prefer to fill the survey out online, please email or phone Kristen.

Sincerely,

Kristen Ounanian, Troels Jacob Hegland, and Jesper Raakjær
Innovative Fisheries Management – a Research Centre under Aalborg University, Denmark

More information about the survey

Over the last couple of months we have communicated with the Secretariats of the Pelagic, North Sea, North Western Waters, and South Western Waters RACs about our intention to do this survey. The RAC secretariats have been helpful by directing us to the publicly available lists of attendants for meetings in 2009, which we have used to identify our target audience.

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