

**RESPONSE TO GREEN PAPER
REFORM OF THE COMMON FISHERIES POLICY**

**RESPONSE FROM NORTH EAST SCOTLAND FISHERIES DEVELOPMENT
PARTNERSHIP (NESFDP)**

4.1. Addressing the deep-rooted problem of fleet overcapacity

- **Should capacity be limited through legislation? If so, how?**
- **Is the solution a one-off scrapping fund?**
- **Could transferable rights (individual or collective) be used more to support capacity reduction for large-scale fleets and, if so, how could this transition be brought about? Which safeguard clauses should be introduced if such a system is to be implemented? Could other measures be put in place to the same effect?**
- **Should this choice be left entirely to Member States or is there a need for common standards at the level of marine regions or at EU level?**

Answer

There must be some mechanism linking fleet capacity to catching opportunities, and legislation may be the only way to do this. It is believed that any such legislation would need to have been fully assessed in terms of science and socio-economics in order to achieve stakeholder buy in. Fishermen need to be at the core of decision-making and not on the periphery.

In the case of the Scottish Fleet, NESFDP would expect that any remaining over capacity could be dealt with by fine-tuning rather than wholesale cuts and that community funding must be available for this. The inshore fleet should have access to quota to help preserve the socio-economic structure of small fishing communities that rely on local seasonal fisheries.

Individual Transferable Quotas (ITQ's) rights is not a road that NESFDP would like to see the fishing industry go down, and considers them a threat to the long term sustainability, and viability of the local regions fishing industry and its associated infrastructure. NESFDP acknowledges that there may be a need for some kind of collective transfer mechanism but only within individual member states. NESFDP would support the idea of the development of national measures, which align themselves to the needs of the domestic catching sector within each Member State.

4.2. Focusing the policy objectives

- **How can the objectives regarding ecological, economic and social sustainability be defined in a clear, prioritised manner which gives guidance in the short term and ensures the long-term sustainability and viability of fisheries?**
- **Should the future CFP aim to sustain jobs in the fishing industry or should the aim be to create alternative jobs in coastal communities through the IMP and other EU policies?**
- **How can indicators and targets for implementation be defined to provide proper guidance for decision-making and accountability? How should timeframes be identified for achieving targets?**

Answer

The objectives of ecological, economic and social sustainability can best be addressed by managers through using stakeholder forums to invite industry, science and Non Government Organisations (NGOs), as for instance in the Regional Advisory Councils (RACs) to define them and give clear guidance on how to use them.

All three objectives of ecological, economic and social sustainability need to be given a well-balanced and stable level of importance. Ecological considerations cannot be allowed to take priority over the socio-economic needs in every scenario. It could be argued that one of the principal reasons for current discussions is because of the primacy of ecological arguments in previous policy.

NESFDP would further stipulate that stakeholders are more likely to work within such a system. This should make decision-making and accountability much more likely to have a positive impact. Time frames should not be set in stone but should be reactive whilst remaining proactive as circumstances change. Again this can only be achieved through stakeholder involvement. It would be unhelpful to enter the reform process with an underlying belief that systematic irresponsibility and a culture of non-compliance is prevalent.

NESFDP believes that the future CFP should be focused primarily on sustaining jobs in the fishing sector but with opportunities available to create diversity of employment as necessary.

4.3. Focusing the decision-making framework on core long-term principles

- **How can we clarify the current division of responsibilities between decision-making and implementation to encourage a long-term focus and a more effective achievement of objectives? What should be delegated to the Commission (in consultation with Member States), to Member States and to the industry?**

- **Do you think decentralised decisions on technical matters would be a good idea? What would be the best option to decentralise the adoption of technical or implementing decisions? Would it be possible to devolve implementing decisions to national or regional authorities within Community legislation on principles? What are the risks implied for the control and enforcement of the policy and how could they be remedied?**
- **How could the advisory role of stakeholders be enhanced in relation to decision-making? How would Advisory Council for Fisheries and Aquaculture (ACFA) and the Regional Advisory Councils (RACs) adapt to a regionalised approach?**

Answer

NESFDP strongly supports the principle of a regional management system operating within an overarching European strategy. The basic principles can be agreed at European level but proper implementation of management can best be served by regional stakeholder acceptance and implementation. Longer term planning needs to be implemented giving fishermen a greater opportunity to plan and invest for the future.

