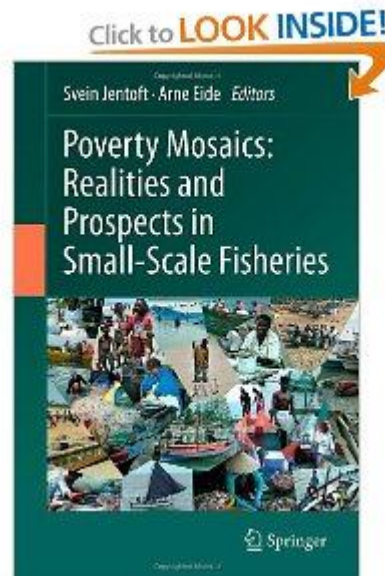


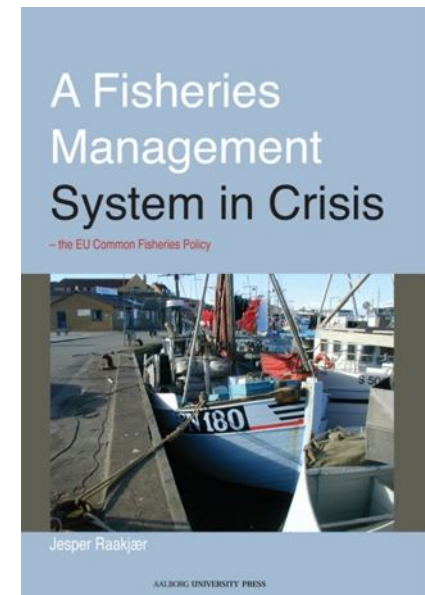
# Marine governance in the EU

## South African perspectives



**PLAAS Seminar**  
**9 February 2012**  
**University of the Western Cape**

**Jesper Raakjær**  
**Professor and head of centre**  
**IFM**



**INNOVATIVE FISHERIES MANAGEMENT**  
- an Aalborg University Research Centre



# ODEMM and (MEFEPO)

## FP7 project: Options for Delivering Ecosystem-Based Marine Management

- Develop a set of fully-costed ecosystem management options to achieve the objectives set by the Marine Strategy Framework Directive and the Habitats Directive, and with reference to the proposed Maritime Policy. Geographical scope the Baltic Sea, the North East Atlantic, the Mediterranean Sea and the Black Sea.

