



Report of

**IEEP Workshop on CFP Regional
Advisory Councils**

Aberdeen, 2-3 June 2003

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Summary

1 Regional Advisory Councils (RACs) under the Common Fisheries Policy have come in response to demands for a more transparent, participative and tailored approach to fisheries management. The CFP Green Paper (2001) set out some basic principles of good governance, which were followed through in the 2002 'Roadmap'. These were subsequently translated into concrete provisions in the basic CFP Regulation 2371/2002 (Articles 31 and 32).

2 Although there is a legal basis for establishing RACs, further work is needed before they can be formally established. The Commission and Member States are currently examining different ways of taking this forward, with an EU framework covering all RACs to be agreed early in 2004. This should pave the way for the setting up of individual RACs, reflecting the needs and priorities of different regions. The purpose of the IEEP workshop was to encourage discussion of the different options, with a view to inform Commission and UK thinking.

3 There are, quite naturally, different views of and expectations on RACs. Fishermen see them primarily as a means for achieving more active participation in the management process as well as building bridges with scientists; anglers see an opportunity to be recognised as important resource users, who should have a say in management; environmental interests hope that they will facilitate ecosystem-based management. The extent to which these ambitions will be realised will depend on a number of factors, not least the existence of mutual trust, respect and openness.

4 Under the CFP, the purpose of RACs is to involve stakeholders and move towards sustainable fisheries and the progressive implementation of an ecosystem-based approach to resource management. RACs are to advise the Commission and Member States, commenting on official proposals. Ideally, RACs should also contribute proactively to the policy debate. While the potential range of issues to be addressed by RACs is wide, there seems to be agreement among most stakeholders that 'easier' tasks, where common ground can be found, should be prioritised, allowing RACs to mature a little before more difficult issues are tackled.

5 RACs should reflect bio-geographical regions, while corresponding to appropriate management units. It may not be desirable to have too large a number of RACs, for financial, administrative or resource reasons. However, it is important that RACs are sufficiently 'close' to stakeholders. One suggestion is that RACs be established for the Baltic Sea, North Sea, Irish Sea, West of Britain, South West approaches, Bay of Biscay, and the Mediterranean.

6 The establishment of RACs should be inclusive from the start. At EU level, the views of different interests need to be canvassed in developing an EU wide RAC framework. Industry involvement in RACs will be essential, with the sector making up between 51 and 75 per cent of the membership. The 'sector' could potentially include all resource users, such as offshore, inshore and recreational fishermen. Environmental

interests and other stakeholders should also be included as members. Public authorities and scientists should have observer status. The chair will preferably be independent but empathetic. RACs should avoid becoming too large and unwieldy, perhaps by limiting the core membership to 25 persons.

7 Although there are bound to be animated discussions concerning composition, it is perhaps more critical to ensure that the RAC operates in an atmosphere of trust, engagement and open communication, backed up by clear dispute resolution procedures. Attendance by the Commission, at least in the earlier phases, could ensure that broad interests are 'defended'.

8 A number of specific structural and operational aspects need to be considered, either by the Commission and/or the RAC initiators. These concern the secretariat, the identification of a core group (the RAC) and working groups, whether to have (annual) public meetings and/or publish reports. Funding will affect the nature and frequency of meetings, but should not lead to unfair exclusion of certain interests.

9 If RACs are going to be a success they have to be meaningful for all participants, and aim for consensus whenever possible. RACs have the potential to make a significant contribution to the development and implementation of the CFP, if advice is based on consensus, and a fair and transparent debate and discussion between stakeholders.

1. Introduction

EU Regulation 2371/2002 formally introduced the concept of Regional Advisory Councils (RACs) into the Common Fisheries Policy (CFP). RACs are essentially intended to reinforce the contribution of stakeholders in the development of EU fisheries policy. Although there is now a legal basis for RACs, there are many uncertainties as to how they will work in practice, not least in relation to their scope, composition, operating rules and funding base.

The IEEP RAC workshop, held in Aberdeen in June 2003, was the initiative of IEEP, and was aimed at bringing together different interest groups, primarily from the UK, to discuss views of and expectations on RACs, and how they can and should work. There was also an opportunity to get up-to-date information about various UK-led regional seas initiatives, to help inform the RAC discussion. The meeting was to inform the development of the RAC framework currently being elaborated by the European Commission, as well as the subsequent establishment and functioning of individual RACs. The workshop was made possible by the financial support provided by the Esmée Fairbairn Foundation, and the hospitality provided by Aberdeenshire Council.

