

EUROPEAN COMMITTEE

Tuesday 13 February 2001
(*Afternoon*)

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EUROPEAN COMMITTEE

3rd Meeting 2001, Session 1

CONVENER

*Hugh Henry (Paisley South) (Lab)

DEPUTY CONVENER

*Mr John Home Robertson (East Lothian) (Lab)

COMMITTEE MEMBERS

*Colin Campbell (West of Scotland) (SNP)

*Dennis Canavan (Falkirk West)

*Helen Eadie (Dunfermline East) (Lab)

*Irene Oldfather (Cunninghame South) (Lab)

*Mr Lloyd Quinan (West of Scotland) (SNP)

Nora Radcliffe (Gordon) (LD)

Ben Wallace (North-East Scotland) (Con)

*attended

THE FOLLOWING ALSO ATTENDED

Euan Robson (Roxburgh and Berwickshire) (LD)

WITNESSES

Dr Stephen Atkins (Scottish Natural Heritage)

Dr Paul Brady (Scottish Executive Rural Affairs Department)

Dr David Donnan (Scottish Natural Heritage)

Mr John Goodlad (Shetland Fishermen's Association)

Jim Henry (Shetland Ocean Alliance)

Dr Alex Wright (University of Dundee)

Dr Jeff Watson (Scottish Natural Heritage)

Robin Weatherston (Scottish Executive Rural Affairs Department)

CLERK TO THE COMMITTEE

Stephen Imrie

ASSISTANT CLERK

David Simpson

LOCATION

Committee Room 2

Scottish Parliament

European Committee

Tuesday 13 February 2001

(Afternoon)

[THE CONVENER *opened the meeting at 14:06*]

The Convener (Hugh Henry): Welcome to the European Committee's third meeting in 2001. I have apologies from Nora Radcliffe, who cannot attend. Euan Robson, however, is with us. Although he is a member of another committee, he has an interest in some of the issues that we will consider.

We will hear from a number of witnesses this afternoon. Before we do, I suggest that the running order of witnesses be changed slightly to accommodate those from Shetland, who have been delayed. I propose that we hear Paul Brady and Robin Weatherston from the Scottish Executive first.

First, I ask that the committee agrees to take item 5 in private. Are we agreed?

Members indicated agreement.

Common Fisheries Policy

The Convener: This is the second day of evidence for our inquiry into the common fisheries policy. I will introduce the witnesses shortly. I propose to follow the same format as in the first session: the witnesses will introduce themselves briefly and then we will proceed straight to questions.

For the benefit of the witnesses, the committee is examining the medium to long-term reform of the CFP. We are trying to determine the guiding principles that should apply and the arguments for reform that the ministers should use when they argue our case in Europe later this year or early next year.

I ask Paul Brady to introduce himself.

Dr Paul Brady (Scottish Executive Rural Affairs Department): Thank you, convener. I am the head of the fisheries group. Robin Weatherston, who is sitting on my left, is the deputy head of the sea fisheries division in the Scottish Executive rural affairs department.

Am I allowed to make any opening comments, convener?

The Convener: Very briefly. We have a large number of witnesses. Your statement must be short.

Dr Brady: Fine. I had understood that witnesses had been invited to open with a brief statement. I want only to reinforce the point that, to an extent, I am constrained in what I can say today. The committee is taking evidence from the Deputy Minister for Rural Development on 13 March, and she will be happy to discuss policy matters. Robin Weatherston and I are here to help with the facts and to explain the CFP. We are not experts on all aspects of the CFP, but we will do our best to answer the committee's questions. We will also be happy to provide any additional information or memorandums that the committee may require after today's session.

The Convener: Thank you, Dr Brady. Would Robin Weatherston like to add anything?

Robin Weatherston (Scottish Executive Rural Affairs Department): I have nothing to add.

Dennis Canavan (Falkirk West): Could the Executive officials outline the possible options for reform of the CFP? I am not asking for an order of preference at this stage, just an outline of the various options, such as zonal management, technical measures and the derogation of six and 12-mile limits.

Dr Brady: Certainly. If it would be helpful, I can say something about what the Scottish and United

Kingdom priorities for outcomes from the review are likely to be. Clearly, there is a huge range of options that other member states may propose. I can talk only about the options on which the Executive has focused in discussions with our colleagues in the Ministry of Agriculture, Fisheries and Food.

First, our priority would be to increase the extent to which the CFP delivers an economically and environmentally sustainable industry. We would want to phase out subsidies as far as possible and move towards management systems that encourage economic rationalisation and sustainable biological stocks. We would want the CFP review to bring about more selectivity in the gear that fishermen are allowed to use so that the health of stocks can be improved.

Secondly, we are focusing on the regional dimension of the CFP, on which there has been a great deal of public debate. We are in favour of developing a more explicit regional dimension through what the Scottish Fishermen's Federation has called a zonal management model. We support the industry in trying to develop that model. So far, we have had some interesting experiences developing the Irish sea cod recovery plan and, more recently, the North sea cod recovery plan. We have been able to involve fishermen and interested nations with the European Commission in finding solutions at a zonal level, which is of particular importance. Tied into that is the involvement of fishermen and the business of how to manage the CFP. In the past, the fishermen have tended to be outside the box. In Scotland and the UK, we have tried to bring them inside the box and we are encouraging the Commission to do that too.

The Commission wants to increase environmental considerations in the CFP. We are with it on that and have already developed the so-called precautionary approach to the allocation and calculation of quotas. That is a step in the right direction, but we believe that a lot more can be done.

We certainly want to retain the existing restricted zones around our coast—the six and 12-mile limits. We want to retain what has been called the relative stability model, which means that each member state would get a national quota based on past fishing activity. From the Scottish perspective, we are particularly interested in retaining the principle of Hague preferences—I would be happy to explain that technical term if you do not understand it. It is important to Scotland.

We are in favour of a multi-annual approach to managing the total allowable catches if possible, rather than the annualised approach, on which we have tended to focus. We want to find a means of reducing discards, which have been a major

problem in fisheries. We are also looking for greater consistency in co-operation and enforcement of the CFP across all member states to ensure that there is a level playing field.

The only other specifically Scottish aspect that I should mention is the Shetland box, which I am sure my colleagues from there will mention too. It is a clearly Scottish aspect of the package that we would expect to retain.

I hope that that answers your question, Mr Canavan.

The Convener: That is a comprehensive answer.

Dennis Canavan: Would it be possible to devise a system of zonal management without having to amend the treaties?

14:15

Dr Brady: I believe that we can do that, and we are moving in that direction. To date, Scottish ministers—particularly Mr Home Robertson when, as a minister, he was in the north-east a few months back—have said that, although they are in favour of a zonal management model, they recognise the difficulties that there would be in changing the treaty.

The Scottish Executive and UK ministers believe that much of the benefit of a zonal management model can be delivered without a change in the treaty, which would be difficult to negotiate and difficult for all member states to deliver. Effectively, there would be committees that could develop management models for particular stocks. Those proposals would then have to be formally approved by the Council of Ministers. That is the kind of approach that we are trying to develop.

Dennis Canavan: Would it be reasonable to go along with the boundaries of the zones drawn up by the International Council for the Exploration of the Sea?

Dr Brady: That would be the best starting point. The zones make reasonable biological sense. That is why ICES has used them as the basis of its scientific advice. However, there are some problems with stocks that move about a lot—straddling stocks—and some of the pelagic species in particular. We would need to examine special arrangements for such stocks. There might be some scope for renegotiating some of those boundaries for the purposes of a management model, but the ICES arrangements could be relied on heavily in drawing up a model for management at zonal level.

