



First response to the Commission on proposals for self-management in the Green Paper on reform of the CFP

1. There is cautious support from the NSRAC for the proposals for self-management put forward in the Green Paper. There is certainly a strong wish to move away from the current top-down system of micromanagement by the Commission and support for the transfer of responsibilities to the regions, member states and the fishing industry, with only broad principles and standards determined by the Commission and European institutions including the Council of Ministers and European Parliament.
2. A system of management is required which is able to simplify the existing complex array of regulations and controls and allow fishers to pursue their main occupation of fishing. Moreover there is a strong wish by the fishing industry to move away from the high levels of discarding which result from the inability of the Commission to deal properly with mixed fisheries. Fishers themselves have pointed out that they have limited control over what comes up in their nets. They have already come forward with their own proposals for achieving more sustainable fisheries; but these have not been developed further with the Commission. The NSRAC welcomes any move which will allow stakeholders to develop their own plans for improving the management of the North Sea fisheries.
3. Enthusiasm for self-management is, however, tempered by a number of concerns. The main worry is that the Commission simply wishes to 'pass the buck'. That the Commission does not really intend to convey new powers to stakeholders, but is seeking to pass responsibility for the failure of its own management system on to others. If the rules and limits imposed centrally by central European institutions are too harsh, no system of management will be able to cope.
4. There is particular concern over the costs of self-management to the fishing industry. A system is envisaged where it would be the responsibility of stakeholders to prepare their own fishery management plans, obtain their own advice from scientists and economists, and take responsibility for monitoring the performance of their fishery. The fishing industry cannot duplicate or replace the resources available to the Commission and member states, which currently perform these tasks. It is said that there are many private companies able to providing advice, audit the fisheries and demonstrate compliance. However, they would have to be paid. The fishing industry does not set the price of fish – that is dictated by open markets currently dominated by large imports of

cheap fish from elsewhere. The industry would be hard pressed to find additional money to pay for new infrastructure. Fishers are already bearing the heavy costs of certification. The North Sea fisheries need to be re-established as profitable enterprises before they are able to bear additional costs. Financial support will be required from the Commission and member states.

5. Removal of relative stability is a concern to the fisheries sector. It is appreciated that within any self-management system there may be a need to re-consider access to fishing, and to decide whether additional access might be used as an incentive, or withdrawal of access as a penalty. However, the system for allocating catches within the Community is of long standing and is perhaps the only feature of the CFP which has been successful and stood the test of time. Access to fishing has been divided up between members states, and within countries the rights to access have now been allocated to particular fishers or groups of fishers; effectively forever. Legally, and in terms of human rights, such a system cannot readily be interfered with. Where there is mismatch between fishers' and member states' allocations and their requirements the system for swapping quotas works well.
6. Currently, the RACs are preparing long term management plans for their different fisheries. How will these plans fit in with a system of self-management? The preparation of fishery management plans, put together through the involvement of all stakeholders, is a basic and essential feature of self-management. One of the important aspects of regionalisation and the introduction of self-management is therefore defining the level at which management plans are produced, and then sanctioned. We can envisage a system where long term management plans are produced by a body at the regional seas level, and approved at the Commission level. At the same time we can envisage that individual fisheries, and perhaps areas with mixed fisheries, might wish to prepare shorter term, adaptive, operational plans of their own for approval at the regional seas level (see Figure below). The meshing of these different levels of operation will need to be discussed in some detail.
7. The NSRAC will be able to contribute to this process of management planning by developing further its own long term management plans, and then breaking these down into operational plans for different fleet sectors. The plans will need to be adaptive, and designed to take account of changing circumstances. Implementation will need to be evaluated regularly; and progress monitored.
8. There will be uncertainty over deciding an appropriate geographic scale for self-management units. Decisions taken in one area or fishery may affect those taken in another. One aspect of the CFP is that there is a degree of geographical uniformity. The whole rationale for a Common Fisheries Policy is to deal with shared stocks. The CFP accepts that what happens in one area affects another. With self-management, very different regimes might apply in different areas or in adjacent fishery units. If the breakdown into areas and fisheries is too fine then the coordinating function of the CFP will be lost.

