

Common Fisheries Policy Task and Finish Group Consultation on Common Fisheries CFP3 - The New Under Ten Fishermen's Association

A response to the potential impact of the proposed reforms of the Common Fisheries Policy to Wales, by The New Under Ten Fishermen's Association

The New Under Ten Fishermen's Association (Nutfa) is the recognised UK body representing specifically small scale fishers and has a significant and growing number of members in Wales. This sector is defined as licenced and registered fishing vessels of less than ten metres in length and makes up 75% of the active fleet by number in England and Wales.

It should be noted that although the organisation is as described, our response relates generally to vessels that have a low environmental impact and a high socio economic importance. The vast majority of under ten metre vessels, especially from a Welsh perspective, fall into this category.

It is our experience that previous Reform processes have been characterised by the initial presentation of a range of good intentions that have been overly diluted during the subsequent debate, effectively maintaining a failed pan European fisheries management system for decades.

We are again promised radical change. Member States, Commission and the European Parliament (EP) are all seemingly of one in their determination to finally reverse the decline of fish stocks and related industries but experience of past reforms gives little cause for optimism.

Focusing specifically on the questions posed in the Committee note:

1: The proposals pose a real threat to the long term social and economic sustainability of the Welsh fishing industry.

The proposal for the mandatory introduction of a system of Transferable Fishing Concessions (TFC's), despite a potential escape clause for vessels of less than 12 metres in length not using towed gear, at the discretion of the Member State, would risk the loss of fishing opportunities for the Welsh fleet, in a similar way that the current Defra consultation proposals advocating the provision of individual fixed quota allocations to English under ten metre vessels would if enacted in Wales. Even in the event that under 12 metre vessels not using towed gear were exempt, there still needs to be a mechanism to provide them with access to fishing opportunities, based on other than historic catches. As this approach is similar in some respects to when quota was first allocated between under and over ten metre boats in the UK, there is a concern that small scale operators will not obtain any particular benefits as despite being 75% of the active fleet, they have access currently to only circa 4% of the overall quota.

There is plenty of evidence on a global scale that the introduction of such a rights based management system, effectively privatising a public resource and then giving

it away based on only historic rights inevitably disadvantages small scale operators. This is particularly relevant from a Welsh perspective as the majority of the fleet rely upon using pots and nets to catch shellfish rather than finfish and we have therefore a very poor track record on which any allocation would be based.

As is already the case in the UK generally, this allocation of resources, i.e. fish quota, almost instantly acquires a monetary value and TFC's would become a commodity, favouring the most economically powerful enterprises rather than the most sustainable fishing activities.

Importantly, the proposals suggest a system, not just of tradable fishing concessions within the Member State but of internationally tradable fishing concessions. This should be refused at all costs. Again, this would effectively sell off a national resource to the highest bidder and it is no secret that Spanish and other interests are waiting in the wings. It is beyond our comprehension that any MS or Administration could possibly countenance such a sell off.

With regard to the potential effects of the promised decentralization of fisheries management, as with so much within the proposal document, there is really insufficient detail for us to be able to comment meaningfully.

The Welsh Government needs to seek clarification of much within the proposals as soon as possible in order to be able to make recommendations and before the timescales provided effectively preclude a more informed consideration of the proposals.

There are a number of questions to be answered with regard to the ability of the Commission to devolve responsibilities in the light of the requirements of the Lisbon Treaty. Whether decentralization is possible to a Member State (MS) or a devolved administration therein is therefore debatable. In a similar vein, providing Regional Advisory Councils (RAC's) with additional powers and responsibilities as suggested must at the same time also result in a more effective representation of small scale interests, again vital from a Welsh perspective, not least as the RAC's are currently dominated by larger vessel interests.

In the same way, the development and implementation of Multi Annual or Long Term Management Plans must take account of the needs and benefits related to the inshore sector. Wales has a unique opportunity to manage our own fisheries within territorial waters in a dynamic way, within an ecosystem based approach and developing best practice as an exemplar to other areas of Europe.

2: With all due respect and writing as a Welsh commercial fisherman as well as a representative of fishermen, the inshore fishing industry in Wales has never posed a threat to the long term viability of fish stocks in inshore Welsh waters (there is a separate discussion to be had in relation to Welsh shellfish stocks). This lack of impact has resulted in "Wales PLC" having a very poor track record of catching quota stocks. On that basis, we have seldom been taken notice of with regard to the wider management requirements and as mentioned previously, stand to lose out badly under the current CFP proposals. Fish stocks are managed by ICES area (see Annex 1) and we therefore share Area VII with our English neighbours, as well as those European vessels with 'historic' rights within the six mile to median line zone of our territorial waters.