Colin Campbell (West of Scotland) (SNP): Presumably, in the course of your work you have met people from other countries and other

interests. Could you give us any indication at this juncture as to which other countries are roughly on our side regarding how the fishing industry should progress, and which are hostile?

Dr Brady: I must be careful what I say, because our international colleagues read the *Official Report*. Inevitably, we are in prolonged negotiations with other member states and therefore might not want to make public at this stage some aspects of what we think. I hope that you will bear with me on that.

In general—choosing my words carefully—a substantial degree of consensus is emerging among most member states that something like a zonal management model is worth trying. More important, a similar body of opinion is developing within the European Commission, which is able to propose such solutions for consideration by the Council of Ministers.

Some member states have doubts and reservations that zonal management may be a plot for the northern nations to take over the northern seas and exclude some of the more southerly countries from legitimate access to fisheries. We and the industry have been working with some of those countries to reassure them that that is not part of the agenda. I think that some progress is being made.

Colin Campbell: That was a massively tactful answer, if I may say so. Is there consensus about the structure of zonal management and the composition of the organisations involved?

Dr Brady: I hope that I have not misled you. There are the beginnings of a general consensus on the principle of zonal management.

Colin Campbell: But what about the detail?

Dr Brady: The detail has not been worked out. Many people have different ideas on the detail of how zonal management might work—we have ideas, the industry has ideas. We would need to work out the detail once the principle has been established—initially, that is the main prize. If the Commission's green paper, which we hope to see next month, proposes something akin to a zonal management model, the debate and negotiation about what it might look like in detail would start. Each country would have a slightly different view and the industry might have slightly different angles to ours. We would need to work on that.

The Convener: Colin, did you want to ask about decommissioning and enforcement at this stage?

Mr John Home Robertson (East Lothian) (Lab): Could my erstwhile colleagues confirm for the record that there is unanimity within the UK on the issue?

Dr Brady: Indeed.

Mr Home Robertson: That adds considerable strength to the argument.

Dr Brady: That is absolutely right.

Colin Campbell: Do we have sufficient ships and aircraft to enforce what must be enforced or what may emerge from the review?

Dr Brady: That is a difficult question to answer. I do not think that I am being excessively cautious in saying that.

Mr Home Robertson: Paul Brady does not have a reputation for being cautious.

Dr Brady: Indeed not, Mr Home Robertson.

It is a question of degree. One of the objectives of the CFP review should be more accountability and transparency in the policing arrangements across different member states. In the UK, and in Scotland in particular, we are often accused of being more heavy-handed about enforcement than some other member states. We do not have simple facts at our disposal, such as the amount of resources—how many boats, for instance—each member state puts into enforcement. There is a great deal of confusion about the facts. However, our enforcement agency is highly regarded in Europe for its efficiency and effectiveness.

Do we have enough? I hope that it does not sound facetious to say that enough is as long as a piece of string. We can never have enough policemen to stop every fisherman who breaks the rules. It is a question of judgment and balance; it is a political judgment at Commission and European level—and at member state level—what resources are allocated to policing.

Irene Oldfather (Cunninghame South) (Lab): Is it your view that we should pool resources across member states? At the moment, implementation, policing and enforcement are the responsibility of the member state. Should that remain so, or should we have a pool of resources across the European Union, as the policy is EU-wide? Would that resolve the problem of the lack of a level playing field?

Dr Brady: I probably have to be cautious in my reply again. That is a big policy issue for ministers and politicians. There certainly have been proposals from the Commission for more transparency and better co-ordination in enforcement and possibly to strengthen the resources that the Commission has to help co-ordinate and regulate the enforcement activity. Issues such as whether penalties should be uniform or whether there should be central control of resources are controversial and a matter of political judgment. It is not clear to me that anyone proposes to go as far as pooling resources. If somebody did, it would be for the political machinery to judge whether that was a good idea.

Irene Oldfather: Two points of view seem to be coming through in the evidence that we have taken. Scottish Natural Heritage, I think, suggested that there should be more self-regulation, whereas some of the fishermen's organisations believe that more sanctions should be imposed from a more senior level. Do you have a view on that?

Dr Brady: I do not think that the two things are mutually exclusive. One of the ambitions of any regulatory management system, including the CFP, is to create sufficient incentives within the system to get people to behave properly and to police themselves. There is a big prize to be gained by making it worth while for fishermen to abide by the rules and to watch that other fishermen abide by the rules. There are various ways in which sensible management changes can achieve that. Whether penalties should be increased is, again, a matter of judgment.

I have made no secret of the fact that the big issue of existing penalties should be addressed. The fishing industry would not necessarily disagree with that view. The UK and Scotland should deal with it, as it is outwith the Commission's competence. The real issue for the CFP review is whether the Commission aspires to get into the whole area of penalties and enforcement. I do not know the answer to that question, but any such extension of the Commission's powers would be a big constitutional issue. [*Interruption.*]

The Convener: I remind everyone to switch off their mobile phones, as they interfere with the recording equipment.

Mr Home Robertson: I will try an inspired hypothetical question. If the EU successfully negotiated an arrangement for the North East Atlantic Fisheries Commission area, it would be impossible for the Scottish Fisheries Protection Agency and the Republic of Ireland fisheries protection authorities to police the adjacent area of the north-east Atlantic. Would it be possible for the EU—or the EC—to fund enforcement activities covering all interested nations in that area?

Dr Brady: Mr Home Robertson raises a slightly different but still important question about how we police international waters which, as he knows, has been a controversial issue of late. The Scottish Fisheries Protection Agency is currently fulfilling the UK's obligations in the NEAFC waters to which Mr Home Robertson referred. For the longer term, there is a debate about how policing should be undertaken. Should it be undertaken by member states acting individually and collectively or should the Commission be responsible? The UK has argued that it would be more efficient and effective for the Commission to take a lead role in those particular waters. However, one could

imagine a model in which the Commission took responsibility and then subcontracted some of it to individual states' enforcement agencies.

Mr Lloyd Quinan (West of Scotland) (SNP): That interesting answer again belongs in a world of tact. However, you omitted the fact that enforcement in the area is also carried out by Iceland and the Faroe Islands, both of which negotiate with the Commission about what goes on in their waters. We cannot really have a conversation about the north-east Atlantic without bringing into the equation two important countries in the industry.

Furthermore, any discussion of the extension of fishery protection for the UK and the Republic of Ireland must include the fact that both the Faroe Islands and Iceland have a major input into the CFP. As you point out, the north-east Atlantic's waters are international, but they are covered by the 200-mile limit operated by both countries.

Robin Weatherston: I am no great expert on such issues, but the areas that we are talking about are largely international waters outside the 200-mile limits. The operations to which Mr Quinan refers will be regulated and discussed under international conventions to which the European Community and other third countries are party. In that light, I do not really understand his point.

Mr Quinan: The Faroe Islands, Norway and Iceland all discuss with the EC aspects of fishing in EU and their own waters for their own countries. We cannot confine discussion of the enforcement and fishery protection aspects of the CFP to EU countries, as the industry—even within EU waters—goes way outside the EU. Should not we discuss the fact that non-EU countries are part of the CFP up to a point and have a level of responsibility for enforcement, as long as they have the privileged access to the Commission that Scotland lacks?

Dr Brady: I would like to distinguish between the two issues. The member states have responsibility for enforcement of the CFP in their waters. That is a statement of fact, which raises a whole set of issues that we could explore. Mr Quinan is absolutely right that a different set of issues is involved in enforcement in international waters. The EU is the member state—as it were—dealing with the other countries to which he refers. Enforcement in international waters is a matter for international negotiation.

