

FUTURE OF FISHERIES MANAGEMENT IN SCOTLAND: NATIONAL DISCUSSION PAPER



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FOREWORD



I am delighted to publish a National Discussion Paper on what fisheries management in Scotland should look like and aim to deliver in the future.

Scotland's relationship with the sea is a long and productive one. From the largest port to the smallest quayside our fishers and our fishing communities take pride in delivering high quality produce in a sustainable way. Scotland's fish stocks are a common resource and invaluable national asset. It is imperative that whilst we seek to manage to optimise inclusive economic growth we do so in a sustainable and responsible manner. A progressive and dynamic industry will require rapid and responsive decision making systems.

We are rightly recognised for leading the way in adapting our fishing methods and techniques, using technology to drive forward developments and maximising our influence within Europe and the rest of the world.

But we also stay true to our roots, ensuring that the lifeblood of many rural coastal communities continues to support local jobs and local ways of life. The structure of the fishing industry and the stocks targeted are markedly different for Scotland compared to other parts of the UK.

I want everyone to know how pleased I am to be your representative at a time of historic change. My admiration for the industry, its achievements, the resilience and bravery of our fishermen remains undiminished. Brexit in whatever shape will inevitably bring changes in the way in which we manage our fisheries and also the relationships which we will have with our friends and colleagues from other seafaring nations.

But how we will conduct ourselves in the future is not uncertain. It will not change.

We will continue to behave responsibly. We will continue to manage our natural resources sustainably. We will continue to support local communities and secure the future of our fishing industry for many years to come. We will always be ambitious, striving to improve and aiming high.

And whilst the nature of the relationships which we have with our friends and colleagues from other seafaring nations may shift in the future, the fundamental building blocks of working together in a productive and mutually beneficial way will remain firmly in place.

I believe that partnership working is vital to our future success. Conflict and tension between different industries and sectors can often feel inevitable. But we must work together to overcome these difficulties, to trust each other and deliver Scotland's fisheries in partnership. It is for these very reasons I believe this national discussion is the right start point, everyone must have the opportunity to express an opinion, and not just an opinion on a list of pre-determined measures. Top down will not work, this must be a collective approach.

I know that we share a number of common goals and we should seek to build on these as we develop our strategies and policies for how we manage our fisheries in the future.

I very deliberately do not intend that this discussion paper should provide all of the answers. Rather the paper should act as a catalyst for us to move forward together, to develop ideas and suggestions which can help deliver an inclusive, productive partnership approach.

I want to hear what you think. I want to take on board your concerns and your ideas. I want your buy-in. Only with that can Scotland continue to be the world-leading, diverse and inclusive, proud fishing nation that we want to be. This paper is not a formal consultation but a genuine discussion opportunity to explore change, support status quo and unearth creativity.

I very much look forward to engaging with you all on the widest possible range of issues as we listen and work together before moving to a formal consultation on what I hope will be many joint proposals. Proposals that once implemented will make fishing once more a very attractive career of choice for future generations to come.

Fergus Ewing MSP

Cabinet Secretary for the Rural Economy

INTRODUCTION

Brexit provides a new dynamic within the fisheries environment. Within this context we have a chance to look afresh at how we manage our fisheries to ensure they remain productive and sustainable for future generations. This paper seeks to start an in-depth discussion to help inform and develop the Scottish Government's Future Fisheries Management Strategy. It contains a range of ideas and proposals to help deliver a future management structure which will firmly establish Scotland's place as a world leader in responsible and sustainable fisheries management. Our overarching objective will be to maintain the long term structure of small family owned businesses to support and increase inclusive long term economic growth of the Scottish fishing industry.

The Context

The UK Government's referendum on EU Exit marked the start of a significant period of change for the way in which we manage our fisheries in the future. With Brexit plans progressing, we have already embarked on a process which will see us leaving the Common Fisheries Policies (CFP)¹, which has, for the past 35 years, provided the overarching framework for how we manage our fisheries. Once Brexit takes effect a new regime will be required to ensure that Scotland's fishing industry can continue to operate both legally and sustainably to the benefit of all stakeholders.

The Scottish Government is committed to delivering a sustainable, evidence based approach to the management of Scottish fisheries based on high quality scientific data. This commitment forms a key part of our overall approach to managing Scotland's marine environment. It directly contributes to delivery of the Scottish Government's Purpose, *'to focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth'*. It also supports the delivery of the National Performance Framework, specifically the National Outcome: *'We value and enjoy our built and natural environment and protect it and enhance it for future generations'* and the related National Indicator to *'Improve the state of Scotland's Marine Environment'*.

Scotland's reputation as a leading exponent of evidence-based sustainable fisheries management – progressed through constructive partnership working with the fishing industry, environmental interests and scientists – speaks for itself. This will continue into the future and will be underpinned by our commitment to meeting international obligations.

In the international context, there are a broad range of fisheries specific obligations, alongside wider marine management commitments, and our Future Fisheries Management Strategy needs to fit within this evolving framework. There is a need to take an ecosystem based approach to management ensuring sustainable, resilient stocks and avoiding damage to fragile habitats. This includes complying fully with a range of international conventions and obligations such as the UN Convention on the Law of the Sea (UNCLOS), the Convention on Biological Diversity (CBD), the UN Sustainable Development Goals, and regional obligations such as the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR). Our national and international commitments are summarised at **Annex A**.

¹ https://ec.europa.eu/fisheries/cfp_en

As we further develop our international presence we will seek not just to meet targets set by others, but to set the bar high and challenge others to do the same. This will be reflected in our contribution to science, research and development and also in our approach to fisheries negotiations. We want fishers to share this aspiration through their conduct at sea.

Given the importance of the fishing sector to Scotland and the need for a clear strategic framework to be in place, this national discussion paper will assist us in providing a comprehensive strategy for Scotland's sea fisheries. This is not to say we are starting from the beginning. Our National Marine Plan (NMP) sets out what sustainable development is and its guiding principle ensures that any individual policy, plan or activity in the marine environment is carried out within environmental limits. This principle guides all planning and decision making in the marine environment. We already have a number of clear and ambitious fisheries objectives set out within the 2018/19 Programme for Government².

Additionally, we have an Inshore Fisheries Strategy³ in place, published in 2015, which sets out the guiding principles for growing and supporting Scotland's diverse inshore sector. We are also taking forward a range of policies designed to improve and strengthen our management approach and the benefits which are realised from a successful fishing industry. Consequently, where needed, we are seeking to make improvements to policies which could benefit from a more tailored Scottish approach, including options for our future approach to discards.

These existing actions and policies will form part of our Future Fisheries Management Strategy. It will also form an important part of development of new strategic frameworks, for example an Environment Strategy for Scotland, which will help coordinate action and guide future activity across Scotland's existing policies on the environment – including the marine environment. A discussion paper⁴ published in June 2018, invited feedback on a draft overarching vision and set of outcomes to capture what our environment policies are collectively working to achieve.

Our future strategy will also support and align to the national food and drink strategy, Ambition 2030, which seeks to grow the value of Scotland's food and drink sector – including the seafood sector – to £30 billion by the year 2030. Scottish Seafood continues to increase in global popularity. After whisky, seafood is Scotland's second largest export. Scottish food and drink exports were worth approximately £6 billion in 2017, almost £570 million more than 2016; fish and seafood accounted for the majority of food exports and were worth approximately £944 million, up 23% from 2016. The Scottish Government is working in partnership with Scotland Food and Drink and the seafood industry body, Seafood Scotland, to deliver this strategy. Implementation of this strategy is being done through a series of sectoral action plans which will identify the specific opportunities, challenges and actions required within the sectors to drive growth. In particular the focus will concentrate on developing the onshore processing sector and enhancing our efforts to promote and market Scottish seafood across domestic and international markets.

2 <https://www.gov.scot/Resource/0053/00539972.pdf>

3 <https://www2.gov.scot/Topics/marine/Sea-Fisheries/InshoreFisheries/InshoreFisheriesStrategy>

4 <https://www.gov.scot/Resource/0053/00537689.pdf>

Our Principles

Fishing makes an important contribution to Scotland's rural economy and is the lifeblood of many of our most fragile coastal communities. We recognise that and wish to protect and encourage the fishing industry to grow in a sustainable manner, and for the benefits that flow from fishing to be realised in these communities wherever possible.

We want to make the most of our waters and encourage long term sustainable economic growth for the rural economy.

We are committed to taking a principled approach to our fisheries management to ensure clean, healthy, safe and productive seas, and the long term future of our world class fisheries sector.

Through our Future Fisheries Management Strategy we will be guided by a number of key principles. **We will:**

Maintain our commitment to **relevant international law** and working with other **nations** to ensure **sustainability**



Manage our fisheries in a way that protects **biological diversity** and which ensures that marine ecosystems continue to provide economic, social and wider benefits for **people, communities and industry**



Ensure that the interests of all **marine and seafood sectors**, including **small businesses**, are taken into account to ensure sustainable and inclusive **economic growth**



Set fishing limits in line with the best available **scientific advice**, using the **precautionary principle**, and aligned with the delivery of **Maximum Sustainable Yield** within an ecosystem context, in line with International obligations

Contribute to international **fish stock data collection and analysis** and seek to improve the **quality of our data** and evidence base



Take a **sensible** and proportionate approach to **minimising discards** and tackling **unnecessary waste**



Create an environment where fishing is seen as an **attractive career** of choice which will help alleviate some of the current **crewing challenges**



Support fishing and onshore **seafood industries** of all sizes to grow sustainably, and be internationally **competitive**, through building and maintaining **access to markets**



Successful management of sea fisheries in order to deliver positive and sustainable outcomes requires a balance between economic, social and environmental objectives. Achieving this balance can often be challenging as we seek to reconcile competing interests across communities and fishing sectors. As we move forward with our management proposals this will require careful handling, supported by an open and honest approach.

We will undoubtedly need to legislate, to address gaps identified as part of this process, to underpin key actions and measures and, where EU law no longer applies, to ensure that we can continue to play our role as a partner in International fisheries obligations and negotiations. We will ensure that any fisheries bill also provides for statutory measures for inshore fisheries.

The development of a Future Fisheries Management Strategy marks the start of a longer term process which will enable Scotland to assert and demonstrate its credentials as a world leader in responsible and sustainable fisheries management. We must strive to put the right building blocks in place and that means ensuring that robust consultation and engagement across all partners takes place.

It is also important to acknowledge that the proposals taken forward as part of the wider Strategy are all subject to wider government financial constraints. Future policy which evolves from the national discussion paper and into a formal consultation paper will require to be set against the available budgetary environment.

First Stage of Dialogue

In November 2017, the Scottish Government launched a dialogue on the Future of Fisheries Management in Scotland. Around 40 bilateral meetings were held in ports around Scotland, and these have since been supplemented by submitted written contributions and published papers from a range of stakeholders. Meetings were held with all sectors of the catching and processing industry, with environmental groups, local authorities and other marine stakeholders also involved.

This initial stage of dialogue has been invaluable in setting the scene, and highlighting key themes, concerns and aspirations for the future. We now wish to continue this dialogue and develop a system which is flexible to our varying needs, which is responsive and responsible, and which stays true to our core principles. Therefore, we want future fisheries management strategies to be developed in partnership and to ensure that any future strategies are representative of wider stakeholder views.

A number of key themes were highlighted during these initial stakeholder conversations. These themes are reflected within this paper and include:

- A strong emphasis on continuing to fish in a responsible and sustainable way, in line with meeting our International commitments.
- The need for a robust evidence base to underpin our processes for establishing fishing opportunities.

- A general acceptance that Total Allowable Catches (TACs) offer the most appropriate way of managing fishing levels in most cases.
- A requirement to put in place a more workable discards policy which addresses the current challenges with the landing obligation.
- A desire to consider the most appropriate way of allocating any increased fishing opportunities after Brexit.
- The need to investigate options to support potential new entrants into the fishing sector and removing barriers which prevent the sector from growing and diversifying.
- A focus on inshore fisheries, the need for inshore fisheries legislation, increased quota shares, and improved governance, data collection and monitoring.
- The need for us to consider strengthening the way we co-manage our fisheries, improving governance and communication, and devolving management down to the appropriate local level.

Who is this discussion paper for and how to get involved?

The publication of this discussion paper marks the beginning of a longer process of discussion and collaboration which is necessary to ensure that Scotland's Future Fisheries Management Strategy is developed in partnership and is representative of wider stakeholder views. We will, therefore, want to engage with you on some bold and new initiatives and we would welcome your responses and ideas to shape how we will manage our fisheries and our catching policy going forward.