The following report provides an overview of presentations and discussions during the meeting. The full programme and list of participants are provided in separate annexes. *While every effort has been made to ensure a balanced reflection of the proceedings, this summary report is in no way binding on the delegates who attended the event.*

2 EU Framework and Process for Developing RACs

Baudouin Sury of DG Fish (European Commission) provided an overview of the RAC concept, its legal base and the process for developing RACs over the coming year(s). The main rationale behind RACs is to open up the policy process, and to do so in a way that more closely reflects the concerns of local stakeholders. The legal provisions concerning RACs are very generally formulated, and there is little EU experience of developing a regional approach such as this. The Commission is therefore welcoming ideas from different parties as to how RACs might function in practice.

The Commission is currently consulting the Member States on RACs and, once consultations have been completed, is expecting to draft a framework setting out the overall approach to be taken in setting them up. This could identify common rules on composition, size and operating structure to be followed by all, bearing in mind the need for individual RACs to accommodate regional differences. The RACs themselves would be established through a regulation, following a recommendation by at least two relevant Member States.

The purpose of RACs is set out in Article 31(1) of Regulation 2371/2002, which states that they shall be established to contribute to the achievement of the objectives of Article 2(1), ie to ensure exploitation of aquatic resources that provides sustainable economic, environmental and social conditions, applying the precautionary approach and progressively implementing an ecosystem-based approach to fisheries management. In particular, RACs are to advise the Commission and Member States on matters of fisheries management with respect to certain sea areas or fishing zones, potentially covering issues such as recovery plans, and monitoring and enforcement.

It will be up to stakeholders to define which areas RACs should cover, and thus also how many there should be, although it would be preferable for them to correspond to management units. The Commission believes there should be enhanced representation of fishermen (including crew, vessel owners, processors, etc), who should be in the majority (ie 51% or more of the members). Scientists should be invited to participate, but not as members. The overall size should be limited, although the actual size would be left to the individual RAC, as will the composition and choice of operating structures.

Funding will be critical, not least to provide for a secretariat. During 2003, €400,000 has been earmarked from the Community budget to cover set-up costs, but other sources of funding will be needed. In order for RACs to be credible, they should be publicly funded, perhaps using FIG and co-financing provided by different Member States. It is the view of some Member States that, in the long term, RACs should move towards becoming self-financing.

Even though RACs are only advisory, they open the door to more participative management. Stakeholders will need to play a proactive and constructive role in RACs, while policy makers will need to provide the means for their effective operation. The better RACs are seen to function, the more compelling will be their advice.

Discussion

The RAC concept has raised much interest in the UK, and several background seminars and workshops have taken place here and in Ireland. Mr Sury was not aware that this had happened to the same extent in other Member States. There is currently a lot of interest in the Mediterranean region, but no concrete proposals have emerged as yet.

How RACs will interact with the Advisory Committee for Fisheries and Aquaculture (ACFA) is uncertain. There are a number of options for keeping ACFA informed of discussions that take place in RACs, such as by establishing an annual reporting process, but it will be important to keep bureaucracy to the minimum. In any case, there will be a continuing need for ACFA to address general questions, as well as those relating to fisheries not covered by RACs.

Regulation 2371/2002 states that RACs should be composed principally of fishermen and representatives of other interests affected by the CFP, such as fisheries and aquaculture sectors, environment and consumer groups, and scientific experts. The fishing industry should be in the majority, but it will be up to the sector to decide how they are represented. Other stakeholders should include recreational fishermen. However, it would not be ideal if all stakeholders were present at every meeting. In formally setting up a RAC, consideration will need to be given to appropriate representation of the different interests, as well as size and focus. Once this has been done, one or several national administration(s) would be approached and asked to propose the RAC to the Commission.

3 The UK Process

Ed Dyson of the Department for Environment, Food and Rural Affairs, provided the UK Fisheries Departments' perspective on RACs, and the UK's approach to consultations. DEFRA is working closely with the Scottish administration (SEERAD) on this issue.

The advantage of RACs is that by coming forward with region-specific advice that has been agreed by relevant stakeholders, there should be a greater chance of influencing policy. On certain issues, ie inshore and emergency measures, there is in fact a requirement to consult RACs.

