



**Wales Environment Link (WEL)** is a network of environmental and countryside Non-Governmental Organisations in Wales, most of whom have an all-Wales remit. WEL is officially designated the intermediary body between the government and the environmental NGO sector in Wales. Its vision is to increase the effectiveness of the environmental sector in its ability to protect and improve the environment through facilitating and articulating the voice of the sector.

WEL welcomes this opportunity to present written evidence to the Environment and Sustainability Committee's Task & Finish Group inquiry into the proposed driftnet ban.

### Summary of WEL position on proposed ban

WEL strongly supports curbs on damaging fishing practices, legal or illegal, and actively promotes measures to eliminate bycatch of seabirds and other marine wildlife, especially as this impact suffers from poor monitoring, control and enforcement and often goes unreported.

If the current legislation was strengthened, applied appropriately and enforced rigorously WEL feels that there would be no need for a complete ban on drift net fisheries in Europe. WEL suggest a risk-based, regional approach to any conflicts between small-scale driftnets and non-target or unauthorised species, ensuring that the Member States and the Commission act swiftly to address conflicts on a case-by-case basis.

Where damaging interactions with seabirds and other marine wildlife occur, Member States should prioritise EMFF aid to support research and development of mitigation measures, and the transition as appropriate to alternative fishing gears and methodologies where proven to be less damaging than small-scale driftnetting. It is WELs view that small-scale driftnet fisheries scientifically proven to have negligible environmental impact are exempted from a ban.

### Further information

On 14 May 2014, the Commission proposed a ban on small-scale drift net fishing throughout EU waters from 1st January 2015, subject to agreement by the Member States and the European Parliament. The Commission's proposal refers to driftnets of less than 2.5km in length. The use of driftnets longer than 2.5km has already been prohibited in the EU since 1992, except in the 'Baltic Sea, the Belts and the Sound' although the ban was extended to those areas in Jan 2008. Since 2002, all driftnets – irrespective of length – have also been prohibited in EU waters when specifically targeted at highly migratory species such as tuna and swordfish.

Driftnets, legal or otherwise, are still widely used in EU waters, including France, Portugal, Slovenia, Romania, Bulgaria, and the UK where they are typically used by coastal fishermen. In the UK (mainly England), typical target species (for which driftnets are claimed by fishermen to be highly selective for both species and size of fish) are herring, mackerel, sole sea bass, salmon, sardine, sprat and mullet.

The rationale behind this blanket ban is to address the major bycatch impacts of such driftnetting on vulnerable and protected species such as cetaceans, turtles and sharks in the Mediterranean. The Commission also perceives a more widespread problem, characterising driftnet fishing as *'carried out by an undefinable number of small-scale multipurpose fishing vessels, the vast majority of which operate without any regular scientific control and monitoring'*.

Given the non-discriminatory nature of the proposal, WEL recommends the Commission reconsider their proposal for a blanket ban on drift net fisheries and instead look at ways in which the legislation can be modified to strengthen its enforcement and apply it in a more targeted and appropriate manner taking into account the specifics of particular fisheries. There is a strong case for stricter enforcement to halt illegal driftnet fishing in EU waters.

However, WEL oppose a blanket, EU-wide ban on small-scale driftnet fishing on the grounds that it is disproportionate by penalising responsible small-scale fishermen who use driftnets sustainably with negligible adverse environmental impact. The ban has the potential to promote gear-switching in some regions into other damaging fishing methods such as bottom-set gillnets which may pose an even greater threat to by catch of seabirds and other marine wildlife. Therefore WEL propose that the necessary steps are taken to enforce lack of compliance and any such occurrences are penalised, including by withholding fishing opportunities and EU financial support as appropriate.

WEL is also concerned that the proposed ban will not be foolproof against the deficit in control and enforcement which is manifestly the main problem under current legislation. It also runs counter to the new CFP which seeks to set measures derived from a results-based approach and regionalised decision-making.

It is important that small-scale driftnet fisheries scientifically proven to have negligible environmental impact are exempted from a ban, we suggest there is a role for observer studies that can verify claims of negligible or no impacts on cetaceans and marine mammals. Thus ensuring that exemptions from any ban are based on solid evidence.

Finally WEL suggests that the Minister for Natural Resources and Food, with his UK counterparts requests that the EU must impose economic sanctions on Member States who do not take measureable and timely steps in achieving the above points. In particular, Member States must impose suitable deterrents to fishers breaking these laws such as severe penalties that may reduce fishing opportunities and carry significant fine or criminal conviction. The UK and wider EU seafood supply chain must take proactive steps (including implementing robust traceability regimes and testing high risk products) to ensure that seafood caught in illegal drift net fisheries is not bought or sold.

**The following WEL members support this document:**

Marine Conservation Society  
RSPB Cymru  
Wildlife Trusts Wales  
WWF Cymru