

# Response to Government White Paper on Future Fisheries Policy

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Details and consultation (closed)

<https://www.gov.uk/government/consultations/fisheries-white-paper-sustainable-fisheries-for-future-generations/sustainable-fisheries-for-future-generations-consultation-document>

## Introductory comments

I welcome the opportunity to comment on this draft Bill.

Currently, in aggregate, total fleet operating profits in the fishing industry have never been higher (£207 million in 2015, with net profit margins over 25% for the largest vessels) - yet it doesn't feel this way in many fishing communities. Profits and associated benefits are not distributed evenly throughout the fleet or ports. Small boats (under 10m) make up 77% of the UK fishing fleet but hold less than 2% of quota. Empowered local management, and a fairer distribution of quota, is essential.

Overall, the language of the White Paper is very vague, with few clear targets for improvement. The Paper is peppered with commitments to 'consider' and 'seek to'. Plans and commitments should be clarified and confirmed with robust language and time-bound targets.

In particular the Bill should prioritise two key principles:

- (1) Environmental sustainability – a fisheries policy based on conserving hugely endangered fish stocks, and crucially the wider marine environments and ecosystems upon which fish depend; and
- (2) Equitable access to fish stocks – that the Bill prioritise the needs of smaller lower-impact fishing vessels, often sole traders, based in and owned by people from local communities. This is the future of sustainable fishing.

When it comes to ensuring a sustainable and thriving future for fishing communities, access to market is far more important than 'control of our waters', especially in my constituency of SW England. Brexit will not 'save' the British fishing industry – in fact it poses a severe threat to the sector.

## Sustainable Fisheries

I welcome the paper's stated commitment to the UN Sustainable Development Goal 14 'To conserve and sustainably use the oceans, seas and marine resources for sustainable development'.

The paper says the UK ‘will continue to work under the principle of maximum sustainable yield (MSY), which has done so much to restore stocks, as well as to help to protect our valuable marine ecosystems, and we will continue to prevent wasteful discards.’ I welcome this statement, though this is nothing new as it is already EU policy.

Crucially, the White Paper gives no clarity about how and when the UK will be MSY compliant. Anything later than all quotas respecting MSY by 2020 would be a major step backwards for the UK and a weakening of environmental standards since MSY by 2020 is clearly set out in EU policy. I am concerned that at best, this lack of clarity leaves room to fudge and at worst it could be an opportunity to weaken the fundamental time-bound commitment to MSY.

- **The Bill needs to set clear, time-bound targets for the recovery of UK fish stocks, specifically all total allowable catches must be set at Maximum Sustainable Yield by 2020.**

Scientific principles and evidence must be deployed to manage MSY. Improved (and more cost-effective) technology should be used to back this up, and to react on a real-time basis to sustainability issues (for example, a fishery to close immediately if the fish are of the wrong year class, or if more biomass has already been caught than the best scientific estimates allow).

I welcome the paper’s suggestion of **re-evaluating the definition of ‘small-scale’ fishing**, beyond the current arbitrary 10m cut off point, to **focus on environmental impact** rather than vessel length.

- **However, via consultation, the Government must establish a balanced management regime which makes inshore areas off limits to larger mobile gear operators and gives priority to smaller boats with their low impact gear. We need a fair and sustainable future for coastal communities.**

I welcome the paper’s commitment to running **cost recovery trials** (so that the beneficiaries of good fisheries management also contribute to the costs).

I support the paper’s statement that ‘we will also consider allocating part of any new quota in the reserve to underpin a new approach to tackle the problem of choke species, so that the crucial discard ban works in practice as well as in theory.’ I note that such an approach, complex as it is to apply in practice, is entirely consistent with membership of the CFP. EU policy allows member states to allocate quota as they wish.