14:30

At the moment, the EU takes a strong view—and rightly so—that for conservation purposes it should fulfil its international enforcement obligations by whatever means is necessary,

including by asking the Scottish Fisheries Protection Agency to do the job for it. Some other member states are not yet ready to take such a step to the same extent. There is a huge issue about persuading others who are involved in international fishery organisations to take on responsibilities. Ultimately, we could have more collaborative arrangements, but we are nowhere near having them yet.

Helen Eadie (Dunfermline East) (Lab): I have a question for Dr Brady. I was interested to read in the Scottish Natural Heritage submission—it may chime with the view of the public and the fishing industry in particular—that

“Parts of the UK industry may consider that the UK is sometimes unnecessarily stringent in enforcing EU legislation.”

Scottish Natural Heritage asks whether we should test the veracity of that statement and whether we should gather the facts rather than just rely on perceptions. Scottish Natural Heritage recommends an independent study to examine equality of enforcement across the European Union. What does the Executive think of that suggestion?

Dr Brady: I have no problem with that proposition. We have been encouraging the Commission for some time to increase transparency in other member states—the resources that are put into enforcement, the arrangements that are in place and the penalties that may be exercised. The Commission has come part of the way with us on that. From the notes that we have, I believe that the Commission may be committed to doing a bit more to report along those lines. Transparency is the big issue, so that we know at least where we are starting from and so can do some benchmarking.

The problem is that enforcement is difficult to measure. Italy is a good example, as the whole Italian navy is allegedly involved in enforcing fishery controls. In theory, one could use the costs of the whole navy as a measure of the resources that are invested. However, I do not think that the Italian navy is devoted entirely to fishing matters. In Scotland, enforcement is much more transparent. We have a dedicated fleet and dedicated resources on land, which can be measured easily. If I had the numbers in front of me, I could tell you exactly how much we spend, what is done and what penalties are applied. We are in the happy position of being able to co-operate with the exercise that is suggested, but there are many member states that are not in that position. That is the real difficulty.

Robin Weatherston may be able to comment on the extent to which the Commission is committed to doing more in this territory.

Robin Weatherston: As Paul Brady said, this has been one of our key areas of policy. We continually press the Commission to ensure that standards of enforcement and transparency are common across member states. Indeed, we would claim some success, for example, in making improvements to the EC control regulation at the end of 1998. That regulation makes provision for increased transparency and openness in relation to information to the Commission and co-operation between member states.

Mr Home Robertson: On the vexed question of engine power, you may recall that last year we received written assurances from Commissioner Fischler that he intended to ensure that the rules were enforced across the European Union. Is there any evidence that those assurances have been delivered on, for example in the Netherlands?

Robin Weatherston: The Commission is acutely aware of that issue. Work continues in the Commission to examine ways in which engine power, as part of structural controls, might be better enforced. Nothing concrete has been done because of the difficulties that are involved, which I am sure Mr Home Robertson understands.

Mr Home Robertson: Would you expect to be given information by other member states about the application of the rules?

Robin Weatherston: It is on our long-term agenda.

Colin Campbell: When I visited the Irish navy a couple of years ago, I discovered that its latest ship had received a 65 per cent subsidy from the European Union, on the basis that one of its uses was fishery protection.

Euan Robson (Roxburgh and Berwickshire) (LD): How does the Executive envisage engine power and what is sometimes described as technology creep being managed in a zonal or regional policy? I do not suppose that there could be different engine sizes per zone, as boats might move between zones.

Dr Brady: I do not know what is envisaged, because we are nowhere near having that level of detailed argument about how zonal management might operate.

Euan Robson is right—some things could be done on a zonal basis. Technical gear measures are one thing that springs to mind. As I am sure members know, we already do that in relation to square mesh panels in the North sea. We took an independent initiative on that. Measures such as that would be relatively easy to introduce and to police and enforce on a zonal basis. Other aspects of the fishing industry would be difficult to control in that way. The whole business of the size and

power of the fleet is an area that would be difficult to manage on a purely zonal basis. As the member says, we would need a central management model, which to an extent would be interpreted at member-state level. That happens at the moment to a modest degree.

Euan Robson: Could the interpretation take place at zonal level?

Dr Brady: Yes. An important point for members who are not familiar with this very technical territory is that a large degree of freedom is available to member states to interpret European regulations in this area. My group is involved in interpreting how the rules should operate in Scotland and the UK. There are big differences in practical terms in how each member state implements regulations. The idea of zonal management committees exercising that role could certainly be considered.

Euan Robson: On the multi-annual approach to total allowable catches, is any consensus emerging about the number of years? I have heard three mentioned, as it is consistent with the life cycles of fish, but are you aware of any general consensus on moving from one year to three or four years?

Dr Brady: It is even more complex than that. Multi-annual TACs is a difficult concept to contemplate, as there are major unknowns on the biology of fish species, especially on recruitment, which is the most important issue for the future state of stocks. When they talk about multi-annual approaches, most people are talking about multi-annual regulatory models, which might involve control of biomass or mortality levels. However, the idea of having a multi-annual TAC is much more difficult because of uncertainty from year to year about the state of the stocks—if I may say so, that is far less the case with a three-year cycle. For example, haddock stocks in the North sea are in a good state at the moment because we have an especially good year class. The situation could be quite different next year, if we had a poor year class in the haddock stock. Then the view on TACs might be quite different.

I am sorry that that does not answer Mr Robson's question precisely, but it is a complex area. There is certainly consensus throughout the Community that we should go for a multi-annual approach to managing fishing stocks. Three years is probably more realistic, given the uncertainties in this business. The science is not precise and huge uncertainties underlie many of the judgments that are made, but three years sounds more sensible to me.

The Convener: At a meeting of the Rural Development Committee, the Deputy Minister for Rural Development suggested that there is

evidence that the last time that there was decommissioning, some boats were decommissioned and the money was reinvested in bigger, more powerful boats. What measures are proposed to ensure that that will not happen? How confident are you that it will not happen?

Dr Brady: I will take a step back and say that there is no proposal to have a decommissioning scheme, although it is possible that we will consider views put to us by the industry on having a decommissioning scheme.

If we had a decommissioning scheme, issues would arise, such as how to ensure that the scheme would achieve the objective of delivering a sustainable reduction in the effort of the fishing fleet. Most people accept that the capability of the fleet is substantially in excess of the fishing opportunities available. One of the challenges of any decommissioning scheme would be to ensure that we did not soon end up back where we started. I do not have an answer on how that would be done, partly because it is a policy issue—if I can fall back on that defence—but also because technically it is a difficult issue to address. We would need to put a lot of thinking caps on to ensure that we did not end up back where we started.

The Convener: I thank Paul Brady and Robin Weatherston for their contribution. They have given us information in some detail and have left us with something to think about. They are welcome to stay for the rest of the meeting.

Now that our colleagues from Shetland have arrived, I would like to move on. We have with us John Goodlad from the Shetland Fishermen's Association; Jim Henry; Dr Alex Wright from the University of Dundee; and Dr Jeff Watson, Dr David Donnan and Dr Stephen Atkins from Scottish Natural Heritage. I ask them to give a brief introduction, saying who they are and whom they represent. We will then move on to questions.

Dr Alex Wright (University of Dundee): My specialism is Europe's relations with Scotland, which was the subject of my PhD. I am currently the reporter for the University College London devolution unit, where I do reports on Scotland and the European Union and Scotland's relations with the United Kingdom Government. I have a certain interest in the common fisheries policy and have published some papers on it. I do not have particular technical expertise on fisheries, but I am interested in the issue of territorial empowerment in the EU.