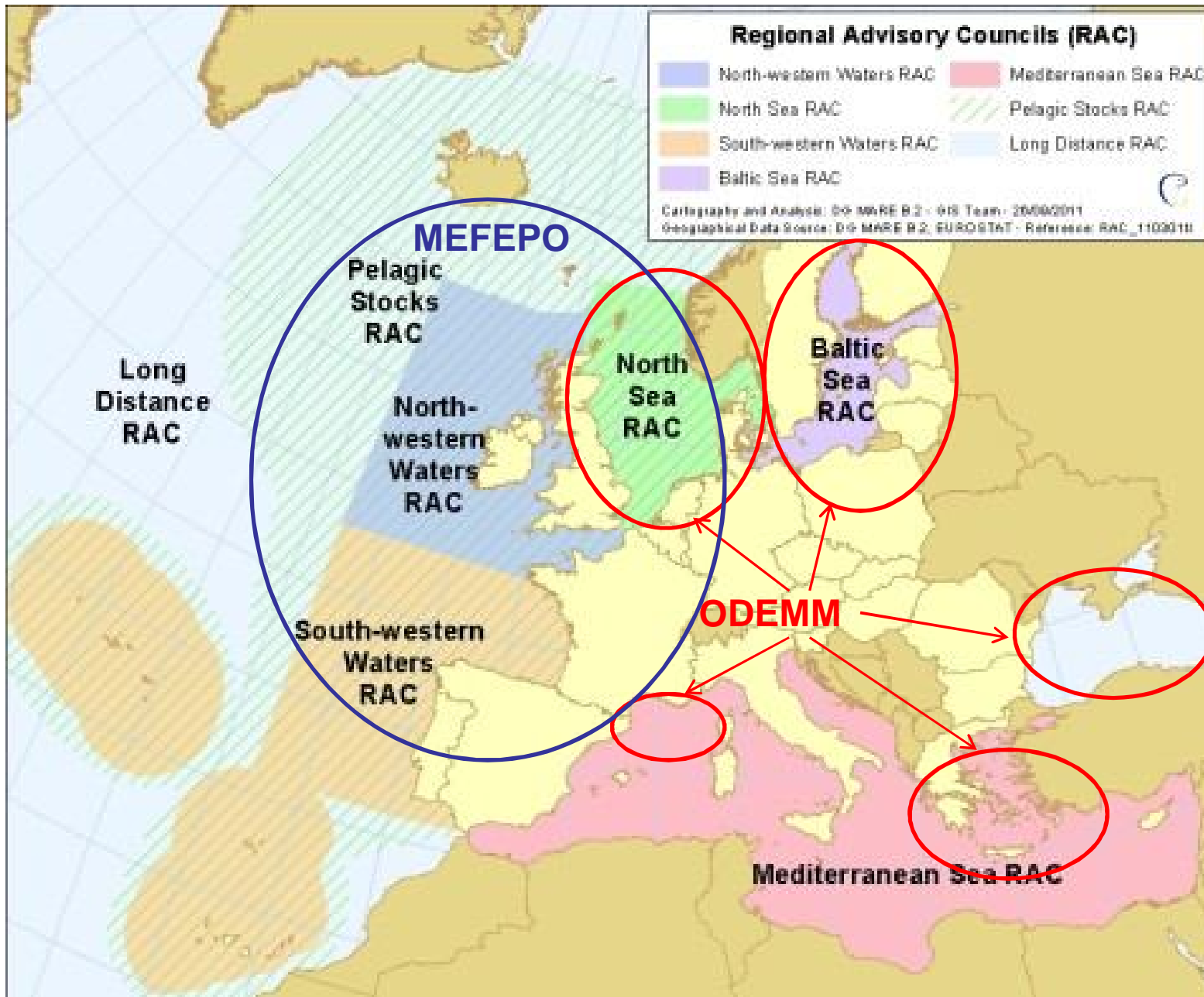
## FP7 project: Making the European Fisheries Ecosystem Plan Operational

- Show how an ecosystem approach to fisheries can be made operational by identifying the management objectives. Geographical scope the North Sea, NW Waters and SW Waters and conducted in close collaboration with the NS, NWW, SWW and Pelagic RACs.