- **The Bill should explicitly state the need for bycatch to be reduced as low as practically possible with vessel monitoring on all boats to help identify the highest-bycatch fisheries; implementation of proven by-catch mitigation measures such as increased mesh sizes; and research into the development of practical and efficient mitigation.**

The Government should note that supply chain businesses, retailers, and foodservice companies in the UK serving nearly a billion meals per year have **committed to buying only demonstrably sustainable fish** (see examples of these below). At present, much of the fish caught in the UK *does not meet these standards*, and therefore cannot be sold legally in the public sector in the UK. Sustainable Fish Cities recently found that UK fisheries are losing out on millions of pounds of business as UK buyers look abroad for sustainable fish. The growth of the market for sustainable fish is 10 times faster than the market for conventional seafood.

- **The Bill must identify an increase in the proportion of UK fish meeting the UN FAO Code of Conduct for Responsible Fisheries. Strong targets should be set and data collected, especially as one of the key reasons for UK species getting a low sustainability rating at present is data deficiency.**

## About fishing quotas

In recent years we have seen coastal fishing communities being understandably incensed when they see 'foreign' vessels receiving UK quota. However, it is important to point out that **this is the result of decisions made in the UK**, rather than being required by the CFP.

**Allocating higher quotas for small boats was always within the power of the UK government, not Brussels.** Yet this White Paper specifically states that the existing quota ownership will not be challenged: "We do not intend to change the method for allocating existing quota.... We will continue to use this methodology for the apportionment of existing quota". This adherence to the status quo reveals that there never really was a 'Brexit dividend' on offer for our fishing communities, and that despite the rhetoric of fisheries being a 'public resource', the **privatised approach** to UK fishing quota will be upheld. I reject this approach.

The Government's paper states that 'on average between 2012 and 2016 other EU Member States' vessels landed in the region of 760,000 tonnes of fish (£540 million revenue) annually caught in UK waters; whereas UK vessels landed approximately 90,000 tonnes of fish (£110 million revenue) caught in other Member States' waters per year in the same time period.'

This situation arose because the EU quota is divided based on each member state's track record from 1973-78. At the time the concept of Exclusive Economic Zones (EEZs) were only just being developed. As a consequence, most of the cod, haddock, sole, and other species in the South West of England go to France and Belgium. UK actors have regarded this as unfair because: 1) we were focussed on Icelandic waters at the time, and 2) if fairness is based on the geography of fish stocks and a 200 mile EEZ, then we should get much more. This is the implicit point made in the UK White Paper as the Government seeks to declare a 200-mile Exclusive Economic Zone.

Returning to the issue of quota allocation: the UK (like nearly all fishing countries) allows the sale of fishing boats on retirement. Someone of any nationality can buy a boat, and under EU law discrimination is not allowed. So now we have a number of (large) vessels that are British flagged but in reality are Dutch and Spanish. Their landings and activity count as British (because they are British flagged).

These factors, combined with various recent UK Government policies, has (in 2016) resulted in three companies controlling 61% of the quota for England and Wales. Meanwhile, small coastal fishing boats, or the 'inshore fleet', make up nearly three quarters of England's fishing fleet.

So a sustainable approach to fishing quota would **support the reallocation of fishing quotas to be reallocated on the basis that lower impact fishers are favoured.** In almost all situations this will mean priority given to the small (under 10m etc) fishing fleet that have a far lower environmental impact (albeit the paper proposes a welcome redefinition of low-impact fishers, not simply defined by boat length, see below). Suggestions include:

- **A new 'quota reserve' system:** this would set aside a percentage of quota (especially any new quota that comes the UK's way after Brexit), and allocate it as an incentive to deliver

on public goods – environmental and social goals – and helping new, low-impact fishers establish themselves in the industry.

- **A process of ‘quota reallocation’**, ensuring that those fishers currently left out of the system receive a quota share that is both fair and viable.
- **Incentivising selective, high value fishing with minimal environmental impacts to non-target species or the seabed.**
- **Expanding the geographical remit of Inshore Fisheries and Conservation Authorities (IFCAs) from the current 6 miles to 12**, to allow for local solutions to unique environmental challenges along our coast.

