Paper for EUSA Biennial Conference, Denver (CO), 11 May 2019

Zimmermann, Hubert

1Institute for Political Science, Philipps University Marburg, 35036 Marburg, Germany; E-Mail: zimmer2d@staff.uni-marburg.de

**The European Parliament and the Layered Politicization of the External Dimension of the Common Fisheries Policy**

**Abstract**

*When the Lisbon Treaty entered into force, the European Parliament became a core player in decision-making processes of the EU’s Common Fisheries Policy and its external dimension. This new role greatly intensified and solidified an ongoing process of politicization in a previously rather technocratic policy field. I use the concept of ‘layered politicisation’ to explain the resulting pattern of incomplete politicization. This pattern led to new political dynamics in this area. Among them is a transformation in the policy process due to higher ratification requirements; a higher likelihood of political deadlock resulting from an increasing number of veto-players; and a strengthening of the contested legitimacy of EU decision-making in this policy field. Two cases, the negotiation of Fisheries Partnership Agreements with Morocco and Mauritania, test the theoretical propositions empirically.*

**Keywords:** Common Fisheries Policy, European Parliament, Fisheries Partnership Agreements, Politicization

**1. Introduction**

For a long time, research on EU foreign economic policies focused mainly on the impact of the principal-agent dynamics between the Commission and the Council, the influence of commercial lobby groups, and the efficiency of EU negotiating strategies. While concerns about input- and output-legitimacy often were an implicit background theme to most of these studies, the elevated level of societal contestation and political controversy reached in recent years by debates about EU foreign economic policy, particularly trade policy, was rather unexpected. The empowerment of the European Parliament (EP) during the past decade provided a far wider opening for societal contestation than the one existing at a time when the Council and the Commission still reigned supreme in foreign economic policy. The EP has become a focal point for research on this phenomenon, usually described as part of a process of politicization.

Politicization as a concept has been used with increasing frequency to analyze heightened political contestation in many EU-related policy fields. However, it still is an open question whether issues that are not as visible on the public radar and not as prominent on the parliamentary agenda as, for example, TTIP or CETA can be analyzed with this concept, even if the EP has been empowered in a very similar way in these areas (Rosén, 2016). Among such lower-profile policy fields is the EU’s Common Fisheries Policy (CFP) and its external dimension. Can we speak of politicization in this area, and if yes, what does it look like? Is it different from politicization in other areas? What role do the EP (and national parliaments) play in this process? And what are the political consequences? These are the questions this contribution seeks to answer. I will first sketch the pattern of politicization in the CFP, specifically in its external dimension. I will then propose the concept of ‘layered politicization’ to deal with a pattern of politicization that is incomplete and not as comprehensive as in the usual empirical case studies of politicization (e.g. European integration per se, EU trade policy or European migration policies). Finally, I will look at EU external fisheries policies through an analysis of so-called SFPAs (Sustainable Fisheries Partnership Agreements) and discuss the effects of this layered form of politicization.

There is by now a substantial literature on how to define politicization in a given policy field. For de Wilde et al. (2016) politicization consists of three elements: (i) the growing salience and visibility of a policy, (ii) an increasing polarization of opinions in this field, and (iii) an expansion of the number of actors and audiences involved in decision-making processes on this policy (for a similar conceptualization, see: Hutter et.al., 2016, p. 8). In its most basic meaning, thus, politicization refers to a situation in which a policy field that was previously subject to almost exclusively technocratic and elite-driven policy-making with limited public controversy becomes subject of public debate and polarization (De Wilde et.al., 2016). Politicization usually occurs when civil society groups and, often forgotten, commercial groups vigorously pick up a topic trying to get strong public attention, when parties make it part of their platforms (Hooghe and Marks 2009, pp. 18-19), and/or when mainstream media outlets regularly publish on it. Thus, a policy which is characterized by an insider discourse, by insider bargaining and insider dealings without public debate is being transformed. This definition unavoidably begs the question as to when the threshold is reached at which a previously non-politicized issue becomes politicized. As Faber and Orbie (2007), for example, noted, trade policy always involved a variety of actors and was debated intensely among them. It is also possible that some aspects of an issue are contested strongly (see the investor-state dispute settlement in TTIP) whereas most of it is still dealt with behind closed doors. Such an uneven pattern of politicization also seems to characterize the CFP and its external dimension. The CFP is certainly not an issue that regularly captures the headlines. At the same time, undoubtedly, it has become more controversial and, despite the comprehensive 2013 reform, usually has a negative press. Using the three generally accepted dimensions of politicization mentioned above, I will take a closer look at the development of the CFP, with particular attention to its external dimension, identifying a hybrid pattern which I will then try to capture with the concept of ‘layered politicization’.

