

# Grwp Gorchwyl a Gorffen ar y Polisi Pysgodfeydd Cyffredin

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Lleoliad:  
Ystafell Bwyllgora 1 – Senedd

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Dyddiad:  
Dydd Iau, 17 Tachwedd 2011

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Amser:  
09:30

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Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



I gael rhagor o wybodaeth, cysylltwch a:

Virginia Hawkins  
Clerc y Pwyllgor  
029 2089 8544

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## Agenda

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### 1. Cyflwyniad, ymddiheuriadau a dirprwyon

### 2. Ymchwiliad i'r diwygiadau arfaethedig i'r Polisi Pysgodfeydd Cyffredin: Tystiolaeth gan The New Under Ten Fishermen's Association a Chymdeithas Pysgotwyr Cymru (09:30 – 10:30)

(Tudalennau 1 – 8)

CFP(4)-04-11 Papur 1

Jeremy Percy, The New Under Ten Fishermen's Association

CFP(4)-04-11 Papur 2

Jim Evans, Cymdeithas Pysgotwyr Cymru

Sarah Horsfall, Seafish

James Wilson, Cynhyrchwyr Cregyn Gleision Bangor

# Eitem 2

## **Common Fisheries Policy Task and Finish Group CFP(4)-04-11 Paper 1**

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.

# Common Fisheries Policy Task and Finish Group

## CFP(4)-04-11 Paper 2

### Task & Finish Group Inquiry into the Proposed Reforms to the Common Fisheries Policy:

Thank you for your kind invitation, firstly to contribute to the inquiry by providing a paper and secondly to give oral evidence to the Task & Finish Group regarding the reform of the Common Fisheries Policy.

I represent a recently formed organisation namely the Welsh Fisherman's Association – Cwmdeithas Pysgotwr Cymru Ltd (WFA-CPC Ltd) which has been established by six of the seven fisherman's associations in Wales expressly to represent national fishing industry opinion from a Welsh perspective at the highest possible level.

The WFA consists of the following associations:-

- Cardigan Bay Fisherman's Association Ltd
- Llyn Fisherman's Association
- Llyn Pot Fisherman's Association
- North Wales Fisherman's Cooperative Ltd
- Welsh Inshore Scalloper's Association
- West Wales Shellfisherman's Association Ltd

The Board of directors consists of one director from each of the member associations, with each association holding one vote regardless of the size of their individual membership, ensuring equality within the organisation. Should a situation arise where voting is tied the Chairman holds the casting vote.

You will notice that our membership base is distributed throughout Wales and encompasses a wide variety of fishing activities from within the under and over 10m sectors. For this reason the WFA-CPC Ltd is well placed to represent an inclusive response from the Welsh fishing industry. There will no doubt be similar themes provided by other interested parties in respect of this subject, however, we aim to focus our attention on the potential threats and possible opportunities to inform and ensure an equitable and sustainable future for the Welsh fishing industry in a UK context.

## **Q1**

In respect of the Welsh fisheries zone, decentralisation as a proposal makes sense; however in practice there is little if any enforcement legislation that exists between 6 nautical miles to the median line and similarly Wales does not, as I understand, have any environmental powers outside 12 nautical miles which creates fisheries enforcement issues between 12nm and 25nm (the Welsh fisheries zone)

One of the main issues would be to address the historical injustice and imbalance of total allowable catches (TAC's) to ensure sufficient opportunity (quota species) to encourage Welsh fishers to invest and secure long term profitable and sustainable fisheries for future generations either managed by Welsh Government or by an industry producer organisation.

Unfortunately the proposed concordat is not publicly available and therefore the detail is not yet clear in respect of Welsh interests, however it is understood that introducing Transferable Fishing Concessions without addressing the TAC for Wales would be wholly inappropriate as Wales does not have sufficient entitlement to pressure stocks to generate sufficient investment to secure fishing opportunities and improve future track record for quota species.

Regional management can only be truly effective when the following fundamentals are established

- 1 Species stock assessments (in the Welsh Fishing Zone)
- 2 Fishing effort by sector
- 3 Capacity (vessels active in Welsh waters) and latent effort

Without first establishing 1,2 and 3 above no feasible long term proposals for fisheries management could be suggested.

## **Q2**

The EC proposals as mentioned above could have significant implication for the social and economic viability of coast communities in Wales if sufficient provision was not secured to provide the opportunities necessary for the fishing industry in Wales.

