

**QUESTION TO BE ASKED OF THE PRESIDENT OF THE ECONOMIC DEVELOPMENT  
COMMITTEE ON TUESDAY 9th SEPTEMBER 2003, BY THE DEPUTY OF ST. JOHN**

**Question**

- (a) Would the President –
- (i) give details of dates of meetings held with his Guernsey counterparts at political level regarding the Guernsey Fishing Vessel Licensing Scheme and state which politicians from Jersey and Guernsey attended those meetings?
  - (ii) advise whether the Committee has asked the Policy and Resources Committee to assist in negotiations between the U.K. Government, Guernsey and Jersey regarding the Scheme given that Committee's responsibility for external affairs and, if so, when the request was made?
- (b) Would the President inform members whether the Committee has decided what action, if any, it will take to assist any Jersey fishermen who are unsuccessful in obtaining a licence under the Scheme and whether such assistance will include financial assistance to meet legal costs.

**Answer**

- (a) (i) A meeting was held on Wednesday 9th April 2003, with myself and the Vice-President of the Guernsey Sea Fisheries Committee.

A further meeting was held on Monday 9th June 2003, with myself and Deputy Mike Taylor of the Economic Development Committee, and the President of the Guernsey Sea Fisheries Committee, Deputy Clare Le Pelley and Vice-President Deputy Lyndon Trott. Officers attended from both Islands including our H.M. Attorney General.

- (ii) The question refers to negotiations relating to the Guernsey Fishing Vessel Licensing Scheme; however, it should be understood that within their legislative powers, Guernsey are free to introduce a scheme of their choice. The Jersey authorities have not been involved in "negotiations" as such. Our meetings were at our request and gave us the opportunity to learn more about the proposed scheme and the basis upon which it is intended to issue licences. We also raised concerns with the Guernsey authorities that in our view their proposed scheme is unjust to Jersey Fishermen, and could well breach human rights conventions if a licence is refused to an individual earning their living from the sea. During our discussions we offered an alternative system of creating a pool of licences for both Jersey and Guernsey fishermen operating in the area; this solution has not yet been accepted by Guernsey though one hopes that further discussions on this may be possible once the first round of licences have been issued.

No formal request was made to the Policy and Resources Committee for assistance in our discussions. The Law Officers that would have advised the Policy and Resources Committee have been and are still advising the Economic Development Committee. However, I discussed with the President of the Policy and Resources Committee whether he should be involved and the issue was raised at a meeting that we both attended in May of this year with Deputy Laurie Morgan from Guernsey. It was agreed that the Economic Development Committee would continue to deal with these matters with the Guernsey Sea Fisheries Committee.

- (b) This is currently a hypothetical question because to date no applications have been refused. However, at the meetings with Guernsey the point was made that many Jersey fishermen had legitimate historic rights to fish in waters around Guernsey and impressed on Guernsey that they have an obligation to recognise those rights. Therefore, the Committee has sympathy for the position in which any commercial fisherman who is refused a licence will find himself. The Committee has been advised that it is only possible for a fisherman who has been refused a licence to take legal action against the Guernsey scheme and the Committee will consider

what action should be taken in the light of licensing decisions taken by the Guernsey authorities.