

UK Government Fisheries Bill

Evidence to the Northern Ireland Assembly Committee for Agriculture, Environment and Rural Affairs

24th February 2020

1. Introduction:

1.1 ANIFPO/Sea Source is a membership organisation based in Kilkeel, Co. Down. Its focus is the maintenance of a sustainable and economically viable fishing industry in Northern Ireland that benefits its members (local fishermen) and coastal communities.

1.2 The Organisation's activities centre on its member vessels who operate in the Irish Sea and waters all around the north-east Atlantic. The Organisation has developed its own whole sale fish selling business and has two seafood factories in Kilkeel adding value to locally harvested nephrops, king scallops and a range of whitefish. Utilising its member's assets and expertise the Organisation has successfully diversified into the offshore energy market offering a range of services for offshore energy providers.

1.3 ANIFPO is also a constituent of the National Federation of Fishermen's Organisations. In this capacity it has been involved in a number of lobby days in Westminster designed to promote the UK's fishing industry during the Brexit process and influence UK fisheries policy.

1.4 Alan McCulla OBE has been the Organisation's Chief Executive since June 1992.

2. Future Fisheries Relationship with the EU

2.1 We:

- Welcome the Prime Minister's statement, confirming that from the end of December 2020, the UK will be an independent coastal state and that access for non-UK vessels to fish in UK waters will be subject to annual agreements
- Considers that only by granting access annually, on a conditional basis, will it be possible to rebalance the UK's shares of quota to more closely reflect the resources located in UK waters
- Believes that rebalancing quota shares in this way could assist with the regeneration of many coastal communities
- Notes that both the EU and UK would benefit from a trade agreement. The government has made clear that it considers trade and fisheries to be separate negotiations. We know of no international precedent for a trade agreement which cedes to another country the right to freely exploit the natural resources on the other party
- Considers the current fisheries relationship between the EU and Norway is offers the most relevant template for a future fisheries relationship between the UK and the EU. The EU/Norway fisheries agreement:
 - Is based on an annual fisheries agreement

- Sets total allowable catches with reference to the most recent scientific advice
- Determines quota shares on the basis of zonal attachment (resources located in the respective zones)
- Agrees appropriate access arrangements
- Agrees quota exchanges where there is mutual benefit in doing so
- Above all, it is a *reciprocal* and *balanced* agreement.

2.2 Bilateral agreements of this sort are the norm between coastal states with shared stocks. As the negotiations proceed over the next 10 months, the government may be fairly judged against how close the UK gets to the kind of fisheries relationship that the EU currently has had with Norway for forty years.

3. **Fisheries Bill**

3.1 The central purpose of the Fisheries Bill is to provide UK ministers with the authority to manage the fisheries in the UK EEZ.

3.2 Important lessons have been learnt from our (largely negative) experience with the Common Fisheries Policy but also from best practice world-wide.

4. **Objectives**

4.1 The Objectives laid down in the Bill are:

- Sustainability
- Precautionary
- Ecosystem
- Scientific
- Bycatch
- Equal Access
- National Benefit
- Climate Change

5. **Management Plans**

5.1 We support the eight objectives outlined in the Bill as all being relevant and important for the management of our fisheries in the future. The use of management plans as the vehicles to manage our fisheries sustainably have the potential, in our view, to provide an agile, flexible but structured way to balance the different but equally important objectives.

5.2 Using management plans to achieve a balanced approach balanced to sustainable fishing is, an intelligent way to avoid the one-dimensional policies which made the Common Fisheries Policy such a rigid and cumbersome management framework. To use an absurd example to make a point: the way to achieve low

carbon emissions to achieve the new Climate Change Objective, might be to catch all of the UK's fishing opportunities using a single state of the art vessel. Such a one-dimensional approach would obviously carry numerous disadvantages. Similarly, maximum sustainable yield is a useful benchmark for measuring progress towards sustainable fishing – but only when it is applied in ways which make sense in terms of the other objectives.

6. **Co-Management**

6.1 The Government has indicated that co-management, through which those affected by fisheries regulation are involved in the design and implementation of the measures, will be an important stand in future policy. We strongly support this approach because fisheries management is complex and can generate unintended consequences.