I will also briefly discuss the effects of this development. Basically, the literature has identified two broad sets of consequences of politicization. Zürn (2014, pp. 58-9) and others stated that politicized policy fields are less prone to be captured by special interests and more responsive to broader societal concerns and diffuse interests, imposing losses on particular lobbies. This leads to more transparency and better access for societal groups. The flipside is less efficient policy-making in terms of output, with a significantly higher rate of ratification failures (Hooghe/Marks, 2009). Can these effects be observed in a politicized CFP, too?

**2. Politicization of Fisheries Policy in the EU?**

For decades, fisheries was a neglected part of European integration, and to this day it has almost no place in most textbooks on the EU. Barely registered in the Rome treaties, the Common Fisheries Policy (CFP) was considered part of the Common Agricultural Policy (CAP), and thus subject to supranational governance. However, only with the accession to the European Community of important fishing nations, such as the UK, Spain or Portugal, did fisheries become an issue of concern for European politics. The principles of the CAP were used in the first regulations, providing for a common market in fisheries products and structural aid for fishing regions (Penas-Lado 2016, p. 22). With regard to the external dimension, there were few rules that governed the activities of EU vessels. In 1982, however, the United Nations Convention on the Law of the Sea (UNCLOS) was signed and gave marine states jurisdiction over an exclusive economic zone (EEZ) stretching 200 [nautical miles](https://en.wikipedia.org/wiki/Nautical_mile) from the shoreline. Partly as a reaction, the EU in 1983 formally adopted the CFP. Since about a quarter of the fish taken by EU vessels came from waters outside the EU, international policies and agreements were of vital importance. Since the 1990s, the EU has intensified the external dimension of its fisheries policies by negotiating access rights via so-called partnership agreements and by participating in international fisheries management organizations.

The early CFP was governed by a marine-industrial complex in which the distribution of quotas and the writing of the complicated regulations was negotiated behind closed doors (Lövin, 2012; Wakefield, 2016, pp. 55-7). This was dominated by the core fishing nations of the EU in the Council, particularly Spain and France. Big sector organizations like Europêche and the French and Spanish fisheries organizations with their permanent representatives in Brussels dominated lobbying, similarly to influential agricultural groups in the CAP (Griffin, 2010; Payne, 2000). Scientific advice was requested, but the recommendations were usually disregarded (Daw and Gray, 2005). Apart from a few episodes, such as the Spanish-Canadian turbot war from 1994-96, the execution of the CFP was characterized by low public salience and it was subject to control by a limited number of decision makers. Conflicts were usually dealt with in the Council without significant public involvement. Despite clear signs of mismanagement and unsustainable exploitation, no substantial change happened until the turn of the millennium.

The 2002 CFP reform acknowledged the grave problems for first time head on. The agent of this new emphasis on sustainability was not the public but rather the European Commission, although its new-found enthusiasm clearly reflected the rise of environmental parties and civil society organizations in the EU. Starting with the reform of 2002, the EU claimed to switch the focus of its agreements with foreign partners, now re-branded as fisheries partnership agreements, from a pure concern with access rights to a broader agenda encompassing structural and logistical aid for partner countries as well as environmental considerations (Witbooi, 2008, Witbooi, 2012). It also created so-called Regional Advisory Councils to allow for a greater involvement of diverse stakeholders. However, while the narrative of the negotiations changed substantially and the number of involved actors increased, the actual content of the agreements and the activities of the EU fishing industry did not yet reflect this (Daw and Gray, 2005; Gegout, 2016).

As complaints by NGOs and scientists about the exploitation of the seas and the role of the EU became stronger and public alarm grew, the Commission increasingly sought to present itself as progressive force. In 2009, it initiated a public debate on the reform of its fisheries policy. This process led to a widely-discussed Green Paper (COM(2009)163 final). On January 1, 2014 a comprehensive reform which stressed the normative dimension of fisheries policies became effective. The FPAs were renamed Sustainable Fisheries Partnership Agreements (SFPAs). The reform process was decisively shaped by a new range of actors (Commission, 2010). Most importantly, the Lisbon treaty empowered the EP by giving it co-decision making powers in the CFP. This encompassed the external dimension. The EP now has to agree to any agreement according to the consent procedure, i.e. after a single reading it is given the option to accept or reject the results, but not to amend them. Prior to the vote in the plenary, the EP Fisheries Committee (PECH) discusses the draft agreement and gives its opinion. In recent years, there were often sharp divisions in the Committee. Other EP Committees, in particular those on Development and the Budget, usually also discuss the draft agreement and recommend approval or disapproval. Once the EP gives it consent, the Council can ratify the agreement. Like in trade policy, both the EP and the Council have veto power in the ratification of agreements.

