

# Recommendations for advancing the Joint Fisheries Statement



## AN OPPORTUNITY FOR A SUSTAINABLE FUTURE IN UK FISHERIES MANAGEMENT

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## Introduction to the Fisheries Act (2020) and Joint Fisheries Statement

Since 1973, the UK's marine fisheries management was primarily governed by the Common Fisheries Policy (CFP). On leaving the European Union (EU) in January 2020, the UK required alternative legislation to replace the CFP. In November 2020, the UK Parliament passed the Fisheries Act (hereafter "the Act") (1) to enable full UK control of and legal responsibility for fishing and to establish a Fisheries Framework for future management in UK coastal waters (2). The UK Fisheries Management and Support Framework (the Fisheries Framework) provides for a joint approach to fisheries management between the UK Government and the devolved administrations (3). It includes the Act, retained EU law, the Joint Fisheries Statement (JFS) and Fisheries Management Plans (FMPs) (Fig. 1), in addition to a Fisheries Framework Memorandum of Understanding. The Act (S. 52) provides that the JFS should be prepared by the UK fisheries policy authorities for the devolved nations to outline the policy strategy to achieve, or contribute to achieving, the eight fisheries objectives set out. Based on extensive reviews of the available evidence, as outlined in (4, 5 and 6), this briefing document provides a summary of recommendations that we think should be included in the JFS.

## Recommendations to advance the Joint Fisheries Statement

### **Recommendation 1 – Achieve the precautionary objective through the use of Maximum Sustainable Yields (MSY):**

In the Act, MSY is defined as the highest theoretical equilibrium yield that can be continuously taken on average from a marine stock under existing environmental conditions without significantly affecting the reproduction process. The precautionary objective requires that a precautionary approach to fisheries management be applied and the draft JFS (7) proposes that the exploitation of marine stocks should be at levels that enable the restoration and maintenance of populations of harvested species above biomass capable of producing MSY. We propose that greater clarity on how this will be achieved should be provided and recommend that the existing framework for setting quota can be adapted to one in which MSY is used to define limits, rather than targets. Based on current evidence-based thinking (e.g. 4, 8) biomass should be maintained at a minimum of 120% of that which will achieve MSY ( $B_{MSY}$ ) for most stocks of commercial interest; the limit should be set at 30% of MSY. This value of  $B_{MSY}$  should be taken to be 50% of that which would occur if the population was at carrying capacity (i.e. at its unfished level). Quota should be reduced linearly if stocks fall to below  $1.2B_{MSY}$  until recovery is achieved. This mechanistic approach should be clearly stated in the final JFS.

### **Recommendation 2 – Reduce and redistribute capacity to achieve the sustainability and national benefit objectives:**

Recognising that many stocks on which UK fishers depend remain below their target biomass (e.g. 4), we recommend that overall fishing capacity should be reduced to facilitate population regeneration. Furthermore, a greater share of the available quotas should be redistributed to benefit the less environmentally damaging sectors, including those that use the least damaging practices. We recognise that the distribution of fishing quota under the Trade and Cooperation Agreement (TCA) was particularly disadvantageous for the small-scale sector, as the larger gains of quotas agreed tended to be for the species for which the small vessels hold a low share (9, 10). Furthermore, the more sustainable sectors should be compensated if disadvantaged (e.g. by displaced activity), at least in the short-term, until the benefits of stock recovery accrue.

### **Recommendation 3 – Protect marine environments to achieve the sustainability and ecosystem objectives:**

Some areas of the UK marine environment are in an unhealthy condition (11). An aspiration of the draft JFS is that the fisheries policy authorities will continue to develop the network to protect specific marine habitats and species of national





or international importance. Marine protected areas (MPAs) were rarely considered in the draft JFS and there was no mention of Highly Protected Marine Areas (HPMAs), although it was proposed that the fisheries policy authorities will ensure that fishing activities are managed to enable MPAs to achieve their conservation objectives. We recommend that existing MPAs, and any future extensions of the network, are adequately protected with appropriate enforcement mechanisms to promote the regeneration of degraded habitats and restoration of fish stocks. We recommend that clearer targets are provided for the enforcement and protection of MPAs and HPMAs, and the use of best available technology in doing so is promoted. In accordance with the scientific evidence objective, authorities should be obliged to enforce the protected status through enforcement programmes supported by sufficient funding and available technologies (e.g. satellite remote sensing, vessel monitoring systems).

