



Managing for Diversity

keeping everyone afloat in Irish fisheries



November 2020

Suggested citation: Brennan, R. 2020. *Managing for Diversity: keeping everyone afloat in Irish fisheries*. Trinity Centre for Environmental Humanities, Dublin.

Cover image: Fishing boats, Inishturk.
Cover design: Michael (Mysh) Rozanov.

Acknowledgements

CO-SUSTAIN (Collaborative Sustainable Innovation: co-designing small-scale fisheries governance approaches) is a participatory research project that involved working closely with the Irish Islands Marine Resource Organisation over the course of two years, from 2018 to 2020. The project engaged with Irish offshore islanders, policy-makers and representatives from the wider Irish fishing industry. I am grateful to everyone who participated in the project and who gave generously of their time and knowledge. I am indebted to Séamus Bonner of the Irish Islands Marine Resource Organisation, for his exceptional commitment and support throughout the duration of the project. The CO-SUSTAIN project has received funding from the European Union's Horizon 2020 research and innovation programme under the Marie Skłodowska-Curie grant agreement No. 789524.



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Executive summary

Irish fisheries policy discourse insists that “fishing opportunities are a public resource” that are managed to ensure that such opportunities “are not concentrated into the hands of large fishing companies whose owners have the financial resources to buy up such rights.” Even though national fish quotas in Ireland are a public resource, that are theoretically accessible to commercially registered vessels, the management system favours a small number of large, industrial vessels. The lack of a differentiated approach in the current fisheries governance system is squeezing small-scale vessels out of existence, as they are caught in the cogs of a regulatory machine historically designed for a specialised fleet that inhabits very different ‘worlds’ or realities to those experienced by small coastal and island fishing communities. Small boats from the Irish offshore islands face particular difficulties due to geographical constraints. This squeeze is happening because the policy discourse - the official ‘story’ that describes the way things are - fails to reflect the particular contexts within which small-scale fisheries operate. To change this situation, their stories, in all their diversity, need to be reflected in the fisheries management system. In other words, there needs to be a differentiated approach to fisheries management, not just between large and small vessels, but also within the highly diverse 86% that makes up the small-scale fleet.

The challenges addressed by this report are shared by small-scale fleets around the world. These include challenges in accessing fishing opportunities; competing with more powerful industrial interests for fish stocks and markets; obstacles to participation in fisheries governance; difficulties making their voices heard in systems that value and privilege high economic output; and being adversely impacted by policies that are designed around the fishing practices and management of larger vessels. Notwithstanding this global relevance, the research that informs this report was designed to focus on the particular context of Ireland’s small-scale island fisheries. This research questions why the State’s critical policy objective to manage fisheries as a public resource is failing to maintain strong economic, social and cultural links between small-scale island fishing vessels and fisheries-dependent island communities. In answering this question, the research provides insights into the on-the-ground implications of the governance arrangements that shape the day-to-day lives of fishing communities in Ireland’s offshore islands.

Key Findings

- The current fisheries policy framework produces inequities for small-scale fishers despite the State’s critical policy objective to manage quota-controlled stocks as a public resource. This policy is supposed to ensure that fishing opportunities are not concentrated into the hands of large fishing interests and to maintain a strong economic link between fishing vessels and the island and coastal communities where alternative economic activities may not be available.
- The Irish fisheries policy environment does not welcome challenges to the status quo, with the result that small-scale fishers continue to operate within a system that has been designed around the realities of the larger, industrial fleet. This entrenchment of the status quo

constrains the agility of access to the resource that is crucial to the survival of island small-scale fishing communities who depend on fish stocks appearing in inshore waters within their reach.

- Resistance to changing the status quo of fisheries management approaches prevents the emergence of the spaces needed to trial innovative fisheries governance initiatives such as co-management of the islands small-scale fleet on a distinctive regional basis.
- To address the inequities in the system, differentiated approaches are needed that move beyond carving out sections of a historical status quo that privileges a small number of large operators. The recently overturned policy directive banning fishing by larger vessels in the 6 mile zone is a good example of such a differentiated approach.
- Windows of opportunity are open at this time of significant policy change that involves the development of a cohesive cross-Government Islands Policy and action plan for the offshore islands alongside the development of national and regional marine plans for the sound management of Ireland's marine environment. These co-temporaneous processes provide an opportunity for the design and piloting of innovative governance initiatives for small-scale island fishing communities, that contribute towards meeting policy objectives at national, European and international scales.

Recommendations

1. **Create spaces within the current fisheries management system for trialling innovative fisheries governance approaches** by integrating into the fisheries management system, and piloting, an agreed proposal between all parties for ring-fenced quota for the polyvalent-registered small-scale island fleet.
2. **Proactively support the creation of a fish producer organisation for the islands fleet.** Ireland's four existing producer organisations represent approximately 10% of the fleet. Recognition as a producer organisation provides access to decision-making tables that are otherwise inaccessible.
3. **Develop and implement a cross-cutting pilot Offshore Islands Regional Plan**, that incorporates the inhabited offshore islands of Ireland and their associated marine areas out to the six mile limit. The design of innovative spatial measures for fishing (informed by the expertise of local fishing communities working together with scientists from the Marine Institute's Fisheries Ecosystem and Advisory Services) could connect with the national marine planning process, the process to expand Ireland's marine protected area network and the process to develop a cohesive national policy and action plan for the offshore islands.
4. **Draw on the experience, networks, knowledge and expertise of island groups and organisations** to capture the diversity of ideas on community-led co-management approaches and partnerships, and to identify from the outset potential points of conflict, as part of a pilot Offshore Islands Regional Plan. Properly resource the co-management process at grassroots level (for example, through medium to long term funded leadership roles).

5. **Make the roles of women in fisheries more visible** by including, for example, relevant parameters informed by women in fisheries in the design and development of fisheries apps, to encourage data collection on such roles.
6. **Bring fisheries and aquaculture within the remit of the Marine Planning and Development Management Bill** to ensure coherence in the national marine planning process.
7. **Take steps to implement the FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication** by including an objective to achieve Sustainable Development Goal Target 14b (Provide access for small-scale artisanal fishers to marine resources and markets), in the National Marine Planning Framework and in the Inshore Fisheries Sector Strategy. **Ensure measurement of Target 14b on a regional scale to accurately reflect progress towards this target.**
8. **Formally adopt the 2019 Charter for Fishers, Coastal Communities and the Islands** as guiding principles for the management of fisheries, coastal communities, the islands, marine biodiversity and biocultural diversity within the National Marine Planning Framework.
9. **Include the concept of ‘building back better’ in the National Marine Planning Framework’s ‘Planning Policies and Key Issues for Marine Planning for Rural Coastal and Island Communities.’**
10. **Bring marine-related activities within the remit of one Government Department or Agency**, such as in the Marine Scotland model, to facilitate coherent governance of the marine environment.
11. **Integrate objective social and environmental criteria into quota allocation practices** to ensure transparency and fairness in the system.
12. **Improve representation of the inshore fleet and transparency in the Quota Management Advisory Committee** through publication of minutes and inclusion of representatives from (future) producer organisations for the inshore sector, such as an islands-specific producer organisation.
13. **Amplify the State’s critical policy objective to manage fisheries as a public resource** by committing to maintain strong economic, *social and cultural* links between fishing vessels and fisheries-dependent island and coastal communities, in order to strengthen the recognition that fishing is more than a commercial, profit-maximising operation.

1 Introduction

Irish fisheries policy discourse insists that “*fishing opportunities are a public resource*” that are managed to ensure that such opportunities “*are not concentrated into the hands of large fishing companies whose owners have the financial resources to buy up such rights.*”¹

Even though national fish quotas in Ireland are a public resource, that are theoretically accessible to commercially registered vessels, in reality, the management system favours a small number of large, industrial vessels. The smaller boats that make up to 86% of Ireland’s fishing fleet, are being squeezed out by a system designed around the needs of larger boats. Small boats from the Irish offshore islands face particular difficulties due to their specific circumstances such as such as geographical constraints. This squeeze is happening because the policy discourse - the official ‘story’ that describes the way things are - fails to reflect the particular contexts within which small-scale fisheries operate. The criteria and value-based assumptions underpinning the official discourse are often far removed from the day to day realities of rural coastal and island small-scale fishing communities. To change this situation, their stories, in all their diversity, need to be reflected in fisheries policy and the fisheries management system. In other words, there needs to be a differentiated approach to fisheries management, not just between large and small vessels, but also within the highly diverse 86% that makes up the small-scale fleet.

Much of the discussion that follows has relevance to small-scale fisheries globally as it addresses shared challenges across small-scale fleets around the world. These include:

- challenges to accessing fishing opportunities (in particular, valuable quota controlled stocks);
- competing with the more powerful medium and large-scale industrial interests for fish stocks and markets;
- obstacles to participation in fisheries governance (for example, Ireland’s four fish producer organisations, who have access to important decision-making tables, predominantly represent large-scale vessels and account for a combined membership of approximately 10% of the Irish fishing fleet);²
- difficulties making their voices heard in systems that value and privilege high economic output (small-scale fleets’ economic outputs are dwarfed by those of the larger-scale industrial vessels whose power affords them seats at decision-making tables such as those that manage quota allocations); and
- being adversely impacted by policies that are designed around the fishing practices and management of larger vessels.

That said, it should be noted that *the research that informs this report was designed to focus on the particular context of Ireland’s small-scale island fisheries.*

Almost three thousand islanders live on eighteen islands off the west coast of Ireland. While many of these islands are dependent on a small-scale fishing industry for survival, their fishing

¹ DAFM, ‘Fisheries Quota Management in Ireland’ (2016)
<<https://www.agriculture.gov.ie/seafood/seafoodpolicy/forms/>>.

² Ed Fahy, ‘Introducing Ireland’s Fish Producer Organisations. Eaten Fish Soon Forgotten’ (2016).

communities face challenges in navigating complex fisheries governance systems at local, regional, national and EU scales. Between 2018 and 2020, the research informing this report was conducted with Irish island fishing communities, policymakers and fishing industry representatives in interrogating the challenges faced by island fishing communities and their initiatives to manage island fisheries on a collective, diversified, seasonal basis. These initiatives - a fish producer organisation specific to the islands fleet and legislation to provide island small-scale fishers with ring-fenced access to valuable quota-controlled species in island waters - have failed to materialise to date. Island fishers remain caught in the cogs of a regulatory regime that is focussed more on individual economic profit and the growth of the ‘blue economy’ than on the socio-ecological and social justice complexities of issues that reach far beyond a fisheries governance context.

A key finding of this research is that the Irish fisheries policy environment does not welcome challenges to the status quo

This report questions why the State’s ‘critical policy’ of managing the resource as a public asset is failing to maintain strong economic links between small-scale island fishing vessels and fisheries-dependent island communities. In answering this question, the report provides insights into the on-the-ground implications of the governance arrangements that shape the day-to-day lives of fishing communities in Ireland’s offshore islands.³ *A key finding of this research is that the Irish fisheries policy environment does not welcome challenges to the status quo*, with the result that small-scale fishers continue to operate within a system that has been designed around the realities of the larger, industrial fleet. This entrenchment of the status quo constrains the agility of access to the resource that is crucial to the continuation of island small-scale fishing communities who depend on fish stocks appearing in inshore waters within their reach. Important questions arising out of this research are:

- Why is the State’s discourse of fisheries as a public resource, that is critical to the survival of coastal (and island) communities, producing a fishing industry that is dominated by the logics of privatisation and profit-maximisation and that privileges a small minority of the fleet?
- What kinds of fishing ‘worlds’ or realities should governance logics, institutions and discourses aim to nurture in order to be more inclusive and equitable, and to support a diverse, innovative and sustainable fishing industry?

The islands-driven fisheries governance initiatives mentioned above (and discussed in more detail in Section 5) have asserted particular fisheries ‘worlds’ or contexts that would require adjustments to the dominant governance paradigm, but the State’s response has been retrenchment of the status quo. This intransigence and persistence of the status quo is counterproductive not only for the islands but also for the State as it is actively impeding the

³ Interviews were conducted with islanders from Arranmore and Inishbofin (Donegal Islands), Inishturk and Clare Island (Mayo Islands), Inishbofin and Inis Oírr (Galway Islands), Bere Island, Cape Clear, Sherkin Island, Heir Island (Cork Islands). Focus groups were carried out on Inishturk and Clare Island.

State's commitment to protecting and supporting the important socio-economic links between fishing vessels and fisheries dependent coastal communities (see DAFM 2016; DAFM 2019). By failing to reflect and accommodate the diverse 'worlds' within Irish fisheries, the State is locked into reproducing a fisheries seascape that is stifling the exploration of alternative governance possibilities, while privileging institutional arrangements, approaches and practices that do not challenge the status quo. More broadly, this retrenchment of the status quo, in practice, operates to inhibit the achievement of fisheries management goals such as those enshrined in Sustainable Development Goal 14 (Life Below Water), the European Union's Common Fisheries Policy, and the European Maritime and Fisheries Fund, all of which aim to support small-scale fisheries and their coastal and island fishing communities.⁴

Failing to reflect and accommodate the diverse 'worlds' within Irish fisheries stifles the exploration of alternative governance possibilities and privileges institutional arrangements, approaches and practices that do not challenge the status quo

2 The offshore islands

2.1 Islands governance

At a national level, responsibility for the islands off the west coast of Ireland currently falls within the Department of Rural and Community Development. The islands are organised into four island groups at a county or regional level and governed by four different local authorities (Donegal, Mayo, Galway and Cork county councils). A further administrative distinction is made between Gaeltacht (native Irish-speaking) and non-Gaeltacht (English speaking) islands, with the Gaeltacht islands falling within the remit of the regional authority, Udarás na Gaeltachta, which is tasked with the economic, social and cultural development of native Irish-speaking regions of Ireland.⁵ At a community level, the islands are represented by voluntary organisation Comhdháil Oileáin na hÉireann (The Irish Islands Federation) which has, since its foundation in 1984, been calling for more cohesive island policies and a national governance approach. Following years of fragmented islands governance,⁶ an Interdepartmental Committee for Island Development was set up in 2019 to bring together the disparate policies

⁴ For example, Target 14.b of SDG14 aims to "provide access for small-scale artisanal fishers to marine resources and markets." Article 17 of the Common Fisheries Policy (CFP) provides "When allocating the fishing opportunities available to them... Member States shall use transparent and objective criteria including those of an environmental, social and economic nature.... Member States shall endeavour to provide incentives to fishing vessels deploying selective fishing gear or using fishing techniques with reduced environmental impact, such as reduced energy consumption or habitat damage." Recital 19 CFP states that "Member States should endeavour to give preferential access for small-scale artisanal or coastal fishermen" and recital 20 recognises that "[s]mall offshore islands which are dependent on fishing should, where appropriate, be especially recognised and supported in order to enable them to survive and prosper." The European Maritime and Fisheries Fund 2014-2020 (Article 18.1.i) requires Member States with more than 1000 small-scale vessels to prepare an action plan for the development, competitiveness and sustainability of small-scale coastal fishing.

⁵ The regional authority Udarás na Gaeltachta has a service level agreement with the Department of Media, Tourism, Arts, Culture, Sports and the Gaeltacht – a different department to the department responsible for the islands.

⁶ See Diarmaid Ferriter, *On the Edge: Ireland's off-Shore Islands: A Modern History* (Profile Books 2018).

into a single “cross-Government Islands Policy with an associated Action Plan”.⁷ This will be the first cross-governmental policy developed for the offshore islands in 24 years.

2.2 *Increasing visibility of inshore fisheries in the policy environment*

The policy and institutional environments for Ireland’s inshore fisheries have seen significant change since 2014. A cross-party government committee published an in-depth report in 2014 containing 29 recommendations for Irish coastal and island fisheries that focused on “the socio-economic challenges facing rural coastal and island communities”.⁸ The 2014-2020 European Maritime and Fisheries Fund (EMFF) Operational Programme made it a mandatory requirement for Member States to establish an action plan for small scale coastal fisheries in order to access EMFF funding for these fisheries. In Ireland, consultative forums for small-scale fishers at national and regional levels were established in 2014 by Bord Iascaigh Mhara (BIM, Ireland’s Seafood Development Agency), to “facilitate the development of a coherent inshore sector “voice””.⁹ Fisheries Local Action Groups (funded via the EMFF and administered by BIM) have been active since 2016 and an Inshore Fisheries Sector Strategy was published by BIM in 2019, with a vision for a “united industry with a strong and influential voice” for the inshore sector.¹⁰ Also in 2019, a new ‘Charter for Fishers, Coastal Communities and the Islands’ (Figure 1), launched by an Irish Member of the European Parliament, highlighted the need for support for Irish small-scale fisheries, fisheries-dependent island communities and called for a community-focused approach in protecting the Irish fishing sector, coastal communities, islands and marine biodiversity.