I note that in the Departmental press release for this paper only the two largest federations representing quota holders were quoted, suggesting that their role in shaping the White Paper was disproportionate to who they represent (in terms of vessel numbers, fishers, where they fish, what species they fish for and where that fish goes.) Small scale fishers (who make up three quarters of the fishing fleet but don’t get a voice) and NGOs are not quoted at all. Importantly, neither are the devolved administrations.

Finally, these locally-owned usually lower-impact small fisher enterprises will **invest far more of their income into the local economy, and retain a far greater added value within those coastal communities** (which have been so hard hit by recent UK Government economic policies in general), when compared with the economic impacts of the ‘industrialised’ fishing fleets etc.

## Ecosystem-based management of the marine environment

It is imperative that we protect (and where possible restore) functioning marine ecosystems as a whole; we cannot focus just on recovering fish stocks as a sustainable approach.

Fish – those we fish, and those we don’t – live in ecosystems, the health of which is critical for their long-term survival as well as being important for biodiversity and in their own right. Fishing also can’t be seen in isolation from other sectors that use the sea, such as energy production or communications (e.g. sub-sea cabling). Making this wider set of ecosystem services – from food provision, to regulating our climate, through to biodiversity, recreation, tourism and wellbeing – clear on the face of the Bill is essential to manage the impacts of different sectors. It also facilitates pursuing temporal or spatial measures such as limits on fishing during spawning season or protection of essential fish habitats such as nursery areas.

This obviously also applies to those species which are currently non-quota such as shellfish.

- **I firmly support the government's proposals to develop an effective method for sustainable management of certain non-quota shellfish stocks in the western waters. I encourage the government to consider improved sustainable management for these stocks in all UK waters.**

There are various non-quota fish stocks, but shellfish provide a useful case-study for my response to the draft bill. Indeed, I acknowledge that shellfish accounted for 36% by value of the £936 million

value of total fish catch in 2016, and that their export has provided vital income for fisheries in my South West constituency.

However, to maintain these fisheries in the future, as well as to protect the ecosystem, existing Fishery Improvement Projects will need to be underpinned by more effective management and regulatory framework in the future. **Mobile, bottom-contact fishing gear, such as mechanical dredges and demersal trawls, can have extremely negative impact on seafloor habitats, reducing the biodiversity of sea floor communities, as well as affecting other commercial species such as brown crab.**

There is a partial 'strategy' across the EU and within the UK to protect some important habitats (e.g. through SPAs, SACs and MCZs), but I am very concerned about the ongoing use of bottom towed fishing gear on sensitive marine habitats outside and inside Marine Protected Areas.

- **A regional spatial approach to scallop management is recommended, involving combinations of permanent and rotational closures to different sites based on the composition of the various habitats.**

So, I would like to suggest the following principles for the Bill:

- **The Bill should start from an explicit requirement for 'ecosystem-based fisheries management', as part of a joined-up approach across all policy to ensuring the health of the sea.**
- **The Bill should commit to increasing, year on year, the number of fisheries in the UK that are certified sustainable (eg by the Marine Stewardship Council) or considered 'fish to eat' by the Marine Conservation Society. Ultimately, all fisheries in the UK should be verifiably sustainable. The MSC assessment and MCS ratings consider the impact of fishing on the wider environment and so would be a good indicator of the success of an ecosystem approach.**

Vessel monitoring is therefore essential. Fisheries should be fully documented – all catches recorded, and the location of fishing recorded by remote GPS. CCTV or other monitoring systems. The data should be reviewed on a risk-based system. The wording in the paper is unclear.

- **There needs to be Government support and funding for certification and/or Fishery Improvement Projects to help struggling fisheries improve to be considered sustainable.**

The Government suggests an 'annual statement on our assessment of the state of stocks of interest to the UK...and our approach to setting fishing rates and other management measures for the year ahead. If particular stocks are in trouble...the government will...draw up and implement recovery plans, to ensure they are restored to a healthy condition'. This statement is welcome but lacks vital detail. In particular:

- the annual assessment must cover all commercially- fished stocks in the UK
- 'other management measures' must include *all* the issues relevant to sustainable fishing, including the impact of boats on the wider environment. ([Project Inshore](#), which has been praised by the Minister George Eustice, should be the model for this new annual statement)
- There needs to be a clear commitment to restore stocks by a fixed date eg within five years.

