

## GOVERNANCE APPROACH TO FISHERIES POLICY

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### Abstract

One of the most important policies of the European Union that became separated from agricultural policy is the fisheries policy, developed to ensure the future of fishing industry as well as environmental protection. These are the main reasons I chose the subject; secondly, I'm interested in the way the policy is implemented in member states, related to governance approach.

The Romanian territory is characterized by the presence of many rivers, lakes and, of course, the Black Sea and the Danube Delta; all these elements represent a considerable amount of fish. To be applied in Romania, governance approach to fisheries policy requires a significant number of partnerships at national, regional and local level, and also the existence of consultation with other ministries, institutions, research institutes, associations, NGOs and other factors involved in governance.

The main conclusion of my paper is that fisheries management decisions have to be taken involving fishermen and stakeholders, and must take into account national particularities and specific features of this area. Even if governance theory and practice have their critics, I think it also brings many arguments that support the idea mentioned before and a well implemented policy through a set of governance parameters leads to a long-term balance and sustainable use of living aquatic resources.

### Keywords

Decisional cooperation; decision levels; accountability; sustainability fisheries policy; environmental policy.

## 1. INTRODUCTION

European Union has a large number of policies and, in my opinion, one of the most important is Agriculture, Fisheries and Food. I localise my research area in second part of this policy, more precisely Common Fisheries Policy (CFP) which is bound of other policies; it consists of four interrelated policies: markets, structures, external fishery relations and conservation. Given this fact, one of the most significant aspects is that EU fisheries policy is facing changes due to increasing environmental concern.

As EU is the largest single fisheries market in the world and a clear importer of fish and fish products, it is necessary to keep improving this area through various measures, gainful changes for the actors involved because the CFP was created to manage fish stock for European Union as a whole. It also has to ensure that the industry is regulated in member states and European consumers are assured of quality and safety of fish and fishery products.

The main question I want to answer through this study is what forms and elements of governance are present in fisheries policy applied in Romania and the results of ongoing processes.

## 2. PAPER ASSUMPTION

Starting from the importance of this policy, I wanted to analyse the policy-making of fisheries through governance in Romania. I chose Delta region because it turns into a laboratory where different stakeholders are working together to achieve a sustainable spatial, economic and social development in the field of fisheries. Danube Delta is one of the most important European wetlands and it is a real museum of biodiversity, a natural genetic bank with incalculable value for the worldwide natural patrimony. My hypothesis is related to the search of governance elements in fisheries policy and I chose as a case study the activity of Fisheries Local Action Group from Danube Delta that has the purpose of some projects that are going to be implemented in 2014-2015. Why did I choose this field? The main reason is that the fisheries management is shifting from EU and member state level towards regional and local level. In my research, I have firstly analyzed the main outlines of

multilevel governance and afterwards the elements of network governance. Studies have shown that there may or may not entirely be found the principles of governance in a particular area. So it happens in my paper.

### 3. THEORETICAL FRAMEWORK

#### 3.1. General ideas about governance

As I said before, I think that governance plays an important role when it comes to policy-making process. The word „governance” derives from the Greek verb κυβερνάω [kubernáo] which means to steer. It was used for the first time in a metaphorical sense by Plato; it then passed on to Latin and then on to many languages ([http://ec.europa.eu/governance/docs/doc5\\_fr.pdf](http://ec.europa.eu/governance/docs/doc5_fr.pdf)). Governance was used as a synonym for government in earlier research, until middle of last century. As soon as the administrative apparatus of the states couldn't answer the citizens' needs, the cleavage of two concepts took place therefore governance emerged and developed in the mid 80's and it is applied since then in analyses from various fields of policies. Shortly said, the concept of governance questions the legitimacy and effectiveness of the nation-state and the market as means of providing public goods. Nevertheless, the governance lacks a widely accepted definition, fact which is the indicator of a vibrant and current debate since authors assign different meanings and definitions to governance.

Regarding the European Union, the White Paper on European Governance represented the official view concerning the way in which EU uses the powers given by its citizens seeing that many Europeans feel alienated from the Union's work. The document prepared by European Commission gave the following definition for governance: “Governance means rules, processes and behaviour that affect the way in which powers are exercised at European level” (European Commission 2001, p. 8), presenting five associated principles – openness, participation, accountability, effectiveness, and coherence.