#### **Recommendation 4 – Meet multiple objectives through integrated marine resource management:**

A systems approach should be adopted to enhance the sustainable exploitation and management of resources that are integrated and complex in nature (12). Increased exploitation of fisheries may increase job opportunities and profits for some, but may also negatively impact ability to meet targets for energy use (e.g. net zero) or the improvement of biodiversity and environmental status; this trilemma may be described as a Fisheries-Energy-Environment Nexus. The draft JFS implicitly describes a Nexus approach, e.g. in relation to the protection, restoration and sustainable management of blue carbon habitats as a nature-based solution

that can support adaptation and resilience to climate change, alongside benefits for carbon sequestration and biodiversity. Approaches to reduce effects of fishing on the marine environment and on stocks of marine carbon should be further investigated. A more holistic marine resource management-based approach should be adopted that optimises trade-offs and synergies between competing domains. Aligned with the aim to support the continued development of robust supply chains and a diverse, low emission and modern fleet, we recommend the promotion of a system that better rewards the least damaging sectors when viewed from a wider environmental and social perspective. This should include promoting the ability of local fleets to bring product to markets via short supply chains and with low carbon emissions, while removing capacity enhancing subsidies. Such actions would help achieve the climate change, sustainability and national benefit objectives.

#### **Recommendation 5 – Employ best available technology to achieve the sustainability, climate change and scientific evidence objectives:**

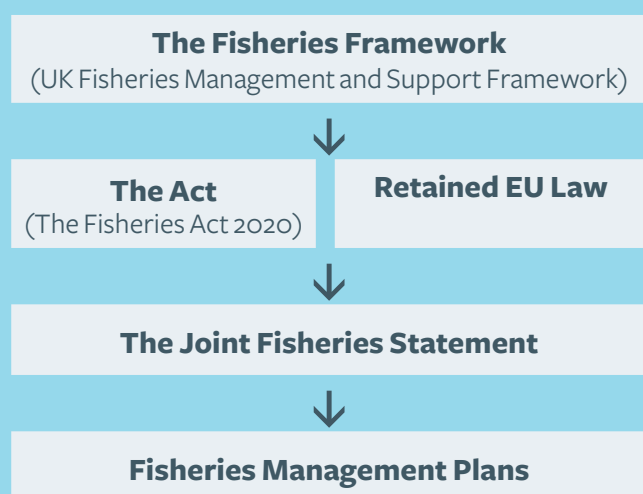
The draft JFS highlights the UK's track-record in investing in fisheries science and new technologies and recognises that effective monitoring is key to ensuring a well-evidenced, sustainable future for the fishing industry and marine environment. The draft JFS recognises that innovative technological solutions may help realise carbon savings, e.g. from engine upgrades, gear choice and green technology, as well as identifying opportunities for vessel emission reductions through alternative fuels. Technologies may aid future evidence-led fisheries management and address gaps in current scientific, technical, economic and social data and understanding through a co-ordinated programme of data collection across the fisheries policy authorities. We recommend that the JFS be strengthened to more explicitly state that the fisheries policy authorities will require the use of best available technologies as is reasonably practicable (as opposed to "where appropriate"). This would include vessel monitoring systems and Remote Electronic Monitoring (REM) to advance sustainable management (e.g. surveillance, compliance, enforcement) and scientific investigation. We agree that the effectiveness of fisheries management measures should be regularly monitored to enable continued improvement of decision making and that information obtained should be made publicly available. We also recommend that low impact sectors of the fleet might be rewarded with help with the cost of installing technology (e.g. grants, such as is the case for the Inshore Vessel Monitoring [I-VMS] for under-12m fishing vessels registered in England).

