

CFP Developments

ANALYSIS OF EU FISHERIES POLICY REFORM PROPOSALS AND COMMUNICATIONS



IEEP LONDON

Briefing No. 16
30 October 2003

COMMISSION COMMUNICATION ON IMPROVING SCIENTIFIC AND TECHNICAL ADVICE (2003/C 47/06)

Introduction

In presenting its overall strategic approach to the CFP reform in 2002, the Commission identified the conservation of commercial fish stocks as a key challenge facing Community fisheries. However, the desire for sustainable management of fish stocks, and the marine environment at large, has substantially increased the demand for up-to-date and timely scientific assessments and advice on the state of resources.

To identify ways of meeting these challenges, the Commission published a Communication on improving scientific and technical advice for Community fisheries management in February 2003 (2003/C 47/06). The Commission intends to improve current insufficiencies in the advisory process by:

- i) improving the efficiency and coordination of advisory activities; and
- ii) strengthening and supplementing existing capacity for scientific advice.

A number of short-term measures are suggested, together with options for long-term institutional adjustments, to improve the reliability, transparency and timeliness of scientific advice.

The Current Advisory Systems

The role of the Commission in EU fisheries management is detailed in the Communication, together with the current scientific advisory process. The Commission has responsibility for proposing Community measures in a number of areas under the CFP. This includes the conservation and management of fisheries resources, the management of fleet capacity and access to resources. The Commission also plays an implementing role in the control and enforcement of related policies, and international relations. Member States are responsible for the collection of both 'fishery dependent' and 'fishery independent' data, upon which management advice is based.

The current system of scientific and technical advice provision is based on cooperation with national and regional fisheries research institutes, particularly within the framework of the International Council for the Exploration of the Sea (ICES). Typically, this involves formal agreements between national fisheries

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laboratories and administrations, and/or collaboration with regional fisheries organizations such as the Inter-American Tropical Tuna Commission (IATTC).

The only body explicitly charged with delivering scientific, technical and economic advice on fisheries to the Commission is the Scientific, Technical and Economic Committee for Fisheries (STECF). However, it too draws on the same pool of expertise within ICES, ie staff of national advisory bodies, and is mainly concerned with the delivery of desk studies. More original scientific research is generally beyond the Committee's remit, but can instead be promoted by research projects under the EU framework programme for research. Such research can generally provide support in the medium to long term, but its short-term responsiveness needs to be improved, if more immediate benefits are to be realised.

Key Weaknesses

While the Communication identifies a string of weaknesses in the provision of both operational or short-term advice, as well as strategic or long-term guidance, two key problems are highlighted.

- Firstly, *ad hoc* advice is often required at the EU level from the relevant advisory bodies. These bodies often have other contractual obligations and national priorities, making it difficult for them to divert staff and resources to Commission requests.
- Secondly, catch data is increasingly unreliable as an indirect result of perverse incentives for commercial fishermen to discard fish, and to also miss-report landings and catches.

Additional problems include the following:

- research is largely biological in nature, with a general lack of quantitative information about the social and economic impact of alternative management strategies;
- the Commission lacks in-house scientific expertise;
- there is little research into the state of fisheries in international and third country waters and the EU must do more to build capacity in developing countries to meet its international commitments; and
- it is only possible to obtain more and better advice by employing more staff and improving science.

The Need for More Systematic Advice

The Commission recognises its responsibility to ensure that the implementation of the CFP is consistent with 'good scientific information and good conservation practice', but points towards a significant mismatch between this obligation and available internal scientific expertise. In this respect and with a view to increasing external support from existing scientific bodies, the Communication highlights four areas where improvements to the advisory framework are urgently needed:

1. *Data provision* – particularly with respect to accurate catch data;
2. *Transparency* – addressing a general lack in scientific review procedures;
3. *Timing* – highlighting the need for rapid and accurate advice; and
4. *Inflexibility in advice* – highlighting the requirement for a more targeted

response to information needs, with a need for priority setting.

The Commission proposes two strategies to meet these needs: a) reorganising of provision of advice to improve both the relevance and timeliness of guidance; and b) increasing resources devoted to obtaining scientific advice.

a) *Reorganising the provision of advice*

It is suggested that the provision of scientific advice may be reorganised by strengthening co-operation between the fishing industry and scientists in data-collection and monitoring activity. This would be possible in the context of the proposed Regional Advisory Councils (RACs). Greater collaboration is envisaged regarding the formulation of multi-annual management plans, TACs, and the assessment of stocks. An emphasis is further placed on prioritising scientific research and resources on 'high-risk situations', increasing Community involvement in ICES and other organisations relevant to fisheries advice, and improving the institutional framework for responsive measures by defining clear policy objectives and by introducing a fast-track method for obtaining rapid answers.

b) *Devoting more resources to obtaining scientific advice*

In addition to the restructuring of the advisory framework at the EU level, the Commission identifies the need for more extensive data-collection, as well as more specialised staff and more sophisticated administrative structures. This should be matched with a more comprehensive financial package for the next three years, to be announced in 2003. Two options are identified for changes in the institutional structure for advice in order to meet long-term needs; i) a reinforcement of the role of ICES to include the provision of advice of special Community interest, and/or ii) the creation of a new scientific body to provide the science required by the Commission.

