

**Inclusion of the Bailiwick of Jersey in the UK-EU Trade and Economic Cooperation Agreement ('TECA'): Fisheries: Scrutiny review - Environment, Housing and Infrastructure Panel**

**Response: Jade-S Fisheries Jersey**

Dear Connétable Michael Jackson and the Panel,

Firstly, thank you for the opportunity to respond to this scrutiny review regarding the TECA, a subject which is very close to the hearts of the fishing industry and ancillary businesses. For background, Jade-S Fisheries Jersey is a local fishing and fishmonger business, so we respond as both 'fishermen' and fish merchants.

What is proposed within the TECA whilst arguably in some ways an improvement on the Granville Bay Treaty, is concerning and poses detrimental economic, social and environmental impacts to Jersey and its Fisheries. However, with the correct adjustments to support the local fleet and environment, perhaps Brexit and the amended agreements could offer some opportunity to grow an industry which locally has not been given the opportunity to prove its true economic worth.

There are a number of very concerning aspects which need to be raised spanning social, environmental and economic issues. For ease of navigation we have outline some of the key areas under the headings below.

## The 3-mile Limit

One of the most concerning aspects within the TECA is the lack of and incorrect recognition of Jersey's waters, offshore reefs and islets, which in itself poses questions of contradiction to Maritime law and Jersey's heritage. Jersey's sovereignty of these areas such as the Minquiers and Ecrehoes seems forgotten for the purposes of this treaty. For generations Jersey has been fiercely proud of its 'ownership' of these reefs, most recent examples include excluding French private vessels from stepping ashore during Covid-19 as the reefs were recognised as Jersey, and so a different jurisdiction. So why when it comes to our fishing and waters has Jersey not held the same gust and determination?

The TECA states that access to waters/fisheries by foreign vessels must be compliant with UNCLOS and thus inferring measurements from the lowest drying rocks. The question, why have the lower lying limits and offshore reefs been delineated in such a way that it contradicts our sovereignty and UNCLOS?

Previously Jersey held exclusive rights for its indigenous fishermen of 6 nautical miles, the TECA proposes reducing this to 50%. A 50% reduction will severely impact the livelihoods of local fishermen which rely on exclusive rights to these waters. The environmental impact of allowing more vessels within the areas will put excessive pressure on fish and shellfish stocks which the local fleet and Fisheries Dept. are already working extensively to preserve. In addition, with less to catch, the economic impact will be severe for the small, local fishing vessels. It will undoubtedly cause a

number of fishermen to go out of business putting extreme pressure on them, their crew and their families, and ultimately on the Government.

Whilst other jurisdictions have protected their waters for their indigenous fishermen, Guernsey and the Isle of Man being recent examples, which respectively reserved/delineated 6 nautical miles and 12 nautical miles.

Brexit agreements state that no one country can benefit from the agreements drawn over another, however the TECA certainly seems to favour the EU/French Vessels rather than it being a reciprocal and balanced agreement. Furthermore, Jersey Fisherman haven't been given an equal or reciprocal agreement, being restricted from prime French fishing waters as an example.

Can the fishermen be assured that Government will recognise its sovereignty, and protect its 6 nautical miles (as previously) for its local fishermen?

## Licences and Permits: Jersey Vessels Vs Foreign Vessels

Jersey fishermen pay a high price for their fishing vessels and fishing licence to fish local waters, many of whom will spend most their working careers and lifetimes paying off. Under the Granville Bay Treaty French vessels paid French authorities annually to grant them permits to fish Jersey waters. Whilst this has always stunned fishermen that such an agreement could exist at the detriment to the Jersey economy, this has thankfully been terminated, however a similar issue is still very much present.

Whilst under the TECA Jersey can now write permits for French vessels applying to fish local waters, which is a considerable improvement. No information has been shared on the format and process for these permits.

Will Government assure fishermen that foreign vessels applying for permits to fish Jersey waters will pay a fee for the rights, as Jersey fishermen have to do? Otherwise a question of discrimination can certainly be raised.

Can Government assure fishermen that the approval of any fishing permit to foreign vessels can be traced and truly audited?

Can Government assure fishermen that any permits granted either in the interim transfer period (until April) and in any agreements drawn after this point, that these permits delineate sovereignty to Jersey on all fishing matters? That any conditions, bans and laws must be adhered to by all vessels. Will catch quotas match the same restrictions as on Jersey vessels? Will the same sustainability measures be imposed on foreign vessels such as size and catch limits? For example, Jersey fishermen cannot catch Tuna in local waters and bass fishing is restricted to a handful of local boats – can Government assure us that no foreign vessel can catch in Jersey waters a fishery banned to local boats? Will the same vessel size limits be imposed on foreign vessels? Jersey has agreed no fishing vessel should exceed 12m as an example.