6.2 Co-management initiatives in aspects of the fishing industry are already underway, through:

- The work of the producer organisations
- The future of inshore management Conference - initiative
- A Shellfish Industry Advisory Group
- A Scallop Industry Advisory Group

6.3 We are keen to know in what way the government intends to support these and other co-management initiatives

7. **Bycatch Definition (Page 31)**

7.1 Bycatch can mean different things:

- Unwanted incidental catch of other fish species and marine wildlife
- Valuable catch that is not the principal target species

7.2 It is not entirely clear if the draft legislation makes this distinction. Some clarification would be welcome.

8. **Devolved Powers**

8.1 The Bill reflects the devolution settlement and the provisions of the Scotland Act. Devolution undoubtedly increases the complexity of fisheries management; but all parties recognise the importance of identifying areas in which common approaches are adopted to increase coherence.

9. **Quota Distribution**

9.1 Rebalancing quota allocations between the UK and the EU, to ensure the UK's share more fairly reflects the resources located in UK waters, is an important government objective which we share.

9.2 Ministers already have powers to redistribute quota through top-slicing prior to allocation in order to address specific issues.

9.3 In quota distribution as in all other components of the fisheries management system, the science objective must come into play, and unintended consequences avoided as far as possible. The work that is underway following the ground-breaking conference on the future of inshore management in October should inform any policy decisions in this sphere.

9.4 Assuming a fairer share of fishing opportunities are secured for UK fishermen, decisions shall then have to be made as to how to allocate additional quotas within the UK. It is becoming increasingly clear that the different regions of the UK will have different priorities in terms of allocating additional quotas. For example the dominance of the under 10 metre fishing fleet in England is not something that is reflected in Northern Ireland. Therefore, we would suggest a quota allocation mechanism that works in England would not be appropriate for Northern Ireland.

9.5 Northern Ireland's fishermen in particular have proven their resilience to changes in fisheries management. In the face of adversity they have adapted their fishing patterns, sometimes investing in fishing opportunities all around the UK. Indeed, sometimes their displacement to other seas areas from the Irish Sea has been unwelcome. Within the UK Northern Ireland has a small maritime economic zone. Our fishermen should in no way be penalised for this.

9.6 Overall, the Fixed Quota Allocation or FQA system has worked well and it is on the basis of this system that any additional quota should be allocated within the United Kingdom. It should then be up to each devolved administration to decide how to allocate this quota to its industry.

10. **Trade**

10.1 When fishermen harvest the seas, their catches need to be marketed and sold. For Northern Ireland, GB is the most important market, followed by the EU. Of course for Northern Ireland we generally know what our trading relationship will be with the EU when the Transition or Implementation Period ends. Like it or not the Northern Ireland Protocol has already provided us with the general rules on trade between Northern Ireland and the EU. However, there remain some details for the Joint Committee to be worked out on that front too. We welcome the Prime Minister's commitment there will be no checks on the trade of seafood and other products from GB to Northern Ireland and we look forward to hearing how the Prime Minister's Commitment will be delivered, in particular with seafood that is brought to Northern Ireland for primary processing before being returned in its entirety to GB.

10.2 As the Joint Committee consider what volume of Northern Ireland seafood is eligible for tariff free trade into the EU, this needs to be future proofed and should reflect ALL quota available to Northern Ireland registered and based trawlers regardless of where it is landed at the moment.

11. Engagement with DAERA

11.1 As an industry commercial sea fishing will benefit from the UK's departure from the EU. Within DAERA sea fisheries is perceived by industry to be very much the forgotten corner when it comes to Departmental resources. We would urge DAERA to resolve this perception. This includes liaison with the industry. Whilst acknowledging that practical preparation for Brexit is probably more advanced within Northern Ireland's fishing industry than in other UK regions, there is a lack of engagement on policy matters. Regular meetings with officials to discuss many of the issues referred to in this brief would be welcome.

ANIFPO/Sea Source

The Harbour

Kilkeel

Co. Down BT34 4AX

T: 028 4176 2855

E: alan@anifpo.com