INNOVATIVE FISHERIES MANAGEMENT  
- an Aalborg University Research Centre



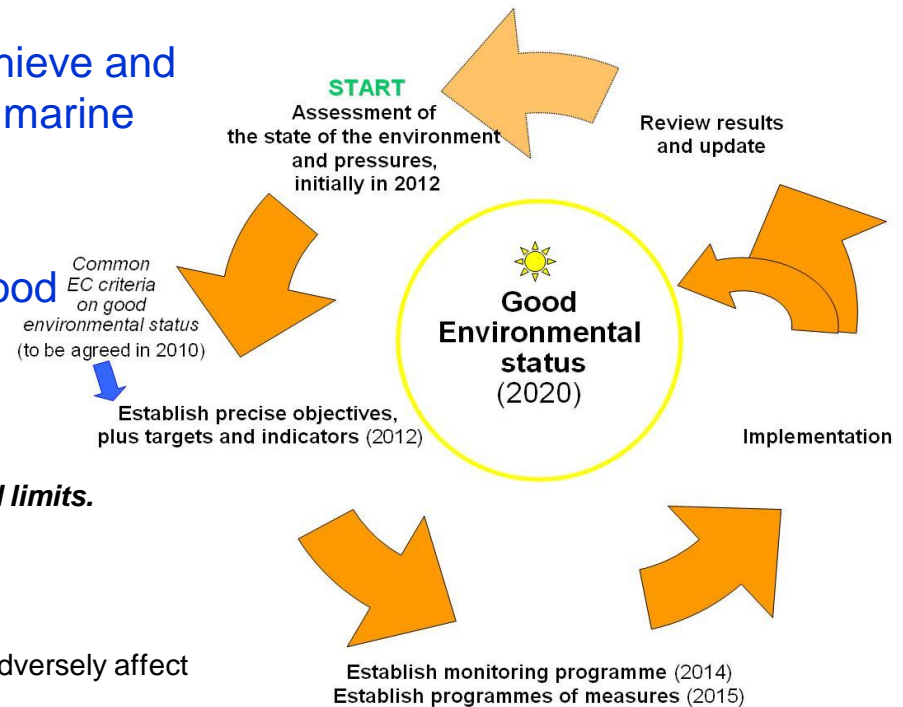


# Marine Strategy Framework Directive

Requires all Member States in the EU to achieve and maintain good “environmental status” in the marine environment by 2020

11 Qualitative descriptors for determining good environmental status (short):

- 1) **Biological diversity is maintained.**
- 2) Non-indigenous species introduced by human activities.
- 3) **Populations of all fish and shellfish within safe biological limits.**
- 4) **Retention of full reproductive of marine food webs.**
- 5) Human-induced eutrophication is minimised.
- 6) **Ensure sea-floor integrity.**
- 7) Permanent alteration of hydrographical conditions does not adversely affect marine ecosystems.
- 8) Concentrations of contaminants are at levels not giving rise to pollution effects.
- 9) Contaminants in fish and other seafood do not exceed established standards.
- 10) Properties and quantities of marine litter do not cause harm to the coastal and marine environment.
- 11) Introduction of energy, including underwater noise do not adversely affect the marine environment.



INNOVATIVE FISHERIES MANAGEMENT  
- an Aalborg University Research Centre



# Integrated Maritime Policy

## Objectives

- Promote the integration of governance structures in the Member States
- Improve the quality of sector policies such as the transport, energy and fisheries policy
- Implement tailor-made solutions for specific problems taking into account the Regional Seas Conventions
- Adopt new approaches to marine resource management (ie. the Ecosystems Approach)



INNOVATIVE FISHERIES MANAGEMENT  
- an Aalborg University Research Centre



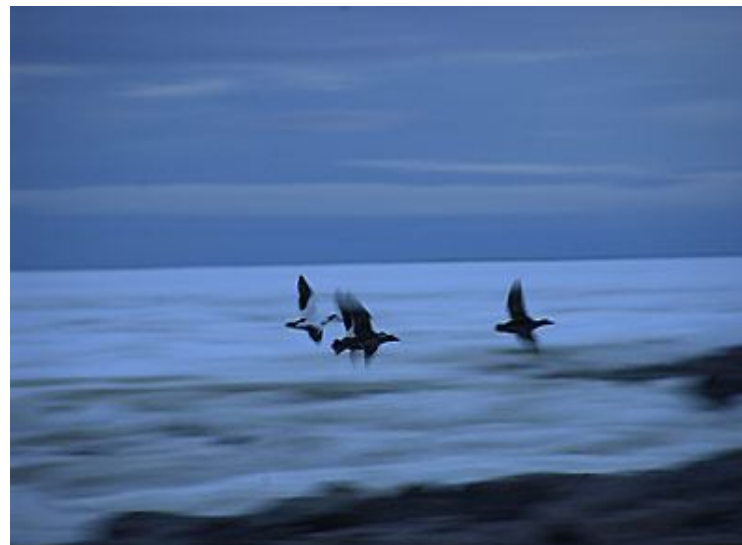
# A complex user and policy seascape



**INNOVATIVE FISHERIES MANAGEMENT**  
- an Aalborg University Research Centre



# Different uses



**INNOVATIVE FISHERIES MANAGEMENT**  
- an Aalborg University Research Centre



## Maritime Affairs and Fishing

### FISHING



- Maritime policies
- Financing fisheries sector
- Management of resources
- External relations

Commission	Parliament	Council	Other
DG MARE	Committee on fisheries	Agriculture and fisheries	European Investment Bank; European Maritime Safety Agency; Community Fisheries Control Agency

