



# SCOTTISH FISHERMEN'S FEDERATION

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## CFP Review

### Response of the Scottish Fishermen's Federation

The Scottish Fishermen's Federation (SFF) was formed in 1973 to preserve and promote the interests of the Scottish fishing industry. The SFF acts on behalf of nine constituent associations whose members represent a broad range of the Scottish fishing fleet from the largest pelagic vessels to the smallest crab and lobster boats. The Federation is therefore qualified to provide a co-ordinated Scottish industry view on a reformed Common Fisheries Policy (CFP). Our response concentrates on those parts of the policy which are in greatest need of change and which ultimately affect our members directly.

The SFF is very aware of the need to protect fish stocks and the wider marine environment. Creating a sustainable, profitable and well managed fishery is a keystone principle upon which the SFF has constructed its response. Nevertheless, creating economic resilience of the fishing fleets, which is one of the aims of the reform, is difficult, if not impossible, in an environment where central micro-management prevails.

Whilst reform of the CFP is necessary the SFF would counsel that future reform should be a continuous process that looks to amend specific areas of the CFP as and when required. We appreciate the generic and cross cutting aspects of many of the components of the CFP however, it makes eminently more sense to approach future reform in a more structured format. Decentralisation and a bottom-up approach create the order in which a nimble and responsive set of changes would take place.

The SFF is disappointed that the CFP green paper fails to acknowledge any of the significant, positive steps introduced by some Member States, preferring instead to focus on the overall failings of the policy. For example, no recognition is made of the compliant nature of many States. Suggesting that more stringent control is necessary largely as a result of regional failings should be seen as an extremely obtuse approach.

#### 4.1 Fleet Over-capacity

- The CFP should confine its concerns to situations where over-capacity is having a detrimental effect on stocks and not with cases where the concerns of over capacity are measured in terms of economic resilience or social sustainability. These should be the responsibility of the Member State who, ultimately, is responsible for the social costs of economic failure; it should not be the remit of European policy.
- The SFF is against the introduction of ITQ's; we feel the development of a system which allows the free flow of opportunities internationally, will create a predator and prey situation which is not in the medium to long term interests of the Scottish Industry.
- The SFF favours 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 Objective

- The SFF firmly believes that the CFP should provide the necessary structure to deliver goals and objectives aligned to long term stability and sustainability. The SFF does not agree that the CFP should set out to determine national employment levels or any other Member State competency. The current system of micro-management has, in many cases, discouraged investment in the catching sector, it is important therefore that a reformed CFP develops, industry led, market facing policies.
- In many cases it is the direction of travel that is more important than the speed of change. Fisheries managers have a tendency to apply unwanted complexity by introducing unrealistic timelines; SFF would counsel against any further, extended use of this approach.
- It is unhelpful to enter the reform process with an underlying belief that systematic irresponsibility and a culture of non-compliance is prevalent.

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

- As a core principle the SFF believes that decentralisation is a good thing. Further, we believe that fisheries should be managed at Member State level under a set of objectives and, only where appropriate, at trans-national level. The Council of Ministers has until now been the level at which management decisions have been set, SFF views this as the largest single failing of the current system. The SFF believes that reform should remove this requirement; agreement should be reached and implemented at regional level. It must however be recognised that the migrating stocks covered by the Pelagic RAC do not fit neatly into the established regions and an alternative approach will be required for these.
- The role of the Advisory Council for Fisheries and Aquaculture (ACFA) should broadly remain the same. The European Commission will continue to have the right of initiative therefore it could be strongly argued for a stronger relationship between ACFA and the RAC's.
- Although the present CFP has, undoubtedly, much to answer for, a positive outcome of the last review has been the development and implementation of scientifically based long-term management plans for many demersal and pelagic stocks. Many more in the pipeline.

