Life is the goal, not fishing

The marginalization of women and small-scale fishermen will not help solve resource conflicts in Norway

Norway is known for its well-regulated fishery based on scientific measures. Biologists have mainly provided the premises for fisheries management, while economists have influenced fisheries authorities only in the past 5 to 10 years.

In contrast to many artisanal fishing communities of the South, the small-scale fishing industry in Norway is not ruled by the rude violence of capital-intensive fishing vessels or by development projects favouring large-scale technologies.

Norway seems to show how it is possible to ensure the more sustainable part of the fishing industry through laws and regulations.

In 1974, the first regulatory law for the fishery was enforced, based on resource considerations. Since then, licences have been regulating large-scale fishing and fishing with active gears like trawls and purse-seines, thus limiting the number of vessels that had access to resources in Norway.

The open access that prevailed in the coastal zone for small-scale fishworkers using passive gears like hook-and-line and longlines was suddenly closed in 1989. This was due to the assessment of very low stocks of the most important Norwegian fish stock, the Arctic cod, and also due to the intensified role in fisheries management of science, including economics.

All fishworkers appeared concerned about the resource depletion, not least the small-scale fishworkers. But the sudden prohibition on coastal fishing for cod in the middle of the peak season, when the cod was coming to the coast to feed, was a shock to men, women and children in the many scattered coastal communities. They felt they had been asked to foot the bill for the costs of overexploitation by distant-water trawlers.

Small-scale coastal fishing in Norway depends on highly mechanized boats, usually in the range of 4 to 12 m, most equipped with modem electronic technology. Many loans for vessels or equipment are secured against the collateral of family houses. Bankruptcy and forced sales of family homes and vessels swept through the coast, leaving the unfortunate shameful and apathetic, while those who somehow managed through the first crisis remained in fear of the future.

Fisherwomen in Norway have always been concerned with issues of social welfare. They have played an important role in putting these on the agenda of the national fishworkers' association, which is heavily male-dominated.

At the height of the economic, social and human crises striking the coastal fisheries, fisherwomen spontaneously formed coastal women's action groups. They raised their voices before the media and the prime minister, Gro Harlem Brundtland, herself a woman.

Right to livelihood

The fisherwomen claimed their right to a livelihood and they wanted their dignity restored by granting their husbands the opportunity to fish and fulfill their economic obligations. Coastal fishing could not be looked at merely from the perspective of economic efficiency and competition, they argued.

Their demands were aimed at rescuing a way of life, where people were woven into intimate relationships with their social

and natural surroundings. Coastal fishing, not distant-water fishing, maintained the coastal cultural heritage and the many small fishing communities. This was by giving several people opportunities for a meaningful life, not merely assuring prosperity for a few.

Women in Norwegian fishing communities have always been the strings that kept the weaving together. While men are away at seasonal fisheries, these women keep the family and the community going, socially, culturally and materially. They have been the providers of daily food through subsistence husbandry (some sheep and a cow) and of woollen clothing for use at home as well as at sea.

This domestic production suffered in the 1950s and the 1960s. In today's fishing households, due to modernization and specialization, women's inputs, along with their housework, are service tasks which supplement the income from fishing and wage-work.

As fishing opportunities decline, such supplementary income is becoming ever more important.

Norwegian women are also increasingly entering fisheries politics, voicing their concerns for a decent, dignified and just treatment of fishworkers. And among themselves, they discuss increases in wife-battering, family conflicts and divorces prompted by inactivated and frustrated husbands.

The political action by fisherwomen led to some subsidies to lessen the immediate economic burden imposed by the closure of the coastal cod fishery. But the questions of future access to resources and their distribution were settled by the authorities and the national fishworkers' association.

The solution to the resource crisis was the introduction of boat quotas. With that, the open access for coastal fishworkers became history. Limits to fishing efforts were reached by quotas to large-scale as well as small-scale vessels. But in coastal fishing not everyone got a boat quota. Those who had caught the smallest amounts of codfish in the previous three years were excluded. For the large group of small boats which were excluded by this system, a small amount of the total permissible annual catch was set aside. Those without quotas can compete in fishing for this amount each being limited by a maximum quantity of catch.

Newcomers cannot enter coastal fisheries, except by buying a vessel with a quota. The closed access thus functions as a privatization of what was previously a common property resource. Almost all boatowners are male.

The introduction of boat quotas has thereby formalized fish resources as an all-male property. Although fishing is heavily male-dominated, women have always been fishing—when necessary. They have taken part in the seasonal herring and cod-, fish fishery, where many hands were needed. They have joined their brothers, fathers or husbands at sea, when there was a lack of crew.

They have taken part in subsistence fishing in the home fjord, in between the cooking, washing of clothes and tending animals. If widowed, they have had to fish to provide for their children. Now, however, access is closed and it is not needs but rights that guide the distribution of fish resources.

Ironically, the historical access of women to fish resources, based on needs, never led to any rights. The Norwegian example of exclusion of small-scale fishworkers, when resource considerations call for limited access, is not exceptional. All industrialized fisheries are facing recurrent resource crises and are imposing different limiting management systems in their, own waters.

Closure of the commons

Although it is evident that the general overexploitation results from heavy investments in crude horsepower and ever more efficient fishing technology, this development is not halted. What governments and those fishworkers who gain most from the closure of the commons can easily agree upon is to exclude the marginal groups.

This has happened in Denmark too, in the early 198Os, where part-time small-scale

fishworkers were suddenly defined as spare-time fishers and excluded as intruders. Since then, these fishworkers, who have combined fishing with other sorts of petty industrial or wage-work when available, have gradually lost all rights to fish commercially.

The logic in the management system favours the resource-intensive fisheries, instead of supporting the fisheries that have little impact on fish stocks and which spread the profit across many hands. Small-scale fishing may not be competitive when export revenue is regarded as the only value that counts.

But in small-scale fishing, many fish-workers can live off small quantities of resources. This way of life is dependent on women's management in all kinds of household and community resources, always economizing and doing both the visible and invisible tasks necessary for the production of daily life. In large-scale trawling, only a few fishworkers live off the huge quantities of resources. Yet the more sustainable way of life through small-scale fishing is not respected either by the authorities or the national association of fishworkers.

The agreement between the Norwegian state and the association included the 'trawl ladder'. As the stock of Arctic cod grows and quotas can be augmented, the relative distribution between trawlers and the coastal fishing vessels can change in favour of the trawlers.

This means that the marginalization of those who took the least codfish is permanent. Even when resources get more plentiful, fishing is not going to be opened for all small-scale fishworkers, women, children or men.

When a vessel is withdrawn from fishing and the owner does not transfer the quota to a new boat, the quota is returned to the state. Newcomers or those who were excluded from the quota system can apply for this very limited number of boat quotas. The rules for redistribution of quotas prohibit any vessel under eight m. in length.

Over-Industrialization

The logic of the 'trawl ladder' and the permanent marginalization of small-scale vessels favour a production pattern that has proved to be unsustainable ecologically as well as socially. Over-Industrialization, not just in fisheries, leads to the marginalization of millions of people throughout Europe.

Fisheries authorities seek support among fisheries economists when they claim that the numbers of fishworkers have to be reduced to reach a sustainable fishing effort. But, in effect, the abolishment of open access works to marginalize women and small-scale fishworkers.

In the debate on fisheries development, Norwegian fisherwomen introduced a different line of argument. The importance of coastal fishing as a means for a livelihood for many small communities and for a socially and culturally meaningful and dignified life is now stressed by two organizations fighting the injustices in current fisheries policies.

The Norwegian Association of Coastal Fishworkers demands that coastal fish-workers get open access to use passive fishing gears responsibly and under municipal control. To be a full member, one still has to be on the official register of fishworkers, which is not open to everyone. But a member has to pay a fee to the competing National Association of Fishworkers. This fee is taken from the amount of the sale of catch. Due to heavy protests, over the past years, this fee has been reduced from one per cent to 0.4 per cent of the catch value.

The second association, the Open Fisheries Commons, which permits everyone living in Norway to be a full member, filed a case against the state, claiming that the historical common right could not be given to an exclusive group of fishworkers at the expense of others. Though the association lost the case in the City Court, it is now taking it up to the High Court.

The resistance to attacks on the more sustainable fishery is alive. The issue of resource depletion also gets support from groups in the environmental movement in Norway. But women's voices are continuously needed in the debate to keep intact a wider perspective, including the social and cultural aspects of fishing.

Future directions

Women in Norway know that life is the goal, not fishing. The present conflict is more than a fight between interest groups. It concerns the direction of the development of the fisheries of industrialized countries—are they going to support socially and ecologically sustainable ways of life or not?

This article is by Eva Munk-Madsen, who is based in Tromsø, Norway, and researches issues relating to women in fisheries.

Individual Transferable Quotas

No way to transfer fish quotas

By experimenting with different forms of quotas for its cod fishery, Norway is ignoring the lessons of other countries

The existence of stocks of Arctic cod forms the basis of the settlements in the northern part of Norway. The end of the 1980s saw a sharp decline in these stocks due to extensive trawling. This led to heated debates in the country on responsible fishing and the future structure of the fishing fleet.

As part of the debate, the government proposed to introduce individual transferable quotas (ITQs) in the fishery. These sought to ensure an 'optimal allocation of resources' in the context of the overcapacity of the fishing fleet resulting from the decline in stocks. ITQs were meant to eliminate the need for detailed management of the fishery, leaving it to the market and the industry to allocate fishing rights—a sort of 'stock market' for fishing quotas, with certain restrictions to safeguard the smallest boats and ensure regional distribution.

The government held up Iceland and New Zealand to showcase the advantages of ITQs. It was claimed that the numbers of fishermen were reduced and where fishing rights tended to get concentrated in a few hands, limits were set on the transfer of quotas from one fleet or region.

The Norwegian fishing industry's reactions to the concept of ITQs were diverse. The trawl owners argued that the restrictions would inhibit the proper functioning of the system. "We need bigger markets and fewer restrictions on the transfer of quotas between the fleet groups," said Audun Marak, secretary general of the trawl owners' union.

Environmentalists and the small-scale fleet reacted in the opposite fashion. "Privatization of fishing rights will only allocate them to the capital intensive fleet," said Bente Aasjerd, spokesperson for the Norwegian Society for the Conservation of Nature. The organization also warned that a quota which is sold is legally protected by the constitution. If, at a later stage, the government wishes to cut quotas, it might have to buy them back from boatowners in order to execute the necessary regulations. Einar Hepsoe, the leader of the fishermen's union, called the proposed set-up a "tragedy for the coast".

The coastal people can not accept the idea that someone should own the fish in the ocean. Fish was a common resource and the fishermen fished on behalf of the community as a whole, and not as owners of the resource. This fact has been an important part of Norwegian culture.

The debate spotlit certain events in Norway's history, like the 'Trollfjord battle' of 1989, when a steamboat had set up a net, closing the mouth to the narrow Trolljford in Lofoten. This infuriated the hundreds of fishermen outside the area of the net. They attacked the steamer whose crew retaliated with jets of steam from the boat's engine. But the fishermen managed to break through.

That incident led to the banning of purse-seining in Norwegian cod fisheries. The Trollfjord battle became a symbol of the common rights to fish resources.

Idea abandoned

The pressure on the Labour Party government against ITQs grew and during the election campaign in the fall of 1991, the idea was abandoned. The experiences of other countries suggest that this may have been a wise step. Iceland, which was the Norwegian government's prime example, has seen a drastic rise in its trawler fleet and a drop in fish resources. The ITQ system makes it more tempting to fish in the high seas, where the quotas are

'free'. The Icelandic trawler fleet is now fishing Norwegian Arctic cod beyond Norway's 200-mile EEZ.

This has been strongly opposed by the Icelandic coastal fishermen too, not only for moral reasons but also because money made from high-seas fishing is used to buy up quotas from a coastal fleet in economic difficulty. ITQs thus favour the big, mobile fleet and forms yet another threat to the small-scale fleet.

When the ITQs were stopped, the Norwegian government settled for a system of boat-quotas. Depending on its size, each boat gets a certain quota. This closure of the commons has led to severe problems in recruiting for the coastal fleet. People used to enter fishing by starting out with a small boat, fishing in the evenings or on weekends and holidays, to first get a feel of the skill.

But now that fishing rights are given only to registered vessels, this option is unavailable. Very few youngsters can afford to buy a vessel with fishing rights, which is much more expensive than one without a quota.

In a way, the system still is one of transferable quotas. The only difference is that quotas from several vessels can not be now bought and acquired for a single large vessel nor can one person own many vessels.

Now that this system has been in operation for a few years, its weaknesses have become clear. It takes away from the coastal communities the control over the transfer of their own knowledge.

Today, the skills needed to become a fisherman must be 'bought' from the school system. It is much more difficult to start up as a coastal fisherman since you must put up with three years of expenses at 'school', in addition to the annual expenses on boat and gear.

The new system also threatens society in another way. In small communities, people combined fishing with farming or other skills like plumbing or electrical work. When fishing is closed, many of them move out to bigger regional centres. The communities they leave behind end up having to pay more for the services of these other skills. The municipality also loses tax that these craftsmen would have otherwise paid.

Traditionally, local fishing grounds in Norway have been managed by the community as a whole. When this system breaks down, the small fisherfolk no longer have a voice and the management is left to larger coastal vessels like the Danish seiners.

Open access to fish resources is the backbone of Norwegian coastal culture. Limits must therefore be set on the capitalization and the efficiency of fishing fleets. Only this will ensure flexibility for the community at large and not just power for the rich few.

This article is by Gunncar Album of the Norwegian Society for the Conservation of Nature, Leines, Norway

One sector, two voices

The conflict between small-scale and corporate interests in Norway's coastal fisheries has polarised the fishers' unions

Since 1990, the Norwegian Fishermen's Association has been contested by a new organization, the Norwegian Coastal Fishermen's Union. The union was founded in 1990 by coastal fishermen who felt that their mother organization at that time, the Fishermen's Association, would not espouse their case.

The Norwegian Fishermen's Association was originally founded by small-scale fishermen in 1926. It grew to a powerful tool in the hands of the coastal fishermen, fighting for their rights to own vessels and to establish co-operatives to sell their products. Their struggle was crowned with success when, in 1938, they managed to get the Norwegian Parliament to pass the Raw Fish Act and, in 1951, the Act on Ownership of Fishing Vessels.

The Raw Fish Act gave the fishermen's co-operatives the exclusive right of first sale for their products, and the right to establish the price and conditions of such sale. The Act on Ownership of Fishing Vessels stated that only active fishermen could own fishing vessels, and banned external capitalized ownership of fishing vessels.

The counter-attack, in both cases, came from the bigger enterprises, which saw profits to be extracted from the fisheries sector. Among these was the multinational food giant, Nestle, which wanted to establish a fish processing plant close to the resource base in the Barents Sea, and claimed that it needed its own fleet of trawlers to collect the resources.

Money talks, and, in this case, it managed to talk the Norwegian government into changing the law. The Norwegian government licensed the establishment of a fleet of more than 100 cod and bottom-fish trawlers owned and controlled by the fish processing industry.

Developments in the herring fisheries took another path. What had originally been a coastal fishery developed through the 1960s and 1970s into a highly capitalized fishery on the high seas, leading to overfishing and depletion of the herring stocks. After the breakdown, fisheries input regulations were introduced, and the herring fisheries were closed. Herring fisheries became a protected sector, giving rise to further capitalization. Today they are a totally industrialized and corporate-owned sector.

So, in spite of the Act on Ownership, the capitalized fisheries sector grew. To enhance their influence and bargaining power with the fisheries authorities, the players in this sector organized themselves into their own owners associations outside the Norwegian Fishermen's Association. So, for many years the organizational structure of the Norwegian fisheries featured, on the one hand, regional associations of coastal fishermen organized under the umbrella of the Norwegian Fishermen's Association, and, on the other hand, a corporate fisheries sector organized in its own owners' associations.

One man-one vote

However, in 1972, they all merged under the umbrella of the Norwegian Fishermen's Association. While the influence of the coastal fishermen was decided by their numbers, following the principle of one man-one vote, the representatives of the corporate sector were given influence according to their economic power. And so, money started talking from within the Fishermen's Association—and it did not talk in favour

of the type of small-scale fishermen that in 1926 had founded the organization. The corporate sector now accounts for 70 per cent of the income from harvesting of the Norwegian marine resources.

In the 1980s, following a resource crises in the cod fisheries, the question of introducing ITQs (Individual Transferable Quotas) came up. This dragged the conflict between the corporate and coastal sectors out into the open. The majority of the coastal fishermen were against ITQs, and in Flakstad, one of the coastal fishermen's strongholds in the Lofoten islands, an initiative was taken by a local branch of the Fishermen's Association to form an opposition to the vessel owners' influence within the Association.

This kind of opposition was, however, soon deemed illegal, and its initiators were not welcomed any longer as members of the Association. Thus, the Coastal Fishermen's Union was formerly established in November 1990.

However, it soon became clear that even if the fishermen's Association did not see fit to have these spokespersons for the coastal fishermen as their members, they were not willing to let go of their membership fees. This was because the major part of the income of the Association came from charging a levy on the first sale of fish. It might seem reasonable enough for the fishermen's sales organizations to take a levy for handling the sale of the fishermen's catch. But what not everybody was aware of was that, along with that levy, they also charged a fee to finance the Association—and that fee was charged no matter whether the fisherman considered himself a member of the Association or not.

On establishing their own organization, the members of the Coastal Fishermen's Union claimed that the levy charged from them should be payable to their Union, not to the competing Association which did not want them as members.

The sales organizations, the Ministry of Fisheries and the Fishermen's Association itself claimed that charging the levy was absolutely legal. The Ministry furthermore claimed that they preferred to see the Fishermen's Association as the prime spokesperson for the whole fishing industry, and thought it vital to safeguard their financial basis.

Old establishment

So, the Norwegian Coastal Fishermen's Union was, from the very start, up against a united front of the old establishment within the fisheries sector. To survive, they had no choice but to go to court. In January 1994, four members filed a case against the biggest and most prestigious of the sales organizations—and they

finally won, after having lost at the lower levels. On 6 July 1997, the High Court of Norway ruled completely in their favour, stating that the charging of a levy for financing the Norwegian Fishermen's Association was illegal. The practice was promptly stopped.