NESFDP has long called for a level playing field in terms of enforcement, meaning consistent enforcement of policy across all member states. However it would be extremely unhelpful if the reform process were compromised by a deep held belief within the Commission and enforcement agencies that most fishermen openly flaunt the rules and regulations passed out by them. The fishermen should be involved at the core of management and not on the periphery, treated as equal partners, and not as irresponsible plunderers of the seas.

NESFDP due to its long association with the RACs would contend that the RACs should eventually become Regional Management Councils, if the proper funding was put in place and the ability to reach the grass roots of the industry was enhanced. Therefore NESFDP would not favour comitology procedure (the committee procedures of the Commission), but rather regional management solutions implemented by the member states under an overarching EU standard and believe this should be a more effective form of management, which in the end should be simpler and less costly.

4.4 Encouraging the Industry to take more responsibility in implementing the CFP.

- **How can more responsibility be given to the industry so that it has greater flexibility while still contributing to the objectives of the CFP?**
- **How could the catching sector be best structured to take responsibility for self-management? Should the Pos be turned into bodies through which the industry takes on management responsibilities? How could the representativeness of Pos be ensured?**

- **What safeguards and supervisory mechanisms are needed to ensure self-management by the catching sector does not fail, and successfully implements the principles and objectives of the CFP?**
- **Should the catching sector take more financial responsibility by paying for rights or sharing management costs, e.g. control? Should this only apply to large-scale fishing?**
- **Are there examples of good practice in particular fisheries that should be promoted more widely? Should incentives be given for the application of good practices? If so, which?**

Answer

NESFDP supports the idea of industry being given more responsibility for looking after fisheries. A basic flaw in the present management system is the focus on a system of punishment without incentive. In other industries, there is not the same level of micro management that the fisheries sector has to endure and stakeholders should be in a position to decide for themselves how to achieve the limits/targets that the managers set.

The structure of producer organisations (POs) already has some capacity for management of quotas and with modern technology there should exist a means of providing the necessary information without adding another layer of bureaucracy to the already weighty administration. POs would appear to be the ready made mechanism for day-to-day management of the CFP, but their effectiveness could be hampered if membership numbers were allowed to drop too far, (equivalent to vessels involved in fish catching).

Simplifying the regulations to cover this aspect should also reduce the costs of control and again with modern technology the costs of management should be driven down. If this were to happen and stakeholders were an integral part of the solution, they would be shouldering a large part of the management burden in any case and member states would be able to cut back on their management expenditure.

A prime example of good practise methodology is Scotland's Conservation Credits Steering Group, which has delivered real gains for the North Sea cod stock by delivering a lower mortality rate through the introduction of innovative methods such as Real Time Closures (RTCs), Seasonal Closures (SCs) and cod selective fishing gear. Collectively these measures have proved to be highly effective and have been largely based on an incentive and reward system where fishers receive additional opportunities in return for avoiding cod.

As Scotland has a system of inshore fisheries management, this should remain as an autonomous entity within the 6 and 12 mile zone with its own allocated quota to help preserve the socio-economic structure of the small fishing communities.

4.5. Developing a culture of compliance

- **How can data collection systems be improved in the short and medium term to ensure coherent information for enforcement purposes?**
- **Which enforcement mechanisms would in your view best ensure a high level of compliance: centralised ones (e.g. direct Commission action, national or cross-national controls) or decentralised ones?**
- **Would you support creating a link between effective compliance with control responsibilities and access to Community funding?**
- **Could increasing self-management by the industry contribute to this objective? Can management at the level of geographical regions contribute to the same end? What mechanisms could ensure a high level of compliance?**

Answer

NESFDP supports the use of an overarching policy for control administered on a regional seas basis. It has been a common perception across the community that each nation has been hit harder than others by increasing regulation. To combat this it would be best to have trans-national enforcement applied consistently and transparently operating to a common policy. Most fishermen do comply with current regulations, but sometimes fail due to their complexity- rules need to be simplified.

