GREENER UK

The Fisheries Bill – the role it can play in tackling the nature and climate crisis through ocean recovery

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Greener UK's priorities

We are in the midst of a nature and climate emergency. In response to the climate crisis the UK government has committed to net zero by 2050 and Scotland by 2045. Decisive action is required if the UK government and devolved administrations are to meet their legally binding targets. The way we manage our fisheries will be an instrumental part of this.

UK waters are among the most heavily exploited in the world and the UN Intergovernmental Report on Biodiversity highlighted that commercial fishing has been the biggest cause of marine biodiversity loss globally in the last 50 years. Overfishing is also affecting our ability to tackle and adapt to the climate crisis by damaging vital crucial marine habitats, such as seagrass, sea kelp and deep-sea muds, known to store carbon, and negatively impacting ecosystems and food chains. It is therefore vital that the management of our fisheries can help deliver environmental sustainability. There is a once in a generation opportunity to achieve real and lasting change through the Fisheries Bill.

The Fisheries Bill completed its Third Reading in the House of Lords in July and is expected to have its Second Reading in the House of Commons in September. Two important amendments to the bill were passed at Lords' Report Stage. The first makes environmental sustainability the prime objective of the bill and the second provides for the roll out of remote electronic monitoring systems (REM) with cameras on all boats over 10 meters fishing in UK waters. **To ensure that our fisheries management regime really does start to be part of the solution rather than the problem and is truly ambitious for our marine environment, it is vital that these amendments remain in the bill and we are asking MPs to support their retention.**

Context

The bill is a crucial part of the legislative changes required to ensure effective fisheries management following EU exit. It is also an unprecedented opportunity for governments across the UK to demonstrate visible environmental ambition and to rethink the way our fisheries are managed. Putting environmental sustainability first and foremost in our fisheries management regime would drive ocean recovery, supporting coastal jobs as well as ensuring UK fisheries are economically viable and resilient for present and future generations.

Why getting fisheries management right is vital for ocean recovery

– The government's assessment of the health of our seas under the UK Marine Strategy found that the UK is failing on 11 out of 15 indicators failing and concluded that the 2020 target for Good Environmental Status "*will not be achieved for many years unless there are further improvements to fisheries management measures*".

– Fishing quotas are being set above scientifically recommended sustainable levels year on year, preventing stock recovery and the associated benefits this brings, and instead increasing the risk of stock collapse.

– UK stocks such as cod have declined to critical levels due in large part to overfishing and in the North Sea have lost their sustainability certification and with it potentially valuable market access.

– Marine wildlife such as seabirds, porpoises, dolphins and whales are caught in fishing gear in UK waters in their thousands each year but the true scale remains unknown with inadequate monitoring and little action in place to mitigate this so-called 'bycatch'.

– A key failing of the current system is the lack of robust monitoring and enforcement mechanisms. Less than 1% of fishing trips are currently independently monitored at sea.

– Current fisheries management fails to take account of the need to protect key carbon-storing marine habitat (known as blue carbon) which is vital if our oceans are to realise their potential in tackling climate change.

An opportunity to manage fisheries sustainably and rebuild for future generations

For too long, decisions in relation to fisheries management have been siloed and not considered in the context of the wider marine environment. But there is a better way which can benefit both the marine environment and the fishing industry:

– Moving to a **holistic approach** to fisheries management. This means that fisheries management decisions around quota allocation and access to waters must apply approaches that take into account the wider context, including environmental sustainability, biodiversity loss, climate change, food security and sustainable food production.

– As well as supporting ocean recovery, putting **environmental sustainability at the heart** of the management of our waters can bring greater socioeconomic benefits. More abundant fish stocks can help provide the UK fishing industry

with greater long term security - it is estimated that recovering fish stocks to healthy levels would result in a 37% rise (£244 million per year) in the value of fish landings and create over 5,000 new jobs[1]. Healthy stocks would also contribute to future food security and, if managed effectively, could help combat climate change and bring transformative change to the UK's coastal communities.

Improving the Fisheries Bill

The bill was first published in October 2018 and a new version published in January 2020 following the general election. A number of new provisions were introduced into the bill and Greener UK particularly welcomed:

– A climate change objective to manage fisheries in a way that allows fisheries to adapt to, and help tackle, climate change.

– An improved sustainability objective which addresses fleet capacity.

– A commitment to introduce fisheries management plans which will specify actions that authorities will take to set out how stocks will be fished at sustainable levels.

– An ecosystems objective which would drive a more holistic approach to fisheries management, including a specific commitment to ensure vital protections for marine mammals, seabirds and certain fish against the threat of being killed in fishing nets.