Dr Stephen Atkins (Scottish Natural Heritage): I will not make any introductory remarks; I will just hand over to Jeff Watson.

Dr Jeff Watson (Scottish Natural Heritage): I am SNH's director for the north of Scotland, with

overall responsibility for the marine environment. SNH has given the committee a fairly lengthy written submission, so I do not wish to develop on that, except in answer to committee members' questions.

Mr John Goodlad (Shetland Fishermen's Association): I am the chief executive of the Shetland Fishermen's Association. I am also one of the two vice-presidents of the Scottish Fishermen's Federation, which gave evidence to the committee a couple of weeks ago.

Jim Henry (Shetland Ocean Alliance): I work for Shetland Islands Council in the economic development department. In my younger days, I was 25 years fishing—15 years of that as a skipper on modern pelagic and demersal trawlers. I am very much involved in the industry in Shetland.

The Convener: We will move on to questions.

Mr Home Robertson: At the previous evidence-taking session, we heard from one particular group of witnesses, the Fishermen's Association Ltd, that the CFP was the work of the devil and should be disposed of. Would that be realistic or desirable? I hope that we can deal with that question quickly, but it is fundamental.

Mr Goodlad: It is a very important question. Much is wrong with the CFP. The fishing industry and fishermen in particular are quite rightly very critical of many aspects of the CFP. Much needs to be changed. However, one thing is absolutely clear in my mind: if we did not have a CFP, or if we somehow tried to abolish it, the first thing that we would need to do, to manage and protect fish stocks properly, would be to create a new CFP.

Unfortunately, the fish stocks on which the British and Scottish fishing industries depend are not found solely within our own waters. They swim all around the North sea and around the west coast of Scotland into Irish waters. We need an international basis on which to properly manage and protect fish stocks. That is a biological fact, which has political ramifications. Any call for repatriation of British waters and for management of fish stocks in British waters makes no biological sense—it is, frankly, a non-starter. Whether the fishing industry likes it or not, the vast majority of fishermen in Scotland and in the UK accept that we need to work within the framework of the CFP.

14:45

Dr Watson: There is much that we view as wrong with the common fisheries policy. However, it is critical to get the mechanism right. We are arguing for some changes, which we believe will help improve it. It has some way to go, but to do away with the policy altogether would be the worst

possible option.

Mr Home Robertson: That is helpful—thank you. I have further fundamental points to raise. I am not sure whether our Shetland colleagues were here when Paul Brady outlined the key negotiating position and the main points that the Scottish Executive and the UK Government are likely to be fighting for. He mentioned the six-mile and 12-mile limits, the principle of relative stability, the Hague preference and the Shetland box. Would you want to add or subtract anything?

Mr Goodlad: I agree with all four, but not necessarily in that order.

Dr Watson: We have also indicated support for those main negotiating points.

The Convener: If John Home Robertson does not wish to make any further general points, I invite Dennis Canavan to ask some questions on zonal management.

Dennis Canavan: I think that Helen Eadie wished to ask about those points first, convener.

The Convener: I beg your pardon, Helen.

Helen Eadie: These questions are mainly for Dr Alex Wright of the University of Dundee, but I am happy if anyone else wishes to answer.

To what extent should zonal management be decentralised? Who should be involved in fisheries management? What types of powers could realistically be transferred from Brussels and the council? Is the intention simply to act as local advisory management committees? I ask Alex Wright to answer that in the context of the submission, which mentions

“transnational bodies such as the North Sea Commission”.

Dr Wright: I will try to do so as briefly as I can—that was quite a big set of questions. I will start with the North Sea Commission. I view the North Sea Commission as an organisation that develops partnerships between different national groupings. It has a role to play in relation to fisheries, in that it occasionally brings fishermen, scientists and environmentalists together. Its role also relates to its democratic base: local government, which is democratically elected, is involved in its work. It also represents a distinct region, the North sea, and it has a certain amount of influence on the EU, particularly on the Commission.

As for a mechanism for fishing policy, I would veer more towards the zonal management model that was proposed by the Scottish Fishermen's Federation, involving some form of restricted committee within the Council of Ministers, as that is the ultimate decision-making apparatus in the EU. I slightly disagree with Scottish Executive colleagues on this: the question is whether that would be allowed under the Treaty on European

Union. I was looking at the treaty this morning and could not see anything in the fine print to allow such an arrangement to be set up. However, I believe that it would be an extremely good thing and would like it to happen. Some UK organisations might be against it, including MAFF, which might be worried about its future as the lead department. One must be aware of such problems in the UK context.

As regards the Council of Ministers, there will probably be resistance to having a zonal management model. However, there has been talk of having a further intergovernmental conference in 2004. There may be constitutional overtones to that conference. The German Länder are pushing for territorial government to be brought into the equation more than it is now. I suggest that even if the zonal idea does not take off now in the context of the 2002 review, it should perhaps be mentioned at a forthcoming IGC, so that it is not forgotten about and put on the shelf for another 10 years.

Helen Eadie: How would the political structure of fisheries management have to change because of this? Can it be achieved politically? Could the long-term objective be to allow these local committees to have decision-making powers?

That question is for any of the witnesses.

The Convener: Does anyone want to answer?

Helen Eadie: Should I go over the question again?

Dr Watson: I will have a shot.

The difficulty is empowerment. So long as these collections of interested stakeholders are operating in an advisory role, there is not a problem. There are good examples of that on coastal zone management initiatives. We must get through the transition from there to a body that influences a decision at a political level. We do not have a solution to that problem, but that transition must be made.

Dennis Canavan: Should membership of the zonal management committees be open to all member states, only to member states with existing fishing rights, or only to member states with territorial waters within the zones?

Mr Goodlad: I am speaking about the proposals on zonal management, which have been suggested by the SFF and the National Federation of Fishermen's Organisations. We have specific proposals; we would like to see a specific zonal committee structure.

We believe that the whole point of having zonal management committees is to make decision making more efficient and meaningful to the people involved. One of the ways to do that is to

reduce the number of people who are involved in taking such decisions. One of the current problems is that if a decision has to be taken on, for example, an issue of technical conservation, it involves every member state, whether or not they have an interest in that fishery.

In our opinion, the zonal management committees should represent the member states—and fishery managers and the fishing industries from the member states—that have a fish quota in that area.

For example, the zonal management committee in the North sea would not include members from Ireland, who do not have a quota in the North sea, or members from Spain. Likewise, the zonal management committee for the Baltic would not have UK representatives.

Dennis Canavan: Should zonal management committees have power over the whole spectrum of fishing controls, including fishing rights and access through the provision of licences and local quotas?

Mr Goodlad: The issue of zonal management is a process. We believe that, in the longer term, if the experiment with zonal management committees proves to be a success, ultimately they would have some decision-making powers, but the Scottish Executive representatives have made it clear—and we accept—that that would require a treaty change.

In the first instance, following the reform of the CFP in 2002, we see the zonal management committees as being advisory. They would be a forum in which detailed discussions would take place and recommendations would be made. I would like to think that if a recommendation came from the Baltic zone zonal committee or the North sea zonal committee on a specific issue, the fisheries council would take the view that the matter had been discussed exhaustively with all the people involved in the fishery, so if that is what the zonal management committee has recommended, the council would give it authority and agree with the recommendation.

Dennis Canavan: Is the fact that the committees will initially be purely advisory why you say that there would be no need to amend the treaties?