After the Lisbon treaty was ratified, the EP immediately became very active in fisheries policy. Greene and Cross (2015, p. 8) found that plenary speeches by MEPs on CFP topics rose strongly after the Green Paper was published by the Commission. In a 2012 resolution on the external dimension of the CFP, the Parliament called on the Commission to negotiate not with the main objective of “obtaining fishing rights for EU vessels but [rather] ….with the aim of attaining comparable sustainable management rules as the EU in the third partner country” (European Parliament, 2012). In fact, in regulation 1380/2013 of December 11, 2013, which codifies the reformed CFP, the Council and the EP stress their commitment to such objectives in partnership agreements (European Parliament and Council of the European Union, 2013). The long deliberative process of the reform firmly entrenched sustainability as the dominant discourse in the EU’s CFP. This also reflected the public opinion in most EU countries

(see, for example, Client Earth, 2018). Given this external normative pressure, the Commission began to closely coordinate negotiations with the EP (author, 2015) and systematically tried to enlist the legitimation resources of the EP (see Rosèn, 2016). The Lisbon treaty thus ensured that rules guiding decision-making involved many diverse actors, precluding the former technocratic decision-making process. The emergence of the EP as powerful actor gave these actors a forum to make their voices heard.

Despite that, the CFP and its external dimension only partly display the characteristics of a politicized policy field. While there is clearly a continuous expansion of relevant actors in the decision-making process (criterium III) and there are sharp divisions among them, with the attendant strong contestation of the CFP and its components (criterium II), the public salience of the issue (criterium I) is still rather limited. A Nexis search of English, German, French and Spanish language newspapers showed that the CFP was not very frequently the object of articles (with a small spike during the debate about the CFP reform), and that this pattern remained constant until 2016. The precipitous rise in English-language papers after 2016 is due to Brexit (Figure 1). The same trend is visible if one searches only selected ‘quality’ journals (Figure 2).



**Figure 1:** Articles on CFP in all papers (Nexis search)



**Figure 2**: Articles on CFP in selected papers (**German:** FAZ.Net, Tagesspiegel, taz, die tageszeitung, Welt, Die ZEIT, Welt am Sonntag; **English:** telegraph.co.uk, Daily Telegraph,  The Guardian, Daily Mail, Sunday Telegraph, New York Times; **French:** Le Monde, Le Figaro; **Spanish:** El Pais, El Mundo); **Nexis search.**

There is no sustained public debate in EU countries on fisheries, nor do parties pick up the question and make it part of their electoral platform (only the Greens briefly mention fisheries in their 2019 manifesto). Thus, the picture remains unclear. Does this mean that an analysis of the CFP and its external dimension through the lens of politicization is bound to yield few benefits?

**3. The ‘Layered Politicization’ of the CFP**

The short review of the development of the CFP has shown that the description and analysis of the politicization of less prominent areas of EU external policies is ambiguous. A more fine-grained conceptualization is necessary. One way to move towards that goal is to take recent advances in the literature on institutional change into account which encompass both the descriptive and prognostic dimensions of politicization (Rixen/Viola, 2015; Streeck/Thelen, 2005). While many conceptualizations developed by the institutionalist literature are potentially useful, the recent framework presented by Lowndes and Roberts (2013) offers a good starting point. They see institutions as composed of three layers: narratives, rules and practices. This disaggregation makes institutions not only more intelligible; it also helps to better understand their effects and their reaction to politicization (Lowndes and Roberts, 2013, p. 63). Summarizing briefly, narratives designate the most important discourses within an institution. Politicized narratives suggest a highly contested discourse with conflicting interpretations about correct policies. Lowndes and Roberts conceptualise rules as written clauses, regulations and laws. They structure the political process. If the rules of decision-making have developed in such a way that they easily provoke intense political conflict and involve many potentially competing actors, we can speak of politicized rules. Practices describe the conduct and policy-output of institutions. If the implementation of agreed policies is publicly contested, politicized practices can be observed.