RACs need to be bottom-up or stakeholder-led, with sufficient flexibility to decide how they will operate. It seems appropriate for scientists to be advisers or observers, rather than full members, since they need to remain independent in giving official advice. The role, working methods and independence of the chair will be important to clarify, as will the issue of financing. Some fisheries partnerships have already examined, for example, the potential to access funds under the INTERREG Community Initiative. The North Sea Fisheries Partnership and the South-West CoBAS (Invest in Fish) project illustrate the potentially wide range of issues that could be tackled by RACs, as well as different funding options. It will be useful to learn from these initiatives.

The Commission is likely to draft a framework for RACs before spring 2004. DEFRA will be seeking provisional comments on the issue by the end of June 2003, and formal comments later in the year. In particular, views are being sought on the following issues: constitution, terms of reference, what should be set out in the EU framework, location/boundaries of RACs, process for reaching consensus/decision-making process, appointing a chair, funding, and procedures for the Commission and Member States to consult RACs.

Discussion

There appears to be agreement that Norway could participate in a RAC, at least as an observer, if its fleet is affected. However, Norway would not be bound in any way by discussions. Any other EU country with an interest/exploiting the resources in the region, would also have to be allowed to participate. It is not clear whether Spain would wish to get involved in a North Sea RAC. This may depend on funding arrangements, but stakeholders will probably want to be involved if they think they will benefit from it.

ICES or other national scientists would provide a valuable input into RACs, but in principle other scientific advice could also be bought in. One important question is whether RACs would have to pay for additional requests put to ICES.

4 Identifying suitable objectives, coverage and remit of RACs

During discussions in four breakout groups, delegates identified the following key issues in relation to objectives, remit and area coverage.

4.1 Objectives and remit of RACs

Participants broadly agreed on the overall remit of RACs, which should be in line with Regulation 2371/2002. RACs should therefore aim to deliver the CFP objectives of resource management as outlined in Article 2(1), including sustainable development, and defining and implementing an ecosystem-based approach.

‘Resource management’ could be approached in its broadest sense, ie addressing economic, social and biological aspects of sustainability, for example, by considering effort controls, marketing aspects and structural adjustment. RACs could even play a role in establishing marine protected areas.

The specific function of RACs would be to:

- provide advice to and receive information from the Commission and Member States. RACs would channel information between local stakeholders and policy-makers, on both a reactive and proactive basis;
- act as a transparent and accountable, inclusive and credible voice contributing to the formulation of fisheries management policies, driven by the integrated interests of the range of stakeholders;
- provide a long-term perspective to management, based on agreed objectives to secure sustainable fisheries; and
- share good and bad practice between RACs, so as to improve fisheries management within the EU more broadly.

Territorial waters are, according to the CFP Regulation, to be covered by RACs. This is logical since decisions taken inshore can have impacts offshore, and vice versa. Indeed, in seeking to apply an ecosystem-based approach, it would make little sense not to integrate and coordinate inshore and offshore management.

4.2 Area coverage

The reason behind the establishment of RACs is so that management can be tailored more closely to the regional ecosystem and socio-economic circumstances, while bringing stakeholders into the process. It is important that financial constraints do not result in a small number of large RACs unable to fulfil the above needs.

Most of the proposed regions (Baltic, Mediterranean, North Sea), seem acceptable although a ‘western Atlantic arc’ RAC could be too large and unmanageable. Instead, this region could perhaps be split into the Irish Sea, West of Britain, south west approaches and Biscay.

To deal coherently with migratory stocks (tuna, swordfish), as well as other ‘transboundary’ issues, interlinkages between RACs will be important.

5 Industry, recreational and environmental perspectives on RACs

Hamish Morrison of the Scottish Fishermen's Federation and Doug Beveridge, of the National Federation of Fishermen's Organisations set out some key issues, from an industry perspective. The UK industry has been fairly instrumental in promoting the regional management concept. Views between the fishing industry and scientific community are currently quite polarised. RACs could help to improve things, but their success will depend on their size, composition and objectives.

The industry should have at least 75 per cent of the seats, and there should be no more than 30 members in total. RACs objectives should focus in the first instance on urgent remedial action needed to compensate for the failure of the CFP, ultimately aiming to improve fisheries management in a significant way.