What has obviously been won in this struggle is the cause of the liberty to organize. Some will perhaps argue that for as long as Norway has been a democracy, the fisherfolk have enjoyed the freedom to organize, and that the court ruling was only about the charging of a levy—But when you are forced to pay your money to an organization which you feel is working against your own interest, the claim that you are free to organize wherever you want is hard to swallow.

Today, both the Coastal Fishermen's Union and the Fishermen's Association charge their membership fees through the sales organizations. However, while the Union asks for a written statement of consent from each individual fisherman before levying a membership fee from his account with the sales organization, the Association just hands over its outdated membership list to the sales organizations, and asked them to charge all those who do not protest. This has, not unexpectedly, led to some complaints against the Association. Yet, at least now, the fishermen have a real choice. For the first time, they can choose to support one or the other of the organizations—or not to support any of them.

For the Fishermen's Association, losing the case meant losing more than half of its income overnight. Consequently, it had to cut down on costs, reduce staff, and, at the same time, raise membership fees considerably. This has led an increasing number of small-scale fishermen, who remained faithful to their old organization, to now reconsider their membership.

The corporate sector now pays over half the membership fees of the Association. Accordingly, they demand more influence. This has enhanced the immanent conflict between the coastal and the corporate sector within the Fishermen's Association, and the corporations have more than once threatened to take back their money and leave the Association.

The last conflict was over the distribution of the mackerel resources this summer. The Norwegian quota grew by 23,900 tonnes between 1997 and 1998, and the corporate sector claimed that the total increase should be to their benefit, leaving them with 87 per cent of the Norwegian mackerel quota. The coastal lobby within the Association managed to put through a recommendation to the Ministry, granting the coastal fleet an increase of 5,000 tonnes.

The Ministry of Fisheries, however, decided to follow the recommendations of the Coastal Fishermen's Union, granting the coastal sector an increase of 10,000 tonnes, from 20,000 tonnes to 30,000 tonnes, and leaving the corporate sector with 'only' 80 per cent of the resource. This immediately created an uproar among the corporate owners, and even led some of the owners of the bigger purse-seines to discontinue their membership in the Association.

The Coastal Fishermen's Union, on its part, has always been poor, and still is. Having chosen the hard and difficult way of building the organization on personal membership fees from the very start, the Union is now, for the first time, able to compete with the Fishermen's Association on equal terms. The common problem they face, though, when it comes to organizing coastal fishermen, is that a great majority of them seem indifferent to the benefits of being organized.

What has been lost during this struggle is equally clear—the unity among coastal fishermen. But that was lost not through court rulings. Rather, it was lost when the coastal fishermen forgot who they were, and, consequently, chose to ally with the corporate sector.

Decreasing numbers

Although the coastal fisheries is still an important sector, and accounts for 10-30 per cent of the employment figures in many coastal communities along the coast of western and northern Norway, the number of fishermen has decreased considerably during the last decades.

There are now approximately 10,000 fishermen working on board coastal fishing vessels in Norway. It is evident that having two organizations competing with each other is not the cleverest solution, arid it can hardly be seen as a lasting one.

So what does the future hold for Norwegian coastal fishermen? Evidently, the only organization that can uphold their case, at the moment, is the Coastal Fishermen's Union. It is, however, still a small organization, in terms of numbers, but it is building on a sound foundation, both ideologically and organizationally. It is also gaining influence.

Since it was founded, the Union has been advocating the view that marine resources should be considered a common property, and harvested in a sustainable manner. On fisheries regulations, the emphasis should be on technical regulations to secure a selective fishery on the basis of both species and maturity, rather than quotas. Quota regulation, if needed, should preferably be restricted to non-selective fishing gear, like trawl and seine-nets, and should be based on the number of fishermen on board the vessel, rather than on registered tonnage or vessel length.

When it comes to organizational democracy, all decisions are made on the principle of one man-one vote. The membership base, although still smaller than that of the Fisherman's Association is as solid as a rock.

The fishermen's Association, having a glorious history to look back on as the champion of Norway's fisherfolk, is so troubled by internal conflicts that it has severe problems being credible spokespersons for anybody. This, of course, also affects its relationship with the public as well as with the fisheries administration. While earlier its representatives could be found sitting on every other chair around the table when matters of interest to the fisheries sector were discussed, there is now a growing frustration among the top-level representatives that their opinion is less valued than before.

Riddled by internal conflicts, a central objective of the Association's leaders has been to hold it together. In pursuit of that interest, they have gone a long way in not only accepting, but also applauding, the privatization of huge portions of the Norwegian marine resources in the hands of the corporate sector.

Conflict of interests

But, as these conflicts arise from basic and immanent collisions of interest between the coastal and the corporate fisheries sectors, the only way for the Association to rid itself of these conflicts is to throw the

corporate sector out. If the coastal fishermen left within the Association put in all their resources, they may still be able to do so. It is, however, more likely that the corporate owners will pull out, for the more pragmatic reason that they can put to better use their membership fees if these were all invested in their own owners association.

In any event, splitting the Association would not solve any of the basic conflicts between coastal and corporate fisheries in Norway. But it would bring the conflicts out in the open, where battles of opinion and interest, and questions of how national marine resources should be managed and distributed, rightfully belong. For the coastal fishermen who still retain their membership in the Association, it would mean that they need no longer see their views corrupted and hidden away as false compromises. And it would clear the path for once more building a united front among the coastal fishermen of Norway.

This article was written by Eirik Falch from the Coastal Fishermen's Union of Norway

Norway

Fisheries management

The paradoxes of quotas

Norway's experience with fisheries quotas reveals the problems peculiar to household economies

Designing proper procedures for regulating the relationship between fish resources and fishers is a major problem for sustainable management and development. Norway introduced individual and maximum quotas following a crisis in the cod fisheries in 1990. For equity reasons, quotas were distributed on the perceived neutral basis of vessel length. However, the fishing pattern of small-scale fishers shows no clear relation between vessel length and annual catches. Small-scale fisher adaptations to this new regime provide an interesting exposure of how quotas work in a household economy.

For centuries, cod (Gadeus morhua) has been the mainstay for coastal fishers in North Norwegian waters. Vast amounts of North Atlantic cod come from the Barents Sea to the coast of Norway twice a year. The spawning cod give rise to a winter fishery, and the feeding cod give rise to a spring fishery. In addition, coastal cod are present all year around. Both spring and winter fisheries of cod provide small-scale fishers with good income opportunities. The ecological conditions are reflected in the structure of the fishing industry. In 1996, a total of 6,800 boats participated in the cod fishery. Of these, as many as 5,600 vessels, or 82 per cent, were small-scale enterprises, that is less than 13 m in length. Their catches amounted to 20 per cent of the total Norwegian take of cod.

Fishery biologists have regularly measured the size of the cod stock since the mid-1970s. Each year, a Total Allowable Catch (TAC) is set on the basis of their advice. Cod is managed bilaterally, and the TAC is shared between Norway and Russia. The mean annual catch has been around 430, 000 tonnes for the last 15 years, but around the turn of the last decade, Norway and Russia faced what appeared to be a crisis in the Barents sea cod stocks. The TAC for 1990 was as low as 160, 000 tonnes of cod. At that time, only trawlers had fixed vessel quotas. Individual maximum vessel quotas, as well as public licences to fish, regulated catch and access of coastal vessels above 13 m in length. Small-scale fishers did not need licences. The maximum vessel quota was also too high to represent a limitation on small-scale catches. They ranged between 250 and 400 tonnes, and this was more than even the most industrious fishers caught. In effect, the small-scale fishery was an open fishery.

Following the fishery crisis, a new and more detailed system for distributing the low quota was required. Within the existing system of maximum vessel quotas as large as 400 tonnes, the larger coastal vessels could take the whole quota within the first months of the year. Fishing authorities decided to share the low quota as best possible, and criteria for distribution were developed. It was decided that small-scale fishers, given their dependency of cod, should be given preferential treatment. More restrictions were put on fishers, with opportunities to switch to species other than cod. Furthermore, the distribution was based on merit. A minimum catch for 1987-1989 was set, and fishers who fulfilled the demands for minimum previous catches for their vessel length-group got fixed vessel quotas. Other fishers were allowed maximum vessel quotas. Both quotas were made dependent on boat size.

Types of rights

In effect, the new regulations implied the establishment of different formal types of fishing rights. Fishers who were allocated individual fixed vessel quotas were labeled Group I; the maximum vessel

quota holders were labeled Group II. Very soon, however, these groups were said to have 'full' and 'reduced' rights, respectively. Group I had guaranteed rights to a fixed quota. Group II, besides having far lower quotas than Group I, had to fish them on a competitive basis; fishing was stopped when the group's TAC was caught. Thus, only those who were first on the scene could fish their maximum quotas.

The effects of these regulations were profound, particularly for small-scale fishers. Fishers were rewarded for their previous fishing effort. Had they caught a certain amount of fish, they were allowed a future 'full rights' position in the industry. Had they fished too little, they were granted only a 'reduced' rights position. Small-scale fishers in the latter category saw their contribution to the depletion of cod stocks as minimal, and argued this was unfair. On the other hand, fishing authorities saw their small catches as evidence they were not as cod-dependent as the other fishers. However, fishing small quantities is an inherent and important trait of the small-scale fishing household economy.

Looking at small-scale fishers' practices in the open fishery of the 1980s, one finds that fishers used their vessels differently. In one and the same village, fishers equipped with the same type of boat and gear, would spend different amount of work on board their vessels. Some caught large quantities and some only a few tonnes of fish during the year. In fact, the majority of small-scale fishers caught low quantities. In 1984, for example, about 200 fishers with vessels in the size of 9-11 m caught more than 50 tonnes of cod, 900 fishers caught less than 10 tonnes, and around 800 fishers caught between 10 and 50 tonnes of fish.

The different catches can be ascribed to different needs. A debt- and career-dependent fishing pattern characterized small-scale fishing in the 1980s. As newcomers, fishers worked hard to secure their debts, but as debts declined, they reduced their effort. Investments over time in better and more efficient technology were not always used to increase catches. The fishers could use their investments to enjoy the benefits of a long career in fishinga better and comfortable workplaceinstead of catching more and more fish. As such, one can say that, although being formally open to all in the 1980s, the fishery was restricted by informal regulations. The household's needs was a base for decisions on how much to fish. The new regime changed this situation.

Statistics compared

If we compare catch statistics for 1994, when the regulations had worked for four years, with the figures of the non-regulated situation of the 1980s,

interesting shifts in harvest patterns appear. The overall reduction in the Norwegian small-scale fleet was 20 per cent from 1984 to 1994.

As the table shows, there were 1,703 fewer fishers in the industry in 1994. It also shows that there were 115 fewer fishers catching more than 50 tonnes of cod and as many as 2,226 fewer fishers catching less than 10 tonnes. For a net reduction of 'only' 1,703, some fishers must have increased their effort. Table I shows that there were 638 more fishers fishing between 10 and 50 tonnes of fish in 1994, as compared to 1984. Paradoxically, the new regime, instituted in the context of a severe fish crisis, did not provide incentives for reduced fishing effort, and safeguarding of cod stocks. Instead, regulations were rewarding increased fishing effort and larger catches.

In terms of workload, fishers now spend more time on board their vessels. Public fishery statistics show that the effort of full-time fishers has increased from 175 fishing days a year in 1984 to 217 in 1994, roughly a 25 per cent increase. Prior to the new regulations, some fished for cod only in the winter, others only in the spring. With the regulations, most fishers now participate in both seasons, as well as fish cod out of season, in the autumn.

The increased work effort also stems from an increased mobility. In most places, local fish resources can not sustain the increased demand for fish. Moving to other places to locate fish takes time. Fishing where one's knowledge is poorly developed also increases the workload. Fishing throughout the year and in new places also increases capital costs. Using the vessels an extra day at home is costly; using them away from home costs even more.

Since size of the quota is attached to vessel length, there is also an incentive to buy bigger boats. Bigger boats allow fishers to be more mobile and to use more efficient gear. Thus, investment patterns are in the process of changing. Formerly, fishers tried to keep debts low. Low debts allowed for flexibility and security in years where natural availability of cod was scarce. Low debts still serve this function, but it has become more difficult to keep them low.

The price of entry also includes buying a quota. Quotas are legally not transferable per se, but attached to boats. To attain rights for the 'full' rights positions, one must buy a boat with a quota. A finite number of vessels with these rights exists and the prices of boats have increased to reflect an informal market for quotas.

Fishing authorities now have a stronger tool for controlling and distributing fishing opportunities than in the 1980s. Formal limits to expansion in the small-scale fleet have been established. Controlling expansion is regarded as crucial for successful fisheries management.

A sucess?

As such, the new regime is a success. But its success has a flip side. The new formal regulations have penetrated a system of production where the needs of the individual fisher and his or her household were crucial for fishing effort. Furthermore, the formal regulations seem to undermine the informal management

Changes in the fishing patterns of Norwegian small-scale fishers (1984-1994)

No. of vessels fishing	1984	1994	Change (No)	Change (%)
- less than 10 tons of cod	6 215	3 989	-2 226	-36
- between 10 and 50 tons of cod	1 659	2 297	+638	+38
- more than 50 tons of cod	359	244	-115	-32
Total	8 233	6 530	-1 703	-21

among fishers. The new regulations provide incentives for expansive strategies, whereas the former inherent restrictions are discontinued. One can no longer enjoy the benefits of a long career and perhaps enjoy family life while a neighbor fisher is at sea. It could mean becoming disqualified for fishing the following year.

Fishers' increased endeavors to fish their quota represent an increased pressure on the cod resource. This increased pressure is to be controlled by the new regulations. But there are loopholes in the formal control system, and clear incentives to use them. Changed harvest patterns may also have ramifications for stock composition.

From fishing heavily in the winter, fishing pressure is now shifting toward other times of the year. The impacts on stock composition might be positive or negative the point is that we do not know how changed fishing patterns are affecting the cod stock. Neither do we know how they are affecting species other than cod.

Restrictions in the cod fishery led to a shift towards fishing other species. With low cod quotas, many of those who experienced cuts turned to other resources to obtain sufficient incomes. Fishers also came to see this as a warranty for eventual future rights potentials. Fishers had learned a lesson and fear the same regulations may be introduced for other species.

In conclusion, the effect of the new regulations is a transformation of small-scale fisheries. Small-scale fishing is an occupation for people in rural communities, where alternative job opportunities are scarce. The stated goals of Norwegian fishery policy are occupation and settlement in remote regions, as well as economic efficiency and sustainability of resources. From the viewpoints of these goals, the results of the new regulations are highly debatable.

Postscript: Shortly after 1990, cod stocks were seen as recovering, allowing for quotas corresponding to those before 1990. The last years' positive prognoses are now being reversed, however.[3] Fishery biologists have again found the spawning stock to be below critical levels, and a large quota cut is expected to follow for the year 2000. Apparently, controlling the small-scale fishers has not been effective in controlling the cod stocks

This article is by Anita Maurstad, Associate Professor at the Norwegian College of Fishery Science, Troms, Norway

Women in fisheries

Changing the locks

As men hang on to the keys to the future of fisheries, Norwegian women find little voice in decisionmaking

The marine Arctic is rich in fishery resources. Marine fisheries play a major role in the economy, settlement, history and culture of many Arctic peoples and communities. Four of the Arctic countries—US, Denmark, Canada and Norway—are also major fish exporters.

Fisheries is often regarded as a 'masculine' sector. Most fishers are men, and the fishing industry and boats are run and owned by men. But that doesn't mean that women are not concerned with fisheries: Many women work in the processing and equipment industry, and a few women are also fishers themselves. In coastal communities, women play an important role in the fishers' families, being both involved in work of a caring nature, and as administrators for the family's fishing boats. Also, women not directly involved in the fisheries sector play a central role in maintaining and changing coastal societies and various social institutions.

For a long time, the different roles of coastal women directly or indirectly involved in fisheries were invisible. But thanks to many studies done in different countries, women's important roles in the fishery sector and coastal communities have been illuminated and documented. In this presentation, I will not focus on where women are present in the fishery sector. I will, rather, focus on where women are not present. That is, not surprisingly, in decision-making processes and other positions of power related to fisheries.

Globally, most fish stocks are either fully exploited or overexploited. Overall, catches peaked in the 1970s or 1980s and have since declined. This is also the situation in Arctic fisheries. Major fish stocks have declined to a level close to collapse, like the Norwegian spring spawning herring in the 1960s and the North Sea cod and the Barents Sea cod in the late 1980s. Some stocks have totally collapsed, like the Newfoundland cod in 1992.

Collapse or serious declines in major fish stocks are seriously affecting local communities and families dependent on fisheries. This was painfully experienced in northern Norway during the resource crisis in the Barents Sea at the end of the 1980s, but it was still just a little breeze compared with the 1992 cod collapse in Newfoundland. After an almost total fishing moratorium for 10 years, the cod stock has still not recovered. Hundreds of fishing villages have collapsed, young people have left their communities and many families are socially and economically destroyed. What started as an ecological and economic crisis, fast turned into a social catastrophe.

As experienced both in Norway and Newfoundland, coastal women became 'first-line soldiers' in facing the social consequences of the fishery crisis. Many would agree that women took the main burden in order to cope with the different ways the social crisis hit them: How to handle the family household with a major fall in income? How to support your husband who has lost his daily means of livelihood? How to keep together social institutions in the local community? How to preserve the family's and community's dignity? Faced with the social consequences of the fishery crisis, in order to get by, women organized families in, and across, local communities.

New solutions

However, what women did to solve these problems, was somehow expected and

nothing new. The crisis only made their roles more visible.

What was new—at least in Norway—was that women entered new roles by challenging the political mismanagement that led to the crisis. Fisheries management was no longer accepted as a monopoly for men. Fisheries management was no longer limited to biology or economy.

Fisheries management became highly politicized. Overfishing has to do with unsustainable development. Overfishing has to do with taking risks. Overfishing has to do with stealing others' livelihoods. Overfishing is giving rights to some, and marginalizing others. Overfishing creates winners and losers. The victims of overfishing are not necessarily those who caused it. In Norway, these assumptions were, for the first time, challenged by women. But their demands and questions were not always welcomed by the establishment.