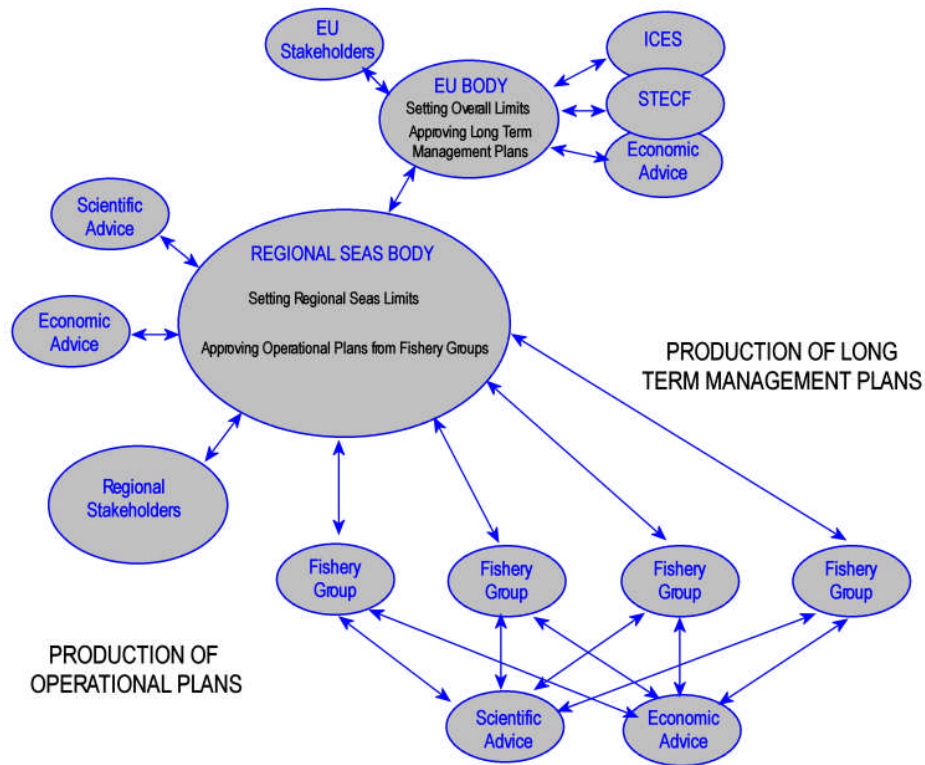


Figure: Possible overlap of responsibilities

9. There is concern over interactions with Norway and other third parties in the preparation of fishery management plans. It has become commonplace for the Commission to arrive at agreements with Norway over management plans and recovery plans with minimal participation by the RACs, the fishing industry or environmental groups. It would be unacceptable if fishery plans agreed by stakeholders under a self-management arrangement then had to go through a process of re-negotiation with Norway, led by the Commission. We should not be developing management plans and then going to Norway to seek approval. Rather, Norway should be involved in preparing those plans at the earliest opportunity. It is not yet clear whether the Commission has sufficient flexibility to adopt such an approach.
10. Transition from the old top-down system to one of self-management will be difficult. The new control regulation and the cod recovery plan are part of an older system where command and control rests with the authorities. How can a new flexible regime be introduced against the more rigid background which prevails at present? Self-management certainly cannot be introduced overnight, through an abrupt transition. On the other hand it will be a real challenge to operate a mix of old and new regimes. Not all fisheries or areas will be able to move at the same speed towards self-management.

11. Considerable progress might be made if each fishery or area could initially be given the option of coming up with a self-management proposal to be considered by the Commission as a pilot scheme. Individual fisheries or areas with mixed fisheries might present their plans for more detailed consideration. We now need a period to make choices; where fisheries groups might opt for self-management and be provided with incentives to enable them to do so. Groups of fishers could, for example, be released from the burdens of the control and technical measures regulations and effort restrictions in return for developing, with the help of others, a progressive and well-targeted fishery management plan. A change in culture could readily be achieved if there were incentives for doing so. It is only by looking at existing examples to see how self-management might provide a better alternative that we will be able to persuade fishers and other stakeholders of the benefits of self-management. The NSRAC is willing to prepare a series of proposals for consideration in greater detail. North Sea fisheries and areas for which operational fishery management plans might be developed might include:

Different components of the *Nephrops* fishery

The mixed 120mm mesh fisheries in the northern North Sea

The flatfish fisheries in the southern North Sea

The *Crangon* fishery in the Waddenzee

The mixed fisheries in the Skagerrak/Kattegat

12. The NSRAC accepts that it important to involve a wide range of stakeholders in the preparation of management plans. There is a need to find a role for all members of the fisheries sector, the environmental NGOs and local communities, and to adopt broad objectives through a process of cooperation and consensus.
13. There is an issue over where and at what level economic and social issues of the fisheries will be addressed. There are four pillars to sustainability: environmental, social and economic issues all have to be considered together within an appropriate institutional framework. It is not appropriate to delegate economic and social issues to the lowest level of management, to be considered only in day to day operational plans. Economic and social objectives must be developed at the highest level and considered alongside environmental issues in setting limits and constraints for the whole ecosystem.
14. There is concern over the theoretical nature of the current proposals. We now need concrete examples of how self-management will operate and how it will resolve some of the fishery problems we currently face. Otherwise we will not be able to explain the benefits of the proposed changes to fishers and members of the public.
15. If self-management is to be accepted by the industry and other stakeholders the benefits will need to be clear and self-evident. They will also need to be well presented.