NESFDP would also argue that without proof of compliance, European funding should not be available. Compliance should be enhanced by industry involvement in management and the demonstration of the benefits this brings but it must be stressed that uniformity of enforcement across the region is very important. When offences do occur and are proven beyond all reasonable doubt, a deduction of time allowed at sea may prove to be a greater deterrent than a fine.

The burden of management should concentrate on relevant data collection and inspection rather than the presence of control officers at every step of the way for fishermen. Greater cooperation is needed between scientists and fishermen, and greater use made of the knowledge they both possess on fish stock distribution, and concentration. CCTV camera systems, already fitted to some vessels, could provide real time data, which can be scrutinised, and advice quickly relayed if appropriate.

5.1 A differentiated fishing regime to protect small-scale coastal fleets?

- **How can overall fleet capacity be adapted while addressing the social concerns faced by coastal communities taking into account the particular situation of small- and medium-sized enterprises in this sector?**
- **How could a differentiated regime work in practice?**
- **How should small-scale fisheries be defined in terms of their links to coastal communities?**

- **What level of guidance and level-playing field would be required at EU level?**

Answer

NESFDP would promote the system being introduced in Scotland for small-scale fisheries inside the 12-mile limit as being a good example across the region, using all stakeholders in a defined area to develop the management model for themselves, under an over-arching national policy.

While the parameters for an inshore fleet are very difficult to pinpoint, this inclusive approach to managing inshore areas is seen as beneficial to the entire sector and the communities and businesses involved.

Again, it may be possible to have a European Policy reflecting this sector and which looks after the small to medium sized enterprises involved, which can be managed on a regional level.

5.2. Making the most of our fisheries

- **How can long-term management plans for all European fisheries be developed under the future CFP? Should the future CFP move from management plans for stocks to fisheries management plans?**
- **Should we consider reforming the CFP in two steps, with specific measures to move to MSY prior to 2015 followed by measures to maintain MSY as the upper exploitation level after that date?**
- **How could the MSY commitment be implemented in mixed fisheries while avoiding discards?**
- **What should the main management system be for Community fisheries and to which fisheries should it apply? Catch limitations? Fishing effort management? A combination of the two? Are there any other options?**
- **What measures should be taken to further eliminate discards in EU fisheries? Could management through transferable quotas be useful in this regard?**

Answer

NESFDP counsels caution in the rigid application of the principle of Maximum Sustainable Yield (MSY), primarily because of the well-identified problems it brings to mixed fisheries, which are a major part of the Scottish effort. At the same time NESFDP would welcome an end to discards, and would urge that a suitable solution to this problem is found and multi species fisheries plans may be an initial step to resolving the discard dilemma. Moving toward a system of “catch quotas” as opposed to “landing quotas” would significantly reduce discarding given that such a scheme is able to deal with multi-species complexities. Such a development would reinforce current scientific information through the provision of more detailed information, which in-turn better informs the debate on a multi species management framework.

However with a multi species fishery NESFDP also agrees that technical measures, including conservation credits (incentives to reduce cod mortality), real time closures of fishing grounds to prevent the capture of juvenile or spawning fish, the use of more selective fishing gears and the adoption of individual vessel cod avoidance plans, should be introduced.

5.3. Relative stability and access to coastal fisheries

- **How could relative stability be shaped to better contribute to the objectives of the CFP? Should it be dismantled or if not should it become more flexible and if so, how? How could such alternatives be set up?**
- **Should access to the 12 nm zone be reserved for small-scale fishing vessels?**

Answer

NESFDP appreciates that as the management system has become increasingly complex, the original intention of relative stability has been lost, but believes the principle worthy and that it should be retained and even bolstered. Thus NESFDP would support the introduction of more flexible arrangements to address some of the problems identified (such as one fleet discarding fish while another still has quota for it.)

As previously stated NESFDP supports the retention of both the 6 and 12 mile limit for the small scale and indigenous fleets.

