CATCH OF TODAY

A ten point plan for British fishing

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BRIEFING PAPER

EXECUTIVE SUMMARY

- UK has a unique opportunity to rewrite its fishing policy following Brexit
- European Common Fisheries Policy has savaged UK waters
- 80% of fish caught in UK waters netted by foreign boats
- 1.7 tonnes of fish dumped in the sea last year, other years have seen as much as 50% of all fish caught thrown back dead or dying to the water
- UK must follow Norway and Iceland and create a policy that accounts for both environmental and commercial interests

THE PROBLEM OF THE SEAS

The tragedy of the commons is that if a resource is not owned by anyone, there is no-one to protect it, to preserve it, to enhance it, to maintain it or to renew it. Someone who owns property has an interest in preserving its value so that they may enjoy it in the future, be able to exchange it for something they value even more, or to pass it on to enrich their heirs and successors. Unowned assets have no guardians to care for them.

On the contrary, for unowned assets the incentives are perverse. People see it in their interest to extract the maximum from the common resource, acting on the assumption that if they do not do so, someone else will. Most of the oceans have long been a common resource, open to exploitation by all. The oceanic life they teem with has been free to anyone with a boat and suitable gear. For millennia people have made a living from the sea, from early shore-based humans who thrived on shellfish, to those who cast their nets into the Nile, to those who bravely sailed into Arctic waters in tiny wooden ships to fish for cod. The fish was free to anyone skilled enough or brave enough to catch it.

The problem has been that increasing global populations have intensified the search for food, with fish presenting a seemingly abundant supply, and modern technology making it easier to catch huge numbers of them. This has made over-fishing and depletion of fish stocks a serious problem. It has been especially serious in UK

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waters, where since its accession to the European Union and its Common Fisheries Policy, the UK has been powerless to redress it.

Some 80% of fish caught in UK waters has been caught by non-UK ships, according to British Sea Fishing (BSF). They have done so in damaging ways that have degraded fish stocks and the ability of several species to regenerate. Vested interests, lobbying and political protection of national interests have taken more from the sea than it can put back. It is time for alternative policies to be explored and pursued.

THE COMMON FISHERIES POLICY OF THE EUROPEAN UNION

The Common Fisheries Policy (CPF) of the European Union was devised shortly before the UK's accession to what was then the European Economic Community (EEC). It therefore had no significant input, and the CPF was designed to promote the interest of the other members at that time. Some critics alleged at the time that it was designed to further their interests at the expense of those of the UK, and that the sacrifice of its fishing interests was part of the price Britain was asked to pay in return for being admitted into the EEC.

The United Nations International Convention on the Law of the Sea recognizes the right of countries to maintain a 200-mile Exclusive Economic Zone (EEZ) from their coastline except where this would affect the similar rights of neighbouring countries. Prior to its 1972 accession to the EEC, the UK maintained an EEZ of 200 miles, and exercised full control of fishing within those waters.

The Common Fisheries Policy of the EU reduces to 12 miles the Exclusive Economic Zone of each of its member countries, and sets a 200-mile common EEZ around the waters of the whole EU membership. Within that 200-mile limit, but outside of each coastal country's 12 mile limit, fishing is open to all members of the EU, including landlocked ones. The CFP thus gave Britain exclusive control only of waters up to 12 miles from its coastline, with the fishing fleets of other EU nations given full access beyond that.

Over-fishing has depleted fish stocks in European waters to such an extent that EU fishing vessels now fish the waters off Africa in order to make significant catches. The EU itself recognizes that it has too many fishing vessels; an EU impact committee has said a 40% reduction is needed simply to keep catches down to current levels, given improved technology. Other analysts reckon the EU has twice the capacity that could sustain fish stocks in its waters. The French and Spanish fleets are the largest, with both countries exerting considerable pressure on the Common Fisheries Policy to sustain high levels of catches.