These policy and institutional changes have prompted several responses from the offshore islands, whose fishing communities are directly impacted by the complex fisheries governance systems at local, regional, national and EU scales. The Irish Islands Marine Resource Organisation (IIMRO) is a grassroots, island communities-based organisation and cooperative that was established as an affiliate of Comhdháil Oileáin na hÉireann (Comhdháil) in 2014 to represent the voices of Ireland’s offshore island communities on marine-related matters. The eighteen islands in four island groups (Donegal, Mayo, Galway and Cork) are home to a dwindling population of approximately 3000 people, with 98 registered small-scale vessels, of which 33 have potting licences and 65 have general polyvalent (multi-purpose) licences (see Table 1). Comhdháil and IIMRO have worked to make island fishers institutionally visible through engagement in various marine forums, including the North Western Waters Advisory Council (providing fishing industry and civil society advice on fisheries management to the European Commission), the Low Impact Fishers of Europe (LIFE) small-scale fisheries

⁷ Interdepartmental Committees, Dáil Éireann Debate, Tuesday 1 October 2019.

<https://www.oireachtas.ie/en/debates/question/2019-10-01/655/>

⁸ Oireachtas, ‘Report on Promoting Sustainable Rural Coastal and Island Communities. No. JsCF 001. Joint Sub-Committee on Fisheries.’ (2014, p.5)

https://data.oireachtas.ie/oireachtas/committee/dail/31/joint_committee_on_education_and_social_protection/reports/2014/2014-01-14_report-on-sustaining-coastal-and-island-communities_en.pdf.

⁹ inshoreforums.ie

¹⁰ BIM, ‘Irish Inshore Fisheries Sector Strategy 2019-2023’ (2019, p.6)

<http://www.bim.ie/media/bim/content/publications/fisheries/BIM-Inshore-Fisheries-Sector-Strategy-2019-2023.pdf>.

network,¹¹ European Small Islands Federation (ESIN),¹² the National Marine Planning Framework Steering Group, the regional and national inshore fisheries forums (RIFFs and NIFF) and Donegal County Council’s new Fisheries Committee. In recent years, Comhdháil and IIMRO have, unsuccessfully, attempted to bring into being a vision for communities-based, seasonal, diversified fisheries across the islands, co-managed in collaboration with relevant government agencies and departments. (This is discussed in more detail in sections 5 and 7). While the move towards cohesive island policies and a national governance approach for the offshore islands is long overdue, it is important to recognise that different island groups (and different islands) have differing needs and priorities. This diversity of contexts means that the islands as a region present a useful microcosm for the National Marine Planning Framework’s task of planning how best to use and manage Ireland’s marine environment into the future.

Island	Under 12m Polyvalent General Licence	Under 12m Polyvalent Potting Licence	Over 12m Polyvalent General Licence	Total Registered Vessels	Under 12m Total Registered Vessels
Arranmore	11	8	1	20	19
Bere	7	0	0	7	7
Cape Clear	1	1	0	2	2
Clare Island	2	7	0	9	9
Inishturk	4	2	0	6	6
Dursey	2	1	0	3	3
Gola	0	2	0	2	2
Heir	0	1	0	1	1
Inis Meáin	5	2	0	7	7
Inis Mór	14	3	8	25	17
Inis Oírr	12	0	0	12	12
Inishbofin (Galway)	4	0	0	4	4
Inishbofin (Donegal)	2	4	0	6	6
Sherkin	0	1	0	1	1
Tory	0	1	0	1	1
Whiddy	1	0	0	1	1
Total	65	33	9	107	98

Table 1. Distribution of registered island sea fishing vessels, according to vessel length and type of licence. Extracted from Sea Fishing Fleet Register, Department of Agriculture, Food and the Marine. Figures updated to 17 July 2020.¹³ Note: As the Sea Fishing Fleet Register does not indicate gear type, it is not known how many of the under 12m polyvalent general registered vessels qualify as ‘small-scale’ according to the EU definition (i.e. using only non-towed gear) since some of these vessels may be using towed gear.

¹¹ <https://lifeplatform.eu/>

¹² <https://europeansmallislands.com/>

¹³ DAFM, ‘Sea Fishing Fleet Register, Department of Agriculture Food and the Marine’ (2020) <<https://www.agriculture.gov.ie/seafood/seafisheriesadministration/seafisheriesadministration/seafishingfleetregister/>> accessed 16 November 2020.

The Charter for Fishers, Coastal Communities & the Islands

This charter is the work of numerous consultations with fishers, NGOs and coastal communities. It contains Sinn Féin's proposals and pledges for safeguarding and promoting our fishing sector, coastal communities, islands and marine biodiversity.

For decades our coastal communities have been ignored by consecutive governments. However, as we approach the renegotiation of the Common Fisheries Policy and several other agreements there is an opportunity for positive, progressive change. We in Sinn Féin are determined to deliver that change at both national and European level.

This Charter will form the bedrock of our proposals in those negotiations and will outline our guiding principles for all issues regarding our coast; principles that every party can and should sign up to.

1. Empower Irish coastal communities

Safeguard, acknowledge and promote the important role played by the hundreds of Irish fishers, their family dependents and the coastal and island communities of Ireland;

2. Fair Fish Quotas and Quotas that benefit coastal and island communities

Allocate quotas fairly and proportionately. Allocation of fish quotas should be free from political cronyism and corruption. There should be fair access to quotas for inshore and island fleets as referenced under Article 17 of the Common Fisheries Policy.

3. Simplify bureaucracy and end the criminalisation of fishers

Simplify rules for funding and lessening the bureaucratic burdens for applicants, especially for Fisheries Local Development Action Groups. Favour the introduction of a more proportionate approach to the inspection for Irish fishing vessels;

4. Combat illegal and destructive fishing by outside sources

Prevent foreign flagged fishing vessels that have previously conducted illegal, unreported or unregulated fishing from fishing activities in delicate or protected areas and are harshly penalised in order to protect marine ecosystems and local fish stocks for commercial use. Prevent the mass displacement of EU and non-EU fishing vessels into Irish waters in the event of a no deal Brexit scenario;

5. Stop Supertrawlers

Support an outright ban on supertrawlers and until that can be achieved call for the strictest monitoring by the SFPA of super-trawlers operating in Irish waters;

6. Use the European Parliament to challenge the European Commission and protect Irish fishers

Commit our MEPs towards working for major reform of the Common Fisheries Policy which has been deeply unpopular with Irish coastal communities and fishers.

7. Better EU funding

Work within the European Parliament to propose and support the simplification and expansion of the European Maritime & Fisheries Fund so it better protects and promotes small-scale fishers, coastal communities and a healthy and sustainable marine environment;

8. Support the people and organisations that save lives

Increase measures to support our coastguard, naval and search and rescue services as well as volunteers, voluntary organisations and families who have lost loved ones at sea;

9. Community focused approach

Encourage and support marine stewardship and co-management within local communities as a means of ensuring the protection of the marine environment;

10. Building alliances for ordinary fishers

Assist small scale inshore and offshore fishers in exerting political influence and building alliances at European, regional and national levels; To promote fisheries policies that work for all Irish fishing interests, not just the powerful; The full and equal involvement of fishers in the future development and implementation of fisheries policy at national and international level;

11. Scientists & Fishers Working Together to Protect Coastal Communities & our Environment

Develop a sustainable fisheries policy that is balanced between environmental, economic and social objectives with collaboration between scientists and fishers to ensure commercially and environmentally sustainable fish stocks. Safeguard local fish stocks - The seasonal closures of fisheries spawning grounds, and in unforeseen periods where there are large quantities of juvenile fish in the area.

12. Government Priority

Establish a Department for Fisheries, Marine and Marine Communities with a designated Minister

13. Power to our Islands

Island proof all legislation that passes through other Departments in order to ensure that legislation does not have an unfair or discriminatory effect on island communities; Legislate for an Islands Bill and the creation of a national Islands plan to promote heritage, wellness and tourism and formulate a long-term blue socio-economic and marine development plan;

14. Value our stakeholders

Support the positive roles played by Údarás na Gaeltachta, Fisheries Local Development Action Groups, Lost at Sea Tragedies, Irish Island Marine Resource Organisation, the Irish South & West Fish Producers Organisation, Irish South & East Fish Producers Organisation, Bórd Iascaigh Mhara, Killybegs Fishers Organisation, Irish Fish Producers Organisation, Irish Fish Processing & Exporters Association, Marine National Inshore Fisheries Forum, Regional Inshore Fisheries Forums, Anglo-North Irish Fish Producers Organisation, Northern Ireland Fish Producers Organisation, Europeche, Low Impact Fishers of Europe, affiliated & non-affiliated parties and all other stakeholders;

15. A Post-Brexit Fishing Deal that works

Negotiate a future fisheries agreement between Britain and Ireland after Brexit that benefits all the fishermen of Ireland which should be modeled on the trilateral agreement between Denmark, Sweden and Norway covering the waters of Skagerrak & Kattegat. This could also resolve the Voisinage Agreement impasse. The Irish Government must adequately prepare for all Brexit eventualities.

16. Zero tolerance approach to illegal fishing by industrial vessels

Demand stricter monitoring and control of the fishing operations of foreign fishing vessels, particularly those with a history of non-compliance, especially factory vessels or super-trawlers;

17. Secure A Bluefin Tuna Quota

Call on the Irish government, International Commission for the Conservation of Atlantic Tuna (ICCAT), European Commission and European Council to secure and grant Irish fishers a commercial quota for Bluefin Tuna, which would also enable recreational fishing for the species;

18. Invest in our Fishing Ports

Invest in improving port facilities and developing transport infrastructure for important fishing ports which are mostly located in peripheral areas;

19. Clean our Rivers, build their Fish stocks and Punish Polluters

Require swifter environmental clean-ups and restocking of fish in waterways where pollution has negatively impacted the ecosystems; Consider the pollution of waterways to be acts of gross and criminal negligence that warrant harsher penalties for those responsible, particularly when this pollution causes moderate to severe temporary or permanent environmental damage to affected ecosystems and waterways, which often results in mass kills of fish and other species kills, lack of access to clean water and disruption to human activities;

20. Looking out for small scale fisheries and provision of aid for Fishers

Support aid for small-scale fishers of a Member State who are directly affected by an unforeseen closure of a fishery they conduct fishing activities in that lies within the Economic Exclusive Zone of their Member State; Legislate to enable access to compensation, aid or funding for operators of fishing vessels less than 12 metres, particularly those who use static gears; Seek preferential access for small scale, inshore, artisanal or coastal fishers between the baseline and 12 miles out.

21. Compensate our Eel Fishers

Legislate for a new European Maritime & Fisheries Fund to allow easier access and broaden the scope for funding, especially for compensation and a support scheme for eel fishers;

22. Community Led & Centred Approach to Aquaculture

Foster an environmentally sustainable, indigenous and community-led aquaculture sector with a robust, transparent and democratic licencing system;

23. Value and Nurture Ireland's Maritime Heritage

Represent and work with small scale fisheries and coastal communities and encourage young people and women to participate in maritime work and fisheries

24. Stop the Privatisation of Community-Owned Seaweed and Kelp

Promote and support community led and owned sustainable seaweed harvesting operations;



Figure 1. Charter for Fishers, Coastal Communities and the Islands, launched by Liadh Ní Riada MEP in January 2019

2.3 *Different island groups have differing priorities*¹⁴

There are many shared challenges across the fishing communities in the offshore islands. These include the need for local and national government support to improve island infrastructure, access to markets and make the small-scale industry more attractive to new entrants from the younger generation. Currently, small-scale fishing does not present an attractive career choice to the younger generation on the islands, as illustrated by the found poem in Figure 2. It is prohibitively expensive to invest in a fishing vessel, licence and gear, and there is no guarantee of a steady income to pay off the debt incurred (assuming finance is forthcoming). There is concern amongst islanders about a generation gap of people who are no longer learning to fish from when they are eleven or twelve years old. There is also a noticeable tendency to look to European institutions for support for island fisheries in the absence of regional management of the islands for fisheries governance purposes. Despite these shared concerns and challenges, different priorities and ‘burning issues’ emerged from different island groups.¹⁵

2.3.1 *Cork islands*

“What it really comes down to is that we can all see the problems and the issues but nobody wants to come together to sort them out.... they are looking after their own interests.”

Co-management attempts and tensions within small-scale fisheries: There have been several initiatives to co-manage fisheries in the Cork islands over the last two decades, including voluntary agreements amongst local fishermen, but for various reasons, these initiatives have not continued. For example, Bere, Dursey and Whiddy islands were involved in a successful integrated coastal zone management initiative for Bantry Bay between 1997 and 2003,¹⁶ which ended due to a lack of government support.¹⁷ A voluntary agreement two decades ago between local fishermen in Berehaven harbour resulted in an *ad hoc* marine protected area when a section of scallop fishing grounds was reseeded and unfished for four to five years. Unfortunately, there was no agreement on how to manage the reopening of the grounds and “when they opened it, they hammered it.” Although fishers have noticed an improvement in lobster stocks following several years of the voluntary V-notching scheme for berried lobsters, the decline in scallop and shrimp stocks over the last two decades means that there is little incentive for young islanders to enter the small-scale industry, even if they could afford the prohibitive entry costs. A more recent attempt to bring different fisheries interests together in the harbour through the Berehaven Harbour Fisheries Group met with stumbling blocks that underline the many tensions at play in this region.

¹⁴ This section contributes to the following key issues and objectives identified in the Irish Inshore Fisheries Strategy 2019-2023: Key issue 9 “*Profile of the inshore sector is poorly defined*”; Objective 2 (Theme 4) “*Improve the connectivity and communication between fisheries and markets.*”; Rationale for Objective 1 (Theme 3) “*Recognition...needs to be given to the role that women play in the sector through highlighting existing involvement as well as developing and promoting further opportunities to involve women.*”

¹⁵ Quotations are from interviews with Cork, Galway, Mayo and Donegal islanders in 2019.

¹⁶ https://ec.europa.eu/environment/life/project/Projects/index.cfm?fuseaction=search.dspPage&n_proj_id=892&docType=pdf

¹⁷ Lorna Siggins, ‘Bantry Coastal Initiative Is Wound Up’ *The Irish Times* (2003).

I love it...but I wouldn't do it
 We have been told growing up
 "Oh don't get into fishing".
 I love it
 coming back
 and doing it over the summer
 but I wouldn't do it.
 I couldn't see myself settling for it.
 You go to college
 you get bigger ideas
 and bigger goals.
 I could do a lot of work from home.
 There needs to be financial rewards
 to keep people in these places.
 I think what needs to be done really
 is a hand up
 more than a hand out.
 Level the playing field I think.
 That could be the hand up they would need
 to make this profitable here.
 Here
 it is a lot more complicated
 there is more planning.
 Being able to tie the boat at the pier
 is crucial for us to live.
 People on the mainland can just land in
 and go up to their house.
 These people are making money
 and that is what the government sees,
 and that works.
 Capitalism.
 You would never consider fishing here
 because it is just such a hassle.
 You don't have the harbours
 you can't do it in the winter time
 it is just not on.
 If the year is good all right
 you might get October, November.
 But after that it might be May or April again
 before you would be able to go fishing
 because it is too shallow
 and too rough.
 People were fishing here just because they were living here.
 Fishing to us
 was a break from the land
 and you enjoyed doing it.
 It's not looked at as an attractive place
 to fish.
 Because if you were a business -
 and if you are fishing
 it is a business -
 you have to think
 profit and loss
 and there is just
 too much
 loss.

Figure 2. A 'found poem' created from a selection of interview data featuring the voices of Irish islanders'¹⁸

¹⁸ Ruth Brennan, 'Fishing for Survival in the "Blue Economy": Found Poems from the Irish Islands' [2020] *ACME: An International Journal for Critical Geographies* <<https://zenodo.org/record/4266614#.X7GxZZP7S3I>>.

