

Consultation



Llywodraeth Cymru
Welsh Government



Brexit and our Seas

Responses by 21 August 2019

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Ministerial Foreword by Lesley Griffiths AM

Our coasts and seas are an incredible natural asset, contributing to our wellbeing, as well as millions to the economy of Wales, supporting thousands of jobs and providing a rich heritage and culture. Over 60% of the Welsh population live near our shores, with all our major cities and many large towns located on the coast.

Leaving the European Union (EU) and having the opportunity to set our own policy is a significant moment for the marine environment and fishing industry in Wales. How we leave the EU will have a significant impact on the fishing industry.

The last two years have brought into sharp focus the interconnected nature of our supply chains and markets with other Member States, around 90% of our exports go to other EU Member States. The rules and regulations which lead to non tariff barriers are a significant challenge to the way our industry operates. Whilst we have been doing all we could to be prepared for a no deal exit, the importance of unfettered access is clear. The extension of Article 50 is therefore welcomed – the negative impact of a ‘no deal’ exit on the fishing industry must be avoided.

Welsh Government continues to make the case for continued full and unfettered access to the Single Market and participation in a Customs Union, protecting our seafood exports.

European fisheries are managed by the Common Fisheries Policy (CFP). Leaving the EU, and therefore the CFP provides the opportunity to tailor our policies to meet Welsh needs. The Welsh fishing industry is distinct from those in other parts of the UK. Whilst many of the challenges will be the same others will not. Devolution and our exit from the EU gives us the opportunity to develop and shape a system which works for Wales.

This consultation is the first stage in the process of creating a new policy and fit for purpose management regime underpinned by an appropriate

legislative basis to ensure the Welsh marine environment and fishing fleets can prosper in a post EU world.

Management of marine and fisheries is complex, given the scale of ecosystems and distribution of fish stocks it is undertaken on an international stage, involving Welsh, UK and EU legislation together with multinational and international agreements.

Our network of Marine Protected Areas (MPAs) contribute to an ecologically coherent network of MPAs in the north east Atlantic. All MPAs, whether UK-designated European marine sites or national sites designated under the Marine and Coastal Access Act (2009), contribute to the OSPAR network of MPAs. Fish stocks are also managed on an international scale under the umbrella of the United Nations Convention on the Laws of the Sea and the Straddling Fish Stocks Agreement. Wales, as a globally responsible nation, already does, and will continue to work collaboratively on the international stage.

Since the referendum in 2016, the Welsh Government has been working with fisheries administrations across the UK to ensure powers in relation to fisheries management will continue to be exercised appropriately. We are ensuring all legislation is operable once we exit the EU with over 100 pieces of former marine and fisheries EU legislation being retained on the UK statute book immediately after we exit the EU.

In considering the future arrangements we commit to retaining, and enhancing where needed, to ensure stability and continuity in key areas as follows:

- We are committed to the principles and ways of working of Well-being and Future Generations (Wales) Act 2015 (WFG) and this is enshrined in the first Welsh National Marine Plan.
- We will continue to implement the Environment (Wales) Act 2016, the Marine and Coastal Access Act 2009 and the Nature Directives to improve biodiversity and work toward ecosystem resilience.

- Welsh Government will continue to ensure environmental standards are upheld and enforced, where appropriate, in Welsh waters and the broad framework, as currently set out in the Common Fisheries Policy (CFP), continues for the time being.
- We are investing in new systems, new staff and new vessels to enforce standards and seek to prosecute those who do not comply.

Our commitments in these areas are vitally important to how we sustain, support and maximise the opportunities for Wales after we leave the EU. Over the next few years we will need to consider if and how we will do things differently in Wales. This consultation is the start of a longer conversation and will help us better understand your priorities.

