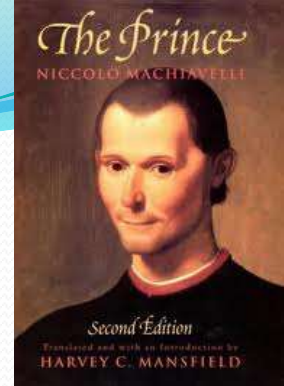


Fisheries, MSP, Governance

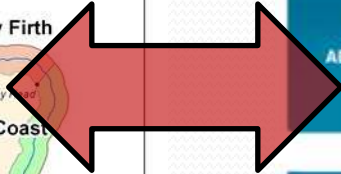
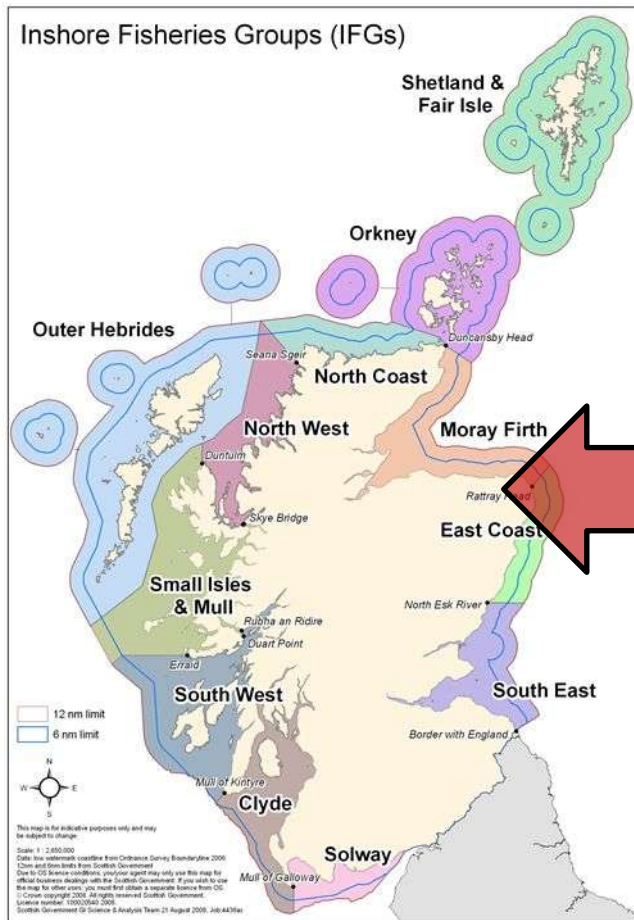
Issues for Discussion

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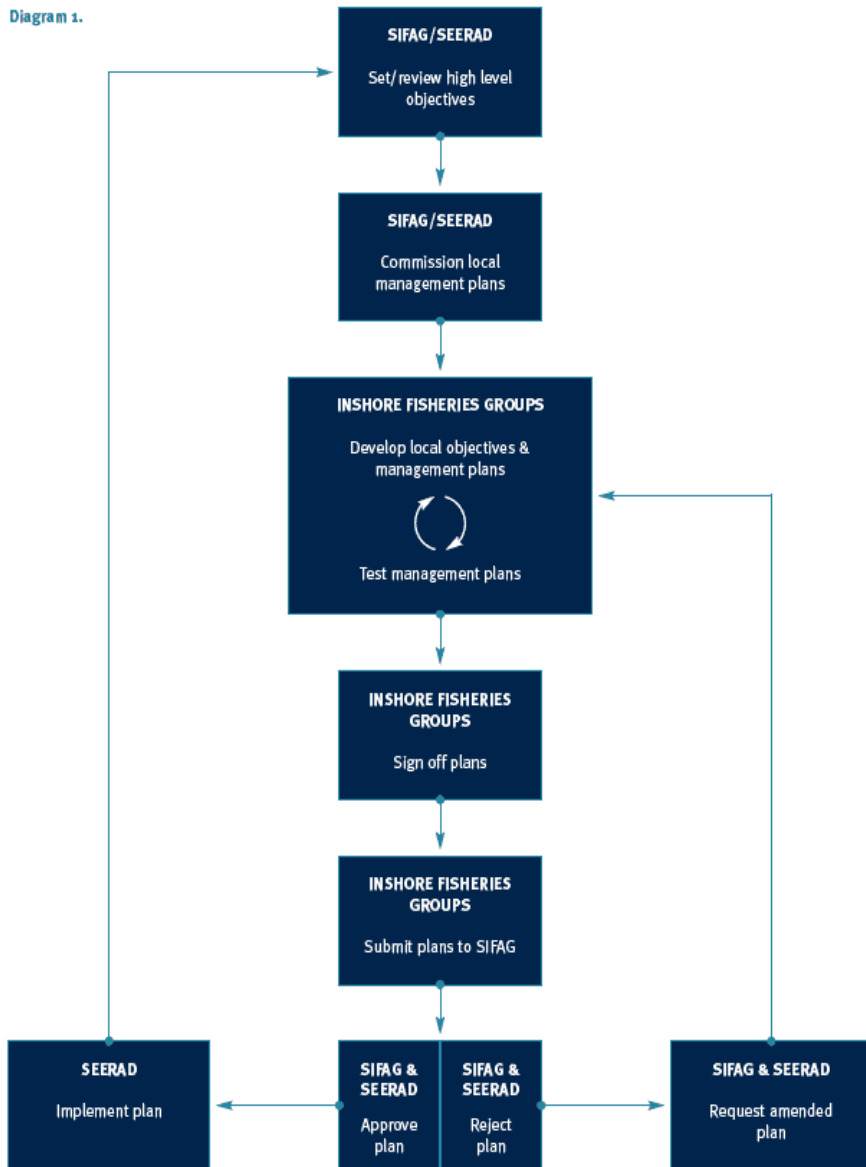
- When discussing marine governance, fisheries is clearly only a part of the question.
- The underlying issue is about ecological quality, economic diversification and opportunity, and social engagement and mobilisation.
- Plans emerging: Clyde SSMEI, IFG, and National & regional plans.
- Marine (Scotland) Act 2010 is a key opportunity for changing marine governance – but it is yet to be tested.
- The law is important – but what is more important is *what people do*.