Even if the concept should be more specific in EU policy-making because it limits the implementation at EU level, the White Paper gave a sketchy definition; this is way I rather use other definition. For example, the most common used is the one given by Vasudha Chhotray and Gerry Stoker in their

book *Governance. Theory and Practice*: „Governance is about the rules of collective decision-making in settings where there are a plurality of actors or organisations and where no formal control system can dictate the terms of the relationship between these actors and organisations” (Chhotray and Stoker 2009, p. 3). This is a definition that helped me to develop my analysis regarding the policy-making and implementation of fisheries policy in Romania, using a certain study case for a better emphasis of governance approach to this field.

### 3.2. Aspects of governance

Studies demonstrated there are two aspects of governance: multi-level and network governance. First, I present relevant working definitions of the two concepts and secondly I analyze the elements of each of them.

For multi-level governance, I chose Philippe Schmitter`s definition: „Multi-level governance can be defined as an arrangement for making binding decisions that engages a multiplicity of politically independent but otherwise interdependent actors – private and public – at different levels of territorial aggregation in more-or-less continuous negotiation/deliberation/implementation, and that does not assign exclusive policy competence or assert a stable hierarchy of political authority to any of these levels” (Schmitter 2004, p. 49). The concept relies on a 1992 contribution when Gary Marks provided an alternative to the traditional state-centred analyses of the process of European integration. Among other authors, he analysed the state in terms of its component parts and clearly showed the interaction of subnational, national and supranational actors in the emerging European polity.

As far as that goes network governance, I opted for Jacob Torfing`s definition: “a relatively stable horizontal articulation of interdependent, but operationally autonomous actors who interact through negotiations which take place within a regulative, normative, cognitive and imaginary framework that is self-regulating within limits set by external agencies; and which contributes to the production of public purpose” (Torfing 2005, p. 9).

Governance has different elements but not all are found in making-decision process or implementation of different policies.

Multi-level governance gathers a number of basic elements:

- existence of multiple levels of decision (national, subnational, supranational, international or transnational) gives a reduced role of the state which is sharing the power with other actors. It is about the perception on nation-state;
- changing relations between levels of decisions; one has cooperation, not only hierarchical rapports;
- rising various types of actors involved in policy making: not only public actors (governmental authorities), also non-public which can be private actors or non-profit actors.

In the second wave of considerations, I placed the network governance items:

- better said, I checked the role of the state - if it is an activator one and mobilizes other actors;
- orientation of decision-making (negotiations);
- models of interaction: non-hierarchical or overlapping patterns of interaction;
- dominant actors: still the governmental actor, but not the only one nowadays;
- the political action - difficult to identify at certain level.

Given the fact that there are some of these elements in my study, I can certainly argue that governance takes on an increasing role even if in other cases it has its drawbacks. In this situation, several principles of governance are prevailing and the conclusions are not pessimistic about the future status of governance.

## 4. ANALYSIS

### 4.1. Brief description of Common Fisheries Policy

Before I start the proper analysis, I have summarized the development of fisheries policy in European Union. This description helps to get a better view of the phenomena related to fisheries and hopefully will guide policy-making in a favourable direction.

Common Fisheries Policy (CFP) was established formally in 1983, but its origins date back to the '70s, when fishing was regulated through the Common Agricultural Policy. At that time, fisheries policy was the European instrument

for fisheries management and aquatic life. Traditionally, the policy has followed a top-down approach to fisheries management but this changed as a result of a reform process started in 2002 which had as main objective the development of sustainable fisheries in economic, environmental and social terms. The changes in this industry<sup>1</sup> were an important ground for reform because it was necessary to adapt the EU Common Fisheries Policy to current realities.

Despite that improvements in the fishing industry took place, the first reform of the Common Fisheries Policy did not achieve the major objective of ensuring sustainable fisheries. So a new one was needed. In 2009, the European Commission launched a public consultation which was completed by the Green Paper on the reform of EU fisheries policy. This document provides major structural problems of the current Common Fisheries Policy and it was fundamental in drafting the European Commission proposals for a new regulation to be submitted to the Council and the European Parliament<sup>2</sup>. In May 2013, through difficult negotiations, the EU co-legislators have reached an agreement on the new reform of the fisheries<sup>3</sup>. It is intended that the new fisheries policy taking effect in 2014.