5.4. Trade and markets – from catch to consumer

- **How could market mechanisms be used to encourage the development of fisheries that are market efficient as well as sustainably exploited?**
- **How can the future CFP best support initiatives for certification and labelling?**
- **How can traceability and transparency in the production chain be best supported?**
- **How could the EU promote that fisheries products come from sustainably managed fisheries, providing a level playing field for all?**
- **How can the POs better work to match production with market needs? Which new market based policy instruments could be implemented through POs? How can fishermen improve their position towards processing and distribution?**

- **What is the role of trade policy in balancing the interests of producers, consumers and our relations with exporting countries?**

Answer

NESFDP believes in working closely with Seafood Scotland, (which is defined as an inter-branch organisation), which works with the producer organisations to promote and market Scottish fish and also works on supply chain and sustainability issues. In terms of provenance of produce, NESFDP believes that the independent assessment of each fishery is the best way to show proof of sustainability in specific fisheries to consumers and therefore expects the process to be supported but not interfered with. NESFDP strongly supports co-operation between different arms of the fisheries sector and would like to see this good practice in operation supported and promoted.

5.5. Integrating the Common Fisheries Policy in the broader maritime policy context

- **In which areas does the fishing industry interact closely with other sectors? Where specifically is integration within the IMP required?**
- **How can the future CFP contribute to the continued access of fisheries, including both fishing fleets and aquaculture, to marine space, within an integrated spatial planning framework?**
- **How can the future CFP best ensure consistency with the Marine Strategy Framework Directive and its implementation?**
- **How can the future CFP support adaptations to climate change and ensure that fisheries do not undermine the resilience of marine ecosystems?**

Answer

NESFDP places great emphasis on issues of sustainability and would expect the future CFP to be an integral part of fisheries management. Fishing must be seen in the context of being a traditional user of the sea, with obvious benefits in terms of local food supplies. NESFDP contends that the industry should be regarded as one of the major participants in the use of community seas. This should include full consultation and involvement in the whole process of the development of the Integrated Maritime Policy.

The Maritime Policy has been designed to co-ordinate different sectoral policies, hence it is important that the CFP takes account of the Marine Strategy Framework Directive and vice versa. This is particularly important with regards to the designation of Marine Protected Areas, where the fisheries sector should be actively consulted during the process.

In the future, it would be desirable for stakeholder forums to be set up for regional seas such as the North Sea to ensure that different sectors can work together for the long-term sustainability of their industries and minimise conflicts between different activities.

5.6. The knowledge base for the policy

- **How can conditions be put in place to produce high-quality scientific research regarding fisheries in the future, including in regions where it is currently lacking? How can we best ensure that research programmes are well coordinated within the EU? How can we ensure that the resources are available and that young researchers are educated in this area?**
- **How can the resources available best be secured and utilised to provide relevant and timely advice?**
- **How can we better promote stakeholder involvement in research projects, and incorporate stakeholder knowledge in research-based advice?**

Answer

NESFDP welcomes recognition of the Regional Advisory Councils as a priority of the CFP. NESFDP has been one of the leading supporters of this move towards stakeholder involvement in the process of fisheries management. Therefore, NESFDP is pleased to support the utilisation of the RAC for the benefit of co-ordinated scientific research and the need to timetable advice and use stakeholder knowledge in the scientific process. Current State Aid rules can be a barrier to formal private sector participation in research projects.

NESFDP fully supports the viewpoint that fishermen should be treated as equal partners. Collaboration, rather than confrontation with fishermen should be encouraged and their considerable knowledge be procured and collated for the benefit of future negotiations.

5.7. Structural policy and public financial support

- **What should be the top priorities for future public financial support and why? What changes can the sector not manage to bring about on its own and therefore require public financial support?**
- **How can we change the focus of EU financial resources to promote innovation and adaptation to new policies and circumstances? Does any new policy area require funding? Should public financial support be focused on specific transitions such as eliminating discards in the fishing industry?**
- **How can synergy and coherence of possible CFP funds with other EU and national instruments be ensured?**
- **How can a synergy between the pillars of a future CFP be achieved? Should public assistance be conditional on Member States' achieving policy objectives?**

- **How can EU financial resources be developed to provide the flexibility needed to respond swiftly when a crisis occurs?**
- **Should public financial support apply equally to all sectors (small and large scale)? Should the European Fisheries Fund continue to distinguish between convergence and non-convergence regions?**
- **Should indirect support such as services related to fisheries management (access, research, control) continue to be provided free to all sectors of the industry?**
- **Should permanent fisheries subsidies be phased out, maintaining, on a temporary basis, only those aimed at alleviating the social impacts of the restructuring of the sector?**

Answer

NESFDP recognises that the Scottish Fleet does not wish to become subsidy dependent, so any future financial aid should be aimed at addressing external shocks or crises, rather than overcapacity, although as stated previously, funding should be available to assist in fine tuning capacity.