The EU frequently overrides the advice of its scientists concerning what catch levels are sustainable, and succumbs to political pressure from member states to increase the catch levels set for their own fisheries. BSF, in its overview of the Common Fisheries Policy, reports that the EU sometimes it allocates total allowable

catches that are 50% higher than those its scientists tell it are sustainable. Added to this pressure on fish stocks are the EU subsidies to its fishing fleets. It used to fund the building of new fishing boats, even while admitting that there were already more boats that its waters could sustainably bear. Now it funds the upgrading of boats to make them more efficient. Technical advances have made boats capable of catching more fish, and increased the size of annual catches even without adding additional boats.

It is widely acknowledged by environmentalist groups concerned for conservation that European fishermen are prone to cheat and lie about their catches, and that the fishing authorities of several of their countries connive in this. This contributes to further depletion of fish stocks despite a nominal commitment from the EU to conservation. The UK is powerless to act beyond the 12 mile exclusive limit allowed by the EU. The damaging practice of "pair trawling," which sees two ships steer a parallel course with a huge net dragged between them, is banned by the UK within its 12 mile limit because of the destructive and indiscriminate way it kills dolphins and porpoises. It continues beyond that narrow 12-mile limit, however, because the UK is powerless to ban it beyond that.

The EU has subsidized the building of factory ships that are too efficient to fish European waters and have to spend fuel to fish in distant waters, sometimes using 1 tonne of fuel to catch 1 tonne of fish. The fuel used by fishermen is already untaxed, but fishermen have protested and lobbied to have it subsidized as well.

Fishing itself is already heavily subsidized by the EU, even though it is a relatively unimportant contributor to the EU's overall GDP. In no EU country does it contribute more than 1% to its GDP. Yet fishing lobbies are powerful, and EU legislators and officials often yield to them.

Fishing is important locally, in the ports and fishing villages scattered around Europe's coasts. In many of them it is a significant source of employment, especially in places where there might be few other types of work available. These communities put pressure through their elected representatives at both national and EU level.

Although the EU has recognized that fish stocks in its waters have been depleted, it has proved ineffective in countering this situation. The scientific evidence of dwindling fish stocks is incontrovertible, with some species at levels low enough to threaten their survival, the EU finds it difficult to agree on a common policy to deal with this. There are so many nations involved, each fighting for its national interest, that it takes years for agreements to be reached. Even after that many of the agreements are watered down with let-out clauses and amendments that dilute their effectiveness.

DISCARDS

The EU's policy on discards is an example of regulation, well intended, but disastrous in practice. Faced with diminishing stocks resulting from decades of overfishing, the EU's Common Fisheries Policy instituted a policy that designated a Total Allowable Catch (TAC) for the various species of fish. If a boat exceeded its TAC, it would be fined on returning to port, so the policy was to discard edible fish by dumping tem dead or dying back into the sea. Sometimes this was done to stay within the allowable catch, sometimes because the fish were too small, and sometimes because the vessel preferred to make room for higher value catch. Last year an estimated 1.7m tones of edible fish were discarded in this way. Some estimates suggest that in the past, up to 50% of edible fish caught were dumped back dead into the waters. Killing and discarding young fish is not, in most eyes, an effective way of building up fish stocks for the future.

Faced with a public outcry, from concerned citizens, environmental groups and the fishermen themselves, the EU began to shape legislation to ban the activity. It took a decade from when the problem was identified for the EU to come up with legislation to deal with it, and even then this was diluted by so many let-out clauses as to make it ineffective in many eyes. Once again the Spanish and French proved very effective at securing exemptions that prevented their own catch being compromised. The new rule came into effect in 2015, but a 2-year delay was incorporated before transgressors would incur penalties, and up to 9% of catch could still legally be discarded. Furthermore, "diseased or damaged" fish could still be discarded, and it was left to the skippers to decide which fish counted as "diseased or damaged," in effect allowing them to discard whatever they wished to.

FURTHER AFIELD

With fish stocks in EU waters now too low to make it commercially worthwhile to fish them, industrial fishing boats, mostly built and kitted out from EU subsidies, have had to look further afield for richer fishing grounds. The EU has reached agreements with several developing nations in Africa to allow its boats to fish in their waters. Fish stocks are thus being depleted for poorer nations. The fish caught is sold in European markets, depriving the local population of an important source of protein in their diet. Local fishermen have been squeezed out by the EU's factory boats and have been deprived of a living.