Sustainability cannot be achieved in Wales, or anywhere else for that matter, if opportunity is limited and profitability cannot be maintained. It is essential in Wales to have access to a mixed fishery as in the majority of the Welsh fleet (90% of which are under 10m vessels) this issue is key to a sustainable future which would afford further benefits through the potential to diversify and reduce pressure on traditionally targeted species.

Only through incentives and appropriate opportunity can investment be secured on behalf of the fishing industry in Wales to ensure current levels of employment are secured on board vessels with wider social, cultural, and economic benefits to the local communities.

## **Q2 continued**

The industry is particularly concerned about the proposed introduction of Transferable Fishing Concessions ( TFC's) and the potential for the international trade of a public resource, which could significantly disadvantage the small scale coastal fishers (within the 12nm coastal zone), as this proposal would be more beneficial to the management of the larger commercial fleets. If this approach is unchecked this valuable Welsh resource could end up in the hands of large scale operators and powerful companies based in other member states with no beneficial contribution to the Welsh economy for the exploitation of a Welsh resource.

An example of this is the continued access enjoyed by Belgian, French and Irish historic rights fishers to operate within the 6nm to the median line fisheries zone. Historic rights fishers pose a serious risk to the long term sustainability of Welsh fisheries; additionally fisheries managers have no authority to regulate the activities of other member state fleets within territorial waters. This example is clearly inequitable and undermines the conservation initiatives of the domestic fleet to enhance and maintain healthy fish stocks, whilst at the same time provides no benefits to the local economy of Welsh coastal communities and threatens the future viability of small scale inshore fishers.

## **Q3**

Providing the opportunities are appropriate to the present and future requirements of the fishing industry in Wales, regionalisation would provide a framework for Wales to secure and manage its fisheries resources more effectively consistent with a holistic and ecosystem based approach, conducive to the aspirations of the 'Wales Fisheries Strategy' and industry best practice.

The fishing industry in Wales (mainly small scale, inshore fisheries and aquaculture) are hugely disadvantaged in terms of resources. Representation in Wales is essentially undertaken by a small number of concerned fishermen on a voluntary basis. The fear is that Welsh efforts and interests will be diluted by the well-resourced and influential large scale operators with the ability to lobby at the highest level on an on-going basis. The industry and the Welsh Government must be clear, consistent, and robust in defence of our resources to ensure that we have sufficient opportunity to encourage appropriate investment to develop and realise the potential of low impact, low discard capture fisheries in Wales alongside aquaculture producers, processors and an effective infrastructure to facilitate appropriate marketing and supply of sustainable, high quality Welsh produce. For Wales to avoid the possibility of negative impacts resulting from possible changes by Europe, Welsh Government and industry must clearly identify and outline the opportunities necessary to support and maintain a healthy, vibrant, sustainable and profitable fishing industry.



#### **Q4**

Welsh Priorities in the Reform of the CFP:

- 1: Wales must not proceed with the proposed Transferable Fishing Concessions (TFCs).
- 2: Welsh Government must have enforcement and management powers over all member state vessels active within Welsh territorial waters.
- 3: Due to the nature and composition of the Welsh fleet we believe that from the Welsh coastline to the 12nm zone should be reserved for fisheries that are small in scale, environmentally benign and socially equitable, which provides important cultural and economic contributions to the local communities.
- 4: Welsh Government must successfully negotiate sufficient fishing opportunities for pressure stocks that will accommodate the present and future aims and objectives of the fishing industry, to ensure a diversity of fishing opportunities, in doing so provide the platform for sustainability and the future growth of the domestic fleet.
- 5: A review of historic fishing rights within 6-12nm, as the current agreement ends in 2012.
- 6: A financial instrument /structural funds that support the principles and objectives of the 'Wales Fisheries Strategy', encourages new entrants and delivers the longer term aspirations of the Welsh fishing industry, promoting sustainability and best practice.

#### **Q5**

We believe that Welsh interests would be best represented by establishing a working group consisting of industry representatives, aquaculture producers, the Sea Fish Industry Authority, and Welsh Government Fisheries Unit, whereby negotiations in respect of the reform of the CFP would be appropriately informed and relevant to the wider industry expectations.

To conclude I would advise the members that our evidence is not by any means exhaustive and is largely limited to the issues that we believe represent the concerns of Welsh fishing interests framed within the context of the members' points for consideration.

The WFA-CPC is grateful for the opportunity to present evidence to the inquiry and would be pleased to provide further assistance should the members require.

Yours sincerely  
for and on behalf of  
WFA-CPC Ltd

Jim Evans  
Chair