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Policy Brief on Forms of Fisheries Management Advice

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Project Title: Scientific Advice for Fisheries Management at Multiple Scales

Project acronym: SAFMAMS

Instrument: Specific Support Action

Thematic Priority: Science and Society

This policy brief is a result of SAFMAMS work package 5, which is the synthesizing work package bringing together the other work efforts within the project. The policy brief reports primarily on lessons from the EU and RAC level workshops, as well as the ICES Reversing the Burden of Proof Workshop, which was carried out as a bonus feature to the project.

EU Level Workshop

The EU level workshop was held at DG Fisheries in Brussels on 21 March 2007 and was named “The Science and Policy Day”. In attendance were 20 people, consisting of natural scientists, social scientists and representatives of the fisheries community with ties to the fishing industry, conservation organizations and other interested parties. The workshop discussed positive experiences with science and policy. It also identified goals for the future, blocks and constraints to those goals, as well as some strategies for removing the blocks. The workshop discussions on positive experiences resulted in a number of best practice advice for the CFP. The following main lessons were learnt:

- **Transparency and Open Communication** - When the use of science for policy worked well, the willingness of fishers, authorities and scientists to communicate with one another was in nearly every situation part of the reason for the success.
- **Collaborative Research** - Fishermen and biologists are increasingly working together towards the common goal of providing accurate stock assessments, evaluating technical measures, mapping fishing effort, identifying other spatial information such as the location of spawning grounds, reducing by catch and developing more selective fishing gear.
- **Adaptive Management** - The overall idea of adaptive management takes many forms, and the form it takes is heavily dependent on the scale at which it is carried out. All of these forms, however, have implications for EU-level fisheries management policy even if they would not be feasible to carry out directly at a continental scale. The so called “real time closures” constitute positive examples of adaptive management at the local level. Here a fishing vessel may discover, for example, a spawning event and will then notify the fishing fleet. The fishers will then implement a temporary closed area in order to protect the spawning aggregation, which will benefit both fishers and the environment.
- **Persistent Messages and Consistent Advice** – In order for precautionary decisions to become the norm for European decision makers, persistence and patience is needed. A persistent message requires advice that is consistent over time and that is able to stand up to scrutiny from critical actors with strong motivations for finding contradictions.

Regional level Workshops

In work package 3 the report 'Best Practices for Provision of Scientific Advice at the Shared Seas Level' was produced. The report *inter alia* builds on a series of workshops with the Three Northern European Regional Advisory Councils (RAC:s); the Pelagic RAC, the North Sea RAC and the Baltic Sea RAC. The aim of the workshops was to discuss what a 'perfect advice system' might look like from the perspective of the RACs, and consider wider changes that would give the RACs greater confidence in the scientific advice on fisheries. The workshops also provided with the possibility for the preliminary SAFMAMS findings on advice to RACs to be presented to the participants.

Pelagic RAC Workshop

The Pelagic RAC workshop was held on 6-7 February 2007 in Edinburgh. It included members of the Pelagic RAC, scientific advisers, an observer from the European Commission and participants from the SAFMAMS project. The following key lessons were learned:

- The industry representatives wish that the RACs could have independent scientific advice, but face difficulties of obtaining independent scientific advice for the RACs because of cost constraints.
- Credibility of the advice and ability to challenge the scientific establishment view were considered important.
- The industry representatives were divided in the sense that some thought that independent advice for the RAC was an unrealistic goal and others advocated a more pragmatic approach of getting on with management decisions using whatever science is already available.
- Scepticism of overly institutionalised science, questioning its objectivity, flexibility and importance for the work of the RAC. More communication with scientists would not necessarily improve things.
- The uncertainty surrounding fisheries science was seen as a particular problem by some industry representatives who wanted scientists to contribute useful facts "not more uncertainty". Expert advice from areas other than natural science was required, including socioeconomics, engineering and social science. There was a need to examine the management system itself.
- The RACs allow fishers to put across their points of view and that the main expertise required was that possessed by fishers themselves. There was a cautionary remark that fishers are not always able to communicate their ideas well. Scientific advice to the RAC, and assistance in communicating and translating fishers' views into terms which would be understood by others was important.
- Advice from economists and social scientists was seen as especially critical but so far had been lacking.
- The scientists present thought that the relationship between RACs and scientists needed to be clarified or formalised.

North Sea RAC Workshop

The North Sea RAC workshop took part on March 20 2007 in Brussels Belgium. Participants included fishers, scientists, representatives of environmental interests as well as SAFMAMS partners. The following key lessons were learned:

- It was suggested that the RAC had fostered a greater degree of trust between all parties. It had received very strong support from some stakeholders. Some Member States had been active supporters and seemed to see the RAC as a vehicle for reform.
- The RAC Working Groups preparing long term plans for the major fisheries, had all contributed to improvements in the formulation of management advice. The RACs had been successful because they brought together a mix of scientists, fishers and fishery managers. The interdisciplinary nature of RAC meetings made them especially productive.
- Interactions between the RAC and STECF subgroups had been useful, although it was still not clear how arrangements for the RACs to take part in this Commission body could be formalised.
- Important to have social and economic advice, in supplement to biological advice.
- In looking at the operation of the NSRAC it had become apparent that proposals were more successful in achieving consensus within the RAC if they were backed up with data.
- Cooperation with scientists had been important for the work of the RAC.
- Lack of funding cause constraints to cooperation between stakeholders and scientists.
- RAC representatives reported that a cod recovery symposium organised by the RACs had been a particular success. There had been a strong input from scientists, and many opinions had been expressed, but it had still been possible to draw general conclusions. It had also been possible to pinpoint areas of disagreement. The symposium had been a major step forward in terms of convergence of thinking. What had made the conference work? There had been a variety of viewpoints presented. Scientists had not all been in agreement and it had been possible for dissent to be expressed and for individuals to stand their ground. Stakeholders had felt their views were being listened to.