“Big fishers who are also small fishers”: There was a sense of frustration amongst island small-scale fishers at the lack of a level-playing field within the small-scale fleet in the Cork islands closer to the mainland. They pointed to mainland fishers who either own, or work as crew on, large trawlers for part of the year and who fish from small-scale boats for the rest of the year. While there was an acknowledgement that these “big fishers who are also small fishers” were entitled to own and fish from small-scale vessels, “they are not the same category of person as someone from this island” even though “they tick all the boxes” as a small-scale fisher. There was frustration that these “big fishers who are also small fishers” are competing with island small-scale fishers who rely on inshore fisheries for all of their fishing income.

2.3.2 Galway islands

“Will the future be an island of landed people?”

The fishing industry on the Galway islands today is virtually unrecognisable compared to just over a century ago. Fishing used to be seasonal in the sense that every season had a purpose: winter was for repairs, spring was for sowing crops, mid-spring and summer were for fishing, up to the end of August or September. Inis Oírr used to have 20 boats fishing for the full season, each with four or five crew. The boats were built in neighbouring Inis Mór. Up to 1912, there was a thriving salt fishing industry on Inis Oírr, with salted mackerel being sold to the American market. Inishbofin had an active herring industry in the 1920s. During the 1960s, outboard engines started to be used on the traditional currach, enabling different fishing grounds to be explored. Inishbofin used to have several crews fishing for lobster all around the island, using handmade pots, with a maximum of 50 pots per boat set close to the shore. The pots were usually hauled and reset three times a day. During the 1970s, some of the islanders invested in boats with wheelhouses and increased the number of pots, but many continued to fish from the traditional currach. There are still islanders today who fish from a currach, but far fewer than previously.

A decline in boats, crew and stocks: Many of the younger fishermen have left fishing for the more stable work crewing one of the island ferries, which have become increasingly busy with the rise in tourism in this island group over the years. There are only a handful of fishing boats left on the Galway islands, and most of these boats fish part-time. On Inishbofin, three boats fish the full fishing season from April to the end of October and on Inis Oírr, only one boat fishes for the full season. The rest of the boats fish for two or three months during the summer. The fishing that is carried out on the islands today revolves around potting for crab and lobster, and netting and line fishing for pollack. As well as a decline in fishing boats and crew, the fishermen have noticed a huge decline in stocks.

Lack of adequate infrastructure: A pressing issue on the Galway islands is the lack of adequate infrastructure to support a local small-scale fishing industry. For example, the existing harbour in Inis Oírr is not sheltered enough to leave the boats in the water. It is impossible to haul boats out of the water at the slip without using a tractor or (for a heavier boat) a forklift.¹⁹ In Inishbofin there is no cold storage facility on the island and the cold storage that used to be on Cleggan pier on the mainland is no longer there.

Difficulties with access to markets: An even more pressing issue for the Galway islands is the logistics of transporting fresh catch to the mainland to access the market for whitefish such as pollack, mackerel and wrasse. While shellfish can be stored at sea, the whitefish catch needs to be landed the same evening, as the island boats are too small to have ice on board. These small boats depend on a cargo boat to get their fresh whitefish catch from the island to the market. As well as the extra costs involved in depending on a cargo boat, these island-specific logistics means that island fishers can lose half a day or more in getting their catch to market. There is a need to create different routes to market which can work with these logistical difficulties. Iasc Inis Oírr, a small, family-run processing business set up in May 2018 is an example of one family's attempt to extend the shelf-life of their catch. In the compact Iasc Inis Oírr kitchen, some of the mackerel and pollack is filleted and sold fresh to the island's hotel during the summer months, and the rest is vacuum packed and frozen for the mainland market. They also sell their freshly processed catch (mackerel, pollack and crab claws) from a small fish van on the pier in the summer.

An inconsistent supply of locally caught whitefish for island businesses: On Inishbofin, a more ambitious island processing initiative for whitefish was trialled in 2014. Despite the best efforts of the island entrepreneur, whose vision included part-time work for several islanders, it was not a workable model because of an inability to source enough island-caught fish. With just one local boat fishing for the full season, there was not enough volume or consistency of supply of whitefish. According to the local entrepreneur, the picture would have been entirely different had there been four or five local boats fishing the full season instead of just one boat. An attempt to source the whitefish from nearby mainland boats in Cleggan also failed as these boats mainly fish crab and lobster. Another frustrating factor for the processing plant was lack of a route to market due to the transport logistics described above. The initiative was shelved as unviable after 18 months.

¹⁹ Development of Inis Oírr pier is listed as a key deliverable as part of the government's National Development Plan. See Department of Tourism Culture Arts Gaeltacht Sport and Media, 'Ministerial Brief: Islands' (June 2020, pp 4 and 17). <https://www.gov.ie/en/publication/e6f7b-briefing-for-minister-june-2020-islands/>

2.3.3 Mayo islands

“It’s all about getting a managed fishery rather than everyone just doing what they like.”

Two focus groups in April 2019 generated detailed insights into the challenges faced by the Inishturk and Clare islanders and their ideas for better management of their fisheries. The main theme was the decline in lobster stocks and an urgent need for stock recovery through effective management measures. It was notable on these islands that there are still a number of fishermen fishing from a currach – micro-scale fishing. One fisherman told me that up to a few years ago he used to collect his pots the day after setting them, but now he waits 2 to 3 days before hauling them to make sure he catches something. Another said that in 1989 he made enough money fishing 40 pots and now he has to fish almost 1000 pots for the same return – the price of fish has not risen, but costs have increased and “people have to catch more now to stay as they were”. While the focus is on lobster, fishermen also catch pollack and mackerel intermittently, similar to the Galway islands. Single-handed fishing is now a lot more common, whereas previously, nobody fished alone. Just before the turn of the century, fishing 300 pots was considered a lot, whereas now many fishermen are fishing three to four times this number. There was a strong desire for an enforceable management system to be put in place to protect the stocks.

Disagreement on lobster management: There were various ideas on what an effective lobster management scheme would look like. Ideas discussed included a limited season and a limit on the number of pots per boat. People disagreed, in particular, over whether pot limits were a workable idea because of enforcement difficulties. Another point of contention was whether it was fair for older fishermen to suggest that younger fishermen limit the number of pots when it is already difficult for people to make ends meet. One fisherman commented that “the sea is for everybody; you cannot stop anyone from using the sea.” Weather conditions, lack of infrastructure such as winter piers and the small boat and engine sizes mean that islanders can only fish from April to October or November. In contrast, the mainland boats in Cleggan, which have more gear and are not as susceptible to bad weather, fish all year round, even though they are also small-scale (under 12 metres and using non-towed gear).

Lack of adequate infrastructure: The problem of inadequate infrastructure to support a small-scale fishing industry was discussed at length. Neither Inishturk nor Clare has a cold storage facility or a processing facility. Some fishermen wanted to access the retail markets directly but insufficient volume of supply and routes to market posed a problem. In contrast to the Galway islands, the Mayo islands pinpointed landings at the mainland pier of Roonagh as a major issue. This pier is not suitable for small-scale boats to land their catch as it is not safe to tie up to the pier when there is a swell surge (this can happen in summer and winter, but is more severe in winter). As a result, one crew member has to stay behind the wheel, with the engine on, while the catch is being unloaded.

Combining education and fishing: Some Mayo islanders thought that “education has ruined the fishing”. The young islanders leave their island to go to university, become interested in different careers, and small-scale fishing, even part-time, is simply not viable as a career, even though many of them return home to fish during the summer holidays. Initiatives such as growremote.ie are trying to address this by attracting people with remote-working jobs to rural areas. Several younger islanders said that they would love to live on their island if they could make a decent living by working there (see the found poem in Figure 2). A common theme in this regard was the need for a high quality broadband service. Is flexible remote working combined with small-scale fishing one possible way forward to ensure the islands thrive?

2.3.4 Donegal islands

“It’s about getting on and off the boats. For example, we use a small boarding boat in the islands to get onto our vessels because they’re not on the pier, they’re at a mooring.... The mainland boats are tied up on a pier. There’s a big difference.”

Donegal islanders provided detailed insights into the factors that make it more difficult for island boats to access fishing opportunities. In short, it comes down to the extra steps needed to get on and off island fishing vessels that are not tied up at a pier, and the many factors that can combine to frustrate this.

Access to fish: Variables such as weather, tides and a lack of infrastructure can combine to make it difficult or impossible to access and haul static gear such as lobster pots. The journey from boat to gear may be blocked by shallow reefs at low tide. A heavy swell, due to the direction of the wind, might make the journey too dangerous, particularly taking into account the need to transfer the bait from land onto the small boarding boat, the extra weight of the bait and then the transfer from the boarding vessel onto the fishing vessel, moored offshore. Similarly, weather conditions determine when it will be safe to return to shore in the small boarding boat, which can easily be swamped by a swell. These safety considerations can lead to a fishing day being cut short or cancelled.

Coordinating sales to fish buyers: These considerations have a knock-on effect in relation to coordinating sales to fish buyers. A buyer might typically be available at a mainland pier in the evening, when mainland boats return from a day’s fishing. However, during the winter, the island boats need to factor in time to return to the island while there is still enough daylight to moor the fishing vessel, transfer to the boarding boat and bring the boarding boat ashore.

Lack of market distinctiveness for island-caught fish: There is no price premium for island-caught fish if they cannot be distinguished from the same species caught by larger vessels. This can influence an island fisher’s decision not to catch a species such as whiting, for example. Whiting is caught with (static) gillnets by small boats and it is time-consuming to pick them

out of the nets, with the result that there is no incentive to bring gillnet-caught whiting to the market.

Calls for a co-managed, seasonal, diversified fishery for the islands: Access to fish can also be impeded by a combination of technical requirements such as whether a vessel is in the correct fleet segment and has the requisite tonnage, engine power (kilowatts) and track record to fish certain quota species. This makes it difficult for island fishers to flexibly fish for different species when stocks appear in island fishing grounds. Although this issue arose across the islands, the Donegal islands were particularly focussed on the need for a co-managed, seasonal, diversified fishery for the offshore islands to ensure the continued existence of island fishing communities.

2.4 Intangible cultural heritage on the islands

Maritime cultural identity is a key feature of many coastal and island communities in Ireland and is rooted in people's living knowledge of the sea. This knowledge is found in their stories, histories and legends; of how they have made a living from the sea; of how they have named and renamed it to suit their needs on and from the sea; of how it has helped to shape their conduct and beliefs; of the change that technologies have brought to their relationships with it, and the intergenerational transfer of a particular way of knowing the sea, through stories and cultural representations, captured for example through the work of Séamus Mac an Iomaire or in collections of folklore such as *Cogar San Fharráige*.²⁰ Traditionally, knowledge of the sea was gathered from careful observation and held in people's memories, for example as *marcanna na talamh* (landmarks) used to navigate to fishing grounds and which are captured, for the offshore islands, in Ireland's permanent National Inventory of Intangible Cultural Heritage.²¹ Distinctive grammatical expressions related to the sea are also evident, such as fishing 'down' to the north and 'up' to the south or travelling 'in' to an island and 'out' to the mainland.²²

Evidence of past and present naming (often in Irish) in relation to the sea illustrates the depth of local people's connections to their marine environment (Figure 3) with place names often charged with historical and legendary associations. For example, according to legend, Staca Róise, a rock off the island of Arranmore in Donegal, got its name when a local woman, Róise, spent three days and three nights waiting in vain for her husband and son to return from a fishing trip. Another rock on the island's Leabgarrow Strand is called Carraig na mBeithí (the rock of the horses) as it was a marker for horse races on the beach. Some Bere islanders in Cork still fish for small amounts of scallops using a fishing method called shading. Shading requires flat calm waters as a *brideog* (a long stick with an iron ring and net on the end of it) is used to scoop up scallops from the seabed (Figure 4). In Clare island, some islanders continue a traditional method of line-fishing off the rocks, nowadays mainly for bait fish. It is still common to see islanders fishing with pots from currachs in the Galway and Mayo islands. This

²⁰ Proinsias Mac a' Bhaird, *Cogar San Fharráige: Scéim Na Saol in Arainn Mhór 1937-1938*. (Coiscéim 2002).

²¹ <https://nationalinventoryich.chg.gov.ie/marcanna-na-talamh/>

²² Iain MacKinnon and Ruth Brennan, 'Dùthchas Na Mara-Dúchas Na Mara-Belonging to the Sea' (2012) <<http://www.mappingthesea.net/Belonging-to-the-Sea.pdf>>.

maritime cultural heritage is intertwined with the biophysical marine environment, creating a sense of belonging to, and responsibility for, place.²³

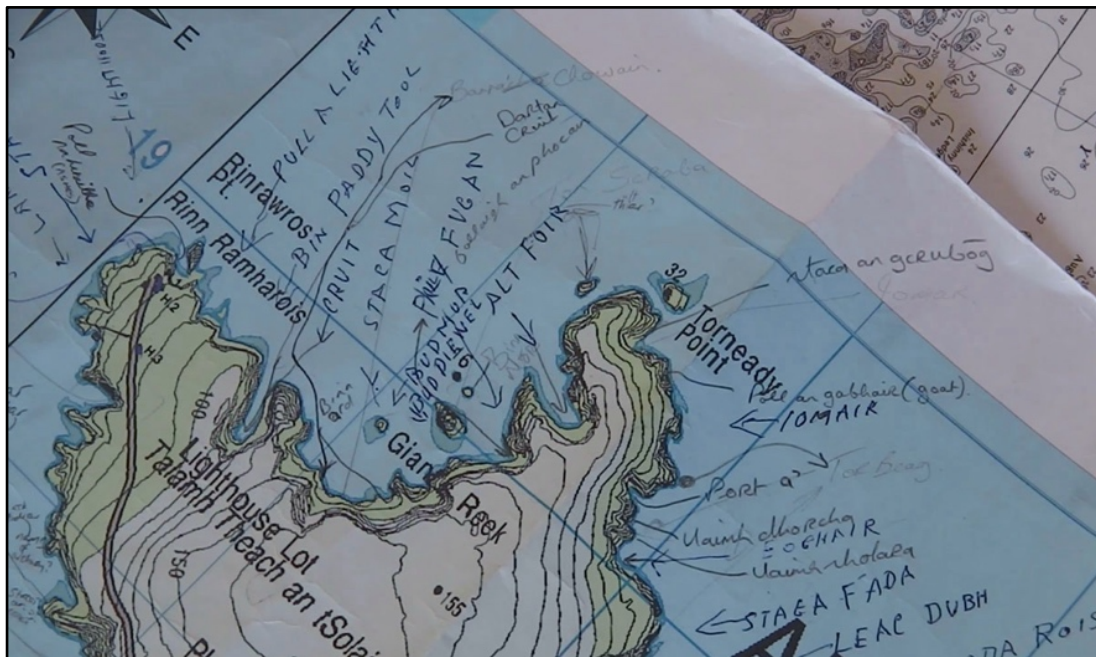


Figure 3. An annotated map of Arranmore Island, Donegal showing detailed names for coastal locations, compiled by Arranmore islander John McCafferty. This is an example of Maritime Cultural Heritage. Image: Stephen Hurrell

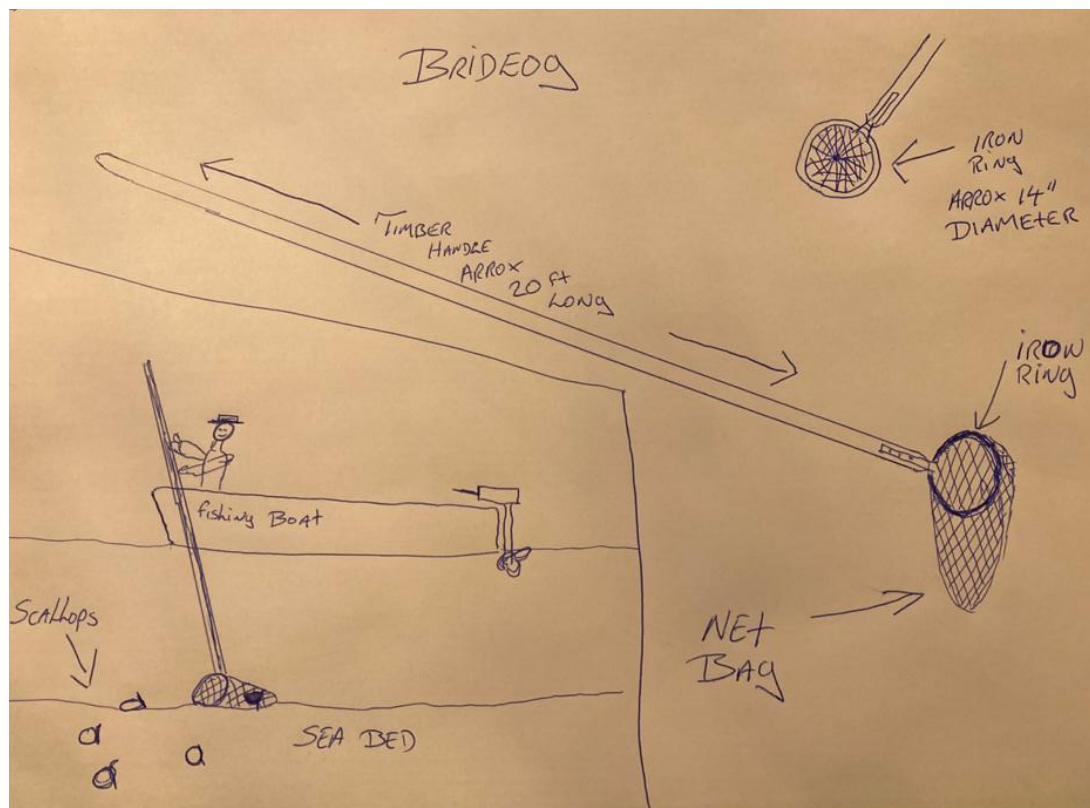


Figure 4. Shading for scallops using a brideog. Image: James Orpen of Bere Island.