Please submit your response via Citizen Space

<https://consult.gov.scot/marine-scotland/scottish-sea-fisheries-national-discussion-paper/>

or, alternatively send your written responses to:

Scottish Government
Sea Fisheries Division
Future Fisheries Management Discussion Paper
Victoria Quay
Edinburgh
EH6 6QQ

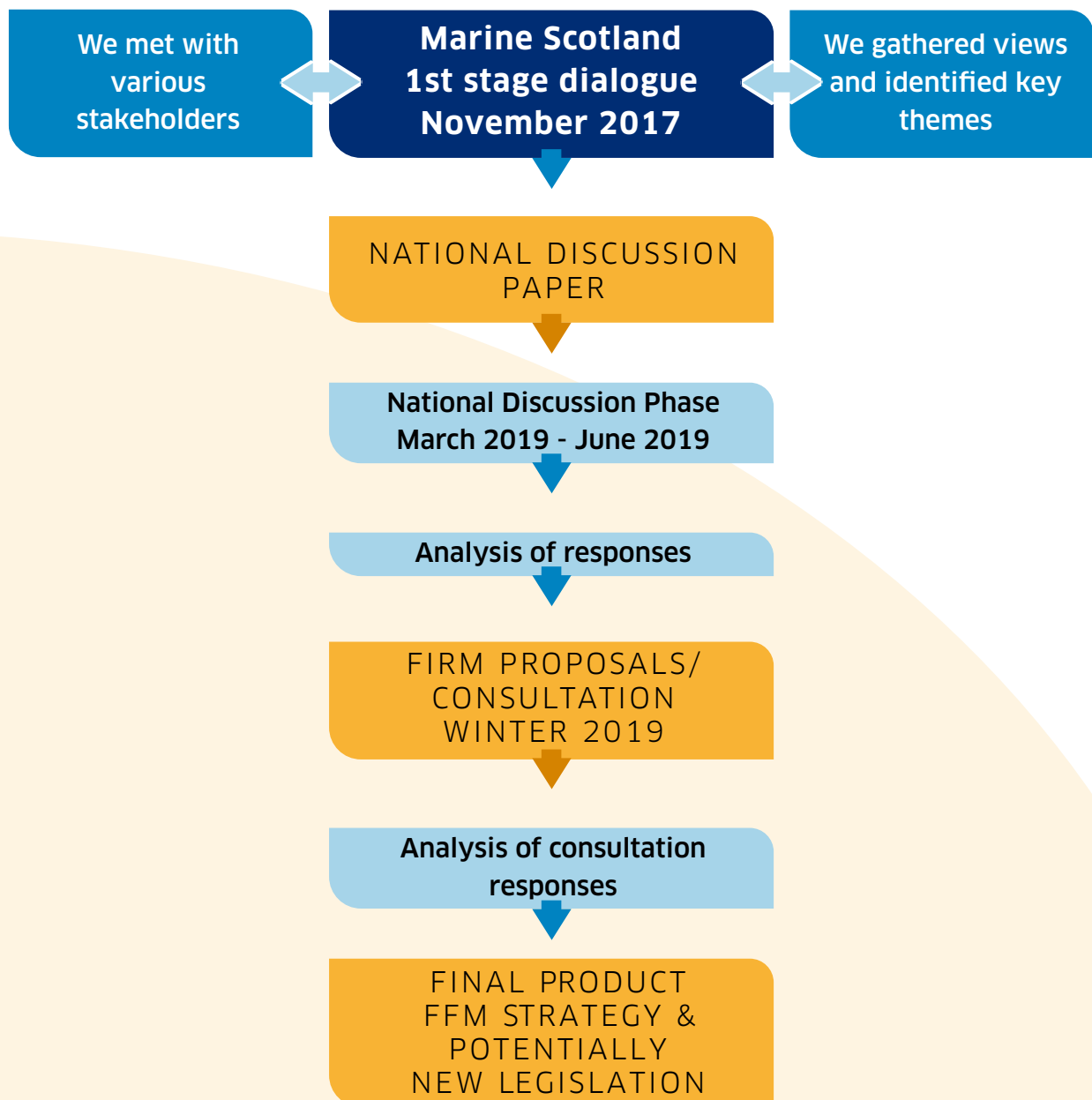
Please submit your response by 7th June 2019.

Next steps in the process

Your response to the Discussion paper will help shape the development of the Future Fisheries Management Strategy. We aim to publish a formal consultation document in Winter 2019. This will set out our agreed shared vision, with a set of concrete proposals and high-level priorities to help guide decisions over the coming years.

PfG Commitment

We will develop a new approach to fisheries management in partnership with the fishing industry and other stakeholders, establishing a world-leading, sustainable fisheries management strategy, with inclusive economic growth at its heart.



CHAPTER 1 : ACHIEVING OUR VISION FOR ENVIRONMENTALLY CONSCIOUS AND SUSTAINABLE FISHING

Scotland's National Marine Plan recognises that existing fishing opportunities and activities are safeguarded wherever possible, and that the general planning principle ensures a presumption in favour of sustainable use and development, which includes existing fishing activity. The fishing industry operates alongside many other marine users, in waters that are increasingly competitive, with space at a premium in some areas. In recognising the rights of all users, it is important we ensure proper processes are in place to both reduce the likelihood of accidental interaction/conflict and deal efficiently, as well as fairly, with any incidents. One of the major marketing attractions for Scotland is the excellence of our marine environment and quality of our food and drink. As such, marine and coastal tourism plays an important role in Scotland's rural economy. The NMP already seeks to: *"Position Scotland as a world class sustainable coastal and marine tourism and recreation destination throughout the sustainable development of coastal and marine recreation activities and industries in Scotland"*.



Our overarching vision for the marine environment is for *'clean, healthy, safe, productive and diverse seas; managed to meet the long-term needs of nature and people.'*

This vision is also reflected in the UK Marine Strategy which seeks to achieve and maintain good environmental status in UK waters. An assessment of progress towards good environmental status will be published for public consultation later this year along with new environmental targets. Where relevant, our Future Fisheries Management Strategy will reflect the need to continue improving our marine environmental status.

The NMP is also key to achieving our vision for the marine environment. It sets economic, social, marine ecosystem, climate change mitigation and adaptation objectives. Additionally, the NMP also covers the management of Scottish waters and applies to the exercise of both reserved and devolved functions. It sets out policies to meet the high level marine objectives described in the UK Marine Policy Statement, but it does not replace or remove existing regulatory regimes or legislative requirements. Rather it provides a consistent framework for their continued operation.

The Plan promotes an ecosystem based approach, putting the marine environment at the heart of the planning process to promote ecosystem health, resilience to human induced change and the ability to support sustainable development and use. It also ensures that any individual policy, plan or activity is carried out within environmental limits. It sets sector specific objectives which mainly focus on the promotion of sustainable economic growth of the relevant sector and are an important context for planning and decision making.

The policies in the NMP that explicitly protect fisheries in the marine planning and licensing process are outlined in **Annex A**. These policies extend to include social and economic impacts on fisheries, as well as accounting for the potentially detrimental effect on fish populations by other marine activities

Our vision for the marine environment enshrines our commitment to marine biodiversity. In order to secure the long term future of our world class fisheries sector, marine biodiversity needs to be considered in multiple ways. We need to ensure that:

- Commercially important fish and shellfish stocks are exploited within sustainable limits;
- Non-target species are not impacted in a way that adversely affects their populations, or adversely affects the marine food web;
- Habitats are able to support the lifecycle of all species and help maintain healthy populations.

Over the last decade considerable action has been taken to progress towards achieving our vision for the marine environment including direct action such as work to create a well-managed Marine Protected Area (MPA) Network. Completing this work is a key foundation of improving

environmental status to the benefit of fishers and wider society, but there is also a need to ensure a strong foundation of fisheries management in our future strategy.

Marine litter has become one of the main environmental issues of our time. It is widely accepted that the majority of the litter which ends up in the marine environment originates on land. However, a significant level of litter is also entering the marine environment through the activities and operations taking place in our seas.

A great deal of work is currently being done to address this issue. A ***“Marine Litter Strategy for Scotland, (2014)”***, sets out the Scottish Government’s approach to ensure the amount of litter entering the marine environment is minimised to bring associated ecological, economic and social benefits.

The fishing industry also have a valuable role to play in removing litter from the marine environment. The KIMO’s Fishing for Litter⁵ scheme has involved over 300 vessels and landed in excess of 1000 tonnes of litter, most of which was plastics. However, more can be done to address this issue.

One of the major marketing attractions for Scotland is the excellence of our marine environment and quality of our food and drink. As such, marine and coastal tourism plays an important role in Scotland’s rural economy. The NMP already seeks to: ***“Position Scotland as a world class sustainable coastal and marine tourism and recreation destination throughout the sustainable development of coastal and marine recreation activities and industries in Scotland”***

5 <http://www.fishingforlitter.org.uk/project-areas/scotland>

Discussion point:

Scotland's fisheries already operate within a strategic international and domestic framework. It is important that we take account of existing commitments and conventions when establishing our management plans for the future.

There can often be challenges in translating high level principles into practice and ensuring that strategic goals are reflected at an operational level. This will require a flexible approach that enables an adaptive and responsive approach to management.

As we move forward with developing our future strategy, we need to consider how best to turn our overarching aims under the National Marine Plan and other strategic international commitments into operational detail. For example, this could involve working with Marine Planning Partnerships as they develop Regional Marine Plans.

We will seek to work with partners to make strategic outcomes accessible and easily understood. Additionally, we will take account of relevant issues identified in the National Marine Plan Review and seek to align these with future iterations of the Plan.

Specifically on marine litter, the Scottish Government will explore the mechanisms under which we will establish it as an offence to throw overboard any type of litter whilst at sea.

CHAPTER 2 : GOVERNANCE, ENGAGEMENT AND ACCOUNTABILITY

2.1 Governance and Engagement

Sea fisheries in Scotland is devolved to the Scottish Parliament. This means that Scottish Ministers are responsible and accountable for managing sea fishing activity in the Scottish fishing zone, and Scottish fishing vessels wherever they are active. Ministers are responsible for the overall management decisions which affect the day to day operations of our fishing fleet. This is underpinned by the current legislative framework. As part of our preparations for Brexit, we will ensure that Scottish Ministers have all necessary powers so that devolved competence over Scottish fisheries continues to function fully and effectively in the future, and the needs of our fishing industry continue to be met.

Ministers are supported by officials in Marine Scotland, the Scottish Government Department responsible for the integrated management of Scotland's seas, within which the Sea Fisheries Division takes the lead policy role on all matters relating to sea fishing. Marine Scotland Science, along with the wider scientific community, provides the scientific evidence base on which most of our policies are based while Marine Scotland Compliance ensures that sea fisheries regulations are enforced, monitored and complied with. The Seafish Industry Authority (Seafish) also supports the development of policy and industry initiatives, enabled through the collection and use of levy from across the United Kingdom. Moving forward Scottish Ministers want the power to raise a Scottish seafood levy and full autonomy for Scotland in deciding on how seafood levies are best utilised here.

Marine Scotland can only successfully manage Scotland's valuable marine fishery resources with the assistance and engagement of the industries associated stakeholders. We operate an "open door" approach to policy development. Scottish Government officials are continually engaging with representatives of the catching and processing sectors, fisheries community representatives, environmental organisations, other marine users and stakeholders. Consequently, this level of input is used at every stage of policy development, implementation and review which undoubtedly results in Scottish fisheries management becoming greatly improved by this level of stakeholder engagement. A large number of established fora currently exist to assist with this. An overview of these groups is provided at **Annex B**.

As we move forward we remain committed to continuing with the same high level of engagement. We also want to go further to place co-management of fisheries at the heart of our policy development and decision making. Fisheries co-management should be flexible and cooperative. Both the community and the government are involved during the decision making, implementation and enforcement processes. We will operate through consensus and the use of a veto to stifle progress will not feature. We will, in the first instance, draft a terms of reference to inform a memorandum of understanding between all concerned stakeholders much as we currently have for our Fisheries Management and Conservation Working Group (FMAC).

We wish to see decisions on fisheries management taken at the most appropriate level, devolving local decisions to local stakeholders. This means we need to trust each other and develop a culture of shared responsibility and purpose.

There will undoubtedly be challenges with this but, as part of our Future Fisheries Management Strategy, we wish to explore how we can better engage with stakeholders to more fully involve them in the decision-making process and ensure that we operate in a fair, equitable and transparent way.

There are a wide and diverse range of organisations representing the catching sector. Indeed, skippers and crew can often be represented by a number of groups, potentially with different viewpoints depending on their objectives. This can often lead to an embarrassment of riches, so that any fisher might see organisations representing their interests in dispute over specific issues. Accordingly, this can make it difficult for Ministers and officials to obtain a clear position from the catching sector and others on policy proposals.

A clear objective can often be easier to obtain on reactive or specific issues than on strategic issues which can be particularly challenging against a backdrop of finite Government resources. We want to explore how we can better organise ourselves in the future to provide clarity, maximise the use of public resources and improve on our current structures and engagement.

Good communication and engagement is not only required between Government and external stakeholders. The interactions between different groups within the catching sector, between the catching sector and the onshore sector, and between the fishing industry and others such as environmental groups, are also vital to ensure that the whole system works effectively. It will be important to consider these interactions as we move forward and to identify ways in which they might be strengthened and improved.

Discussion point:

We want to engage with stakeholders on how we can strengthen co-management of our fisheries in the future and would welcome suggestions on this issue.

We want to ensure that we can engage effectively on reactive issues as well as on strategic outcomes. The current industry landscape can often feel too cluttered and we believe that steps to streamline it could result in better management and greater integration of stakeholders into decision-making processes.

We also want to ensure that the public sector bodies operating to support the sector are doing so as effectively as possible, putting Scottish interests at the forefront of their planning and operation.