Baltic Sea RAC Workshop

A Workshop with the the Baltic Sea RAC took place in Gdynia, Poland on the 8th May 2007. Participants included fishers, scientists, representatives of environmental interests and SAFMAMS partners. The following key lessons were learned:

- There was concern that the RACs should not become too heavily involved with science. The RACs were for stakeholders, and existed to express stakeholders' views, not to present scientific advice. However, advice from the RACs had to be based on evidence, and that inevitably involved engagement with scientists.
- There was also a need to translate fishers' views into language that would be understood by the Commission, and scientists could help to provide that.
- There was support for the idea of obtaining independent science but it was recognised that funding would be required. The problem was not just the availability of scientists to give advice. There was also a lack of data, which exacerbated many of the problems being encountered.
- ICES had become too powerful as the only source of advice. It needed to be challenged. There was also a need for advice on wider subjects like the economics of the fisheries.
- Participants expressed an urgent need to get the stock size assessments right, together with the associated objectives of obtaining objective estimates of actual catches and landings.
- Increase fishers' engagement in the science. There was currently a lack of trust in the assessments. Increased cooperation in providing data and greater transparency in the assessments would help. Greater involvement of fishers generally was thought to be valuable, including participation in scientific observer programmes.
- Important to achieve better economic evaluation of the fisheries sector.
- Need for improved dialogue between scientists and the fishing industry and the incorporation of more information from the fishery.
- More research on the relationship between fishing capacity, fishing effort and fishing mortality to identify how they might contribute to illegal and unreported fishing.
- Bio-economic and social analysis and modelling associated with illegal and unreported fishing.
- The review and adjustment of reference points for cod stocks in the Baltic.
- Development of techniques to assess the success of management, including technical conservation measures.
- One positive example was the way scientists and fishers had worked together in evaluating the efficacy of a new generation of more selective fishing nets.
- It was emphasised that scientists must understand that fishers are an important source of knowledge. Equally, fishers had to accept that scientists were working in good faith.
- Building a partnership between scientists and fishers was essential. The improved understanding that had been achieved by the RAC created hope for the future.
- Information from fishers' vital if the science is to be improved.
- It would be useful to create an amnesty for fishers and to do a retrospective analysis using real landings instead of recorded landings.

Burden of proof workshop

At this workshop approximately 15 high-ranking and experienced invited researchers, policy-makers and stakeholders met over two days in March 2008 at ICES in Copenhagen to discuss the possibility of reversing the burden of proof in fisheries management: in other words giving the industry a larger say in management in exchange for taking a larger responsibility in documenting the sustainability of the fisheries.

The workshop was a preliminary skirmish in what could become one of the major debates on fisheries management in the early years of the 21st century. It sought to explore the ways in which the industry might shoulder more of the burden of proof for sustainable fisheries, as well as how the current distribution of management responsibilities might be reorganised to allow the fishing industry to take on a much greater role in fisheries management. The discussions proved lively, wide ranging and constructive.

The participants predicted the following positive results of a reversal of the burden of proof:

- Greater clarity and transparency in the management process
- Placing responsibility for management closer to those directly involved
- Greater collective responsibility on the part of the industry
- A more proactive approach to fisheries development.

The participants envisaged the following negative results of a reversal of the burden of proof:

- A more extended decision making process
- Increased demands on science
- The likelihood of higher transaction costs
- Greater risks of law suits

Three key factors were identified as crucial whether or not it would be possible to carry out such a management regime:

- Whether the fishing industry is willing and able to assume greater responsibility for its actions in return for an enhanced level of self- management
- Whether the high order government institutions at the European and member state levels are prepared to devolve some of their existing powers and responsibilities to regional management organisations and/or to the fishing industry
- Whether the potential benefits outweigh the additional costs of science and management.

Despite a number of doubts left lingering in the minds of the participants, at the end of the workshop, their overall response was sufficiently positive for the ideas implicit in the term 'reversing the burden of proof' to be taken forward. There was strong support for attempting to stimulate discussion within the Commission as part of the agenda for the continuing reform of the CFP; but equally it was felt important to consider moving the debate away from the more abstract discussion to practical action in the form of real life case studies, starting from fairly small and relatively simple examples but moving towards trialling the new approach at a regional or sub-regional scale.

SAFMAMS draws on insights from existing research projects and management processes on the most useful forms of scientific advice for fisheries and wider marine environmental management, and communicate those insights to scientists and decision makers. The resulting products outline the various forms that such advice can take and a description of the circumstances under which these various forms are the most useful and cost effective. This is an important contribution to developing practical mechanisms to improve the ways that scientific advice is communicated to decision-makers as well as stakeholders, and to strengthening the use of science to support policy in the European Union.

The project involves three basic steps

- First, we collate information relevant to the forms that scientific advice can and should take from research projects focused on fisheries management.
- Second, we interact with seven sets of stakeholders involved in fisheries management decision-making at various geographical scales to help us sharpen the practical lessons gathered from the research results.
- Third, we carry these lessons from fisheries to the broader marine environmental management community and beyond, to people with a general interest in the relationship between science and policy, through specific networking and dissemination activities.

Lessons will be applicable in a broad sense across Europe in Atlantic, Mediterranean and freshwater fisheries, as well as other areas where science and policy converge.