²³ *ibid.*

2.5 *Women in fisheries*

“She’s the backbone...she keeps the whole show on the road...”

Even though scholars have been highlighting the roles of women in fishing for decades, the fishing industry is still commonly portrayed as ‘men in boats’, as illustrated by the found poem in Figure 5. Yet, women play vital roles in fisheries, usually as ground crew that “keep the whole show on the road”. For example, it is generally women who are responsible for sourcing and shopping for boat parts, paying bills, organising the boat before it goes out, collecting and delivering crew members to the boat, sorting out wages for crew, doing the VAT returns and licence applications, figuring out how new fisheries software works, attending meetings, working with the banks when finance is needed and processing and marketing the catch.

Despite the essential roles of women in fisheries, there is a general lack of recognition of these roles - amongst both women and men. This lack of recognition of women in fisheries is reflected across Europe. The European Commissioner for the Environment, Oceans and Fisheries, Virginijus Sinkevičius, has acknowledged the lack of representation of women in the formal governance structures of the fishing industry, which means that decision-making tables in fisheries are dominated by men. February 2020 saw the revival of the AKTEA women in fisheries European network at an event in Brussels. Women in Irish island fisheries were represented at the event by the small island business Iasc Inis Oírr. Addressing the event, Commissioner Sinkevičius reiterated his commitment to supporting the social dimension in fisheries, including gender equality, both through the European Maritime and Fisheries Fund, and in the implementation of the Common Fisheries Policy, which is due to be reviewed by December 2022. Returning to the islands context, shore gathering of shellfish used to be a traditional activity by island men and women. The Donegal island of Arranmore is encouraging a revival of the tradition of gathering winkles on the shore. The development of a new fisheries app by the Irish Islands Marine Resource Organisation (supported by an Innovate Together funding award from Rethink Ireland) offers potential to document and make more visible the roles of women in island fisheries.

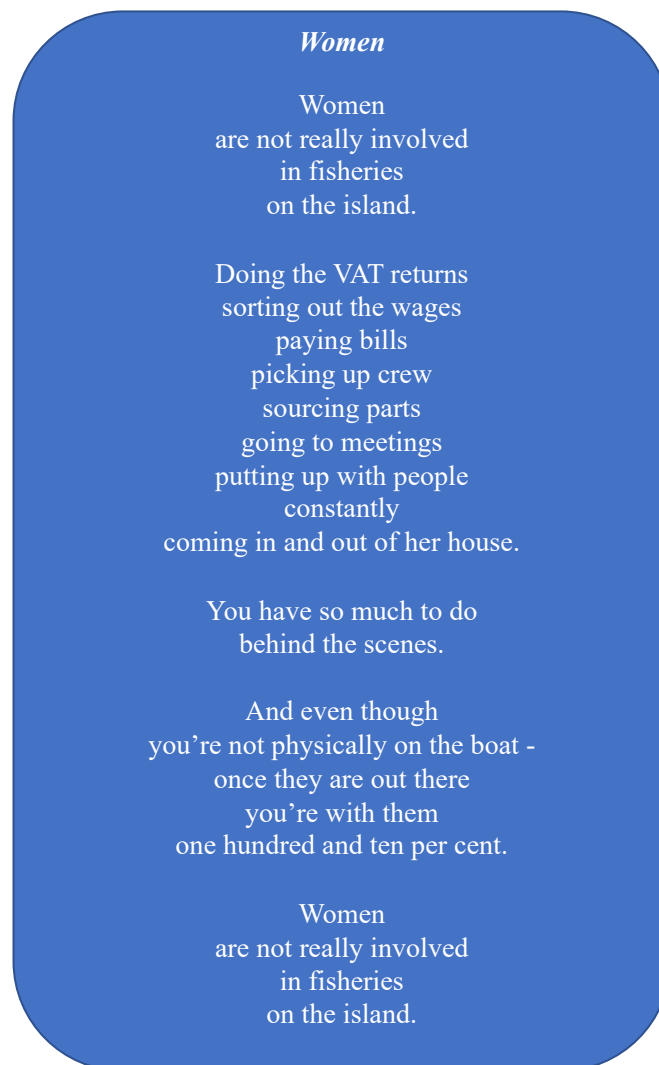


Figure 5. A 'found poem' created from a selection of interview data on women in fisheries in the Irish islands²⁴

3 The Irish fisheries system - from a small-scale fisheries perspective

In Ireland, the primary responsibility for fisheries management lies with the Sea Fisheries Policy and Management Division in the Department of Agriculture, Food and the Marine (DAFM).²⁵ The State's overall fisheries management goal, as articulated by DAFM, is "to implement national policies, negotiated within the Common Fisheries Policy, that support a long term sustainable seafood industry for Ireland, and to maximise the long term contribution of the seafood industry to the economies of coastal regions".²⁶ Although the intention of the State is to ensure fair and equitable management of fisheries, this study's analysis of island fisheries contexts shows that a number of factors prevent this intention from being realised on the ground. There is often a disconnect between well-intentioned policy statements and the

²⁴ Ruth Brennan, 'Fishing for Survival in the "Blue Economy": Found Poems from the Irish Islands' [forthcoming] *ACME: An International Journal for Critical Geographies* <<https://zenodo.org/record/4266614#.X7GxZZP7S3I>>.

²⁵ The terms DAFM (Department of Agriculture, Food and the Marine) and the State are used interchangeably, unless otherwise indicated.

²⁶ <https://www.agriculture.gov.ie/seafood/sea-fisheriespolicymanagementdivision/>

lived realities of small-scale fisheries that are located in a range of dynamic socio-cultural and political contexts.

3.1 Equal (but not equitable) access to fishing opportunities

“For demersal fisheries and subject to licence conditions, small-scale vessels have the same fishing opportunities as any other vessel of a length that is less than 55 feet.” (Minister for Agriculture, Food and the Marine)²⁷

“Capacity...in the form of gross tonnage and engine power is a privately owned tradable asset that, with certain exceptions, may be sold, traded or realised as a financial asset on the tonnage market.” (Department of Agriculture, Food and the Marine)²⁸

A critical policy in Irish fisheries management is the management of quota-controlled stocks as a public resource. This policy is supposed to ensure that property rights are not granted to individual operators, so that fishing opportunities are not concentrated into the hands of large fishing interests. It is also supposed to ensure a strong economic link between fishing vessels and the island and coastal communities where alternative economic activities may not be available.²⁹ Although quota does not have a marketable value and does not confer property rights on individual operators, *capacity* is a marketable commodity and capacity rights must be purchased in order to access fishing opportunities. A vessel’s capacity is measured according to the vessel’s tonnage (GT) and engine power (kilowatts). Capacity rights (tonnage and engine power) are valuable tradable assets that can be difficult and expensive to source, particularly in relation to pelagic species such as mackerel and herring which require a vessel to have specific tonnage and (in the case of mackerel) specific kilowatts to target these stocks. As such, the ability to increase the capacity to fish (i.e. to purchase tonnage and engine power on the market) confers additional access to valuable quota species, such as mackerel and herring.³⁰

A 2017 study on EU Member State quota allocation systems found that “Irish quota allocation is geared towards equity with vessels in the same fleet segments receiving equal allocations”.³¹ Ireland scored mid-high on ‘equitable and fair’ and high on ‘flexible’, two of the objectives in the study’s analysis framework. At first glance, this finding in the 2017 study appears to contradict the findings of the research underpinning this report, which has identified inequities

²⁷ Oireachtas, ‘Fishing Industry, Dáil Éireann Debate, Thursday 20 July 2020’ (2020) <<https://www.oireachtas.ie/en/debates/question/2020-07-30/928/>>.

²⁸ DAFM, ‘Consultation Paper on a Review of Replacement Capacity Requirements under Sea-Fishing Boat Licensing Policy’ (2016) <<https://www.agriculture.gov.ie/media/migration/customerservice/publicconsultation/2016LicensingReviewConsultPaper120916.docx>>.

²⁹ DAFM, ‘Fisheries Quota Management in Ireland’ (n 1, p.1); DAFM, ‘The Quota Management Advisory Committee’ (2019, p.2) <<https://www.agriculture.gov.ie/media/migration/seafood/sea-fisheriespolicymanagementdivision/TheQuotaManagementAdvisoryCommittee090819.pdf>>.

³⁰ Jennifer Cooney, ‘Ireland: An Island Nation or a Nation of Islands?: Impacts of Fisheries Management on the Cultural, Historical and Livelihood Values of Island Communities’. (2019) <<http://hdl.handle.net/1946/34024>>.

³¹ G Carpenter and R Kleinjans, ‘Who Gets to Fish? The Allocation of Fishing Opportunities in EU Member States’ [2017, p.171] New Economics Foundation, London <<https://neweconomics.org/uploads/files/Carpenter-Kleinjans-Who-gets-to-fish-16.03.pdf>>.

produced by Ireland's fisheries management and policy framework. On closer examination, this apparent contradiction can be explained by considering the indicators used in the 2017 study. '*Distribution of fishing opportunities*' was the indicator used to measure the 'equitable and fair' criterion, while the 'flexible' criterion was measured by the indicators '*few quota shortages*' and '*high quota usage*'.³² These indicators do not generate fine-grained data to show which groups of fishers are utilising the quotas and, more importantly, which groups of fishers are unable to access such fishing opportunities because of obstacles and challenges that impact some groups of fishers differently to others, depending on local contexts. Such obstacles and challenges can be created by a combination of factors such as a fisher's ability to purchase capacity rights, show a historical track record, access markets, access infrastructure to safely tie up or land catch in difficult environmental conditions, fishing seasons, geographical range and fleet segment of a vessel. The caveats to the 2017 study's overall conclusion are important. Ireland scored mid-low on the 'accessible' (for new entrants) analysis objective. The authors found that "the tradable nature of capacity rights risks increasing barriers to accessing fishing opportunities in the first place" and that this "appears to be at odds with Ireland's commitments towards managing fish stocks as a public resource *as part of the access rights are private.*" The study also concluded that "it is hard to determine whether allocations between fleet segments is equitable or not" and that "no objective environmental or social criteria are included in the primary allocation mechanism" on a systematic basis.³³

"The tradable nature of capacity rights risks increasing barriers to accessing fishing opportunities in the first place.... This appears to be at odds with Ireland's commitments towards managing fish stocks as a public resource as part of the access rights are private."
(New Economics Foundation 2017)

Fleet segments are another element of Ireland's quota management policy as the fleet segment that a vessel belongs to determines what species it can target. For example, vessels registered in the polyvalent general segment have access to a common pot for whitefish quota species (separated into <18m and >18m vessels) and can also target shellfish species such as crab and lobster. Vessels in the polyvalent potting segment can only target shellfish. In contrast, a small number of refrigerated seawater vessels in the Pelagic Refrigerated Sea Water fleet segment receive ring-fenced quota allocations for valuable pelagic species such as mackerel and blue whiting. Following the implementation of the Common Fisheries Policy in 1983, the Marine Fisheries Act (1984) established quota allocation criteria based on past participation/track record, market conditions and the economic value of the fleet. The use of historical track record (based on fixed reference periods in the 1980s) to determine quota allocation favours a small number of large-scale, highly capitalised operators. Although the 2017 study mentioned above found that "Irish quota allocation is geared towards equity with vessels in the same fleet segments receiving equal allocations", it qualified this by noting that "it is hard to determine whether allocations *between* fleet segments is equitable or not."³⁴ This relates to another

³² *ibid.*, p.168.

³³ *ibid.* p.171-172 and p.177 (emphasis added).

³⁴ *ibid.*, p.171 (emphasis added).

problem impeding equitable access to the resource for all, namely, the lack of detail on the criteria on which the industry-led Quota Management Advisory Committee (QMAC) bases its advice for quota allocations. Minutes of QMAC meetings and its advice to the Minister are not made publicly available. Each of the four producer organisations has a representative on the QMAC, even though their membership accounts for only approximately 10% of the Irish fleet. In contrast, small-scale inshore fishers (comprising 86% of the Irish fleet) have (since 2016) one representative from the National Inshore Fisheries Forum. In assessing the analytical objective ‘good process’, the 2017 study concluded that, “this is neither transparent nor objective and is potentially liable to arbitrary outcomes or undue influences of over-represented interests.... *The scale of fishing activities shouldn’t determine the level of representation in decisions about access to a public resource....* It is questionable whether this degree of PO representation is in the best public interest given the QMAC’s influential role in quota allocation.”³⁵

Minutes of Quota Management Advisory Committee meetings and its advice to the Minister are not made publicly available.

Although attempts have been made to adjust the system to facilitate access to fishing opportunities by small-scale vessels, this has not (yet) succeeded in creating a system of equitable access to the resource for all. One problem is that current fisheries management categorisations have been devised on the basis of a system that predates the more recent policy recognition of smaller-scale vessels and that has been historically structured around larger, specialised, industrial vessels as described above. In its attempts to ensure a strong economic link between fishing vessels and fisheries-dependent coastal and island communities, the State has, quite literally, carved out sections of this historical status quo for these smaller vessels in the form of small percentages of quota allocations that are set aside for smaller vessels. The historical fisheries management categories continue to reinforce a system that privileges larger, specialised vessels, as different requirements combine to frustrate the attempts of small-scale vessels to implement fisheries management approaches that are designed around their differences (Figure 6).

*“The scale of fishing activities shouldn’t determine the level of representation in decisions about access to a public resource.”
(New Economics Foundation 2017)*

³⁵ *ibid.*, p.176 (emphasis added).