We want to work with the fishing industry (including Producer Organisations), environmental stakeholders, and others to consider how we can most effectively engage in the future. We believe that fewer representative bodies aligned with strong leadership may help with this.

2.2 Hearing all voices

As with delivery of every complex policy area, we recognise that it can sometimes be difficult for stakeholders to know how and when to interact with us. We also recognise that it can be difficult for stakeholders from smaller, less well represented sectors, to make their voices properly heard. Therefore, it is important that all sectors and stakeholders have sufficient capacity to engage equitably.

While the Scottish Government strives to take into account the views of all stakeholders, inevitably certain stakeholders are more difficult to engage. This is particularly the case for non-sector fishers whose vessels are not members of a Producer Organisation. Such fishers are often based in remote communities, lack formal representation and the full time nature of their work makes it difficult for them to attend meetings or participate in consultation events. Scottish Government officials frequently visit the quaysides to seek to mitigate this barrier. We will continue to seek innovative approaches including the use of technology to improve stakeholder access to Government. We will also explore greater use of local fishery offices to help communicate and engage directly with local fishers on important issues.

We also acknowledge that not everyone wants to engage directly with us. Where this is the case we will always seek to inform in a clear and consistent manner, providing fishers with the choice to engage further with us, or not, as they wish.

We value the diverse nature of our stakeholders and want to ensure that we engage with, and hear from, all sectors across the whole of the supply chain (including offshore, inshore and onshore), community groups, women, young people, environment groups and others.

Discussion point:

We want to hear directly from our stakeholders about how and when we should engage and whether improvements are needed. We believe that we should enhance our current structures and methods of communication in order to deliver a high level of accountability, visibility and transparency in our decisions.

We want to strengthen the engagement that we have with our stakeholders and ensure that communications are regular, meaningful and ongoing. We will seek to provide clarity on how and when stakeholders can best engage with us and ensure that there are opportunities for all voices – big or small – to be heard.

We will seek to provide clarity on which stakeholders should be engaged in relation to each issue. We hope this will result in a de-cluttering of the stakeholder landscape.

2.3 Local management

The Scottish Government is committed to supporting local management of fisheries. Public awareness of the impact of fishing is increasing, with a wider group of stakeholders taking a greater interest in fisheries management. Constructive input from a broad range of stakeholders is beneficial and to be welcomed, although we know that some fishers see this as a threat to their livelihoods and way of life.

Regional Inshore Fisheries Groups (RIFGs) have evolved over the last 9 years, with a new structure that was put in place in 2016. The RIFGs network in Scotland consists of the Outer Hebrides RIFG, West Coast RIFG, North and East Coast RIFG, and Orkney Management Group. Inshore fisheries in Shetland are mainly managed through the Shetland Shellfish Management Organisation (SSMO) Regulating Order⁶.

RIFGs are non-statutory advisory bodies, and are key to the Scottish Government's vision of local management of our inshore fisheries. They encourage the inshore sector to better engage, develop fisheries management proposals and become the key voice of fishing in Marine Planning Partnerships. It is also important to remember that Fishing Associations and RIFGs perform very different functions; the former is to primarily represent member business interests, and the latter to develop fisheries management plans and improve management in the respective area.

The SSMO, established in 2000, has evolved into what is a highly regarded inshore fisheries management system. Across Scotland the value of local management needs to be considered alongside available resources.

Discussion point:

The Scottish Government believes RIFGs can take a more formal role, be given a statutory basis, and expanded to 12 nautical miles (nm) to help deliver more effective inshore fisheries management. While this expansion would help ensure compatibility with Marine Planning Partnerships, we recognise that future IFG boundary changes may be desirable.

We intend to facilitate an approach to management which empowers local fishing interests and encourages greater stewardship of our marine resources. We do not intend to impose one national model, but rather provide an option for fishers, with support from other local stakeholders to take greater responsibility for managing inshore fishing. This is not management for locals, but local management. Indeed, wider stakeholders such as local authorities may be well placed to become more involved in the management of local fisheries. At the moment the only existing methods are via Several Orders and Regulating Orders which are often inflexible, expensive to operate or inappropriate for the circumstances.

⁶ <https://www.ssmo.co.uk/>

2.4 Delivering confidence and accountability

Delivering confidence in our seafood product is of vital importance to the success of our fishing industry. Scotland's reputation for delivering high-quality seafood produce in a sustainable and responsible manner helps ensure that our product is in demand throughout the world. It is important that we continue to deliver that confidence in the future and that we are able to demonstrate clearly and transparently the high standards within which the fishing sector is operating.

Key to delivering confidence is ensuring accountability. This runs through the whole supply chain, from the way in which we establish sustainable fishing levels, the methods which fishers deploy to catch fish, the way in which catch is handled, landed, transported and processed, to the final product which is served onto our plates. We are supported in this through many established processes and procedures which are grounded in legislation. We will ensure that these high standards continue to apply after Brexit as the governing European legislation is translated into domestic law.

Sustainable fishing practices are important to retailers and consumers and our role is to clearly demonstrate that the Scottish fishing industry are behaving in a responsible and sustainable way. We partly do this through the annual process of setting quotas at levels which are informed by the best available science. The fishing industry itself also plays a key role in sharing information about their products which help consumers to make informed choices.

As rules and regulations change, the way in which we ensure compliance must also change. We want to work in partnership with stakeholders to consider how we can deliver a high degree of confidence that demonstrates rules and regulations are being complied with. We also want to ensure that we are delivering fully documented fisheries and that we are fully accounting for all the fish which are removed from the sea.

We are currently working to produce an evidenced based proposal that will help shape the future compliance activities of Marine Scotland, detailing the required resources with an action plan for its implementation.

The project will identify and map out both "soft" and "hard" compliance activities pan-Marine Scotland. It will review the costs associated with such compliance activity, with particular attention to the physical and 'high value' assets used. The review will consider if the current legislative protections, duties and responsibilities are sufficient for the future but importantly, will also include any non-legislative policy expectations. Changing attitudes and behaviours is key.

We will engage with partners and experts, both domestic and international, to explore and identify new and innovative approaches to compliance (including the use of new technologies), with the view to assimilating these within existing Marine Scotland practices.

To this end we support the proportionate use of Remote Electronic Monitoring (REM) as part of an effective control and enforcement system. We will begin with the rollout of REM to our

pelagic fleet and will extend to parts of the mobile fleet as appropriate and following a risk based approach. This will include consideration of REM for higher risk vessels operating in sensitive areas. We will also consider the use of reference fleets. We understand that it is important to our fishing industry to have a level playing field and we will ensure this is delivered through legislation, meaning that any vessels entering our waters must also follow, and comply with, these rules.

It will be important to consider all parts of the fleet when agreeing our future approach to delivering confidence and accountability. For the inshore fleet we are already in the process of testing different vessel tracking and monitoring technologies that might be appropriate for inshore vessels. Analysis is currently being undertaken, and will consider implications for fisheries compliance, science, policy delivery and wider marine policy.

Accordingly, this programme of work will not only facilitate better interaction between marine fisheries and other users of inshore waters, but also help tackle issues such as unlicensed fishing activity and gear conflict – both impediments to improving fisheries management.

The benefits of technology such as REM are not only linked to delivering confidence and accountability. There is a significant potential to use REM to improve the way in which our scientific operations work and to deliver enhancements to the data we collect. This should help deliver benefits in relation to stock management, which in turn can help lead to more responsible and sustainable fishing. Scientific involvement in developing and deploying REM technology is therefore of significant importance

Discussion point:

We intend to begin rollout of REM onto our pelagic fleet, with appropriate and proportionate use of REM on other mobile vessels to also be considered. We want to work with stakeholders to develop and deliver this in partnership, to ensure that the framework we put in place is workable and that it delivers a level playing field to all vessels fishing in our waters.

We will also enhance our monitoring and reporting capability for the inshore sector. To achieve this we will introduce:

- **appropriate vessel tracking for the under 12 metre fleet, linked initially to access to buffer zones that should be created around all MPAs.**
- **the potential use of REM for higher risk vessels operating in sensitive areas.**

Our commitment to the introduction of vessel tracking systems on vessels 12 metre and less is designed to enhance our base levels of data and information on activity, as well as to allow for a safer and closer alignment of activity around MPAs where only vessels with such equipment will be allowed to operate within MPA buffer zones.

Impacts, both financial and physical, on Compliance and Science resources will need to be considered in delivering confidence and accountability.

CHAPTER 3 : INTERNATIONAL

3.1 International Negotiations

Scotland is a major fishing nation in the north-east Atlantic and many of our key commercial stocks are shared with our international neighbours. It is clear that in the future we will not be managing our fisheries in isolation. We have many close partners across Europe and, as a responsible maritime nation committed to meeting our international obligations, we can only see mutual benefit in maintaining and building upon long established relationships with neighbouring fishing nations particularly as we seek to sensibly and sustainably co-manage multiple shared fish stocks.

The management of fisheries in Scottish waters out to 200 nautical miles is devolved. We are clear that access to these waters and fishing opportunities in those waters must not be traded away by the UK Government in any permanent form.

We envisage access to our waters continuing, negotiated annually through the Coastal States fora. We would not seek a scenario where we would close off our waters to our neighbours and partners. At the same time we are clear that foreign vessels in our waters should meet the same high standards that will apply to our own vessels in Scottish waters. We will also expect the highest standards from Scottish vessels fishing elsewhere. We must also have a full understanding of what the Compliance requirements may be in monitoring such activity.

Most of the commercial fish stocks caught by the Scottish fleet are managed by the use of Total Allowable Catches (TACs). Most stocks are distributed across one or more international boundaries, so their TACs are agreed at a series of international negotiations⁷.

In addition to agreeing TACs for any jointly managed stocks, Coastal State negotiations also deal with the following related management and fishing issues:

- Access - under international law a Coastal State controls fishing in its own Exclusive Economic Zone (EEZ) out to 200 nautical miles. It may choose to grant access for another country to catch a specific amount of its own quota in its EEZ. Such agreements are usually made annually, on a bilateral basis, and are usually reciprocal but may additionally or alternatively be in return for quota. Access arrangements are particularly useful where a stock is seasonal or migratory in nature.
- Inward and outward exchanges of quota - one-off trades that can vary from year to year.
- Development of stock-specific Long Term Management Strategies (LTMS).
- Establishment of TAC sharing arrangements.

⁷ There are relatively few stocks that occur solely within the waters of one country and for which that country sets a unilateral (or delegated) TAC. In Scotland, an example is the herring stock occurring in the Firth of Clyde.

In addition to the potential described above for links between access and quota, similar links are often made during negotiations between access and TAC shares where countries may be willing to accept a lower share of a stock's TAC (usually on an annual basis) in return for significant access opportunities.

3.2 Future Coastal State Negotiations

After leaving the EU, one operating model under consideration is that the UK will become an independent Coastal State with the right to control and manage fishing in its Exclusive Economic Zone. As such, the current configuration of international negotiations will evolve, and the UK will take a seat at the negotiating top table alongside other Coastal States and fishing parties. Scotland's role for leading negotiations in its own right needs further consideration.

In the scenario of a UK Coastal State, we will make the case for Scotland to lead on behalf of all the nations in the UK where we have the critical voice in relation to stocks that are predominantly present in Scottish waters and in relation to access to Scottish waters by foreign vessels. For example, NEA Mackerel, NS Cod, Northern Shelf Haddock, NS Nephrops, WS Herring, WS *Nephrops*, and Northern shelf monkfish, to name but a few, spend the majority of their life cycle in Scottish waters.

This clearly demonstrates that Scotland has a key role to play in the future management of these valuable resources present in Scottish waters. There could be a Memorandum of Understanding between the UK and Scottish Government to underpin this. General themes and expectations are that the Scottish Government would:

- continue to engage closely with the UK Government, offering both support and challenge, as we prepare for life as an independent Coastal State;
- be an active and critical part of the UK delegation at international negotiations where we have, or may wish to develop, fishing interests;
- seek the establishment of an inclusive and transparent mechanism for future negotiations that engages stakeholders in collective decision-making; this would include an enhanced role for Scottish stakeholders within the UK delegation;
- conduct negotiations on a principled rather than positional basis;
- remain alert to any moves in negotiations that would seek to trade away Scottish interests in return for opportunities that do not benefit Scotland either directly or indirectly;
- continue to play an increased, active, visible and credible role on the international stage, guided by the principles of fairness, legitimacy and mutual benefit;
- demonstrate to other fishing nations with whom we have long-standing relationships that we will remain a responsible, fair and open negotiating partner;

- provide reassurance that we see bilateral access continuing post-Brexit but that it will be negotiated on an annual basis and be sensitive to the priorities of both parties;
- recognise the need to provide stability to all businesses and avoid a cliff-edge approach where change is managed over time.

3.3 Future relationship with the EU and other countries

Scotland has many close partners both within the EU and with other fishing nations such as Norway, Iceland and the Faroe Islands. Ensuring that we maintain these close and active links is vital as we move forward. This goes beyond the role of international negotiations and covers both the formal and informal networks which are vital to conducting on-going successful business. These networks will be important in managing shared stocks and in exploring and resolving common issues.

Scotland is already well regarded by other nations and our opinions, knowledge and expertise will continue to be important in the future. We want to explore the form that our future relationships might take to ensure that we can continue to influence and have our voice heard on the international stage.