A common perception regarding fisheries management is that scientific knowledge about the marine environment, along with management models and catch control, is crucial for sustainable resource management. Indeed, it is in the Arctic countries that you find the world's most expensive and advanced fishery research and management systems. But in spite of this, people in the coastal Arctic are facing serious fisheries mismanagement and resource crises.

The Barents Sea crisis 12 years ago was mainly a result of too much fishing pressure. The joint Norwegian-Russian Fishery Commission's policy was simply too risky. It ignored and exceeded the scientific quota recommendations that were too optimistic and based on too many uncertain factors. A similar situation was present in Canada. The scientists overestimated the cod stock, while the authorities ignored the uncertainties. Unregulated fishing by European Union (EU) vessels beyond the Canadian exclusive economic zone (EEZ) made the situation even worse. It is necessary to note that neither Canadian nor Norwegian and Russian marine scientists knew the critical level for collapse of the cod stocks. I don't think they know it today either. What we know for sure is that the Newfoundland cod collapsed. The Barents Sea cod got one more chance.

Barents sea crisis

How did the Norwegian and Russian authorities utilize this chance? The Barents Sea crisis was followed by political promises of a more sustainable fishery management. The Norwegian government and parliament promised that control would be strengthened, overcapacity in the fishing fleet reduced,

and scientific recommendations followed when setting future quotas. It all started well. The cod stock recovered after a few years, and the Norwegian government even stated that Norway was the number one fishery manager in the world. Optimism rose in the fishery sector. So did the investments. On the Russian side came the market economy, and the increasing importance of cod as a source of export revenue.

What really happened in the 1990s was that the Barents Sea cod stock recovered and then declined, at a tempo we have never seen before. The fishing pressure reached its highest level ever—almost three times higher than the level recommended by the researchers. For the last five years, the cod stock has been beyond safe biological limits, or below the precautionary level set by the researchers. In addition, spawning has failed in the same period, according to the International Council for the Exploration of the Seas (ICES). How was a new period of mismanagement allowed to happen?

To put it in simple facts:

1. The scientists are still systematically overestimating the stock and thus recommending too high quotas.

2. The tendency to set the total allowable catch (TAC) higher than that recommended by the scientists has increased during the 1990s.

3. The authorities fail to control the fishing effort: The catch is systematically higher than reported and thus exceeds the TAC.

In 1997-98, both the Norwegian parliament and the joint Norwegian-Russian Fishery Commission decided that the quota setting and fishery management should be based on the precautionary approach. But, paradoxically, the discrepancy between recommended and agreed quotas reached its highest level after this. So did the fishing pressure.

Figures showing the level of fishing mortality and the discrepancy between quotas recommended by ICES and the TACs agreed on, illustrate the will to take risks in the management of the northeast Arctic cod.

Fishing mortality is a measure of how many of the cod between five and 10 years of age are fished during the year. The precautionary level of fishing mortality recommended by ICES is at or below 0.42. The fishing mortality level associated with stock collapse is defined to be at or above 0.70. For 16 of the last 20 years, the fishing pressure has been in the latter category (see Figure on page 11).

The crisis in Canada established three important recognitions. The first is the possibility of extending or causing a long-term collapse in a fish stock. The second is the uncertainty connected with scientific marine research.

The third is that fisheries management is not only affecting fishers and the industry, but also families, entire communities and ways of life. The latter can be illustrated by the change in birth rate after the Newfoundland cod collapse. From being the North American region with the highest birth rate 10 years ago, Newfoundland and Labrador now have the lowest.

The first Barents Sea cod crisis, and the collapse of the Newfoundland cod stock, could—to a certain level—be defined as a result of lack of knowledge.

But the mismanagement of the Barents Sea cod stock in the 1990s happened openly, in spite of economic logic, in spite of drastic experiences, in spite of scientific recommendations, and in spite of knowledge about scientists' tendency to overestimate the stock. Paradoxically, the will to take risks has increased after the crisis, and, at the highest level, after the adoption of the precautionary approach.

Quotas set

An important question then is: Who set the quotas? Who has got the right to define the level of risk taken to manage natural resources that so many local communities depend on? The quota policy in the Barents Sea is decided in yearly bilateral negotiations between Russia and Norway. In both countries, representatives from

'concerned groups' are not only consulted, but participate directly, both in the national process of preparing the negotiations, and during the negotiations themselves.

A study I did in this field showed that concerned groups represented in the Norwegian quota policy play a crucial role in defining the Norwegian position before and under the bilateral quota negotiations. A similar study on the Russian decision-making process, done by other researchers, gave the same conclusions. In both countries, 'concerned groups' have exercised a major pressure in order to get higher quotas.

The 1992 United Nations Agenda 21 states that women, together with indigenous peoples, small-scale fishers and local communities, are important groups for a sustainable fishery management.

The 1995 UN Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks requires that concerned groups should be given access to information and participation in decision-making bodies managing straddling and highly migrating fish stocks. Lately, the trend is to include gender distribution as one of the social indicators that define sustainable fishery management. Hence, it is in accordance with international legislation and international norms to include women in fishery management.

As a modern coastal State and a country well known for its progressive gender policy, Norway—many would expect—would include women in fishery management, not only because of the international legislation and norms just referred to, but also because of the Norwegian equal opportunities law, which states that 40 per cent of each gender shall be represented in public committees and decision-making processes. Yet, the entire Norwegian fishery sector is heavily dominated by men.

At the resource management level, the Norwegian government is living with permanent exceptions from the equal opportunities law. Neither in decision-making processes on total quotas nor in processes where national quotas are distributed, are women among the actors representing the concerned groups. Resource management is simply none of our business, it would seem.

Concerned groups

The reason for this is seen in how the authorities define the concept 'concerned groups' in fisheries. Concerned groups who are consulted and given the right to participate in the quota policy are defined as owners of the fish processing plants, the fishermen's association and the labour union organizing the trawler crew. This means that 'concerned groups' are limited to some particular interests that are

directly involved with fisheries. These particular interests are all dominated by men.

As a result, women are not regarded as a 'concerned group' in resource management. In addition, major parts of the decision-making processes have no transparency. To sum up, women are not only excluded from being able to influence resource management, they are also denied information about the decision-making process.

Knowledge is power. But the right to define knowledge and to define the need for knowledge brings even more power. Who is controlling the knowledge level in the Norwegian fishery sector?

In spite of many well-educated women in fishery research, men control major parts of this field. Two years ago, the government established the Fisheries and Aquaculture Research Foundation. This foundation is yearly managing and distributing around 100 mn Norwegian kroners (around US$13.3 mn) for fishery research.

Indeed, the money used for different kinds of fishery research plays a major role in the definition of political perspective and focus on the fishery sector. Should, for example, the bulk of the money be reserved for export- and technology-oriented research projects, or should it rather be used for projects oriented towards long-term resource management and development of rural areas dependent on fisheries?

Of course, the determinant factor is who the government asks to sit on the foundation board. They found only one woman, against six men. They had to set aside the equal opportunities law. Here again, the reason is how the authorities define 'concerned groups'.

Also, at the knowledge level, 'concerned groups' are defined as particular groups directly involved in the fisheries, and hence dominated by men. In other words, in the definition of the knowledge needed for the future marine sector in Norway, women are not regarded as a 'concerned group'.

A similar example can be given from a scenario project called 'Marine Norway 2020', promoted and financed by the Norwegian authorities and the fishing industry. The aim of the project was to define three different visions for marine Norway in 2020. Only five women were among the 45 persons who gave inputs to the process. The importance of this project is not for its prediction of the marine future. The importance is based on how the process is defining ideas and perceptions for the future fisheries, which, in turn, will influence the sector's policy development. What will be legitimate ideas and perceptions, and what will not? Anyhow, Norwegian women were not regarded as relevant contributors in developing the visions for the future marine Norway. Can we hope to be included after 2020?

Capital and leadership are also sources of power. Not surprisingly, the Norwegian fishing industry is owned by men. It is also men who administer the sector. But what about the new and booming aquaculture industry? Isn't it modern? Hasn't it included women? Well, the new leader of the fish farmers association is a woman. Other than that, the sector is heavily dominated by men. Along with the rationalization and industrialization in the 1990s, most of the women disappeared from the sector. It was mainly women with routine jobs who became redundant. At the top level, there are few women. When the leaders are recruiting new leaders, they often do it as an internal process. When they make external announcements, they ask for leadership experiences in the fish-farming sector. As a result, it is very difficult for women to get top positions in the sector.

Fish farming

The Norwegian fishing industry is the second largest national export industry. With the booming fish farming, the sector has also become ambitious, even with a vision of taking over the economic role of the oil industry when the oil boom era is over. Similar roles and visions are present for the fishery sector in other Arctic coastal States and areas too. At the same time, coastal Arctic people have experienced that the fisheries sector is extremely vulnerable, not least because of challenges to the management of the resources.

A common feature for many fishing communities in the Arctic is marginalization, caused by both overfishing and liberalization of fisheries legislation. In particular, these processes hit the traditional and small-scale communities, indigenous peoples and the social structures keeping coastal communities together.

In marine Norway, men control the natural resources, the major terms of knowledge production and leadership. They have the whole bunch of keys to terms and choices for the future marine Norway. Without having studied the situation in other Arctic countries, I will not state that Norway is representative of gender distribution in the entire Arctic fishery sector. But my feeling is that the situation is more or less the same.

For example, the Canadian Fisheries Resource Conservation Council, established in 1993, consists of 13 men. The council's objective is, to quote the mandate, "help the government achieve its conservation, economic and social objectives for the fishery". This includes public recommendations to the Minister on such issues as quotas for the Atlantic fishery as well as Canada's position in international management bodies such as the Northwest Atlantic Fisheries Organization. Further, according to the mandate, "members are chosen on merit and standing in the community". Note that the council and its mandate were defined after the 1992 cod collapse, in a situation where the social catastrophe had become apparent. Haven't women enough merit and standing in coastal Canada to be regarded as appropriate advisers in the management of fishery resources? Is resource management none of their business? Why are fishery policy and resource management Arctic women's business?

Because women in the coastal Arctic depend on fisheries, just as much as men do. Because all of the Arctic countries are democracies, where women count as half of the citizens. Because UN recommendations and legislation state that 'concerned groups' should have access to information and participation in resource management bodies. Because the gentlemen managing the fish resources today haven't really convinced us that they do a good enough job. Because the future fishery sector and the well-being of the communities dependent on fisheries are not sufficiently taken care of by a monoculture of men, joining together in meeting after meeting, confirming their own perceptions. It is neither democratic nor healthy.

Sustainable development

Gender distribution is a matter of sharing power, responsibility and resources. It is also a matter of promoting welfare and sustainable development. The latter is at

the core of the ideas of the Arctic Council. I challenge the members of the Arctic Council to initiate a project to focus on Arctic women's role in resource management.

First of all, we need to collect data to document and compare Arctic women's role in natural resource management. Secondly, we need to develop new models for the design of management bodies, in order to include women in the development of the Arctic natural resource-based sectors.

The Arctic future depends on how we are able to manage our natural resources. As we so dearly have experienced, a fishery is more than mere boats, export value and tonnes. Fish is community, fish is family, fish is food. Fish is history and future, business and culture. Fish is power and welfare, conflict and peace, sorrow and happiness, rights and obligations.

This calls for a widening of our perceptions about the scope of the fishery sector. That includes a change in the definition of 'concerned groups' in the design of decision-making bodies shaping the marine Arctic future.

As long as women are disregarded as a 'concerned group' in the fishery sector, we will not be able to influence the development of the fisheries. As long as men control all the keys to the marine Arctic future, coastal women's role is limited to facing the consequences of men's decisions.

So, what do you do when somebody has taken all the keys? You change the locks!

This is a slightly edited version of a paper by Bente Aasjord (baasjord@online.no) presented at the Conference on Gender Equality and Women in the Arctic Council, 3-6 August 2002, at Saariselkä, Finland

Norway

Fisheries management

A social contract for fisheries?

The level of conflict among fishermen in Norway would seem to call for a social contract for the fishery

I come from an area in Norway—far north of the Arctic Circle—where the most important industry was always fisheries. We would not have been able to sustain ourselves and to live as comfortably as we did, if it hadn't been for the fishery and our marine resources. In fact, it is the riches of the ocean, combined with the free and easy access, that explain the dispersed settlement structure along the northern coast of Norway. What happened with the fishery had a crucial impact on our economy, on our communities and our way of life. Due to the Gulf Stream we are, in spite of the Arctic location, blessed with mild temperatures, and, due to the easily available fish resource, we never starved.

These days we exploit other things from our waters—oil, for example. But the oil is not what we eat. In the north, where I live, the oil industry does not provide many jobs either. During the last 25 years, salmon aquaculture has gained importance, but still, it cannot replace the capture fisheries; the cod, the herring, the shrimp, the saithe, the haddock, the capelin and the mackerel that we harvest, process, and—in the case of 95 per cent of the total catch—export. The expectation is, though, that aquaculture will become increasingly important for our regional and national economy. There is now also an enormous optimism with regard to the new marine biotech industry.

The optimism is only matched by the pessimism that for the time being reigns in the traditional capture fisheries, where one crisis somewhere in the system is followed by another crisis somewhere else. At present, we're down. Now it is the situation with the cod in the North Sea and the strong Norwegian currency that creates worries. In the early 1990s, we had a severe resource crisis with the cod in the Barents Sea. Since then, there have been ups and downs.

Norway's fisheries have traditionally been free and open. It was possible for everyone to start a career in the fisheries. The crisis that hit the cod fishery in 1990 eliminated that freedom—probably forever. Before 1990, we had a quota and a licensing system for the offshore, large-scale fleet, whereas the inshore, small-scale fishery was subject to few restrictions. But in 1990, the government suddenly had a severe problem on its hands and had to do something rapidly and drastically. The coastal fisheries were transformed from open-access to closed. Today, 95 per cent of the fishery is subject to quota management. Now a young person, in order to establish himself as a fisherman (in Norway a fisher is almost always a he), must not only afford a boat, but he must also have the financial muscle to buy a quota. And quotas are currently very expensive, if indeed available at all.

These days a fisherman must also live with a heavy battery of rules and regulations that confront him every day he goes out to fish. He also faces a control and inspection system on the fishing grounds as well as when he lands his fish. This is a system that works on the assumption that he is a potential felon who would do everything he can to cheat. For a young fisherman, this has always been a fact of life.

Management system

For those who were recruited into the fishery in the 1970s and the 1980s, however, the change that has happened in the 1990s is breathtaking. The new management system was not introduced overnight. It has taken more than 10 years to build it. Gradually, new rules were added. Also, more and more resources

were spent on enforcement, which, of course, revealed more violations, or even triggered them. The outcome of this vicious circle is a management system so complex that fishermen complain that they risk breaking rules they never knew existed.

It should be added, though, that much of this management system was not imposed on the fishermen. In many instances, they asked for it. Rules pertaining to the fishing operations have resulted from demands from the fishermen themselves, often from one group of fishermen who wanted some form of protection against another group, for instance, a group that fish with a different type of gear. I am sure that this kind of dynamics is not unique to Norway. The quota system was controversial when it was introduced. It was accepted as a preliminary measure that would be abolished once the cod stock was back to normal. The cod stock recovered in the mid-1990s, but the quota system remained without much protest from the fishermen. Today, there are few in the industry who want to get rid of it. Changes, yes, but removal, no.

It is a notable fact that Norwegian fishermen, through their national association, are fairly well organized and are, therefore, also highly active and involved in fisheries policy-making including resource management. They are in a position to influence the management system and rules put in place. Traditionally, fishermen in Norway were able to speak with one voice. Today, however, there is much more disagreement among them. The national fishermen's association has, for some years now, been on the brink of collapse due to internal strife. The large-scale vessel-owners have repeatedly threatened to break out. Many small-scale fishermen, those that fish close to shore and with traditional gear, did so in the early 1990s, and formed their own association, The Norwegian Coastal Fishermen's Association. Its membership has been growing ever since.

The national fishermen's association is, in reality, a federation of suborganizations of different gear groups and regional associations. (The Coastal Fishermen's Association does not belong here.) It used to be able to strike agreements and reach consensus on important political and legal issues. The quota system introduced in 1990 has changed all that. The fishermen as a group have, therefore, lost much of their power in Norwegian fisheries as compared to processing and aquaculture.

Fewer numbers

It has not helped Norway's fishermen, of course, that they are getting fewer and fewer in numbers. In 1950, they were 100,000; today they are 14,000 and their number will most likely continue to drop.

This makes fishermen less of a force in Norwegian politics. One should perhaps expect that it would make them more—and not less—united. Instead, the level of conflict among fishermen has increased. The reason has much to do with the fish resources becoming increasingly scarce. I would argue, however, that the quota system itself must take much of the blame. When fish quotas become a privately held right—as is largely the case with the Norwegian system—unavoidably it creates a system of privilege. Winners will, of course, support the system, while the losers will condemn it.

In Norway, quotas are attached to the vessel; thus, the quota inflates the price of the vessel dramatically when it is sold. Since vessels are freely bought and sold, so also are quota rights. Such a system is bound to have an effect on the structure of the industry. In essence, this is also what the system aims at. But it benefits those who can muster enough capital. In our situation, the large-scale operators in the southwestern part of the county come out as winners, while smaller operators who dominate in the northern fishing communities are losing out. We see, therefore, a geographical concentration of fishing capacity and quota rights that is threatening the existence of many fisheries-dependent communities. Conflicts in Norwegian fisheries thus also have a regional dimension.

This is not a unique situation for Norway. It is happening everywhere where quotas are bought and sold. Iceland has gone farther than Norway and other Scandinavian countries in introducing a system that turns fishing quotas into a market commodity. This has changed the Icelandic fishery and has concentrated fishing rights in fewer hands. It has transformed the nature of fishing, the relations between fishermen, and between the fleet and the processing sector. It has altered the very meaning of being a fisherman. Some see this as not only inevitable, but also as commendable.

No doubt, there is too much fishing capacity out there. Many problems would have been solved if this capacity were reduced. Individual transferable quotas (ITQs) may be a means of obtaining such a goal. But the downscaling also has social and cultural consequences that can be quite dramatic. Iceland is a good illustration, and Norway is not a bad one either. No wonder, therefore, that a quota system that allows the market to determine who will prevail in this industry is controversial. Currently, the issue is burning hot in Denmark.

