

5 May 2008



# Policy Perspectives

Perspectives on resource management and environmental policy from the Centre for Resource Management and Environmental Studies (CERMES), Faculty of Pure and Applied Sciences, University of the West Indies, Cave Hill Campus, Barbados.

## Good governance under the Common Fisheries Policy and Regime (CFP&R)

The Centre for Resource Management and Environmental Studies (CERMES) has initiated this outreach publication, *Policy Perspectives*, primarily in order to share some of the lessons from recent projects. Our interdisciplinary applied research projects emphasise learning-by-doing through the collaboration of researchers, beneficiaries and other parties. The information in these policy briefs may be used by policy-makers and their advisers to strengthen the linkages between research and policy in the Caribbean. This connection is often weak in natural resource management and governance.

The topic of governance was first addressed in the April 2006 issue of the CERMES Policy Perspectives from a theoretical angle. In April 2007 we looked at the relevance of network analytical concepts to governance. Next, in September 2007, we examined governance from the viewpoint of promoting active participation of fisherfolk organisations in regional fisheries decision-making. Now (in May 2008) we focus on a CARICOM initiative that should facilitate participation and much, much more. This concerns the Common Fisheries Policy and Regime (CFP&R). This initiative is of such importance to fisheries governance and policy that several issues will be required to address it properly. Let us start!

### Common Fisheries Policy & Regime — a governance ‘work in progress’

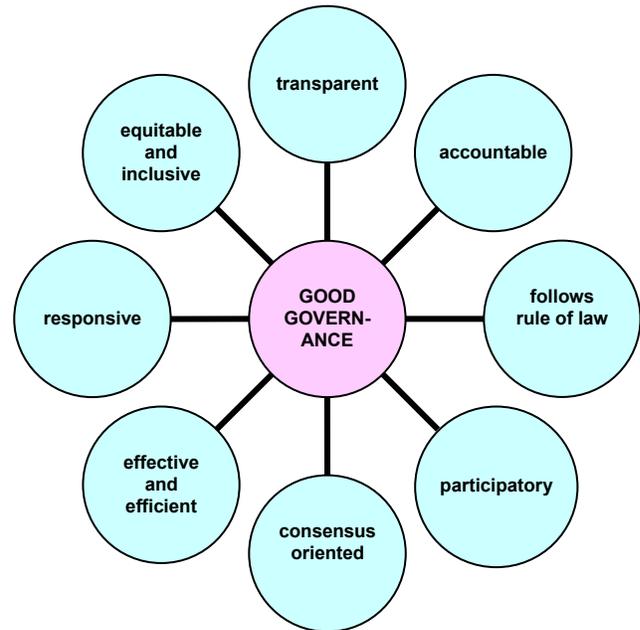
The Conference of CARICOM Heads of Government at their Fourteenth Inter-Sessional Meeting held in Trinidad and Tobago, 2003, considered and endorsed a proposal from the Government of Barbados on ‘the imperative of elaborating a Common Fisheries Regime’ and mandated the CARICOM Secretariat to undertake the necessary consultations and propose a framework for the Common Policy and Regime.

The Caribbean Fisheries Forum (CFF) in collaboration with the CARICOM Secretariat commissioned a number of studies and continues to convene consultations and various regional workshops to develop the arrangements for the (CFP&R). Member States have participated in these events but generally have not taken a leading role in developing the CFP&R or preparing their national policy processes, administrations and fishing industries for its implementation. Policy briefs such as this one may contribute to strategically influencing progress in developing the CFP&R so that it reflects good governance. We consider what ‘good governance’ is, and how the current draft of the agreement to establish the CFP&R measures up.

### Principles of good (fisheries) governance

Although the term ‘governance’ has recently become more fashionable, the concept of governance is not new. It is as old as the origins of humans organising group decision-making in the process of developing civilization. There are many, more or less complex, definitions of governance. Recalling earlier issues of CERMES Policy Perspectives in which governance was discussed, let us say that governance is a social process of decision-making and the process by which these decisions are implemented (or not implemented) via various institutions. In this definition we are recognising that governance takes place along several scales and at several levels in each scale. It is perhaps the ultimate cross-scale and multi-level concept.

The more specific concept of ‘good governance’ was coined by the World Bank in the 1990s to emphasise core principles.



These principles of good governance apply to fisheries as well as any other socio-economic sector. Remember too that fisheries governance is broader than fisheries management. The latter more concerns the finer details of implementing decisions taken within a particular framework of governance.

