

Rights-based management tools in fisheries

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PURPOSE: to launch a debate on the future of rights-based management systems within the CFP.

CONTENT: The Commission states that it is generally acknowledged that the large variety of management systems currently applied by the Community and by Member States lacks transparency, efficacy and in some cases overall coherence, which contributes to the economic difficulties of the fishing industry. This Communication seeks to examine management options with a view to improving the effectiveness of fisheries management while facilitating the achievement of the basic objectives that are being pursued by the Community and by Member States within the framework of the Common Fisheries Policy (CFP) - such as the conservation of fish stocks, maintenance of the "relative stability" of fishing possibilities of Member States, and a competitive fisheries sector. The aim is to launch a debate between Member States and the Commission on the future of rights-based management systems within the CFP. Rights-based management (RBM) is defined as a formalised system of allocating individual fishing rights to fishermen, fishing vessels, enterprises, cooperatives or fishing communities.

The management systems set up at Member State and Community levels, imposing 'restricted' access to fishing, have implicitly resulted in allocating an economic value to the right to fish. This economic value is directly or indirectly reflected in the various market transactions taking place in the fishing industry today. Examples of this are the sale or leasing of licences, fishing days and quotas in some Member States. More indirectly, the economic value of the right to fish is reflected in the difference in market prices of vessels with and without a licence. The economic value of these rights is at times substantial and can have a major effect on the development of the fisheries sector. The Community's aim should be a system that helps to formalise these economic values as individual fishing rights, so facilitating greater transparency, legal certainty, security, and ultimately greater economic efficiency for fishermen, which will also mean minimising the costs to the rest of society.

The Commission considers that the need for a Community-level debate on the economic aspects of fisheries management is underlined by the new orientation of the CFP, in particular in relation to long-term sustainable development goals, recent initiatives to improve economic profitability of fishing fleets through rescue and restructuring aid, and the new European Fisheries Fund.

Furthermore, selling and buying of fishing rights already occur in some Member States, either within established markets or indirectly. Fishing rights thus already exist de facto, with often unclear effects on the industry and fishing communities. To start a debate on these matters is both important and urgent.

Commission discussions with industry and Member States have revealed particularly sensitive topics in the setting up of RBM systems. These include:

- the issue of "relative stability";
- transferability of fishing rights, which may involve an excessive, and often irreversible, concentration of these rights;
- initial allocation and durability of fishing rights;
- possible adverse conditions for the small-scale fisheries sector when it coexists with industrial fishing enterprises;

- “high grading” and discard problems;
- the need for efficient enforcement controls.

The Commission intends to inform the debate by a range of specific studies and expertise. It will assess the need for further action within 12 months.