Mr Goodlad: The fishing industry must operate within a realistic political framework. A treaty change will take a lot of time and discussion. I am not saying that that will not be necessary in the fullness of time, but what is achievable in my view, after 2002, is the establishment of advisory zonal committees. If we can get those up and running, that will be a major step forward. The debate and discussion on possible treaty changes could continue after that.

Let me give you one example. The present North sea cod recovery programme, which is being discussed at the moment, is almost, by default, being debated and discussed by the North sea zonal committee, if such a thing were to be formally part of a reformed CFP after 2002. The discussions on North sea cod recovery are taking place with the member states that have an interest in fishing North sea cod, and involve not only the fishery managers and member state officials, but scientists and representatives of the fishermen. The closed areas that have been agreed and which will be implemented within a few days are an example of the kind of recommendations that have come from a proto-zonal management committee.

I see zonal management committees as organisations that will be very practical, and advisory in the first few years, but if they are successful, which I believe they will be, there may be scope for treaty changes to give them more decision-making powers.

Dennis Canavan: What opposition have you met to the idea of zonal management? I note that "Zonal Management—a new vision for Europe's Fisheries", which was produced by the Scottish Fishermen's Federation and the National Federation of Fishermen's Organisations, refers to five different ICES areas. More than 40 per cent of the total value of those areas is in the North sea fisheries yet there are only seven countries with fishing entitlements in that region. Are not some of the other countries likely to gang up against zonal management, given that one zone will have a huge amount of the value and the people in that zone will effectively determine policy in it and might adopt an exclusive approach?

Mr Goodlad: I do not think so. The principle of zonal management is to set up a group that provides advice on better fisheries management. The management committees should represent the people who catch the quotas in an area. It is common sense that in all regions the zonal management committees should consist of the people who catch the quotas in the relevant areas.

I will return to my previous example. The United Kingdom has absolutely no reason to be involved in the Baltic zonal management committee, because we do not catch fish there. Likewise, the Italian fishing industry has no right to be involved in the Irish sea zonal management committee, because it does not catch fish there. It is sensible that only those countries that have quotas in areas will be represented on zonal management committees. I do not feel that that will cause problems, provided that the fundamental principles of relative stability and the share-out of quotas are maintained after 2002, which I believe they will be.

The Convener: Colin, you wanted to go on to

enforcement.

Colin Campbell: Actually, I was going to go on to environmental issues. My question is mainly to SNH, but it is to the others as well. How can sustainability and the protection of the marine environment become a central concept in the reformed CFP?

Dr Watson: Our proposal—and we accept that, as you said, this is a long-term game and it will not happen quickly—is that there should be a greater commitment to what we loosely call ecosystem management, and it should take a much wider view than simply the individual fish stock or species in a capture. That will require looking at issues to do with the precautionary principle, some of which are already being addressed. By that we do not mean blind, rigid precautions, but precautions that are adaptive, which operate a feedback loop so that information is constantly put into the process and is used to inform future decisions. That is the correct use of the term.

We believe that the zonal management decision-making group or advisory group is critical to that. If that involves a deepening of the franchise rather than just the catches, it will involve fisheries scientists and it should also take account of environmental views. That way, there will be a more rounded approach to the decisions and the policy.

15:00

We think that it is important to bring in a wider environmental perspective. We should be prepared to contemplate zonal approaches to the management of fisheries within those discrete areas. That may well involve certain areas where there are time-limited constraints on fishing or even, in some limited circumstances, no fishing at all. That concept, if built into a proper framework for one of the ICES regions, is something that I believe could accommodate the opportunity for recovery of stocks that does not currently exist. At the moment, there is no acceptance of that kind of constraint.

Colin Campbell: How convinced are you that you have brought your fishery companions along with you? Are you all working together?

Dr Watson: I would like to hear what the people from Shetland say. Let me make two points. First, the long-term gain for the environmental movement and for the fisheries industry is exactly the same—to have a sustainable fisheries industry with a healthy marine environment. I do not think that there is any difference of view on that. It will be difficult for all parties to get there, and there will have to be compromises and sacrifices on the way, but there is not an awful lot of room for manoeuvre. Some of the changing approaches to

fisheries management will need to be adopted if we are to have any fishing industry at all in future. From the conversations that I have had with people in the fishing industry, it seems to me that there is quite a lot of common ground.

The Convener: Would either of the fishing industry representatives like to say anything?

Jim Henry: There has been quite a lot of talk about penalties and enforcement. There is a fairly strong view that, rather than penalising fishermen, we should get them involved. If they can see sense in the regulations, a lot of the penalties will disappear. I know that that may be an ideal, but we should aim for that. We should look more towards involving the people at the sharp end of the fishing industry, so that they understand the need for change.

Mr Home Robertson: Most people agree that the biggest failing of the current system of total allowable catches and quotas is that they apply to what the fisherman lands rather than to what the fisherman kills. There is a big discrepancy between the one and the other in the form of huge volumes of discarded small fish or over-quota fish. What fundamental things can be done about that? I would like the views of both sets of witnesses about this. The key question is about how we can devise a control system that can prevent that waste of fish.

Mr Goodlad: You are absolutely right. The proper, long-term conservation of fish stocks and sustainable fisheries management depends on substantially reducing, if not eliminating, the appalling discards of undersized fish. There will always be some level of discards in a mixed fishery, but I am talking about the discarding of small fish that are below marketable size.

The Norwegian approach is that it is illegal to discard anything; you have to take it on board and it is deducted from your quota. The UK and the European Union take the opposite point of view—that it is illegal to land undersized fish.

We are talking about methods of policing. We need to find a way of ensuring that the discards are not caught in the first place, rather than discussing whether they should be landed. There are two ways in which we can ensure that the discards are not caught in the first place. First, there are technical conservation measures. We need to design nets better and persuade everyone in the industry—fishermen and fish buyers—that the nets should be made to work so that small fish can escape. That would mean the introduction of square mesh panels, a reduction in the thickness of the twine used in nets and perhaps an increase in overall mesh sizes. The Scottish fishing industry is currently putting together ideas on what further measures are required to build on the bold and

successful initiative that was last year's introduction of square mesh panels.

Secondly, discards can be reduced through the closure of certain areas where, year after year, there are large quantities of juvenile and immature fish. We are not talking about closing such areas for a full year or even six months. We are talking about the concept that will be introduced shortly—although it will be targeted not on juvenile areas but on areas where large cod are caught—to close certain areas for a specific period. That is an approach that must be considered. It has been very successful in Iceland and the Faroes.

In the Faroes, if hauls of large quantities of immature fish are taken, the area is closed and remains closed while samples are taken. It may reopen after a month or six weeks. We recommend a combination of better mesh geometry and other technical measures, along with the extension of the closed area concept—closing down areas where there are large quantities of juvenile haddock, for example. There are currently large quantities of juvenile haddock in the North sea and that is the great hope for the future.

Dr Watson: I fully support all the comments on technical measures and we would encourage their swift and effective deployment, but we remain unconvinced that at some point you will not have to address the question of effort. Despite all the technical measures that are being suggested, it may be impossible to sustain the same scale of fishing effort, given the stocks that we currently have. In the long term—and in some cases in the shorter term—serious consideration will have to be given to reduction of effort.

The Convener: Thank you.

Euan Robson: I would like to ask about the Norwegian situation, where they must land the fish. What happens to the undersized fish? Do they go to the industrial fishery? If that practice were replicated in the UK, would there be any opportunity to replace some of the industrial fishery by using the small discards instead?

Mr Goodlad: I am sorry, but I did not really follow that question.

