

2015.10.05

### **3.10 The Deputy of Grouville of the Minister for Economic Development regarding the restoration of Jersey's historical fishing rights in Channel Islands waters:**

Following my email exchange with the Minister for Planning and Environment at the beginning of August when the U.K. suspended their F.M.A. (Fisheries Management Agreement) with Guernsey, could the Minister inform the Assembly what action was taken at that time to negotiate a joint Channel Islands F.M.A. with the U.K. and, more importantly, what progress has been made to restore our historical fishing rights in Channel Islands waters?

#### **Senator L.J. Farnham (The Minister for Economic Development):**

Can I thank the Deputy for the question and her continued support for our local fishermen and their industry. At this time there are no discussions under way, although I can report that officers of our department happened to be meeting at the Department for the Environment, Food and Rural Affairs, known as Defra, on the very day that they issued the action against Guernsey. Our officers made it very clear to the U.K. authorities at that stage that we would be very prepared and, in fact, keen, to negotiate with them a joint agreement. I have to report that, however, firstly the U.K. very much see this as a matter for Jersey and Guernsey, as we both have separate fisheries management agreements, and did not indicate that they had an appetite to get involved at this stage.

[15:45]

Now, as the Deputy knows from her previous role as Assistant Minister for Economic Development, where she immersed herself in this issue and she did have talks with my counterpart in Guernsey, the Minister for Commerce. I happened to speak to him about this very matter last week and she will know that there is not an appetite, really, in Guernsey for working together on this at this stage. However, I can assure the Assembly that we remain absolutely committed to working with all of our neighbouring jurisdictions to ensure the best possible arrangements for our fishing industry and the sustainable use of our valuable resources.

#### **3.10.1 The Deputy of Grouville:**

Even if the U.K. are not trying to shirk their responsibilities by trying to wash their hands of the situation, that is also of their making, because they were instrumental in the F.M.A. with Guernsey and they, with Guernsey, did not acknowledge Jersey's historical fishing rights. So what I would like to know is, what is the Jersey Government doing about it? I quite agree the Minister in Guernsey has no appetite, however, this has got to be taken up with the U.K., with Defra, and if the Fisheries Department, External Relations, Chief Minister's Department cannot call on their Entente Cordiale with Guernsey then, surely, it is time to bypass Defra and Guernsey and start drawing on our constitutional ties and Ministry of Justice. Our Jersey fishermen are in the courts in Guernsey on a regular basis, costing them a personal fortune, and I would like some action taken on this.

#### **Senator L.J. Farnham:**

I can report, the Deputy will know, that some of our fishermen still have licences to enjoy the historical fishing rights, but a matter of concern is as these licences expire they will not be renewed. Members may also be aware that we have a very different type of fishery to Guernsey. 80 per cent of our fishery is shellfish, where Guernsey fish in much deeper waters. One of the disagreements we have is in relation to quotas. We abide by the quotas, Guernsey

do not, which is why the action was taken against them by the U.K. So we are quite a distance apart from being able to agree anything with Guernsey. Why would Guernsey agree it with us? Politically, it is certainly not a vote winner for Guernsey politicians, to give up what they see to be more fruitful or bountiful fishing waters, or to share them with their Jersey counterparts. Now, as I have said previously, currently Defra have no appetite to intervene in what they see as a matter between Jersey and Guernsey, but I certainly will - because I think this is very important and I agree with the Deputy of Grouville - and we must continue to try and find some sort of compromise, so our fisherman can continue to enjoy and have their licences extended to share Guernsey waters.

### **3.10.2 The Deputy of Grouville:**

I am glad the Minister brought up quotas, because I believe that Jersey has recently renegotiated its own F.M.A. with the U.K. going down the quota route, notwithstanding the fact that we are not in the E.U. (European Union), so why are we going down the quota route when smaller jurisdictions, like Guernsey, the Isle of Man, Orkneys are going on a point system? Can he explain that, please?

### **Senator L.J. Farnham:**

That is not my understanding of the situation. Our F.M.A. was negotiated in 1996 and is in the process of being updated at present. In these matters we have to behave as an E.U. state would behave. We have to abide by the quotas that are set by Europe for these waters, and we are doing that. Guernsey are not, which is why they are facing sanctions. The first sanctions were to prohibit some of their fleet from entering U.K. waters, and I believe if Guernsey do not come into line with the quotas, then the sanctions will get harder and harder for them. But I understand where the Deputy is coming from and I undertake to work with officers and the Minister for the Environment, because if the States approve the transfer of functions later this month then the matter will rest with him and his department, but he can be assured of our support at E.D.D. (Economic Development Department).