If RACs are to become a permanent and useful feature of the CFP, they will need to score some early successes. There seems to be little point, therefore, to seek controversy early on in the process. It is not difficult to identify areas where there is common cause amongst fishermen. One relates to the perceived shortcomings in the quality and timeliness of scientific advice. More contentious issues can be tackled after a year or two, when there is a greater level of trust, among fishermen in particular.

Membership of RACs could be problematic. Everyone who has ambitions to participate should set down precisely what their contribution might be. We must focus on real added value. Membership should be combined with an intelligent use of observers, to include the views of those who have a claim but no right, according to a RAC constitution. In general, we should aim to include all available input. One option for including a wider group is by organising an annual public conference.

Malcolm Gilbert of the National Federation of Sea Anglers and Jan Kappel of European Anglers' Alliance provided an overview of recreational sector interests in relation to RACs. Recreational fishermen have not generally wanted to be involved in the political debate but as fish stocks are disappearing, anglers are becoming increasingly frustrated. In many European countries, the recreational fishing sector is of greater economic significance than the commercial. Yet, despite enormous social and economic benefits, the sector is only responsible for 3 per cent of total fishing. Using marine resources for sea angling would therefore provide the best economic returns. Fishing policies should be formulated to reflect this. Anglers also spend money on boat building, clothes and sea angling media. In the EU, only Ireland and Denmark have made the connection between sea angling and tourism/socio-economic development.

Since 2003, the CFP no longer excludes recreational fishing, yet some clearly believe that the commercial industry should still dominate. Regulation 2371/02 provides the legal basis for RACs. No mention is made of anglers, but the aim of RACs is to secure sustainable exploitation, something anglers are very good at. Sea anglers are also economically important and directly interested fishermen, and they consequently have a right to participate on the same footing as other resource users.

Sally Bailey of WWF Cymru, outlined her views on engaging environmental interests in RACs. WWF believes that regional management is desirable, but this needs to be based on transparency and accountability. If at this stage we cannot show ourselves to be transparent, then it is unlikely that RACs will develop into something more

substantial in the future. RACs need to be well structured and have an independent chair. Within this framework, independent NGOs should be represented.

In the UK, the developing fisheries partnerships provide some lessons. The North Sea Commission Fisheries Partnership is one example, but it includes no environmental interests at the moment (it is an alliance between scientists and fishermen). The North Sea initiative could be built on to develop a RAC, however. The south-west 'invest in fish' CoBAS project is another way of working with all the different stakeholders. In the Irish Sea, there is also a developing partnership, but it is at a very early stage.

When WWF has worked with industry, as it has with SSF, NFFO and the industry in Wales, the result has been very positive. Furthermore, a consensus view presented to the Commission is far more powerful. Building a consensus, which is the aim of RACs, is therefore critical.

Discussion

There was general agreement that the sector should be in the majority on RACs, including fishermen, vessel owners, processors and recreational fishermen. Environmental and recreational interests should also be represented on RACs, as well as on working groups.

It will be important for individual members to be given a proper voice, enabling their full and meaningful participation. The Commission should set down certain principles binding on all RACs, ensuring a certain level of consistency between them. As we have learned from ACFA, how a group functions can be just as much about chairing and rules, as about numbers. RACs should decide on their own composition but EU guidelines should prevent them from being unbalanced or otherwise dysfunctional. In any case, advice that is not based on consensus will probably be less convincing from the Commission's perspective.

Some industry representatives suggested that membership should reflect the level of dependence upon the success of a RAC. For example, retailers may have alternative suppliers, whereas fishermen may not have alternative grounds to fish. The core group should therefore include those who have no alternative to sustainable management, apart from bankruptcy. Having said that, many agreed that other stakeholders such as environmental interests and anglers should be included in the core RAC.

6 Learning from experience

6.1 *The North Sea Commission Fisheries Partnership*

Tony Hawkins outlined the North Sea Commission Fisheries Partnership, which brings together scientists and fishermen from about nine countries. The premise for the partnership was to improve the relationship between scientists and practitioners, by providing a forum to discuss different issues. Environmental interests are not partners but have been invited to specific meetings. The first meeting of the partnership was held in Bergen in 2001.

Fishermen from around the North Sea are suspicious of scientists, and increasingly expect that the process for elaborating scientific advice should be opened to public scrutiny. Under pressure from the Partnership, ICES is introducing peer review of their

stock assessments, and there have been meetings with the Partnership for this purpose. If ACFM were more transparent, however, there would be greater understanding of how the scientists operate. We need to move away from the idea that managers are the only experts. Fishermen are also experts and should be listened to.