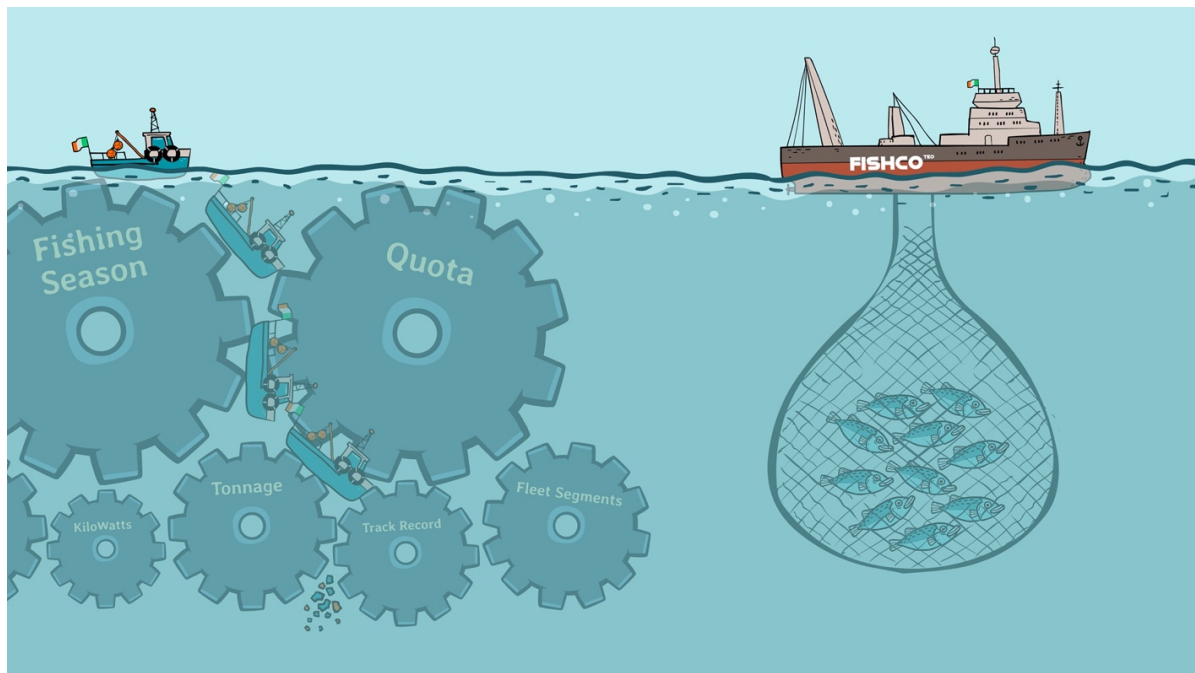


Figure 6. Small boats lost in a large boat system. Video still from *Managing for Diversity* animation³⁶

3.2 *Small boats lost in a large boat system*

Fishing for quota-controlled species is limited to specific seasons. Catch limits are set every month for whitefish species, and seasonally or annually for pelagic species, to make sure that the quota is spread over the whole year. Often the smaller vessels (in particular, island-based vessels) cannot access the quota-controlled species in the common quota pot that they are entitled to fish. This has been recognised by DAFM:

“Larger vessels can usually access fish stocks anywhere in Irish coastal or offshore waters within the constraints posed by quotas and other management measures. Smaller vessels are more dependent on fish stocks closer to their home port or in shallow waters as their engine power is lower and they are less capable of working in poor weather.” (Department of Agriculture, Food and the Marine)³⁷

It is often difficult to predict when quota-controlled species will appear in the inshore waters (six miles from shore) fished by the smaller boats. Stocks might not appear during the official fishing seasons, environmental conditions such as rough weather might prevent a small vessel going to sea even if stocks are present, and the smaller boats can't follow stocks to offshore waters that are accessible to the larger operators. The larger boats catch greater volumes and have larger profit margins than the smaller vessels. It is impossible for the smaller vessels to compete with the larger vessels fishing in inshore waters. Island boats face particular

³⁶ Ruth Brennan and Michael (Mysh) Rozanov, *Managing for Diversity: Keeping Everyone Afloat in Irish Fisheries* (2020) <<https://vimeo.com/481200883>>.

³⁷ DAFM, ‘Consultation Paper on Minister’s Review of Trawling Activity Inside the 6 Nautical Mile Zone’ (2018) <<https://www.agriculture.gov.ie/media/migration/seafood/sea-fisheriespolicymanagementdivision/publicconsultations/completedpublicconsultations/1ConsultationPaperonReviewofTrawlingActivityinside6nmzone171218.pdf>>.

challenges. For example they have to make sure they land their catch on the mainland early enough to travel back to their island in daylight, so they can get safely ashore (inadequate shore infrastructure means that they often have to moor offshore). This means that their fishing days and season are often shorter than small boats fishing from the mainland.

Historical fisheries management categories continue to reinforce a system that privileges larger, specialised vessels, as different requirements combine to frustrate the attempts of small-scale vessels to implement fisheries management approaches that are designed around their differences

A noticeable departure from the State's historical status quo, that privileges larger operators, can be found in a recent policy directive introduced by DAFM to prohibit over-18 metre vessels from fishing within six miles from shore. The ban, which took effect in January 2020, recognised that under 12m vessels depended on these inshore waters for 100% of the value of their catch,³⁸ and were unable to compete with the larger vessels who were able to catch greater volumes of the target species. This initiative was spearheaded by the Regional and National Inshore Fisheries Forums and was an important win for the inshore sector in terms of recognition of the need for a differentiated approach for the inshore fishing sector. However, the policy directive was subsequently found to be invalid (on the basis of a procedural issue) in a court case taken by the owners of three over-18 metre vessels.³⁹ This development has significantly undermined much needed support for smaller vessels in inshore waters. At the time of writing, larger vessels continue to compete with the smaller vessels in inshore waters (Figure 7), even though their dependence on inshore waters for the value of their catch is far less.⁴⁰

³⁸ BIM, 'Economic Analysis of Trawl and Seine Fisheries within the Irish 6nm Zone' (2017) <<https://www.agriculture.gov.ie/media/migration/seafood/sea-fisheriespolicymanagementdivision/publicconsultations/completedpublicconsultations/4Economicanalysisoftrawlandseinefisherieswithin6nmzoneReportbyBIM171218.pdf>>.

³⁹ Kennedy and Minihane v The Minister for Agriculture, Food and the Marine (2020) IEHC 497. A legal appeal has been lodged by the Minister for Agriculture, Food and the Marine against this decision. <https://www.gov.ie/en/press-release/c1370-mconalogue-lodges-legal-appeal-against-court-decision-to-allow-large-trawlers-fish-inside-irelands-six-mile-zone/>

⁴⁰ BIM (n 38). The 2017 BIM study found that 12-18m vessels depended on the 0-6nm zone for 32% of their catch value while over 18m vessels depended on it for only 3% of the value of their catch (p.5).



Figure 7. Large vessels (>18m) fishing alongside a small-scale potting vessel within the six mile zone in Kenmare Bay. Image provided courtesy of an inshore fisherman.

3.3 From diversity to precarity

“Over the past 20 years, fishing vessels under 12m in length have become increasingly specialised, targeting fewer species and becoming increasingly reliant on a limited number of fish stocks.... There is a domino effect here as the number of stocks available to the sector has declined so that pressure on the remaining stocks increases. Fishing on the main species of shellfish now occurs practically year-round, as opposed to seasonally, because the availability of whitefish and flatfish inshore is now too low to be commercially viable in many cases.” (Department of Agriculture, Food and the Marine)⁴¹

The fishing base for the small-scale fleet has narrowed over the past 20 years. The inshore sector is now largely dependent on shellfish. It is very difficult for small boats to diversify their catch within a system that has been built around the needs and characteristics of larger vessels. For example, as noted above, a small boat might be locked out of a fishery because it is not registered in the requisite fleet segment or because it cannot provide documents that show that it has a track record of fishing for a certain species. Even though DAFM has set aside small amounts of certain quota-controlled species for smaller boats that don't meet these conditions, there are often other obstacles to access, as mentioned earlier, such as distance to fishing

⁴¹ DAFM, ‘Consultation Paper on Minister’s Review of Trawling Activity Inside the 6 Nautical Mile Zone’ (n 37).

grounds to access these stocks or fishing seasons that don't match the timing when stocks appear in inshore waters.

“The fishing of pelagic species is generally confined to the spring and autumn months with the fisheries being opened and closed by the Minister on the basis of industry recommendations and catch levels” (Department of Agriculture, Food and the Marine)⁴²

“The majority of [the inshore fleet’s] fishing effort is now directed on shellfish (lobster, crab, shrimp, clams), whereas previously they also fished for salmon, skates and rays, whitefish (cod, haddock, whiting, pollack), flatfish (turbot, plaice, sole) and herring among others.” (Department of Agriculture, Food and the Marine)⁴³

Valuable pelagic species such as mackerel and herring are mostly fished by the larger, industrial vessels in offshore waters. The season limits that are set for fishing these species are influenced by the recommendations of these larger operations. The larger vessels can follow these valuable species into offshore waters whereas the smaller boats have to wait for stocks to appear in inshore waters. Even then, they might not satisfy all the conditions to be allowed to fish them. The fisheries management system is currently based on managing individual species, which reflects the realities of larger, specialised vessels. To maintain a “strong economic link with our coastal communities...where there are very limited alternative economic activities”,⁴⁴ smaller boats, with their more limited range, need to be able to flexibly fish a diversity of species with a variety of gear according to when they appear in inshore waters. This is particularly the case for island boats who are more limited than mainland boats by factors such as weather, tides, distance from market and a lack of adequate infrastructure for landing catch and mooring boats onshore.

3.4 *The inshore fisheries forums*

The vision of a “united industry with a strong and influential voice” for the inshore sector⁴⁵ is a fundamental part of the State’s framing of the inshore sector since the establishment of the national and regional inshore fisheries forums in 2014. During a parliamentary debate on the Island Fisheries (Heritage Licence) Bill, the (then) Minister for Agriculture, Food and the Marine emphasised that the national and regional inshore fisheries forums (NIFF and RIFFs) “are supporting initiatives that seek to protect the *collective interests of the inshore sector* in Ireland including on our islands. The NIFF has been effective in its participation on the quota management advisory committee, advocating on behalf of all small-scale fishers to influence how Ireland's uptake of quota is achieved.”⁴⁶

⁴² DAFM, ‘Fisheries Quota Management in Ireland’ (n 1).

⁴³ DAFM, ‘Consultation Paper on Minister’s Review of Trawling Activity Inside the 6 Nautical Mile Zone’ (n 37).

⁴⁴ DAFM, ‘Fisheries Quota Management in Ireland’ (n 1); DAFM, ‘The Quota Management Advisory Committee’ (n 29).

⁴⁵ BIM (n 10).

⁴⁶ Oireachtas, ‘Dáil Debates, Thursday, 21 November 2019. Report on Island Fisheries (Heritage Licence) Bill 2017: Motion’ (2019, emphasis added) <<https://www.kildarestreet.com/debates/?id=2019-11-21a.326&s=offshore+islands#g346>> accessed 4 November 2020.

There are mixed opinions of whether the NIFF and RIFFs are “supporting initiatives that seek to protect the collective interests of the inshore sector” and that “influence how Ireland's uptake of quota is achieved.” The goal of achieving a united voice appears to be at odds with the realities of the inshore fisheries forums on the ground, which have been criticised by fishers and industry representatives for being dominated by members “who were really looking after their own interests. So you had buyers and you had co-op managers and that and I don't think that the RIFF was ever actually intended for that group of people.” Another participant observed that:

“Someone on the east coast can't understand what is happening in the west and vice versa. When you put all these components in a room including the producer organisations and the processors the only people not getting represented are the fishermen.”

Yet another participant thought that their RIFF functioned well but criticised the NIFF for lacking momentum:

“The RIFF is good, a lot of consultation and everything gets discussed. But to get it from the RIFF up to NIFF and then...up into legislation can be very slow. It seems to go so far and then sit...the consensus at the NIFF to see whether it is worth taken on further to the Minister seems to be the breakdown.”⁴⁷

Tensions around the NIFF and RIFFs do not yet seem to have been resolved. In February 2020, a fishing industry magazine published a letter from a group of fishermen who wanted to start a discussion around the future of the RIFFs. Their principal concern seemed to focus on a perceived lack of transparency in the process.⁴⁸ Although the creation of the national and regional inshore fisheries forums can be seen as embracing a deliberative approach (whereby participants can consider multiple perspectives, take into account underlying values and collectively come to a view), the Inshore Fisheries Sector Strategy's goal of a united voice and consensus across such a diverse fleet risks reinforcing the position (and positionality) of those whose voices are strongest. An acknowledgement that people may share little else in common other than depending on, or having to co-exist in, a shared space, can be crucial to transcending differences.⁴⁹

⁴⁷ Quotations are from interviews in 2019 with fishing industry representatives and offshore island fishers.

⁴⁸ Lia Ní Aodha, ‘Concerned Fishermen on the Future of the RIFFs’ (*The Skipper*, 23 February 2020). https://m.facebook.com/story.php?story_fbid=3568005033272517&id=589824544423929

⁴⁹ Daniel R Williams, ‘Spacing Conservation Practice: Place-Making, Social Learning, and Adaptive Governance in Natural Resource Management [Chapter 15]’ [2018] In: Marsden, Terry, ed. *The SAGE Handbook of Nature*, Three Volume Set. London, UK: SAGE Publishing. p. 285-303 (Volume 1). 285; Camilla Brattland and Steinar Nilsen, ‘Reclaiming Indigenous Seascapes. Sami Place Names in Norwegian Sea Charts’ (2011) 34 *Polar Geography* 275 <<https://doi.org/10.1080/1088937X.2011.644871>>; Wesley Flannery, Jane Clarke and Benedict McAteer, ‘Politics and Power in Marine Spatial Planning’, *Maritime spatial planning* (Palgrave Macmillan, Cham 2019).

4 Insights from other European jurisdictions and from the UK

Ireland's small-scale fisheries share challenges faced in other European jurisdictions, such as a policy focus on large-scale fisheries.⁵⁰ A differentiated governance approach for small-scale fisheries can be found in some jurisdictions. For example, fisheries governance in Norway is characterised by a political focus on finding negotiated solutions through co-management that work for particular contexts, rather than being underpinned by any consistent ideology that might restrain the diversity and flexibility necessary for small scale fisheries to survive as both a part-time activity and a full-time profession. While protection of the small scale fleet is an important policy focus in Norway, its pragmatic fisheries governance approaches are quite different to Ireland, such as a regulatory framework that supports small-scale fishers to have increased access to fish when stocks appear in inshore waters.⁵¹ Another shared challenge across several European countries is a lack of access to quota-controlled species which impedes small-scale fishers from diversifying into different fisheries and forces them into the precarious situation of relying on a reduced number of species.⁵² For example, in Scotland, as in Ireland, licensing and quota management practices have increasingly forced the small fishing communities in Scotland's Outer Isles to depend largely on shellfish for their income, local management systems are lacking and there are calls for national policy frameworks to facilitate the diversity that is needed for the small-scale sector to function properly.⁵³ Acknowledging and supporting the social-ecological diversity of Swedish small-scale fisheries, beyond differences in vessel size, has been highlighted as a key to escaping decline and meeting future challenges in that jurisdiction.⁵⁴

Ireland's small-scale fisheries share challenges faced in other European jurisdictions, such as a policy focus on large-scale fisheries

An unusual example of a fisher-led system of local inshore management is the Os Minarzos Marine Reserve for Fishing Interests in Galicia, Spain. Established in 2007 by fishers for fisheries management purposes, this marine reserve combines both fisheries conservation and

⁵⁰ Cristina Pita, José J Pascual-Fernández and Maarten Bavinck, 'Small-Scale Fisheries in Europe: Challenges and Opportunities BT - Small-Scale Fisheries in Europe: Status, Resilience and Governance' in José J Pascual-Fernández, Cristina Pita and Maarten Bavinck (eds) (Springer International Publishing 2020) <https://doi.org/10.1007/978-3-030-37371-9_28>.

⁵¹ Jahn Petter Johnsen, 'Small-Scale Fisheries Governance in Norway: Hierarchy, Institutions and Markets BT - Small-Scale Fisheries in Europe: Status, Resilience and Governance' in José J Pascual-Fernández, Cristina Pita and Maarten Bavinck (eds) (Springer International Publishing 2020) <https://doi.org/10.1007/978-3-030-37371-9_21>.

⁵² Pita, Pascual-Fernández and Bavinck (n 50).

⁵³ David Symes, Emma Cardwell and Jeremy Phillipson, 'UK Small-Scale Fisheries: Status, Devolved Responsibility and the Challenge of Sustainability - Small-Scale Fisheries in Europe: Status, Resilience and Governance' in José J Pascual-Fernández, Cristina Pita and Maarten Bavinck (eds) (Springer International Publishing 2020) <https://doi.org/10.1007/978-3-030-37371-9_17>.

⁵⁴ Emma Björkvik and others, 'Swedish Small-Scale Fisheries in the Baltic Sea: Decline, Diversity and Development BT - Small-Scale Fisheries in Europe: Status, Resilience and Governance' in José J Pascual-Fernández, Cristina Pita and Maarten Bavinck (eds) (Springer International Publishing 2020) <https://doi.org/10.1007/978-3-030-37371-9_27>.

biodiversity conservation objectives, with the emphasis on the former. The legislative objectives of the reserve are:

- to protect and favour the regeneration of fishing resources;
- to promote artisanal fishing and sustainable development;
- to conserve and protect the flora and fauna of the marine environment and their diversity;
- to encourage environmental awareness about the marine environment;
- to promote the fishing and environmental values of Galician coast;
- to favour scientific studies about resource protection and fisheries management;
- to facilitate the development and application of fisheries management models, with the participation of fishers and shellfishers in their design and implementation.

