



Reward responsible fishing with priority access

The marine environment is a common good, and so it is in the public interest that activities impacting on the state of its fish stocks, and the larger ecosystem are carefully managed. Under the reformed Common Fisheries Policy (CFP), those who fish in the most sustainable way should therefore be given priority access to fishing grounds.

Desired policy

OCEAN2012 proposes that access to fish resources, and appropriate fishing capacity (quantity and type), be based on a set of transparent criteria for environmentally and socially sustainable practices, providing priority access for fishing operators who, amongst other criteria:

- use more selective fishing methods, gears and practices with low by-catch and low impact on the marine environment;
- use vessels and fishing methods consuming less energy per tonne of fish caught;
- ensure more, good quality employment, provided this has low environmental impact. Working conditions should comply with relevant international standards, notably the 2007 ILO Work in Fishing Convention¹; and
- have a good record of compliance with the rules of the Common Fisheries Policy.

Background

One of the main elements of the CFP is how fishing access is regulated. In 1983, with the adoption of the first CFP, the European Community applied the principle of relative stability, which established a fixed allocation key for the distribution of fishing opportunities among Member States based on historic catch records. Relative stability also restricts access in the 12-mile zone, leaving the management of the fishery within that zone to coastal Member States. When introduced, the main purpose of relative stability was to prevent conflicts over quota allocations and provide the fishing sector with stable access prospects for targeted stocks.

It is now widely recognised that relative stability has become a driver in overfishing. As Member States often strive for retention of historic national catch quota



rather than supporting scientific advice and the recovery of depleted fish stocks, the system is increasingly compromised. So-called quota hopping, whereby fishing vessels register in another Member State in order to benefit from its quota, has become a common circumvention of relative stability, while several European fishing nations are now calling for increased flexibility in quota swaps between States.

Reform quota allocation, transform fisheries

OCEAN2012 supports the European Commission's view that relative stability has been an incentive for Member States to put short-term economic interests before the common good.

The Commission is proposing a partial abandonment of relative stability to be replaced by a pan-European market of transferable fishing rights. OCEAN2012 believes the phasing out of the current quota allocation system, replaced with a system that grants access based on a set of environmental and social criteria, is better placed to achieve sustainable fisheries, a more equitable distribution of access to the available fishing resources and a culture of compliance in the EU. Essentially, fishing access should be granted to those who most contribute to achieving the overarching objectives of the CFP.

Determining criteria:

Access criteria, with targets and timetables for their implementation, should be agreed jointly by the Council of Fisheries Ministers and the European Parliament, once these bodies have decided long-term management objectives such as the desired level of abundance of fish stocks, speed of recovery when stocks are depleted, and other relevant aspects relating to the marine environment (see Briefing Paper 3 - Ensure good governance).

¹ <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C188>

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Decisions on allocation of access rights would then be taken on a fishery-by-fishery basis at a decentralised level (regional, national or local, depending on the fisheries) within centrally set limits. A gradual application by national and local authorities over a reasonable timeframe will provide fishing operators with the opportunity to adapt. However, to support the transition, incentives should be created, for example granting preferential access for initiatives, which enhance the environmental and social sustainability of fishing activities. Greater responsibility must be combined with clear objectives and measurable targets, as well as rigorous control and enforcement.

Granting primary access to local communities:

Operators from fishing communities in a given area, complying with the criteria, should have primary access. Fishing interests from outside the area complying with the criteria can apply for access if they can demonstrate that their fishing activities will benefit the area. Such a decentralised decision-making process will provide job security and strengthen local fishing communities. It will require good governance, transparency and accountability.

Restricting coastal zone access:

The current coastal zone derogation should be strengthened by reserving and, where appropriate, extending the 12-mile zone for fishery activities that are small in scale, environmentally benign, socially equitable and which provide important cultural and economic contributions to local communities. The inshore area is

vital for marine biodiversity conservation, and is also the most intensely used and most polluted marine zone. It is therefore important to subject all activities in the coastal zone to strict conservation criteria.

Applying caution regarding Individual Transferable Quotas (ITQs):

OCEAN2012 is concerned that some rights-based management tools, particularly ITQs, could marginalise the small-scale fishing sector. Adopting a rights-based approach to fisheries management with the use of market-based allocation mechanisms, as proposed by the Commission, has far reaching implications for small-scale fisheries, and may lead to concentration of ownership of access rights, and various unwanted economic and social effects.

Even in a system where ITQs apply only to industrial fisheries, there is a risk of marginalising the small-scale sector in cases where both groups are accessing the same resources – a property right such as an ITQ, with some monetary value attached to it, may well take precedence over other access rights at times when further restrictions in access are necessary. In addition, there are serious issues involved in transferring a public resource into private ownership and it is important not to do so permanently and unconditionally.

If a European market-based allocation system is introduced, transferable rights or quota should be equally subject to environmental and social criteria, to determine who would win the right of access and, based on regular compliance checks, who would lose it.

OCEAN2012 is an alliance of organisations dedicated to transforming European Fisheries Policy to stop overfishing, end destructive fishing practices and deliver fair and equitable use of healthy fish stocks.

OCEAN2012 was initiated, and is co-ordinated, by the Pew Environment Group, the conservation arm of The Pew Charitable Trusts, a non-governmental organisation working to end overfishing in the world's oceans.

The founding members of OCEAN2012 are the Coalition for Fair Fisheries Arrangements (CFFA), the Fisheries Secretariat (FISH), nef (new economics foundation), the Pew Environment Group and Seas At Risk (SAR).