Welsh fishers do not receive a fair share of fishing opportunities as outlined in the Wales Centre for Public Policy report 'Implications of Brexit for Fishing Opportunities in Wales'. As we leave the EU, the Welsh Government will be arguing for a greater share of fishing opportunities. This includes a fairer deal and a fairer system which benefits our marine environment, the fishing industry and our coastal communities in line with the WFG Act. The issue of fishing opportunities is complex and contentious and there are significant risks and opportunities which need to be explored in more detail.

Trade in fisheries products is at the forefront of our minds. In Wales, approximately 90% of our fisheries exports are to the EU, with the remainder largely relying on EU trade deals and agreements with other nations. Our future in this area will be dependent on our future relationship with the EU.

The fishing and aquaculture industries in Wales cannot stand still. Fishing is a primary industry and part of the global economy. In order to survive and thrive it needs to innovate and develop. The industry has relied on primary production, insulated from both tariff and non-tariff barriers, exporting live products

to the EU and beyond. This means the industry is susceptible to fluctuating prices and changes in consumer demand which makes it vulnerable. We believe the industry needs greater consistency of opportunity, more job security and greater wealth creation; markets outside the EU may become increasingly important.

This consultation seeks to hear your views on a number of areas, including:

- Managing fishing opportunities on behalf of the people of Wales in line with the WFG Act. As we leave the EU, any negotiated additional fishing opportunities for Wales would be managed on behalf of the people of Wales to offer greater benefit for our coastal communities and sustainable growth for the fishing industry.
- We will introduce more sustainable management practices for species with commercial value based on robust scientific evidence. This could include adaptive management which would introduce a monitoring system to sustain certain stocks and provide the flexibility to open and close fisheries in response to environmental impacts and variations. Our intention is to ensure that over time adaptive management would further enhance our ecosystem resilience.

I am pleased to be able to seek your views on what are very important issues for the people of Wales and, in particular, for our coastal communities as we leave the European Union.

I know how passionate people are about our marine environment and I look forward to your responses.



Lesley Griffiths AM

Minister for Environment, Energy and Rural Affairs

Consultation Overview

Prosperity for All commits Welsh Government to producing, with stakeholders, a new fit for purpose fisheries policy as we exit the European Union. This consultation will explore issues affecting the Marine and Sea Fisheries sector and seek to develop consensus on how we manage and protect our seas in the future.

How to Respond

We appreciate you taking your time to read and respond to this consultation.

All consultation questions are optional except for the 'About you' section. This shows us if we have engaged with a diverse and broad range of people. Responses on behalf of organisations will be analysed separately from responses from individuals, so it is important that we know in which capacity you are responding.

If you are responding on behalf of an organisation we ask for your name and the organisation's name. However, you have the option to remain anonymous if you wish. Please refer to the Data Protection section for further information about how this is used.

The consultation will run from 1 May 2019 to 21 August 2019. Any responses received after this time will not be included in the analysis of the consultation responses.

Tell us what you think. Your views are important to us. They will help us refine and shape our proposals.

The closing date for the consultation is **23:59** on **21 August 2019**.

You can reply in any of the following ways:

Online

The consultation document can be accessed from the Welsh Government's website at gov.wales/consultations/

Write to us:

Marine and Fisheries Division
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Further information and related documents:

Large print, Braille and alternative language versions for this document are available on request.

If you would like a hardcopy version of the document please email: Marine.Fisheries.EU.Exit@gov.wales

General Data Protection Regulation (GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation.

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data holds about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection.

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:
Welsh Government
Cathays Park
CARDIFF
CF10 3NQ

e-mail: Data.ProtectionOfficer@gov.wales

The contact details for the Information Commissioner's Office are:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 01625 545 745 or
0303 123 1113

Website: <https://ico.org.uk/>

The Welsh Government is committed to delivering 'clean, healthy, safe, productive and biologically diverse oceans and seas'.

The Marine and Coastal Access Act 2009 (MCAA) provides the legal mechanism to deliver this vision through a system of management and protection measures for both the marine and coastal environment.