Several articles have been published both regionally and internationally on the topic of fisheries governance in the Caribbean. Whether implicit or explicit, fisheries initiatives almost inevitably consider or impact matters of governance.

## ***How does a recent draft of the agreement to establish the CFP&R measure up?***

We expect that Caribbean fisheries policy makers and their advisors will want to ensure that the CFP&R measures up to the internationally accepted principles of good governance. The full cross-scale and multi-level scope of the CFP&R has not yet been clearly articulated. Yet we can see how it is beginning to measure up by examining the draft agreement to establish the CFP&R (e.g. the November 2007 version).

The agreement is clearly not the only element of governance, but its almost thirty sections can be analysed against criteria provided by the principles. Conclusions drawn at this stage in its development help to point out areas that deserve attention.

The CERMES MarGov project provided a copy of the draft agreement to a handful of reviewers including specialists in international and regional fisheries, communication, students and academics. Using a large matrix they commented on each section of the draft agreement in relation to the set of good governance principles. This yielded a qualitative assessment.

Not all of the principles were relevant to every section but most were. In some sections the analysis looked more at what would be needed at the national and local levels to really institutionalise good governance. Below is a preliminary summary of the analysis. Further analysis in more detail will be presented in a technical report due soon from CERMES.

Taken in no particular order, this is how the provisions in the draft agreement to establish the CFP&R measured up to good governance principles as assessed by a handful of reviewers.

### ❖ Participation

Many provisions promote stakeholder participation, but the processes for this and the levels of power and responsibility that civil society participants would share with government authorities, in various circumstances, are not clear. National mechanisms to implement the CFP&R are most critical here.

### ❖ Rule of law

The CFP&R is embedded, via the preamble, in international fisheries law. It seems much less connected to regional, sub-regional and national legal instruments and institutions. The latter may prove problematic, but a balance must be struck between legal formality and adaptive informal institutions.

### ❖ Transparency

The agreement, both as a communication and as a guideline to governance processes, is deficient in transparency. This can be addressed through a communication strategy to better explain the CFP&R in simple terms and provide scenarios that stakeholders could relate to and follow decisions from.

### ❖ Responsiveness

The CFP&R may be responsive to global fisheries trends and Caribbean integration initiatives. Questions about operational responsiveness arise since aspects may become cumbersome in implementation unless guarded against.

### ❖ Consensus oriented

There seems to be consensus orientation at the national level of the agreement document, but it is not clear which decisions require consensus and which do not. Since the implementing agency is the entire CRFM it becomes confusing in places.

### ❖ Equity and inclusiveness

The draft addresses these in relation to participation, revised CARICOM treaty and non-discrimination, but little is said on integration with other economic sectors, decision-making processes or the realities of poverty, scale differences etc.

### ❖ Effectiveness and efficiency

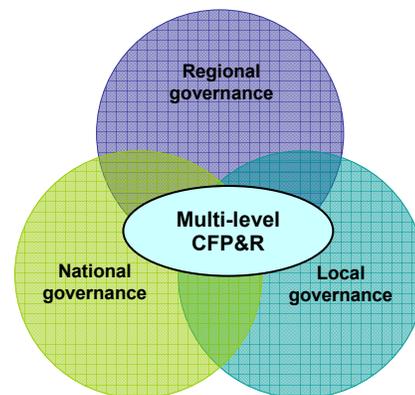
Links to these are tenuous, although reference to market and trade competitiveness suggest some attention. Of greatest concern may be that capacities, coordination, collaboration and cooperation that must be cross-scale and multi-level are inadequate. Transaction costs may overburden the CFP&R.

### ❖ Accountability

Several provisions speak to accountability, even by direct reference to good governance. However, details are scarce. This is an areas to which attention must be paid in operations with linkages throughout the levels of the CFP&R agreement.

## ***Where do we go from here?***

Important next steps in the development of the CFP&R need to focus on integrating the initiative into the three main levels of governance (here sub-regional is included in regional).



If this is not done soon, opportunities for creating an enabling policy environment for implementing the CFP&R may be lost. This demands research into marine resource governance.

This policy brief is an output of the CERMES project on ***Marine resource governance in the eastern Caribbean*** (the ***MarGov project***). Its preparation was carried out with the aid of a grant from the International Development Research Centre (IDRC), Ottawa, Canada. The views expressed are those of the author(s) and do not necessarily represent those of the IDRC. The material in this publication may be freely reproduced provided suitable credit is given. Additional information on MarGov is available on CERMES' web site.