Some of the countries the EU has reached fishing rights deals with have had governments that enriched the rulers, their families and their cronies at the expense of the local population. It must be suspected that some of the money the EU has paid for such deals might not have reached the people of the developing country, but perhaps found its way instead into the Swiss bank accounts of it ruling clique.

Having over-fished and depleted fish stocks within its own waters, the EU is now in the process of over-fishing and depleting stocks elsewhere, often at the expense of poorer nations which manage only precariously to feed their people. This year

the EU reached a 4-year agreement to allow its factory ships to fish in Mauritanian waters. The EU is paying €236m for this privilege, but it is unclear how much of this money will reach the people of Mauritania, or how, if at all, it will compensate them for the loss of the fish that will be taken from their waters. Mauritania is not a rich country, yet it has just been persuaded to sign away one of its important natural resources to the richer countries of the EU.

EU vessels regularly travel long distances to scoop up distant fish supplies, especially those of cash-strapped smaller countries. It does this in waters of over a dozen small countries, including the Cape Verde and Solomon islands, Micronesia, Madagascar and the Comoros. Sources report that French and Spanish boats can be seen West of the Maldives dragging mile-long nets to catch tuna, but also catching and killing dolphins and turtles in the process.

ICELAND'S SUSTAINABLE POLICY

Iceland is not a member of the EU, and is not therefore subject to its Common Fisheries Policy. This independence gives Iceland the right to bar its waters up to 200 miles out to foreign fishing vessels and to pursue policies that will sustain fish stocks within them.

Each year Icelandic scientists estimate the biomass, or fish stocks, within different parts of its waters. They do this by measuring catches, and by the use of such techniques as sampling and sonar. They estimate the proportion of young fish and their size of a variety of species. The aim is to avoid depleting breeding stocks or over-fishing to the point of unsustainability.

Quotas of different types of fish are assigned to each fishing boat and become the property of the boat's owners. Crucially, they are tradable. Fishermen can buy quotas from others, and sell and surplus of their own. There are no limits to the number of fishing days, so the incentive to over-fish during the permitted season is removed. All catches have to be recorded and landed, and no discards are permitted. If a boat catches more than its quota, it has to land the fish and buy more quota from others.

The system is rigorously monitored and policed. Boats are fitted with satellite tracking devices that constantly record their position and leave track of where they have been. The catch is measured and the information is put on line, helping other fishermen assess the market and respond to it. For example, they might choose to freeze their fish rather than bring them in fresh if they see a glut on the market for certain types of fish. A boat may carry forward 20% of its quota into next year, and may 'borrow' 5% of next year's quota if it needs to. All quota trades and exchanges, like the catches themselves, are put on line on the website of the Directorate of Fisheries, making the information available to be acted upon by other fishermen. They respond to market conditions as they change.

Each boat knows that an inspector might sail with it twice a year to monitor its activity. In addition, fishing is banned in some areas during spawning, and inspectors have the power to subject selected areas to an instant ban if they determine that over-fishing is happening.

The policy is clear, well monitored and adequately policed. Transgressors face fines, the confiscation of their gear, and even imprisonment. It is accepted by the fishing communities because it gives them a stake in preserving fish stocks – they are protecting their own property. The fact that the quota is owned by the boat from year to year makes the owners wish to ensure they make decent catches in the future, instead of just fishing the maximum while they can. The effect of assigning property rights in the fish, and of using technology to police and enforce those rights, has set the world an example of how fish stocks can be sensibly exploited for economic advantage, and be done so in a responsible and sustainable way.

NORWAY AND NEW ZEALAND

Since the 1980s, when people and governments became concerned about dwindling fish stocks, and there was even talk of some species being over-fished to the point of extinction, several countries have put into effect measures designed to conserve fish stocks and allow depleted fish populations a breathing space in which to recover. In most cases limits are put on the number of fishing days permitted, and these can be very small indeed, making it difficult for fishing to remain an economically viable activity. And when fishermen are limited to narrow windows of fishing opportunity, they tend to exploit them to the maximum.

