

Selectivity of Fishing Gear

Barrie Deas

Selectivity and governance

- Potential of selective fishing
- The limits of prescriptive legislation
- Selectivity and Governance
- Alternative approaches

Why fish more selectively?

- Deferred age of capture
- Increases the reservoir of mature fish
- Fishery less dependent on incoming year classes
- More stable
- More sustainable exploitation pattern
- Contribution to lower fishing mortality
- Reduced by-catch
- Reduced discards

Ways of fishing more selectively

- Mesh size
- Mesh shape
- Escape Grids
- Veils
- Net geometry
- Spatial fishing pattern
- Temporal fishing patterns

Paradox: unrealised potential

- Over 15 years many different ways of fishing more selectively have been developed
- Further advances in technical ability are undoubtedly available
- Some notable successes – square mesh panels
- But...the potential of selective fishing has only been partially realized
- That failure is closely linked to the CFP's approach to selectivity

Prescriptive legislation

- Technical Conservation Regulation 850/98
- Defines legal fishing gear in legislation
- Single set of rules
- Broad application: geography and vessel size
- Innovation: catch composition rules
- Use any mesh size but catch retained on board must conform to % limits

850/98

- Widely regarded as a failure: complex and has delivered little
- 12 amendments within first 2 years
- Broad application generated demands for derogations
- Catch composition approach is *predicated* on discards
- Increasingly at odds with the EU's focus on discard reduction
- Technical aspects of cod recovery measures compound an already complex regulation
- Undermined by other instruments
- ICES reports that the effective mesh size in the North Sea has *decreased* as vessels transferred from

Son of 850/98

- Commission Proposal for an over-arching Regulation
- Complemented by “regional” regulations
- “Simplified” - fewer categories but still based on catch composition
- Still incompatible with elimination of discards
- “regionalisation” meaning regional focus, not regional decisions
- Comotology – less scrutiny and accountability
- Rejected by member states

Lessons learnt

- Selective fishing has great potential
- That potential is largely unrealised
- Micro-management delivers complexity
- Prescriptive rules generates opposition –lack of fit
- Opposition in the form of derogations
- Opposition in the form of circumvention (legal and illegal)
- Measures which result in losses of marketable catch build resistance
- (Example: Mesh size Vs twine size)

Main lesson

- There are limits to prescriptive legislation in the field of selective fishing gear

What can be done?

- Where there are prescriptive rules they should be *devised* and applied at the *appropriate spatial scale*
- Prescriptive rules should take account of *differences in vessel size and design*
- *End to one size fits all*
- All this points to the relevance of *regional management*
- *CFP reform*

Beyond Prescription: new initiatives

- Catch quotas – incentive led improvements in selectivity
- Real time closures – spatial/temporal avoidance
- Gear options to secure additional days at sea
- Social Marketing – 50% reduction in discards
- Cod avoidance plans – partial adoption
- Sustainable fishing plans – a radical departure

Two common factors

- Conditions are created where the *fishermen find solutions* to technical problems and ways *of improving selectivity*
- *Incentive structures* are aligned with, and not in opposition to management objectives

An alternative approach: sustainable fishing plans

- Replace prescriptive micro-management by *delegated self-regulation*
- Through *sustainable fishing plans* groups of fishermen, within a framework of overarching rules, would define how they would fish over the next 3 to 5 years
- Plans would be *approved* at the outset and *audited* periodically
- Mesh sizes, selectivity devices, discard and by-catch reduction, seabed mitigation measures would all be *defined in the agreed plan*
- *Responsibility for documenting* that the plan is being followed would lie with the vessel

Moving beyond micro-management

- Vessels subject to a sustainable fishing plan would be exempt from all other technical conservation rules
- Exempt too from many aspects of the Control Regulation
- Reversing the burden of proof
- Emphasis instead on prior approval and audit
- A delivery mechanism for transferring responsibility to the industry
- A way of delivering the simplification agenda

Implications for.....

- Fishermen – taking responsibility
- Fisheries managers – prescription or fishing plans
- Scientists – cooperation and impartial assessment
- Control authorities – audits

Conclusions

- Selective fishing has a *major role* to play in a reformed CFP
- The successful adoption of more selective fishing methods has been *thwarted by the governance structures* of the CFP itself
- The potential of selective ways of fishing can be *realised* where governance and incentive structures support them
- A number of *current initiatives and policy themes* within the CFP reform discussion offer hope for the future - if they receive sufficient support