In 1994, the Fishermen's Association agreed on an allocation key between the large-scale, ocean-going fishing fleet and the coastal, small-scale fishing fleet regarding the cod stock, leaving the former group with 35 per cent of the total allowable catch (TAC). It was also agreed that when the TAC is low, the coastal fleet should have a higher percentage than when it is high. Later, other species were included.

In 2001, a long-term allocation key for most species was agreed upon, which gives specific groups of vessels a fixed share of all TACs. In many ways, this is remarkable. First, it is a rather fragile compromise among groups of fishermen who have conflicting interests pertaining to quota allocation, but who share the view that it is their responsibility to arrive at a workable agreement. Second, the government has accepted the deal without objections.

In 2002, for example, the Fisheries Minister proclaimed that he would not alter the arrangement one iota but stick to the key agreed by the partners involved. He was heavily criticized in the media for abstaining to intervene in such an important issue of distribution. One may, of course, question whether that was a sensible thing to do for a fisheries minister who is ultimately responsible for all aspects of fisheries.

Greater trust

Nevertheless, it can be interpreted as a real devolution of management authority, signalling a great level of trust in the organization's ability to act responsibly. (There is, of course, a less flattering interpretation: the minister—and the political system—finds it politically convenient to leave controversial issues of public concern to the parties involved. Political opportunism, rather than

genuine devolution, is thus perhaps the name of the game.)

Whether the agreement will continue to receive support among the fishermen and the government in the future remains to be seen. If it does not survive, fishermen may become even more divided than they are today. If conflict cannot be avoided, it is better to have the fishermen fighting one another each time the allocation key is renegotiated than having them fighting all the time. Bringing fishermen into a responsible partnership may also allow them to break out of the role of the villain that the current management system places them in. No voluntary organization, such as the Norwegian Fishermen's Association, can survive conflicts that are never addressed and resolved in an orderly fashion.

Our management system depends on such an organization. Both the fishermen and the government need it. In fact, it was the government, which, in the late 1920s, took the initiative to form the organization. The government needed someone in the fishery to deal with who could speak on behalf of all the fishermen. The fact that the fishermen were able to unite has since then been an important precondition for their power in Norwegian fisheries. When the crisis hit in 1990, the government had a representative voice of the fishermen that it could listen to and seek advice from. The apparatus for negotiation was already in place. The two parties did not first have to establish a working relationship before they could start to address the crisis.

Fisheries management cannot be focused on one thing only—for instance, economic efficiency. There are many other concerns involved and we need to address them in ways that do not alienate those who have most at stake—those whose lives are dependent on both healthy fish stocks and healthy fishing communities. The issues are of such a nature that we need to thoroughly debate what to do. When things are complex, diverse and dynamic, we need to be flexible. Our convictions are constantly challenged by new events, and we cannot be dogmatic as to solutions. Instead, our perspective must be broad and inclusive.

Importantly also, we must be able to learn from experience, to learn from each other and debate what we learn, because we never learn the same things from what we experience.

Different conclusions

In Norway, we still debate what we learned from the fisheries crisis of the early 1990s, and typically, people draw very different conclusions. There are those who argue that we didn't learn a thing. When the crisis was over, we went back to the old habits. Therefore, perhaps,

history is bound to repeat itself. This is something we can hardly afford. Norway certainly cannot permit a new decimation of the herring stock, as happened in the late 1960s. It took 30 years to rebuild it. Neither can we allow another Barents Sea cod crisis as we had in the early 1990s.

We have to learn to live with the fact that conditions in the fishery will remain unstable and that there will always be a crisis somewhere in the fishery. But if we ask ourselves what this means, what conclusions we can draw from this fact pertaining to fisheries management, what then would be our answer? How do we deal with all the complexities, diversity and dynamics that the fishing industry must somehow relate to? Do we build an equally complex, diverse and dynamic management system?

The Norwegian experience is that there are limits to complexity. We need to turn the trend around, and make the management system simpler. But how do we do it, given the fact that (a) the industry, and the environment in which it finds itself, is characterized by increasing globalization; and (b) that fisheries management must address several concerns that are frequently in conflict and cannot be easily reconciled.

There are no simple answers to these questions. But I do think the allocation key contract in the Norwegian fishery, negotiated among the fishermen themselves and with the government as facilitator, may provide some clues. Much would be gained if we could somehow arrive at a social contract for the fishery—a general agreement among those involved about what we, as a collective, want to accomplish and what we must avoid. Those for whom the fishery is a matter of life or death must be involved in deliberating and deciding on what such a social contract should contain. Today, the allocation key pertains only to quota shares between inshore and offshore. The contract should also be extended to include other contentious issues, such as the allocation between regions, and between onshore and offshore activities, and between existing and future generations. A contract should also specify who should be considered as stakeholders with a legitimate claim to be represented in decision-making forums.

Importantly, a social contract for the fishery cannot be imposed from the top down. Instead, we must build on democratic principles, where all affected stakeholders must be allowed to voice their concerns. Only through such a contract can issues of social justice inform the decision-making process. Far too often, concerns of social justice are suppressed, while fisheries management is reduced to a technical fix. No wonder, therefore, that fisheries management continues to be among the most contentious areas of public policy, where lack of legitimacy is turning management into an increasingly repressive affair.

This article is by Svein Jentoft (sveinj@sv.uit.no), University of Tromsø, Norway

Nordic fishers

The men and the sea

Fishermen relate to the sea in different ways, as this profile of two Nordic fishermen shows

"Que va," the boy said, "there are many good fishermen and some great ones. But there is only you."

—Manolin in *The Old Man and the Sea*

August was the month I arrived in the north of Norway in a small village where there were more boats, trees, fish, birds, cows, elks and sheep than people—a village called Leines, surrounded by waters, clear and blue.

The sea in Leinesfjord is beautiful—and with a beauty that lives a life of its own. The ocean spreads itself in a never-ending and undulating blue expanse, and lies in harmonious proximity to the other wonders of nature. Not often can you find such close symmetry of sea, mountains and sky...

Gradually shifting your eyes from the sheer luminous wonder of the blue waters, you see a tapestry of differing shades of brown and green. The mountains in Leines loom high and haughty above you in majestic grandeur, vying with the beauty of the sea for your attention. It is as though they compete with one another to unravel their colours before the human eye. Where the sea excels in differing shades of blue, the mountains challenge in differing shades of browns, dotted with greens.

Amazingly—and comfortingly enough—this huge majestic beauty is accommodating and friendly. Between the waters of the sea and the earth of the mountains lies another blue wide expanse—the sky, with its ever-changing display of pastel shades. The time of the day and the moods of the weather are reflected in its shifting shades. It is almost as though the sea launders its many sheets and displays them for you, in freshly washed shades of blue.

This panorama keeps appearing before your eyes in a perennial nature-show, and you wonder how one can fish—take life—amidst all this pristine loveliness.

Torfinn Pettersen does precisely that. He fishes. For him, the decision is basically very simple: " It is my bread and butter." When Torfinn says that, you realize he is being very humble—and that there is more than what meets the eye, that it is more than just "bread and butter"' that pulls him towards the sea.

Torfinn is tall and has the detached bodily air of a male model, yet he does not 'display' his physique. It was difficult for me to get Torfinn to stand or sit still for a few minutes to talk to. When he does stand still, he exudes an air of confidence and comfortable acceptance of his lean, agile body.

Torfinn is a farmer's son, for whom the call of the sea was too irresistible—and he responded from a very early age. He went fishing a lot when he was a kid, in the sea and often in the rivers too. He is a fisherman who lives up to his image.

"It is long and big and heavy," says Torfinn, pointing to his halibut. "I gave it a hug". Torfinn's eyes light up whenever he talks about the fish he has caught—especially when he talks about the halibut. A prize catch.

Huge catch

We are at the harbour and the halibut that he hugs is huge—a whopping 175 kg. At night, I hear that Torfinn has surpassed all his previous records, and that he is nearing shore with the catch of his lifetime. At the small harbour, it is pitch

dark and the waters look solemn and subdued and we wonder where Torfinn's boat is...until we see the lights shining and hear his boat *Spant* silently coming in.

It is fitting that on this historic and memorable moment in Torfinn's life, there is a whole jetty silently waiting for him. There are no other boats to steal any of the greatness of the occasion, any of the night, away from him. It is 12 midnight and the rest of the village is sleeping. When Torfinn comes in, he is like a child hugging a secret. There is music playing behind him—from his radio. Torfinn says that music is his only companion out in the silent expanse.

The line rose slowly and steadily and then the surface of the ocean bulged ahead of the boat and the fish came out. He came out unendingly and water poured from his sides.

—from *The Old Man and the Sea*

Torfinn says when he is out in the waters and he is drawing in his catch, he feels excited when he sees the fish rising in the water, big and looming up... Talking to Torfinn, I realize that, for him, the sea is home and house. He talks of going and being out in the sea and returning to the shore, but I feel he prefers a full, total time at sea.

Which makes him a contrast to the other Nordic man of the sea I met—Vegard Rye Carlsen, the boatbuilder. Vegard is very calm, almost stolid and very unlike the turbulent waters of the Nordic sea he builds his boats for.

It was in the kitchen of his house that I first met Vegard, and he was doing what he seemed at home in: cooking. I watched as he went about his work in a methodical manner. There is nothing of the wildness of the sea or the roughness of the waves in his movements, and his attitude is calm.

"*Narayana* saved us, she has never let us down". There is pride and quiet satisfaction in Vegard's voice when he talks of the long cruise in his boat *Narayana* over several nautical miles. There is a very no-nonsense and practical air about this man, even when he talks about his long journey; an attitude that almost belies his happiness in having made it. It is this down-to-earth connectivity with the now and the present that makes Vegard Rye Carlsen special. Why and how did he name his boat *Narayana*, I ask. He explains that it was already named *Narayana* when he got it in Trinidad. "I was looking at it and buying it at the same time."

Grand reception

When Vegard was nearing the shore of Leines in *Narayana* for the first time, there were a few anxious moments when the wind did not rise to the occasion, and two other boats had to be called in to help. The reception accorded to Vegard stands

testimony to the fact that this was no ordinary sailing. Vegard had come a long way, and the relief and joy of coming home were as natural as the shining flowers on the hair of the little girls who were all dressed up at night to welcome the crew of *Narayana*.

I wonder if the contrast the sea offers to these men is a chance to test their maleness, and a means to find their spaces in openness; the second skins they can mould onto themselves. It is almost as if they are going out into another of their selves, giving in to their innate sense of voyeurism, which gets satisfied through the waters that lie in eternity. This difference is what they chase after—the domesticity with which they deal during their shore-lives, and the need to break free. The sea offers the perfect foil to their civilized and controlled selves, and to the civil and metered life on land.

When I look at Torfinn and Vegard, I see two men connected to the sea in different ways: Torfinn needs the sea to live and Vegard, who loves to contain his world in a " rucksack on my back", enjoys testing the might of the sea with his boats. Yet, there is much that I find common between these two men of the sea. There is solidity, an ease and acceptance of their place, and confidence born of a comfortable connectivity with the sea and nature, and a down-to-earth practicality—and no attempt to romanticize the sea and bring it inside, within the walls of the home. It is as though they are quite content to have the boundaries well defined, to have two separate worlds—one on earth and the other, on water. And to merge the two would be insensible...

Yet there is adventure, danger and excitement that shake their everyday mundane tasks. I think Torfinn personifies this the most—he quivers in happiness sailing in with the catch. When he is on land, the need is to go out again...the urgency to "sea"again.

Then the fish came alive, with his death in him, and rose high out of the water, showing all his great length and width and all his power and his beauty.

—from *The Old Man and the Sea*

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Important yet marginalized

Why there are so few registered women fishers in Norway and what the consequences might be

Fishing in Norway is—and has been—a highly gendered activity, with only a few women working on fishing boats. The total number of Norwegian fisherwomen—and men—has decreased enormously after the cod moratorium in 1989 and the introduction of the quota system in 1990. The table overleaf illustrates this decline.

According to the table, women fishers in Norway registered as full-time fishers have decreased by almost 50 per cent in the last five years, while the number of female part-time fishers seems to be more stable, though with certain variations. The table also shows that between 1988 and 1998, the number of female fishers was relatively stable, while the number of men fishers decreased throughout the whole period, but at a greater rate after 1990. Such a marked decrease says something about the changing fishing industry. In the following sections of this article, I shall go further into why there are so few women in fishing and relate the phenomenon to the regulation of the Norwegian fisheries. Finally, I shall also try to comment on men's changing situation, and point to some social and cultural changes that fishing communities might face.

Following the moratorium and the first years of the quota system, Norway had the largest number of registered female fishers since the gendered registration started. The registered female fishers work on big factory ships filleting fish as well as on boats that are considered 'small' in a Norwegian fishery context. In Finnmark, one of the most fishing-dependent areas of Norway, I know of only one woman, who is skipper on her own boat of 14.98 m length and has her own crew. It should, however, be mentioned that throughout Norwegian history, women have been engaged in shore-based activities as wives, daughters, relatives and neighbours, without having been officially registered as fishers. Even today, women function as such shore or ground crew, carrying out work that has helped develop an efficient fishery.

It should also be mentioned that only a small number of women have formal ownership in boats. As of August 2004, only 181 women had more than 50 per cent of ownership shares in fishing boats, while 296 women had less than 50 per cent. In the municipality of Nordkapp, close to very good cod grounds, only one woman has been registered as sole proprietor of a boat (5.1 m long), while some are registered as shareholders and part-owners in the companies that own fishing boats. Considering that there are 8,184 registered fishing boats of various sizes in the whole of Norway, the number of female owners seems very small indeed.

Norwegian fisheries are heavily governed by different laws and regulations like the Raw Fish Act, the Participation Act and the Act of Fishing in Salt Water, to mention a few. In order to be registered as a fisher, one has to send in an application to the Directorate of Fishery. To be accepted as a registered full-time fisher, one has to earn 60 per cent of one's income from fisheries, and spend at least 20 weeks in a year fishing.

Different criteria

The criteria for the part-time fishers are different. They can show earnings from shore-based work and spend less time at sea. In order to buy a fishing boat with a quota, one has to have been an active registered fisher for at least a year. In addition to these regulations, there are

Table
Full- and Part-time Women and Men Fishers in Norway, 1983–2004

Year	Full-time				Part-time				Total
	Women	%	Men	%	Women	%	Men	%	
1983	182	0.64	22,273	78.69	106	0.37	5,743	20.29	28,304
1988	575	1.96	21,473	73.14	102	0.35	7,200	24.52	29.539
1990	554	2.01	19,921	72.39	112	0.41	6,931	25.19	27,518
1993	572	2.26	18.500	73.21	105	0.42	6,219	24.61	25,269
1998	530	2.49	14,611	68.60	166	0.78	5,991	28.13	21,298
2003	283	1.64	12,957	75.31	130	0.76	2,835	22.29	17,205
2004	281	1.81	12,396	79.53	114	0.73	2,795	17.93	15,586

also specific rules for buying and selling boats with a quota, depending on the region where one lives.

Eva Munk-Madsen argued some years ago that a resource that was common property and open to 'everybody', has, with the quota system, become closed for most women—in her view, about half of the fishery population. In view of the low numbers of registered women fishers and boatowners, and the fact that women in 1994 owned 192 of 16,216 units of quotas, Munk-Madsen concluded that quotas have become "men's formal property right". Since Munk-Madsen presented her work, even fewer women have been registered, and, consequently, fewer women have formal rights to the quotas. There are several examples of widows who have had to sell their boats with the quota even when they wanted to keep them and start fishing—because they were not entitled as 'fishers', according to the Norwegian laws that regulate fishing. This has been the case even if the woman had performed substantial unpaid work related to fishing and to the upkeep of the boat. Instances of divorces also illustrate the imbalance between women and men as far as quotas and other type of capital investments are concerned. As few women have the right to quotas in Norway, they are effectively a marginalized group in Norwegian fisheries, with little access to the wealth that the resources in the fisheries might represent.

Why are there so few registered women in Norwegian fisheries? This is a question I have often asked since Norway is a country famous for its policies of gender equality. I will explore some possible explanations. First of all, it is important to remember that the majority of women in fisher families have, for ages, performed work on shore, connected to, and important for, the fishing boats. However, this work has, in most cases, not been registered or officially recognized, neither by fisheries officials nor by employment authorities. It has not been considered as a type of work that qualifies for membership in fishermen's unions or resource policy-making institutions. Fishery institutions beyond the community level, and fisheries policymaking have, in this way, remained the domain of men.

Recent years have seen more examples of women who are active in fish harvesting and working together with their husbands. Some of them are registered fishers and enjoy a formal status. Some are also active members of the Norwegian Fishermen's Union. However, neither do the policies of unions and associations focus on questions relevant for women, nor do they recognize that women have contributed to the production in fisheries.

White papers

This neglect is also mirrored in public white papers on fisheries. Fishery questions are also left out in most

Norwegian white papers on gender equality. A contrasting example is a 2004 white paper from the Sami Parliament, where women's participation in fishery and fishery politics is heavily emphasized.

The quota system has not made it easy for the majority of women and men in Norwegian fisheries. Even though only a few women were fishing before the quota system was launched, they could, under certain conditions, continue to own their boat or rent it out if their husbands passed away. This is almost impossible today since a widow seldom has the right to the quota. And, obviously, a boat without fishing rights has a low value. Today even a very old boat with a quota can be sold at a very good price.

Thus, it is not only fish in the market that is a commodity, but fish rights through the quota system are also now a part of the market. If we examine the quota system—at least, the way it is applied in Norway—we will find it consists of a complicated arrangement of decisions, practices, rules and regulations at so many levels as to make it difficult to get a comprehensive overview. For most people, the quota system appears to result from a rather complicated and faceless power process.

Fishery politics and quota questions are still the men's domain since there are few women in the institutions that make the most important decisions. The Norwegian Russian Fishery Commission that decides upon the total allowable catch (TAC) of cod in the Barents Sea is an example where the gender balance is very uneven. In 2004, four women and 24 men from Norway and the same number of women and men from Russia met to negotiate the TAC for the cod stock in the Barents Sea. A national-level example is the committee that advises on the size of the quotas. This committee has always had a heavy deficit of women.

Both these important committees have applied for exemptions from the gender equality Act that mandates 40 per cent women's participation in public committees. They argue that the fishery organizations have few women as members. Representatives from the Ministry of Fisheries also claim that few women are interested in, and seen as eligible for, such posts.