Combining the three institutional layers with the dimensions of politicization cited by most of the relevant literature yields the following table:

**Table 1:** Layers of Politicization

|  |  |
| --- | --- |
| **Dimensions of politicization** | **Layers of Institutions** |
| *Narratives* | *Rules* | *Practices* |
| *Salience/Visibility* | Salient Narrative | Salient Rules | Salient Practice |
| *Polarization* | Polarized Narrative | Polarized Rules | Polarized Practice |
| *Mobilization* | Mobilized Narrative | Mobilized Rules | Mobilized Practice |

This table suggests the possibility of an ‘incomplete’ or ‘layered’ politicization in which not all the boxes will be ticked. Narratives might be highly polarized and visible, whiles rules and practices might remain quite technocratic. It is also possible to imagine a policy field with a highly politicized narrative and mobilized rules (a wide array of actors) which are however not very salient overall and therefore do not generate a lot of media attention. This is apparently the case of the CFP.

Confronting this framework with the effects of politicization yields various propositions. For example, it is possible that despite a politicized narrative, policy output remains technocratic, because decision-making rules are strongly path-dependent or empower important veto-players. Thorough politicization, in contrast, would shape not only politicized narratives, but also result in a process in which decisions are made in an openly political contest within politicized institutions (such as parliaments but not necessarily parliamentary committees), leading to practices and results that are different from those of a purely technocratic environment.

To detect layered politicization in the external dimension of the CFP, I will trace the process of recent negotiations of important SFPAs to see whether these have become more controversial, in particular as a consequence of the involvement of the EP. This will also allow me, second, to identify a potentially larger set of actors that are involved in the decision-making process. Similarly to the above, a search on Nexis regarding the external dimension of the CFP has been undertaken.

**4. Layered Politicization and SFPAS**

The EU has signed more than twenty bilateral agreements with third countries that deal with the access of EU vessels to the EEZ of these countries. The protocols implementing the agreements are renegotiated periodically; almost half of them are currently dormant. The EU pays a fee for access and its fishing industry is allowed to take the surplus yield. According to the EU, these agreements set the standard for international fisheries in terms of sustainability, benefits for the local population and transparency. Nonetheless, they are often depicted as exploitative, and overall contestation against some of the agreements has risen considerably in the past decade. The following case studies will trace this pattern of politicization, using the framework established in the preceding paragraph. I will then assess the impact of politicization on the negotiation of SFPAs. Probably the most important and most contested EU fisheries agreements are those concluded withMorocco and Mauritania, which therefore will be used as case studies.

*4.1 Morocco*

Morocco used to be a reliable fishing ground for the EU, particularly for Spanish and Portuguese vessels. The early fisheries agreements were uncontroversial. In 1999, however, Morocco refused to sign a new protocol, citing the exhaustion of fish stocks. Despite strong efforts by the Commission, a follow-up protocol proved elusive until 2007. Following intense lobbying by the fishing industry, the Commission finally presented a new draft agreement. This draft provoked some controversy in the Council. The reason was not the economic or environmental dimension of the protocol, but rather the very political problem of the inclusion of the waters of the Western Sahara. This territory, formerly occupied by Spain, has been governed by Morocco since 1975, against strong resistance by the local population. The EU is internally divided on whether Morocco’s often brutally enforced annexation should be condoned. These divisions are clearly shown by the convoluted moniker given in EU official language to the region: a “non-self-governing territory ‘de facto’ administered by the Kingdom of Morocco”. Unfortunately, this strange territory also contains the best fishing grounds (since the coastal waters of Morocco are already quite empty). Many member states and NGOs (such as Fishelsewhere.com, founded in 2006 by Western Sahara activists) claim that the EU’s fisheries partnership agreements implicitly recognize Morocco’s sovereignty over the territory and lead to the exploitation of marine resources to the detriment of the inhabitants of Western Sahara, the Saharawis. As a result, Sweden voted against the Commission’s draft in the Council because of this problem. Other countries at least voiced their concerns. Nonetheless, the 2007 protocol was ratified quite smoothly, reflecting a low level of public salience and a technocratic decision-making process.