- Data gaps must be plugged. At the moment, lots of fish caught in the UK are considered unsustainable because there is a lack of full data about the status of the stock and the impact of fishing on the marine habitat. Where these gaps exist in the annual statement, there must be a commitment to plug them as soon as practicable.
- There needs to be much greater Government efforts focused on the rapid implementation and enforcement of 'marine protected areas'

## Why international cooperation is essential - and legally required

The White Paper refers to the UK's fishing rights within 200km of the coast. Of course, in theory we control access to the waters, but we are obliged under the United Nations Convention on the Law of the Sea (UNCLOS) to negotiate with other coastal states to find agreed solutions to the management of migratory stocks.

Whatever happens with Brexit, we are still beholden to international law, and Article 56(1)(a) of UNCLOS says that coastal states have the sovereign right to exploit, develop, manage and conserve all the natural resources (including fish) found in the waters of its Exclusive Economic Zone (EEZ).

International law requires that states *cooperate with other states* when stocks are shared (as in our case for many fish species).

**The UK cannot and should not be able to claim 'total control' of fish stocks. We are bound by international law to agree, cooperate and ensure conservation of stocks.** In due course, as part of those annual negotiations we would need to be considering various multi-annual agreements for appropriate stocks, as happens currently between the EU and other coastal states. Sadly, we can anticipate much less cooperation with neighbouring fishing fleets after Brexit.

In other words, we can never have 'independence' on the seas and are not able to 'take back control'. Regarding relations with other EU fishing states, we will now be negotiating without the power we enjoyed as members and our ability to protect our fishing communities will be correspondingly diminished.

It is wholly unacceptable that 'access to markets for fisheries products will be agreed as part of our future economic partnership, just as with other goods and food products'. Our fishing communities need to be clear about their future livelihoods and protection before the process of Brexit becomes irreversible. At present they have no guarantee that they will not be used as a bargaining chip exchanged for an economic sector the government considers to be more significant, such as financial services.

Regarding fisheries, the UK currently has a trade surplus with the EU - largely because other EU countries like eating fish more than we do - and this makes this sector unusual. Therefore, a No deal Brexit would be devastating and in any Brexit negotiations we have a weak hand.

I urge for the Fisheries Bill to commit to continue to cooperate as closely as possible with EU members over regional fisheries plans.

## Democratic and accountability principles

I am concerned the paper states that ‘the Fisheries Bill proposes taking powers that will enable this retained EU law to be amended expeditiously by secondary legislation. The marine environment is dynamic and timely decisions are required’.

This is democratically unacceptable. Decision making on all aspects of fisheries management must be public, and open to scrutiny. New, transparent and accountable systems are required, with enhanced Parliamentary scrutiny. Under this Government we have already seen the awarding of significant fisheries-related powers being awarded to Marine Management Organisations which are not subject to direct political accountability.

- **The EU sets a good example regarding democratic accountability, via the European Parliament Fisheries Committee.**
- **It is essential that the Bill creates a Parliamentary Fisheries Committee with comprehensive executive powers to provide democratic accountability.**

Enforcement of laws and environmental principles are clearly of vital importance to the sustainable management of UK fisheries and marine ecosystems. The Government describes the recent setting up of ‘the Joint Maritime Operations Co-ordination Centre (JMOC) .... with 12 main partners including the MMO, Royal Navy, Border Force, Marine Scotland, IFCA, Maritime and Coastguard Agency, National Crime Agency and the National Maritime Information Centre.’

We need to see adequate details about the operational principles and costs of this new enforcement system, how these costs will be met, and how this system will be managed and held accountable.

## Supporting coastal communities

The paper talks about ‘supporting coastal communities’, yet there is absolutely no detail on what will replace EU funding to Cornwall, which is home to many small fish-related enterprises. Cornwall has received extra EU development funding because of its relative poverty. We have virtually no detail on the ‘Shared Prosperity Fund’ – proposed to help replace this vital funding - available in any Government publications since the EU referendum.