Discussion point:

The Scottish fishing zone is the fourth largest of core European waters and makes up over 60% of the UK's total European waters. There is a significant abundance of fish in Scottish waters and numerous EU and third countries have a significant dependence on their ability to access fish quota allocations in our waters. These factors put us in a strong position in relation to negotiations with the EU. As such, the Scottish Government must play a lead role within any UK delegation.

Whilst international relations are reserved, the Scottish Government has an interest in such relations because they are in many cases focussed on access arrangements. This reinforces the need for the UK Government to operate in partnership and not as sole arbiter as is currently the case.

In any scenario of a UK Coastal State, Scotland's role should be the leading one where we have the critical voice in relation to stocks that are dominant in Scottish waters and in relation to access to Scottish waters by foreign vessels, our agreement must be sought.

We want to work with stakeholders to consider what role they should play within Scottish and/or UK delegations at future negotiations.

Closer involvement by stakeholders within the negotiating delegation brings advantages but also many challenges, not least the requirement for collective support required around any final decisions taken. Stakeholder representatives will want to consider how this situation can best be managed.

CHAPTER 4 : ESTABLISHING FISHING OPPORTUNITIES

4.1 A science-based approach to setting quota

Article 61 of UNCLOS⁸ stipulates that a Coastal State “*shall determine the allowable catch of the living resources in its exclusive economic zone. The Coastal State, taking into account the best scientific evidence available to it, shall ensure through proper conservation and management measures that the maintenance of the living resources in the exclusive economic zone is not endangered by over-exploitation*”.

Further, “*Such measures shall also be designed to maintain or restore populations of harvested species at levels which can produce the maximum sustainable yield (MSY), as qualified by relevant environmental and economic factors, including the economic needs of coastal fishing communities and the special requirements of developing States, and taking into account fishing patterns, the interdependence of stocks and any generally recommended international minimum standards, whether subregional, regional or global.*”

In order to meet the requirements of UNCLOS, most of the commercial stocks fished by the Scottish fleet are managed by the use of Total Allowable Catches (TACs), the majority of which are agreed annually at a series of international negotiations. We believe this is the right way of establishing and managing fishing levels and will continue to use TACs as our primary stock management tool in the future. Where we have stocks that are jointly managed with other fishing nations we will work together with our international colleagues to establish TACs which are both responsible and sustainable.

Total Allowable Catch levels are informed by the best available independent scientific advice that is published annually or biennially by the International Council for the Exploration of the Sea (ICES). Scientific advice utilised during this process draws on the best information available about each stock from surveys and fisheries data. For each stock, the advice provides a number of alternative TAC options, which are then considered at the context of international negotiations. In the future, Marine Scotland’s scientists will continue to contribute to ICES and we will continue to use ICES advice as the basis for TAC setting.

A recent development in EU fisheries management policy is the concept of Maximum Sustainable Yield (MSY) ranges⁹. We believe that MSY ranges may offer a useful management tool and could potentially be used in the future to help us to establish sustainable TAC levels. We will continue to work towards achieving MSY for all our stocks, although we acknowledge that there are challenges in achieving this within a mixed fishery. We are not minded to establish targets for achieving MSY in any stocks at this stage but would welcome views on how best to work towards achieving MSY. We do also believe by way of providing stability that TACs should be constrained by how much they can go up or down and that this ‘plus and minus’ feature should be regularly used.

⁸ http://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf

⁹ MSY ranges set out alternative fishing levels either side of the traditionally understood MSY point value that ICES has deemed to be sustainable in certain circumstances. They are intended to allow negotiators to set TACs that simultaneously bring more stocks to sustainable fishing levels in mixed fisheries; provide the optimum mix of quota for the stocks caught together; and minimise under-fishing of economically important target stocks.

Discussion point:

Whilst we agree that we should continue to manage fishing stocks towards MSY we do not believe this can best be achieved by setting targets to achieve MSY by an arbitrary date. We will instead consider putting in place a sensible direction of travel, rather than focussing on undeliverable target setting.

We believe the use of MSY ranges may prove to be a useful tool in helping us to manage towards MSY in mixed fisheries.

Data limited stocks

ICES uses a precautionary approach in its advice for data limited stocks which is of lower confidence than that produced using the data-rich MSY approach. It is therefore difficult to say that TACs set for these stocks are sustainable in the longer term, even if ICES advice has been followed in the process. However, ICES advice is nevertheless still the best available option we have at the moment, so the only solution to this will be to increase efforts over a number of years to improve data collection for such stocks.

Challenges around data limited stocks are particularly acute in the inshore sector. If we are to have comprehensive and cohesive inshore fisheries management in the future then we will need a strong scientific base, together with effective compliance arrangements and an appropriate management framework. New and innovative technologies may offer a solution to some of these issues and could open up opportunities. We will need to be cautious, however, as there are limits on the precision of science, particularly in relation to inshore stocks. We will also need to consider this against wider budget resource issues.

Significant progress is already being made in this area. In recent years the Scottish Government has levered in £2.3 million in research funding to help modernise management of inshore fisheries, and improve the fisheries evidence base. Funded projects include the Scottish Inshore Fisheries Integrated Data System (SIFIDS) project, a £1.5 m multi-partner initiative led by the University of St. Andrews that is investigating innovative technology and automated systems on vessels to improve data collection. This project will conclude in spring 2019 and we will consider how best to take forward its findings as part of our Future Fisheries Management Strategy.

Discussion point:

We understand the importance of improving our evidence base and we intend to divert resources for science, data collection and analysis towards targeted data limited stocks in order to strengthen assessments in the future.

We will consider the recommendations from the SIFIDS¹⁰ project to help improve the data we can collect for inshore fisheries and are committed to introducing enhanced technology on a sentinel inshore fleet to further improve science.

We will also look at simplification of data collection and will learn from international experience and other examples in doing this.

Principles for TAC setting

A number of principles will underpin our approach to setting TAC levels and negotiating with other countries as part of the process to establish fishing levels on an international basis. The Scottish Government will:

- use the best available scientific advice, including that based on the precautionary approach for data limited stocks, when developing our negotiating strategy;
- maintain our commitment to the MSY principle and progress towards sustainable fishing levels for all stocks in a way that does not create choke situations or significant socio-economic impacts;
- not condone automatic 'use it or lose it' cuts in the TACs for data limited stocks and will instead base our views on stock specific examination of trends;
- in mixed fisheries, support the use of MSY ranges and mixed fishery analysis to allow sustainable TACs to be set simultaneously for all stocks caught together;
- in non-mixed fisheries, e.g. pelagic, continue to support the development of single-species Long Term Management Strategies;
- aim to maintain stocks above safe biological limits and in good reproductive health with provisions for rectifying stock difficulties as they occur;
- support the development of comprehensive international sharing agreements wherever possible, but not at any cost to Scotland's interests;
- ensure that stakeholders' views are heard and considered when preparing for negotiations and continue to work closely with them as the talks proceed;

10 <https://www.masts.ac.uk/research/emff-sifids-project/>

- contribute data and expertise to the international fisheries science effort, and improve our evidence base by co-operation with international partners and the fishing industry;
- consider whether, where and how to resource increased efforts to collect new data to address the challenges posed by data limited stocks;
- consider socio-economic impacts and markets when establishing fishing opportunities.

Discussion point:

We will have a number of priorities which will drive our approach to agreeing and managing fishing levels in the future. We would welcome further discussions with stakeholders on these priorities.

We will always seek to maintain the highest standards of responsible behaviour when establishing fishing levels and will seek to challenge our international partners to do the same.

4.2 TAC vs Effort

There has been much debate about moving away from TACs towards an effort based system. In general TACs and quotas allow management on a clear scientific basis and allow socio-economic and environmental objectives to also be taken into account. Complexities can arise, however, in mixed fishery situations. Effort controls are less reliant on robust stock assessments (which can be advantageous when these don't exist) and can help in data-poor mixed fisheries. However, effort controls can also create a race to fish and it is more difficult to ensure that levels of catches are sustainable.

Globally, TAC systems are the norm in fisheries management, seeking to directly control the output from a fishery in terms of tonnage caught. While the system is not without faults, it has proven a simpler and more effective way to manage most fisheries. Discussions which favour effort over TACs also tend to ignore the international obligation that we are under for most stocks to set a catch limit. In doing so we clearly cannot have an isolated effort based system.

There may be occasions, for example for some single species, where effort or activity may be considered as a control mechanism, particularly for sedentary and dispersed stocks where there is inadequate information on stock biology for the establishment of TACs. However, in the mixed fisheries of the North Sea and West of Scotland we see effort as neither a sensible nor deliverable management approach. Therefore the Scottish Government will continue to use TACs as the primary method of establishing fishing opportunities in the future.

There may be merit in considering introducing quotas for current non TAC species where a fishery is known to be clean and have a high rate of survival.

Discussion point:

The Scottish Government will continue to use TACs as the primary method of managing most fish stocks in the future. We also consider there to be merit in at least some cases for introducing quotas for non TAC species, for example shellfish.

4.3 Quota Management System

It is the Scottish Government's stated aim that we will do everything we can to ensure Scottish fishing quota is retained in the hands of active Scottish fishermen, and that quota speculation is ended.

The UK Government is the current allocating authority for UK fish quotas. It apportions UK fish quotas, received from the EU following annual quota negotiations, amongst UK Fisheries Administrations pro-rata to the Fixed Quota Allocation (FQA) units associated with the licences administered by each Administration.

After receiving quota from the UK, each of the four UK Fisheries Administrations (FAs) distributes this quota to its fishers. For Scottish fisheries these allocations are made by the Scottish Government according to the FQA method for most quota stocks.¹¹

The Scottish Government (and the other Administrations) issue most of their allocations to Fish Producer Organisations (POs). There are 10 POs in Scotland and these are administered directly by Marine Scotland. POs manage their members' quotas on their behalf and some seek to market their landings.

The landings of vessels that are not PO members (known as the "non-sector" in the case of over 10 metre vessels, and the "10 metre and under" fleet) are managed directly by the Scottish Government (see following section).

The Scottish Government is committed to the continued use of the FQA system as the main means of allocation of fishing opportunities as this acknowledges the investment made by fisheries businesses and provides a degree of stability and certainty for future investment.

This means that POs are likely to continue to play an important role in the future. However, we also want to consider broadening the pool of quota management organisations, and we want to explore the option of devolving the management of individual fisheries to more local groups.

¹¹ Allocating & Managing Scotland's Quota:
<https://www.gov.scot/Topics/marine/Sea-Fisheries/management/17681>

Improving the FQA system

Improvements to the existing system can be made and were explored under the Scottish Government's 2014 consultation on allocation of fish quotas. This included a consideration of establishing criteria on persons able to hold quota. Although it is difficult to estimate, there are potentially significant amounts of quota held by individuals and companies with no direct interest in the fishing industry who are effectively using quotas as a speculative asset. The impact of this behaviour is to inflate costs associated with quota leasing disadvantaging small scale fishers in particular. The Scottish Government will bring forward measures to minimise such speculation.

Non-sector vessels

Vessels which are part of a PO have sector licences which carry FQA units. Those vessels out with POs have non-sector licenses and cannot lease quota from other vessels. These non-sector vessels obtain fishing opportunities through targeting non-quota species, such as scallop, crabs and lobsters, or by fishing against Scottish national pools with set monthly limits on catches. There are two pools, one for vessels of 10 metres and less, comprising mainly Nephrops and some finfish quota, and an over 10 metres vessel pool almost solely comprised of Nephrops. The over 10 metres non-sector fleet sector are therefore confined to fishing against Nephrops quota or for non-quota species. There are 156 and 1430 non sector licences for the over 10 metres and under 10 metres sectors respectively currently active in the Scottish fishing fleet.

The original reason for distinguishing the two groups of non-sector vessels was to account for historical differences in fishing power between over 10 metres and under 10 metres vessels. With the development of technology and more efficient vessel design that rationale is now largely irrelevant. It is therefore questionable that two separate non-sector pools remain necessary.

Both non-sector segments have very restricted fishing options and limited ability to diversify into other fisheries. Increasing the quantity and number of stocks that the non-sector could fish would help relieve pressure on non-quota stocks and allow non-sector vessels to diversify.

There are a number of management options that could be considered to better manage the non-sector section; allowing them to lease quota, establishing stock specific POs, allocating a greater amount and range of quotas to the pools. Each would have different impacts and represent a significant change to the way we currently manage quota in Scotland.¹²

¹² A number of options were explored for the under 10 m fleet in the Scottish Government's 2014 consultation on the allocation of fish quotas. <https://www.gov.scot/Resource/0045/00455367.pdf>

Discussion point:

The Scottish Government is committed to ending quota speculation and will bring forward measures to adjust this.

The recently published UK Fisheries White Paper makes a number of suggestions regarding future management of fisheries. Whilst the majority of these are for England only, we are clear that actions taken in England and elsewhere in the UK cannot and must not impact negatively on opportunities allocated to Scotland or the ability of the combined UK to act responsibly in meeting international obligations. The reverse is also true and where we take decisions for the Scottish fleet we will also be mindful of the potential impacts on the rest of the UK.

