

NI Marine Taskforce and Nature Matters NI Response to

DEFRA's White Paper on Sustainable Fisheries for Future Generations

The Northern Ireland Marine Task Force (NIMTF) is a coalition of non-government environmental organisations – it includes RSPB NI, Ulster Wildlife, Wildfowl and Wetlands Trust, National Trust, Friends of the Earth, Irish Whale and Dolphin Group and Northern Ireland Environment Link. The NIMTF has the support of approximately 100,000 local people. We are working towards healthy, productive and resilient seas for Northern Ireland. Nature Matters NI is a campaign led by a coalition of environmental organisations in Northern Ireland. We're on a mission to protect nature so that we can secure the best future for our environment after Brexit.

NIMTF and Nature Matters NI welcomes the publication of DEFRA's Fisheries White Paper and the reinstated commitment to achieving sustainable fisheries through the development of a 'new UK framework' for fisheries management. We believe that Brexit provides an opportunity to develop a world-leading sustainable fisheries management system using an ecosystem-based approach as obligated by existing UK legislation and international agreements including OSPAR, Convention on Biological Diversity and the UK Marine Strategy Regulations (2010). We acknowledge that there is a need for the UK Government to 'respect the devolution settlements and maximise all Fisheries Administrations' powers to manage their fisheries while, where necessary, maintaining the overall coherence of the UK's fisheries policy and therefore we welcome the opportunity to comment on specific aspects of the White Paper which have particular relevance to Northern Ireland and where a common approach is required.

Greener UK has developed a set of key elements which we believe must be reflected in the forthcoming Fisheries Bill:

- Fish are a public resource and must be managed for long term sustainability using precautionary and ecosystem-based approaches to minimise and where possible, eliminate the negative impacts of fishing on the marine environment in such a way that is consistent with national and international legislation;
- Fishing limits must be set in line with the best available scientific advice to ensure that stocks are restored and maintained above biomass levels capable of producing the Maximum Sustainable Yield (MSY) and to ensure that fishing mortality is below levels that will deliver MSY;
- Fishing opportunities should be allocated on the basis of transparent and objective environmental, social and economic criteria in a way that incentivises the most sustainable fishing practices;
- An inclusive, transparent and robust governance framework is required to deliver fully documented and accountable fisheries for both target and non-target catches;
- High environmental standards should apply to foreign vessels fishing in UK waters and to UK vessels fishing anywhere; and
- UK and Devolved Administrations must reach agreement on how to maintain and improve on the existing common legislative and policy framework for fisheries management and marine conservation across the UK to ensure effective management of this common resource, contributing to the wider requirement to achieve and maintain Good Environmental Status (GES) of UK seas. NIMTF and Nature Matters NI would like to state our full support for the Greener UK response to the White Paper which we have also contributed to. We also support the detail within further responses we have fed into from our member organisations including The Wildlife Trusts and the RSPB.

- This response from NIMTF and Nature Matters NI is in relation to proposals which will have an effect on Devolved Administrations and specifically Northern Ireland. We would welcome more clarity on how the aims of the White Paper will connect with policy in Northern Ireland.

NIMTF and Nature Matters NI would like to raise the following points:

- We welcome that the White Paper will ‘restate the UK’s commitment to sustainable fisheries’. To strengthen this commitment, NIMTF and Nature Matters NI would like to see this given legal weight within the proposed Bill. We need similar legislation enacted in Northern Ireland which commits to the same objectives. Ensuring a **common framework** for sustainable fisheries is critical across the UK, as divergence across the Devolved Administrations could mean severe negative consequences through displacement and other disproportionate standards (e.g. funding, access to markets, differing gear standards, race to the bottom etc.). A common framework for **Ecosystem Based Management** (EBM) will need to be co-designed and co-managed by all four Devolved Administrations. The sustainability principles and objectives should be common across the UK, enshrined in respective Bills and given legal weight. The principles and objectives must be ecosystem based and contribute towards ecosystem based management.
- We welcome the provision for the Secretary of State (SoS) to develop a policy statement, with devolved Ministers, on how to apply specified sustainability principles and objectives in fisheries management. However, we strongly recommend that this provision is further strengthened to state the SoS and Devolved Administrations will **co-design a policy statement**.
- We are calling for **increased, meaningful and proactive engagement** with the devolved administrations, both government and stakeholders. A common framework will not be achieved if engagement with Devolved Administrations is lacking. We are calling for the co-design and co-management of any new fisheries regime for the UK in full partnership with Northern Ireland (NI) representatives.
- We recommend that DEFRA engage proactively with Northern Irish fisheries stakeholders including, but not limited to: The Northern Ireland Inshore Fisheries Partnership Group (IFPG) and the DAERA Brexit Fisheries Stakeholder Group. Additionally, we recommend that DEFRA engage with other stakeholders who may not currently sit on specific groups such as representatives from the recreational angling community.
- Northern Ireland shares a land and sea border with the EU through the Republic of Ireland (ROI) and via **two cross border loughs** (Lough Foyle and Carlingford Lough) for which there is no agreed maritime border. While complete alignment with the Republic of Ireland fisheries management may not be possible, we would state that future co-operation and engagement between ROI and NI is essential. Special attention will be required regarding the monitoring and enforcement of the new fisheries regime in these cross-border areas. This increase in monitoring and enforcement in the Loughs will be required by both NI and ROI governments. Existing transboundary cooperation mechanisms (between NI and ROI) should be utilised to provide efficient cross-border cooperation (See Table 1).

