

Briefing on the UK Fisheries Bill Legislative Consent Motion

22nd September 2020

Removal of key amendments

At the time of writing, the two key amendments addressed in this briefing (sustainability as the prime objective of the Bill and introduction of REM with cameras on vessels) (which were passed during the House of Lords), have been removed by the UK government during Public Bill Committee. The removal of these key amendments is disappointing and undermines the Bills stated objective of “a legal commitment to fish sustainably”.

In addition, during Public Bill Committee, a government amendment to extend the timeframe for implementation of the Joint Fisheries Statement (JFS) from 18-months to two years was passed. Given that the UK Fisheries Bill is a framework Bill whereby the Bills objectives will be achieved through the JFS we find the extension to the 18-month timeframe unacceptable.

Support for Legislative Consent Motion

The NIMTF broadly supports the Fisheries Bill as a piece of framework legislation which aims to deliver sustainable fisheries management alongside a healthy marine environment.

We support the Assembly providing legislative consent to the provisions which extend to Northern Ireland.

However, elements of the Bill must be strengthened to ensure that it provides for truly sustainable fisheries management.

Context

- As an island, the sea around us is at the heart of our culture, well-being and prosperity. Our seas support our daily lives, providing multiple resources and services including food (e.g. fish, shellfish); energy (e.g. renewable tidal and wave); reduction of climate stress (e.g. carbon regulation); coastal protection; tourism, leisure and recreation opportunities; physical and mental health benefits; and cultural heritage and learning experiences.

- However, our marine environment is in trouble. Last year, a global UN biodiversity assessment stated that about 66 % of the marine environment has been significantly altered by human actions. Similarly, the UK Government's 2019 assessment of Good Environmental Status¹ found that the UK is failing to meet 11 out of the 15 indicators for healthy seas, including biodiversity, seafloor habitats, food webs and commercial fish and shellfish. In Northern Ireland, the latest State of Nature report (2019) highlighted that one in five local species are facing extinction, stating that NI is the most nature depleted part of the UK.
- Sustainable fisheries management can have significant socio-economic benefits. More abundant fish stocks can help provide the UK fishing industry with greater long term security - it is estimated that recovering fish stocks to healthy levels would result in a 37% rise (£244 million per year) in the value of fish landings and create over 5,000 new jobs².
- Now, more than ever, it is crucial that primary legislation enshrines sustainability in law. As a framework Bill, the Fisheries Bill provides an opportunity to do this, however we strongly recommend that changes to the Bill are made to ensure that the Bill effectively protects the marine environment, our fish stocks and in turn our coastal communities. The Fisheries Bill represents a once in a generation opportunity to achieve lasting change, for the better.

Key points

- The Fisheries Bill provides a framework for fisheries management across the UK, replacing the EU Common Fisheries Policy³.
- We welcome the eight high level objectives on the face of the Bill, notably, the sustainability, precautionary, ecosystem, scientific evidence, climate and bycatch objectives.
- It is important to note that **the Fisheries Bill is a framework piece of legislation**. To create truly sustainable fisheries, Devolved Administrations must be required to deliver the fisheries objectives by way of the Joint Fisheries Statement (JFS), Fisheries Management Plans (FMP) and local legislation.

The Sustainability Objective:

- **We strongly recommend that the Sustainability Objective (Clause 1 (1)(a)) is made the prime objective of the Bill. An amendment speaking to this recommendation was passed at the House of Lords Report Stage** (Clause 1(3) of the Bill as brought from the Lords⁴). This is an important amendment given the range of 'opt out' provisions that exist in the Bill.

¹ <https://moat.cefas.co.uk/summary-of-progress-towards-good-environmental-status/>

The points we have raised within this briefing have been developed through the Greener UK coalition. More detail on some of the points we have raised can be found here: https://greeneruk.org/sites/default/files/download/2020-07/Greener_UK_Fisheries_Bill_MP_Briefing_Commons_Second_Reading.pdf

² <https://eu.oceana.org/en/publications/reports/more-food-more-jobs-and-more-money-uk-oceanas-recipe-fish-recovery>

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R1380&from=EN>

⁴ <https://publications.parliament.uk/pa/bills/cbill/58-01/0153/200153.pdf>

- Making the Sustainability Objective the prime objective of the Bill will clearly demonstrate the commitment of the UK governments to sustainable fisheries management. Furthermore, retaining this amendment would support the UK in meeting its commitments to Sustainable Development Goal 14 (which includes a commitment to end overfishing by 2020) and environmental sustainability in the UK Marine Strategy Regulations. It is important to note that **making the sustainability objective the prime objective of the Bill would not weaken the effectiveness of the other objectives**. With this amendment, all fisheries management decisions will be viewed through the 'lens' of sustainability. A sustainability led approach to the Bill will benefit the environment and our coastal communities that rely on it.