Such a view reflects the Ministry's attitudes on who ought to be considered as experts in fishing and who should hold special offices. The net result is that women have little influence when quota questions are discussed at the political level. Some have tried to influence the policy, for example, in the committee that advises the Ministry regarding fish stocks. Fisheries and resource management policies are arenas where some men still have the power to define the agenda. The quota system and the debate about this system can, therefore, be looked upon as a strong symbol of men's maintenance of the power in fishery policy and the hegemony of some men. Some say that women's position in fishery policymaking only reflects their position in society at large. This might have been the case if only the number of registered women is taken into consideration. However, if we also consider the number of women who work alongside men, often their spouses, I would rather say that Norwegian fishery policy is facing a democratic deficit.

It should, however, be mentioned that even though little attention has been given to women in relation to resource questions, women's positions have, once in a while, been put on the fishery policy agenda. In the 1970s and 1980s, students and researchers, along with members of the Fisherwomen's Association, raised questions about women in fisheries, in fishing communities and women's influence on fishery politics. The Fisherwomen's Association also emphasized local welfare and cultural questions. The association was among those that put safety at sea on the political agenda. Coastal women from Srya in Finnmark went on the barricades in 1989 after the moratorium was declared and tried to influence policymaking. Women from the environmental association and the Sami Parliament have been among those who have tried to influence the national committee discussing quotas.

Women's projects

Some of the 1980s' activities resulted in the fishing industry's Committee for Women. This Committee put women in coastal

communities and women in the different sectors of fisheries on the fisheries agenda and tried to support women and women's projects in different ways. However, it was not considered a policymaking institution and had little influence on the resource management policy. The committee lasted until 2000, when the Minister of Fisheries cut off financial support.

In recent years, women in the Lofoten area have tried to give more attention to the importance of coastal fisheries, through the mass media and by circulating petitions. Women parliament members drew attention to resource policy matters, just as their counterparts in the Sami Parliament had done. The gender-oriented white paper mentioned earlier was a result of their work. In spite of such efforts, the women's situation, the challenges in fisheries and fishing communities and the lack of recruitment in many of the fishery districts are topics that seem to be very difficult to get on to the political agenda in the new millennium.

To be sure, there have been several changes in the men's situation as well. In one community in Finnmark, there are about 20 boats, 20 local and some non-local registered fishers, of whom three are women. All the fishers are over 30 years old. The majority are more than 40. Four owners or enterprises own half the boats and quotas. The number of quotas exceeds the number of boats used in the daily fishery. This is possible due to the new arrangements that have been adopted which states that one can transfer for a limited period one quota from one boat to another boat within the same length class (for example, within the group of boats of length 10 to 15 m). Two of the owners have organized themselves into private limited companies, while two others have individual or sole enterprises, the traditional ownership model in this area. We can see a concentration of ownership of boats and quotas and a change in the ownership pattern: Some fishers are trying to succeed in the fishery by getting more quotas, others manage with one boat and one quota, and yet others are leaving the fishery. The 'deficit' of youngsters entering the fishery is quite obvious and the number going into the fishery from this area is smaller than ever before. For the young ones, the fishery industry seems to be a closed industry.

Loose connections

Today, more and more women in the coastal areas of Norway seem to have only a loose connection with fishing, fisher's work and processing in general, compared to the situation years ago when women contributed with an enormous amount of work. Today, they can be their husbands' consultants and share the financial burdens of the household. The majority of women are employed outside

the fishing sector, for example, in teaching, or in other public- and private-sector jobs, since fishery work has been so heavily downscaled in Norway.

Young women and men are moving away from fishing villages. Youngsters and women in fishing and fishery-related activities seem to be the main losers in the fishing industry.

But there are also other considerations to be taken into account. When women leave fisheries, fishing-related households seem to weaken or disappear. When fishing-related households weaken or disappear, fishery as a way of life for women, men and children seems to weaken. When this happens, the population in the fishing villages decreases. These tendencies also have consequences for men—especially for those who are not willing to compete for more and more quotas—and for the young women and men who, in future, would like to go into fishing and fisheries and live in fishing communities.

Unless we all succeed in changing the market-oriented resource policies and the male hegemony in the majority of fishery institutions, the entire fishery-dependent population—women, the majority of men and the future generations—will all be losers.

This article, by Siri Gerrard (sirig@sv.uit.no) of the University of Tromsø, is based on information collected for the project *Sustainable Coastal Culture*, financed by the Norwegian Research Council and the University of Tromsø

Skimming the Cream

Norway can realize a substantial reduction in carbon dioxide emissions in the fishing fleet through changes to the current subsidy regime for fuel and emissions for fishing vessels

In Norway the tax system for fossil fuels is a 'green' tax and encompasses most petroleum products through the petrol tax and the tax on mineral oil. Both these taxes have a carbon dioxide (CO_2) element. In May 1988, the Norwegian Parliament (the Storting) resolved that fishermen should be exempted from paying the basic tax on mineral oil (diesel). The exemption covers the CO_2 tax and the basic tax on mineral oil that is supplied for use on board the fishing and hunting vessels listed in the vessel register.

The fishing fleet's emissions are not insignificant and have increased per catch unit. The Norwegian government's climate report contains a special chapter on the fisheries sector. It shows that CO_2 emissions from the Norwegian fishing fleet have been between 1.2 mn and 1.5 mn tonnes during the past 25 years. The fishing fleet is thus responsible for 2.5 per cent of Norway's CO_2 emissions.

The fishing fleet is exempt from the basic tax and the CO_2 tax on mineral oil through the establishment of a special reimbursement scheme administrated by the Guarantee Fund for Fishermen. The scheme allows Norwegian fishing vessels and foreign fishing vessels that refuel in Norway and fish in the Norwegian zone to apply for reimbursement in line with fixed rates of the tax they have paid when refuelling. The rate for reimbursement corresponds to the actual tax, and for 2007, per litre it was 96.9 øre (the one-hundredth subdivision of the Norwegian kroner (NOK); currently, NOK1 = US$0.2), of which the basic tax amounts to 42.9 øre and the CO_2 tax to 54 øre. Norway is not the only country that subsidizes fuel for its fishing fleet. The table below is sampled from a 2006 study from the University of British Columbia.

Table: Estimates of fuel subsidies/fuel tax exemption

Country	US$/litre
Denmark	-
France	0.14
Germany	-
Greece	0.20
Iceland	0.18
Norway	0.18
Poland	0.18
Portugal	-
Spain	0.10
Turkey	0.09
England	-
Canada	0.18
Japan	0.25
New Zealand	-
Russia	0.18
Senegal	0.22
Thailand	0.13
US	0.06

Source: Sumaila et al., 2006

The overview is accurate for Norway—US$0.18 corresponds to the more than 90 øre Norway has granted in tax exemption during the past few years. In 2008, the Norwegian taxes have been increased to 139 øre per litre. The Norwegian subsidy for the fishing fleet is thus US$0.25, and therefore the highest in the world, alongside Japan.

Differences in fuel consumption between the different fleet groups —and thereby the scope of the fuel subsidy—are interesting since there is a constant debate on the distribution of

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SELFA 2008

A 12-m long vessel, which is part of Norway's coastal fleet

the quotas among these fleet groups. They thus compete against each other on investments, crews and rights. Our calculations for 2003-2006 show that the trawling fleet consumes most fuel per kilogramme of cod taken. Small coastal fishing vessels are more than five times more fuel-efficient.

The figures also show a decline in fuel consumption per cod in all fleet groups. There can be grounds to assume that the generally increasing fuel prices have affected the fleet's operating pattern. As an example, in 2006 shrimp trawlers spent 39 per cent of their catch income on fuel, while fuel tax amounted to less than 20 per cent for vessels in the bottom-trawling cod fishery. Higher fuel prices will cause shifts in profitability among the various fisheries and a change from shrimp fishing to cod fishing.

The fishing fleet is subsidized through exemptions from the basic and carbon dioxide taxes on fuel.

The fisheries organizations and the authorities like to give the impression that the fisheries sector receives no subsidies. For example, Inge Halstensen, Chairman of the Norwegian Fishing Vessel Owners Association, said, "The fisheries business is a subsidy-free business and wishes to remain so. In addition, the Norwegian Fishing Vessel Owners Association does not want the business to be given any special treatment. On the contrary, at the top of the Association's wish list is the message to the powers-that-be that they must treat the fishing fleet in line with other businesses."

According to a brochure published jointly by the Ministry of Fish, the Norwegian Fishermen's Association and the Norwegian Seafood Federation, "In recent years the Norwegian fisheries business has shown an incredible development. It has become subsidy-free, the profitability in part of the fleet has improved, and the fisheries sector is regarded as a business with a considerable value creation potential." And Report No. 20 (2002-2003) to the Storting states: "The Norwegian fisheries business is currently almost subsidy-free and stands for considerable value creation in Norwegian society."

As mentioned above, this is not correct. The fishing fleet is subsidized through exemptions from the basic and CO_2 taxes on fuel. The two taxes vary somewhat from year to year, but during the past few years, they have together amounted to approximately 95 øre per litre of fuel, and have approached NOK1 per kg of fish. Fishermen have these taxes reimbursed through the Guarantee Fund for Fishermen with an interest compensation of three per cent. The total amount paid out in 2005 was NOK254 mn.

The subsidies have two effects that we will examine more closely. In the first place, energy consumption and CO_2 emissions are subsidized. In the second place, these subsidies are unequally distributed among different fisheries and fishermen and, therefore, appear to distort competition. Since the different fleet groups have different fuel consumption per tonne of catch, the subsidies are also distributed unevenly. In the smallest coastal fleet in the period 2003-2006, the subsidy amounted to NOK162 per tonne of cleaned and headed fish. Fresh-fish trawlers had their fish subsidized by

NOK898 per tonne, that is, for each kg of cod they deliver, the trawlers receive 75 øre more in support from the State than small fishing boats.

There is also reason to note the difference between the subsidies in fleet groups that compete more directly with each other for labour and, to some extent, also for quotas. The big coastal fleet is given subsidies that are twice as large per tonne of fish than those granted to the smallest coastal fleet, and the trawlers receive around 40 per cent more than seagoing vessels with conventional gear (autoline).

The coastal fleet employs more crew per tonne of catch and has a lower consumption of energy per tonne of catch. The result is that the subsidies per man-year in the trawling fleet are many times higher than those in the coastal fleet. The subsidies per man/man-year in the two smallest coastal-fleet groups amounted to between NOK4,500 and NOK8,800 per year in the period 2003 to 2006. In the seagoing trawling fleet, the subsidies are between NOK95,000 and NOK170,000 per man-year, and between NOK55,000 and NOK95,000 per employee in the same period.

The number of small vessels has been substantially reduced in the past few years through natural wastage and through the structure fund, a fund intended to adapt the capacity of the fishing fleet and to promote the necessary structuring of the various vessel groups. From 1995 to 2006, the number of vessels under 15 m in length has been almost halved, while the number of coastal vessels over 21 m has increased by 45 per cent. These are vessel groups that compete with each other for crew and fishing grounds. In 2006, a man-year in the Danish seine fleet received more than four times as much in subsidies as a man-year in the fleet of boats under 10 m.

Tax-free fuel

If we now look at the seagoing fleet, the discrepancies are much greater. Each man-year in the trawling fleet is supported by between NOK100,000 and NOK170,000 in the form of tax-free fuel. This amounts to between a quarter and a third of the share in these fleet groups. The same can be seen in the relationship between sea and coast in the pelagic sector. Each man-year in coastal seine fishing is subsidized by between NOK15,000 and NOK30,000, while in the seagoing fleet, the subsidies are between NOK80,000 and NOK240,000.

Fuel subsidies are unequally distributed among the shipowners. In 2006, a one-man enterprise with a 9-m fishing boat received a subsidy of NOK6,400, while the trawler owners receive more than NOK2 mn per vessel. As a percentage of operating revenues, this amounts to less than one per cent for the fishing boat, while for the trawlers, it is between four and five per cent of the operating revenues.

The coastal fleet employs more crew per tonne of catch and has a lower consumption of energy per tonne of catch.

In his speech to the the Board of the Norwegian Fishing Vessel Owners Association, the Chairman, Inge Halstensen, said, "The fisheries business is a subsidy-free business and wishes to remain so." Halstensen owns the three purse-seine vessels *Gardar* (75-m long), *Manon* (70-m) and *Slåtterøy* (67-m). According to the Norwegian fishermen's journal,

AKER 2008

Norwegian fishing vessel *Saga Sea,* a former pollock trawler, now fishing for krill

Fiskaren, in 2005, *Gardar* had a turnover of NOK119.1 mn. The average length for this fleet group was 68 m, and the average operating income was NOK50 mn. If Halstensen's three purse-seiners consume the average amount of fuel for his fleet group, his shipowner company received around NOK4.5 mn in subsidies in 2006—a decline from almost NOK6 mn in 2005. *Fiskaren* reports that *Gardar* is running at a loss, but if we still regard it as an average vessel, this NOK1.5 mn per vessel constitutes 14 per cent of the operating profit, a decline from 16 per cent in 2005.

When a fishing fleet is run on subsidized fuel, it means that the power used by the factories on board is also subsidized. One litre of diesel generates 10 kilowatt-hour (kWh) of energy. The tax exemption thus corresponds to approximately 10 øre per kWh. The factories and freezers on board the fishing fleet are in direct competition with the industry on shore, a fact that came to light in the summer of 2007 when Geir Ove Ystmark of the Norwegian Seafood Federation then asked the purse-seine boat *Gardar* to halt its purchase of seine-caught saithe in Andfjorden. "The fishing industry has the capacity to cope with the saithe that is fished," Ystmark points out. According to the President of the Norwegian Seafood Federation, there is no need at all for purchasing vessels to operate. He describes the activities of *Gardar* as "skimming the cream off" the seasonal fisheries, and turns the rhetoric of Helga Pedersen, the Norwegian Minister of Fisheries and Coastal Affairs, on her: "It doesn't give us 'lights in the houses' in the rural districts when purse-seiners are permitted to buy seine-caught saithe in competition with the local fishing industry that operates year-round."

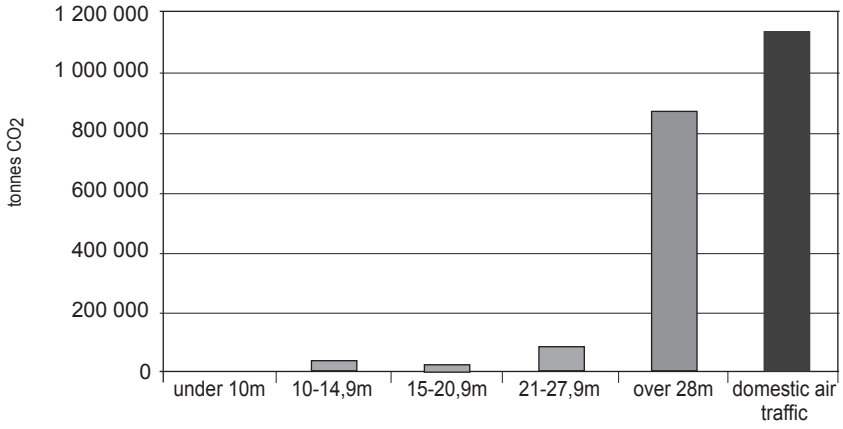
In addition to skimming the cream, the energy that is used is subsidized. The same logic also applies to other processing activities on board, which often take place in competition with the industry on shore. This applies not only to energy-consuming processes such as freezing, but also to other processing such as producing fillets in some parts of the trawling fleet. In 2008, the fishing fleet will be exempt from the basic tax and the CO_2 tax, which together amount to NOK1.39 (the basic tax is 84.5 øre and the CO_2 tax is 55 øre). In other words, the subsidies will increase by 40 per cent.

Subsidies

The figure below shows the assumed subsidy level in 2008. At the 2006 level of consumption, the subsidies will constitute around 1.4 per cent of the operating income for boats under 15 m, and between 5.8 per cent and 7.3 per cent of the operating income for trawlers.

The Norwegian government's climate report confirms that the fishing fleet is exempt from the CO_2 tax and

Figure: Emissions from different length groups in the year-round fishing fleet and from domestic air traffic



Source: Directorate of Fisheries' profitability survey on taxes for fuel for the individual fleet groups

the basic tax. The effect this subsidy may have is not discussed, and no justification is given for the scheme. The description of measures to reduce the emissions of greenhouse gases includes the following: "For several fleet groups, the reduction in fuel consumption can correspond to around 10-15 per cent with the correct use of an adjustable propeller. Both shrimp-freezing trawlers and cod trawlers can reduce fuel consumption by approximately 10 per cent with energy-efficient trawling. Other fleet groups, such as purse-seiners and seiners that fish saithe, herring and mackerel, can reduce their fuel consumption by 10–15 per cent by running at optimal speed."

It is also mentioned that changes in fleet structure is the measure that could have the greatest effect, but this alternative has not been investigated: "A different fleet structure or a change in operating pattern and catch areas may well have a favourable effect on the emissions of greenhouse gases... but this should not necessarily be a governing consideration."

The potential reductions are not quantified, and neither is there any mention of the fact that a continuous change in the opposite direction in fleet structure is taking place, partly through State-approved structural measures: from small, energy-efficient boats to vessels that are large and energy-consuming.

What is so strange about the inadequacies of the government's climate report is that most of the measures that will produce a more climate-friendly fleet structure will also generate more jobs, better profitability and a more ecological taxation scheme. Since the potential returns from technical solutions are so small (10-20 per cent), while the returns from a change in operation pattern are so large (up to 80 per cent), there is reason to include in the estimates the fact that small shifts in resource distribution between small vessels with passive gear and large vessels with active gear will have a greater effect than extensive technical advances. Another point is that the changes that have taken place in the past few years have generated a move from the most energy-efficient vessels to the most energy-consuming. This should indicate a reassessment of the subsidized fuel scheme.

According to the climate report, in its mitigation analysis the Norwegian Pollution Control Authority estimated the technical emission reduction potential for the fisheries sector in 2020 at 50,000 tonnes of CO_2 equivalents, which corresponds to a four per cent reduction, compared with today. The climate report also states: "The government assumes that part of the reduction potential will be released by means of current policy instruments. In addition, the government proposes the following measures:

Promoting and facilitating greater energy efficiency and technological advances in the fishing fleet, and reviewing the possibility of switching to alternative energy carriers.