Bilateral Government Structures				
Institution/ Forum	Countries	Basis/Remit	Participants	Fisheries related work
North – South Ministerial Council (NSMC)	Northern Ireland & Ireland	Statutory body which develops consultation, cooperation and actions within the island of Ireland. Six areas of cooperation have been identified, one of which is the Environment.	Ministers and Senior government officials.	Foyle, Carlingford and Irish Lights Commission, are exercised by Boards of Management appointed by the NSMC.
North South Implementation Body				
Foyle, Carlingford and Irish Lights Commission (FCILC)	Northern Ireland & Ireland	Statutory remit for the promotion and development of Lough Foyle and Carlingford Lough for recreational purposes, development and licensing of aquaculture in Lough Foyle and Carlingford Lough (following the enactment of relevant legislation), development of marine tourism and the conservation, management, development and protection of Lough Foyle and Carlingford Lough.	Government Officials (DAERA and SCCAE), 12 board members. The Foyle, Carlingford and Irish Lights Commission consists of two Agencies, the Loughs Agency and the Lights Agency.	Transboundary forum for stakeholders mainly from NGOs, environmental support groups, commercial fisheries, angling and tourism groups as well as the scientific community. Will have licensing authority for aquaculture in the Foyle and Carlingford Areas once relevant legislation has been enacted. The Loughs Agency has responsibility for the promotion and development of Lough Foyle and Carlingford Lough for commercial and recreational purposes in respect of marine, fishery and aquaculture matters. The Conservation and Protection directorate of the Loughs Agency has responsibility in all aspects of fisheries management including fisheries protection and scientific evaluation and monitoring.

Table 1: Bilateral Government Structures & North South Implementation Bodies. Amended from: Ansong, J., O’Hagan, A.M. and MacMahon, E. 2018. Existing Mechanisms for Cooperation on MSP in the Celtic Seas. SIMCelt.

- The existing fisheries framework (status quo) needs to be well monitored between now and the implementation of a new framework. Resources need to be allocated immediately for the review and monitoring of the new post Brexit framework to ensure that **any negative impacts are remedied promptly**.
- The 2016 Irish Supreme Court rulings on the Voisinage **neighbourhood agreement** between Northern Ireland and the Republic of Ireland illustrates the crucial need for a future fisheries agreement in this area agreed between the UK and ROI Governments. The current Voisinage agreement is neither legally binding or fit for purpose. As a new fisheries management system is developed, establishing a new legally binding agreement will be crucial. The new agreement must be in line with the environmental principles and objectives of the new UK fisheries management system.
- We welcome section 2.5 (collecting the best scientific data by the most modern methods) of the White Paper. We request a more detailed framework be provided on how this work will be resourced, how information will be transferred between the Devolved Administrations and how information will be transferred between the UK and other coastal states. We are calling for a **UK wide framework for collecting the best scientific data by the most modern methods**.

- An independent UK committee including NI members (**equivalent to the STECF**) is required to work within a Fisheries Partnership agreement with Europe for scientific cooperation and to support the development of a co-designed common framework.
- Given the reference to the **25YEP** for England throughout the White Paper, **we strongly recommend that there is an equivalent developed for Northern Ireland**. Based on this, the application of a common framework for environmental targets is inherently flawed. This thread runs throughout the Fisheries White Paper.
- EBM principles are enshrined in the UK marine strategy. The principles of EBM should also be included on the face of the fisheries bill, and equivalent for the Devolved Administrations, to ensure policy coherence across future frameworks. Given that **Good Environmental Status (GES) is required by 2020** we would also call on the UK administrations to set out a **plan of action** to show how we will continue to adhere to monitor and evaluate GES **beyond 2020**.
- We too raise concerns over the **creation of a ‘governance gap’** (pg. 33 Fisheries White Paper) once we leave the EU. Nature Matters NI¹ has provided a response on the Environmental Principles and Governance (EPG) consultation. While we are pleased that climate change is included in the Fisheries White Paper, climate change does not feature in the Environmental Principles and Governance Bill. Climate change needs to be included in both Bills to ensure policy coherence. We would welcome a similar approach to the EPG consultation in Northern Ireland (again noting that we have no 25YEP, another gap that needs to be addressed).
- A gap in funding will be created by lack of access to the European Maritime and Fisheries Fund (EMFF). It is crucial that funding for science, monitoring, evaluating and enforcement is available and sustained/increased.

NIMTF & Nature Matters NI welcomes the DEFRA vision for a partnership approach. However, we believe that there has been a significant lack of engagement with Northern Ireland on the Fisheries White Paper, across the NGO sector and with other stakeholders and Government. This is a critical issue and there is an urgent need for increased and meaningful engagement with Devolved Administrations. Fish stocks do not adhere to political boundaries and nor should our management systems. An effective fisheries management framework cannot be achieved unless it is co-designed and co-managed with all Devolved Administrations. While there may be divergence on some aspects, proactive engagement is needed to ensure that there are no significant, unanticipated negative impacts.

This response was compiled by the Northern Ireland Marine Task Force Officer Ellen MacMahon and the NIMTF team. If you wish to discuss any of our points raised in more detail, please contact Ellen MacMahon at: ellen.macmahon@ulsterwildlife.org.

¹ <https://www.nienvironmentlink.org/cmsfiles/Final-Nature-Matters-NI-submission-to-Governance--Principles-consultation.pdf>