Following our departure from the EU, subsidies from the European Maritime and Fisheries Fund (EMFF), worth £30 million a year, will also cease to be available to the UK industry. Yet industry is likely to continue to need direct support, for example infrastructure improvements to deal with increased landings after Brexit, research and development around low-impact fishing gear, etc.

- **The Bill should initiate a review of the support available for the industry and institute a new ‘landings levy’ for fisheries management, differentiated to incentivise boats to land in UK ports.**

In the run-up to the referendum, the current Secretary of State Michael Gove (amongst others) promised in an open letter that coastal communities would not suffer a loss in funding through Brexit. The government must now, in good faith, offer full details and firm guarantees on how these promises are going to be met

## The example of the SW fishing community

For the SW market, most of the catch is exported. In fact, since we joined the EU, the SW fishery has expanded considerably, building on the success of exporting products to the EU. In the political tussle between control of waters and access to market, the latter is far more important.

I note that the Cornish Fish Producers Organisation argue that ‘the UK must secure... continued tariff free and unrestricted access to European markets’ <http://cfpo.org.uk/wp-content/uploads/2018/04/CFPOs-Brexit-position-statement-.pdf>. They recognise that the EU is the most important market for UK fish exports, especially for fishers in my constituency.

The SW ports of Newlyn, Plymouth and Brixham land more fish by quantity and value than any other ports in the UK save in Scotland. Newlyn had the largest number (585) of vessels in its administration of any port. 88% of these vessels are of 10 metres and under in length. Plymouth is the administration port with the largest number of fishermen in the UK (1,000).

The English fleet is involved in several key fisheries that are typically lower volume but higher priced, such as the Channel fisheries for sole and plaice. In addition, a greater proportion of the fisheries the English fleet is engaged in cover inshore areas. Together these factors have allowed the English fleet to develop with a greater proportion of smaller vessels that are able to be economically viable through catching smaller quantities of more valuable fish.

In 2016, Newlyn was the port with the largest quantity of landings in England (14 thousand tonnes), followed by Brixham (13 thousand tonnes) and Plymouth (11 thousand tonnes). However, the value of landings in Brixham (£31 million) exceeded those of Newlyn (£28 million) and Plymouth (£15 million). This is largely due to the different species landed in each port; Brixham, and to a lesser extent Newlyn, receive greater proportions of high value demersal fish and shellfish, whereas Plymouth’s landings are dominated by lower value pelagic species. The UK exported the largest amounts to France (86 thousand tonnes), the Netherlands (68 thousand tonnes), Spain (36 thousand tonnes), the USA (32 thousand tonnes) and Ireland (31 thousand tonnes).

- **Therefore, I am speaking for many SW fishing enterprises when I call for the UK to remain a member of the Customs Union and the Single Market as a minimum condition.** Ensuring rapid transport to market without delays caused by inspection means continuing to keep to EU rules. This particularly applies to the shellfish market (mostly sold into Spain and France). Shellfish exports in 2016 were valued at £558m, a significant increase from £440m in 2015, out of a total export value for all UK fisheries of £1,727m (so around a quarter of fish exports).

## ENDS

*Some more data about the shellfish trade:*

- *In 2016 there was a 1 per cent decrease in quantity but a 21 per cent increase in value, compared with 2015. Large increases in market prices were witnessed for key pelagic and shellfish species, demonstrating the importance of shellfish exports. Shellfish accounted for 36% by value of the £936 million value of total fish catch.*

- *In 2016, the average value of shellfish landed by UK vessels into the UK was around £2,200 per tonne (live weight) compared with £1,900 per tonne in 2015.*
- *Landings by UK vessels into the UK rose by 7 per cent to 446 thousand tonnes in 2016. Shellfish have, in recent years, accounted for the largest share of these landings.*
- *Relatively high value shellfish and demersal species account for 32 and 30 per cent of landings respectively and 46 and 36 per cent in terms of value.*