A common information infrastructure is envisaged, aimed at removing 'the obstacles for accessing and using publicly funded data', and at ensuring sufficient independence from political influence, thus enhancing the credibility of the advice services. Short-term tasks would include the preparation of *ad hoc* studies and STECF meetings, technical support for negotiations with third parties, and active participation in scientific developments. In the long term, there would be more comprehensive and strategic involvement in science and advice services.

More broadly, the Commission has been considering its responsibilities as regards the sustainable management and protection of the marine environment at large. This calls for a more integrated approach including aspects of coastal, freshwater and, where relevant, terrestrial 'policies'. One of the measures to be taken, as suggested by the Commission in the Communication 'Towards a strategy to protect and conserve the marine environment' (COM (2002) 539), could be the creation of a common marine monitoring and assessment strategy. This could result in more comprehensive and integrated reports at the EU level on the status of European

Seas, more focused assessments to inform fisheries management discussions, and improved indicator-based reporting on key trends.

In proposing a more integrated approach to improving scientific advice, the Commission hopes to rely on this and other strategies and regulations, including the new CFP basic Regulation (2371/2002). While this is welcome, there is little indication at this stage of how the various relevant initiatives will actually be joined up in order to achieve integration.

Assessing the Communication

Broad Identification of Problems, but Lacking in Direction

The Communication sets out the Commission's thinking on an improved Community information framework in general terms, rather than identifying specific remedial measures. In particular, it emphasises the Community's role as the principal user of fisheries science and advice for stock management, and thus attests its claim on the resource base.

Despite identifying the four areas of concern regarding effective advice (data accuracy, data transparency, timing of advice, and inflexibility of advice), the Commission produces little in terms of practical solutions to address these shortcomings. In particular, it is unclear how a shift to a more EU-level orientated research and advice system is to fit in with existing national research priorities and associated staff availability. The Communication also fails to differentiate between the symptoms and causes of shortcomings in advisory systems. Overstretched staff, for example, is often a symptom of excessive short-term demands from managers.

Is Money the Solution?

Despite acknowledging that it is questionable whether additional Community resources, if and when provided, would increase the actual resource base, or substitute existing assets, the general approach of the Commission appears to be focused on pouring more resources into the advisory system. In its synopsis of problems, it states that it is '*only* possible to obtain more advice by employing more scientific staff and supporting new science' [emphasis added]. This crude approach is further highlighted in the opening sentence of the conclusions 'there are too few scientists available to provide the advice needed...'. Some of the fundamental problems in scientific advice do not necessarily require more resources, but require changes in institutions and relationships between industry, scientists and managers.

The Commission also suggests that 'in a situation where fisheries are sustainable ...' the demands for management advice would be reduced' and thus the pressure on the system eased – a scenario which seems unlikely to bring relief in the medium-term future given the poor state of many commercial fish stocks.

What Type of Institutional Reform?

The Commission acknowledges that institutional changes are needed in addition to



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increased resources. However, approaches suggested in addition to simply increasing resources unfortunately seem to lack substance. While involvement of the fishing industry is recognised as being important, it is unclear how fishermen and RACs would fit into either the existing system or any new EU advisory body (if and when agreed). There is also no suggestion of how the fundamental problem of poor data resulting from incentives to misreport may be addressed.

Moreover, the Commission fails to specify how it is to address the discrepancies between national and European priorities that lead to some of the inefficiencies in the current system. While prioritising and clarifying certain information needs and management objectives may help to improve the general effectiveness of advice, the measures largely fail to address the capacity shortfalls identified by the Communication. Indeed, the suggested 'regular coordination between the Commission services, national fisheries research administrators and the directors of fisheries research institutes' and the additional 'rapid constitution of ad-hoc groups to address specific [fast-track] problems' are likely to up the pressure on delegates *already* burdened by 'a proliferation of meetings and committees'.

On a broader level, the Commission appears to be focusing on the current advisory and decision making system in isolation, without regards for other trends and policy developments. Although embedded in the CFP, there is little consideration of the implications of an ecosystem and precautionary based approach to management. There should be examination of what this means, eg moving away from data-intensive science-based advice and decision making. There should also be consideration of how scientific advice should be communicated to narrow the gap between EU policy and science.

An in-depth review of the provision of scientific advice by ICES with a view to improving its relevance, is one possible approach to increasing the efficiency of the current information system. However, this will not address the deficit in coordination and coverage of all European regional seas and the broader marine environment at large. More promising perhaps, is the envisaged common monitoring and assessment strategy outlined in the Commission's Towards a Marine Strategy paper. This arguably requires the setting up of a new EU level framework.

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