Previously foreign vessels in Jersey waters have never been required 'to land' any catch into the Island, this has been a hugely missed opportunity. The fisheries sectors' potential economic contribution has largely been ignored, perhaps in part due to this. The catch of foreign vessels from Jersey waters taken is not landed locally but to foreign markets. Will Government as part of the new

permitting system be imposing conditions such as, requiring a set percentage of their catch being landed to local merchants? And thus, significantly increasing work opportunities locally but also increasing the economic contribution of the industry.

Can Government also assure fishermen that it will develop and comprehensive monitoring system of all foreign vessels fishing in local waters and of what they catch – in a similar light to that which Jersey fishing vessels are already required to submit?

## Government Support

Expansion of Fisheries department:

Changes brought about by Brexit and any new agreements drawn will undoubtedly call for the requirement of additional resources (personal and financial) to support and facilitate the required changes. Can Government assure the fishermen that investment will be made into the Fisheries Department to ensure it has the adequate resources required to truly implement and monitor conditions of the treaty.

Investment into the industry:

Brexit means the ease of trade with the EU has diminished and trade will no longer be as simple and new policies will be required to meet both new UK and EU standards. The EU was a fundamental lifeline to the local fishermen and fish merchants. In light of these changes, can Government assure the local fishing industry that it will dedicate time and financial backing into properly supporting the growth of the industry into new markets? Will Government dedicate investment to help the industry build what it requires and help the local fishermen adapt their businesses to meet the needs of the 'new world' post Brexit?

Support to Fishermen severely affected by Brexit, TECA and Interim Agreement:

Whilst the true impacts of Brexit and resulting agreements are yet to be fully understood, its impact on the local fishing fleet and on particular fishermen has already been severely realised. Whilst in principal Jersey has been able to trade with the EU/France this has not been the case. Many fishermen were met with disdain and aggression being denied the ability to land catch; questions around legitimate paperwork were raised denying local vessels into France, the process was not smooth or amicable. At current we are in a position where no local vessel, nor local fish merchant can export or land any catch. The EU/France was our lifeline, and this has been cut off. Many boats have been tied up going on months as no catch can be moved and the local market can only absorb so much. Behind these businesses are men and women who risk their lives and work tirelessly to support their families. Many vessels now no longer find it economical to fish and have been left to their moorings. Does Government truly realise the impact this has not only on the industry but also on the livelihoods of those families affected? Does it recognise the anguish this causes local fishermen? Does Government accept responsibility for their diminishing wellbeing whilst no true support has been offered? These men and woman can no longer work to support their families, all whilst heir bills keep coming. In particular the scallop and bivalve fishermen have been discriminated against. These local boats have been told they cannot land any scallop catch into the EU/France until at least April due to health certificates and paperwork – all whilst French vessels are allowed to fish the same waters and take the same catch back and land with no certificates. Many of these Jersey

vessels solely relied on being able to export their catch into French ports and now have no way to make an income - one such boat is skippered by a father of 2 children. What is Government going to do to help these fishermen in the interim until the correct agreements are in place? What is Government going to do to help support this fisherman and ultimately his two children? Does Government truly understand the lives behind the boats?

## Other:

Can Government assure the industry that the proper time was given to review the TECA before this was agreed? The timing is somewhat questionable with a matter of days between issue and agreement? Did the Officers and Ministers charged with reviewing this agreement truly have the time to understand and review all aspects of this very large, complex document?

The potential environmental impacts of this treaty are undeniable. Can a Government which is publicly 'pro-environment', specifying this agenda within its Government Plan, and whom is a signatory on UN environmental treaties, in true conscience agree or be happy with this decision?

In summary...

The detrimental economic, social and environmental impacts this treaty should it go forward pose is undeniable to the fishing industry and fishing families once considered the lifeblood of the Island. Will Jersey take sovereignty of its 6 nautical miles and outlying reefs? and thus help protect Jersey's marine environment for generations to come?

Our fishing community is at the very heart of Jersey and its heritage. Fishermen put Jersey on the map beginning international trade by developing the cod fishery in parts of the USA and Canada. Once such a prominent and respected industry has now been forgotten, its importance not realised. Will Government recognise the heritage and future potential of its fishing fleet? Will Government support the sustainability of the fleet into the future? And thus, ensuring the continuation of this vital part of our heritage allowing new generations to be able to stand in the footsteps of the forebearers.

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Once again, we would like to thank you for the opportunity to respond.

Kind Regards

Jade-S Fisheries Jersey