#### 4.4 Encouraging the industry to take more responsibility in implementing the CFP

- The current CFP has accommodated development in different ways and at different speeds across Europe; it would be inherently difficult to promote a management system which is based entirely on the distribution of rights when no two Member States are at the same evolutionary place.
- The role of PO's in a post reform regime should remain unchanged.
- A weakness in the current style of management is its reliance on a system of punishment without incentive. It is possible for *Intra-national* partnerships containing both managers and stakeholders to break free from the cycle, creating a positive social response in the process.



- Scotland's *Conservation Credits Steering Group* has delivered tangible 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 gears. 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.
- The SFF accepts that regulating the industry comes at a cost however, fishers incorporation into the management system already comes at a direct financial cost resulting from time lost fishing, as well as the cost of political representation, including participation in international groups such as RAC's and ACFA, and through intra-national management bodies such as Scotland's *Conservation Credits*. Quotas are recognised as national assets and while that is the case, the national governments must take responsibility for the management and regulatory costs.

#### **4.5 Developing a Culture of Compliance**

- SFF believes that high compliance levels align directly to coherent, bottom-up, industry respected policies; it is essential therefore that fishers be incorporated into new structures of governance.
- In a similar manner, we believe Member States should be rewarded for achieving management objectives and penalties applied to those who fail. Similarly, where there are obvious instances of low levels of compliance in certain Member State fleets, urgent remedial action must be taken. Failure to do so acts as a disincentive to those already following the rules.

#### **5.1 A Differentiated Fishing Regime to Protect Small Scale Coastal Fleets**

- The SFF believes that small scale coastal fleets are integral to the culture and wellbeing of many small communities throughout the European Union. It is a fact that small scale fisheries feature more heavily in some Member States than others; it is our view that Member States should be encourage to hold separately, away from the predatory nature of big business, the necessary resource and opportunity that is required to maintain fisheries dependent coastal communities.
- All fisheries should however be managed to the same high-level principles and small-scale fisheries must not be treated in a way that threatens the viability of others dependent on the same stocks. It must be remembered that the social and economic infrastructure of many coastal communities is dependent on larger scale fishery operations. A fair balance must be found.
- In most cases the nature of small scale fisheries is defined by vessel length, although we acknowledge that in some *Member States* this may not necessarily be the case. With this in mind, we feel it is important that a loose approach be developed when defining artisanal fisheries however, we would caution against these fisheries being given freedom to expand beyond pre-defined limits.
- Prescriptive management measures should be left to the *Member State*; it is for them to determine the correct balance between social sustainability and economic optimisation.



## 5.2 Making the Most of Our Fisheries

- It is widely accepted that single-species catch quotas in multi-species fisheries is a somewhat flawed approach. Moving towards multi-species fisheries plans which may well, as a first stage, look to group species such as haddock and whiting, megrim and monkfish. This could be the first move in a stepped approach to resolving this current weakness. Notwithstanding, it is inappropriate to have both input measures such as effort control, and output measures, such as Total Allowable Catches (TACs), in the same control mechanism. Output controls remain appropriate for single-species pelagic fisheries.
- The SFF believes that Maximum Sustainable Yield (MSY) is to a large degree overstated and overvalued with regard to its intrinsic value in determining harvest control rates. The existence of equally important theoretical approaches such as Maximum Social Yield (MSoc), and Maximum Economic Yield (MEY) make the preoccupation with MSY somewhat ill conceived.
- RACs are well positioned to incorporate these broader dimensions of fisheries management into Long Term Management Plans (LTMPs) and should be given the necessary support, including additional funding, to further develop them.
- Moving toward a system of “catch quotas” as apposed 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.
- The move to catch quotas need not be complicated nor need it be accompanied by intrusive forms of additional documentation. The economic benefit to industry of such a move would weigh heavily against abuse; profiling of catch and random observation might be one option for monitoring compliance.
- The UK currently operates a quasi Individual Transferable Quota (ITQ) system where effort and quota allocation are both freely transferable on an annual lease, or permanent sale basis. There is no confirmed legal right attached to such transfers other than formal contracts between the parties. The SFF does not support a move to introduce a trading platform between Member States other than those which currently operate.
- It is our understanding that an International trade of quota in the form of “swaps” currently takes place; improving this system we feel would lead to a better utilisation of resource whilst protecting Member State relative stability key.