Where are we heading?



Conflicting objectives?
Too many objectives?
Hiding behind objectives?

Diagram 1.



BIOLOGICAL: to conserve, enhance and restore commercial stocks in the inshore
ECONOMIC: to optimise long-term and sustained economic return to communities dependent on inshore fisheries
ENVIRONMENTAL: to maintain and restore the quality of the inshore marine environment for fisheries and for wildlife.
SOCIAL: to recognise historical fishing practices and traditional ways of life in managing inshore fisheries, to manage change, and to interact proactively with other activities.
GOVERNANCE: to develop and implement a transparent, accountable and flexible management structure that places fishermen at the centre of the decision-making process.

No IFG Management Plans produced to date.

Framework for Marine Plans

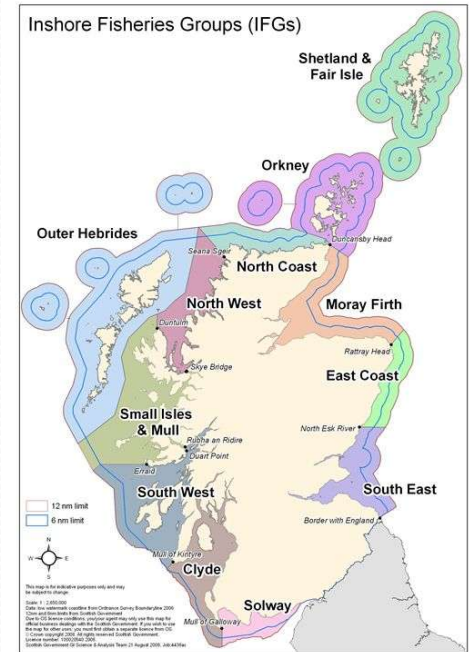
- Under part 3, s.5 of the Marine (Scotland) Act 2010 Scottish ministers **must** prepare a national marine plan and **may** prepare regional marine plans.
- The Act specifies the content of plans. Ministers must (a) Set:
 - (i) Economic, social and marine ecosystem objectives,
 - (ii) Objectives relating to the mitigation of, and adaptation to, climate change,
- (b) Prepare an assessment of the condition of the Scottish marine area or Scottish marine region,
- (c) Prepare a summary of significant pressures and the impact of human activity on the area or region.

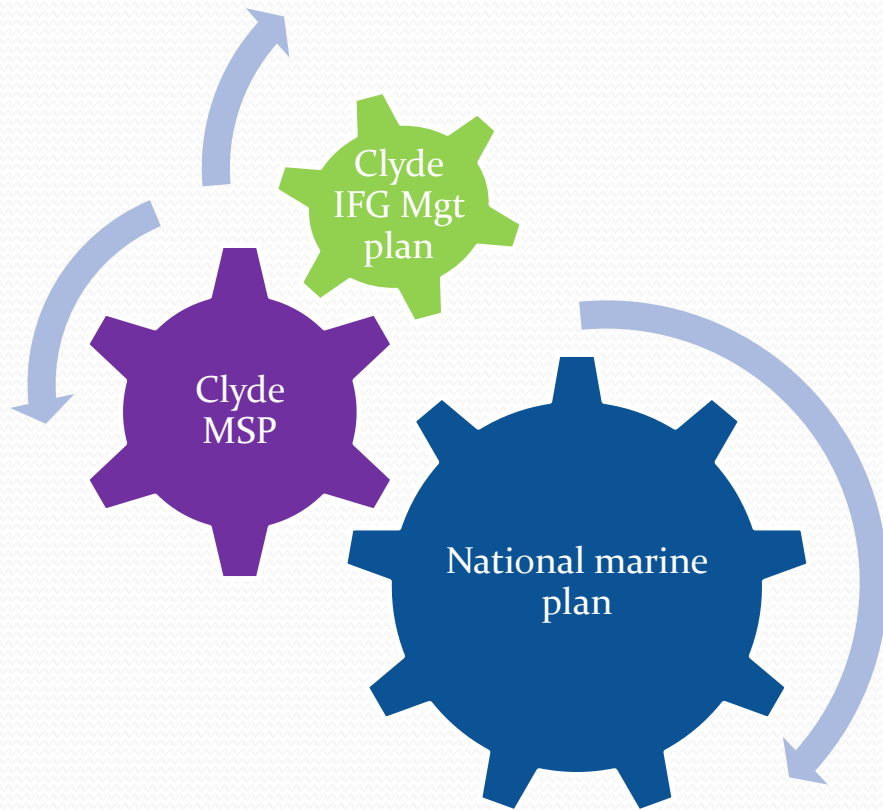
How effective will they be?