The Partnership wants to continue as it is, but can provide the expertise to facilitate the setting up of a RAC for the North Sea. The suggested approach would be to open up RACs to large numbers of stakeholders, by creating working groups and an annual conference. Working groups could, for example, include recreational fishermen in the North Sea. Advice to the Commission could be provided by a core group, where fishermen would be in the majority. There should be some representation in the core group from environmental interests, onshore industries and consumers. It is important that RACs do not become talking shops and that members reach some sort of consensus.

Work in drafting a RAC constitution is ongoing under the Partnership, and should be completed in July. This will be forwarded to the relevant representatives in the different countries. It is important to build on what has already been achieved in the Partnership.

Discussion

Scientists, while independent, respond to requests from administrations. Fishermen and scientists should work together in order to ensure fishermen's expertise is integrated into assessments and suggestions for subsequent management measures. In relation to cod, ACFM advice had come as a bit of a shock to the sector, since the severe state of the cod stocks had not emerged from industry discussions with ICES.

The Partnership is in a quandary about how to involve NGOs in the sense that there is no single organisation that they can turn to.

6.2 *An Irish Sea RAC?*

Clare Eno of the Countryside Council for Wales (CCW) has been working on behalf of the UK statutory nature conservation agencies on integrated regional fisheries management, specifically in the Irish Sea. CCW commissioned a report on regional management, which was then subjected to stakeholder consultation. Extensive opportunities for stakeholder input have been provided and this has led to calls for fishermen and others to form a steering group, where fishermen are the main players. The steering group is to develop a network of stakeholders and a pilot RAC. The intention is that the project is henceforth, driven by fisheries interests, facilitated as required.

The sustainable future of European fisheries is dependent upon adopting an ecosystem-based approach to fisheries management. Regional management is an ideal vehicle for achieving this. The size and location of RACs around Europe may be partially dictated by political will, although they should not be forced on regions but should be driven by the regions themselves. They should be small enough to ensure some level of identity by stakeholders, but large enough not to place undue strain on limited resources. Moreover, there are good reasons for regarding the Irish Sea as a distinctive ecosystem.

RACs could act as think-tanks for developing a strategic vision for the regions concerned, and conveying integrated, preferably consensus-based advice to policy-makers. The creation of RACs should not be hurried, and should be industry-led. The

first stages would involve setting up a steering group or partnership, reflecting the range of membership. It would decide on the geographical boundaries, functional scope and final membership. A two-tier structure is proposed to accommodate the potentially large numbers of interested, legitimate stakeholders. This would consist of a conference and a small council, supported by integrated working groups.

Discussion

A meeting was held in Liverpool in 2002 to come up with a proposal for an EU Interreg bid, but as the component countries were not there, it was decided that this should be deferred to a steering group, and hence a proposal was made to set this up. Setting up a steering group will involve agreeing terms of reference and a chair, but also looking forward to how detailed proposals can be developed (hopefully with funding being secured) and then relayed back to stakeholders for their input for potentially developing an RAC.

Delegates debated the pros and cons of the approach taken in this project. While the background work was important, the best way to proceed now is to start creating a RAC and address some of the outstanding details as these arise. But it was noted that all stakeholders, including environmental interests, should be involved from the beginning, when the objectives for the RAC are set. The approach taken in the Irish Sea has been inclusive from the beginning, in contrast to the North Sea Commission Fisheries Partnership.

6.3 *The South West CoBAS 'Invest in Fish' Project*

Nathan de Rozarieux presented **the South West CoBAS Project**, which is a result of collaboration between WWF, NFFO and SFF. The main idea is that we need short-term investment in the sector, in order to secure long-term sustainable fisheries. The initial predictions coming from the project are that any investment made now would be repaid several times over in the future.

The project has a steering group, including the main fish producer organisation in the South West. A detailed and comprehensive study is to be undertaken, involving for example data collection, modelling and public consultation, essentially to undertake a cost benefit analysis of investing in the sector. The project will be subject to a continuous process of peer review. The work of the steering group is set out in a non-legal memorandum of understanding.

A key issue for the project is to include interests from other Member States, notably France and Spain. UK vessels are responsible for only a small part of the fishing effort (probably 15%) in the region. Initial contacts with other Member States have been made and a meeting is planned for this summer. Already, the possibility of establishing a RAC as a spin-off product of the project has been mentioned.