Diversions of rules is already common place and whilst commonality is helpful in many cases for businesses, different rules can equally be appropriate. These will have no negative effect on the functioning of internal UK markets.

We want to continue to expand delegation of quota management to industry in the future. We want to explore whether this could be opened up beyond Producer Organisations and whether there could be a role for IFGs as well as distinct geographic local communities.

We want to work with stakeholders to consider options for better management of the non-sector and would welcome stakeholders views on this.

4.4 Fishing Opportunities after Brexit

Fish are a public resource and as such the benefits from fishing should be shared as widely as possible. We support the sustainable growth of the fishing sector and, with this growth, want to see more people involved in the marine fishing industry.

As part of this we are already committed to developing a new entrants scheme and will seek to support new entrants into the sector through our policies. Future policies will include prioritising funding, ensuring access to appropriate fishing opportunities and associated licences, and additional support such as business advice to support new entrants to become established.

There are expectations from many in the fishing industry about the level of additional quota which may be achieved after the UK's departure from the EU. However, the identification of additional opportunities is challenging as TACs can fluctuate year on year and sometimes on a significant scale. Whilst our primary method for allocating quota will be on a FQA basis, where additional opportunities are identified, we will seek to divert a portion of this away from the current FQA model, particularly where it can help us deliver inclusive economic growth through diversification and supporting new opportunities in our own waters and further afield. There may, of course, be stocks where our share could legitimately be less depending on the criteria used.

The primary identifier of additional quota shall be where our share changes; for example, if we had a 30% share of a stock and over time that becomes 40% then there is a genuine 10% additional quota regardless of TAC fluctuations.

We believe that, where identified, at least 50% of additional quota should be used and distributed separately to the FQA system.

Our approach to international negotiations is likely to play an important role in realising additional quota opportunities after Brexit. The Scottish Government will play a full and active role in realising, through domestic and international negotiation, any benefits we can after leaving the EU; recognising that no future arrangements will be as beneficial for the seafood sector as our existing membership of the EU and that there are risks around trade barriers and non-tariff barriers that our exporters are all particularly susceptible to. We will do this by:

- supporting and holding the UK government to account on its promise to negotiate future access arrangements and fishing opportunities on an annual basis, and preventing any attempt by the UK Government to allow permanent access to the Scottish zone as part of future trade deals;
- fully supporting UK efforts to move away from relative stability TAC shares towards a more objective and science-led approach reflecting zonal attachment and ensuring this approach is pursued in all relevant negotiating fora;
- reserving the right to adopt our own approach to the allocation of additional future fishing opportunities; the Scottish Government is open to proposals as how to maximise benefits deriving from such quota; this in turn is likely to influence negotiating priorities for future discussions with the EU and other partners;
- ensuring that any UK allocation of additional fishing opportunities between UK Fisheries Administrations reflects zonal attachment;
- asserting our rights as the lead partner and pursue new opportunities in UK and Scottish waters or in more distant waters with the UK Government engaging in new negotiating fora (i.e. other RFMOs of interest). For example, Atlantic bluefin tuna which now features regularly in our waters.

Discussion point:

Although it is not certain that additional quota opportunities will be delivered in the future, where we do have additional quota to allocate, our areas of priority will be to incentivise new entrants (as part of a specific new entrants scheme), to allocate conditionally against good practice/ sustainability and to develop additional inshore activity in support of coastal communities. We will learn the lessons of the past and not create a bank of new FQA units in doing so supporting the principle that this is a national asset.

The primary identifier of additional quota shall be where our share changes; for example, if we had a 30% share of a stock and over time that becomes 40% then there is a genuine 10% additional quota regardless of TAC fluctuations.

We believe that, where identified, at least 50% of additional quota should be used and distributed separately to the FQA system.

Through a combination of annually negotiated bilateral access agreements, a gradual recalibration of TAC shares to reflect zonal attachment, and the UK's assertion of its rights as an independent Coastal State, we will pursue the potential progressively to generate a range of new fishing opportunities for the Scottish fleet.

It is the intention of the UK to use zonal attachment criteria as the basis for adjusting shares of quota on a fairer basis between Coastal States, a position which we support. That being the case there is no reason not to use the same argument for allocating additional quota in the same way, domestically between all 4 administrations and we would expect this to be the case.

4.5 Making the most of Scottish Fishing Opportunities

Much of the Scottish caught seafood is landed in Scotland, particularly demersal fish and shellfish, with small quantities also landed in the rest of the UK. Landing into Scottish ports brings local economic benefits, helps maintain the viability of Scottish ports and safeguards jobs in Scotland's fish processing factories.

However, the picture looks quite different for pelagic landings where large quantities of Scottish mackerel and herring are landed into Norway and Denmark. In 2017, Scottish vessels landed £70M mackerel abroad (95,000 tonnes) which represents over half of the value and tonnage of the Scottish mackerel fisheries. Despite increases in the prices paid for mackerel landed into Scottish ports, Scottish pelagic processing plants struggle to access sufficient tonnages of pelagic stocks to ensure they remain economically viable.

Some other Scottish registered vessels fishing against Scottish quota also land demersal species abroad, particularly demersal stocks into Dutch ports. Although Scottish registered, these vessels are generally owned by foreign interests.

Scotland's fish stocks are a public asset and we wish to see this resource used to optimise sustainable economic returns to Scotland. We will therefore seek to increase the economic benefits to Scotland's fishing communities by amending the current economic link licensing condition (currently the same economic link criteria is used throughout the UK).

The amended economic link condition will mean that Scottish fishing vessels must either:

- Land at least 55% of catches into Scottish ports, or
- Provide quota gifts (similar to the system currently in place in which gifted quota is distributed by the Scottish Government to vessels registered in Scotland).

This proposal will provide a more equitable distribution of the economic benefits of an important Scottish asset. We believe that the new economic link licence condition will provide economic gains for coastal communities and help secure employment in fish processing plants across Scotland.

In addition, Scottish Government efforts to secure fishing opportunities should always, in the first instance, benefit Scottish communities and onshore activities which will maximise the contribution to inclusive economic growth.

Discussion point:

The Scottish Government is committed to the principle that fish are a national asset. Our policies and interventions will be designed to support that

Our policies and priorities will reflect our objectives of creating and sustaining jobs and income for the wider fisheries sector including processors and ancillary service providers. We are committed to increasing the economic benefits to our local fishing communities by strengthening the economic links between fishing vessels and local communities.

Skippers will have a choice of establishing this economic link through a quota gifting scheme, or meeting a landing target. Such a scheme will allow skippers to make rational business choices about how they can most appropriately meet the economic link criteria to the benefit of Scotland.

4.6 Future Catching Policy

The Scottish Government remains fully committed to the principles which underpin the landing obligation: reducing waste and increasing accountability. It is not acceptable for fishers to return large, marketable fish to the sea, dead.

However, there are still a number of fundamental issues with the implementation of the EU landing obligation with compliance across Europe believed to be low and continued strong resistance from the fishing industry. In addition, the threat of so-called choke species will have significant consequences for our fleet if the outstanding issues are not resolved.

Whilst the UK remains part of the EU we will continue to engage positively and pragmatically in discussions with Member States and the European Commission to address issues with the discard ban, recognising that the Scottish Government will not tolerate a situation where our fleet is prevented from fishing because pragmatic solutions to choke problems were ignored.

However, once the UK leaves the EU, it is important that we take stock and agree a way forward which results in the implementation of a workable policy in the future.

We have already begun a process to develop Scotland's Future Catching Policy (FCP), in consultation and collaboration with our stakeholders through the Scottish Discards Steering Group (SDSG). Within this work we recognise that the issue of discards must not be considered in isolation, but rather as part of a broader framework of fisheries management.

In partnership with the SDSG, we have agreed a set of guiding principles which will underpin Scotland's FCP. First and foremost we agree that we must protect the sustainability of fish stocks and the wider marine environment as well as deliver accountability and confidence in our future policy.

Fundamental to having a workable catching policy in place is recognising that a one size fits all approach is not appropriate. Successful management will require fisheries managers to tailor their approaches to individual fleet segments. We are particularly interested in proposals which would see a more cooperative approach to rule setting, based in part on the Norwegian model, which would provide a much greater role for the fishing industry and which would fit with our aspirations around establishing a more flexible, reactive and responsive management structure. For example, in many fleet segments it is possible to enhance selectivity through a range of technical measures. We want to work with stakeholders to agree what this package of additional measures looks like, recognising the need for buy-in and for the measures to be proportionate to the problem they are seeking to solve.

We also believe that we should work with stakeholders on the distribution of, and access to, quota so that it can contribute to the successful delivery of the FCP by ensuring that, for as long as quota is available, fishers will be able to cover their catches.

We will wish to continue exploring options for our FCP in partnership with the SDSG to consider the practicalities and ensure that a workable policy can be established for the future.

Discussion point:

We continue to support the principle of a discard ban - it is unacceptable to return good fish back to the sea dead. But we must, in partnership with stakeholders, develop a management system that supports this and can work in practice. We will consider ring-fencing quota to help fishers to operate legally within such a system, as well as using it to reward and/or incentivise best practice in innovative fishing techniques or methods.

We intend to continue using the SDSG as our focus group and sounding board in the development of a future catching policy that can deliver this aspiration.

We must also consider and address the short term implications associated with lack of compliance with the discard ban. The fact that additional quota has been received by vessels (known as 'quota uplift') to cover what was previously discarded, whilst discarding continues presents a very real risk to the sustainability of key stocks as well as our own very high international reputation. This situation must be resolved.

4.7 Technical and Spatial Conservation Measures

The governing rules and regulations which determine what behaviours and equipment fishing vessels deploy at sea are currently established through very complex legislation. Whilst the EU is taking steps to reform this, further simplification may well be needed. We want to explore with stakeholders how best to streamline current rules and regulations, whilst clarifying what our expectations are of fishers' roles in achieving wider sustainability outcomes. We also want to consider where we can be more responsive to changes in the fishing environment. Accordingly, this could for example make it easier for new gear to be rolled out on a commercial scale once successful scientific trials have been undertaken.

These aspirations link to our proposed approach for the Future Catching Policy, which would see a more responsive and inclusive approach, with fishers better embedded into the process for determining the rules which they collectively need to abide by.

Discussion point:

We want to work with stakeholders to consider a more responsive approach to the setting of technical conservation measures and spatial management rules. We also want to establish a clear statutory framework that will seek to encourage and better manage behaviour and use of equipment.

CHAPTER 5 : ACCESS TO FISHING

5.1 Fishing capacity

Ensuring fishing capacity does not exceed fishing opportunities is a key concern for fisheries administrations¹³. The Scottish Government, as with all other UK Fishing Administrations, operates a restricted fishing vessel licensing system which sets an upper limit on fleet capacity. Licensed capacity takes the form of vessel tonnage and engine capacity (in kilowatts). Both tonnage and engine capacity licence components can be transferred, aggregated and disaggregated so that the configuration of the fleet can over time adjust to changes in fishing patterns and markets. However, currently additional capacity cannot be created and no new licences are issued. New entrants into the industry must first obtain a fishing entitlement (that is a fishing licence with adequate capacity for their vessel) before they can begin commercial operations.

The restrictive nature of licensed capacity leads to competition for licences increasing their value. This has, in part, led to a consolidation of the fleet, particularly in the pelagic and North East demersal fleet as larger, more economically efficient operators buy up licences to enable them to purchase larger, more powerful and efficient vessels.

Small scale and coastal fishers can find it difficult to compete with larger vessels for additional capacity. In order to afford some protection to this sector the Scottish Government has established rules which prevent licences for vessels of length 10 metres and under being transferred to larger fishing interests. Furthermore, measures are in place to allow the dissociation of shellfish entitlements from over 10 metres vessel licences in order to sustain shell fishing opportunities in coastal waters when a license is acquired by a larger offshore vessel.

The Scottish Government believes it is vital to continue to manage fishing capacity in line with available fishing opportunities. Fishing opportunities do vary year to year depending upon fish abundance, however the industry is generally able to catch a high level of stocks available, with quota uptake high across our main commercial stocks. This means we need to exercise caution against increasing capacity, except for under certain circumstances and where we can be sure that there will not be a detrimental effect on our fish stocks.

The pelagic fleet may be a special case as these fisheries are limited by TACs and seasonality. Releasing capacity constraints would in principle lead to no change in fishing behaviour for this fleet. Any increase in engine power or tonnage would lead to quotas being taken earlier in the season, resulting in a shorter fishing season. Removing capacity restraints for the pelagic fleet would result in reduced competition for licenses, thus facilitating the upgrading and modernisation of new smaller vessels.

¹³ The statutory limit on UK fleet capacity is established in Annex II of EU Regulation 1380/2013.

Discussion point:

Although we will avoid relaxing fishing capacity constraints unless there is a substantial and permanent increase in fishing opportunities available to the Scottish fishing fleets, we are open to considering whether capacity limitations are relevant to the management of fishing activity in the pelagic sector. We will also consider the creation and sale of additional licences for the pelagic sector in line with additional opportunities. These licences will be supported by accompanying quota.

Also in the context of additional opportunities, for example distant water fisheries, the Scottish Government considers it appropriate to create additional and new licences supported by accompanying quota, distributed freely and based on submission of business plans allocated through lottery if oversubscribed. Additionally, within our own waters the same principle should apply to new entrants assuming that there is clear evidence that additional capacity will not have a negative effect on the stocks.

