

19-21 Broad Street | St Helier  
Jersey | JE2 4WE

Constable Jackson  
Chair, EHI Panel  
**BY EMAIL**

29 April 2022

Dear Mike

**Re: Fishing vessel licensing conditions and relations with France - update**

Thank you for your letter dated 20 April 2022. Please see below responses to the Panel's questions.

- 1. Please can you provide an update in relation to the ongoing dispute with the French Government regarding the number of French vessel licences rejected and whether any further licences have been issued?**

To date, 132 licences have been issued to EU vessels under the terms of the TCA. We have been informed that further information is being prepared by the EU Commission for in the order of six additional vessels. This has yet to be received by the Department and will be considered as per the established methodology if and when it does arrive.

- 2. Please can you provide an update on the current status of the number of licences which have been issued by the French Government for Jersey vessels to fish in French waters?**

Eight licences have been issued by the EU.

- 3. Given the European Commission recently announcing its support for a series of measures, including port closures and import bans on British vessels, if fishermen from EU member states are not granted the right to fish in the Crown Dependencies' seas, please could you advise:**

- i. What discussions are being had with the UK Government to mitigate against any potential impact of this possibility?**

The Government of Jersey notes the statement from the European Parliament regarding additional measures they would wish the European Commission to take over fisheries matters. Similarly to other matters covered by the EU-UK Trade and Cooperation Agreement (TCA), fisheries is dealt with under the appropriate TCA structures. Jersey has shown goodwill, flexibility and openness and complied with our domestic legal responsibilities and commitments under the TCA by applying an evidence-based approach to fishing licences. Therefore, we see no reason for the TCA arbitration process to be engaged, since we have implemented the TCA provisions entirely fairly. However, it will be for the EU Commission to decide if they wish to start the formal TCA Dispute Resolution Mechanism and we have not been informed of any such process being initiated. We are in regular contact with the UK on matters related to the TCA, including fisheries.

- ii. Will the UK be seeking to invoke the arbitration clause of the Trade and Co-operation Agreement (TCA), on Jersey's behalf, in order to resolve the matter?**

See response above.

- 4. What is the current status of French Border Inspection Posts currently open to Jersey vessels and is the Government of Jersey aware of any further issues with Jersey fishermen being unable to land their catches since the European Commission's recent announcement?**

The Border Inspection Post (BIP) in St Malo is operational, and businesses report a good working relationship. Freight operators continue to have difficulties with unloading shipments in St Malo as all vessels are required to be attended by dockers and this has proved complicated, with a variable level of service and opportunity to dock experienced. The issue has been communicated by officers in BIAN and Maine Resources to various parties in St Malo. Despite support at a local level in Normandy, there is no BIP in Granville at this time. It is not known when the BIP will be established or operational and it is not clear which products it will be able to accept. Direct landings are occurring, predominantly in Carteret, but remain administratively complex and restricted in species. Marine Resources are not aware of any further difficulties since the EU's recent announcement.

- 5. Please can you provide an update on Jersey's implementation of the extent and nature clause of the TCA and how and when this is anticipated to be applied to vessel licensing conditions, particularly in light of the ongoing dispute?**

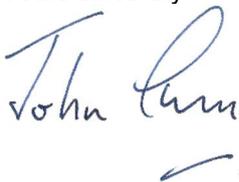
Discussions on Extent and Nature are ongoing between the EU, the UK, and the Crown Dependencies with Jersey putting forward a proposal to the UK. It is no secret to say I am disappointed that this aspect of the TCA has not yet been resolved well over a year since the Agreement came into force and is something I hoped would have been resolved during my term as Minister. However, I am certain that Officers are pursuing the matter as quickly as possible with UK and EU colleagues.

- 6. Please can you provide a progress update on the preparation of a Jersey Marine Resources Strategy, including the timeline for when this is anticipated to be presented to the States Assembly in the next Government term?**

The Economic Framework for the Marine Environment is being developed by the Rural and Marine team within the Department for the Economy in consultation with Marine Resources, within IHE-Natural Environment, and Environmental Policy, within SP3. The framework provides an opportunity for the structured development of evidence-based sector specific projects which will create a strategy for the Island's marine resources and tie in with other policies across the Government of Jersey. The Economic Framework for the Marine Environment is currently being prepared for public release, which should occur within the next seven days. Currently there is no timeline to present a strategy to the States Assembly as this will be dependent on the next Government's priorities.

I trust the above responses are of use to the Panel.

Yours sincerely



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