Some, like the EU, attempt to impose total quotas, but this is a policy that sets fishermen at odds with the governments, setting the tone for cheating or lying about catch levels, or even downright illegal fishing. The can cause problems, given the propensity of some illegal fishing vessels to sail under various different flags of convenience at different times.

Two countries in particular have tried alternative approaches, and there is much to be learned from the experience of both Norway and New Zealand, in both of which fishing constituted an important aspect of their economy.

Like Iceland, Norway is not a member of the EU, and not subject to its Common Fisheries Policy. It is reckoned that the importance of Norway's fishing industry played a major role in the county's vote not to join the EU, unlike their Scandinavian cousins. It was certainly stated as a factor by Iceland when that country withdrew its application for EU membership in 2015.

Seafood is a major Norwegian export. It exports it to 130 countries around the world, and is renowned for the quality of its produce. Not surprisingly Norway is anxious to conserve the resources of its productive waters. It puts immense scientific expertise into ascertaining the stocks of different species, their spawning

grounds and seasons, and it regulates its seafood industry to conserve stocks and protect habitat.

Norway's Ministry of Fisheries and Coastal Affairs acts to regulate through quotas and licences. Ships are assigned quotas according to their size and type of equipment, and are different for each species. The quotas themselves are based on the species, number, age and weight.

Although not as market-oriented as Iceland's fisheries policy, Norway's control of its waters has enabled it to pursue a far more successful conservation policy than that achieved by the European Union. It has maintained a tight control of "safe biological limits" in a way that the EU, with its cumbersome structure and its exposure to competing national interests, has not managed to do. If stocks of some species are seen to decline, Norway takes immediate action to redress the situation by reducing quotas until the stocks have replenished, which is precisely what the EU has not been able to do.

New Zealand fisheries underwent major change in the 1980s when the country moved from a policy of issuing fishing licences to vessels to a Quota Management System. Under the new system a total allowable catch was determined for each species, based on the best scientific evidence concerning the total stock of that species and its replenishment rate. Individual licences were issued to commercial fishermen to catch a proportion of that quota.

Originally applied to deep sea fishing grounds, it was extended to cover inshore fishing as well. New Zealand's fisheries are divided into 10 management areas by the Fishing Industry Board, and within them a large number of different species are monitored and have allowable catch quotas assigned to them.

As with Iceland, the quotas are tradable. They are divisible and transferable, both important to enable fishermen to respond to changing market conditions and to operate more efficiently. The Individual Transferable Quotas, as they are called, represent proportions of the total allowable catch of each species. When vessels have caught their assigned quota of a species, they must either stop fishing for that species, or buy part or all of someone else's quota. The effect is to protect and preserve fish stocks and keep fishing within renewable limits for each species. The NZ Fishing Industry Board defines different fishing seasons for different species. For most the fishing year starts on 1st October, but for rock lobster and southern blue whiting it starts on 1st April, and for Lake Ellesmere eels is starts on 1st February, the difference being to take account of the different breeding seasons of the different species.

There have been difficulties and disagreements concerning the administration and application of the quotas, and there are marginal problems concerning fish landed by accident because they share the waters with other species. The report by Peter H Pearse prepared for the New Zealand Ministry of Fisheries makes it clear, however, that there is general agreement in the industry that it has proved a far superior system to the previous one that encouraged over-fishing as vessels sought to land

as much as they could catch before others did so. It has proved successful in curbing over-fishing and in protecting the fish stocks within New Zealand's Exclusive Economic Zone.

Again as with Iceland, a key factor in its success has been the fact that the fishermen have a stake in it. Instead of regarding government regulation as a nuisance that limits their catches and acts against their economic interest, they see it now as protecting their property rights and securing their long-term economic stability and success. New Zealand makes it open and public as Iceland does, with a public register of the details of quotas, vessels, automatic location communicator, permits and agreements. The openness of it helps fishermen to co-operate, and it guards against cheating and illegal fishing.