Considering our views on increased capacity we will commit to looking at creative ways in which we can provide additional licences and quota to assist new entrants into the system across all vessel types. Quota will not be given on an FQA basis but retained by the Scottish Government for use by new entrants.

CHAPTER 6 : INSHORE

6.1 The Inshore Fisheries Strategy

The term inshore is often ambiguous. The Scottish Government's definition of inshore fisheries going forward will be *where fishing activity takes place exclusively within 12 nautical miles of the shore*. Clarification of this definition is important when identifying structures for stakeholder engagement and policy development.

The Scottish Government's 2015 Inshore Fisheries Strategy¹⁴ sets out our priorities for improving and enhancing the operation of inshore fisheries. It enables us:

"...to support the development of a more sustainable, profitable and well-managed inshore fisheries sector in Scotland. We will do this by modernising the management of our inshore fisheries in Scotland and reaping long-term sustainable rewards for the inshore sector, the marine environment and our coastal communities."

Through a defined strategic approach, significant progress has already been made over the last three years. The Scottish Government has for example, introduced a comprehensive package of conservation measures for scallop, crab and lobster sectors. We have also introduced catch limits for unlicensed fishermen, gear marking improvements, and established a razor fish trial.

We are also taking forward Inshore Fisheries Pilots to test a more localised approach to fisheries management and whether greater use of spatial management can yield greater benefits to Scotland. These measures, along with research on the optimal allocation of Nephrops fishing grounds, will help inform how our fishers and communities can make the most of inshore waters.

In addition, our networks of regional inshore fisheries groups are implementing local management plans which give us the opportunity to realise real benefits on the ground.

To help modernise the management of inshore fisheries, the Scottish Government has also facilitated £2.3 m in research funding to improve the fisheries evidence base and enable fishing to better interact with other marine users in the future.

Our outcomes focussed Strategy has three broad themes:

- improving the evidence base on which fisheries management decisions are made;
- streamlining fisheries governance, and promoting stakeholder participation; and
- embedding inshore fisheries management into wider marine planning.

These themes hold true today. The Scottish Government intends to build on the 2015 Inshore Fisheries Strategy and incorporate it into a wider fisheries strategy for Scotland, including legislating to create an appropriate statutory underpinning for future inshore fisheries management.

¹⁴ <https://www.gov.scot/Topics/marine/Sea-Fisheries/InshoreFisheries/InshoreFisheriesStrategy>

6.2 Competing marine priorities

Scotland's inshore waters are rich and diverse. They are also increasingly busy, with many users competing for space in which to operate. Fishing is highly competitive as there is intense competition in Scottish inshore waters between different gear types which often leads to calls for blanket spatial restrictions to be put in place.

However, our knowledge and understanding of the marine environment, habitat and fisheries data has improved a great deal over the last 30 years. Additionally, advances in vessel tracking and monitoring supports a more sophisticated and tailored approach to fisheries management as opposed to national blunt spatial restrictions. But in looking to maximise profit for high value markets and tackle issues of conflict and gear competition between sectors, there may well be scope in some geographical areas to have a separation between mobile and static activity. We intend looking at this to further complement existing pilots to identify significant areas where further separation can be explored.

There is also increasing competition for uses of these waters beyond fishing. These include the introduction of an expansion of the aquaculture sector, marine and coastal tourism and renewable developments.

Recent cases have highlighted that interaction within and between fishing and other users of our inshore waters can be improved.

Discussion point:

The Scottish Government believes there is merit in introducing a significant low-impact trial that will separate mobile activity from static gear and recreational users and in doing so we will further consider the merits of specific zones where mobile gear bottom contact fishing will not be permitted.

It would appear that a blanket application of such a measure would not be appropriate, not least given the vastly differing locations of fishing opportunities within distinct geographic areas. We will need to consider the impacts of such a proposal on all affected communities and sectors.

In many cases there is excellent cooperation between different activities and this should not be overlooked. Instances of conflict are often between very small numbers of vessels, including both mobile and static and on a repeat basis. Solutions must be proportionate. Therefore, we will also explore an alternative approach where it is deemed that the actions of these vessels are impacting on Scottish Ministers ability to manage Scottish fisheries effectively by either suspending or permanently removing their licence.

6.3 Inshore Legislation

There are many challenges with managing inshore fisheries, most of which have already been discussed within this paper, including issues around governance, data-poor stocks, monitoring and accountability. There are also other impediments to improving fisheries management for example gear conflict / vandalism and unlicensed fishing activity.

Many of these issues are experienced elsewhere around the globe - some issues are short term in nature, while others are more deep-rooted. Fundamentally, however, current Scottish fisheries legislation is insufficient and does not enable managers to act easily or quickly to tackle challenges.

Existing management systems and licensing arrangements are effectively out of date. Only in Shetland through the Regulating Order¹⁵ can management measures be developed and implemented quickly. If we want to improve our fisheries, and be the best in the world, this needs to change.

Discussion point:

There is a compelling case for new legislation to improve the management of Scottish inshore waters. We intend to build on preparatory work undertaken for an inshore fisheries bill, prior to the EU referendum, and incorporate this into wider fisheries legislation.

We will need to balance the desire for local management alongside the principle of free movement of vessels around the coast.

6.4 Reactive Inshore Fisheries Management

To ensure that Scotland creates a world leading inshore fisheries management system, it is essential that Scotland has governance arrangements in place that allow for responsive, adaptable management measures for our sea fisheries that can be tailored to the needs of specific areas.

Elsewhere around the UK specific licences or permits are required to fish in inshore waters or territorial seas. These permits are required in addition to a commercial UK fishing licence. Though the power and scope of these licences/permits varies from case-to-case, in general there has been a move to introduce fishing regulations through conditions attached to licences/permits as opposed to legislation. The benefits of this approach are that controls can be introduced, amended or revoked in a far shorter period of time than is the case with legislation which allows for more timely and responsive management of the fisheries resource.

¹⁵ http://www.legislation.gov.uk/ssi/2012/348/pdfs/ssi_20120348_en.pdf

Discussion point:

We propose to follow the example of other parts of the British Isles and introduce a distinct licence or permit system to better regulate fishing activity within the Scottish 12 nautical mile zone. As is the case with licences and permits for Crown Dependency licences, or English IFCA (Inshore Fisheries Conservation Authority) permits, these would sit alongside the current UK fishing licence and be required before undertaking any commercial fishing activity. Scottish Ministers could add conditions to these licences to better regulate fishing activity. However, any new fisheries measures would still be subject to the necessary consultation process.

CHAPTER 7 : FUNDING

The current European Maritime and Fisheries Fund (EMFF), programmed to run to 2020, is a European grants scheme which supports fisheries, aquaculture, the seafood supply chain (including processing and fishing communities), wider maritime sectors and statutory data collection.

The largest element of the EMFF has delivered in excess of £10m to Scottish ports projects in recent years.

Direct support to the catching sector has also been made available, in particular in relation to safety, including vessel health and safety improvements, individual flotation devices and the safety training delivered in Scotland through Seafish. Over £2m has come from the EMFF and Scottish Government to support these key requirements. Safety of our fishermen at sea is of paramount importance and we must ensure that we support our industry in the future to improve safety where necessary.

Through EMFF Scotland has around £14m (exchange rate dependent) to support the Scottish processing sector. Since the EMFF opened to the processing sector in 2016 it has provided over £10m in grants to 43 projects, this will enable over £20m of investment in processing facilities & access to markets.

Besides this, the fund supports the collection of fish stock data in respect of international requirements totalling £20m over the lifetime of the programme and provides funding at similar levels for compliance work, including joint deployments carried out with other Coastal States.

Together with associated indirect assistance, EMFF could be worth up to £150m to Scotland between 2014 and 2020. The proportion of EMFF funds allocated to Scotland represents 46% of overall UK funding, although UK Government negotiation has constrained EU marine assistance to Scotland to less than 2% of the funding available across the EU, despite Scotland having 9% of the EU's sea fisheries landings and the 4th largest EU sea area to manage.

The HM Treasury have guaranteed that EMFF projects entered into before the end of 2020 will be respected. The details of that guarantee are still to be confirmed and it is subject to whatever agreement may be reached between the UK Government and the EU before the point of EU exit next March.

An additional source of funding is the domestically-funded emergency fisheries harbours scheme, which delivers key emergency support to keep fisheries harbours operational. After the devastating storms of 2012 this delivered in excess of £2m to the worst hit fisheries ports.

Following the UK's Exit from the EU, a range of new funding arrangements will require to be considered and developed to succeed current EU arrangements.

No decisions have been made on any successor arrangements to EU funds, with discussions continuing between the Scottish Government and UK Government on the priorities and challenges post 2020. It is clearly important that there is clarity about the benefits public sector funding can deliver to allow the strongest possible case to be made for future public investment in the fisheries and wider marine sectors and ensure Scotland receives an equitable share of potential support, reflecting the importance of the marine sector to Scotland. Any approach to future Scottish marine funding should deliver an allocation which reflects the importance of marine sectors to Scotland. Following the UK's Exit from the EU, a range of new funding arrangements will require to be considered and developed to succeed current EU arrangements.

Next Steps and Priorities

A key priority for the future must be to put in place the right support and funding to secure the safety of our fishers when they are at sea. A key element of any future funding intervention will be to significantly improve safety for vessels, delivering a holistic approach which looks at all elements and ensures comprehensive safety requirements are delivered for the fleet. Dedicated future funding would allow for improvements recommended by the Marine Accident Investigation Branch (MAIB), which the UK has not yet fully implemented. We would seek to prioritise the use of future funding to support the necessary adjustments needed to vessels to make them as safe as possible for going to sea.

Where the fishing industry may not seek direct interventions to support vessel costs, there are wider aspects which directly support the sector and rely heavily on public assistance. An example is support for port/harbour infrastructure in many harbours throughout Scotland. Harbours play a vital part in coastal communities and without funding to support their high maintenance costs they are at risk of becoming redundant. Support includes both emergency funding to deal with short term issues and longer term planning to ensure all marine sectors have the necessary access to Scottish Ports.

if the UK leaves the EU then a loss of access to labour may become an additional challenge. In the future a domestic replacement for the EMFF could include funding to support health and safety training and wider measures including support for new entrants to gain other relevant qualifications for example. Other areas where funding could be targeted is for assisting with the costs of visa applications for non-UK workers in the future.

We will also need to ensure that the costs of assistance currently made available from the EU to meet the costs of compliance and international obligations on stock assessments can be met post-EU exit.

Going forward there may be a case for making compliance with relevant legal and regulatory requirements (including those relating to exploitation) a prerequisite for obtaining grant funding.

In all scenarios for our future, the Scottish Government will also continue to be a champion of a Fair Work agenda, and we expect the fishing industry (as with other industries in Scotland) to deliver inclusive, as well as sustainable growth. A key aspect of this agenda will be a strong and ongoing promotion of the payment of the Scottish Living Wage.

Discussion point:

The decision to use public money to support private businesses is not one to be taken lightly and should be deployed only where there is a legitimate reason to intervene in the face of market failure.

We are keen to seek views on the level of subsidy being sought by the fishing industry both on- and offshore, whether for businesses or in the pursuit of wider benefits delivered through aspects such as:

- infrastructure improvements and marketing support;
- enhanced sustainability and research;
- science and innovation;
- implementation of specific measures to support coastal communities and provision of opportunities to enable them to diversify;
- or development of complementary aspects such as marine tourism through fishing and maritime heritage projects.

We are keen to take views on where priorities should lie across these various elements and any others which may be seen as important. We are particularly interested in hearing ideas for how we can best support the improvement of safety at sea.

Processing promotional activity are already key parts of EMFF and should be seen in parallel with support for the catching sector.

There is also a question as to whether both public and private interests may be better served if support to businesses were delivered through loan arrangements, which more clearly ensure that public investment is tied to recipients who are financially sustainable, rather than direct subsidy in the form of grants.

High environmental standards can deliver an added premium for seafood products. Is it for Government to support environmental improvements and monitoring or should the industry fund these activities given the added premium they deliver?

CHAPTER 8 : LABOUR

Both the catching sector and the seafood processing industry in Scotland have a significant dependence on non-UK labour.

In the case of the seafood processing industry, a survey undertaken by Marine Scotland's Marine Analytical Unit in 2016 found that an estimated 41% of processing industry workers were from the UK, 58% were from EEA countries and 1% were from non-EEA countries.

In the case of the **catching sector**, approximately 27% of the overall workforce are non-UK nationals, of which approximately 8% are from the European Economic Area (EEA) and 19% are from non-EEA nationals (the majority of which are from the Philippines).

For the seafood **processing sector**, an important consideration following EU exit is maintaining free movement of labour from the EU. In addition to access to labour, however, flexibility in terms of recruitment is also a key issue; reflecting the fact that recruitment on a seasonal and short-notice basis is required, as well as recruitment for permanent roles.