Encouraging the inclusion of requirements for low CO_2 emissions when new investments are made in the fishing fleet."

...the potential emission reductions achieved through such measures—and particularly through removing fuel subsidies—can be up to 20 times higher than the estimates of Statistics Norway's for the climate report.

In this report, we have shown that the potential emission reductions achieved through such measures—and particularly through removing fuel subsidies—can be up to 20 times higher than the estimates of Statistics Norway (the Central Bureau of Statistics of the Norwegian government) for the climate report. Earlier, we mentioned that there are signs in the trawling fleet that the reaction to the higher fuel prices of recent years has been a move from fuel-demanding shrimp trawling to cod fishing.

Similar trend

If the calculations are correct, a similar trend can be seen for the fishing fleet as a whole. In parallel with a general increase in fuel prices, fuel consumption and thereby CO_2 emissions have already been reduced by 20 per cent, or more

SELFA

In the past few years Norway's coastal fleet has moved from the most energy-efficient vessels to the most energy-consuming vessels

than 200,000 tonnes of CO_2, between 2003 and 2006.

A high oil price has a positive effect on the fishing fleet's willingness to reduce climate emissions. The policy of subsidizing fuel when the aim is to encourage operations that are based on fuel economy is hardly conducive to goal achievement.

An alternative to subsidizing fuel is to raise the special tax deduction for fishermen. An increase from the current permissible deduction of NOK80,000 to NOK120,000 will give the fishermen in the smallest coastal-fleet groups more or less the same benefits as those existing today. With a tax rate of 30 per cent, this will cost the State approximately NOK100 mn, which will be recouped by the termination of the fuel reimbursement scheme. A change of this type will encourage employment on board rather than fuel consumption, and will be more in line with the official targets for both the fisheries and the environmental policies.

The change will reduce the subsidies for several of the trawling fisheries and for some shipowner companies that are not operated in a sustainable manner. It will become unprofitable to use too much fuel on the harvesting of fish. This will also mean cuts in the distribution of subsidies to the fisheries enterprises that cause severe ecological harm to the sea bottom by their many trawling hours and long trawling tracks, thereby also threatening stocks through undesired bycatches and overfishing.

For more

http://www.icsf.net/icsf2006/ControllerServlet?handler=EXTERNALNEWS&code=getDetails&id=38031&userType=&fromPage=
High fuel costs prompt the European Commission to increase fisheries subsidies

http://www.icsf.net/icsf2006/ControllerServlet?handler=EXTERNALNEWS&code=getDetails&id=37818&userType=&fromPage=
EU fisheries ministers agree on aid package

Formalizing Indigenous Fishing Rights

Recent developments in Norway seem to indicate that the rights of the traditional small-scale Coast Sami people will finally be formally recognized

The coast and fjord area in northern Norway—mainly north of the Arctic Circle—is home to the indigenous Coast Samis, a branch of the Sami people who live in four different countries, namely, Sweden, Finland, Russia and Norway. They have been living on the shores and along the fjords of the Barents Ocean for thousands of years, with very well-developed skills and technologies to cope with the harsh nature of this northernmost part of the European mainland. Even though they have utilized the marine resources in the area for generations, they have never exceeded the limits of natural sustainability.

The Coast Samis have been living in the region long before the Norwegian State was established, before they were outnumbered by ethnic Norwegians who moved into the area. Little wonder then that the northernmost county of Norway is called Finnmark, "The Land of the Sami".

Until the latter part of the 19th century, the Coast Samis made their living by hunting marine mammals and different land-based species, and from small-scale fishing and some subsistence farming. But for more than a hundred years, they have had to constantly struggle to safeguard the traditional and customary fishing areas in their local waters.

At the start of the 20th century, new and more effective fishing equipments were introduced in Norway's fisheries. The first trawlers appeared and the exploitation of herring for industrial purposes started. The purse-seine and the Danish seine soon came into widespread use. The fishing vessels were built larger, and equipped with the most sophisticated technology to find fish.

For a very long period, no measures were taken to protect the various stocks of fish from being depleted. The voices of the Coast Samis were totally ignored even as the high-tech deep-sea vessels enjoyed free access to even the smallest fjords. Around the middle of the 20th century, for a period, this fleet almost nearly totally eradicated the stocks of herring and capelin, and gravely diminished many other stocks, such as cod, the most important of the species caught even by Sami fishermen.

Norway, with its high standards in matters relating to human rights and indigenous issues, cannot afford a situation where the basic material rights of the Coast Samis are endangered.

Even though the Coast Samis did not take part in the resource destruction, they have had to bear many of the heaviest burdens resulting from the breakdown of the fish stocks. They continue to bear these burdens, even in a situation where some success has been achieved in rebuilding stocks.

Quotas allotted

The Coast Samis' practice of harvesting marine resources in a sustainable way did not fetch them any special rewards when new regulations were introduced or when quotas were allotted. The structures of power within Norwegian

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fisheries did not favour fishermen with vessels adapted to inshore or fjord fisheries. Thus it has been more and more difficult to continue the traditional Coast Sami way of living, combining small-scale fishery with husbandry, or other local industries.

During the last few decades, Norway has adopted a new and supportive policy towards Sami cultural and material matters, and has also been promoting indigenous rights at the international level. Several Sami institutions have been established. The Samis achieved constitutional recognition in 1988 and the next year, a Sami Parliament was established. Norway was the first country in the world to ratify the 1990 International Labour Organization (ILO) Convention 169, on the rights of indigenous peoples.

But there is one area where the new policy has had little visible effect—within management of the sea fisheries, with the central fishery authorities being very unwilling to recognize the link between small-scale fisheries and indigenous rights, most obviously in northern Norway.

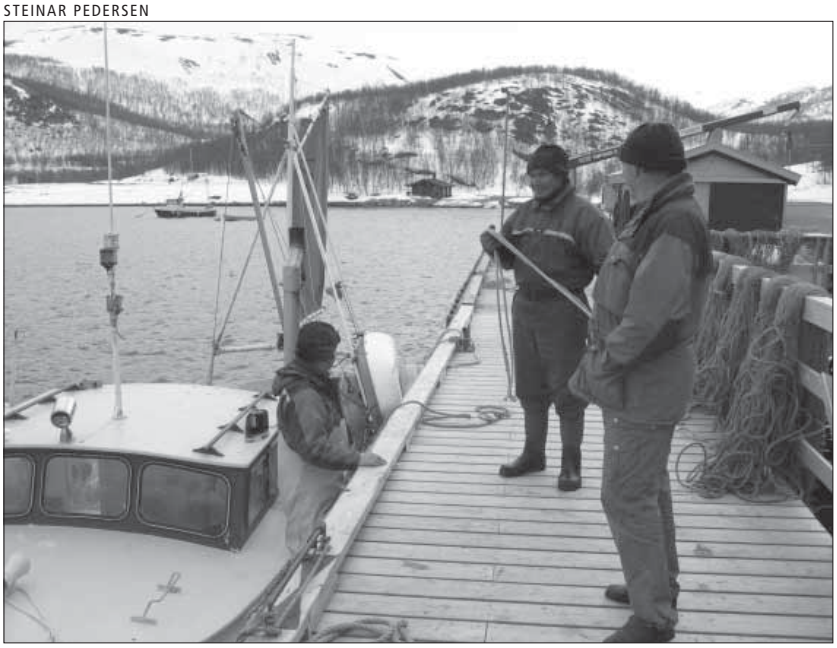
In 1989-90, the fishery authorities introduced a new way of allocating fishing rights—the so-called vessel quota. To obtain such a quota, the prescribed prerequisite was that you should have caught a certain amount of cod in one of the preceding three years. The amount was not extremely high. But for most fishermen with smaller boats in the Sami districts, that prerequisite was impossible to fulfil. The reason was that during the 1979–88 period, there had hardly been any cod in many of the fjords in the northernmost marine Sami areas. That was due to a natural disaster—the invasion of harp seals during the period, which prevented cod from coming into the fjords.

The result was that many small-scale fishermen, mainly Coast Samis, were systematically excluded from obtaining vessel quotas. Instead they were transferred to a competitive quota, under which they simply had no possibility of earning adequately to make a living. Customary law was not taken into account at all, when this was decided on.

Over the last few decades, the king crab, introduced by the Russians from the Pacific to the Barents Ocean, has invaded the waters along the coast and in the fjords of northernmost Norway. When the commercial king crab fishery started in 2002, boats shorter than 8 m were automatically excluded from the fishery. The other criterion for obtaining a fishing licence was the requirement of having caught a certain amount of cod in two of the three preceding years. For many fjord fishermen, that prerequisite was also hard to fulfil, because net- and longline fishing had already been severely hampered by the immense number of king crabs in the fjords.

In simple terms, this meant that the smaller boats that could not fish cod any more, because of the presence of king crabs, were denied the right and the possibility to fish the crab. It was not until 2008 that this injustice was repaired.

STEINAR PEDERSEN



Coast Sami fishers in Deanodat, the innermost part of the Tana fjord, east Finnmark. The basic material rights of the Coast Samis are endangered

Legal standards

In 1990, a report from one of the most outstanding legal experts in Norway, Carsten Smith (who went on to become Chief Justice), pointed out that the Norwegian State, by internal and international legal standards, is obliged to take Sami interests into account when regulating the sea fisheries in Coast Sami areas. Even though in 1992 the national Parliament

STEINAR PEDERSEN

A Coast Sami fisher in Deanodat, with a catch of king crabs that he was not allowed to sell. Quotas and licensing have, until recently, prevented Coast Samis from catching crabs

of Norway expressed itself in favour of such legislation, no significant changes occurred.

Then, after many setbacks, in 2008 the high-ranking Coastal Fisheries Committee for Finnmark, with Carsten Smith as chairman, formulated an indigenous and regional rights approach to small-scale fisheries along the following lines:

- Everybody along the coast and fjords in Finnmark should have a right to fish adequately to make a decent living for a household, without having to buy a quota.
- The quota is personal and cannot be traded.
- The basis of this right is historical utilization and international and indigenous law.
- The right is independent of fishery regulations, but sustainable use has to be taken into account.
- This right should be formalized in a separate Act.
- Furthermore, if it is necessary to limit the fishery, Coast Sami fishing activity has the prerogative.
- People along a fjord should have a stronger fishing right for the area, than others elsewhere. Outside the fjords, fishermen from other regions should also be given access to the fishery.
- A new administrative body —Finnmark Fishery Agency—is proposed.
- The agency should have six members, three appointed by the county council of Finnmark, and three by the Sami Parliament.
- Finnmark Fishery Agency is anticipated to have the competence to regulate fishing activities out to four nautical miles from the coastline.
- Even more important, the Finnmark Fishery Agency shall also allocate quotas and fishing rights.

Providing quotas for the Finnmark Fishery Agency is, of course, a matter of great concern. According to Section 8 of the proposal from the Coastal Fisheries Committee for Finnmark, the State should provide the Finnmark Fishery Agency with sufficient resources, in the form of capital, quotas or fishing licences, to safeguard the material basis of the Coast Samis and other coastal cultures in Finnmark. Therefore, the adoption of the proposals from the committee offers a unique opportunity for the Norwegian government and parliament to secure the future of the small-scale fishing communities in the north of Norway, and, not least, to also incorporate this sector of society into the general positive nature of Norwegian indigenous policy, both domestically and internationally.

Let me conclude by being both moralizing and imperative. Norway, with its high standards in matters relating to human rights and indigenous issues, cannot afford a situation where the basic material rights of the Coast Samis are endangered. For that reason, my true belief is that the main elements of the proposals from the Coastal Fisheries Committee for Finnmark will be formalized by an Act adopted by the Parliament.

This model may also have elements transferable both to indigenous and non-indigenous areas in other parts of the world where the rights of the traditional small-scale fisher people are not recognized or otherwise settled in a proper manner.

For more

www.saamicouncil.net/?deptid=1113
Sami Council

finnmarksloven.web4.acos.no/artikkel.aspx?AId=146&back=1&MId1=123
Finnmark Act

Guiding Small-scale Fisheries

A set of international voluntary guidelines is being planned to address both inland and marine small-scale fisheries in developing countries

The Twenty-ninth Session of the Committee on Fisheries (COFI) of the Food and Agriculture Organization of the United Nations (FAO), held in Rome in early 2011, agreed on the important role played by the small-scale fisheries sector and decided to give it high priority and adequate visibility. The Committee approved the development of a new international instrument on small-scale fisheries. A set of international voluntary guidelines that would draw on relevant existing instruments complementing the Code of Conduct for Responsible Fisheries, to address both inland and marine small-scale fisheries in developing countries, will be developed. This is to be done with the involvement of all stakeholders. The FAO Council subsequently lent support to COFI by including the work on small-scale fisheries in the Programme of Work and Budget (PWB) for the year 2012-13.

The workshop-cum-symposium on sustainable small-scale fisheries, organized by the National Fishworkers' Forum (NFF), India, in collaboration with ICSF, and held at Kolkata in September 2011 (see "A Bottom-up, Pro-fisher Policy", page 42), was intended to contribute to the process of developing the proposed FAO guidelines. Drawing participants from a range of fisheries—marine, estuarine, lagoon, riverine, lake, tank and pond fisheries—the meeting illustrated the heterogeneity, diversity and complexity of Indian small-scale fisheries. It provided an opportunity to understand the status of inland and marine fisheries in the context of food security and poverty alleviation. It highlighted good practices in small-scale fisheries management and development, and in welfare and social-security measures; it also identified gaps that need urgent attention.

The Kolkata meeting revealed how the fisheries sector receives the lowest priority in comparison with forestry, agriculture and industry, and how the legitimate livelihood interests of fishers and fishing communities are often overlooked in inter-sector conflicts over land and water resources. Fishing community representatives who spoke at the meeting sought protection of their fundamental right to life and livelihood, and their right to be treated with dignity. More than anything else, the meeting underscored the importance of adopting a rights based approach to development in the case of vulnerable fishing communities, and the need for developing guidelines on securing sustainable small-scale fisheries within a pro-poor, human-rights and ecosystem-based framework. A significant outcome of the meeting was the clarification of the term 'small-scale fisheries' in the Indian context.

At least nine similar meetings are scheduled to be held under the auspices of civil society organizations such as the World Forum of Fisher Peoples (WFFP) and the World Forum of Fish Harvesters and Fishworkers (WFF) during the next three months to contribute to the guidelines process. These are to be held in Sri Lanka, Pakistan, Thailand, Senegal, South Africa, Uganda, Brazil, Honduras and Costa Rica. The Senegal meeting will have participants from 12 countries in west Africa.

These meetings, as in the case of the Kolkata workshop and symposium, are meant to contribute to clarifying small-scale fisheries in different parts of the world, to document good practices in small-scale fisheries, and to identify threats facing small-scale fisheries and fishing communities. They are expected to improve the visibility of small-scale fisheries at the regional, national and local levels, to open up channels of communication between the State and civil society organizations, and to influence government positions on the proposed guidelines during the FAO technical consultation in mid-2012.

This is the first time that several meetings are being organized under the auspices of civil society organizations in preparation for a proposed FAO fishery instrument. These meetings and their pertinent outcomes should be seen by the FAO Member States and the Secretariat as an opportunity to benefit from a bottom-up process to develop meaningful, voluntary guidelines on securing sustainable small-scale fisheries, to complement the Code of Conduct for Responsible Fisheries. They should also be seen as a promising beginning to broadening the participation of civil society organizations in the fisheries work of FAO.

Private Eye

The use of approved private companies for the inspection of small fishing vessels in Norway has proved successful

Being a fisher is a dangerous occupation, and being a fisher on a small fishing vessel is considered as the most dangerous occupation in Norway. The Norwegian Maritime Authority (NMA) sees a need for inspection of fishing vessels to ensure safety for the vessel and the fisher, and these inspections should be related to both the structure of the vessel and to equipment on board the vessel.

Norway has a fleet of more than 6,200 fishing vessels of various sizes, from the smallest open boats of around 5 m to large trawlers up to over 100 m in length. Fishing vessels over 15 m are inspected and certified by NMA, and, since 2001, a group of around 800 fishing vessels between 10.67 m (35 ft) and 15 m, have been overseen by approved private companies on behalf of the NMA.

If the vessels fulfill the requirements, a document called "Instruction for use of the vessel" is issued. Such a document is needed to operate the vessel. Vessels under 10.67 m are currently not surveyed, but from January 2014, vessels over eight m will be included in the same regime as vessels between 10.67 and 15 m.

The number of fishing vessels in Norway makes it impossible for NMA to conduct inspections on all these vessels, and NMA has, therefore, chosen a regime with approved private companies that conduct these inspections.

There are two major requirements that need to be fulfilled to become an approved private inspector—competence and a quality system. Companies, not individual persons, have to apply to become approved.

The minimum required competence in the approved private company is either naval architect, chief engineer, master, mate or similar position. However, some competence can be covered through agreements with other companies. Several of the approved private companies are small consultancy firms within the maritime sector, and many of these use subcontractors to cover all the different disciplines.

Norway has a fleet of more than 6,200 fishing vessels of various sizes...

All companies that apply to become approved as private inspector need a quality system that meets the requirements of the ISO 9001 standard. This system is reviewed by NMA before approval. If the quality system is certified, NMA only review the parts that describe the inspections of fishing vessels. A quality system according to ISO 9001 ensures that the company has a good system for quality management, procedures for carrying out the inspection work, and continuous improvement within the company.

Inspections

Inspections of fishing vessels between 10.67 and 15 m in Norway are divided into inspection of new vessel building or imported vessels (initial inspections) and inspection of

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BJARTE AMBLE / NMA

The fishing vessel *Vikingfjord* sailing to its home port at Herdla in Norway before being inspected by a private inspector. The inspection focuses mainly on safety equipment

operating vessels. Inspection of new vessel building takes place during the building process, and must be finished before the vessel can be put into operation. During the process of a new build, there is also review of drawings and documentation of the vessel. The inspection and review of documentation ensures that the vessel is built according to the regulations.