An important factor in the success of the marine reserve is that it did not represent an imposition on the fishers, since the local industry management groups welcomed the idea from the beginning and participated actively in all the stages of the implementation. Also crucial to the initiative's success was the ability to change aspects that didn't work, as this provided the space to trial management methods and to adaptively tweak the system.⁵⁵

Norwegian fisheries governance is characterised by a political focus on finding negotiated solutions through co-management that work for particular contexts, such as a regulatory framework that supports small-scale fishers to have increased access to fish when stocks appear in inshore waters

Another rare example of local inshore management led by fishers has existed in the Shetland Islands since 2000, when the Shetland Shellfish Management Organisation was legally empowered to manage the commercial shellfish fisheries out to 6 nautical miles.⁵⁶ The Shetland islands also provide an example of community quota invested in by the islands to increase access to fishing opportunities for island fishers and new entrants. Although a direct comparison cannot be drawn with the UK, as quota cannot be privately traded in Ireland, the offshore islands have proposed a community quota system for the islands that respects quota as a public resource, although this is contested by the State who (together with the National Inshore Fisheries Forum) view this proposition as “giving quotas to individuals” and “a dangerous foot in the door” to privatisation of Irish quota.⁵⁷ Yet, the State's ‘critical policy’ of managing the resource as a public asset is failing to maintain strong economic links between small-scale island fishing vessels and fisheries-dependent island communities. This suggests that there needs to be scope for transformation towards a system that respects the public nature

⁵⁵ Lucia Perez de Oliveira, ‘Fishers as Advocates of Marine Protected Areas: A Case Study from Galicia (NW Spain)’ (2013) 41 *Marine Policy* 95 <<http://dx.doi.org/10.1016/j.marpol.2012.12.024>>.

⁵⁶ David Symes, ‘Finding Solutions: Resilience Theory and Europe's Small-Scale Fisheries’ in Julie Urquhart and others (eds), *Social Issues in Sustainable Fisheries Management* (Springer Netherlands 2014) <https://doi.org/10.1007/978-94-007-7911-2_2>. See also <https://www.ssmo.co.uk/about/history>

⁵⁷ Minister for Agriculture Food and the Marine, ‘Dáil Debates, Thursday 21 November 2019. Report on Island Fisheries (Heritage Licence) Bill 2017: Motion’ (2020). <https://www.kildarestreet.com/debates/?id=2019-11-21a.326#g354>

of the resource, yet is more effective in achieving the policy objective of maintaining strong economic links between the small-scale fleet and coastal and island communities. The offshore islands have proposed a path towards transformation, involving seasonal, diversified fisheries that are co-managed as a public resource together with scientists and the relevant government agencies and departments. Two island initiatives that underpin this vision are the Island Fisheries (Heritage Licence) Bill 2017 and the setting up of a producer organisation specific to the islands fleet.

5 *Island initiatives*

Ireland's offshore islands have been proactive in working towards a differentiated fisheries management system that better reflects the realities of small-scale island boats by spear-heading initiatives recommended by the Joint Sub-Committee on Fisheries in their 2014 Report on Promoting Sustainable Rural Coastal and Island Communities.⁵⁸ Since 2019, the Irish Islands Marine Resource Organisation (IIMRO) has been working to set up a producer organisation to support the management of island fisheries as a collective, seasonal, diversified, mixed species fishery. They have also worked on The Island Fisheries (Heritage Licence) Bill 2017 which proposed that less than 1% of Ireland's annual EU quota allocation would, in relation to island relevant species, be ring-fenced as community quota for polyvalent-registered, small-scale island fishers. This would allow smaller boats to fish quota-controlled species more flexibly, for example by fishing valuable fish species such as mackerel at the times those stocks *appear* in island waters. From 2018-2020, IIMRO engaged with the research project on which this report is based, to inform the co-design of small-scale fisheries governance approaches.⁵⁹

5.1 *A Producer Organisation for the islands fleet*

Producer organisations are officially recognised bodies set up by fish producers for the day-to-day management of fisheries. Since 2019, the Irish Islands Marine Resource Organisation (IIMRO) has been working to set up a producer organisation (PO) for its 43 vessel-owning members to support the management of island fisheries as a collective, seasonal, diversified, mixed species fishery. Their first application could not fulfil a criterion that required at least 30% of their members' catch to be landed into one of Ireland's four main fishing ports. Most island boats do not land into these big ports. They fish close to home and land into their nearest port, due to time, weather and financial constraints. As the process (including the 30% criterion) was not in line with the 2013 CMO Regulation on the common organisation of the markets in fishery and aquaculture products, the State subsequently amended the application process, which included alternative criteria, to facilitate smaller vessels. However, there are other obstacles for small vessels in the updated process. The organisation applying for PO status must have a minimum of 30 members who are active, commercial fishers and a minimum

⁵⁸ Oireachtas, 'Report on Promoting Sustainable Rural Coastal and Island Communities. No. JsCF 001. Joint Sub-Committee on Fisheries.' (n 8). "Recommendation 10: The sub-Committee recommends that the Government examines the feasibility of the issuance of heritage licences to rural coastal and island communities. Such licences would, optimally facilitate traditional fishing practices in conjunction with the establishment of a producer organisation representing vessels under a certain LOA (Length Over All) in designated areas." (p.93)

⁵⁹ www.belongingtothesea.com

combined value of €2 million (or combined volume of 1000 tonnes) for the members' catch. At the time of writing, a decision is pending by DAFM on the eligibility of 18 of IIMRO's 43 vessel-owning members for the purposes of the PO application, subject to the assessment of additional information provided by IIMRO to show that these vessels are actively fishing. Usually proof of commercial activity is provided by a vessel's logbook which records the catch. Vessels under 10 metres are not legally obliged to keep logbooks. A record of their fishing activity is documented in sales notes or shellfish registration documents generated when they sell their catch to fish buyers. Buyers are required to submit this documentation to the Sea Fisheries Protection Authority (SFPA) within 48 hours of weighing the catch (28 days for international buyers). The fishers have no control over whether a buyer submits this documentation to the SFPA and it appears that there are no repercussions for buyers failing to comply with this requirement.⁶⁰

An islands-specific producer organisation could manage the catch from the islands fleet across the different island groups to ensure better volume and consistency of supply, potentially removing barriers to direct marketing of, and creating a price premium for, island-caught fish

A producer organisation for the islands fleet is important for several reasons. As part of its management activities, a PO provides fishers with guidance on sustainable fishing, matching supplies with market demands and creating added value for their product.⁶¹ PO status is a prerequisite for access to fisheries management decision-making tables such as the Quota Management Advisory Committee, where small-scale fisheries are currently under-represented (as discussed in section 3.1). Lack of volume and lack of consistency of supply were common themes amongst island fishers trying to find different routes to markets and island entrepreneurs wanting to source, and showcase, island caught fish (as discussed in section 2.3). An islands PO could manage the catch from the islands fleet across the different island groups to ensure better volume and consistency of supply, potentially removing barriers to direct marketing of, and creating a price premium for, island-caught fish.

5.2 *The Island Fisheries (Heritage Licence) Bill 2017*

As mentioned earlier, the realities of fishing for island boats mean that often they cannot access the fish that are quota-controlled species in the waters around the island. In theory, any registered fishing vessel in Ireland can fish quota-controlled species out of a common quota pot (the pot for over 18m vessels is double the pot for under 18m vessels), according to monthly limits set by the Quota Management Advisory Committee for whitefish and seasonal or annual

⁶⁰ This State failure had serious implications during the COVID-19 pandemic when 23% of applicants with vessels under 10m were deemed ineligible for the COVID-19 temporary fleet tie-up scheme in July 2020 due to lack of sales notes. See Lia Ní Aodha, 'Sales Notes See 23% of Under-10s Deemed Ineligible for July Tie-Up' (*The Skipper*, 2020). <https://theskipper.ie/sales-notes-issue-sees-23-of-under-10s-deemed-ineligible-for-july-tie-up/>

⁶¹ https://ec.europa.eu/fisheries/cfp/market/producer_organisations_en

limits set by management committees for pelagic species such as mackerel and herring. In practice, Ireland's specialised mackerel and herring fleets are entitled to specific quota allocations for individual vessels and certain amounts of certain species are set aside (carve-outs) for small-scale vessels. On the surface, it can look like the amounts carved out for smaller boats are not being fully used. However, the catches of under 10m vessels (who are not obliged to keep logbooks) may not be properly recorded if fish buyers fail to submit the required documentation to the SFPA. In addition, there may be other eligibility criteria attached to fishing for certain quota-controlled species that prevent smaller vessels from accessing them. They may be ineligible because they don't have the relevant kilowatts (engine power), tonnage and/or historical track record (of catching particular species in particular reference years). Island boats are particularly impacted by the weather and tides as they have an extra step to take after landing their catch to a mainland port – they need to get back safely to the island before dark, secure their fishing vessels to a mooring (pier infrastructure is often absent or inadequate) and take a smaller boarding boat to the island's shallower shoreline waters.

The Island Fisheries (Heritage Licence) Bill proposes the introduction of differentiated criteria for the polyvalent-registered, islands small-scale fleet to access fishing opportunities in the six mile zone, through an allocation of ring-fenced community quota that is managed by an islands-specific producer organisation.

The Island Fisheries (Heritage Licence) Bill 2017 proposed that a small percentage (less than 1%) of Ireland's annual EU quota allocation would, in relation to island-relevant species, be ring-fenced as community quota for island fishers who are registered as commercial fishers. This would allow smaller boats to fish these quota-controlled species more flexibly, for example by fishing valuable fish species such as mackerel at the times those stocks *appear* in island waters.⁶² These stocks may have disappeared from island waters and moved to offshore waters (out of the reach of small, island boats) by the time the relevant fishing season opens. This legislation tries to better reflect the realities of the small-scale islands fleet which is being squeezed by a system that has been built around a large, profitable, specialised fleet with the capacity to cover vast distances to exploit their fishing opportunities. To date, this Bill has been opposed by the State as it is concerned that a ringfencing of quota would lead to privatisation of a public resource. As discussed in section 3.1 above, vessels in the Pelagic Refrigerated Sea Water fleet segment receive ring-fenced quota allocations for certain pelagic species. The Bill would, however, open up access to the resource that is currently beyond the reach of many island small-scale fishers. It would also encourage new entrants to island fisheries, which could in turn increase the volume and consistency of supply of island fish, facilitating different routes

⁶² The Joint Sub-Committee on Fisheries recommended that “in the event of an extra mackerel quota being given to Ireland, a more equitable distribution of mackerel should be decided on and that the inshore fishing fleet should be accommodated.” Recommendation 7 (p.70)

to market (eg selling directly to the retailer) and enabling island-based restaurants, hotels and (potential) processing operations to source a consistent supply of island-caught fish, which could benefit from a price premium.⁶³

The proposed Bill has been contested both by the former Fine Gael government and by the National Inshore Fisheries Forum. It appears that there are different understandings of what the Bill is trying to do, and what it might achieve, particularly in relation to privatisation of fishing rights. In systems where fishing quotas are privatised (such as in other European jurisdictions and in the UK), rights to quota are attached to individuals and/or vessels and can be privately traded on the market, usually resulting in fishing entitlements being concentrated in the hands of a small number of very large fishing operations. In contrast, the Island Fisheries (Heritage Licence) Bill does not purport to grant exclusive fishing rights to individuals. Rather, it proposes the introduction of differentiated criteria for the polyvalent-registered, islands small-scale fleet to access fishing opportunities in the six mile zone, through an allocation of ring-fenced community quota that is managed by an islands-specific producer organisation. This does not involve the grant of exclusive access to certain fishing grounds to island vessels as the six mile zone would still be accessible to the rest of the Irish fleet, in accordance with current criteria. As such, proponents of the Bill envisage a fleet sub-segment, specific to polyvalent-registered island vessels, being created within the existing subsegment “<18m LOA (excl. Potters)” (as shown in Figure 8). As a major concern of opponents of the Bill is that valuable quota allocations would be wasted if not taken up by the islands fleet, proponents of the Bill envisage the ring-fenced quota being accessible to the rest of the Irish fleet, in accordance with current criteria, a month before the end of the relevant season or year, so that quota is not wasted. There is a precedent for such redistribution of unused ring-fenced quota, although it is not representative of usual fisheries management practices in Ireland, as quota is not usually left over. However, there will be a quota redistribution in the North-West Herring (Scientific) Fishery⁶⁴ in December 2020. Any quota in this fishery that has not been caught by the larger vessels (>18m) by 29 November will be redistributed among the vessels below that size.⁶⁵ Grassroots, community-led initiatives such as the Island Fisheries (Heritage Licence) Bill need to be encouraged, nurtured and recognised as helping the State to align with and implement the FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries.⁶⁶

⁶³ For a Canadian example of successfully marketed island fish, see Fogo Island Handline Cod "Our secret mission is to drive up the price of fish." <https://vimeo.com/176371794>

⁶⁴ The north-west herring fishery in ICES areas VIa and VIIb,c is a scientific quota. It has existed for the past five years to facilitate data collection. It is distributed among the sectors from large pelagic trawlers to the smaller inshore vessels to ensure a diverse spread of the herring is sampled.

⁶⁵ North West Herring (Scientific) Fishery 2020/2021
<https://www.agriculture.gov.ie/seafood/seafoodpolicy/forms/northwestherringscientificfishery/>

⁶⁶ FAO, 'Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication' (2015). <http://www.fao.org/3/a-i4356en.pdf>

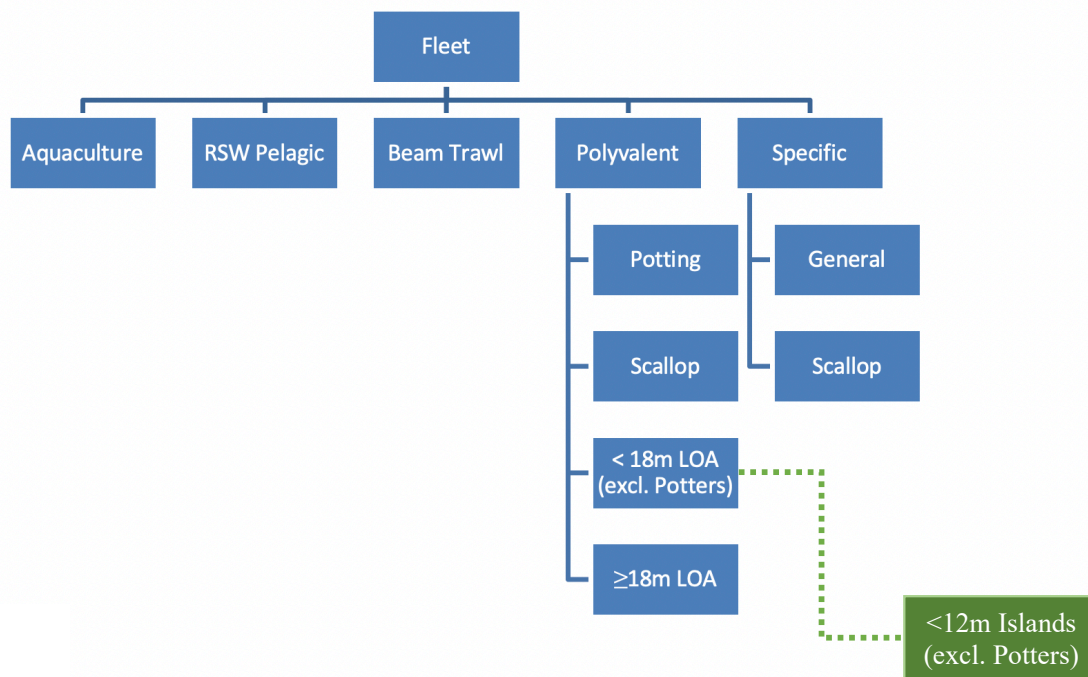


Figure 8. Fleet segmentation. Adapted from Department of Agriculture, Food and the Marine 2016⁶⁷

6 Reflections on the wider policy context⁶⁸

It is important to consider the wider policy context for Irish fisheries governance, at national, European and international scales. We are increasingly hearing how we need to completely change the way we live with, and in, the world in order to deal with the societal challenges that we face today. Yet, we also know that the technocratic solutions (such as cutting carbon emissions from transport and energy) that are being proposed as a way to ensure a more sustainable and equitable world, are simply not sufficient. The Intergovernmental Panel on Climate Change (IPCC) has called for a “transformation” in food production and land management to keep global temperatures at safe levels.⁶⁹ Transformations require leaps of imagination that force us to think beyond our existing paradigms. It is more important than ever to provide spaces, at all policy levels, for imagining new ways of being in the world, and, indeed, for imagining a world that contains many different worlds, as opposed to the world that

⁶⁷ DAFM, ‘Consultation Paper on a Review of Replacement Capacity Requirements under Sea-Fishing Boat Licensing Policy’ (n 21, p.3).

