

Submission from the ‘UK fisheries policy post-Brexit: multi-level challenges and opportunities’ project.

About us

We are a team of researchers based at the University of the West of Scotland conducting research into the impact of Brexit on UK fisheries policy. This project is funded by the Economic and Social Research Council through a Brexit Priority Grant as part of the UK in a Changing Europe initiative.

Our research has two strands:

- What can the UK learn from other non-EU coastal states (Iceland, Norway and the Faroe Islands) about governing fisheries policy?
- How will Brexit and the repatriation of fisheries policy from Brussels to the UK affect the constitutional balance between the UK government and the devolved governments in Northern Ireland, Scotland and Wales?

This research is primarily interested in how fisheries policy is governed, as opposed to the specific fisheries management policies which are put in place.

Work on the first strand of research has been completed. In May 2018 we published a report summarising the main features from Iceland’s, Norway’s and the Faroe Islands’ approach to fisheries governance and the lessons that could be learnt for post-Brexit fisheries governance in the UK. This report can be freely downloaded here: <https://goo.gl/GW4bJ4>

Much of this submission draws on the findings and recommendations within this report, as well as early findings emerging from our examination of the second strand of our research. Our research into the second strand is at an early stage. Nevertheless we would be more than happy to engage further with the committee as our research develops in order to provide additional evidence and insight from our research.

What outcomes and policies does Wales want to see from the UK Fisheries Bill? How can policy best reflect the needs of different sectors, including the fishing industry, aquaculture and coastal communities?

The nature and composition of the fishing industry varies significantly across the UK and there is a need to recognise this in the development of UK-wide fisheries legislation and policy. In terms of the unique position of Welsh fisheries, much of this is explored in a recent

report released by the Wales Centre for Public Policy.[1] For example, in 2016, 93% of the Welsh fishing fleet consisted of boats 10 metres and under in length, a higher proportion than in any other part of the UK.[2] Furthermore, much of this fleet is dedicated to catching shellfish, most of which is not subject to EU quotas. As a result issues around trade, export markets and tariff and non-tariff barriers are of more importance to the Welsh fishing industry than the question of improved quota allocation. All of this goes to highlight that the needs of the Welsh fishing industry are different from industry across the rest of the UK. This will need to be reflected in any post-Brexit fisheries arrangements.

The UK government's preferred strategy for post-Brexit fisheries policy (and indeed in other policy areas too) is to develop common UK-wide frameworks to limit the extent of policy divergence across the UK's four nations. In many respects this approach makes sense. While fisheries policy is a devolved competence, it also intersects with other areas of policy which are solely reserved by the UK government, such as international trade and international negotiations. Nevertheless, there will be a need to ensure that the unique character of Welsh fisheries is accounted for in the development of a UK-wide common framework.

Overall, then, the Welsh government, like the UK at large, faces a delicate balancing act when it comes to post-Brexit fisheries policy. Fisheries was a highly salient issue during the Brexit campaign, despite it only accounting for around 0.05 per cent of UK GDP. This provides an important political imperative for delivering a successful post-Brexit fisheries policy. Yet at the same time this will have to carefully balance a range of divergent interests among different parts of the fishing industry, ensure the UK's international commitments to fisheries management are maintained, address issues of sustainability and environmental protection and respect the realities of devolution.

In terms of reflecting the needs of the fishing industry, our research on Iceland, Norway and the Faroe Islands highlighted the need for effective collaborative relations between industry and governmental authorities. In Iceland and Norway in particular, this has been achieved by institutionalising the involvement of industry representatives in formal decision-making processes. In this way industry representatives are able to feed their needs and perspectives into the policy development process. This collaborative approach also works to foster a sense of trust between the various actors involved. To meet the needs of industry, our report therefore recommends formally institutionalising the role of industry alongside other relevant stakeholders.

In terms of coastal communities, our research in Iceland and Norway highlights the impact changes to fisheries policy can have on coastal communities which are highly dependent on fishing activities. For example, Iceland's adoption of the Individual Transferable Quota system had a detrimental impact on smaller isolated communities as fishing opportunities have become consolidated among larger companies. Similarly Norway's decision to actively reduce the size of its fishing fleet and remove subsidies had potential negative effects on local fishing communities, although this was mitigated by having a strong economy and available alternative employment opportunities to replace those lost in the fishing industry.

Therefore, the approach taken to post-Brexit fisheries management will have consequences for coastal communities, and that wider economic conditions are an important consideration. Furthermore, as also highlighted in the Wales Centre for Public Policy report, different coastal communities rely on different types of fishing related activities (for example hosting fishing fleets, acting as a landing port for EU fishing vessels, or focusing on seafood processing). This means a change in policy which may be beneficial for one community might have a detrimental impact on other communities. Based on this reality, and our findings in Iceland, Norway and the Faroe Islands, our report recommends that detailed impact assessments be undertaken to examine the potential impact of any proposed changes to fisheries policy on local fishing communities. We also recommend that any potential economic benefits for the fishing industry which might derive from policy changes instigated because of Brexit stay within fishing communities as much as possible.

What are the main challenges and opportunities for fisheries during the transition period and post-Brexit?

The current draft withdrawal agreement envisages a transition period which effectively sees UK still subject to the terms of the CFP when it leaves EU in March 2019. While this has been met with some resistance among some in the UK's fishing industry who would rather see a swift exit from the CFP, it does nevertheless provide space for the UK and its devolved nations to begin preparing for the UK to become an independent coastal state by building upon policymaking structures that already exist, develop new policy frameworks to replace those that the UK will no longer be part of when it leaves the CFP, and ensure that there is sufficient policy capacity in place in order to properly cope with independent coastal state status. For example, while much of the day-to-day implementation capacity of fisheries policy will already be in place, extra capacity may be required in areas such as marine science and external negotiations.

The challenge comes in ensuring Welsh interests are represented during the transition. During this period the UK will still be bound by the terms of the CFP and will be bound by EU fisheries decisions. However, while the EU has committed to consulting the UK on future fisheries policy changes during the transition period, the UK will lose formal voting rights on decisions made around Total Allowable Catch and quotas, as well as being frozen out of the key decision-making forums. The Welsh government will therefore need to ensure its interests continue to be represented not only at the UK level, but also the EU level during the transition period.

How effective is the Welsh Government's engagement with the UK Government on fisheries? Are Welsh interests being given sufficient consideration within the Brexit negotiations?

Our research has only just begun to explore how the repatriation of fisheries policy from the EU will impact the constitutional settlement in the UK, and how the devolved governments are able to influence the development of post-Brexit fisheries policy. While we have yet to

focus on UK-Wales relations, we have already examined the relationship between the UK and Scottish governments. This leads us to some initial conclusions about UK government's current approach to interacting with the devolved administrations.

Our research finds that while working relationships at the technical level between UK government and devolved officials are positive, effective working relationships are nevertheless hampered by a lack of communication and direction at the political level in the UK government. There have been a number of delays which have held up the release of the fisheries white paper, with the uncertainties surrounding Clause 11 in the EU Withdrawal Bill and the lack of agreement between the UK and Scottish Governments being chief among these. This has meant that common frameworks, including for fisheries, have not yet been agreed. Given the responsibilities that the devolved administrations have over fisheries, reaching agreement on the withdrawal bill and common frameworks is crucial as these agreements will prove to be important foundations for the management of fisheries around the UK.

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