Through its new policy, New Zealand has not only protected the valuable resource of the fish stocks within its waters, it has also built up the economic performance of its fishing industry.

THE FUTURE OF UK FISHING POLICY

The vote in the referendum of 23rd June 2016 was for the UK to leave the European Union. More people voted for that than have ever voted for anything before in the history of British democracy. That vote means that the UK will now take back control of many areas that were previously subject to EU regulation and decision-making.

In particular it means that the UK will withdraw from the Common Fisheries Policy of the EU and be free to take independent action to protect fish stocks within its waters, and to revitalize a fishing industry that was savagely cut back by the UK's accession to the EU and its fishing policy.

The UK now has the chance to marry commercial interests with environmental ones, and to implement a fishing policy that will make UK fishing into a sustainable industry as well as a profitable one. It can harness the interests of its fishermen to preserving and protecting their future livelihood by giving them an ownership stake in the fish that swim in our waters.

It can learn from the successful policies that have been put into effect in other countries, policies that have seen fish stocks restored and managed on a sustainable basis. It can adopt the best elements of those policies to craft a policy uniquely suitable to the UK and its waters. It should begin the process of devising this policy and putting it into effect as soon as possible, so the task of restoring the viability of fishing in UK waters can begin.

1. As the UK withdraws from the EU and its Common Fisheries Policy, it should extend its Exclusive Economic Zone from 12 miles to the 200 miles from its shores specified by the United Nations International Convention on the Law of the Sea.

2. The UK should ban any fishing within those waters from being done without its specific consent or an agreement. All UK fishing boats should be registered, with only registered boats permitted to fish.

3. Naval and air patrols over UK fishing waters should take place so that any vessel fishing illegally can be identified and intercepted. Criminal proceedings should be instituted against offending skippers and the owners of their vessels.

4. An official Maritime Research Institute should be established, tasked with monitoring fish stocks within UK waters. It should examine the levels of the different species, using best scientific technology including sampling and sonar, and determine their breeding grounds. It should record all catches made within those waters and landed at UK or foreign ports.

5. A National Fisheries Council should be set up and include representation from the fishing industry. It should determine a total allowable catch for each species, based on the recommendations of the Maritime Research Institute. It should assign a proportion of that catch as a quota to each registered fishing vessel. Those quotas should be owned by that vessel and be divisible and tradable. All catches must be landed, and if any exceed the quota, the vessel must trade or buy quotas from others.

6. All boats should be fitted with satellite tracking devices, and their position constantly recorded and entered on an accessible database.

7. All catches should be recorded on landing as to size of catch for each species. The information should be uploaded to a public database accessible to other fishing vessels as well as to the inspectorate.

8. UK fishing waters should be divided into administrative zones on the advice of the Maritime Research Council, and the National Fisheries Council should have the power to impose an immediate suspension of fishing in any areas where the sustainability of any fish stocks appears to be at risk.

9. Inspectors from the National Fisheries Council should have the right to travel on a fishing trip with any boat they care to choose for two times per year. Fishing boats must be in constant touch with the National Fisheries Council when requested.

10. The National Fisheries Council and the Maritime Research Council should publish all their information online, accessible to members of the public as well

as to the industry. The policy should be completely open and transparent to allay any suspicion that it might operate for special interests rather than for the industry, the public at large and the environment.

CONCLUSION

This ten-point action plan gives Britain a blueprint to reshape its entire fishing industry in the wake of its decision to leave the EU. Leaving the EU and its Common Fisheries Policy gives the UK a chance to pursue a policy that will make UK fishing a viable and profitable enterprise, while pursuing a policy that restores and sustains fishing stocks within its waters, stocks that have been depleted by years of insensitive and wasteful EU fisheries policy. It will be a policy that secures the support of its fishing industry and its fishermen, and of the fishing port communities scattered around our coats. More than that, it will secure the support of environmentalist groups concerned about the plunder of our seas and anxious to restore fishing stocks to healthy and sustainable levels. It is a policy that can ensure that the catch of today will be followed by a continuing catch of tomorrow.