Within this context, we want Wales to be able to meet the needs of current and future generations, pass on a healthy marine environment and offer a profitable, stable and diverse fishing industry to the next generation.

In 2011, the four UK marine administrations made a strong commitment to a joined up and proactive approach to managing our seas by signing the Marine Policy Statement. This collaborative agreement sets out a joint framework for preparing marine plans and guides decision making to support the sustainable development of the marine environment.

The role of the sea for communities in Wales

Over 60% of the population of Wales live and work in the coastal zone, with all our major cities and many important towns located on the coast. Wales' seas support an amazing variety of habitats and species, including reefs, kelp forests, tidal mudflats, sea grass meadows, dolphins, Manx shearwater and Atlantic puffin. Many people look to our seas to make a living or to enjoy their leisure time and will have an interest in the changing way that our seas and coasts will be managed post Brexit.

Our stunning and varied coastline generates 3.6 million trips to Wales. Overall, the coastal tourism industry to Wales is estimated to be worth £602m¹.

The coastal plain is narrow in the north and west of the country but wider in the south. This gives rise to infrastructure challenges which affect the ability to move produce between coastal communities and the larger cities. For those coastal communities that are far from major cities, the sea and its associated activities play a significant role in people's well-being by providing jobs and opportunity for recreational activities and by supporting cultural diversity and a sense of heritage.

Sustainable development

Wales has already taken the important step of setting out, in legislation, what is meant by sustainable development and how we are committed to achieving it. The pioneering WFG Act established a sustainable development principle to ensure public bodies undertake their work in a manner which helps ensure the goals of the present are met without compromising the ability of future generations.

The Marine Plan

Welsh and UK stakeholders are working collaboratively to develop a set of strategic planning policies set out in the first ever Welsh National Marine Plan (WNMP). The plan, takes a 20 year view and provides direction and guidance for all decisions made which may affect the marine area. By bringing together policies for the marine area in one place, the WNMP includes the requirements of the WFG Act, as well as the Environment (Wales) Act 2016. It aims to manage increasing demands for the use of our marine environment, encourage and support the sustainable economic development of marine

¹ Great Britain Visitor Survey <http://www.visitbritain.org/statistics-insights>



and boosts coastal communities at the local level and drives national economic growth in a sustainable manner.

Next steps will be to adopt a final marine plan and focus on implementation. We are already working with a wide range of stakeholders and public authorities who have decision making responsibilities to help them understand how the plan can help realise our shared ambitions. As a process, we will learn from the marine plan, collecting evidence and sharing good practices so that marine planning can be further developed. An important part of this delivery will be to monitor and report on the effectiveness of the plan and its policies.

Sustainable Management of Natural Resources

The Welsh Government has a strong commitment to the Sustainable Management of Natural Resources (SMNR) policy. This ensures management of natural resources is done in a proactive, sustainable and joined-up way, so their use not only maintains, but also enhances the resilience and associated benefits of ecosystems.

Wales is also committed to achieving and maintaining Good Environmental Status (GES), in line with the UK Marine Strategy. The UK Marine Strategy sets out our approach for achieving or maintaining GES on a six year cycle by outlining key strategic targets and, more specifically to Wales, our ambitions for delivering GES, which are set out in the programme of measures. By taking these actions to achieve GES, the marine environment in Wales will continue to remain productive and resilient for future generations.

The GES framework is formed of 11 key environmental components or descriptors of environmental status: biodiversity, non-indigenous species, commercial species, marine food webs, human induced eutrophication, sea floor integrity, hydrographical conditions, contaminants, contamination of fish and seafood, marine litter and energy and noise. The UK Marine Strategy includes contributing to a coherent

and well managed network of Marine Protected Areas (MPAs) and ensuring fishing levels are equivalent to or below the Maximum Sustainable Yield (MSY).