## Transport

### NAVIGATION



- Transport policies
- Waterborne transport: maritime transport (objectives, market, port infrastructure, working conditions, safety, environment, security)
- Transport + energy + environment: atmospheric pollution, pollution from ships, safety (bunker; oil spill, TBT)
- External relations: enlargement, non-EU countries
- Port Infrastructure: efficiency, ship-generated waste, security

Commission	Parliament	Council	Other
DG MOVE DG MARE	Committee on transport and tourism	Transport, tele-communications, energy	European Investment Bank; European Maritime Safety Agency; Executive Agency for Competitiveness and Innovation

## Energy

### OFFSHORE WIND



### OIL & GAS



- Energy policy: renewable energy (promotion offshore wind energy)

- Supplies and stocks

Commission	Parliament	Council	Other
DG ENER DG CLIMA	Committee on industry, research, energy	Transport, tele-communications, energy	European Investment Bank; AGORES (renewable related); Executive Agency for Competitiveness and Innovation

## Enterprise

### COASTAL TOURISM

## Regional policy



- Political framework
- Competitive tourism
- Sustainable tourism
- Actions in support of tourism

## ENVIRONMENT



### FISHING

**Sustainable development** (sustainable aquaculture; integration of environmental requirements in CFP). **Water protection** (WFD; quality of shellfish waters; marine pollution). **Nature and biodiversity** (fisheries; integrated maritime policy; marine resources; marine fauna, flora). **General** (marine data collection)



### NAVIGATION

**Climate change**, reduce GHG (cleaner transport, promote maritime transport). **Sustainable development** (integration transport + environment). **Air pollution** (reduction atmospheric emissions from seagoing ships). **Water protection** (marine pollution; discharge of substances). **Waste** (ship dismantling, ship-generated waste, dredged material)



### OFFSHORE WIND

**Climate change**, reduce GHG (less polluting energy, renewable energy). **General** (environmental management – EIA, EMAS)



### OIL & GAS

**General** (environmental management – EIA, EMAS). **Waste management** – removal offshore oil and gas installations. **Water protection** (marine pollution; discharge of substances)