If a vessel is imported into Norway, documentation must be reviewed, and the vessel must be inspected before it can be put into operation. If the vessel is certified from another authority, and the certificate is still valid, the vessel might be put into operation during the period where documentation is reviewed and the vessel is inspected, but this must be considered on a case-by-case basis.

When a newly built or imported vessel is inspected and found to be according to the Norwegian regulations, a document called "Instruction for use of the vessel" is issued, and this document equals a certificate and is needed for the vessel to operate. The "Instruction for use of the vessel" contains information and restrictions for the vessel, and is valid for 30 months. Within the period from 24 to 30 months after the initial inspection, an intermediate inspection is conducted on the vessel.

This inspection focuses mainly on the safety equipment on board the vessel, and, when everything is found to be in place, the "Instruction for use of the vessel" is renewed for another 30 months. After these two periods of a total of 60 months, a renewal inspection is carried out, during which the hull and propeller are inspected in addition to the equipment.

Equal treatment

It is important that all vessels and vessel owners are treated equally when enforcing regulations. The Norwegian coastal line is long, and the distance between inspectors

and companies might lead to challenges in these areas. When NMA carries out the inspections, our quality system, including procedures and checklists, ensures equal treatment of all vessels. When these duties are carried out by approved private companies, NMA must ensure the same equality between the private inspectors.

Being an approved private company implies being a part of a rigid regime, and all inspections are to be done according to checklists from NMA. There is one list for initial survey, and one list for operating vessels. Checklists are divided into different fields, such as hull, machinery, navigation, etc., and contain clear instructions to the inspectors on what is accepted. Furthermore, deficiencies on all checkpoints are pre-categorized, to make decisions for the approved private companies easier and equal.

As a part of the quality system, the private company needs procedures that describes how the inspection work and document control is to be done, and these procedures are reviewed by NMA. These procedures normally contain a step-by-step description of the job for the inspector, and ensure that all the different private companies perform to a certain standard.

Every year, NMA does a number of unscheduled inspections on all kinds of vessels, including fishing vessels of all sizes. The unscheduled inspections include a variety of checkpoints on different areas of the vessel, and the findings may give an indication to whether the private inspector is doing a satisfactory job.

In addition to contact with the private inspectors on a case-to-case basis, NMA carries out audits of the approved companies at least every three years.

The audits focus on the quality system, whether it is according to the ISO 9001 standard, that the procedures ensure equality and quality in the work of the approved private companies. Furthermore, the audit focuses on whether there is compliance with the quality system in the company.

The system with use of approved private companies to survey the smaller Norwegian fishing vessels has now been in operation for more than 12 years, and NMA has a good foundation to conclude on whether it has done a good job.

Findings in both our audits and unscheduled inspections and the accident statistics suggest that the quality of the fishing fleet inspected by private inspectors is as good as the fishing fleet inspected by NMA.

We, therefore, deem the use of private inspectors as a success, and are looking to expand the scheme.

For more

www.sjofartsdir.no/en/
Norwegian Maritime Authority

Where There Is A Will

The Norwegian model of fisheries governance, via the Norwegian Raw Fish Act and fish sales organizations, is worth examining

Small-scale fisheries and their well-being are an important part of the political and institutional history of Norway. This is, first and foremost, due to the significant social and economic role that the fishing industry has played—and still plays—for the country as a whole. But before I give a overview of this history and the crucial formative role of fishers' organizations, let me briefly explain why the organization of small-scale fishers is such a pertinent issue, also in connection with the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (hereafter SSF Guidelines), recently adopted by the Food and Agriculture Organization of the United Nations (FAO).

Without organization, small-scale fishers easily fall into the trap of the 'tragedy of the commons' and the poverty that it often leads to.

The impetus behind the SSF Guidelines is, as its full title alludes to, the observation that small-scale fishers are so often poor and marginalized. They do not have a voice in the political process as one would have expected, given their large numbers and contribution to society. This sad fact may largely be explained by the lack of organization. If small-scale fisheries people were better organized, they would not only be able to talk to one another but also speak with one voice. If they cannot do that, others are less likely to listen. No one has patience for cacophonies.

Then there is the issue of bargaining power. Individually, small-scale fishers are easily exploited. They can be played against each other. They, therefore, lose out in transactions with middle-men or with governments. Together, if organized, they would be able to negotiate with more strength, and perhaps even impose their own terms.

Thirdly, there is the problem of collective action. Without organization, small-scale fishers easily fall into the trap of the 'tragedy of the commons' and the poverty that it often leads to. Organized, fishers could establish their own rules and exercise self-management or co-management. Organization would not only make small-scale fishers people more powerful, it would also set them free.

All three points mentioned above are basically about the empowerment of small-scale fisheries and their people, which is also what the SSF Guidelines aim at. This is undoubtedly important. How you actually accomplish that is another equally important question. The SSF Guidelines provide many important suggestions to this effect, including about developing organizational designs that people would support.

Governability

But there is a fourth argument for organizing small-scale fishing people, which is not explicitly mentioned in the SSF Guidelines, which is what I would like to elaborate on. This is about the 'governability' of the whole fisheries sector—governability defined here as the capacity for, and quality of, governance. A disorganized, fragmented and chaotic small-

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scale fisheries sector is obviously more difficult to govern, be it from the inside (self-governance) or the outside (government). Who should the government talk to if they want to communicate with the industry? And who in the industry is entitled to talk on behalf of whom? These are also important questions as far as the implementation of the SSF Guidelines are concerned.

Given this governability challenge, organization is not only in the small-scale fishers' interest, it is also in the government's interest—or in the interest of anyone whose agenda is to improve the lot of small-scale fishers, such as the FAO and non-governmental organizations (NGOs). Without such organization, government would not be able to govern effectively, democratically and legitimately, and the implementation of the SSF Guidelines would be more cumbersome.

Indeed, if small-scale fishers were well organized, they would even be able to govern themselves, without government constantly on their back. They would also be able to play a more proactive role in the SSF Guidelines implementation process. The government would be released from micro-management and could instead direct attention towards facilitation and support, rather than focusing on control and surveillance only. The implementation process would, in many instances, have to start with organizing small-scale fishers, and not just at the level of the local community but perhaps also countrywide. Small-scale fishers would also benefit from large-scale organization, as illustrated below.

Organization as a governability-enhancement device is something that the Norwegian government understood early on. It realized that organizing fishers would not only help small-scale fisheries as a sector but also be in the national interest. The government was, therefore, instrumental in the formation of the nationwide Norwegian Fishers' Association in 1926, and, later, with the establishment of the co-operative sales organizations from 1938 onwards. These measures not only turned the table for small-scale fishers in Norway but it also fundamentally changed the power relations in the industry in a way that has lasted until this day.

The lesson here is that the facilitating role of the State should not be underestimated. Organization of small-scale fishing people does not happen spontaneously and not always from the inside. A push from the outside is often needed, like from government or NGOs. This is because organizations are collective goods, and thus subject to a similar problem as with the tragedy of the fisheries resource commons: It is in the individual interest of potential members to remain passive and wait for others to take the initiative, as they can enjoy the benefits once the organization is up and going. Who would freely want to carry the burden and costs of organizing others? It is better to wait for others to make the move. (Poor people would not be able to afford it anyway). But if everyone thinks like this, no one will. This tendency, which increases with the size of the group, is sometimes referred to as the 'second-order' collective action problem—which should perhaps instead be called the 'first-order' problem, as it has to be solved before one can effectively address the substantive problems in

UNKNOWN

An old couple from Varanger fjord, close to Norway's border with Russia. The government helped form the Norwegian Fishers' Association in 1926

small-scale fisheries as they are described in the SSF Guidelines, like those related to empowerment, community development and poverty eradication.

Once established, the government and the Norwegian Fishers' Association could engage in a constructive partnership, which has characterized the relationship between the government and the industry. The government has been willing to exchange the loss of sovereign control with the legitimacy they have obtained from the industry. One may argue that the Norwegian Fishers' Association, if not being part of government, has certainly been part of governance. This has obviously made the Norwegian fishing industry more governable than it would otherwise have been, if the relationship was antagonistic rather than co-operative.

However, it is the Fishers' Sales Organizations and the 1938 Raw Fish Act (popularly called 'The Fishers' Constitution') that instituted them, and that really makes Norway different institutionally from most other fisheries nations. There are now six such organizations, together covering the whole country, with the Norwegian Raw Fish Association being the biggest one.

By the turn of the 19th century, Norway was among the poorest of European nations, and small-scale fishers were at the lower end of the national income scale.

The sales organizations are owned by the fishers and are, as with any other co-operative producer organization, organized according to the classic Rochdale co-operative principles. Importantly, the law grants the sales organization the monopoly right of firsthand sales within its geographical district. It also gives the organizations the right to determine the minimum price, which the buyer must accept.

There are always collective negotiations between the two parties, but if they cannot agree, the sales organization can dictate the price. This does not eliminate the market completely, as buyers can always make a higher bid (which they often do when there is competition for the fish), but the law surely regulates the transaction in favour of the fishers.

This is what the 1938 Raw Fish Act says about the organizations: The King may decide that the processing, sale or export of raw fish … or products thereof shall be prohibited regardless of where the fish is caught if first sale of the raw fish has not taken place through or with the approval of a fishermen's sales organization whose statutes have been approved by the Ministry concerned. Sale by an approved sales organization is regarded as first sale. Purchase of, and settlement for, raw fish fished on a share or percentage basis by owners of vessels, owners of gear or other co-partners is also regarded as first sale.

Imagine what difference this made in empowering the fishers. Not only did it guarantee fishers a decent price for their catch, with the Raw Fish Act, Norwegian fish merchants and exporters could no longer thrive on the back of the small-scale fishers. Instead, they had no other option but to do a better job in the export market. This would, of course, be good not only for the fishing industry but for the country as a whole, given that fish was at that time the most important export product. It should be noted that the Raw Fish Act was introduced at a time when fishers were much more numerous and small-scale than they are today. Norway was economically in a very different situation than it is now. By the turn of the 19th century, Norway was among the poorest of European nations, and small-scale fishers were at the lower end of the national income scale.

Merchant class

Although popular among the fishers, the Raw Fish Act and the sales organizations were, as one would expect, never popular with

KANSTAD. TROMSØ MUSEUM – UNIVERSITETSMUSEET

The crowed Lofoten winter cod fishery in the 1950s. The Raw Fish Act was introduced at a time when fishers were more numerous and small-scale than they are today

the merchant class. This is still the situation, and the current conservative government would probably have liked to see the act gone.

There is also now in Norway a neoliberal wind blowing, which regards intervention in the market as not a good thing. But these organizations and the law authorizing them are not easily toppled. One does not mess with a law that fishers regard as their constitution—not without heavy political costs anyway.

Norwegian fishers have long learned to take this 'constitution' for granted, and they would have been hard put to imagine how the Norwegian fishing industry would be without it. Even those who want to scrap it would tend to agree. An old professor of mine, Ottar Brox, used to say that he never realized the significance of the Raw Fish Act until he came to Canada in the late 1960s. This was not because Canada had a similar legislation, but because it did not. He was struck by the organizational powerlessness of Canadian small-scale fishers relative to their Norwegian counterparts. The book he wrote about the fishing industry of Newfoundland helped to inspire the formation of the Fish, Food and Allied Workers Union there. Personally, I had never seen fishers in a picket line until I came to Canada in the mid-1980s. Norwegian fishers would, of course, not strike against their own organization when they have the power to set prices.

The sales organizations are as strong as ever. The Raw Fish Act still remains; even if a law reform in January 2014 changed its formal name to the Fish-sales Organization Act and new paragraphs were added.

What lessons can be learned from the Norwegian case? Can one export institutions as easily as one exports fish? Can the Norwegian Raw Fish Act and the fishers' sales organization system be copied by others?

First of all, the system was introduced in a particular historical context. It is less than likely that it would have seen the light of day in the current context. The industry looks very different today. Norway is a different place, political ideologies have changed, and power relations are not what they used to be. The fishing populations do not carry the same weight that they used to do. Their numbers are down ten per cent compared to when the Raw Fish Act was introduced.

Still, as a governance model, the Norwegian Raw Fish Act and the sales organizations that the law facilitated, are not outdated. They address problems that small-scale fisheries are facing everywhere: poverty, vulnerability and marginalization, which have motivated the SSF Guidelines. And who can say that if the Raw Fish Act and the sales organizations were dismantled in Norway, the problems that originally triggered these institutions would not resurface again?

It is not for me to say how relevant the Norwegian model is for other countries. Those who would say no must also explain why not. What the Norwegian example does suggest, however, is that if there is will to foster organization that makes a difference to small-scale fishers, to the industry, and to the entire fisheries governance system, there is a way.

For more

www.seafoodfromnorway.co.uk/
Article on Norwegian Raw Fish Act

www.regjeringen.no/nb.html?id=4
Department of Fisheries, Norway

Land Ahoy !

In pursuit of its mandate to raise the safety standards in the country's fishing fleet, the Norwegian Maritime Authority will rely on dialogue with the industry

Over the last decade, Norway's fishing fleet has undergone significant structural changes that have led to fewer vessels and a smaller number of professional fishers. This is due to the merging of allowable amounts of catch and also due to more efficient vessels and improved profitability for many. There has also been a significant upgrade of the vessel fleet, both in terms of new building and modification of existing vessels, which entail an upgrade of the standard of accommodation conditions, improving the working and living conditions for fishers working on board. An improved inspection regime during vessel construction and more detailed periodical inspections have also led to safer vessels.

A review of the accident statistics for Norwegian-registered fishing vessels shows that most of the damage to vessels happens as a result of grounding or fire on board, as shown in Figure 1. The smallest fleets of less than 15 m in length are the most accident-prone.

Figure 2 illustrates a positive trend in the number of occupational accidents in the fishing fleet. The Norwegian Maritime Authority (NMA) hopes that this trend is a result of the increased focus on preventive measures over the recent years. We see a significantly higher number of reported occupational accidents in the fleets above 24 m, but the statistics probably do not give us the whole story in this case. We know that occupational accidents are being under-reported in the fishing fleets below 15 m, and the big picture would be more nuanced if we had access to all the data.

Even if the number of fatal accidents has decreased in the Norwegian fishing fleets, we will not be satisfied until we have similar results as in 2008, when, for the first time in history, no professional fishermen in Norway lost their lives at work, as shown in Figure 3.

The legislation administered by the NMA is meant to contribute to increased safety. When inspections uncover non-compliance with the legislation, this is often explained by poor attitudes towards safety or lack of a safety culture. This is not necessarily the case, since attitudes depend on how the risk is perceived. Individual experiences, personal abilities and aspects of the working environment in general play a significant role in the understanding of risks.

We know that occupational accidents are being under-reported in the fishing fleets below 15 m, and the big picture would be more nuanced if we had access to all the data.

For years, the NMA has worked purposefully towards increasing the focus on safety in the Norwegian fishing fleet, both through increased supervision and stricter regulatory requirements, but also through attitudinal and behavioural measures. We have an organized cooperation with other authorities, fisheries organizations, insurance companies and research communities. This cooperation focuses on health, environment and safety for fishermen, and the goal is to find common measures in order to improve the health, environment and safety level in the fleet.

Liable party

According to Norwegian law, the company is the main liable party

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Figure 1: Marine (not occupational) accidents distributed by length

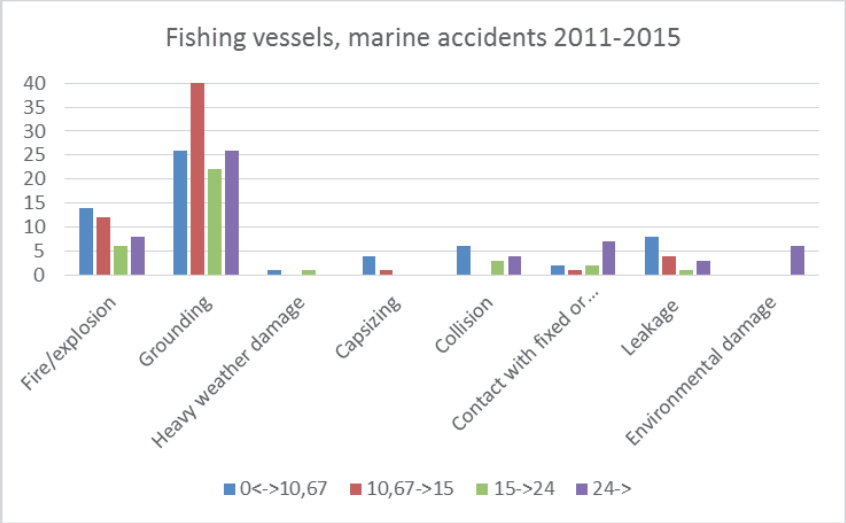

Figure 2: Development of occupational accidents, 2011—2015

Figure 3: Fatal accident rate in the Norwegian fishing fleets

(as per the Ship Safety and Security Act). The company has an overall duty to ensure that the construction and operation of the ship is in accordance with the Act, and that the master and other persons working on board comply with the legislation.

As regards employment rights, Norway gives seafarers and fishermen equal rights to a greater degree than what is done internationally. Fishermen have the same rights as seafarers to an employment agreement in writing, salary, holiday and leave of absence. In connection with the implementation of the Maritime Labour Convention (MLC) in 2008, the requirement for an employment agreement in writing was introduced for all fishing vessels regardless of size.

For Norwegian fishing vessels, the Ship Safety and Security Act provides the main provisions for safety and working environment on board. The Regulations on working environment, safety and health for persons working on board ships give more detailed provisions and guidelines on how the requirements of the Act shall be satisfied, and these Regulations apply to the entire vessel fleet, regardless of size. They include, among other things, a requirement for documented risk assessment of hazards on board.

Through cooperation with the fisheries industry and our neighbours in Denmark (the Danish Working Environment Council), the NMA has developed an online utility programme to make it easier for Norwegian fishermen to carry out risk assessments. The programme (see www.fiskrisk.no) is available for everyone free of charge (but, for the time being, available only in Norwegian).

The Regulations also include requirements for personal protective equipment and the construction and arrangement of working equipment so that the employees are protected against accidents and injuries to health. Safety measures shall also be implemented to avoid long-term effects on health, which may be caused by exposure to chemicals, vibrations or noise in the working environment.

The company has a duty to ensure that persons working on board are given the necessary training and

information about safety and health risks related to their work. The fishermen or their safety representative shall be consulted and have the right to make proposals in connection with any issue which may affect their health or safety.