Discussion

Funding is now coming on stream, allowing work to begin in September 2003. Following a bottom up approach, the project will start with stakeholder consultation to get a clear idea of what local communities want. Other aspects of the project will follow on, and the project should be completed in 31 months, ie in 2006. However, there is

every intention to use the results of the project as they emerge, rather than waiting until 2006.

It is hoped that the project can link into a RAC, or at least feed into a RAC. There is a real problem in defining the structure and ensuring good governance in such an organisation. The CoBAS project has taken an inclusive approach, both with regards to its steering group and to those undertaking the various aspects of the study. This process has in itself provided lessons on how to bring people together at a regional level.

7 Principles of good governance

Clare Coffey of IEEP took the opportunity to outline some of the global commitments on good governance, including the 1998 Århus Convention on access to environmental information, public participation in decision-making and access to justice, and the FAO Code of Conduct for Responsible Fisheries. The latter refers to transparency, consultation and participation in decision-making, and the need for solutions to be sought in a timely fashion. At the EU level, the Commission's White Paper on European Governance (2001) establishes a number of key good governance principles: participation, openness and accountability, early and effective consultation, and coherence across sectors/issues.

Applied to RACs, a key challenge for the Commission will be to ensure balanced and meaningful participation by stakeholders, transparency and accountability in proceedings, compliance with EU/national laws (eg Natura 2000), and coordination between RACs and other organisations. In addition, the Commission should itself commit to early and repeated consultation of RACs, and to provide feedback on how the views of RACs have been accommodated.

Specific issues to be tackled by each individual RAC will include:

- appointment of an independent chair and core members;
- defining the roles of the chair, members, observers, experts and the Commission;
- agreeing methods for reaching consensus or addressing disputes;
- deciding on the structure of the RAC (eg secretariat, plenary and working groups);
- agreeing on operating languages and other communication issues;
- dealing with costs of participation; and
- securing transparency by defining clear aims, providing reasons for the RAC composition, making minutes publicly available and explaining advice.

Consideration should also be given to establishing monitoring and review arrangements, so that the structure and work of RACs can be adjusted in due course, as necessary.

Discussion

The establishment of RACs is unlikely to spell an end to ACFA, although certain ACFA members are undoubtedly a little nervous. Perhaps ACFA should no longer be asked for advice on region-specific questions, although they can of course keep a watching brief. Many of the organisations represented in ACFA will eventually have members in RACs.

8 Composition, operational aspects, rules of procedure and funding

Four breakout groups discussed composition, operational aspects and rules of procedure in more detail, with the following conclusions.

8.1 Composition

Most felt that RAC membership should be inclusive from the beginning. This includes the breadth of interests, while respecting regional specificities. RACs should nevertheless be fishermen-led. Whatever their interests, all members should add value. Beyond this, it will be difficult to define who is a legitimate stakeholder or not, particularly given the objective of ecosystem-based management. The national administration or fishermen's federations could be approached in order to gather opinions on possible core members.

One challenge will be to accommodate the different national interests, including from non-coastal States having a more marginal 'interest', as Spain might have in the North Sea. Such countries could be given observer status in the core RAC, with opportunity for more direct involvement in relevant working groups. This would be controversial, however. There would also need to be a mechanism to ensure that 'external' interests such as this were not overly represented, in terms of numbers.

The RACs should have access to independent scientific advice, as well as socio-economic expertise. The Commission and fisheries departments should be engaged, the latter especially in relation to inshore issues where decisions will be taken at Member State or sub-national level.

The overall limit on numbers should be dictated by operational effectiveness, with most agreeing that 30 would be suitable maximum number for the core group.

8.2 Structure

The core group and/or the chair could decide on the structure of the RAC, but the following components were suggested:

- chair - should be empathetic, but objective, independent and dispassionate. The chair needs to be fair, a good facilitator and arbitrator, and respected by the range of stakeholders. They would need to be sufficiently trusted to respond to emergency requests for advice, with support from a secretariat. The chair could come from outside the EU.
- core group - could be expected to meet twice per year, allowing public access to the meeting. The meeting place could be rotated between coastal States, providing an opportunity for local participation.
- working groups - should be time-limited and task-focussed. All the main interest groups should be given an opportunity to participate in working groups.
- annual conference – providing an opportunity for a review of progress and agreement of objectives, and wide public access.