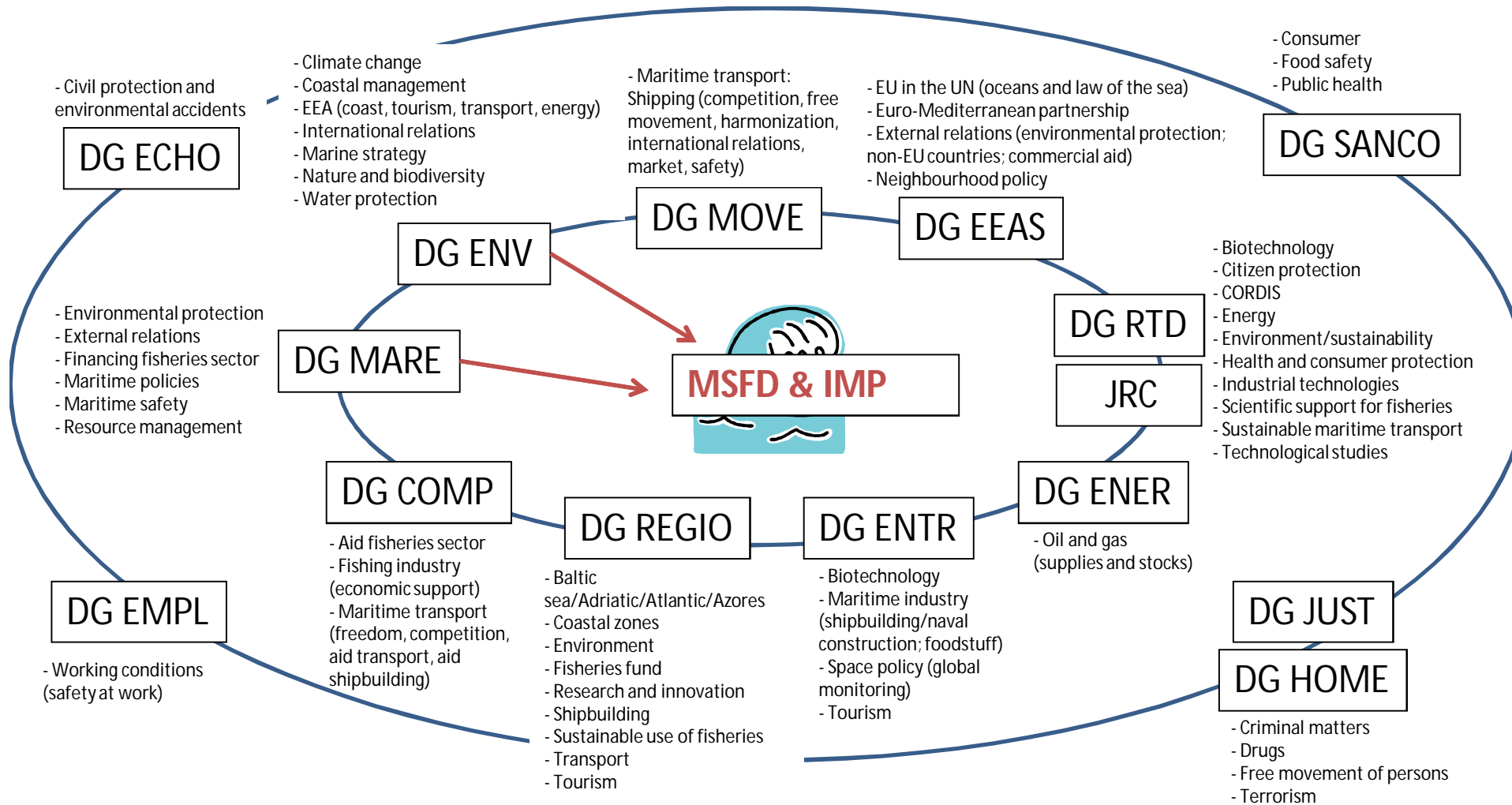


### COASTAL TOURISM

**Sustainable development** (sustainable tourism; management of coastal zones). **Water protection** (WFD; bathing water quality; regional waters; marine pollution; discharge of substances). **Soil protection** (coastal zones)

### OTHER

**Cooperation with 3<sup>rd</sup> countries:** Mediterranean; Baltic sea; International conventions



DG COMP: Competition	DG ENTR: Enterprise and Industry	DG MARE: Maritime Affairs and Fisheries
DG ECHO: Humanitarian Aid	DG ENV: Environment	DG MOVE: Mobility and Transport
DG EEAS: Foreign Policy Instruments Service	DG HOME: Home Affairs	DG REGIO: Regional Policy
DG EMPL: Employment, Social Affairs and Inclusion	DG JRC: Joint Research Centre	DG RTD: Research and Innovation
DG ENER: Energy	DG JUST: Justice	DG SANCO: Health and Consumers

# Institutional ambiguity

- Different institutional settings come together
- Mismatch between institutions of the different policy making settings
- Room to negotiate new and change existing rules of the game
- The larger this misfit, the more room to manoeuvre actors have in negotiating and changing the institutional rules
  - Enabling (innovative developments, fit to context)
  - Constraining (inertia, institutions and actors working against each other)



# Unequal footing of stakeholders

- Differences in the organisational capacity across the sectors and pinpoints the unequal footing in terms of their ability to influence decision-making.
- Three central themes emerge in relation to implementing the MSFD and the ecosystem-based approach to management in EU marine waters:
  1. Boundaries
  2. Policy and management coordination
  3. Values, user conflicts, and balance



INNOVATIVE FISHERIES MANAGEMENT  
- an Aalborg University Research Centre



# Boundaries: demarcating in an ecologically appropriate, yet manageable way

- Concern that particular member states will interpret good environmental status and other aspects of the legislation to different degrees.
- Due to the characteristics of marine waters, there is a risk that inaction by a single player will push others to follow suit if one feels that its efforts will be undercut by the inaction of another.
- Sectors with activities spanning European waters are the first to recognize if a policy is either too localized or if a single, one-size-fits-all approach leads to management of the lowest common denominator with poor ecological outcomes.