Euan Robson: If juveniles and smaller fish or fish that are above and beyond the quota assigned for a particular species are landed—as they are in Norway—what happens to them? Those fish would be dumped if they were caught in UK or EU waters, but that is not what the Norwegians do.

Mr Goodlad: I do not know what the Norwegians do. I assume that the state takes control of those fish and that they are used for fishmeal or something similar.

Euan Robson: If those fish are used in the

production of fishmeal and the same thing was done in EU waters, would that undermine the industrial fishery? In other words, could that replace some of the industrial fishery effort?

Mr Goodlad: I cannot see how that would replace the industrial fishery. We are talking about the discarding of, for example, small haddock in a trawl fishery for mature haddock. The industrial fisheries tend to be fisheries for sand eels, Norway pout and other species.

Euan Robson: Well, true, but—

The Convener: Can we move to the question rather than having a discussion?

Euan Robson: Okay, I can pursue that point later.

The Convener: Dr Brady, would you like to comment?

Dr Brady: My understanding is that, in Norway, fish that should not have been caught but which are landed become fishmeal. I do not know whether I am allowed to comment at this stage, but the real issue is whether the fishermen land the fish. Given that the amount is deducted from their quota, there is no financial or commercial incentive for them to land the fish. I leave the committee to make its own judgments about what would happen to the fish if there are no policemen at sea to ensure that the fish are not discarded.

Mr Home Robertson: Surely you are not suggesting that fishermen do not tell the whole truth all the time.

Colin Campbell: What price do the fishermen get for the discards that they land?

Mr Goodlad: Nothing.

Mr Quinan: More important, they do not get fined for doing so, either.

We have covered most of what I wanted to find out about. Do the witnesses agree that the setting of annual total allowable catches must become a thing of the past?

Mr Goodlad: It will be difficult to get away from the setting of annual quotas because of the biological assessment of how many fish can be caught out of a fishery each year. As someone has already said, fishery biology is heavily dependent on recruitment, which varies enormously in some fisheries from year to year. Even in a stable fishery—one with no stock conservation problem or overfishing—there will be enormous variations in the amount of fish that can be taken from year to year. We cannot get away from that variability and I therefore doubt whether we will be able to get away from the setting of annual quotas.

We must try to minimise the variability as much as we can. That is why I am attracted to the idea of multi-annual quotas: although they are difficult and fraught with problems, they might allow us to move towards greater stability by ensuring that we can avoid the annual fluctuations.

Dr David Donnan (Scottish Natural Heritage): We agree with Mr Goodlad. Generally speaking, it would be preferable to move to a management system that encourages a longer-term perspective than does the annual quota setting system, provided there was scope within that system for taking account of annual variation. A system that uses three-year or five-year periods should make it possible to do that.

The Convener: We will move on to the subject of enforcement.

Colin Campbell: Should powers of enforcement be increased? If so, how?

Mr Goodlad: Two areas are involved. I am sure that any fisheries representative would say that it is vital that there is equality of enforcement throughout the EU. I am not trying to pretend that the UK fishing industry is whiter than white or that other member states pay no attention to quotas. There is a great variability: some member states are good at enforcing quotas and regulations; others are bad.

It is clear that there are blatantly different levels of enforcement between various fishermen's home ports in relation to quota levels, operation of minimum size regulations and so on—contrast landings in the UK with landings in Spain. It is very important that there is equality of enforcement. In its review of the CFP, the European Commission must look carefully at what sanctions it can impose to ensure that each member state enforces what should be enforced at present.

Enforcement in fisheries can always be improved, not only in the UK, but in other member states. I amplify the point that Jim Henry made. The more the fishing industry can be involved as a stakeholder in the decision-making process and the setting up of the kinds of systems that we want for the conservation of fish, and the more the rules that emerge from those processes reflect what the fishing industry has been calling for, the easier the rules and regulations will be to enforce. There will be peer-group pressure and fishermen will feel that they own part of the system if they have been closely involved in putting it together.

15:15

The square mesh panel is a good example of that type of initiative, the idea for which came jointly from the Scottish industry and the UK Government. It has now been introduced. It is not

working as fully as we would have liked but, over the next few months, the fishing industry will be instrumental in advising fisheries departments on how to make the system work better. The vast majority of fishermen want the square mesh panel to work and the advice that will be given to fisheries departments and ministers will be invaluable in making it work better. That success will be the result of the fishermen's involvement in the debate and the whole process. Had the square mesh panel or anything else simply been imposed from the top, there would have been less willingness to become involved in making it work.

Those are the two points that I want to emphasise. Enforcement can be improved, but it must be the same in all member states; and the best enforcement comes about through the fishing industry being involved at all stages of the decision-making process.

The Convener: I would like to return to that in a moment. Before I do so, have any of the other witnesses comments to make?

Dr Watson: I echo what John Goodlad has said. We agree with both points absolutely.

The Convener: John Goodlad touched on a subject on which committee members have commented before. It has been suggested that in other member states enforcement is not taken as seriously as it is here. Is there evidence to support that? Is it anecdotal? The Commission has issued a report on enforcement by member states. It is a bit difficult to interpret, but the UK certainly does not come out on top in terms of resources allocated to enforcement. We have heard previously about the Italian navy. If you have evidence to support the suggestion that enforcement is not taken as seriously in other member states as it is here, could you make it available to the committee?

Mr Goodlad: I do not have any evidence other than the anecdotal evidence that we hear with such regularity and monotony that I do not doubt that some member states do not take enforcement as seriously as they should. I do not know whether there has been an improvement in recent years.

The closest to a public expression of what happens in Spain was the television programme that was shown about four years ago—I forget the name of the series—in which an investigative journalist went to fish markets in Spain armed with the minimum landing size of hake. That programme showed that boxes and boxes of immature hake were being sold openly in the auction markets in Spain. That is just one example, but there have been countless others involving the Spanish fishing industry.

Colin Campbell: I am attracted by the idea of a self-policing ordinance on the part of the fishing

industry, but is there not an enormous tension between the economic imperative for fishermen to keep their boats and crews going and the needs of conservation? The square mesh net has gone part of the way towards bringing the fishing people together, but are they not in a difficult position? Or is the realisation that supplies may dry up making them more willing to participate?

Mr Goodlad: Please do not misunderstand what I am saying. I am not suggesting for a minute that the fishing industry, left to its own devices, will police itself.

Colin Campbell: I was not taking that from what you said.

Mr Goodlad: It would be naive to think that. However, if the fishing industry is involved at all stages of discussion and in the decision-making process, and if the industry's ideas are seen to be part of the Government's management strategy, enforcement will be easier and enforcement activity will have greater and more widespread support throughout the fishing community.

There will be tensions. Of all the times at which to seek consensus on policing, this is probably the worst, because reduced quotas and the financial pressures on the fleet mean that there is less economic imperative. However, even though the situation is more difficult now than it has ever been, that does not mean that we should not try. One thing is sure: if sanctions are simply imposed on the fishing industry without adequate consultation and meaningful discussion, there will be much less compliance.

Mr Quinan: I am sorry, but I must return to the anecdotal evidence to which Hugh Henry referred, and which we have heard several times. Two years ago, you could not have sat in a room with the European Committee of the Scottish Parliament. In general, there is greater access, and that is developing. The corollary is that the European Committee can contact other committees that discuss Europe elsewhere. Spain is always thrown up as the bogeyman, but which Spain?

Mr Goodlad: Galicia.

Mr Quinan: That is what I thought. Galicia has its own Parliament and I have met its representatives. I have also met Basque representatives and others, who generally take a different attitude. The Basques finger the Galicians, as do the Andalusians and just about everyone else.