- secretariat - would need to be independent, perhaps part-funded by one of the coastal States . A protocol should be established to guide the work of the secretariat, since it would play a key role.

A link should be established between RACs and the Council of Ministers, either via national fisheries departments, the Commission and/or even by having the chair of a RAC report back to Council or informal Council meetings. Interaction between RACs would also need to be ensured.

8.3 Operational aspects

RACs should operate within a framework of strong principles and operational guidance, and according to agreed objectives, targets and work schedule. The core group should establish these. To some extent, RACs would need to accommodate the Commission's priorities, but care should be taken to ensure that they are not purely responsive. To inform 'outsiders', including the Commission, ACFA and the wider public, a review of issues, progress and objectives could be set out in an annual report.

There are various ways in which advice could be prepared, eg a report 'bought in' from external experts, or by RAC members with support from outside experts, much like select committees.

It was widely agreed that RACs should aim for consensus, not least because this would probably make them more influential. In some cases, however, the RAC could provide pros and cons of different options, rather than trying necessarily to identify one universally accepted solution. RACs should start by focusing on less controversial issues, since early conflicts could undermine the whole concept.

If it proves critical to resolve a dispute, but impossible for the chair to do so, then the Commission could be asked to intervene. The Commission may also need to get involved in resolving differences between RACs. Some form of arbitration may also be needed to agree on the final composition of RACs, and indeed on the selection of the chair.

Despite the lack of a clear way forward, there is some support for taking the plunge sooner rather than later, and working things out along the way.

8.4 Funding

The issue of funding is likely to be critical to the operation of RACs, particularly given their multi-national membership. Key questions include:

- what is funding needed for - set-up or running costs (secretariat), *ad hoc* expert input, meeting costs (travel, participation time), translation/interpretation?
- where should funding come from - EU/national aid, in-kind contributions, stakeholders?

DG Fisheries has a small budget (€400,000 in 2003) to cover start-up costs. Given the potential importance of RACs, it was felt that the Commission was not investing sufficient resources (human and financial) in the whole exercise. If RACs result in less activity within ACFA, then there may be an opportunity to redirect some funds from the

ACFA budget. In the long term, for the period beyond 2006, the Structural Funds Regulations could perhaps be adjusted to support RAC running costs.

As regards contributions from stakeholders, in Australia, the industry pays for the development and administration of strategic planning, including regional committees. Would the EU sector be willing to pay for good management? In the UK, fishermen pay a levy to the Sea Fish Industry Authority and it was suggested that perhaps this money could be redirected towards RACs. Alternatively, one could charge for quotas and use the funds to cover management costs. The 'Invest in Fish' project provides a good example of key stakeholders seeing the benefit of short-term investment, for long-term gain. It was felt that if RACs were successful, then people would in any case be more willing to contribute (even just their time) to participate.

There was agreement that key costs would be associated with the chair and secretariat, travel and communication. The latter could absorb a lot of money, although expenditure could perhaps be reigned in by using of electronic means. Other cost items might include:

- costs for obtaining scientific advice from ICES, over and above that requested by the Commission. While every attempt should be made to provide data free of charge, or at a low cost, RACs might benefit from buying in their own advice.
- the initial development of a resource inventory or a strategic plan for the RAC. These items could inflate start-up costs considerably, but would provide a strong framework for future action.

9 Conclusions

Baudouin Sury closed the workshop with some concluding remarks. He noted the lack of time to resolve all the outstanding issues, but if we wait for the perfect theoretical model of a RAC to be developed, we might miss the boat.

If it is agreed that RACs should be ambitious in terms of their objectives, and at the same time ensure their contribution to implementing an ecosystem-based approach, then we need to find a pragmatic approach. A RAC will need to score early goals, and one of its first tasks will be to respond to/advice on draft recovery plans, which is no small task.

RACs can make a contribution by providing integrated advice to policy-makers. Good scientific advice is not enough, even if it is a precondition for management. Stakeholders, notably fishermen, can play an important role in ensuring advice takes account of different issues. Developing a code of good practice could be an interesting avenue to pursue.

The different initiatives outlined during this workshop show promising but very different approaches, starting from a range of perspectives. However, on many points, the conclusions of the different initiatives converge. For example, there is a clear need for transparency in EU decision-making, including on the role and impact of scientific advice, as well as for building/developing trust between stakeholders. As to the composition of RACs, authorities and the Commission probably have a role to play, perhaps as facilitators or advisors in the start-up phase.