When the agreement was about to expire in 2011, Spain lobbied hard for an extension. However, scientific evaluations of the previous protocol rated its record in terms of sustainability very poorly (Oceanic Développement, 2010). The Commission had just published its Green Paper on the sorry state of the CFP and it tried to gain time for a new approach, by requesting an extension for just one year. Opinions in the Commission were divided: DG Mare argued that the waters of the Western Sahara should be excluded while other DGs stressed the overall importance of relations with Morocco (Jönsson, 2012, p.29). A similar division appeared in the Committee of Permanent Representatives (COREPER), which prepares Council meetings. Despite the divisions, the Council gave the Commission a mandate to open negotiations to avoid a disruption of EU fishing activities. On this basis, the Commission in February 2011 quickly reached an agreement with the Moroccan government that included the Western Sahara. The Council approved the result with a narrow majority in June 2011. However, the Lisbon treaty had entered into force in December 2009 and the EP now had to give its consent. The Fisheries Committee was still dominated by Spanish and French Representatives, and it sided with the Commission and the Council. The Budget and Development Committees, however, recommended that the EP withheld its consent (Jönsson, 2012, p.42). The controversy on the self-determination of the Sawarahis, the ecological consequences of large-scale fishing in Western African waters and the developmental implications of the agreements became much more visible with the mobilization of the EP. The polarized narrative which had been stifled by technocratic rules until then, was given voice and critical groups had an institutional target. Indeed, in December 2011, the plenary of the EP rejected the extension of the agreement arguing that the Commission had not demonstrated that the agreement was ecologically sustainable, economically viable, and beneficial to the Saharawis. The EP demanded that any new protocol should respect international law, that it should be sustainable, both in economic and ecological terms, and that the uses of EU funds should be made transparent (Passos, 2016, p. 93).

As a result of the EP vote, Morocco closed its fishing grounds to all EU vessels. After loud protests by the fishermen and the governments representing them, the Council authorized the Commission to continue the talks and try to achieve a better agreement, in particular with respect to the concerns expressed by the EP. The Commission then drafted a new protocol with more detailed provisions on how the money would be distributed within Morocco, specifically to the Sawarahis (Interview with Commission Official; European Parliament 2013). The Council discussed the draft agreement in early November 2013. Sweden and Denmark voted against, while the UK, Netherlands and Finland abstained. This was enough for a qualified majority. On 10 December 2013, after controversial debate, the EP voted for the agreement with 310 votes against 204 no-votes and 49 abstentions, mainly from the Greens and ALDE. In its resolution, the EP demanded participation in the implementation of the agreement, for example by sending observers to the EU-Moroccan joint committees set up by the protocol (Resolution 2013). The fishing industry was of course happy to get access to Morocco at all. Opponents to the agreement, such as the Greens in the EP and NGOs supporting the cause of the Saharawis, nonetheless denounced the vote as shameful. The episode showed that rules and practices in the negotiation of this agreement had become polarized and how an increasing number of actors were mobilized during policy process. The days of the permissive consensus in the negotiation of fisheries agreements with Morocco were over.

The following years underlined this. In 2014, the Frente Polisario, Western Sahara’s liberation movement, launched a case at the European Court of Justice to contest a separate agreement on trade in agricultural products. In December 2015, the Court ruled that trade agreements with Morocco could not apply to the Western Sahara, causing Morocco to freeze its relations with the EU. The Council appealed against the decision and won the case recently (CJEU 2016). NGOs fighting for the recognition of the rights of the Sawarahis, however, were encouraged and also challenged the fisheries agreements at the Court. In fact, in February 2018, the Court published another resolution saying that a new agreement could not cover the waters adjacent to the Western Sahara, although the fisheries industry and Morocco claimed that a large part of the benefits of the agreement accrued to the population of the disputed territory. As a consequence, the EU tried to broaden the negotiations by consulting representatives of all the concerned territories. However, the Polisario declined to participate. Nonetheless, the Commission and the Moroccan government went ahead with a new agreement, after consultations with as many local representatives as possible under the circumstances. When it came to a vote in the EP, the Greens demanded that the text should be referred to the ECJ once more. However, on February 2, 2019, the Parliament finally gave consent to a new 4 year agreement, allowing about 130 EU vessels for a sum of €208m to fish in the waters of Morocco, including the Western Sahara territory. 415 MEPs voted for the deal, with 189 against and 49 abstentions, despite vociferous protests by NGOs (EUobserver 2019). The majority of the EP maintained that the agreement would not constitute the recognition of Moroccan sovereignty over Western Sahara. On March 4, the Council gave its consent with a similar statement.

The case study shows how political contestation and the number of actors dealing with the negotiations rose continuously in the past decade. The role of the EP was crucial in this respect. The involvement of the Court is particularly noteworthy. Despite that, the public salience of the issue remains limited. A similar search of newspapers indexed in Nexis from 1998-2017 showed that fisheries partnership agreements were discussed only in very few articles. Most of the debate happens in specialized internet publications, mostly driven by NGOs.