#### **4.2. The relevance of my case study for governance approach to fisheries policy**

Through the latest changes, the basic regulation governing fisheries management in the EU expressly provides that broad involvement of stakeholders at all stages of the CFP, from conception to implementation, has to be one of the core principles of the CFP. Better said, one of the main topics on the agenda is how to introduce a bottom-up approach to fisheries management in the EU by enhancing the role of stakeholders in decision-

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<sup>1</sup> Capital investment and technological developments have increased the capacity of fishing fleets, while fish stocks do not have time to recover from exploitation.

<sup>2</sup> The European Parliament approved the major reform of the CFP and the rapporteur Ulrike Rodust sustained: „For the first time in fisheries policy, we used our co-legislator power in order to curb overfishing. Fish resources should recover by 2020“.

<sup>3</sup> The reform aims to create the necessary conditions to provide a better future for fisheries areas, long-term planning based on reliable scientific facts, environmental protection on which resources depend.

making within the European institutions regarding the formulation and implementation of the CFP in member states. So the reform must improve standards of governance in the EU due to sustainable fisheries agreements.

From this point of view, I started my analysis giving as example the Integrated Local Development Strategy developed through the Local Sustainable Delta Fishery (FLAG). I chose this case study because of the importance of fisheries policy in this area of the country and the existence of several elements of governance in FLAG activity to implement the measures adopted and in the way strategy was developed. There is a widespread view, which I endorse, that it is necessary for the revised CFP to recognise the greatly different circumstances in different areas and develop some form of zone cooperation. This should, if possible, allow for discussion and consultation between fishermen's representatives, scientists and fishery managers, before decisions are taken, and ideally permit collective decision-making by the local bodies, such as FLAG<sup>1</sup>.

In the next sections, following the definitions from previous part, I presented elements of the two aspects of governance – multi-level and network – that I have identified in developing and implementing Integrated Local Development Strategy for Danube Delta, in the cooperation of FLAG with other actors at different levels of decision, segments analysed in order to demonstrate that governance approach does exist in the achievement and implementation of fisheries policy in Romania using a certain axis of National Strategy for Fisheries.

## **5. MULTI-LEVEL GOVERNANCE**

### **5.1. Levels of decision identified in my case study**

At EU level, European Fisheries Fund is responsible for implementation of CFP in member states. My analysis is related to the third objective of EFF - Supporting the establishment of Fisheries Local Action Groups. These groups

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<sup>1</sup> Stakeholder consultation is now viewed by the European institutions as a central pillar in the CFP and a prerequisite for governance.

developed Integrated local development strategies to uphold fisheries policy but local development is a new approach in Romania, so the local actors willing to engage in this type of projects needs support before they deploy. Regarding the European institutions, implementation of integrated local development strategy FLAG Delta and hence the proposed actions through this action is performed according to article 54 of Commission Regulation since 2006.

Restricting my research area to national level, The National Strategic Plan for Fisheries and Aquaculture represents the development strategy whose objectives are going to be achieved through the implementation of the Operational Programme for Fisheries. My analysis is based on the fourth axis of The National Strategic Plan<sup>1</sup> which has a Strategy that implies a connection with my case study – Danube Delta Strategy developed by Fisheries Local Action Group Delta<sup>2</sup>. By implementing this strategy is intended to reduce the decline in the fishing sector, raising the living standards of fishing communities, fisheries capitalization, objectives that are consistent with the new requirements of the fisheries policy of the EU. Giving this vision, the strategy enjoys the assent of national and European public policies regarding fisheries but also sustainable development.

In Romania, the overall responsibility for the design and for the implementation of the fisheries policy falls under the auspices of the National Agency for Fishing and Aquaculture (NAFA), which is a public institution entirely financed from the state budget. NAFA delegates a part of its duties related to the management of fisheries resources to the Administration of Danube Delta Biosphere Reserve. Concerning Danube Delta Strategy, Ministry of Agriculture and Rural Development chose through a call selection the Local Group for Sustainable Fishery in the Danube Delta which became the beneficiary for the support of Fisheries Operational Programme and also the responsible to manage the area by integrated local strategy in region.

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<sup>1</sup> The sustainable development and a better quality life in fisheries areas, the promotion of governance at local level are the basic objectives of this axis.

<sup>2</sup> Flag Delta is a pilot project under Fisheries Operational Programme-Axis 4 and on the success of the group and its strategy for this area depends on successful continued funding from European level.