Annex I

Agenda for IEEP Workshop on CFP Regional Advisory Councils, Aberdeenshire Council, Woodhill House, Aberdeen, 2-3 June 2003

Chair: Tony Hawkins

Monday 2 June 2003

- 14.00 - 14.15 **Welcome - Raymond Bisset, Provost of Aberdeenshire Council & Chairman of the North East Scotland Fisheries Development Partnership**
- 14.15 - 14.30 **Introduction - Niki Sporrang, IEEP**
- 14.30 - 15.00 **EU framework and process - Baudouin Sury, DG Fish, Commission**
- 15.00 - 15.15 **The UK process - Ed Dyson, DEFRA**
- 15.30 - 16.30 Discussion in breakout groups on objectives, area coverage and remit of RAC.
- 16.30 - 17.00 **The industry view – Doug Beveridge, NFFO & Hamish Morrison, SFF**
- 17.00 - 17.15 **Other users - the recreational sector - Malcolm Gilbert, NFSA/BASS & Jan Kappel, European Anglers' Alliance**
- 17.15 - 17.30 **An NGO perspective - Sally Bailey, WWF Cymru**
- 18.15 - 18.30 Discussion and conclusions

Tuesday 3 June 2003

- 09.00 - 09.20 **The North Sea Commission Fisheries Partnership - Tony Hawkins, NSC**
- 09.20 - 09.40 **An Irish Sea RAC? - Clare Eno, CCW**
- 09.40 - 10.00 **South West CoBAS project - Nathan de Rozarieux**
- 10.30 - 10.45 **Principles of good governance - Clare Coffey, IEEP**
- 10.45 - 13.45 Discussion in breakout groups on composition, operational aspects, rules of procedure and funding
- 13.45 - 14.15 **Summary of the workshop - Niki Sporrang, IEEP**
- 14.15 - 14.30 **Concluding remarks – Baudouin Sury, DG Fish, European Commission**

Annex II

Workshop Delegates

Bailey	Nick	Fisheries Research Services, Marine Laboratory
Bailey	Sally	World Wide Fund for Nature (WWF) Cymru
Bell	Ann	Aberdeenshire Council
Beveridge	Doug	National Federation of Fishermen's Organisations
Bond	Colin	National Federation of Sea Anglers
Cairns	Jo	Institute for European Environmental Policy
Carleton	Crick	Nautilus Consultants
Casey	John	Centre for Environment Fisheries and Aquaculture Science
Coffey	Clare	Institute for European Environmental Policy
Coghill	Alan	Orkney Fisheries Association
de Rozarieux	Nathan	South West CoBAS Project
Duncan	Ian J	Scottish Fishermen's Federation
Dunn	Euan	Royal Society for the Protection of Birds (RSPB)
Duthie	Derek	Scottish Pelagic Fishermen's Association Limited
Dyson	Ed	Department for Environment Food and Rural Affairs (DEFRA)
Eno	Clare	Countryside Council for Wales
Gilbert	Malcolm	The National Federation of Sea Anglers
Hawkins	Tony	North Sea Commission Fisheries Partnership
Heard	Jessica	Inst. of Marine Studies, University of Plymouth
Kappel	Jan	European Anglers' Alliance
Lovie	David	Scottish White Fish Producers Association
Macconnell	Peter	Bass Anglers Sportfishing Society
MacRae	George	Scottish White Fish Producers Association Ltd
Marrs	Sue	North Atlantic Fisheries College
McCull	Roddy	The Fishermen's Association Limited
McIntyre	Alasdair	University of Aberdeen
McLachlan	Helen	World Wide Fund for Nature (WWF) Scotland
McPherson	Hamish	The Scottish White Fish Producers Association - Hopeman & Burghead Branch
Moaut	Beth	Scottish Natural Heritage
Morrison	Hamish	Scottish Fishermen's Federation
Sharp	Rowland	National Federation of Sea Anglers
Spencer	Sue	Scottish Executive
Sporrong	Niki	Institute for European Environmental Policy
Stead	Selina	University of Aberdeen
Sterland	Mike	Sea Anglers Conservation Network
Stuart	Lachlan	Scottish Executive
Sury	Baudouin	DG Fish, Horizontal policy
Watt	John	The Scottish White Fish Producers Association - Fraserburgh Branch
Woodhatch	Libby	Seafood Scotland