In relation to the catching sector, current visa arrangements mean that non-EEA workers are not covered by UK employment law, leaving them vulnerable to poor working conditions, low pay and, in some cases, exploitation. For example, as non-EEA workers are confined to working outwith the 12nm zone, they are not eligible for the National Minimum Wage. Similarly, by restricting the rights of non-EEA nationals to reside in the UK, the existing visa situation results in many non-EEA nationals being compelled to reside on vessels for prolonged periods; often without adequate on-board accommodation and facilities - this is clearly not acceptable.

The Scottish Government believes that existing UK immigration rules may be indirectly contributing to the maltreatment of non-EEA workers; both by compelling them to reside for long periods on vessels ill-suited for that purpose and by severely limiting the employment and residence rights which they are granted in the UK.

In addition to continuing to benefit from free movement of people from the EU, our preferred outcome would be devolution within a UK framework of immigration powers allowing the Scottish Government, accountable to the Scottish Parliament, to set criteria for additional international migration routes to start to meet Scotland's most acute needs. We would also wish to take the opportunity to rethink the UK immigration system to design a new regional approach, with powers for the Scottish Parliament to meet Scotland's full range of needs. This would include the establishment of a visa route for non-EEA workers in the Scottish fishing fleet, clearly recognising the skilled nature of these workers and providing appropriate employment rights and legal protections, but also ensuring flexibility and accessibility of labour for employers. It is recognised, however, that this is a longer term aspiration.

In the meantime, the Scottish Government is committed to ensuring that all businesses in Scotland can attract, and retain, a sustainable labour supply to meet current and future needs. We recognise that non-UK labour is an integral part of the business models of many existing fishing businesses in Scotland and, as such, acknowledges that ongoing access to non-domestic

labour is likely to be required in the foreseeable future to ensure the continuing success of the industry. The contribution of these workers, both to our economy and society, is recognised and valued.

We are clear, however, that in delivering our aspiration of making the fishing industry a desirable career choice, and to ensure ongoing sustainable growth of the industry, all those working in the industry (regardless of nationality) must be paid and treated fairly. In particular, where any individual or business is fishing under the authority of a licence issued by the Scottish Ministers, it is our very clear expectation that that individual or business takes active and demonstrable steps to meet Fair Work principles and prevent exploitation. The growth of the fishing industry should not only be sustainable – it must also be inclusive and ethical.

Discussion point:

Notwithstanding our position on devolution of migration powers, and recognising the currently reserved nature of immigration, we believe that the UK Government should introduce a new work permit system (or, at the very least, restore the previous visa extension scheme).

We want to see the catching sector sign up to the Scottish Living Wage. Fair Work sets out a very clear expectation of Scottish Ministers and, as such, workers of all nationalities should be paid fairly. We want to consider how we make Fair Work First work in the fisheries sector.

We will continue to work with the Lord Advocate and Crown Office and Procurator Fiscal Service to ensure that cases of trafficking and exploitation in the fishing fleet are investigated and prosecuted.

CHAPTER 9 : INNOVATION, SCIENCE AND TECHNOLOGY

Marine Scotland remains committed to an objective science-based approach to our fisheries policy. We are proud to contribute data and expertise to the international fisheries science effort, and will continue to improve our evidence base by co-operation with international partners and the fishing industry. Marine Scotland Science utilises cutting edge technology to underpin its wide range of research and evidence gathering on a range of marine subjects and will look for ways to apply new technology and innovation. This commitment to a high-quality, consistent and robust scientific approach means that our fisheries are supported by a strong evidence base and that our scientific efforts are recognised as world-leading.

Marine Scotland does not work alone in this and is supported by a wide range of academic and research and development organisations throughout Scotland. The fishing industry itself, and the ancillary services which support it, such as shipbuilders and net designers, are also constantly evolving the methods and equipment that they use. As the marine environment constantly changes, the way in which we harvest its resources and manage it also evolves.

We recognise that if we are to have comprehensive and cohesive fisheries management in the future then we will need to invest more to enhance Marine Scotland's scientific base. As is the norm in many other fishing nations we believe that as the key beneficiaries of research and development, fishing businesses should contribute to the cost of delivery. We would welcome views on how this change can be implemented and how those that will be asked to provide additional funding can assist in shaping our research priorities..

Discussion point:

We recognise that if we are to have comprehensive and cohesive fisheries management in the future then we will need to invest more to enhance Marine Scotland's scientific base. As is the norm in many other fishing nations we believe that as the key beneficiaries of research and development, fishing businesses should contribute to the cost of delivery. We would welcome views on how this change can be implemented and how those that will be asked to provide additional funding can assist in shaping our research priorities.

ANNEX A: OUR NATIONAL AND INTERNATIONAL COMMITMENTS

National Marine Plan

Scotland's first statutory National Marine Plan (the Plan) was adopted on 25 March 2015 and published on 27 March 2015 and applies to all decisions taken by public authorities that affect Scotland's marine area. Our vision for the marine environment is for clean, healthy, safe, productive and diverse seas, managed to meet the long terms needs of nature and people. The Plan contributes to delivery of this vision, as well as High Level Marine Objectives (HLMOs) which are adopted by all UK Administrations and published within the Marine Policy Statement.

The adoption of the HLMOs¹⁶ as the strategic objectives for the Plan, reflect the commitment to the five guiding principles of sustainability, around which the HLMOs and policies of the Plan are organised. The Plan specifies a core set of General Policies¹⁷ and objectives which apply to all plan making and decision making in the marine environment. These apply to all existing and future use and development of the marine environment and are listed at

These are supplemented by sector policies which address specific issues beyond those set out in the General Policies.

The following policies are those in the plan that have a direct relevance to fishing activity and the role of the marine developer, planner or decision maker:

- **FISHERIES 1:** Taking account of the EU's Common Fisheries Policy, Habitats Directive, Birds Directive and Marine Strategy Framework Directive, marine planners and decision makers should aim to ensure:
 - Existing fishing opportunities and activities are safeguarded wherever possible.
 - An ecosystem-based approach to the management of fishing which ensures sustainable and resilient fish stocks and avoids damage to fragile habitats.
 - Protection for vulnerable stocks (in particular for juvenile and spawning stocks through continuation of sea area closures where appropriate).
 - Improved protection of the seabed and historical and archaeological remains requiring protection through effective identification of high-risk areas and management measures to mitigate the impacts of fishing, where appropriate.
 - That other sectors take into account the need to protect fish stocks and sustain healthy fisheries for both economic and conservation reasons.
 - Delivery of Scotland's international commitments in fisheries, including the ban on discards.

¹⁶ <https://www.gov.scot/Publications/2015/03/6517/4>

¹⁷ <https://www.gov.scot/Publications/2015/03/6517/5>

- Mechanisms for managing conflicts between fishermen and/or between the fishing sector and other users of the marine environment.
- **FISHERIES 2:** The following key factors should be taken into account when deciding on uses of the marine environment and the potential impact on fishing:
 - The cultural and economic importance of fishing, in particular to vulnerable coastal communities.
 - The potential impact (positive and negative) of marine developments on the sustainability of fish and shellfish stocks and resultant fishing opportunities in any given area.
 - The environmental impact on fishing grounds (such as nursery, spawning areas), commercially fished species, habitats and species more generally.
 - The potential effect of displacement on: fish stocks; the wider environment; use of fuel; socio-economic costs to fishers and their communities and other marine users.
- **FISHERIES 3:** Where existing fishing opportunities or activity cannot be safeguarded, a Fisheries Management and Mitigation Strategy should be prepared by the proposer of development or use, involving full engagement with local fishing interests (and other interests as appropriate) in the development of the Strategy. All efforts should be made to agree the Strategy with those interests. Those interests should also undertake to engage with the proposer and provide transparent and accurate information and data to help complete the Strategy. The Strategy should be drawn up as part of the discharge of conditions of permissions granted.

The content of the Strategy should be relevant to the particular circumstances and could include:

- An assessment of the potential impact of the development or use on the affected fishery or fisheries, both in socio-economic terms and in terms of environmental sustainability.
- A recognition that the disruption to existing fishing opportunities/activity should be minimised as far as possible.
- Reasonable measures to mitigate any constraints which the proposed development or use may place on existing or proposed fishing activity.
- Reasonable measures to mitigate any potential impacts on sustainability of fish stocks (e.g. impacts on spawning grounds or areas of fish or shellfish abundance) and any socioeconomic impacts.

Where it does not prove possible to agree the Strategy with all interests, the reasons for any divergence of views between the parties should be fully explained in the Strategy and dissenting views should be given a platform within the Strategy to make their case.

- **FISHERIES 4:** Ports and harbours should seek to engage with fishing and other relevant stakeholders at an early stage to discuss any changes in infrastructure that may affect them. Any port or harbour developments should take account of the needs of the dependent fishing fleets with a view to avoiding commercial harm where possible. Where a port or harbour has reached a minimum level of infrastructure required to support a viable fishing fleet, there should be a presumption in favour of maintaining this infrastructure, provided there is an ongoing requirement for it to remain in place and that it continues to be fit for purpose.
- **FISHERIES 5:** Inshore Fisheries Groups (IFGs) should work with all local stakeholders with an interest to agree joint fisheries management measures. These measures should inform and reflect the objectives of regional marine plans.

Regional Policy: Regional marine plans should consider:

- Whether they require to undertake further work on any data gaps in relation to fishing activity within their region.
- The potential socio-economic impacts for the local fishing industry (and parts of the industry using their area) of any proposed activity or conservation measure.
- How to include local Inshore Fisheries Groups as a key part of their planning process.
- The potential consequences and impacts for other marine regions; and for offshore regions of their approach to planning for fisheries.
- Taking account of on-going local initiatives, such as Clyde 2020, which may be relevant to their work.

Table A.1 - International Fisheries Instruments

International Fisheries Instruments	High level aspirations
UN Convention on the Law of the Sea (UNCLOS)	To provide an overarching international agreement regulating the various uses of the world's oceans and seas and their resources. https://hub.globalccsinstitute.com/publications/offshore-co2-storage-legal-resources/united-nations-convention-law-sea-unclos
UN Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA)	To ensure the long-term conservation and sustainable use of straddling fish stocks and highly migratory fish stocks through effective implementation of the relevant provisions of the Convention [UNCLOS].
FAO Code of Conduct for Responsible Fisheries (CCRF)	To promote long-term conservation and sustainable use of fisheries resources by setting out principles and international standards of behaviour for responsible practices. http://www.fao.org/fishery/code/en

International Fisheries Instruments	High level aspirations
FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (FAO Compliance Agreement)	To encourage countries to take effective action, consistent with international law, and to deter the reflagging of vessels by their nationals as a means of avoiding compliance with applicable conservation and management rules for fishing activities on the high seas. http://www.fao.org/docrep/006/y5357e/y5357e07.htm
FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSMA)	To prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing through the implementation of robust port State measures. http://www.fao.org/fishery/psm/agreement/en
FAO Voluntary Guidelines for Flag State Performance (FSP)	To prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing or fishing related activities through effective implementation of flag State responsibilities, thereby ensuring long-term conservation and sustainable use of living marine resources / ecosystems. http://www.fao.org/3/a-i4577t.pdf
International Plan of Action for Reducing Incidental catch of Seabirds in Longline Fisheries (IPOA-Seabirds)	To reduce the incidental catch of seabirds in longline fisheries where this occurs. http://www.fao.org/docrep/006/X3170E/x3170e02.htm
International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks)	To ensure the conservation and management of sharks and their long-term sustainable use. http://www.fao.org/docrep/006/X3170E/x3170e03.htm
International Plan of Action for the Management of Fishing Capacity (IPOA-Capacity)	Immediate objective is for States and regional fisheries organisations to achieve world-wide preferably by 2003, but not later than 2005, an efficient, equitable and transparent management of fishing capacity. http://www.fao.org/docrep/006/X3170E/x3170e04.htm
International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU)	To prevent, deter and eliminate IUU fishing by providing all States with comprehensive, effective and transparent measures by which to act, including through appropriate regional fisheries management organisations established in accordance with international law. http://www.fao.org/3/a-y1224e.pdf
United Nations General Assembly Resolution 61/105 (UNGA Resolution 61/105)	To ensure the sustainable management of deep-sea fish stocks and protect vulnerable marine ecosystems (VMEs) from destructive fishing practices.
FAO International Guidelines for the Management of Deep-sea Fisheries in the High Seas (FAO DSF guidelines)	To provide recommendations on governance frameworks and management of deep-sea fisheries with the aim to ensure long-term conservation and sustainable use of marine living resources in the deep sea and to prevent significant adverse impacts on vulnerable marine ecosystems (VMEs). http://www.fao.org/fishery/topic/166308/en

International Fisheries Instruments	High level aspirations
United Nations General Assembly Resolution 64/72 (UNGA Resolution 64/72)	To reaffirm the UNGA Resolution 61/105 and ensure the long-term sustainability of deep-sea stocks and non-target species through the implementation of measures outlined in the Resolution and FAO guidelines. http://www.savethehighseas.org/publicdocs/61105-Implementation-finalreport.pdf
FAO International Guidelines on Bycatch Management and Reduction of Discards (FAO By-catch Guidelines)	To assist States and RFMO/As in implementing the Code [CCRF] and an ecosystem approach to fisheries through effective management of bycatch and reduction of discards. http://www.fao.org/docrep/015/ba0022t/ba0022t00.pdf
Guidelines to Reduce Sea Turtle Mortality in Fishing Operations (Sea Turtle Guidelines)	To identify and implement appropriate measures to reduce interactions with sea turtles and thereby help to address the issue of sea turtle mortality in fishing operations.
Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS)	To achieve and maintain a favourable conservation status for small cetaceans.
Agreement on the Convention of Albatrosses and Petrels (ACAP)	To achieve and maintain a favourable conservation status for albatrosses and petrels.
Aquaculture	N/A There is no separate international instrument solely addressing aquaculture.
Co-ordinating Working Party on Fisheries Statistics (CWP)	To provide a mechanism to coordinate the statistical programmes conducted by regional fishery bodies and other intergovernmental organisations with a remit for fishery statistics. http://www.fao.org/cwp-on-fishery-statistics/background/en/