It can not be just about the involvement of the state in the policy-making but also other actors at the subnational level. Regarding the making of the Danube Delta Strategy and its goal<sup>1</sup>, the partners of FLAG were at subnational level Tulcea County Council and Administration of Danube Delta Biosphere Reserve, which cooperated for development of Integrated Local Development Strategy. This is a visible sign of the changing perception on state authority in decision making – an important element of governance. It is no more the only possessor of power and the transformation is that the state begins to share power in some areas with actors from other levels, as my case provides.

## **5.2. Types of actors involved in making of Danube Delta Strategy**

Beside the fact that it has to follow the requirements of European Fisheries Fund and the fourth axis of Fisheries Operational Programme in order to implement some measures regarding a better run of fisheries policy, other actors involved in the decision-making of the strategy came from public sphere: the above-mentioned Tulcea County Council and Administration of Danube Delta Biosphere Reserve. This last institution was set up with the establishment of Danube Delta Biosphere Reserve back in the 90`s, having the objective to manage the natural heritage of the national interest of the Reserve. But even closer links were materialized at subnational level. They were formed of non-public actors - apart FLAG - that participated at elaborating the Danube Delta Strategy. The selected partners for this group are symbolic and representatives for the chosen area and as I argued above they are part of non-public actors: exponent of private sector - Ro-Pescador Association – and exponents of civil society - Black Sea Association, Shark Anglers Association. Ro-Pescador Association was founded in 2005 as a producer organization recognized by the National Agency of Fisheries and Aquaculture, having as founding members three companies whose main activity is fishing. The Association is an important factor in achieving local development plan because its members are also part of the Monitoring Committee of the Operational

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<sup>1</sup> The necessity of halting the decline of the fisheries sector and support the development of the area.

Programme for Fisheries - an example of better cooperation within two decision-making levels.

The other two associations represent civil society's interest during designing and implementation of fisheries policy in this area and they want to promote and defend the economic interests in the area of production and fish marketing in relation to local authorities and third parts, and to ensure the rational practice of fishing and improvement of selling products.

### **5.3. Were there interactions between actors in the development of the Danube Delta Strategy?**

This FLAG was formed out of the necessity of halting the decline of the fisheries sector and support the development of the area. To do this, a multiple approach was needed to determine strengths and to address negative aspects. One distinctive feature of the FLAG is its structure: it has a broad category of representatives of the fishing industry and other entities concerned with the CFP, such as environmental organisations, aquaculture producers, consumers and recreational fishermen. When this group accessed Fisheries Operational Programme-Axis4, there were multiple opportunities that should overcome the faced problems and take advantage of the resources it holds. As I said, partners are representatives of different sectors and interests such as environment, fisheries and local governments: the Danube Delta Biosphere Reserve, Tulcea County Council, Ro-Pescador Association, the Black Sea Association and the Shark Anglers Association. This was an important aspect of the bottom-up approach of FLAG and its partners in developing Danube Delta Strategy and it took account of consultation with all local stakeholders interested in the project proposed<sup>1</sup>. Thematic meetings were held with five categories of stakeholders involved in resources management from Delta - tour operators, government, civil society, fishery and environmental associations. The meetings were aimed at determining the problems faced by each of these stakeholders in their specific activity.

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<sup>1</sup> Group partners with a multidisciplinary team of experts have conducted over 25 meetings in the region that were aimed at defining the knowledge and understanding of the area by direct contact with the population.

Following the implementation of local public consultation and studying relevant documents of EFF, FLAG and the other partners were able to form a view on the investigated territory, thought measures to address existing problems and proposed means of growth and development of the area analysed and implemented by representatives actors involved in decision-making. Therefore, this plan was developed through a bottom-up process which involved interaction between several actors so it can be a mark of governance elements.

An important actor for beginning the Danube Delta Strategy was a public actor from the subnational level which is a relevant FLAG member in the area due to the number of projects undertaken across the Group in various fields, fisheries being a main concern.

I want to emphasise the role of Tulcea County Council that made possible the launch of Integrated Development Plan through the allotment of the amount needed to begin the project and develop strategy, in other words, to cover start-up<sup>1</sup>.

Subsequently, FLAG Delta received funding of 20 million euros for Danube Delta Strategy - the highest amount allocated by Fisheries Operational Programme to a fisheries area in Europe. The next step is that Reserve communities have to access the budget by proposing projects. Afterwards, beneficiaries are going to submit projects to FLAG and this one with its partners are responsible to check and to send them to the Ministry; beneficiaries conclude grant agreements with the Ministry of Agriculture and Rural Development. The last phase -verification of implementation of the projects proposed and accepted - is assigned to the Ministry and FLAG Delta.

