

Agenda – External Affairs and Additional Legislation Committee

Meeting Venue:	For further information contact:
Committee Room 2 – Senedd	Alun Davidson
Meeting date: 26 November 2018	Committee Clerk
Meeting time: 13.45	0300 200 6565
	SeneddEAAL@assembly.wales

Private pre-meeting

(13.45–14.00)

1 Introductions, apologies, substitutions and declarations of interest

(14.00)

2 Scrutiny session with the Cabinet Secretary for Finance

(14.00–15.30)

(Pages 1 – 21)

Mark Drakeford, Cabinet Secretary for Finance

Simon Brindle, Welsh Government

Ed Sherriff, Welsh Government

3 Paper to note

(15.30–15.35)

3.1 Paper to note 1 – Correspondence from the Wales Environment Link to the Cabinet Secretary for Energy, Planning & Rural Affairs regarding the UK Fisheries Bill – 19 November 2018

(Pages 22 – 25)

4 Motion under Standing Order 17.42(vi) to resolve to exclude the public from the remainder of the meeting

(15.35)



**5 Scrutiny session with the Cabinet Secretary for Finance –
consideration of evidence**

(15.35–15.50)

**6 Briefing on the draft Withdrawal Agreement with the European
Union**

(15.50–17.20)

(Pages 26 – 48)

Dr Tobias Lock, University of Edinburgh

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Lesley Griffiths AM
Cabinet Secretary for Energy, Planning & Rural Affairs
National Assembly for Wales
Cardiff Bay
CF99 1NA

Sent via email

CC: CCERA Committee, CLA Committee, EAAL Committee

19 November 2018

Dear Cabinet Secretary,

RE: UK Fisheries Bill

We are writing to you to request a meeting on the draft UK Fisheries Bill, specifically where it applies to Wales.

Wales Environment Link work closely with Greener UK - a group of environmental organisations (some of which are also WEL member organisations), with a combined public membership of over eight million. We are united in the belief that as the UK leaves the EU, it must take the opportunity to restore and enhance the UK's marine environment and are working together to consider the new UK Fisheries Bill and implications for Wales. This is an opportunity to establish Wales and the rest of the UK as world leaders in sustainable fisheries management, an aspiration behind which all stakeholders, including the fisheries sector agree, as healthy fisheries benefit coastal communities.

Although the UK Fisheries Bill generally provides appropriate powers to allow for operability for fisheries management on leaving the EU, it repeals some crucial sustainability requirements. We wish to discuss this with you.

Wales Environment Link and Greener UK welcome the publication of the UK Fisheries Bill and, in particular, the inclusion of fisheries objectives on the face of the bill. These serve to apply overarching principles to fisheries management and are compatible with Wales' existing frameworks. However, a significant omission in the UK Fisheries Bill is the lack of duty placed on authorities to deliver these objectives.

All UK Fisheries managers must currently act in accordance with sustainability objectives (and other duties) set out in the EU Common Fisheries Policy (CFP). The UK Fisheries Bill borrows the same language – but while these were duties under the CFP – these are now replaced by a joint statement setting out how these

“objectives” will be met, allowing national authorities wide discretion to apply, or disregard, those objectives. If we are to achieve the Sustainable Management of Natural Resources, this needs to be addressed.

It is also critical for the health of our oceans that there is a commitment to ensure that fishing limits cannot be set above the scientifically recommended levels that would deliver the objective to restore fish stocks to a healthy biomass. There must be a target for fishing mortality to be set at sustainable levels (currently 2020 under the Common Fisheries Policy (CFP)) and an immediate duty to deliver on restoring stocks to healthy biomass levels to ensure resilient fisheries that deliver for generations now and in the future.

We urge you to support these positive amendments to the Bill. WEL and Greener UK would welcome a joint meeting with you at your earliest convenience to discuss the Bill in relation to Wales. We provide a further briefing, outlining our nine key asks for the Bill as an annex.

Yours sincerely,

Gill Bell
Co-Chair of WEL's Marine Working Group
**Head of Conservation Wales, Marine
Conservation Society**

Emily Williams
Co-Chair of WEL's Marine Working Group
Marine Policy Officer, RSPB Cymru



UK Fisheries Bill Briefing

Greener UK and Wales Environment Link have identified the following areas where the UK Fisheries Bill must be improved in order to enable the sustainable management of natural resources:

1. A duty on all public authorities to deliver the fisheries objectives.

Without this duty, targets are established but with no clear obligation for authorities to deliver them. There should also be the requirement for annual updates on progress against objectives.

2. A commitment to ensure that fishing limits cannot be set above the scientifically recommended levels that would deliver the objective to restore fish stocks to a healthy biomass.

There must be a target for fishing mortality to be set at sustainable levels (currently 2020, under the Common Fisheries Policy) and an immediate duty to deliver on restoring stocks to healthy biomass levels.

3. A formal consultation procedure to scrutinise secondary legislation.

Powers provided by the Bill to create secondary legislation could result in major changes to fisheries management measures and should therefore be subject to wider scrutiny, including by stakeholders.

4. An approach which seeks to ensure shared stocks are managed sustainably.

The Bill does not make any firm commitment on how shared stocks should be sustainably managed. This is extremely concerning as setting clear sustainability criteria in relation to negotiations with other countries would help avoid, for example, another 'mackerel wars' scenario.

5. A clear objective in the Bill that fisheries management should be coherent within UK, devolved and international environmental legislation.

Fisheries management does not take place in isolation and the impacts of fishing activity can have significant implications for the health of the wider marine environment.

6. A mandate to allocate fishing opportunities on the basis of transparent and objective environmental and social criteria, to incentivise the most sustainable fishing practices.

If the Bill does not require that fishing opportunities are allocated according to transparent and objective environmental and social criteria, then local, low-impact fishers will continue to miss out, to the detriment of coastal communities and the environment.

7. A commitment to full documentation of catches.

If we fail to achieve full documentation of UK fisheries we will not have a true picture of what is being removed from the seas and therefore will not have accurate scientific data to ensure effective management of the shared stocks in UK waters.

8. A commitment to robust monitoring and enforcement mechanisms.

There are no provisions in the Bill to deal with monitoring and enforcement, a fundamental part of effective fisheries management. Vessel monitoring should be applicable to all vessels regardless of size. In addition, remote electronic monitoring with CCTV should be required for all large vessels (over ten metres) and select smaller vessels to ensure accountability and improve enforcement.

9. Access of foreign vessels to UK waters should be contingent on compliance with the same environmental standards applicable to UK boats.

There is no provision in the Bill that foreign boats must comply with the same standards as UK boats, which is essential to ensure a level playing field and a high level of environmental protection.

Wales Environment Link (WEL) is a network of environmental, countryside and heritage Non-Governmental Organisations in Wales, most of whom have an all-Wales remit. WEL is a respected intermediary body connecting the government and the environmental NGO sector in Wales. Our vision is a healthy, sustainably managed environment and countryside with safeguarded heritage in which the people of Wales and future generations can prosper.

This paper represents the consensus view of members of WEL's Marine Working Group. Members may also produce information individually in order to raise more detailed issues that are important to their particular organisation.



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Chair / Cadeirydd: Gwyneth Thomas

Director / Cyfarwyddwr: Karen Whitfield

Agenda Item 6

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