

Briefing for MPs for day 1 of committee stage of the Fisheries Bill

11 December 2018

Greener UK's priorities

Greener UK has identified some priority amendments that it will be supporting for day 1 of committee stage. We encourage members of the Committee to support these amendments during discussion and to ask the Minister for clarification on how the government will achieve its stated objective of sustainable fisheries management if the Fisheries Bill is not amended to provide a clearer and more robust legal framework as the following amendments propose.

Legal duty on all relevant public authorities to achieve the fisheries objectives (31, 32, 48, 49, 51, 52 to 57, 78, 80 to 82, 89, 90 and NC14)

As currently drafted, the Fisheries Bill has a fundamental flaw in that it does not provide a binding legal duty for public authorities to achieve the fisheries objectives; instead, public authorities must exercise their functions in accordance with the joint policy statements. This gives too high a degree of discretion to policy makers with no guarantee that the policies will achieve the fisheries objectives. In addition, there is no requirement to report on progress against the objectives, which could result in a lack of transparency and accountability. It is crucial that the fisheries objectives are framed with a clear legal duty on all relevant public authorities to achieve them to ensure that the vital environmental and socio-economic protections they provide are effectively implemented. Greener UK welcomes the above amendments that would ensure that the government's aim of truly sustainable world leading fisheries management is delivered.

However, Greener UK notes that amendment 36 establishing a duty to 'have regard to' the objectives is unenforceable and would therefore weaken the legal application of the objectives.

Commitment to ensure that fishing limits cannot be set above MSY (25 to 29)

The Fisheries Bill should include a target for fishing limits to be set at sustainable levels by 2020 and an immediate duty to deliver on restoring stocks to healthy biomass levels. This is vital to protect against short-term political pressure to set catch limits higher than scientific advice, which would lead to overfishing and damage the health of our oceans. The 2020 target is achievable and represents the latest date by which exploitation rates must be set at sustainable levels. The 2020 target is part of the Common Fisheries Policy and to not include it in the Fisheries Bill would be a regression in environmental standards. Greener UK welcomes the above amendments, including amendments 26 and 27 that would remove the

power of the Secretary of State to set fishing limits in line with the “days at sea” approach which can lead to overfishing.

Greener UK does not support amendment 59 which would give the Secretary of State discretion to interpret the best available science when setting fishing limits. Removing the words ‘in the Secretary of State’s view’ from amendment 59 would ensure that the best available scientific evidence informs the setting of fishing limits, rather than leaving this decision open to interpretation by the Secretary of State.

Coherence of fisheries management with UK and international environmental legislation (39, 40, 43 to 45, 50, 68 and 79)

The impacts of fishing activity can have significant implications for the health of the wider marine environment. Greener UK welcomes a duty on relevant public authorities to deliver fisheries management in a way that is coherent with other relevant environmental legislation and that contributes to Good Environmental Status. Greener UK also welcomes amendments 45, 50 and 68 that would promote the protection and conservation of the marine environment.

Allocation of fishing opportunities on the basis of transparent and objective environmental and social criteria (37, 38, 84 to 86 and NC19)

Under the existing regime of quota allocation set out in Article 17 CFP, there is a significant lack of transparency in how fishing opportunities are distributed and no definition of environmental, social and economic criteria. Greener UK welcomes the above amendments that would strengthen Article 17 CFP and recognise fish as a public asset.

Full documentation of catches (24, 46 and 62)

There are no provisions in the Fisheries Bill to ensure full documentation of catches. Greener UK welcomes the above amendments that would ensure that there is accurate scientific data to inform effective management of stocks in UK waters.

Access to UK waters contingent on compliance with the same environmental standards as UK vessels (22, 63 and 83)

There are no provisions in the Fisheries Bill that foreign vessels must comply with the same standards as UK vessels. Access of foreign vessels to UK waters should be contingent on compliance with the same environmental standards applicable to UK vessels to ensure a level playing field and a high level of environmental protection.

Sustainable management of shared stocks (NC11)

The Fisheries Bill does not make any firm commitment on how shared stocks will be sustainably managed. When negotiating fishing opportunities with third countries, the UK must be required to adhere to scientific advice and to take all reasonable steps to avoid any agreement, or lack thereof, that results in overfishing.

This amendment is particularly important as the UK shares more than 100 fish stocks with other countries.

Effective monitoring and enforcement (NC12)

There are no provisions in the Fisheries Bill to deal with monitoring and enforcement, which is a significant gap. To ensure the effectiveness of fisheries management, vessel monitoring systems should be carried by all vessels and remote electronic monitoring with CCTV should be required for all vessels over 10m and select smaller vessels. In addition, the Fisheries Bill should ensure that an appropriate sanctioning system is put in place. Amendment NC12 would ensure that the rules governing UK and foreign vessels can be effectively enforced, benefitting both the environment and the UK fishing industry.

Electric pulse beam fishing ban and sandeel fishing ban (20, 66, NC9 and NC10)

Greener UK welcomes the above amendments that seek to ban electric pulse beam fishing, due to the rapid expansion of what was supposed to be an experimental fishing technique which has not been subject to appropriate assessments and has the potential to cause significant damage to seabed habitats and stocks. Greener UK also welcomes the proposed ban on sandeel fishing given the clear link between such a ban and the sustenance of marine food webs.

Controlling the creation and disposal of plastic waste (NC16)

Plastic waste poses a serious threat to marine life and Greener UK therefore welcomes amendment NC16 that seeks to control its creation and disposal during fishing activities.

Greener UK's concerns

There are certain amendments that we believe would undermine the Fisheries Bill's objectives.

Establishment of an advisory committee (11, NC6, NC15)

Greener UK supports the development of an advisory committee that would have the power to consult and report on fisheries policy and management. However, the absence of a reference to NGOs with interests in the marine environment and coastal communities risks ignoring key experts that would make an invaluable contribution to such a committee. Greener UK would therefore encourage members of the Committee to highlight the valuable role that NGOs with interests in the marine environment and coastal communities could play as members of such a committee.

Scottish ministerial consent to determination of fishing opportunities (2 and 3)

Greener UK is concerned that introducing a requirement for Scottish ministerial consent on the annual determination of fishing opportunities could lead to a stalemate in decision-making without suitable safeguards in place for resolution.

For more information, please contact:

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Greener UK is a coalition of 14 major environmental organisations united in the belief that leaving the EU is a pivotal moment to restore and enhance the UK's environment.

Greener UK is working in partnership with the New Economics Foundation and Oceana.

Working in partnership with:



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