The 2019 Conservative manifesto promised a "legal commitment to fish sustainably", but unless the amendment which puts environmental sustainability as the prime objective is retained, we are concerned that this will not be achieved. As has been observed, short-term socio-economic factors are often prioritised over

Case study – South Australia Snapper Fishery Closure

The inclusion of sustainability being a priority objective in fisheries legislation is not a new concept. The South Australian Fisheries Management Act (2007) states that ensuring "proper conservation and management measures" are in place to "protect aquatic resources…from over-exploitation…" has priority over all other principles set out within the legislation. Recent stock assessments on the South Australian snapper found that there had been a dramatic decline in their populations. Following a public consultation, the South Australian government decided to close the fishery in the hopes of rebuilding the stocks and uphold its commitment to prioritise long-term sustainability. The government aims to assess the status of the stocks over the next three years and work with industry and fisheries managers to lift the ban when sustainable fishing can be undertaken.

environmental sustainability which has prevented longer-term recovery and healthy fisheries that would benefit everyone.

Greener UK priorities for the Fisheries Bill

Greener UK has the following priorities for the Fisheries Bill and we encourage MPs to raise these points in their contributions to the debate.

Ensuring that environmental sustainability is the prime objective in the Fisheries Bill

Greener UK welcomes the inclusion of the fisheries objectives in the Fisheries Bill, which include sustainability, precautionary, ecosystems and scientific, as well as much needed climate change objectives. However, the bill allows authorities to opt out from compliance with the fisheries objectives, particularly where there is a change in socio economic circumstances. All too often short term socio-economic factors end up taking precedence over environmental factors, both in relation to setting annual fishing limits and in habitat protection, where it could have a potentially negative impact on the profits of a fishery. Sustainable fishing limits are still regularly exceeded due to pressure from industry on the basis of potentially adverse economic impacts, rather than following scientific advice or indeed putting into place effective monitoring at sea to understand the real nature of the problem.

Case Study – West of Scotland cod

The population of cod off the west coast of Scotland is badly depleted and has been unable to recover due to a lack of effective management and adherence to scientific advice. For several years, the scientific catch advice has been for a zero Total Allowable Catch (TAC), however the agreed TACs have been consistently well above this – with the TACs in 2019 and 2020 being 1735 and 1279 tonnes respectively[2]. Cod in this area is mostly caught as a bycatch species. Consequently, fisheries managers are reluctant to impose restrictive measures due to the impact this may have on other fisheries in the region. Such decisions have led to cod and several other stocks being continually overfished and never afforded a real opportunity to recover to healthy levels despite the long-term benefits that this would have to both industry and environment. The introduction of cameras as a condition of fishing west of Scotland cod would at the very least improve our understanding of the situation but this has been resisted.

Greener UK believes it is vital that clauses 1(2) and 1(3) of the bill, which make environmental sustainability the prime objective, are retained in the bill. Prioritising the marine environment in management decisions will result in short and long-term benefits, allowing fish stocks to recover and thrive. Healthier fish stocks will result in a more resilient and productive marine ecosystem and have been shown to result in increased long-term catches and greater industry profits, making them in turn more resilient. Other legal systems, such as Australia, provide that conservation and

sustainability principles are prioritised over socio-economic principles. Both Australia and the US have prioritised the environment over socio-economic criteria in their fisheries management decisions and fish stocks have thrived as a result.

The government has frequently stated that sustainability is at the heart of the bill: "this bill creates a strong and legally binding framework to deliver this Government's ambition to leave the natural environment in a better state than we inherited it". Having environmental sustainability as the prime objective is the best way to ensure this is achieved. With the UK hosting COP 26 next year, retaining this amendment would demonstrate a world leading approach to fisheries management and would support the UK in meeting its global Sustainable Development Goal (SDG) commitments – particularly SDG 14 (which includes the commitment to end overfishing by 2020). It is time for the four UK nations to come together to fulfil their commitments to environmental sustainability in the Marine Strategy Regulations and international law by agreeing to retain environmental sustainability as the prime objective of the Fisheries Bill.

Rolling out REM with cameras on all vessels fishing in UK waters, particularly the larger ones, fishing in UK waters to collect data for management, ensure full and verifiable documentation of catches and robust monitoring and enforcement. This was one of the key amendments passed at Lords Report Stage and it is vital that clause 48 remains in the bill. Minister Gardiner responded during the debate "I can be unequivocal in saying that the Government supports fully the principle behind this amendment". Environment Secretary George Eustice MP commented at the Lords Committee oral evidence session on 4 March 2020: REM "is probably the right way to go. We are strong advocates of fully documented fisheries and REM is the most effective way to be able to monitor what is happening with the catches".

Cameras on boats would bring a number of different benefits. If we can effectively record what is being caught in UK waters, we can help put an end to the current overfishing. Improved data will inform scientific stock assessments and ensure authorities can set fishing quotas in line with scientific advice. Enhanced monitoring with cameras would also provide valuable data on the capture of marine wildlife such as seabirds and dolphins, essential to achieve the bill's "ecosystem objective" to minimise and where possible, eliminate the incidental capture of sensitive species.

The cost of adopting this new technology is decreasing year on year and the entire over 10m UK fleet could be fitted with REM for between £4.8m (with current EMFF grant subsidy) to £6.75m (without EMFF grant subsidy)[3]. That is less than 1% of the value of the seafood caught by these boats and a fraction of the £20m or more that is spent on current monitoring which documents less than 1% of activity at sea.

