



States Greffe

Deputy John Young
Minister for the Environment
BY EMAIL

18th October 2021

Dear Minister,

Inclusion of the Bailiwick of Jersey in the UK/EU Trade and Economic Co-operation Agreement – Fisheries [S.R.5/2021] – Update

I am writing in relation to a recent letter from Blue Marine Foundation (BLUE) and the National Trust for Jersey (NTJ) calling for the reimposition for several of the currently suspended license conditions on fishing (such as 'days at sea', 'gear used' and 'extent and nature' of fishing activity). The letter states that failing to do so could place Jersey at risk of contravening its obligations under the TCA with regards to the sustainable management of fish stocks:

"[Art. 494(3)] states that Jersey should apply the precautionary approach to fisheries management; promote the long-term sustainability and optimum utilisation of stocks; minimise harmful impacts of fishing on the marine ecosystem and take due account of the need to preserve marine biological diversity; ensure compliance with fisheries conservation and management measures.

BLUE and the NTJ feel it is imperative that both sets of conditions are re-introduced immediately for all vessels fishing in Jersey's territorial waters, to allow for their long-term, sustainable management. A failure to do so may result in Jersey not abiding by its environmental commitments under the agreement."

The Panel would like to request your formal written response on this issue, in addition to a progress update containing a summary of actions Government has taken to implement the accepted recommendations of [S.R.5/2021 \(S.R.5 Res\)](#) which remain ongoing or outstanding (see table below). The Panel wishes particularly to draw attention to your commitment to having a Marine Resources Strategy ready to bring before the Assembly by the end of this year. How will Government ensure that resources are prioritised to deliver this critical piece of work?

I look forward to receiving a written response by **Monday 25th October 2021**. Please note it is the Panel's intention to publish the written response on the States Assembly website.

Yours sincerely,

Connétable M. K. Jackson
Chairman
Environment, Housing and Infrastructure Scrutiny Panel

	Recommendations	To	Accept/ Reject	Comments	Target date of action/ completion
2	The Minister for the Environment should consider what measures can be taken to exercise powers under the TCA for the benefit of sustainable fisheries management and conservation.	MENV	Accept	Consideration of non-discriminatory measures ongoing.	Ongoing.
3	The Minister for the Environment, Marine Resources Department and key stakeholders should work together to develop an ecologically and economically sustainable Marine Resources Strategy to underpin sustainable fisheries management, including the data and reporting requirements that might be imposed upon all fishermen, and the means to balance short-term losses against long-term growth. A Strategy should be developed and brought forward for States debate before the end of 2021.	MENV	Accept	Whilst this timetable is extremely challenging, now is a good time to move this forward. Marine Resources have been putting the pillars of a strategy together and a framework for consultation could be established by the end of the year.	Ongoing.
4	Following the 90-day cooling off period, the Government of Jersey should help facilitate industry-level discussion between French and Jersey fishermen to address any key concerns or issues arising from the new regime and access arrangements.	MENV	Accept	Dialogue between stakeholders is very important and will be supported and encouraged.	Ongoing.
7	The Minister for the Environment, together with the Minister for External Relations should ensure that the short-term, priority focus must be on easing the flow of goods into France, especially at key ports such as Granville.	MENV & MER	Accept	Agree.	Ongoing.

8	The Minister for the Environment should ensure that, in consultation with industry, a new Marine Resources Strategy includes a strategic economic framework for market diversification which encompasses new thinking on trade and export routes for Jersey-caught fish and suitable investment in infrastructure to support this.	MENV	Accept	<p>Economic Development is the remit of Minister for Economic, Development, Tourism, Sport and Culture, and it is understood it is already underway. Agree that this needs to be part of Marine Resources strategy.</p> <p>This work will need to be undertaken jointly with the Minister for Economic Development, Tourism, Sport and Culture who has oversight of any economic diversification strategies. The Environment Minister supports this work, which it is understood is already underway. It is agreed that this will also form a key part of a Marine Resources Strategy.</p>	N/A
9	The Minister for the Environment should seek to reassure the fishing industry that licensing procedures from May 1st will be non-discriminatory towards the Jersey fleet, with the same requirements applying to both Jersey and EU vessels in terms of conditions around catch, data collection and any other rules and regulations.	MENV	Accept	Accept principle of non-discriminatory approach to licensing but will take longer than May for this to be delivered (e.g. quota arrangements will be different).	Ongoing.
10	In developing fair and equitable licensing conditions, the Minister for the Environment should be mindful to avoid discriminating against local fishermen by creating prohibitively expensive hurdles to attaining a license and seek to ensure the system is financially viable for Jersey fishermen. Consideration should be given to developing an appropriate grant system for the Jersey fleet.	MENV	Accept	Licensing conditions cannot be discriminatory under the TCA.	N/A
11	The Minister for the Environment should give careful consideration to various conditions that should be attached to licences which would represent a step change in improved fisheries management and increased opportunities for Jersey's relatively low impact fleet.	MENV	Accept	Agree.	N/A

12	The Minister for the Environment should exercise caution when defining what evidence will be required to determine the ‘extent and nature’ of fishing activity that is undertaken. The evidence required should not unnecessarily restrict fishing activity or trade and but should ensure licensing is robust and promote sustainable ecological and economic management of the fisheries through the imposition of appropriate conditions.	MENV	Accept	Licensing of vessels will be undertaken as set out in the TCA.	Ongoing.
13	The Minister for the Environment and the Minister for Economic Development, Tourism, Sport and Culture should consider creating an economic link as a licence condition for all vessels fishing in Jersey waters, along the lines of those imposed in other jurisdictions (for example, a % of a vessel’s catch being landed in Jersey or vessels being crewed by Jersey residents).	MENV & MEDTS C	Reject	An economic link of this nature is not appropriate at this time. However, ensuring that Jersey accrues benefits, including economically, from its marine resources must be part of the future strategy.	N/A
14	The Minister for the Environment should work jointly with the Minister for Economic Development, Tourism, Sport and Culture to expedite, without delay, what financial support can be made available to assist Jersey’s fishing industry in the immediate short-term.	MENV & MEDTS C	Accept	Agree.	Ongoing.
16	In the event that Jersey continues to participate in the TCA, The Minister for the Environment should provide quarterly reports to the States Assembly culminating in a final main report in May 2022 outlining how, in relation to fisheries, Jersey’s participation in the TCA has developed in the first twelve months. These reports should include detail of how the licensing regime is working in practice, as well as any other operational effects of Jersey’s inclusion in the TCA. They should incorporate any stakeholder engagement and feedback and clearly note any successes or challenges faced.	MENV	Accept	Agree	Q3 2021 Q4 2021 Q1 2022 May 2022