Remote Electronic Monitoring:

- **We strongly recommend that the Bill introduces Remote Electronic Monitoring (REM) with cameras on vessels. An amendment speaking to this recommendation was passed at the House of Lords Report Stage (Clause 48 of the Bill as brought from the Lords⁵).**
- **We recognise that in its current drafting, Clause 48 of the Bill (as brought from the House of Lords) is not devolved compliant. However, we recommend that the amendment is retained and redrafted to be made devolved compliant⁶.**
- REM with cameras will help to provide robust and verifiable data assisting in creating sustainable, economic and social benefits. The amendment would set out the consultation process and allow for REM with cameras to be introduced on a phased basis for the over 10m fleet. Our fishing industry will benefit from being at the forefront of technical innovation, furthering progress towards achieving sustainable fisheries and to do so they must be supported with sufficient resources. REM with cameras is an innovative and world leading fisheries management technology. The installation of REM with cameras should be supported through the future Maritime and Fisheries Fund, which is currently being developed.
- Greener UK has calculated that **the entire over 10m fishing fleet could be fitted with REM for between £4.8m (with the current EMFF grant subsidy) to £6.75m (without the grant subsidy)⁷**. These figures are a fraction of the £20million+ that is spent on current monitoring which documents less than 1% of activity at sea. **REM provides much greater value for public money.**

Fisheries Management Plans:

- The Fisheries Bill introduces the concept of fisheries management plans (FMPs) as a way of helping to achieve sustainable fish stocks. However, the actions that will be set out in the FMPs to ensure stocks are fished at sustainable levels are yet to be developed. **It is**

⁵ <https://publications.parliament.uk/pa/bills/cbill/58-01/0153/200153.pdf>

⁶ The Scottish government has recently made clear their disappointment that UK Ministers laid amendments to remove amendments that were passed during the House of Lords, rather than working with devolved administrations to make them operable and respect the devolution process -

[https://www.parliament.scot/S5_Rural/Letter_to_RECC - Response to LCM Discussion - 8 September 2020.pdf](https://www.parliament.scot/S5_Rural/Letter_to_RECC_-_Response_to_LCM_Discussion_-_8_September_2020.pdf)

⁷ [https://greeneruk.org/sites/default/files/download/2020-07/Greener UK Fisheries Bill MP Briefing Commons Second Reading.pdf](https://greeneruk.org/sites/default/files/download/2020-07/Greener_UK_Fisheries_Bill_MP_Briefing_Commons_Second_Reading.pdf)

imperative that fish stocks are not fished above independent scientifically recommended levels.

- Shared stocks must be managed sustainably. Presently, the Bill does not make a firm commitment as to how shared stocks will be managed. The Bill should set an objective for the Secretary of State to consider sustainability criteria, in relation to negotiations with the EU and other countries. A commitment to agree catch limits in line with scientific advice must be included.

Next steps: Future Fisheries and Marine Policy in Northern Ireland

- The development of the Joint Fisheries Statements under the Fisheries Bill should identify any potential gaps in NI fisheries policy and legislation. **Northern Ireland policy and legislation must also enshrine sustainability in law.** For example, the current Northern Ireland Fisheries Act (1966) makes no specific reference to sustainability.
- A sustainable marine environment must be supported by effective spatial protection measures (Marine Protected Areas (MPAs)), **the Minister must introduce robust management plans for all designated sites to ensure the protection and recovery of habitats and species.** An effective and well managed network of MPAs will help to create a healthy marine environment, which in turn is crucial to ensuring the long term sustainability of the fishing industry.
- The Assembly and **DAERA should legislate for Northern Ireland specific environment, agriculture, climate change & fisheries Bills that provide for the protection and enhancement of nature.**

For further information please contact: Ellen MacMahon – NIMTF Officer – 028 9046 3123 – ellen.macmahon@nimtf.org