It is a benefit for you to be here to give evidence to the Scottish Parliament's European Committee. Would it also be a benefit for the committee to make connections—to some degree on your behalf, but principally on our own behalf—to find

the evidence for the anecdotes? We could tell the members of the Galician Parliament that we are hearing such anecdotes and that maybe they should be better Europeans and deal with the issue. Would such regional contacts be worth while?

Mr Goodlad: I am sure that they would be worth while. The common fisheries policy is a process. It will work as it was meant to only when enforcement is even and all the pressure points and areas for discussion can be identified to raise the level of enforcement of those countries which have not achieved the levels of enforcement that they should have. If that can be done, so much the better.

Irene Oldfather: Has Scottish Natural Heritage received any support for its recommendation for an independent study to examine the equality of enforcement across member states?

Dr Watson: We have discussed that proposal with country agencies in England and Wales, which strongly support it, but we have not had a formal discussion with other interested parties. We offer that suggestion to try to break the deadlock. We have no detailed evidence to support the assertions, which are anecdotal. The proposal seemed to be a way of resolving that issue.

Irene Oldfather: That is a good point. I would be interested to know whether the Scottish Executive has a view on that.

The evidence that the committee took last week brought it to our attention that the Scottish Fisheries Protection Agency, which apparently operates enforcement sensibly, is subject to some budget restrictions and may decommission one of its vessels. Will the Scottish Executive officials say something about that?

Dr Brady: I thought that I had earned my ticket today.

As for the quantity of fleet that is available to the Scottish Fisheries Protection Agency, the Executive has just committed a substantial amount of money to purchasing a new all-purpose vessel, which will be able to operate inshore and offshore. If Mr du Vivier, the chief executive of the SFPA, were here, he would say that he would expect his capability to be more flexible as a consequence of that. He would not necessarily be able to do more, but he would be able to do it better.

I cannot recall the first question—I suspect that I did not want to answer it. [*Laughter.*]

Irene Oldfather: It was about support for Scottish Natural Heritage's suggestion.

The Convener: I think that we can address that one to the minister on 13 March.

Dr Brady: You took the words out of my mouth.

Mr Home Robertson: Paul Brady has a reputation for dumping his ministers in it—no, he does not: that was unfair.

Mr Quinan: It is on the record now.

Mr Home Robertson: I return to Mr Goodlad's point about respecting regulations, enforcement and the rest of it. I know that there are a number of law-abiding, responsible fishermen around our coasts—principally in the Shetland Islands and East Lothian—but we must not delude ourselves. In the not-so-distant past, a lot of black fish has been landed. Let us face it: if the fish can physically be caught and if there is a market for them, you will agree that they will be landed. Historically, that has been a big part of the problem.

Leaving aside the Galicians—who are not the only bad guys around—what will it take to get our people to respect the regulations? How do we get to the root of the black fish problem? I am trying to fix John Goodlad with a gimlet eye in asking that.

Mr Goodlad: We must be careful of talking about the black fish problem, as if it were an enormous problem that affected all aspects of the Scottish fishing industry. In the white fish sector, we were unable to catch our quota of cod, whiting or haddock in 2000. In that situation—

Mr Home Robertson: The problem does not arise.

Mr Goodlad: Yes. However, the problem does arise in other areas. The industry has participated in a working group with the Scottish Executive rural affairs department. The group considered what options may be available to industry and Government to better control and enforce the landing of pelagic fish, for example.

That takes me back to a point that I was trying to make earlier: that is exactly the way to tackle the situation—by involving the industry, SERAD and the Scottish Fisheries Protection Agency. A number of recommendations have been made.

One thing that the industry feels strongly about is that, in order for a black fish landing to take place, there must be both a seller and a buyer. All the enforcement activity is presently focused on the fishing industry. Before it is possible to land over-quota fish, somebody must be prepared to buy that fish. At present, no enforcement activity whatever is directed at the buying sector. That is perhaps a bit trite, but that is an area that needs to be improved in the context of improving the overall enforcement package.

Helen Eadie: A couple of things caught my eye when I was reading Scottish Natural Heritage's papers. I would like the witnesses to elaborate on one thing to which John Home Robertson referred: the preferability of moving towards fishery

management methods that concentrate on regulating the effort that is going into a fishery, as opposed to putting effort into managing the outputs. I invite either Mr Goodlad or Dr Watson to expand on that.

Mr Goodlad spoke about the Icelandic experience. There was a good edition of "The Money Programme" about that last week. Could he expand on that, and particularly on whether it would be relevant to import Icelandic practices into our fishery?

Dr Watson: We have argued that control of effort is probably the way to deal with the current over-efficient, over-capacity fleet. Technical measures can be involved in that and I recognise that it is an uncomfortable case to make. The complete collapse of fishing communities is even more uncomfortable. Somewhere in that debate, somebody must decide whether a wider range of effort control measures is the solution—we believe that it is. I was not intending to go into detail—my colleague may detail what some of those effort control measures might be. I will stop at that point.

15:30

Mr Goodlad: Effort limitation is another method of regulating fishing. One method is to restrict how much fish comes out of the sea by quota; another is to regulate how much effort goes into catching that fish.

With one exception in the world, all countries that have applied an effort-limitation system also have a quota system that runs hand in hand with it. The exception is the Faroe Islands, which do not have fish quotas; their fishery is managed entirely on the basis of fishing effort.

I know the Icelandic situation fairly well—I was there at this time last year. The Icelandic fishing industry has gone through a difficult time over the past 10 years. It has restructured itself and it now has a fishing industry where stocks of cod—its main stock—and herring are at a good level. Its fishery is managed entirely on the basis of individual transferable quotas—ITQs. Fish quotas are legal assets—they are commodities with a legal title—and are bought, sold and leased on the open market.

The result of that management system has been twofold. First, it has created one of the most profitable fishing industries in the world. Fishing companies are making a lot of money, the Government is getting a lot of money through tax receipts and the fishery is well managed.

Secondly, the fishing industry has downsized enormously. There are far fewer fishermen and fishing boats. The consequence for small rural communities on the coast of Iceland has been

incredible. Many have lost up to 40 per cent of their population in the past 10 years as the fishing quotas have been bought and sold. Most of the quotas are now owned by the five or six largest Icelandic companies, most of which are based in either Akureyri or Reykjavik. The ITQ system probably cannot be beaten for economic efficiency, but it has had serious social and economic repercussions for Icelandic society at large.

The Convener: Thank you. With that illuminating but sobering thought, we should draw the discussion to a close. I have been advised that 2001 and 2002 are the key years for reform of the CFP. Spain takes over the presidency for the first six months of 2002 and I am sure that that will provoke some interesting debate and discussion.

I thank the witnesses for their contributions, which I found informative and well presented. I am sure that that will be reflected in our conclusions.

Convener's Report

The Convener: I have written to the minister, as agreed at the previous meeting, to set out some of the further issues that the committee raised, and to ask for more information, on the proposed directive on waste electric and electronic equipment. I ask the committee to note the contents of that letter. As an aside, this may be a matter that we could raise with the Commission's environmental officials when the committee visits Brussels.