*4.2 Mauritania*

The agreement with Mauritania is the EU’s most important SFPA in terms of volume and financial contribution. Thus, the renewal of the protocols attracted particular attention from the fishing industry, NGOs and the EP. It did so, however, only in the last decade. The 2012 renegotiation of the 2006 protocol turned out to be very conflictual and resulted in a compromise that was rejected by the EU fishing industry and their allies in EU institutions. The normative discourse established during the run-up to the 2013 CFP reform and the empowerment of the EP strongly influenced the decision-making process. This gave particular clout to scientific evaluations that argued that previous protocols had caused depleted fish stocks to the detriment of the Mauritanian fishing sector (Oceanic Développement 2011). In May 2011, the EP adopted a resolution which demanded that the EU fleet should only target the surplus of fish, that is, the sustainable quantity above the level that was reached by Mauritanian fishers. The most valuable species, octopus, the EP argued, should be excluded from the new protocol (Corten, 2014, p. 3). Negotiations with Mauritania started in June 2011 and quickly became protracted as the Mauritanians seized on the new mood and ramped up their demands. They were supported by vocal European and African NGOs (Nagel and Grey, 2012). The fishing industry warned the Commission that a new protocol in line with Mauritanian conditions could not be commercially viable (Corten, 2014, p. 4). In July 2012, days before the expiration of the old protocol, the Commission presented a provisional extension of the 2006 protocol, pending consent of the EP. It went very far in meeting Mauritanian demands and reflected the philosophy of the Green Paper.

As soon as the provisional text became known, protests arose. The EU fisheries industry lambasted the agreement as commercially useless (cmrweb.nl, 2014). Subsequently, most EU vessels in effect stopped fishing in the Mauritanian EEZ. Nonetheless, most member states, even some with fishing interests in Mauritania, supported the result, presumably responding to pressure by NGOs in their countries (Corten, 2014, p. 7). Another factor influencing member states’ support for the agreement was the interest to stabilize Mauritania given the unrest in Mali at the same time (Interview with Commission official). Thus, the Council signed the protocol in December 2012 and agreed to its provisional application, until the EP gave its consent (European Parliament, 2013b).

In February 2013, the EP Committee on Development recommended consent. However, three months later, the Fisheries Committee under its Spanish rapporteur Gabriel Mato, recommended that the EP withheld its consent since the protocol made no economic sense (European Parliament, 2013c). In the ensuing months, Spain initiated a strong campaign to convince MEPs to vote against the agreement (CFP Reform Watch, 2013). However, numerous NGOs lobbied the parliamentarians, too, and in the end they carried the day easily (cmrweb.nl 2013). In October 2013, the Parliament voted for the protocol with 467 votes in favor and 154 votes, especially from the European People’s Party, against. It was signed in November. The whole process underlined the ‘layered politicization’ of the external dimension of the CFP. The parliamentarization of SFPA negotiations mobilized new actors which were able to politicize the process. Conflicts within all three major EU organs emerged. Evaluation of the media echo shows that the public resonance of the issue was still limited, though.

A similar pattern could be observed in the next round of negotiation which ended with a new protocol applicable since November 2015. In the early stages of the negotiation of the protocol, the EP produced a resolution on the external dimension of the CFPwhich promoted the Mauritania deal as potential role model (EP 2016). The resolution and the report on which it was based (European Parliament 2015) was strongly influenced by the results of a conference of the Long Distance Advisory Committee (LDAC), an advisory body, established by the Council and Commission in 2007. The LDAC combines representatives of the industry, NGOs, European states and member states. In its recommendations it stated that “the essence of the partnership between African countries and the European Union should be the joint promotion of sustainable environmental, social and economic development based on transparency and the participation of non-governmental stakeholders, especially the professionals who depend on fishing for their livelihood. The conservation of resources and the protection of the marine environment are essential in order to guarantee sustainable fishing for future generations” (LDAC 2015). This was reflected in the protocol, despite strident protests by the fishing industry (North Africa Post 2015). In addition to its strong normative content, the SFPA again contained a provision which obliged Mauritania to publish all agreements with other states or private entities which got access to its waters. This was to ensure that other agreements with lower standards would not undermine the objectives of the EU SFPA and out-compete the EU. As a result, Russia launched a complaint at the WTO, opening another arena of contestation.

Overall, the process was less conflict-prone than the earlier renegotiation and the protocol passed the parliament with a comfortable margin, although it was again denounced by critical NGOs (AEFJN 2016). One reason for the vote might have been the refugee crisis of 2015 which drew attention to the fact that Mauritania was a transit country and had a long common border with troubled Mali. This provides another opening for contested meanings that will be attached by different actors to the agreement. The up-coming renegotiation might once more become a partially politicized process.