On Norwegian fishing vessels, it is currently possible to use young people under the age of 16 as paid labour. This rule will nonetheless be changed following the implementation of ILO Work in Fishing Convention No. 188.

Provisions related to the accommodation, diet, potable water and cleaning for fishing vessels of more than 15 metres are laid down in a separate set of regulations. These regulations will implement the requirements of the ILO Convention No. 188 into Norwegian legislation without further adaptation.

Norway has separate regulations covering rest period requirements for all persons working on board fishing vessels, which means that the fishermen shall have at least 10 hours of rest in any 24-hour period and 77 hours in any 168-hour period. The interval between consecutive periods of rest shall not exceed 14 hours, and one of the rest periods shall be at least six hours in length.

Compliance with the legislation on hours of rest may, in some cases, be a challenge for parts of the fishing fleet. There are several reasons for this, one of them being that the entire crew is often involved in fishing activities that may be difficult to plan in advance. Some vessels, however, are probably understaffed in relation to their operational pattern, and it is our impression that the regulations on hours of rest are not well known among all fishermen.

Risk assessments carried out by the NMA show that challenges related to fatigue is an important contributing cause of accidents, both groundings and occupational accidents. In 2016, we will, therefore, have a particular focus on hours of rest and manning in our unscheduled inspections, and in connection with certificate supervision where company's control is required. Norway does not require safe manning documents on fishing vessels, but regulations for this will be introduced in connection with the implementation of ILO Convention No. 188. We will, in addition, introduce a requirement stipulating that a specification of crew shall be sent to the designated person ashore (company), which is not being practised by all fishing vessel companies today.

Technical requirements and supervision schemes for fishing vessels under 15 m

Norway has a number of national regulations on construction, outfitting and operation of fishing vessels. Fishing vessels of between 10.67 and 15 m in overall length (OAL) have, since 2001, been subject to a supervision scheme where it is required to have valid vessel instructions on board. The vessel instructions are issued by approved companies on behalf of the NMA.

In connection with the entry into force of new regulations for the construction of fishing vessels of under 15 m, fishing vessels of between 8 and 10.67 m OAL must also be subjected to an initial survey by an approved company, and these vessels are now also covered by the requirement for valid vessel instructions. After 2022, all sailing fishing vessels of more than 8 m will be required to have valid vessel instructions.

The NMA is rarely directly involved in the issuance of vessel instructions, but the company may appeal a decision to the NMA. We also assist the approved companies by preparing the necessary guidelines and report forms, and by providing the necessary clarifications and information about decisions of principle.

The ship-owner shall, first and foremost, carry out the inspection in order to safeguard his crew, himself and his vessel. The inspection shall ensure that all fishing vessels maintain a common safety standard, and the vessels instructions are a confirmation of this.

When a vessel is to be presented for inspection, the ship-owner or master must contact an approved company to arrange an inspection. In connection with this, the ship-owner or master must first carry out a control of the vessel (company's control). The company's control is carried out in accordance with the report form prescribed by the NMA. The report

form and other useful guidelines can be found on the NMA's website.

Approved companies will review the vessel documentation and carry out inspections on board the vessel. When an inspector from the approved company has been on board and has found the vessel and documentation to be in order, vessel instructions are issued.

Vessels of under 9 m shall only be subject to an initial survey by an approved company, and thereafter to periodic company controls. Vessels of between 9 and 10.67 m shall, after the initial survey, be subject to periodic controls by an approved company every 60 months. Vessels of over 10.67 m shall, after the initial survey, be subject to periodic controls by an approved company every 30 months.

The NMA places great importance on keeping a good dialogue with the industry and its various organizations in the ongoing work to raise the safety standard in the fleet.

Apart from the above mentioned control by an approved company, the NMA carries out unscheduled inspection of the fleet. This will, in practice, take place by inspectors from the NMA showing up in the port and carrying out an inspection on board the vessel without prior notification. This is a good way of checking the safety standard in the fleet.

If the inspection uncovers non-compliance on the part of the vessel, this could result in the NMA issuing orders to rectify, with a deadline for rectification, or it could lead to the vessel being detained until the non-compliance has been rectified. The NMA also has the possibility of issuing a coercive fine if the deadline is exceeded. In serious cases, a violation fine may be imposed on the company or the individual seafarer, or they may even be prosecuted in particularly serious cases. The Norwegian Coast Guard also has limited access to control vessels, either alone or in cooperation with the NMA and the Directorate of Fisheries.

In the years to come, the NMA wants to place greater importance on the active prevention of accidents and the use of safety-management systems. It is a deliberate policy that fishermen are being included, to a greater degree, in requirements for systematic safety activities and quality assurance, which characterise the Norwegian working life in general.

All fishing vessels used for commercial purposes are required to have a Safety Management System which can be documented and verified in order to identify and control the risks and also to ensure compliance with requirements laid down in, or pursuant to, a statute or in the actual Safety Management System. The contents, scope and documentation of the Safety Management System shall be adapted to the needs of the company and its activities. Fishing vessels of 500 gross registered tonnage (GRT) and upwards shall have a certified ISM Safety Management System.

It has, however, become apparent that there is also a need for developing more specific regulatory requirements in order to supplement the Act's requirements related to safety management for small vessels. The NMA is, therefore, well under way in developing more detailed regulations for fishing vessels of under 500 GRT. The fishermen's organizations and insurance companies in Norway have, in turn, developed detailed safety-management manuals for their members, as tools to implement proper safety management on board the vessel. The NMA places great importance on keeping a good dialogue with the industry and its various organizations in the ongoing work to raise the safety standard in the fleet.

For more

www.sjofartsdir.no/en/
Norwegian Maritime Authority

www.sjofartsdir.no/en/legislation/#laws
Legislation relevant to Marine Ship and Safety

Differences Matter

The Norwegian experience shows that learning about sustainable small-scale fisheries development should not be a one-way traffic from the North to the South

From the very beginning, Norwegian development assistance has largely focused on fisheries. As a major fisheries nation that came naturally. Norway always ranked high among the world's fish exporters, so why not also export our management experience and fisheries technology—so seemed the official thinking. In hindsight, however, that has not always proven to be such a good idea, since failures seem to have outnumbered successes.

That should not come as a surprise. Transfer of technology and knowledge from the North to the South—whether from Norway or any other Northern country—is not straightforward. Fisheries development has never been a quick fix and experiences from the temperate world are not necessarily relevant for the tropical world. It has been a long time since Norway initiated the Indo-Norwegian Project in the south Indian state of Kerala in the early 1950s. The pioneers of that decades-long and transformative project must have been convinced that the Norwegian expertise was indeed what Kerala needed. This turned out not quite entirely to be the case.

The fix you suggest may not fit the problem. Solutions must always be adapted to context.

To say that fisheries in the North are different from those of countries in the South is to state the obvious. A wealth of academic literature tells us *how* they differ. The important question to ask, however, is what difference these differences make—for instance, with regard to what makes fisheries sustainable. The answer is not at all clear. In the book *Angels Fear*, Gregory Bateson notes that we learn when we observe a difference that, in one way or another, makes a difference to us. A Norwegian fisheries expert who goes to Kerala would instantly spot differences. In the process, s/he not only learns something about Kerala, s/he also learns about Norway. Once s/he gets over the 'culture shock', s/he will start wondering: if it is like that in Norway, why not here? S/he will also ponder the reverse: if like this in Kerala, why not back home?

There are, of course, many similarities between Norway and Kerala. We largely share the same concerns: We want our natural environment and ecosystems to be healthy, and our livelihoods to be secure. We all care for our children, and want to live in dignity. Social justice is a concern in both places, and the same human-rights principles apply. In these respects, fisheries in the North and the South are the same, and they are no different from other industries. This is why the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) list them as basic principles, and why the Voluntary Guidelines on the Responsible Governance of Tenure talk about fisheries, forests and land in a similar vein.

Universals

As government and civil society organizations act on these general principles, they need to recognize what is unique about a country, a place and a fishery. They should, therefore,

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never work from an assumption that they have seen it all before, that problems are the same everywhere, and that whatever tool they employ will work in the same way as in the North—where they often do not function so well either.

The laws of nature and those of society are fundamentally different. This difference also creates a huge divergence between the natural sciences and the social sciences. If I drop the pen I hold in my hand, it will fall to the floor wherever I am in the world, and it does so every time. If you know a bit of physics, you will know why. While the laws of nature are universal, the laws of society are human constructs designed in ways that are appropriate to context. Therefore, unlike the natural sciences, the social sciences do not deal in universals. Social scientists, like myself, do not assume, for instance, that a new rule, a particular management tool or a technical gadget will perform equally as well everywhere. We may have some clues, but that is all we have after having investigated the matter empirically. Social scientists are trained to be sceptical of technical fixes, because societal problems are different from those in nature. They are typically "wicked", as Rittel and Webber pointed out in their seminal 1973 article about planning (see the For more box below), and, therefore, do not easily lend themselves to quick fixes. Wicked problems are hard to define and ethically charged. Problems are also wicked because they are part of bigger problems—and we cannot be sure that we have solved them, since they have no finishing line. Small-scale fisheries confront managers with many problems of this nature.

This is pretty much what Garret Hardin argued in his famous article in *Science* about the "Tragedy of the Commons". He did not talk about fisheries specifically, but when we read his example about the farmer, who, without limitation, increases his herd on the commons and eventually ruins it because every farmer is working according to the same logic, we easily conclude that this is exactly what happens in fisheries. (Still, we cannot know that for sure until we have checked it out empirically.)

But for Hardin, the tragedy of the commons was an illustration of another problem: the tendency among scientists to believe that the problems

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Trawlers at Neendakara fishing harbour, Kerala, India. Small-scale fishing people in the North, of course, enjoy the same human rights as their brothers and sisters in the global South, and they frequently refer to these rights as they criticize the government

they study always have a technical—or scientific—solution. Some problems, he argued, do not have a scientific solution because they challenge our ethics, norms and sense of morality. Poverty, according to Hardin, is such a problem. Poverty is also the example Rittel and Webber used to explain what a wicked problem is.

Scientists, nevertheless, trade in fixes or panaceas. We live in disciplinary bubbles where our tunnel visions only allow us to see one concern, be they conservation, economic efficiency, or local communities. Yet, as any fisheries manager would know from experience, fisheries management is about all these concerns, and more. If they were to focus only on one and be blind to others, they are doomed to fail. Neither can they address them sequentially. Since these concerns are linked, they must be addressed in an integrated fashion.

In 2006, together with colleagues of multiple disciplines (biology, economics and sociology), I published a paper titled *Painting the Floor with a Hammer* (*Marine Policy*, Volume 30, Issue 5). Here, we illustrated our argument about panaceas in the form of individual transferable quotas (ITQs), marine protected areas (MPAs) and community-based management (CBM). While ITQs are the love children of fisheries economists, MPAs are the favourites of environmental biologists. Sociologists and anthropologists, on the other hand, are great advocates of CBM. These panaceas arise from the narrow interests that define our disciplines. Despite much talk about holistic and interdisciplinary perspectives, academics enforce discipline within their ranks. People who dare to deviate are penalized when they apply for jobs or promotions or try to get published in journals.

In Norway, fishers were always involved in legislation, which often originated at the local level and within fishers' organizations...

A consequence thereof is also that we continue to produce, advocate and export panaceas. It does not take long for a new fix to get its own acronym, which we need to learn in order to understand what people in fisheries are talking about. These days you have to learn what RBA (Rights-based Approach), EBM (Ecosystem-based Management) and MSP (Marine Spatial Planning) mean.

These panaceas are each emerging from within the ranks of economists, ecologists and geographers. If you, as an engineer, are called in to help combat illegal, unreported and unregulated (IUU) fishing, the solution you are likely to come up with has another acronym: VMS (Vessel Monitoring System). The SSF Guidelines talks about HRBA—the human rights-based approach, which is where lawyers have particular expertise. Not only is this soup of acronyms brimful, but the size of the bowl keeps expanding.

In our paper about the hammers we employ for painting, we wanted to point to the risks that are associated with the implementation of panaceas if you do not know the context within which they are introduced. The fix you suggest may not fit the problem. You must also be open to the idea that your fix does not fix everything. In fisheries, there is no-one-size-fits-all fix. There is simply too much diversity. Solutions must always, therefore, be adapted to context.

Elinor Ostrom, the 2009 Nobel Prize winner in economics, argued that uncritically adopting panaceas is foolish. The title of Gregory Bateson's book plays on a line from an old poem by Alexander Pope (1711): "For fools rush in where angels fear to tread." We may well question the existence of angels but not of fools. We should be open to the existence of foolish angels in fisheries development and management as well.

Policy measures

While pursuing one concern, you may complicate the pursuance of another one that is equally important. ITQs

are good for economic efficiency, but bad for communities. MPAs may bring about conservation, but may exclude people from accessing their fishing grounds and thereby lead to more poverty. CBM empowers local communities, but does not address challenges at larger scales. MSP may facilitate 'blue growth', but may further marginalize small-scale fisheries. VMS may scare fishers from catching more than their quota, but cannot be the solution if poverty is driving overfishing.

Fisheries management and development cannot do without the natural sciences and their knowledge about issues that are universal, like ecosystem dynamics. This is the type of knowledge that Aristotle called 'epistêmê'. Fisheries development and management also requires knowledge that he named '*technê*', which we tend to associate with an engineer, a craftsperson, and a bureaucrat.

However, there is a tendency of ignoring Aristotle's third knowledge-type—*phronēsis*—sometimes translated as 'prudence'. This is the deep understanding of the difference that context makes and what it means to be ethical. To be smart and clever is, we know, not the same as being wise. What we admire in political leaders is primarily the latter. We definitely want fisheries development and management policies to be effective, and for that, we need to be smart about technical solutions that are evidence-based. However, we also want our fisheries policies founded on reason and compassion, namely, *phronēsis*.

Northerners, like us Norwegians, showing up in the South as policy experts with a toolbox full of hammers, should make anyone uneasy. Policy is something that should be generated from below, not be imposed from the top down, and certainly not from the outside. Neither should it be a scientific exercise. The process should be transparent and inclusive—which is why there is now a literature on the concept of 'inclusive development'.

This is how fisheries democracy has worked in Norway. Fishers were always involved in legislation, which often originated at the local level and within fishers' organizations, with government at the receiving end. Before launching a new policy initiative, the government, as a routine, would also consult these organizations, which the government helped form in the first place. This, I believe, is a model that is worth exporting.

Transfer of technology and knowledge from the North to the South—is not straightforward.

Norwegian fishers had (and have) critical opinions about fisheries policies, but they still assumed that government was honest, acted in good faith, addressed their concerns, and served their interests. For this reason, there is a level of trust between the government and the fishers, which, over the years, has paid off. I know of countries where the fishing population regards their government as their enemy. Not so in Norway, where the conflicts between government and fishers have been relatively few, and where it has been possible to enforce strict, but necessary, rules—for instance, pertaining to IUU fishing—without causing a revolt from fishers.

This has much to do with how we historically organized our industry and how the legislation enabled it. The Kerala project started at about the same time as the Norwegian Raw-fish Act became permanent law in 1951. The Norwegian parliament had also enacted the Temporary Fishers' Ownership Act in 1950 (which became the Participation Act in 1972). While the former legalized the sovereign right of fishers' co-operative sales organizations to fix minimum prices, the latter law determined that only active fishers have a right to own a fishing vessel.

A new paradigm

Both laws fundamentally changed power relations in the Norwegian

fishing industry in ways that have lasted to this day. Their relevance for implementation of the SSF Guidelines, I would argue, is that they also helped to bring the fishing population out of poverty. It took a couple of decades to develop this new legislation, partly because of the interruption of the Second World War. The New York stock market crash of 1929 hit the export-oriented Norwegian fishing industry and population hard.

Norwegians with even only meagre knowledge about the fishing industry know this story, but they may differ about its relevance today. That is not the point here. The question is rather about the relevance of what happened back then to the poor and marginalized Norwegian small-scale fishers to their counterparts in the global South today.

The question is also interesting from the perspective of the SSF Guidelines, which talk about the need for legal and institutional reform. In fact, when Norway endorsed the SSF Guidelines at the FAO Committee on Fisheries (COFI) meeting in June 2014, the delegate who spoke for Norway, mentioned the Raw-fish Act and the Participation Act.

A caveat is, however, in order. As part of the Kerala project, the Norwegians also tried to introduce our raw-fish sales organizations, but they apparently underestimated the power of the local fish merchants. In reflecting on this experience, social scientist John Kurien, who is a native of Kerala, points out that there is a major difference between creating new organizations of fishers, as with the sales organizations in Norway, and for fishers, as happened in Kerala.

This is a difference that the different approaches to fisheries development make. It is also a difference that different contexts make. I believe in the power of example, not because examples are easily replicated, but because they can be a source of discovery and inspiration. The more examples we have, the more we learn about alternative ways of doing things. But learning is only possible if we are willing to leave behind the prejudgment that comes with the panaceas and prejudice that follow the disciplines.

With their emphasis on "food security and poverty eradication", the SSF Guidelines are particularly meant for the global South. This does not make them irrelevant in the North. Since small-scale fisheries people in the North seem to be on the path of extinction, one could even make the case that their impending demise makes the SSF Guidelines especially relevant.

Small-scale fishing people in the North, of course, enjoy the same human rights as their brothers and sisters in the global South, and they frequently refer to these rights as they criticize the government. When, for instance, indigenous people in the North, like the Norwegian Sami, argue for their fisheries rights, they do so by invoking the UN Declaration of the Rights of Indigenous Peoples. The SSF Guidelines and the Tenure Guidelines strengthen their case.

Small-scale fishers in Norway and throughout the Arctic should learn what these Guidelines say about tenure, communities and gender, for instance. Norwegian fisher organizations should also follow their implementation around the world. If they pay attention, which I am not sure they do yet, I feel confident that they will conclude that the SSF Guidelines are also meant for them. Thus, I do believe that learning about sustainable small-scale fisheries development should not be a one-way traffic from the North to the South.

For more

https://www.jstor.org/stable/4374540?seq=1#page_scan_tab_contents
Technical Assistance Projects and Socio-Economic Change: Norwegian Intervention in Kerala's Fisheries Development

http://toobigtoignore.net/
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