Scrutiny

The Convener: We will move on to scrutiny of EC documentation. Ten documents are listed on page 1 of the note and the recommendation is that they are examined by our officials as part of the inquiry into CFP reform:

SP 1671 (EC Ref No 13394/00 COM(2000) 724 final)
 SP 1715 (EC Ref No 13540/00 COM(2000) 745 final)
 SP 1716 (EC Ref No 13542/00 COM(2000) 747 final)
 SP 1719 (EC Ref No 13543/00 COM(2000) 738 final)
 SP 1786 (EC Ref No 13545/00 COM(2000) 762 final)
 SP 1789 (EC Ref No 14058/00 COM(2000) 803 final)
 SP 1790 (EC Ref No 14061/00 COM(2000) 801 final)
 SP 1798 (EC Ref No 14159/00 COM(2000) 807 final)
 SP 1809 (EC Ref No 13941/00 COM(2000) 773 final)
 SP 1873 (EC Ref No 5140/01 COM(2000) 865 final)

Is that recommendation agreed?

Members indicated agreement.

The Convener: Pages 3 and 4 of the recommendation note concern documents on which we await some information. The recommendation is that consideration of the following documents be deferred:

SP 1711 (EC Ref No 13464/00 CRIMORG 154)
 SP 1811 (EC Ref No 14373/00 DROIPEN 60)
 SP 1727 (EC Ref No COM(2000) 786 final)
 SP 1736 (EC Ref No 14174/00 COM(2000) 716 final COD 2000/0286)
 SP 1759 (EC Ref No 14187/00 COM(2000) 785 final 1999/0269 (COD))
 SP 1760 (EC Ref No 14440/00 COM(2000) 77 final 2000/0068 (COD))
 SP 1773 (EC Ref No 14234/00 COM(2000) 791 final)
 SP 1813 (EC Ref No 13986/00 COPEN 81)
 SP 1826 (EC Ref No 5082/01 CRIMORG 1)
 SP 1767 (EC Ref No 14245/00 COM(2000) 786 final 2000/0304 (CNS))

SP 1829 (EC Ref No 5134/01 EUROPOL 1)
 SP 1702 (EC Ref No 13635/00 COM(2000) 694 final)
 SP 1707 (EC Ref No Brussels 8/11/2000 COM(2000) 716 final)
 SP 1806 (EC Ref No 14205/00 COM(2000) 765 final)
 SP 1828 (EC Ref No 14908/00 COM(2000) 861 final COD 1999/0259)
 SP 1838 (EC Ref No 14740/00 COM(2000) 828 final)
 SP 1842 (EC Ref No 14795/00 COM(2000) 841 final)
 SP 1844 (EC Ref No 14763/00 COM(2000) 834 final 2000/0330 (CNS))
 SP 1847 (EC Ref No 14762/00 COM(2000) 838 final)
 SP 1856 (EC Ref No 13289/00 ADD 1 JAI 135)
 SP 1865 (EC Ref No 14722/00 REV 1 COM(2000) 850 final 2)
 SP 1866 (EC Ref No 14880/00 DROIPEN 63)
 SP 1886 (EC Ref No 5217/01 COM(2000) 860 final)

Is that recommendation agreed?

Members indicated agreement.

The Convener: The recommendation on the following documents, listed on page 5 of the scrutiny note, is that no further action be taken, but that the documents be copied to the committees listed, for their interest only:

SP 1728 (EC Ref No 14052/00 EUROJUST 19)
 SP 1812 (EC Ref No 14900/00 EUROJUST 21)
 SP 1693 (EC Ref No 13289/00)
 SP 1740 (EC Ref No 14291/00 COM(2000) 727 final)
 SP 1747 (EC Ref No 14270/00 COM(2000) 736 final)
 SP 1775 (EC Ref No 14595/00 COM(2000) 802 final)
 SP 1804 (EC Ref No 14184/00 COM(2000) 749 final)
 SP 1854 (EC Ref No 12615/00 SEC(2000) 1780)
 SP 1860 (EC Ref No 14724/00 COM(2000) 848 final)

Is that recommendation agreed?

Members indicated agreement.

The Convener: It is recommended that no further action be taken on the following documents, which are listed on pages 6 to 11 of the recommendation note:

SP 1586 (EC Ref No 12646/00 COM(2000) 573 final)
 SP 1737 (EC Ref No 14357/00)
 SP 1753 (EC Ref No 5001/01 SIS-TECH 1)
 SP 1765 (EC Ref No 14402/00 COM(2000) 782 final)
 SP 1878 (EC Ref No 5238/01 EUROPOL 2)
 SP 1749 (EC Ref No 13682/00 SEC(2000) 1890 final)
 SP 1758 (EC Ref No 14236/00 COM(2000) 770 final)
 SP 1782 (EC Ref No 14181/00 COM(2000) 820 final)
 SP 1791 (EC Ref No 14219/00 COM(2000) 774 final)

SP 1792 (EC Ref No 13905/00 COM(2000) 751 final)
 SP 1794 (EC Ref No 11529/00 COM(2000) 757 final)
 SP 1803 (EC Ref No 13119/00 COM(2000) 755 final)
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 SP 1830 (EC Ref No 14755/00 COM(2000) 853 final)
 SP 1834 (EC Ref No 14401/00 COM(2000) 759 final 1998/0096 (COD))
 SP 1835 (EC Ref No 14747/00 COM(2000) 852 final)
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 SP 1840 (EC Ref No 14810/00 COM(2000) 836 final)
 SP 1841 (EC Ref No 14933/00 COM(2000) 472 final)
 SP 1843 (EC Ref No 14814/00 COM(2000) 827 final COD 2000/0328)
 SP 1845 (EC Ref No 14649/00 COM(2000) 806 final)
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 SP 1848 (EC Ref No 14922/00 FIN 606)
 SP 1849 (EC Ref No 14650/00 COM(2000) 809 final)
 SP 1850 (EC Ref No 14511/00 ADD 1 COR 1 SEC(2000) 2194/2)
 SP 1851 (EC Ref No 14610/00 COM(2000) 805 final)
 SP 1852 (EC Ref No 14476/00 JUR 414 COUR 21)
 SP 1853 (EC Ref No 13396/00 ADD 1 SEC(2000) 2031)
 SP 1855 (EC Ref No ACP-CE 2167/00 COM(2000) 823 final)
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 SP 1862 (EC Ref No 14778/00 FIN 602)
 SP 1863 (EC Ref No 13906/00 COM(2000) 732 final)
 SP 1867 (EC Ref No 7908/00 COM(2000) 177 final 2000/82 (CNS))
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 SP 1869 (EC Ref No 5111/01 COM(2000) 845 final- CNS 2000/0333)
 SP 1870 (EC Ref No 5130/01 COM(2000) 864 final 1999/0159 (COD) 1999/0160 (COD))
 SP 1871 (EC Ref No 5155/01 COM(2000) 835 final)
 SP 1872 (EC Ref No 13686/00)
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 SP 1875 (EC Ref No 5260/01 COM(2000) 846 final)
 SP 1876 (EC Ref No 5206/01 COM(2000) 854 final)
 SP 1877 (EC Ref No 14735/1/00 REV 1 COM(2000) 387 final/2)

SP 1879 (EC Ref No 5314/01 COM(2000) 788 final 2000/0337 (CNS))
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 SP 1857 (EC Ref No 14901/00 COM(2000) 719 final)
 SP 1778 (EC Ref No 12825/00 COPEN 73)
 SP 1779 (EC Ref No 14352/00 COPEN 83)
 SP 1810 (EC Ref No 5146/01 JAI 2)

Is that recommendation agreed?

Members *indicated agreement.*

The Convener: I thank the Executive officials in both the civil justice and international division and the rural affairs department for their advice on the two EC documents, SP 1693 and SP 1582. The response was precise and speedy, which we value. That is an example of good practice.

We have agreed to take the next item in private. I thank members of the public for their attendance.

15:35

Meeting continued in private until 16:00.

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