#### **Recommendation 6 – Achieve multiple objectives through collaboration and partnership working:**

The draft JFS recognises the need for working in partnership due to the devolved nature of UK fisheries and the fact that several stocks are shared with other



**Figure 1.** The key components of the Fisheries Framework can be visualised as a hierarchy in which the Act outlines the UK fisheries management strategy and requires the achievement of eight fisheries objectives, while the JFS provides the policy strategy for doing so through a statement of the use of the FMPs.



states. The draft JFS also emphasises the need to work collaboratively with industry in seeking solutions to fisheries management problems and environmental performance and on broader issues related to industry innovation and the circular economy. The proposed industry collaboration is primarily based on encouraging voluntary initiatives, e.g. in decarbonisation and marketing of low-carbon seafood. This highlights an ongoing unwillingness by Government to impose requirements on industry (e.g. in relation to the need for environment protecting technology) as emphasised elsewhere (e.g. 13). “Soft” governance, such as voluntary codes of conduct, can in some instances be relatively ineffective (e.g. 14) and may fail to bring about substantial improvement in environmental outcomes (15), unless as part of SMART regulatory system (16). The draft JFS proposes partnership working with the scientific community (e.g. in relation to the blue carbon evidence base); we recommend that Government works closely with the fisheries and marine conservation science community (e.g. Fisheries Society of the British Isles and Institute of Fisheries management) to facilitate this. In addition to the aspiration that the fisheries policy authorities should seek to improve the general public’s perception of the industry as a place to work and prosper, we recommend that efforts be made to change the media narrative, public opinion, and political direction to focus on the regeneration of degraded marine ecosystems on which sustainable fisheries depend. This aligns with (17) guidance on sustainable fisheries that recognises the need to change the narrative and improve communication on fisheries issues and gain political will to strengthen policy frameworks.

**Recommendation 7 – Employ ecosystem-based fisheries management to achieve the ecosystem objective:** The value of the Ecosystem-Based Approach (EBA) to fisheries management is enshrined in the Act as

a dedicated objective, highlighting the need to consider fisheries from a wider ecosystem perspective (e.g. 18, 19). The draft JFS recognises the value of adopting an EBA to management, moving away from the traditional focus on single species and giving greater consideration to community interactions (e.g. the impact on stock levels of the removal of prey species), bycatch, changes in ecosystem structure, and impacts of fisheries practices on habitat (20). However, there is some contradiction between the aspiration to move away from a single species approach and the focus of FMPs on specific stocks of key commercial interest, and not necessarily on those lower trophic level species that support them. This issue is implicitly recognised in the need to determine those stocks that should be included in FMPs due to their “ecosystem significance”. While the draft JFS considers aquaculture, there is no mention of reducing reliance on wild fisheries to provide the feed needed to maintain these systems. More detail is needed to clarify the intention of the JFS in relation to EBA and to strengthen this intent by explicitly referring to setting more precautionary catch targets for the forage fish species on which higher trophic level species (many of commercial and / or conservation interest) depend. In accordance with the ecosystem and scientific evidence objectives, continued research is needed to develop the techniques to better estimate the carrying capacity of trophically linked stocks so that appropriate levels of MSY can be defined for those forage species.

**Recommendation 8 – Develop a life-cycle approach to fisheries management through the ecosystem objective:** The JFS should recognise important links between populations of marine fish and the management of coastal and riverine environments in line with the UK Marine Strategy. Transitional coastal environments (e.g. saltmarsh and estuaries) are of critical importance in providing reproduction sites and nursery habitats for a vast number of marine animals. Some of the UK’s most economically, culturally, and ecologically important species (e.g. salmon, sea trout, eel, and lamprey) are diadromous; they migrate between the freshwater and marine environments to complete their life-cycle. The draft JFS provides little detail on how these environments should be managed, stating only that the fisheries policy authorities should recognise that measures to manage our coastal and riverine freshwater environments need to consider the impacts on the health of our marine environment. While the draft JFS recognises the interconnected relationship between different ecosystems and that it will provide a cross-cutting measure that will help deliver Good Environmental Status for commercial fisheries in line with the Marine Strategy, it fails to integrate well with other pieces of legislation. We recommend that the Act and JFS should better integrate with other legislation to underpin ecologically based fisheries management more widely and increase sustainability through modernising fisheries policy in a coherent way.

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