Addressing privacy and other concerns with REM

When REM with cameras is introduced it is normal for vessel operators and crew to express concerns over how this will affect their day to day operations, particularly crew privacy. Addressing these concerns proactively is recommended including setting out data use, management and retention policies. Cameras are not on 24/7 but are triggered by sensors on gear so they are only on during times of deploying or hauling the fishing gear and sorting the catch and are designed and setup to operate only in the working areas of the vessel - where the nets are coming onboard and where the fish are being sorted in order to look at what is being caught and discarded. **They are not operational inside the living quarters of the vessel.** As such crew privacy is secure. It is also worth remembering that fisheries are not being singled out the use of CCTV is commonplace in other industries and in public places – e.g. shops & trains – and is understandably mandatory in abattoirs.

An inquiry in 2019 by the House of Lords EU Energy & Environment Sub-Committee highlighted the widespread lack of compliance with the landing obligation (which prohibits fishers from discarding fish). The committee recommended that the government and devolved administrations: "urgently take steps to put robust mechanisms in place to monitor and enforce compliance" and "we remain of the view that REM is the only way to monitor compliance with the landing obligation". UK fisheries authorities have run successful trials of REM but have not yet required its use. Even if the landing obligation is modified in the future, committing to roll out REM in the bill would place data and science at the heart of UK fisheries management and demonstrate clear and ambitious leadership.

In addition to the scientific and compliance benefits of REM, retailers are keen to see fully documented fisheries in order to demonstrate to customers that their products are sustainably and legally sourced. Cameras on boats can provide this accountability for retailers and consumers, improving competitiveness and consumer confidence at the same time.

Ensuring that stocks are not fished above independent scientifically recommended sustainable levels.

The ongoing failure to set fishing catch limits at or below sustainable levels has led to overfishing. The Common Fisheries Policy (CFP) contains a legally binding commitment to set catch limits at sustainable levels but this provision has not been included in the Fisheries Bill. Instead, the bill introduces the concept of fisheries management plans (FMPs) as a means of achieving sustainable management. The FMPs will specify the actions which will be taken to set out how stocks will be fished at sustainable levels but these have not yet been drafted.

Since the revised CFP came into force in 2013, the percentage of UK fish stocks fished at or below sustainable levels has consistently languished between 58-68% without significant improvement. Governments need to do more to ensure that scientific advice is followed when setting catch limits and being accountable for them in order to end overfishing.

A fairer and more sustainable approach to distributing existing and new fishing opportunities.

Currently the majority of UK fishing boats (79 per cent) are small scale but they only hold two per cent of the quota with over a quarter (29 per cent) of the UK's fishing quota owned or controlled by just five families. The Fisheries Bill must include provisions which ensure that all fishing opportunities are distributed on the basis of environmental and social criteria, rather than on the basis of historic catches (as is the case now).

Distributing quota which is a public asset on this basis will ensure that coastal communities are given a fairer deal, new entrants are encouraged into the fishing industry and there are incentives for sustainability and local employment across the sector. This could drive a race to the top, encouraging continual improvement across the sector as the basis for securing the on-going right to fish. It would also be likely to deliver a larger share of opportunities to the inshore fleet, benefiting coastal communities.

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

The Fisheries Bill does not make any firm commitment as to how shared stocks will be managed. Setting an objective for the Secretary of State to consider clear sustainability criteria, in relation to negotiations with the EU and other countries, including a commitment to agree catch limits in line with scientific advice, would help to avoid another "mackerel wars" scenario. With over 100 shared fish stocks it is vital that we do not enter into a period of high risk either for the stocks themselves or the industries reliant on them.

Case Study – the "mackerel wars"

The continuing disagreements around mackerel, known as the 'mackerel wars', highlight the dangers of unilateralism. Peaking between 2010 and 2014, the EU, Norway, Iceland and the Faroe Islands disagreed on the size of catches and quotas that each country was entitled to. As mackerel moved northwards, Iceland and the Faroe Islands believed that they deserved a larger slice of the pie and unilaterally increased their quotas by significant amounts. Despite the EU and Norway continuing to set their fishing limits in line with previous levels, combined total catches were set at 35% above the levels recommended by scientists and overfishing was occurring. As a result, mackerel stocks lost their Marine Stewardship Council sustainability certification. The 'mackerel wars' also posed significant political and economic risks, including blockades and EU sanctions against Iceland and the Faroe Islands.

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Endnotes

[1] More Food, More Jobs and More Money in the UK: Oceana's Recipe for Fish Recovery. Oceana, April 2018 here
[2] ICES Advice on fishing opportunities, catch, and effort: Celtic Seas ecoregion. International Council for the Exploration of the Sea, June 2019 here
[3] Remote Electronic Monitoring and UK Fisheries. WWF, October 2017 here

Greener UK is a coalition of 13 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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