Fish stocks in this area (VII) have, along with most other European fishing areas, declined dramatically over the period of CFP (mis)management. I will not refer to the plethora of statistics available but the point is that the Welsh fleet has not, and in its current state will never have a serious impact on fish within our waters, yet stocks have deteriorated significantly, disadvantaging Welsh fishermen both now and importantly for the future.

We are therefore a victim of our own success, (or lack of it in catching terms), certainly in environmental terms but at the same time, there is an urgent need to provide as much protection as is possible to both our fish stocks and the fishing businesses and coastal communities that rely upon them. The Commission's own figures suggest a very significant reduction in catching sector employment over the next ten years. This, in our opinion, need not be the case if radical changes are made to the CFP, especially with regard to the allocation of resources.

We cannot stress too highly the necessity for Wales to act as aggressively as possible within the strictures of the CFP and domestic fisheries management in order to protect and enhance fish stocks in Welsh waters for the future.

A particular concern in this respect is Article 26 of the proposals that seeks to maintain the current inequity whereby a Member State (MS) can only regulate the activities of their own fleet within territorial waters whilst other MS fleets fishing under historic rights within that zone can choose not to allow sensible conservation regulations to affect the activities of their vessels.

This means for instance that if the byelaw originally introduced by the South Wales Sea Fisheries Committee, restricting the retention of Ray species of less than a certain size (Ray is a valuable species for Welsh finfish vessels, representing 75% by value of Welsh catches in the Bristol Channel), was extended by the Welsh Government, as it should, to encompass all Welsh waters, the restriction would only affect UK vessels and the Belgian beam trawlers fishing the zone under historic rights could carry on regardless, retaining small Ray that had yet to spawn.

It is unquestionably our view that some fish stocks have come so low that it will only be through the promised (but not expected) radical change, supported by the Welsh Government, that fish stocks and therefore the fishers and communities that rely upon them will survive and prosper.

It is also of course worth pointing out that even if fish are not considered particularly important at the present time, we can assure members that it will become so in terms of food security in the future.

3: In European fisheries terms, Wales is a backwater and there is a real danger that decisions made within this Reform process will take little if any note of our particular requirements or aspirations. As with previous reform processes, small scale and inshore interests are likely to be ignored and lobbying by far better resourced representatives of offshore interests will prevail. Wales must fight above its weight, hopefully in partnership with the other devolved administrations within the UK, but taking an independent stand in terms of Welsh fisheries regulation and management where necessary.

The aforementioned TFC's, Article 26, as well as a potential requirement for a discard ban all represent real threats.

Members will undoubtedly share our opposition to the discarding of sometimes up to 80% of catches and agree that the practice must be curtailed. The Commission has suggested a timetable to end discards but it is vital that due thought and consideration is given from a specifically Welsh viewpoint.

Much of what we catch, Rays, shellfish etc can be safely returned to the sea alive and has a high survival rate. It is also the type of gear and method used to catch fish species that has an effect on their survival rate. Whilst we recognize and support the urgent curtailment of unnecessary discards, many Welsh fishermen already have a low or zero discard rate and use fishing methods such as lines, static nets and light trawls fished for short periods that result in live capture and high survival rates. A blanket ban focused on discarding from heavy mobile gears should not be countenanced if it unfairly discriminates against our more sustainable operations. In our other submissions with regard to the CFP proposals, we have contributed to and put forward a Declaration (Annex II) that outlines a new way of thinking in terms of European fisheries management and especially the provision of access to fishing opportunities. We suggest that the Declaration has specific and accurate synergies with the needs and aspirations of the Welsh Government and inshore fleet and commend it to members.

4: Welsh priorities:

- Refute the Transferable Fishing Concessions approach (and clarify Westminster's view)
- Decline Article 26 and strive for a level playing field within territorial waters
- Support the aforementioned Declaration, thereby providing a real and lasting future for Welsh inshore fishers, coastal communities, fish stocks and the wider marine environment
- Insist that the current derogation that provides protection for territorial waters is made permanent
- A future Financial Instrument that provides support for the sustainable development of Welsh fisheries, added value and supply chain infrastructure with resources switched from high to low impact fisheries accordingly
- Promote sustainability, good governance and the principles of democracy, human rights and the rule of law with regard to EU access to external waters

Members will recognize that a submission of this sort cannot hope to cover every element of the proposals and their potential effects on Wales without running to significant length.

Despite our small size and therefore influence on the European fisheries stage, Wales can nevertheless have a major impact on the development and outcome of the CFP Reform process if it has clear priorities and stands up for them.