

## *Replacement Vessel Scheme-policy*

### *JFA-scrutiny panel submission. 23-02-2023.*

Following last weeks debate and subsequent vote on licensing amendments, deemed necessary to incorporate a replacement vessels scheme into the broader “nature and extent” element of the TCA, Jersey Fishermen's Association welcome the opportunity for further dialogue with Scrutiny.

As in the previous submission, the requirement to implement a scheme covering replacement vessels is understood, however it is the accompanying licensing framework that must be appropriately developed to deal with the RVS and it is effectively getting that right from the outset, that we continue to contend as being hugely important.

Important in terms of the future evolution of what is already a very powerful foreign fishing fleet, with a number of vessels now licensed by Jersey, which fall significantly over the 12 meter & 221 KW engine power threshold, which had been applied to the Jersey fleet up until the TCA was signed. Important as well, in the context of Jersey's aims to introduce Marine Spatial Planning which will undoubtedly look at the greater level of environmental impact associated with large powerful vessels, practically all of which operate in the mobile gear sector.

The environment minister duly provided further details prior to the debate, on data and policy that sit behind the amendments and which it is argued, contain the safeguards to mitigate against the expansion of fishing effort. Mitigation that is essential to the sustainable management of our fish stocks.

Principally, we are told, the two elements that provide the safe guards are;

1)the quantifying of historic levels of fishing effort and amounts of catch and the new technology based ability of our Environment/Fisheries department team, to deliver adequate monitoring and enforcement of daily catch limits.

2)The second policy element provided by the minister as assurance, is the concept of a global tonnage and engine power cap that, with the movement of vessels between owners and regions, along with the need or desire to replace existing ones, will (in theory)maintain historic levels of fishing effort as they were, prior to brexit.

There was also an additional point made by the minster, during his speech, to qualify the need to allow tonnage and engine power to increase in individual vessels (in order supposedly to allow the Foreign fleet to maintain a given TCA compliant capacity), which we believe may have been factually incorrect, albeit unintentionally. That was to say that under the current licensing regime, foreign vessel owners building or buying new vessels would be required to “not” exceed any parameter i.e. length, breadth, depth and engine power, of the old “donor vessel”. That is not the case, as the first three items are all combined and with an additional equation, all factor into an overall tonnage figure, so that it is not particularly difficult to replace any vessel with one of similar tonnage and power even if one or two parameters have altered.

It is important to understand that there is an existing framework within the UK licensing regime that applies to Jersey fishermen. It is a framework which has been subjected to continual evolution, aimed primarily at preventing unsustainable increases in the UK fleet capacity and consequent increases of fishing effort.

While the French system of managing tonnage and engine power is significantly different to ours there is nevertheless a framework in place. Effectively when a vessel changes hands or leaves the fleet, the PMUs (units of tonnage and engine power) revert back to the state authority and are then either linked

back to the replacement vessel (provided) the new vessel has not increased capacity in relation to the old one, or alternatively the PMUs are given to the next qualifying new entrant or new addition to the fleet.

Both the UK and the French systems are covered by well worked policy frameworks, which fishermen must adhere to.

The reason the JFA raised concerns over the proposed RVs scheme, that forms the fundamental basis of the Licensing amendment proposals, is that Jersey has not developed an appropriate and accompany ,overarching framework for the 136 foreign vessels now licensed by Jersey, or if one exists, the minister has not revealed it to either the JFA, to Scrutiny Panel or to other members of the states assembly. This is essential if we do not wish to see movement of fishing capacity from the latent effort or low impact part of the foreign fleet to the active and more powerful sector.

In short, and under the policy that has been announced, it is indisputable that the long term consequence or result, will be a reduction in the number of vessels overall and principally less small scale, low impact vessels while the bigger, high impact vessels will grow bigger. Such vessels, if their catch levels could be monitored and somehow restricted, will still have a greater environmental impact. It is an inevitable evolution of the foreign fleet, that must be avoided by designing an appropriate framework, focused around the sale, movement, transfer and aggregation of licenses, before the RVS is concluded and adopted.

The second safeguard which the minister claims to be relevant, is the new found technology based ability to set catch limits at previous quantifiable levels, to monitor the catches of a large fleet of foreign vessels and to enforce such limits. The experience of JFA members who have worked alongside French fishermen and landed catches in the same ports as French vessels, supposedly working to daily catch limits, tells us that this, while being an admirable objective, is certainly not a realistic safeguard, particularly in the context of a fleet where bigger vessels will grow larger, more powerful and and more efficient, landing their catches where no real time monitoring can take place.