EU financial resources could be better spent on Regional Advisory Councils as a move towards regionalisation than on a centralised system based in Brussels.

Financial resources available under the CFP should of course be conditional on member status co-operation with overall policy objectives and presently the system of convergence and non-convergence areas is fit for purpose.

As part of the overarching CFP, access research and control should continue as a function of the management system, but with appropriate stakeholder buy in and compliance the overall financial burden should be diminishing.

Funding delivered through the CFP should be better co-ordinated with other EU programmes such as the Structural Funds. The recent suggestion of a Coastal Fund is welcomed and should be focused on the sustainability of fishing-dependent communities, building upon the present Axis 4 of the European Fisheries Fund. Perhaps the most important area is the provision of funding for practices that fit the eco-friendly label (such as the Marine Stewardship Councils certified sustainable fishery) being sustainable in their approach including, in the absence of EU certification, funding toward certification of both stocks and fisheries.

5.8. The external Dimension

- **The core objective of the CFP is to promote responsible and sustainable fisheries. Is there any reason why the external dimension of the CFP should be driven by different objectives?**
- **How could the EU strengthen its role on the international stage to promote better global governance of the sea and in particular of fisheries?**
- **How can the EU cooperate with its partners to make RFMOs more effective?**
- **Contrary to the current free access principle in international waters, should fishermen pay for the right to fish in the high seas under the governance provided by RFMOs?**
- **How can objectives such as investment promotion (creation of joint-ventures, transfer of know-how and technologies, investments and capacity management for the fishing industry ...), creation of jobs (on vessels, in ports, in the processing industry) or promoting good maritime governance be pursued in the framework of future international fisheries agreements?**
- **Are the FPAs the best instrument to achieve sustainability beyond EU waters or should they be replaced by other forms of cooperation? Should the regional perspective be explored and either substitute or complement a streamlined bilateral one?**
- **How could we make scientific research to assess the sustainability of fish stocks and the control of the fishing activity more transparent and efficient?**
- **How can we assure better cooperation and compliance with new regulations in developing countries?**
- **Should EU operators cover all the costs of their fishing activities in third country waters or should the Community budget continue to support part of these costs?**
- **How could we contribute to increasing the fisheries management capabilities of developing countries, e.g. through targeted assistance?**
- **Should the integration of European fishing fleets and interests in third countries be actively pursued as an objective of the external dimension of the CFP with a view, in particular, to support the development of the concerned partner countries?**
- **How can we reinforce the synergies between the different forms of support and the different partners in the fisheries sector reinforced and the development strategies of coastal states?**

- **Should aquaculture be included in future partnership agreements?**
- **How could the potential of small-scale fisheries in third countries for sustainability, ecological and social benefits be enhanced?**

Answer

As the EU is a major market for and importer of fish it would seem that external fisheries agreements should continue. In the case of third world countries the EU fishing industry has the possibility of setting up joint ventures to help develop new fisheries and develop onshore processing facilities, which in turn would help generate employment for the local area. The European Commission could handle the legal agreements guarantees etc to ensure an acceptable level of risk to the investor. Traceability, important to both the consumer and the management organisations can be used as a check to ensure that all fish imports into the EU are legal, from a sustainable source and of an acceptable standard.

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Dear Sir

Consultation on the Green Paper – Reform of the Common Fisheries Policy

I am pleased to enclose North East of Scotland Fisheries Development Partnerships response to the Green Paper. Members agreed this response earlier this month.

North East Scotland Fisheries Development Partnership is a private/public partnership of local authorities, MPs, MEPs, MSPs and fisheries stakeholders, which includes representatives from catching, processing, fisheries support businesses and harbour authorities.

NESFDP wishes to ensure the future sustainability and viability of the industry and its dependent communities in North East Scotland and trusts that the response will influence the European Commission’s position and approach to the review of the Common Fisheries Policy.

Yours faithfully

Provost William Howatson
Chair of North East Scotland Fisheries Development Partnership