INNOVATIVE FISHERIES MANAGEMENT  
- an Aalborg University Research Centre



# Policy coordination: avoiding duplication and conflicting requirements

- The MSFD can also be seen as an effort to move from a 'use perspective' to a 'system perspective' for management, meaning that rather than only regulating the activities occurring on the water the MSFD with its partner legislation, the Integrated Maritime Policy, the whole system of the marine environment shall be managed in concert.
- It is well documented that one of the hurdles to more holistic thinking in present management framework is policy coordination. Several ministries within a member state have authority related to the ecosystem and are often separate with different planning scales and objectives.
- Stakeholder groups and interest organisations typically revolve around the activities of a single sector or discrete issue, thus making it difficult to find participants who span multiple activities or sectors within a marine ecosystem.



INNOVATIVE FISHERIES MANAGEMENT  
- an Aalborg University Research Centre



# Values, user conflicts, and balance: limitations of EAMM

- Imparting the ecosystem-based approach to management in the context of the marine environment does not automatically resolve conflicts between user groups or stakeholder interests. What remains unresolved is the balance of activities.
- EAMM cannot make decisions as to the desirable mix of trade-offs and whose short-term losses are more acceptable in light of another's long-term gains, those are judgments of value and not simply ecological indicators.
- The MSFD tries to capture need for balance between environmental health and socioeconomic viability; however, in implementation many sectors meet the strong conservation concerns with some criticism in terms of the extent of that balance. By contrast, eNGO's fear that in its drafting the MSFD became more watered-down from its initial conservation aims.



INNOVATIVE FISHERIES MANAGEMENT  
- an Aalborg University Research Centre



# Summary

## EU lessons

- Sectors are on unequal footing because of their own characteristics, organisational capacities, and EU sector regulations.
- Even those who are better positioned find the processes overlapping and EU legislation frustrating.

## South African perspectives

- Similar situation, where Nature conservation seems strong compared to the fishing sector and particular PDI actors and local coastal communities.
- Similar situation, where we can find institutional ambiguity e.g. between the bio-diversity convention and local implementation.



# Summary (2)

## EU lessons

- Present management institutions are not fit to resolve conflicts among users and between users and conservationists.
- Marine spatial planning or other management tools could help resolve some conflicts.

## South African perspectives

It is very important to develop institutions that allow for genuine stakeholder involvement.

Presently science appears to dominate completely and little consideration is given to social concern.

Creation of MPA's does not aim to resolve conflicts and balancing conservation concerns against economic activities and local livelihood opportunities.



# Summary (3)

## EU situation

- It is debatable whether sector policies should be phased out in the name of more holistic policies.
- More clearer coordination between DGs associated with marine activities and related ecosystems would relieve some of the confusion and frustration experienced by marine sectors.



INNOVATIVE FISHERIES MANAGEMENT  
- an Aalborg University Research Centre

## South African perspectives

- It is important in elaborating holistic policies to balance the various sectorial concerns to secure genuine integration.
- This will likely also be the case in South Africa. E.g. MPA is under Nature conservation, but also impacting environmental and sectorial policies.



A large, jagged iceberg with a blueish tint dominates the background under a clear blue sky. In the foreground, two small motorboats are on the water. The boat on the left is dark green with an outboard motor and has a person in an orange suit. The boat on the right is white with a white cooler and has a person in an orange suit. The water is dark blue with ripples.

**THANK YOU FOR THE  
ATTENTION!**

**Time for questions and discussion**

## **Contact details and relevant web-pages**

jr@ifm.aau.dk

MEFEPO [www.liv.ac.uk/mefepo/](http://www.liv.ac.uk/mefepo/)

ODEMM [www.liv.ac.uk/odemmm/](http://www.liv.ac.uk/odemmm/)

IFM [www.ifm.aau.dk](http://www.ifm.aau.dk)