⁶⁸ The text in this section has been adapted from three policy submissions by the author in response to the National Marine Planning Framework consultation processes during 2018-2020. See Ruth Brennan, ‘National Marine Planning Framework Consultation Draft Submission of the Trinity Centre for Environmental Humanities, Trinity College Dublin. 30 April 2020.’ (2020) <https://www.belongingtothesea.com/wp-content/uploads/2020/12/NMPF-submission_TCEH_April-2020.pdf>. Ruth Brennan, ‘Marine Planning Policy Statement Submission Trinity Centre for Environmental Humanities, Trinity College Dublin. 4 August 2019’ (2019) <https://www.belongingtothesea.com/wp-content/uploads/2019/09/Marine-Planning-Policy-Statement_TCEH-submission_FINAL.pdf>. Ruth Brennan, ‘National Marine Planning Framework Baseline Report Submission Trinity Centre for Environmental Humanities, Trinity College Dublin. 14 December 2018’ (2018).

⁶⁹ Robin McKie, ‘We Must Change Food Production to Save the World.’ *The Guardian* (4 August 2019) <<https://www.theguardian.com/environment/2019/aug/03/ipcc-land-use-food-production-key-to-climate-crisis-leaked-report>>.

our policy systems are embedded in, a world where only one world fits.⁷⁰ Unless this window for imagining a “world in which many worlds fit”, a pluriverse, is written into policy-making practices and processes, we will remain limited by the idea that we must take “the world that is responsible for the plausible destruction of the planet as the exclusive starting point in a conversation about the current condition of the planet”.⁷¹ In the context of Irish fisheries governance, there needs to be space for different starting points in order to ensure that the policy framework is based on equity, as opposed to equality (Figure 9).

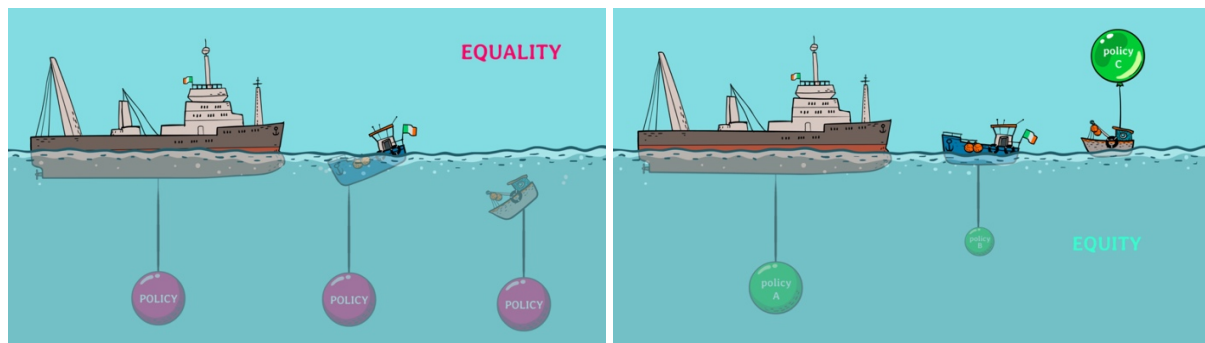


Figure 9. From equality to equity. Video stills from *Managing for Diversity* animation⁷²

Without differentiated management approaches based on equity, it is difficult to see how the State can fulfil its critical policy objective of ensuring “strong economic link with our coastal communities...where there are very limited alternative economic activities.” Support for such a transformation exists within international and European Union institutions, policies and regulations. However, the implementation of such change lies firmly within the competencies of individual Member States. The following sections identify policy windows for transformation of Irish fisheries governance into a more inclusive and equitable system.

6.1 Policy support for more equitable fisheries management approaches

Explicit support for small-scale fisheries can be found in several policy documents, including the Common Fisheries Policy (CFP), the European Maritime and Fisheries Fund, The CMO Regulation on the common organisation of the markets in fishery and aquaculture products, Sustainable Development Goal 14 (Life Below Water) and the FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication.⁷³ Recital 19 CFP provides that “Member States should endeavour to give preferential access for small-scale artisanal or coastal fishermen” and recital 20 recognises that “[s]mall offshore islands which are dependent on fishing should, where appropriate, be especially recognised and supported in order to enable them to survive and prosper.” The European Maritime and Fisheries Fund 2014-2020 (Article 18.1.i) requires Member States with more than 1000 small-scale vessels to prepare an action plan for the development, competitiveness and sustainability of small-scale

⁷⁰ John Law, ‘What’s Wrong with a One-World World’ [2011] Heterogeneities.net.

⁷¹ Mario Blaser and Marisol de la Cadena, ‘Pluriverse: Proposals for a World of Many Worlds’, *A world of many worlds* (Duke University Press Durham 2018).

⁷² Brennan and Rozanov (n 36).

⁷³ FAO (n 66).

coastal fishing. The CMO Regulation provides that “measures should be taken to encourage the appropriate and representative participation of small-scale producers”,⁷⁴ that “where relevant, the specific situation of small-scale producers shall be taken into account when establishing producer organisations”⁷⁵ and that “the form of applications for the recognition of producer organisations... shall, where appropriate, be adapted to the special characteristics of small-scale fisheries...”⁷⁶

It is crucial to pay attention to the fine-grained details of how the system works in practice for those with more limited access to authority, knowledge and power.

Although it does not explicitly mention preferential access for small-scale fisheries, Article 17 of the Common Fisheries Policy requires Member States, when allocating fishing opportunities to their national fishing vessels, to “use transparent and objective criteria including those of an environmental, social and economic nature.... Member States shall endeavour to provide incentives to fishing vessels deploying selective fishing gear or using fishing techniques with reduced environmental impact, such as reduced energy consumption or habitat damage.” In practice, the European Commission is powerless to challenge Member States on whether measures they have implemented pursuant to Article 17 (such as setting aside certain quota allocations for artisanal and small-scale fishers) are effective in providing equitable access to quota-controlled species for smaller vessels, as Member States have complete discretion on how to implement this provision. While DAFM has implemented certain measures pursuant to Article 17, such as set-asides for smaller vessels without track record to access certain quota-controlled species, such access does not always materialise in practice, particularly when access is determined by technocratic rules that privilege vessels inhabiting a different material reality. Recent research has shown that access to authority, knowledge and power are important components in determining whether Article 17 is effective in practice and that inequities may result even where national policies and decision-making processes may be well-intentioned.⁷⁷ As such, it is crucial to pay attention to the fine-grained details of how the system works in practice for those with more limited access to authority, knowledge and power. The over-representation of the producer organisations on the Quota Management Advisory Committee (discussed in section 3.1) is a case in point.

⁷⁴ Recital 8 CMO Regulation (1379/2013)

⁷⁵ Article 6(2) CMO Regulation (1379/2013)

⁷⁶ Art 21(1) CMO Regulation (1379/2013)

⁷⁷ Alicia Said and others, ‘Small-Scale Fisheries Access to Fishing Opportunities in the European Union: Is the Common Fisheries Policy the Right Step to SDG14b?’ (2020) 118 Marine Policy 104009 <<http://www.sciencedirect.com/science/article/pii/S0308597X20302475>>.

6.2 UN Sustainable Development Goals

In considering the broader policy context for marine planning, Ireland's National Marine Planning Framework Consultation Draft (NMPF) refers to national implementation of the 2030 Agenda for Sustainable Development and its 17 *Sustainable Development Goals* (SDGs).⁷⁸ Although Targets 14.1, 14.2 and 14.5 of SDG 14 (Life Below Water) are mentioned, the NMPF does not refer to Target 14.b (Provide access for small-scale artisanal fishers to marine resources and markets) which is measured by Indicator 14.b.1 (Progress by countries in the degree of application of a legal / regulatory / policy /institutional framework which recognizes and protects access rights for small-scale fisheries). Including an objective to achieve SDG Target 14b would help to foreground the values that have come to the fore during the COVID-19 pandemic, such as solidarity, equity and support for marginalised communities.⁷⁹ It is also directly relevant to the competition for space for inshore fisheries, identified as a Key Issue for Marine Planning in the NMPF.⁸⁰ Indicator 14.b.1 is a concrete way of measuring such progress towards achieving the access rights aspect of SDG Target 14b. This composite indicator is calculated on the basis of the efforts being made by countries to implement selected key provisions of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines).⁸¹ SDG Target 14b is directly relevant to Fisheries Policy 1, 3 and 5 in the NMPF and speaks to the wider context of fisheries that is illustrated by the national 'Charter for Fishers, Coastal Communities and the Islands' (Figure 1 above). The Charter sets out 24 principles designed to protect the Irish fishing sector, coastal communities, islands and marine biodiversity, with particular reference to a community focused approach, small scale fisheries and fisheries-dependent island communities.⁸² The national platform for reporting on progress towards the Sustainable Development Goals indicates that Target 14b will be measured at a national scale.⁸³ However measurement at a regional scale will be needed to provide an accurate reflection of progress towards this target for the islands small-scale fleet. The islands should be considered as a region for the purposes of such measurement.

⁷⁸ Para. 2.49 National Marine Planning Framework Consultation Draft

⁷⁹ See Mike Fitzpatrick, Ruth Brennan and Emmet Jackson, 'From Protest to Participation: Learning from Experience in Irish Inshore Fisheries Management' in José J Pascual-Fernández, Cristina Pita and Maarten Bavinck (eds), *Small-Scale Fisheries in Europe: Status, Resilience and Governance* (Springer International Publishing 2020) <https://doi.org/10.1007/978-3-030-37371-9_15>.

⁸⁰ Department of Housing Planning and Local Government, 'National Marine Planning Framework Consultation Draft' (2019, para. 12.16).

⁸¹ FAO (n 66).

⁸² Afloat Magazine, 'Call for Political Parties to Unite Behind Coastal Communities. Afloat Magazine. Retrieved, 25 January 2019.' (*Afloat Magazine*, 2019). <https://afloat.ie/marine-environment/coastal-notes/item/41602-call-for-political-parties-to-unite-behind-coastal-communities>

⁸³ Government of Ireland, '17 Goals to Transform Our World: Highlighting Ireland's Progress towards Achieving the United Nations Sustainable Development Goals' <<https://irelandsgd.geohive.ie/pages/goal14>>.

Sustainable Development Goal Target 14.b (Provide access for small-scale artisanal fishers to marine resources and markets) should be measured at a regional scale to provide an accurate reflection of progress towards this target for the islands small-scale fleet.

6.3 Blue Justice

Recent research has highlighted ten social injustices that can be produced by the EU's 'Blue Growth' agenda that is shaped by narrow market-based logics. These social injustices include dispossession, displacement and ocean grabbing; environmental justice concerns from pollution and waste; environmental degradation and reduction of availability of ecosystem services; undermining livelihoods of small-scale fishers; undermining access to marine resources needed for food security and well-being; inequitable distribution of economic benefits; social and cultural impacts; marginalization of women; human and Indigenous rights abuses; and exclusion from decision-making and governance.⁸⁴

Being explicit about the value systems underlying marine planning approaches and choices brings considerations of social equity as well as environmental sustainability into the European 'Blue Growth' picture. For example, thinking about marine planning (and fisheries governance) within the (dominant) frame of Blue Growth, leads to a focus on privatisation, commodification and industrialisation of the oceans, instrumental values, individual sectors jostling for marine territory, and market-based mechanisms to price ecosystem services. If this is the only, or dominant, frame, there is a risk of excluding other, possible ways of imagining our marine environment which could lead to alternative futures.

Being explicit about the value systems underlying marine planning approaches and choices brings considerations of social equity as well as environmental sustainability into the picture.

An example of possible, alternative futures can be found in the Slow Fish network's 2019 gathering. Their aim was to come up with a framework for fisheries reform, based on the idea of the oceans as a common good for all humankind, in contrast to the privatisation inherent in the Blue Growth framework. (The term 'privatisation' in this context includes management strategies and frameworks that reconfigure human-environment relationships so that benefits and power are consolidated in the hands of a few). The Slow Fish gathering acknowledged that

⁸⁴ Nathan J Bennett and others, 'Blue Growth and Blue Justice' <https://fisheries.sites.olt.ubc.ca/files/2020/06/Take2-2020-02-WP_Blue-Growth-and-Blue-Justice-IOF-Working-Paper.pdf>.

the aims of Blue Growth appear benign – to promote environmentally friendly economic growth and development of ‘underdeveloped’ oceans and seas and to use that ocean wealth to achieve socially inclusive growth. However, the means of achieving these aims is largely through private investment, making ‘nature’ and natural resources visible as commodities on balance sheets and in financial markets by attaching monetary values to ecosystem goods and services and consulting stakeholders that are deemed relevant. There is a dominant assumption that growth is the best way to measure sustainable economic policies. All of this provides private interests with a privileged seat at the Blue Growth table, where concepts such as climate justice, blue justice, equity and wealth distribution rarely (if ever) enter the conversation.⁸⁵

In contrast, the Blue Commons frame understands the ocean and marine resources as a common good, to be protected, restored and managed as a shared commons, that is accessible for all, including small coastal communities. This shifts the focus from privatisation and profit from nature, to collectivisation, social cohesion and belonging to nature - quite a different jumping off point for thinking about marine planning – and fisheries governance. Acknowledging the existence of these different frames, and the political nature of the choice as to which frame to adopt, increases transparency and forces explicit consideration of the consequences of choosing a particular frame.⁸⁶

6.4 Gender and SDG 14 (Life Below Water)

A stark finding of a 2018 report on gender equality in the seafood industry (fisheries and aquaculture)⁸⁷ is that SDG 14 will not be attained if 50% of the population it affects is not taken into consideration. The report attributes various aspects of marine resource mismanagement to overlooking the gender dimension, including wrong marine resource diagnosis (ignoring activities led by women), wrong economic assessment (policies and tools created in the absence of data disaggregated as to gender), wrong uses of knowledge and intelligence (absence of women during management policymaking) and wrong outcomes of decision-making (when women’s knowledge is ignored, they can be inadvertently excluded).⁸⁸ To achieve the goals of SDG 14, gender must be embedded in all elements and targets of SDG 14 policy.

Increasing the percentage of women on FLAG decision-making boards would result in more projects being funded that directly support women in fisheries

⁸⁵ Slow Fish, ‘Blue Growth or Blue Commons: Interview with Andre Standing’ (14 June 2019)

<https://slowfish.slowfood.it/en/blue-growth-or-blue-commons-interview-with-andre-standing/>; Slow Fish, ‘Fishing for Alternatives: The Blue Commons. Proceedings of the 9th Edition of Slow Fish: The Sea: A Common Good.’ (May 2019)..

⁸⁶ Timothy Moss, ‘Spatiality of the Commons’ (2014) 8 International Journal of the Commons.

<https://doi.org/10.18352/ijc.556>

⁸⁷ Natalia Briceño-Lagos and Marie Christine Monfort, ‘Putting Gender Equality on the Seafood Industry’s Agenda’.

<https://wsi-asso.org/wp-content/uploads/2018/10/WSI-Global-survey-2018-english-1.pdf>

⁸⁸ International Association for Women in the Seafood Industry, ‘SDG 14 Will Never Be Attained If 50% of the Population It Affects Is Not Taken into Consideration.’ (2019) <<https://womeninseafood.org/sdg-14-will-never-be-attained-if-50-of-the-population-it-affects-is-not-taken-into-consideration/>>.