**5. Conclusions**

In their comprehensive study on the politicization of European integration in the past 50 years, Hutter et.al. argued that there was no consistent pattern or trend towards the politicization of EU politics. Instead, they observed significant variation across time and countries, and referred to this as ‘punctuated politicization’ (2016, p. 280). Since their research concentrated on the big turning points and crises of European integration, it is quite reasonable to expect that in a less prominent arena such as the CFP and its external dimension this pattern would be even more pronounced. While in fact, as this research has demonstrated, some dimensions of politicization can be identified in the CFP, it is far from consistent and has not yet mobilized a larger public. To account for this incomplete pattern, the concept of ‘layered politicization’ has been used. Two decisive elements shape this ‘layered’ politicization: the increasing prominence of a normative discourse on fisheries policy that was institutionalized with the reform of the CFP (layer of narratives) and the parliamentarization of the CFP as a consequence of the Lisbon treaty (layer of rules). Parliamentarization allowed access for many more actors to the decision-making process, such as expert committees and civil society groups, and, crucially, it gave them much higher odds to influence outcomes. External fisheries policy has now become a contested policy field, and the parliament has become a core arena. Faced with a divided council, its clout is considerable. This also allows the Commission to use the EP in a similar way as US trade negotiators use Congress: as potential veto-players in a two-level game with counterparts in international negotiations, but also as a potentially legitimizing actor. As a consequence, negotiations also have become more complicated, with some fisheries protocols lapsing and EU counterparts getting increasingly upset about the intrusiveness of the agreements. While many NGOs still see the EU’s fisheries policy as exploitative, their inclusion in the process has made their arguments less strident. The incomplete politicization of the external dimension of the CFP had the same effects that were identified for cases of comprehensive politicization: less efficiency, but more legitimacy. Using a more fine-grained concept of politicization might enable future research to link specific forms of politicization to different outcomes in a more systematic way.

BIBLIOGRAPHY

# AEFJN (Africa Europe Faith and Justice Network), 2016. EU Fishing deals in Africa: Scraping the Bottom of the Barrel; *AEFJN.com;* Retrieved from: http://aefjn.org/en/eu-fishing-deals-in-africa-scraping-the-bottom-of-the-barrel/.

CFP Reform Watch (2013). EU-Mauretania fisheries agreement will test MEPs’ adherence to the principles of the new CF’, *cfp-reformwatch.eu.* Retrieved from: http://cfp-reformwatch.eu/2013/10/eu-mauritania-fisheries-agreement-will-test-meps-adherence-to-the-principles-of-the-new-cfp/ (accessed 1 June 2014).

Client Earth (2018), British Public overwhelmingly supports greater fisheries Protection, April 16, 2018; Retrieved from: https://www.clientearth.org/british-public-support-fisheries-protections-brexit/ (accessed 29 March 2019).

Cmrweb.nl (2013). Fisheries Partnership Agreement between the EU and Mauretania, Retrieved from: http://cmrweb.nl/Documents/2013-01.pdf (accessed May 2015).

CJEU (2016), The Association and Liberalisation Agreements concluded between the EU and Morocco are not applicable to Western Sahara; Retrieved from: curia.europa.eu/jcms/jcms/p1\_268842/fr/ [25 March 2019].

Commission (2010), Commission Staff Working Document: Synthesis of the Consultation on the Reform of the Common Fisheries Policy, Brussels, 16.4.2010; SEC(2010)428 final. Retrieved from: ec.europa.eu/fisheries/sites/fisheries/files/docs/body/sec%282010%290428\_en.pdf [25.3.2019]

Corten, A. (2014). EU Mauretania Fisheries Partnership in Need of More Transparency, *Marine Policy* 49 (1): 1-11.

Daw T. & Gray T. (2005), Fisheries Science and Sustainability in International Policy: A Study of Failure of the EU’s Common Fisheries Policy, *Marine Policy* 29(3), 189-197.

De Wilde, P., Leupold, A., & Schmidtke, H. (2016). Introduction: the differentiated politicisation of European governance. *West European Politics*, 39(1), 3-22.

EUobserver (2019), EU parliament backs Western Sahara fish deal with Morocco, Feb 12; Retrieved from: <https://euobserver.com/tickers/144148>. [25 March 2019]

European Parliament (2012) ‘Resolution of 22 November on the External Dimension of the Common Fisheries Policy’, Retrieved from: europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2012-0461&language=EN&ring=A7-2012-0290 (25 March 2019).

European Parliament (2013) ‘European Parliament Research Service: Briefing, EU-Morocco FPA; Retrieved from: www.europarl.europa.eu/RegData/bibliotheque/briefing/2013/130703/LDM\_BRI%282013%29130703\_REV1\_EN.pdf (accessed May 2015).