## 5.3 Relative Stability and Access to Coastal Fisheries

- The SFF believes that both the 6 and 12 mile limits should be retained,. affording protection to small scale artisanal fisheries as set out in the green paper. Safeguarding vulnerable coastal communities and their social infrastructure should remain a priority for future fisheries policy.
- The allocation of *opportunity rights* to Member States on the principle of Relative Stability keys must remain a feature of a reformed CFP. Retention of *Relative Stability* remains the single most important issue for the SFF.





#### 5.4 Trade and Markets – From Catch to Consumer

- Further development of stocks which are both market efficient and sustainably exploited will occur through further development of marketing strategies from bodies such as Producer Organisations (PO's), which until now have largely failed to fulfil their promise in relation to marketing, although we acknowledge our opinion is based largely on the UK experience.
- Corporate Social Responsibility (CSR) is largely driven by demands of the modern day consumer, thus SFF recognises the benefits of internationally respected standards which give confidence to sourcing of sustainable products; this may be assisted through the development of an EU sustainability label.
- The current financial burden of entering certification rests with industry. Faced with the ongoing burden of annual audits, the cost to industry has often limited the number of fisheries entering the process. Reform of the CFP should take account of this additional fiscal burden on industry and seek to mitigate the costs through targeted funding, or through the development of a cost neutral EU certification standard.

#### 5.5 Integrating the Common Fisheries Policy in the Broader Maritime Policy Context

- The Scottish industry has a long standing, working relationship with the oil and gas sector, and has developed a more recent working relationship with companies seeking to develop renewable energy technology in the waters around the Scottish coast. Social cohesion and support of the catching sector has been delivered through the conduit of an extremely healthy collaborative working relationship. The fishing industry in Scotland supplies a range of services to the oil and gas sector.
- It is important that fishers are seen as equal partners in the development of policy so that they collaborate in the process and are not merely consulted. Further, there is a need to consolidate and simplify the many tiers of environmental commitments be they legally binding or otherwise.
- SFF understands the necessary commitment of protecting the resilience of marine ecosystems during periods of regime shift. Nonetheless, there should be a clear concordat between fishers and managers taking social and economic factors into account.

#### 5.6 The Knowledge Base for the Policy

- Scientific information and research informs all of the decisions taken by fisheries managers and the passage of initiatives from the *Commission*; as such the SFF believes there is a great need to have the best and most up-to-date data. The *Commission* should seek to put pressure on Member States and make funding available, so that Member States can improve both the quality and quantity of fisheries data at a consistent level.
- Many *Member States* provide the system with the minimum level of data, certainly not to the level specified in the *Data Collection Regulation (DCR)*. To put an end to this, *Member States* should be infractioned when it is shown that they have not contributed in full.
- There is all too often a lack of dialogue between *Member States*; this often leads to an overlap of similar projects leading to a waste of resource. At a time of increased budget constraints, this wastage could be solved through closer collaboration and the creation of an *International highway* of fisheries projects.



- Stakeholder involvement should be encouraged at both *National* and *International* level. The SFF can boast of a very close collaborative approach to research in Scotland where fishers' knowledge and expertise is often carried into surveys and research projects. As a general rule, *Member States* and their science providers, including ICES and STECF should wherever possible, include industry in their programmes of work.

### 5.7 Structural Policy and Public Financial Support

- The negative role played by funding and fleet subsidies in European fisheries policy, in terms of fleet building programmes, has decreased in recent times. Recent funding strategies have been focussed on fleet reduction programmes in contrast to earlier fleet expansion programmes. SFF agree this is a more sensible approach and useful focus of monies.
- Under a reformed CFP it is important that funding continues to focus on capacity reduction programmes as the first of two core areas. The second, and perhaps the most important area, is the provision of funding for practices which fit the eco-friendly label being sustainable in their approach including, in the absence of EU certification, funding toward certification of both stocks and fisheries.

Signed on behalf of the Scottish Fishermen's Federation

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