## 6. NETWORK GOVERNANCE

According to Torfing's definition, there is a certain degree of network governance in my study but it still needs to be improved in Romania. There is a possibility that certain Fisheries Local Action Groups may need to join forces

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<sup>1</sup> The total given by Tulcea County Council for the start and running costs of the project was 120.000 LEI.

with other groups to achieve cooperation projects and the result is meaningful for network governance: when it is a greater critical mass, cooperation on projects at national and transnational level is developed.

Networking is an important component of local development that is provided as a service for Fisheries Local Action Groups, having as results that network communication and negotiations foster the exchange of ideas whereby innovative actions are identified, valued and promoted.

At EU level, the European Fisheries Areas Network (FARNET) brings together all fisheries areas supported by priority Axis 4 of the European Fisheries Fund. The network aims to assist the different stakeholders involved in the sustainable development of fisheries areas at all decision-making levels (<https://webgate.ec.europa.eu/fpfis/cms/farnet/node>). That is way it is imperative to create the network for fisheries sector in Romania which has to join the European network. By this point of view, it is available that network mode of governance is predominant at the European level and disseminates into the member states (Beate Kohler-Koch 1999, p. 7).

As far as it concerns FLAG Delta, the group developed its Danube Delta Strategy having FARNET like main European partner. Regarding the external partnership, the group is working on an exchange of experience with similar organizations, such as FLAGs from Italy, Spain and lately it has established contacts with groups from Bulgaria and Greece. The purpose is to develop collaboration and cooperation during the implementation of the Integrated Local Development Strategy. Cooperation should aim to establish links with the European Union area, where such actions have been implemented, to have access to information and new ideas, to learn from other regions or countries, to stimulate and support innovation and facilitate acquiring skills and new ways of developing and implementing public policies in fisheries in our country.

An example of interaction between two FLAGs was the study visit of FLAG Delta in Spain where an exchange took place with Local Group - Ebro Delta Coast. The theme was based on the development and implementation of projects financed under the Operational Programme for Fisheries. Throughout the visit, the director of the Spanish local group required intensive work agenda to Romanian delegation and he managed to cover a wide range of projects in Ebro Delta and hence the examples of good practice that can be treated or addressed by Romania in Danube Delta. A brief conclusion drawn

from this case is that networks function by non-hierarchical coordination based on the exchange of resources or trust (Börzel and Panke 2007, p. 154) or in this case, on the change of experience.

## 7. CONCLUSIONS

First of all, I would like to present other image regarding the FLAG Delta activity in fisheries policy when it organised the first National Conference of FLAGs at national level, in Tulcea, last year. The conference had a wide echo at Ministry of Agriculture and European Commission, having as a result the fact that it unlocked Axis 4 in Romania. And last but not least, a substantial outcome for the organisation occurred: it has been selected to develop the new fisheries law and the project concerning future allocation of Axis 4<sup>1</sup>. As my first conclusion, I would say that the work of the FLAG and its Strategy are essential for policy-making process and implementation of fisheries policy in our country.

Secondly, FLAG Delta should also take responsibility in the future having in mind the fact that it obtained the biggest EU funding on its field of activity and because it is the largest FLAG as number of members and covered territory in Romania, so it represents the interests of broad masses from Danube Delta in fisheries field. Other reason is that most of fish production of the country comes from the area covered by the Local Group for Sustainable Fishery in the Danube Delta. Here comes the importance of fisheries sector for agriculture and national economy.

Like a main conclusion as it concerns the presence of governance approach to fisheries policy in Romania, there are several elements in my case study that go with the principles of the multi-level and network governance. But there is always room to improve certain aspects derived from previous issues and the concept of governance still needs more theoretical development and empirical research. The increased number of analyses about the concept of governance is an effort to understand how EU works and the effects of its actions for the rest of the world. I think this is all about the member states, especially the new

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<sup>1</sup> This information was provided to me by the president of FLAG Delta, Marius Pavel.

European members that need time to entirely adapt to the unique way of decision-making of EU. Briefly said, very few countries, societies or organisations have come close to achieving governance in its totality. However, to ensure sustainable development, actions must be taken to work towards governance with the aim of making it a closer reality.

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