European Parliament (2015), Report on common rules in respect of application of the external dimension of the CFP, including fisheries agreements (2015/2091(INI)) Committee on Fisheries

Rapporteur: L. Engström, March 10.

European Parliament and Council of the European Union (2013) Regulation (EU) No 1380/2013 of the EP and of the Council of 11 December 2013 on the Common Fisheries Policy. Retrieved from: eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R1380&from=EN (accessed 7 May 2015).

Gegout C. (2016) Unethical power Europe? Something fishy about EU trade and development policies, *Third World Quarterly,* 37 (12), 2192-2210.

GreeneD. and Cross J.P. (2015),UnveilingthePolitical Agenda of the European Parliament Plenary: A TopicalAnalysis. Proceedings of the ACM Web Conference; Retrieved from: https://insight-centre.org/sites/default/files/publications/unveiling\_the\_political\_agenda\_of\_the\_european\_parliament.pdf [29 March 2019].

Griffin, Liza, 2013. *Good Governance, Scale and Power: A Case Study of North Sea Fisheries*. New York: Routledge.

Hooghe, L., & Marks, G. (2009). A postfunctionalist theory of European integration: From permissive consensus to constraining dissensus. *British Journal of Political Science*, 39(01), 1-23.

Jönsson, H. (2012) *The EU-Moroccan Fisheries Partnership Agreement. A process-tracing case study of the Potential Extension in 2011*. Report, Lund University Department of Political Science.

LDAC (2015), Recommendations LDAC Conference on External Dimension of the CFP

Las Palmas, 16-17 September2015; Retrieved from: ldac.chil.me/download-doc/66268.

Lövin, I. (2012). *Silent Seas. The Fish Race to the Bottom*. Rothersthorpe: Paragon Publishing.

Milano, E. (2006). The New Fisheries Partnership Agreement between the European

Community and the Kingdom of Morocco: Fishing too South? *Anuario Espanol de Derecho*

*Internacional* 22, 413-57.

North Africa Post (2015), Mauritania signs…., 11 July; Retireved from : http://northafricapost.com/8383-mauritania-signs-win-win-fishing-agreement-with-eu.html [accessed 31 March 2019]

Océanic Développement (2010) ‘Evaluation ex-post du protocole actuel d’accord…entre l‘ EU et Maroc’, Retrieved from: http://www.fishelsewhere.eu/files/dated/2012-03-05/evaluation-app-maroc-2010.pdf (accessed May 2015).

# Océanic Développement (2011) ‘Evaluation ex-post du protocole actuel d’accord…entre l‘ EU et Mauritanie, March’Retrieved from: www.asktheeu.org/de/request/164/response/556/attach/html/2/Evaluation%20study%20Mauritania%20public%20version.pdf.html (accessed November 2015).

# Passos, R. (2016), The External Powers of the European Parliament. In: Eeckhout P. & Lopez-Escudero M. (Eds.), *The European Union’s External Action in Times of Crisis*, (pp. 85-128), Oxford: Hart.

## Payne, D.C. (2000), Policy‐making in Nested Institutions: Explaining the Conservation Failure of the EU’s Common Fisheries Policy, *Journal of Common Market Studies* 38:2, 303-24.

Rixen, T. & Viola, L.A. (2015) “Putting Path Dependence in Its Place: Toward a Taxonomy of Institutional Change”. *Journal of Theoretical Politics*, 27 (2), 301-23

Rosén, G. (2016). A match made in heaven? Explaining patterns of cooperation between the Commission and the European Parliament, *Journal of European Integration*, 38 (4), 409-424

Rosén, G. (2017). The impact of norms on political decision-making: how to account for the European Parliament’s empowerment in EU external trade policy, *Journal of European Public Policy*, 24 (10), 1450-70.

Streeck, W. & K. Thelen (2005) *Beyond Continuity. Institutional Change in Advanced Political Economies*. Oxford: Oxford University Press.

Van den Putte, L., De Ville, F., & Orbie, J. (2014). *The European Parliament's New Role in Trade Policy: Turning Power into Impact*. CEPS Special Reports (89).

Wakefield, J. (2016). *Reforming the Common Fisheries Policy*, Ashgate: Elgar.

Witbooi, E. (2008), The infusion of sustainability into bilateral fisheries agreements with developing

countries: The European Union example, *Marine Policy* 32, 669-679.

Witbooi, E. (2012), *Fisheries and sustainability: a legal analysis of EU and West African agreements*, Leiden: Nijhoff.

Zürn, M. (2014). The politicization of world politics and its effects: Eight propositions.

*European Political Science Review*, 6, 47-71