The European female workforce accounts for 27% of the seafood sector employment, broken down into 57% of processing jobs, 36% ancillary jobs (such as sales, administration, netmaking), 26% in aquaculture and 13% in fisheries, according to another study carried out in 2018.⁸⁹ This study reported a significant gender imbalance at the FLAG decision-making table (three times more men than women), where the FLAG board takes decisions on which projects to support. There is a direct correlation between this imbalance and the percentage of projects directly supporting women in fisheries. In other words, the study highlighted that increasing the percentage of women on FLAG decision-making boards would result in more projects being funded that directly support women in fisheries.⁹⁰ In Ireland, the 2020 Programme for Government made a commitment to “Prioritise gender equality, by involving more women in decision-making roles.”⁹¹ The Charter for Fishers, Coastal Communities and the Islands (Figure 1) includes as a key point of action the encouragement of “young people and women to participate in maritime work and fisheries.”⁹²

6.5 *The Marine Planning Development and Management Bill*

The Marine Planning Development and Management Bill will be the primary legislation underpinning the National Marine Planning Framework. At the time of writing, fisheries and aquaculture fall outside the remit of this legislation, even though the NMPF and Marine Planning and Development Management Bill have been drafted to be coherent with other legislation, including the Common Fisheries Policy. Although DAFM will have obligations under the NMPF, it is difficult to see how coherent governance can be achieved if fisheries and aquaculture do not fall within the remit of the new development management system to be contained in the Marine Planning and Development Management Bill. To ensure coherent governance, the competencies of the Department of Agriculture, Food and the Marine should be brought within the remit of the legislation that will underpin the management and development of the marine environment.

An offshore islands regional pilot project could test innovative governance approaches that address the needs of fisheries-dependent island communities in ways that meet national and European marine planning and conservation objectives and align with Sustainable Development Goal 14 on conservation and sustainable use of marine resources

⁸⁹ FARNET, ‘FARNET Support Unit 2018 Technical Report. FLAG Support to Women in Fisheries and Aquaculture.’ <https://webgate.ec.europa.eu/fpfis/cms/farnet2/library/technical-report/flag-support-women-fisheries-and-aquaculture_en>.

⁹⁰ Gilles van de Walle, ‘FLAGs: Supporting Women at Local Level. PowerPoint Presentation, EESC, Brussels, 24 February 2020.’ (2020). https://lifeplatform.eu/wp-content/uploads/2020/02/Aktea_Farnet_Gilles_Van_de_Walle.pdf

⁹¹ ‘Programme for Government. Our Shared Future. June 2020.’ (2020). Mission: A New Social Contract para vii.

⁹² Liadh Ní Riada, ‘Charter for Fishers, Coastal Communities and the Islands’ (2019). <https://www.facebook.com/TheSkipperOnline/posts/2499623983443966/>

7 *A regional co-management approach for the offshore islands?*

It is encouraging to see that the team leading Ireland's national marine planning process favour, where appropriate, community-led co-management approaches to marine planning and management such as regional and local coastal partnerships.⁹³ While participatory management is increasing and community-led development approaches are supported by the EU, there are significant challenges in determining how to identify, design and put into practice socially inclusive governance approaches that combine the most effective blend of State, market and civil society at a variety of scales, from international to local. The Irish offshore islands present an opportunity to address these challenges as one of the national marine planning process regional pilot projects. Such a pilot project could co-design and test innovative governance approaches with a strong community, heritage and sustainability focus that address the needs of fisheries-dependent island communities in ways that meet national and European marine planning and conservation objectives and align with Sustainable Development Goal 14 on conservation and sustainable use of marine resources. The process to expand Ireland's network of MPAs is underway, as part of the Irish Government's strategy to achieve and maintain Good Environmental Status of Ireland's marine environment by 2020. This process is likely to be highly contentious, not least because the focus tends to be on promoting and selling the 'value' and 'benefits' of MPAs, which does not adequately capture the complexity of relationships between people and the marine environment. However, it also presents an opportunity to develop a marine stewardship strategy for the offshore islands that works across and connects small-scale island fisheries, environment/conservation and cultural heritage, within the six mile zone. Linking these three sectors through a regional pilot project is appropriate because:

- Potential synergies between sectors have been identified which facilitate a holistic approach and joined-up thinking.
- Experience of managing contentious issues between the sectors will be gained.
- Recent academic research can support and inform the process.
- A willingness to work together across sectors has been identified.
- Local and regional initiatives, expertise and experience can be harnessed.
- There is alignment of existing local and regional initiatives with national and European objectives and policy documents.

More concretely, existing initiatives and processes could inform such a regional pilot:

- The Interdepartmental Committee for Island Development⁹⁴ is working towards bringing together disparate policies for the offshore islands into a single "cross-Government Islands Policy with an associated Action Plan."⁹⁵
- Comhar na nOileán delivers island programmes, including LEADER, across the four local authority areas (Donegal, Mayo, Galway and Cork).
- The Irish Wildlife Trust is keen to work with island fishing communities.

⁹³ Department of Housing Planning and Local Government (n 80, para. 2.53). The national marine planning process is led by the Marine Planning Policy and Development Division in the Department of Housing, Local Government and Heritage.

⁹⁴ Led by An Ghaeilge, an Ghaeltacht & na hOileáin Division in the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media. <https://whodoeswhat.gov.ie/division/tcagsm/Gaeltachts/>

⁹⁵ Department of Tourism Culture Arts Gaeltacht Sport and Media June 2020 (n 19).

- The Fisheries Ecosystem and Advisory Services team in the Marine Institute works on alternative fisheries management strategies in line with the ecosystem approach to fisheries management and actively engages with integration of ecological and social sciences.
- There are examples of successful fisheries co-management initiatives in Ireland.⁹⁶
- The Island Fisheries (Heritage Licence) Bill has proposed a co-managed community quota initiative and a potential new producer organisation for the islands fleet, and envisages island fisheries that are co-managed in line with the ecosystem approach, supported by the best available scientific evidence.
- Innovative technology that supports marine planning and co-management is under development by the Irish Islands Marine Resource Organisation: development of a new fisheries app (Abalobi) is supported by an Innovate Together funding award.
- FLAG (Fisheries Local Action Group) officers from Bord Iascaigh Mhara have been engaging with local communities on community led local development initiatives since 2016.
- The National and Regional Inshore Fisheries Forums support the participation of small-scale fishers in fisheries management within six nautical miles of the coast.

There is an opportunity for these different groups, institutions and agencies to work together as part of the national marine planning process. More inclusive governance approaches that allow for pluralistic value systems recognise that the goal should not be a policy ‘solution’ that trades off individual interests against each other. Rather it is about a process that encourages transformative governance approaches to emerge with the recognition that, at best, any consensus reached will be ephemeral and episodic and will need to be subject to adaptations as contexts and circumstances change.⁹⁷ The strands are already there, there just needs to be space to allow them to come together and see what emerges.

⁹⁶ See, for example, M Ó Cuaig and Rick Officer, ‘Evaluation of the Benefits to Sustainable Management of Seasonal Closure of the Greencastle Codling (*Gadus Morhua*) Fishery’ (Marine Institute 2007)<https://oar.marine.ie/handle/10793/189>; Anne Marie O’Hagan, ‘Co-Ordinated Local Aquaculture Management Systems for Selected Irish Water Bodies (CLAMS)’ (2015) <https://discomap.eea.europa.eu/map/Data/Milieu/OURCOAST_292_IE/OURCOAST_292_IE_Case_CLAMS.pdf>.

⁹⁷ Williams (n 49).

8 Key findings

This research questions why the State's critical policy objective to manage fisheries as a public resource is failing to maintain strong economic links between small-scale island fishing vessels and fisheries-dependent island communities. In answering this question, the research provides insights into the on-the-ground implications of the governance arrangements that shape the day-to-day lives of fishing communities in Ireland's offshore islands.

The following are key findings:

- The current fisheries policy framework produces inequities for small-scale fishers despite the State's critical policy objective to manage quota-controlled stocks as a public resource. This policy is supposed to ensure that fishing opportunities are not concentrated into the hands of large fishing interests and to maintain a strong economic link between fishing vessels and the island and coastal communities where alternative economic activities may not be available.
- The Irish fisheries policy environment does not welcome challenges to the status quo, with the result that small-scale fishers continue to operate within a system that has been designed around the realities of the larger, industrial fleet. This entrenchment of the status quo constrains the agility of access to the resource that is crucial to the survival of island small-scale fishing communities who depend on fish stocks appearing in inshore waters within their reach.
- Resistance to changing the status quo of fisheries management approaches prevents the emergence of the spaces needed to trial innovative fisheries governance initiatives such as co-management of the islands small-scale fleet on a distinctive regional basis.
- To address the inequities in the system, differentiated approaches are needed that move beyond carving out sections of a historical status quo that privileges a small number of large operators. The recently overturned policy directive banning fishing by larger vessels in the 6 mile zone is a good example of such a differentiated approach.
- Windows of opportunity are open at this time of significant policy change that involves the development of a cohesive cross-Government Islands Policy and action plan for the offshore islands alongside the development of national and regional marine plans for the sound management of Ireland's marine environment. These co-temporaneous processes provide an opportunity for the design and piloting of innovative governance initiatives for small-scale island fishing communities, that contribute towards meeting policy objectives at national, European and international scales.

9 Recommendations

As discussed in section 6, a framework for change already exists to bring into being a more equitable system that makes visible and provides for the realities of small-scale fisheries. This framework for change includes the State's critical policy objective to manage quota-controlled stocks as a public resource, ensure fishing opportunities are not concentrated into the hands of large fishing interests and safeguard a strong economic link between fishing vessels and the island and coastal communities where alternative economic activities may not be available. Further support at national level for a framework for change can be found in the 2019 Charter for Fishers, Coastal Communities and the Islands and in the recommendations of the 2014 Report on Promoting Sustainable Rural Coastal and Island Communities.

Building on these frameworks and on the State's critical policy objective, this report makes the following policy recommendations:⁹⁸

1. **Create spaces within the current fisheries management system for trialling innovative fisheries governance approaches** by integrating into the fisheries management system, and piloting, an agreed proposal between all parties for ring-fenced quota for the polyvalent-registered small-scale island fleet.
2. **Proactively support the creation of a fish producer organisation for the islands fleet.** Ireland's four existing producer organisations represent approximately 10% of the fleet. Recognition as a producer organisation provides access to decision-making tables that are otherwise inaccessible.
3. **Develop and implement a cross-cutting pilot Offshore Islands Regional Plan**, that incorporates the inhabited offshore islands of Ireland and their associated marine areas out to the six mile limit. The design of innovative spatial measures for fishing (informed by the expertise of local fishing communities working together with scientists from the Marine Institute's Fisheries Ecosystem and Advisory Services) could connect with the national marine planning process, the process to expand Ireland's marine protected area network and the process to develop a cohesive national policy and action plan for the offshore islands.
4. **Draw on the experience, networks, knowledge and expertise of island groups and organisations** to capture the diversity of ideas on community-led co-management approaches and partnerships, and to identify from the outset potential points of conflict, as part of a pilot Offshore Islands Regional Plan. Properly resource the co-management process at grassroots level (for example, through medium to long term funded leadership roles).
5. **Make the roles of women in fisheries more visible** by including, for example, relevant parameters informed by women in fisheries in the design and development of fisheries apps, to encourage data collection on such roles.

⁹⁸ Recommendations 1 and 2 have been adopted (and adapted) from the 'Report on Promoting Sustainable Rural Coastal and Island Communities. No. JsCF 001. Joint Sub-Committee on Fisheries', Recommendation 10. (n 8). Recommendations 11 and 12 have been adopted (and adapted) from G Carpenter and R Kleinjans, 'Who Gets to Fish? The Allocation of Fishing Opportunities in EU Member States' [2017] New Economics Foundation, London <<https://neweconomics.org/uploads/files/Carpenter-Kleinjans-Who-gets-to-fish-16.03.pdf>>.

6. **Bring fisheries and aquaculture within the remit of the Marine Planning and Development Management Bill** to ensure coherence in the national marine planning process.
7. **Take steps to implement the FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication** by including an objective to achieve Sustainable Development Goal Target 14b (Provide access for small-scale artisanal fishers to marine resources and markets), in the National Marine Planning Framework and in the Inshore Fisheries Sector Strategy. **Ensure measurement of Target 14b on a regional scale to accurately reflect progress towards this target.**
8. **Formally adopt the 2019 Charter for Fishers, Coastal Communities and the Islands** as guiding principles for the management of fisheries, coastal communities, the islands, marine biodiversity and biocultural diversity within the National Marine Planning Framework.
9. **Include the concept of ‘building back better’ in the National Marine Planning Framework’s ‘Planning Policies and Key Issues for Marine Planning for Rural Coastal and Island Communities.’**
10. **Bring marine-related activities within the remit of one Government Department or Agency**, such as in the Marine Scotland model, to facilitate coherent governance of the marine environment.
11. **Integrate objective social and environmental criteria into quota allocation practices** to ensure transparency and fairness in the system.
12. **Improve representation of the inshore fleet and transparency in the Quota Management Advisory Committee** through publication of minutes and inclusion of representatives from (future) producer organisations for the inshore sector, such as an islands-specific producer organisation.
13. **Amplify the State’s critical policy objective to manage fisheries as a public resource** by committing to maintain strong economic, *social and cultural* links between fishing vessels and fisheries-dependent island and coastal communities, in order to strengthen the recognition that fishing is more than a commercial, profit-maximising operation.

10 Conclusion

Over the past two decades, the Irish fishing industry has come to increasingly resemble a privatised seascape where fishing opportunities for the most valuable species are concentrated amongst a small number of large, specialised, industrial vessels. The logics of privatisation and profit prevail, despite the State's insistence that fishing opportunities are a public resource for all, including the smaller boats that depend entirely on the inshore waters. The policy discourse needs to be expanded to provide an equitable space for the very different realities of small-scale vessels on their own terms (beyond the metric of economic productivity alone), and in particular to account for the specific challenges faced by the small boats based on Ireland's offshore islands. The lack of a differentiated approach in the current fisheries governance system is squeezing small-scale vessels out of existence, as they are caught in the cogs of a machine historically designed for a specialised fleet that inhabits very different 'worlds' or realities to those experienced by small coastal and island fishing communities.

The State's fisheries governance approaches largely fail island inshore fisheries by failing to provide space for fisheries governance approaches that are rooted in the material realities of island life. Despite the State's ideological commitment to ensuring that "sustainable, vibrant communities continue to live on the islands"⁹⁹ and to maintaining Irish fisheries as a public resource that supports fisheries dependent coastal and island communities, the last two decades have seen the small-scale fleet become increasingly specialised while access to quota controlled species is concentrated in the hands of the larger, industrial vessels. In practice, access is contingent on being aligned with a discourse shaped by narrow market and governance logics, such as being a 'productive' fisher. This reproduces existing asymmetries of power within fisheries governance, privileging the larger, industrial fleet, whose material realities dominate current fisheries governance approaches.

Read through the lens of the State, which frames the fishing enterprise as competing, profit-maximising fishers extracting resources from the sea, Irish small-scale fishers can find little, if any, space to implement and make visible different fishing practices and management approaches that make sense to small-scale fisheries. In particular, this constrains the agility of access to the resource that is crucial to the continuation of island small-scale fishing communities who depend on fish stocks *appearing* in the waters within their reach. This raises questions around the persistence of the discourse that underpins, and shapes, Irish fisheries governance approaches. For example, why is the State's discourse of fisheries as a public resource, that is critical to the survival of coastal communities, producing a fishing industry that is dominated by the logics of privatisation and profit-maximisation? What kind of fishing 'worlds' or realities should governance logics, institutions and discourses aim to nurture in order to be more inclusive and to support a more diverse, innovative and sustainable fishing industry?

⁹⁹ Department of Rural and Community Development (2020). Islands. <https://www.gov.ie/en/service/87004-islands/>

This report has not proposed definitive answers to these questions, not least because the answers (and perhaps new questions) are more likely to be found in the emergence of more inclusive governance structures that are decoupled from the discourse that has produced a national fishing fleet with characteristics more familiar to a privatised system of fisheries resources. This report has argued that the State's commitment to protecting Ireland's many fishing communities cannot be realised within a system that has been designed to privilege the minority of the national fleet. Changing this requires a more pluralist governance framework that facilitates differentiated approaches to a highly diverse fleet, not just between large and small vessels, but within the small-scale fleet itself. The goal should not necessarily be to achieve a definitive consensus or a unified voice, but to work on the basis that "[a]t its best, democratic consensus is ephemeral and episodic",¹⁰⁰ that agreements are contestable and that adaptation may be needed. There is an opportunity to adaptively organise governance practices by making visible the 'worlds' of the islands small-scale fleet in the form of an islands-specific producers organisation and trialling a community quota initiative, perhaps in the broader context of an offshore islands regional pilot within the National Marine Planning Framework process. This could be a significant step towards managing for diversity in a way that keeps everyone afloat.

¹⁰⁰ Williams (n 82, p.297).

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