Table A.2 – EU Legislation

EU Legislation	High level aspirations
Regulation (EU) 2017/1004 of the European Parliament and of the Council of 17 May 2017 on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy (DCF)	To establish a European Community framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the CFP.
Commission Implementing Decision (EU) 2016/1251 of 12 July 2016 adopting a multiannual Union programme for the collection, management and use of data in the fisheries and aquaculture sectors for the period 2017-2019 (EU-MAP)	To co-ordinate and establish a detailed list of data collection requirements of Member States under the DCF Regulation.
Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy ('Control Regulation')	To establish a Community system for control, inspection and enforcement to ensure compliance with the rules of the common fisheries policy.
Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of external fishing fleets	To set rules for issuing and managing fishing authorisations for external fishing fleets.
Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing (IUU Regulation)	To establish a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing.
Council Regulation (EC) No 734/2008 of 15 July 2008 on the protection of vulnerable marine ecosystems in the high seas from the adverse impacts of bottom fishing gears (VME Regulation)	To protect vulnerable marine ecosystems (VMEs) from the destructive effects of bottom fishing activities in areas where no regional fisheries management organisations (RFMOs) are in place.
Regulation (EU) 2016/2336 of the European Parliament and of the Council of 14 December 2016 establishing specific conditions for fishing for deep-sea stocks in the north-east Atlantic and provisions for fishing in international waters of the north-east Atlantic (DSS Regulation)	To ensure the long-term conservation and sustainable management of deep-sea species and habitats.
Council Regulation (EC) No 812/2004 of 26.4.2004 laying down measures concerning incidental catches of cetaceans in fisheries	To mitigate incidental catches of cetaceans by fishing vessels.
Action Plan for Reducing Incidental Catches of Seabirds in Fishing Gears (PoA-Seabirds)	To provide a management framework to minimise, and where possible, eliminate seabird bycatch to as low levels as are practically possible.

ANNEX B: CURRENT STAKEHOLDER GROUPS WITH REGULAR SCHEDULED MEETINGS WITH SCOTTISH GOVERNMENT

Table B.1 - Current stakeholder groups

Group	Function	Frequency	Membership
Fisheries Management and Conservation Group (FMAC)	A decision-making body and discussion forum concerned with all issues connected to sea fisheries management	As required	Fisheries representative bodies, POs, environmental bodies, UKFA observers
Inshore Fisheries Management and Conservation Group (IFMAC)	Fishing industry stakeholder group that discusses inshore fisheries management issues of national importance.	Annually	Fishing industry reps, eNGOs, RIFGs
Scottish Association of Fisheries Producer Organisations (SAFPO)	Quota Management issues	Quarterly	Scottish POs
Regional Inshore Fisheries Groups (RIFGs)	Non-statutory advisory groups that aim to improve inshore fisheries management within 6 nm, and representation of inshore fishermen.	Quarterly	Fishing industry reps, individual fishermen, SNH, LAs
Scottish Discard Steering Group (SDSG)	Discuss landing obligation and future catching policy	As required	Fishing industry reps, POs, eNGOs
Scallop Industry Consultation Group (SICG)	Discusses scallop management and effort allocations	Quarterly	Scallop sector reps, POs, UKFAs

GLOSSARY

A guide to terms and acronyms used across the document

Name/Acronym	Full name	Description/ Definition
UNCLOS	UN Convention on the Law of the Sea	UNCLOS is an international treaty that provides a regulatory framework for the use of the world's seas and oceans. Amongst many provisions the Convention seeks to ensure the conservation and equitable usage of resources, and to ensure the protection and preservation of the living resources of the sea.
ICES	The International Council for the Exploration of the Sea	Global organization that develops science and advice to support the sustainable use of the oceans.
MSY	Maximum Sustainable Yield	The maximum sustainable yield (MSY) for a given fish stock means the highest possible annual catch that can be sustained over time, by keeping the stock at the level producing maximum growth. The MSY refers to a hypothetical equilibrium state between the exploited population and the fishing activity. When discussing "MSY", it is essential to distinguish between 3 closely related concepts: MSY, BMSY and FMSY.
BMSY	Biomass Maximum Sustainable Yield	MSY is supported by a stable population size known as BMSY (= "biomass MSY"). Consequently, "reaching MSY" means rebuilding fish populations to the BMSY level, in order to be able to support the level of annual catches known as MSY
FMSY	Fishing Mortality Maximum Sustainable Yield	The highest yield which can be continuously taken from the stock under average conditions without significantly affecting the ability of that stock to reproduce. When the fish population is at BMSY and the fishing fleet is catching an annual amount of fish equal to MSY, then the resulting fishing mortality is FMSY.
CBD	Convention on Biological Diversity	CBD a multilateral treaty. The Convention has three main goals including: the conservation of biological diversity (or biodiversity); the sustainable use of its components; and the fair and equitable sharing of benefits arising from genetic resources. Its objective is to develop national strategies for the conservation and sustainable use of biological diversity. It is often seen as the key document regarding sustainable development.

Name/Acronym	Full name	Description/ Definition
CFP	Common Fisheries Policy	The CFP is a set of rules for managing European fishing fleets and for conserving fish stocks. Designed to manage a common resource, it gives all EU Member State fishing fleets equal access to EU waters and fishing grounds and allows fishermen to compete fairly. The CFP aims to ensure that fishing and aquaculture are environmentally, economically and socially sustainable and that they provide a source of healthy food for EU citizens. Its goal is to foster a dynamic fishing industry and ensure a fair standard of living for fishing communities.
Coastal State		<p>Under the UN Convention on the Law of the Sea (UNCLOS), a Coastal State has responsibilities which involve joint management of fisheries resources, have an obligation to set an allowable catch and to grant other States fisheries access if (and only if) they [do] not have the capacity to harvest the entire allowable catch themselves.</p> <p>A Coastal State by default controls its own Exclusive Economic Zone (EEZ) out to 200 nautical miles. Access to these waters can be traded on an annual basis. Traditionally, in return for quota where another Coastal State is authorised to catch an amount of its quota share in another Coastal State's waters. This is helpful when the stock is seasonal or migratory in nature.</p>
Choke species		A term used to describe a low volume quota species which, if reached, would lead to vessels having to tie up even if they still had quota for other species.
EEA		<p>The European Economic Area (EEA) is the area in which the Agreement on the EEA provides for the free movement of persons, goods, services and capital within the European Single Market, including the freedom to choose residence in any country within this area.</p> <p>The EEA includes EU countries and also Iceland, Liechtenstein and Norway. It allows them to be part of the EU's single market.</p>
EEZ	Exclusive Economic Zone	<p>An exclusive economic zone (EEZ) is the zone in which a Coastal State assumes jurisdiction over the exploration and exploitation of marine resources in its adjacent section of the continental shelf, taken to be a band extending 200 miles from the shore.</p> <p>Each Coastal State has the right to manage natural resources in its Exclusive Economic Zone, but under the CFP, the fishing area of all EU states is considered one zone .</p>

Name/Acronym	Full name	Description/ Definition
EMFF	European Maritime and Fisheries Fund	<p>The EMFF is the fund for the EU's maritime and fisheries policies for 2014-2020. It is one of the five European Structural and Investment (ESI) Funds which complement each other and seek to promote a growth and job based recovery in Europe.</p> <p>The fund</p> <ul style="list-style-type: none"> • helps fishermen in the transition to sustainable fishing • supports coastal communities in diversifying their economies • finances projects that create new jobs and improve quality of life along European coasts • supports sustainable aquaculture developments • makes it easier for applicants to access financing.
EU Birds Directive		<p>The Birds Directive aims to protect all of the 500 wild bird species naturally occurring in the European Union. The Directive places great emphasis on the protection of habitats for endangered and migratory species. It establishes a network of Special Protection Areas (SPAs) including all the most suitable territories for these species.</p>
EU Habitats Directive		<p>Together with the Birds Directive, the Habitats Directive sets the standard for nature conservation across the EU and enables all 27 Member States to work together within the same strong legislative framework in order to protect the most vulnerable species and habitat types across their entire natural range within the EU.</p> <p>The Habitats Directive protects around 1200 European species other than birds which are considered to be endangered, vulnerable, rare and/or endemic. Included in the Directive are mammals, reptiles, fish, crustaceans, insects, molluscs, bivalves and plants. This is to ensure that the species listed in the Habitats Directive reach a favourable conservation status within the EU.</p>
Fisheries Administrations		<p>The UK Government apportions UK fish quotas amongst the four UK Fisheries Administrations (i.e. Scotland, England, Wales and Northern Ireland) pro-rata to the Fixed Quota Allocation (FQA) units associated with the licences administered by each Administration.</p> <p>The Scottish Government (and the other Administrations) issues most of its allocations to Fish Producer Organisations (POs), of which there are 10 administered directly by Marine Scotland. POs are quota management and marketing organisations made up of member fishing vessels. POs manage their members' quotas on their behalf and some seek to market their landings.</p>

Name/Acronym	Full name	Description/ Definition
Fishing quotas		<p>Fish quotas are the amounts of fish of different species that may be legally landed by EU Member States.</p> <p>The purpose of quota management arrangements in Scotland is to enable the fishing industry to make full use of the fishing opportunities which we receive every year from the EU, while ensuring that quotas are not exceeded.</p>
FQA	Fixed Quota Allocation	A fixed share of a quota stock, associated with a vessel fishing licence. The FQA units are used in the allocation of quota in a way similar to a share system. The mix of FQAs held by vessels in membership of each fishing group at 1 January each year is used to determine the share of the UK quota each group receives. A fishing group can be a Producer Organisation (PO) or a pool of vessels managed by a UK Fisheries Administration.
Local Authority		An administrative body in local government
MPAs	Marine Protected Areas	Marine protected areas are one of the mechanisms used to ensure protection of some of the most vulnerable species and habitats. In Scotland, the MPA network covers approximately 20% of Scottish seas.
MSFD	Marine Strategy Framework Directive	The MSFD aims to achieve Good Environmental Status (GES) of the EU's marine waters by 2020 and to protect the resource base upon which marine-related economic and social activities depend. It is the first EU legislative instrument related to the protection of marine biodiversity, as it contains the explicit regulatory objective that "biodiversity is maintained by 2020", as the cornerstone for achieving GES.
MSY	Maximum Sustainable Yield	The maximum amount of fish that can indefinitely be taken out of a stock. This implies 'on average' and 'in the long term' and for a relatively stable set of environmental conditions.
OSPAR	Convention for the Protection of the Marine Environment of the North-East Atlantic	OSPAR is the mechanism by which 15 Governments & the EU cooperate to protect the marine environment of the North-East Atlantic.

Name/Acronym	Full name	Description/ Definition
POs	Producer Organisation	PO's are officially recognised bodies set up by fishery or aquaculture producers. They play a role in managing quotas and marketing the fisheries products of their members. There are currently 10 established PO's in Scotland.
Processing sector		The fisheries sector is made up of marine fishing, aquaculture (fish farming) and processing, and involves complex supply chains. The processing sector is complex, conducting both primary and secondary processing of fish caught within the UK and imported from elsewhere
Regulating Orders		A Regulating Order gives you the power to regulate and restrict fishing for, dredging, or otherwise taking shellfish covered by the order within a specified area.
REM	Remote Electronic Monitoring	REM cameras are used for monitoring fishing activities, collecting data and assuring best practice.
RIFGs	Regional Inshore Fisheries Groups	Regional Inshore Fisheries Groups (RIFGs) aim to improve the management of inshore fisheries in the 0-6 nautical mile zone of Scottish waters, and to give commercial inshore fishermen a strong voice in wider marine management developments.
Scottish (territorial) waters		Scottish waters come under the jurisdiction of Scots law, and are also used for defining the area of operation of Marine Scotland, the Scottish Environment Protection Agency, and other Scottish Government agencies and public bodies.
Several Orders		There is special legislation to encourage the setting up and management of private and natural shellfisheries. Under the legislation, orders known as Several Orders and Regulating Orders may grant exclusive fishing or management rights within a designated area. Several Orders allow legal ownership of certain named shellfish species in a private shellfishery. Regulating Orders allow management rights to designated natural shellfisheries.
TACs		Total allowable catches (TACs) or fishing opportunities, are catch limits (expressed in tonnes or numbers) that are set for most commercial fish stocks. The Commission prepares the proposals, based on scientific advice on the stock status from advisory bodies such as ICES and STECF.



FUTURE OF FISHERIES MANAGEMENT IN SCOTLAND: NATIONAL DISCUSSION PAPER

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