



Ein cyf/Our ref: LJCC/HID

Huw Irranca-Davies MS,
Chair of Legislation, Justice and
Constitution Committee

23 October 2023

Dear Huw,

I am writing in response to your letter dated 29 September, concerning the Protocol amending the International Convention on the Conservation of Atlantic Tunas (ICCAT), also called the “Palma Protocol”.

As you note, international relations, including the workings of the ICCAT, are a reserved matter. However, I agree the management of ICCAT species, particularly Bluefin Tuna, which are increasingly common in Welsh waters, are a matter for my Government. In this context, we agreed with DEFRA that the Protocol should be adopted as the amendments you describe are improvements to the operation of the Convention.

You asked for further information on:

- *the intergovernmental engagement described in the Explanatory Memorandum*

The Palma Protocol was the subject of discussion at officials’ level and following legal advice, it was concluded the Protocol amendments to be of minimal or no concern to the UK, especially as they were reviewed prior to the UK signing on behalf of all Administrations.

- *what internal arrangements are in place to monitor, observe and implement recommendations of the Protocol’s Commission in devolved areas.*

As a contracting party to ICCAT, the UK is obliged to enact legislation to give effect to the domestic operation of the Convention. Certain sections of EU legislation were saved upon the exit of the UK from the EU in this regard. Officials in our Fisheries Division are responsible for monitoring, observing and implementing such regulations. Following Brexit,

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

a UK Framework was put in place for fisheries management noting the interaction of both reserved and devolved competencies. The framework sets out how the governments of the UK will interact in this policy area and is published at:

<https://www.gov.uk/government/publications/fisheries-management-and-support-provisional-common-framework>

- *your assessment of whether any steps, including changes, are needed at this stage to ensure Wales is compliant with the amendments made by the Protocol in devolved areas.*

As you note the Protocol amends the scope of the ICCAT, as well as improving the way in which the Commission operates. It also inserts new objectives for contracting parties, these align with the Fisheries Objectives set out in the Fisheries Act 2020. There would be no immediate action for us to take to implement the Protocol.

It should be noted, the Protocol only takes effect when three-quarters of the ICCAT contracting parties ratify it. Given the UK ratification brings the total to only 6 of 52 contracting parties, any provisions developed as a result of the changes made by the Protocol are some way off requiring action.

Yours sincerely,

A handwritten signature in black ink that reads "Mark Drakeford". The signature is written in a cursive, slightly slanted style.

MARK DRAKEFORD