- (1) A public authority must take any authorisation or enforcement decision in accordance with the appropriate marine plans, unless relevant considerations indicate otherwise.
- (2) If a public authority makes a decision otherwise than in accordance with the appropriate marine plans, it must state its reasons.
- (3) A public authority must have regard to the appropriate marine plans in making any decision:
 - (a) which relates to the exercise by them of any function capable of affecting the whole or any part of the Scottish marine area, but
 - (b) which is not an authorisation or enforcement decision.

Questions on planning

- What will be the scale of marine planning?
- The Act makes no reference to spatial planning.
- Who will drive planning? Exercise of delegation functions in the Act. Who will be present? Who will be in charge?
- Decision rules – consensus, simple majority?
- Resources?
- Marine planning should not enshrine the status quo.
- A ‘processes and policy’ document will be necessary.
- Marine systems cannot afford to focus on status quo – must drive positive change.
- All underpinned by informed, engaged communities and effective science.





National plan: Sets national socio-economic and ecological vision and objectives. Priorities for regions, processes for marine planning. Allocates resources for planning.

Regional plan: Sets specific regional targets, spatial planning and operational objectives and indicators. Integrates across sectors, is a policy 'glue' and drives ecosystem restoration beyond status quo.

Clyde IFG: Nests within the MSP and must meet socio-economic and ecological criteria. Specifies measures for industry e.g. development, gear conflict. Also other policy instruments e.g. NC MPAs.

Clyde
IFG Mgt
plan

Clyde
MSP?



National marine
plan?

Activity	Pressure	Impact	Features	MPA management instrument	'Wider seas' instrument
Fisheries	Mobile gear: scallop dredging Mobile gear: trawling	Physical disturbance Smothering Direct mortality By-catch	Flame shell Horse mussel beds Maerl Seagrass Native Oyster Biogenic reefs Burrowed deep muddy habitats Seamounts Mobile spp.	<ul style="list-style-type: none"> • Marine (Scotland Act) s.85 marine conservation order. (spatial &/or temporal s.85c, speed restrictions s.86 (2)a) • Urgent orders s.88 • Assessment of impact s.91 	<ul style="list-style-type: none"> • Including fisheries in EIA – Amendment to Schedule 2 of The Environmental Impact Assessment (Scotland) Regulations • Inshore fishery order: Inshore Fishing (Scotland) Act 1984 • Shellfish Management Order. The Sea Fisheries (Shellfish) Act 1967. • Including impact mitigation into IFG management plans. SEA of management plans • Socio-economic and ecological objectives in MSP • VMS tracking • Offshore: enforcement under the Offshore Marine Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007/2010; • Offshore: CFP technical conservation measures • Regulatory reform to CFP (Control Regulations) and Scottish Technical measures for protection of offshore Scottish MPAs. • Scientific monitoring of impacts and recovery including minimal damage measures. • Species protection pillar (e.g. NCA 2004) • Voluntary market initiatives e.g. ecolabelling

Stages of dispute escalation (Northrup)

1. Conflict begins, threat perceived as a trade off : 'you survive or I do.'
2. To maintain belief systems, parties distort positions, building up (perceived) legitimacy of their claim and tearing down the claims of the 'other'.
3. Groups build increasingly rigid explanations of their actions and of others actions. To maintain integrity of belief systems, we stereotype others.
4. Maintaining the conflict becomes central to each group's identity and values. Can institutionalise behaviour. Emphasise differences not commonality.

Addressing conflicts between values and identities

- **1st level:** Agree on peripheral changes that do not eliminate hostilities but alleviate specific problems (e.g. communication, habitat maps, sector cooperation).
- **2nd level** changes alter aspects of on-going relationships. Fundamental values not changed, but parties change how they relate to each other over time. (e.g. establishing dialogue, joint submissions, management planning)
- **3rd level:** the most difficult. Shifts in identities. Not only working relationships change, but changes in identities and values.