This framework incorporates an ecosystem-based approach for the management of human activities, enabling the sustainable use of marine goods and services, whilst ensuring the protection of the marine environment and preventing its deterioration. In practical terms, the achievement of GES means marine waters are in a condition which supports ecologically diverse and dynamic oceans and seas by being clean, healthy and productive. The policies will play a key role in delivering the principles of SMNR and support the achievement of GES, as well as placing the ecosystem-based approach at the heart of future fisheries management and decision making for Welsh seas.

On-going work to improve environmental quality

There will be no roll back on our commitments or standards in the marine environment as a result of Brexit.

Healthy and resilient marine ecosystems support Welsh coastal communities and the well-being of the people who live near, visit and enjoy our coasts. This depends on, amongst other things, an ecologically coherent and well managed network of MPAs. The 139 MPAs in Wales already make a significant contribution towards ecological coherence. The Welsh Government is committed to completing its contribution to the wider network and continuing to ensure its contribution is well managed. We will use the combination of powers available through the Marine and Coastal Access Act 2009 (MCAA) and the various Regulations implementing the Nature Directives to continue to fulfil this commitment.

We are seeking further powers for regulating activity in offshore MPAs through the UK Fisheries Bill.

To better understand the health, condition and resilience of Welsh seas, we are working with other agencies, responsible for our MPAs, to develop a prioritised and affordable marine biodiversity monitoring programme. The programme will build on existing monitoring activities to provide an understanding of the key pressures on marine biodiversity, inform management decisions and continue to fulfil our national and international assessment and reporting obligations. For example, we will continue to work in partnership with our statutory nature conservation advisor, Natural Resources Wales (NRW), to undertake structured evaluations of fishing activities against features.

Over recent years, we have played an important role in helping to shape and proactively implement marine legislation, much of which has been developed at the EU and UK level. We will continue to progress previous commitments and approaches. EU related regulations relating to Wales' marine environment will be amended to ensure they continue to operate effectively once we leave the EU. Our commitment to marine ecosystem resilience will be a key consideration in shaping future fisheries management policy for Wales, putting in place a policy framework which protects and secures benefits from sustainably managed fish stocks.

Environmental Principles and Governance

On leaving the European Union the current oversight of the implementation of EU law, provided by the EU Commission and Court of European Justice, will no longer apply. This law was developed within the EU framework, which promotes sustainable development and applies four EU principles: prevention, precautionary, polluter-pays and rectification at source. Whilst the principles will no longer apply after we exit the EU, the EU Withdrawal Act ensures EU legislation will continue to apply as domestic law post exiting the European Union.

The Welsh Government has made a commitment that leaving the European Union must not result in a regression of environmental standards but rather we should be able to continue to improve upon them.

Through the Environment (Wales) Act 2016, the Well-being of Future Generations Act, and the creation of a single statutory environmental body, Wales already has some of the most advanced environmental and sustainability legislation and integrated enforcement arrangements in the world. Our legislation has been recognised by the UN as international good practice. Within our overarching sustainable development approach sits a number of environmental principles, drawn from international best practice, which already guide policy and decision-making. These include prevention, precautionary, scale, resilience, public participation, collaboration, long-term, value, evidence and adaptive management.

In addition, legislation has also been passed, which has significantly reformed bodies responsible for supporting the delivery of environmental legislation in Wales. This includes the role of the Future Generations Commissioner as the guardian of sustainable development and Natural Resources Wales (NRW), whose purpose is to pursue the sustainable management of our natural resources.

In having a set of environmental principles and a different set of bodies, Wales is already in a very different starting place which means that, unlike in the rest of the UK, there is a legislative framework in place to build upon. Our consultation *Environmental Principles and Governance in Wales Post European Union Exit*, seeks views on how to address gaps in principles to guide future policy development and how we provide coherent and effective oversight of the implementation of environmental law by the Welsh Government and potentially other Welsh public bodies. In addition to what may be required within Wales, the consultation also considers what mechanisms might be required at UK level.

The consultation launched on 18 March and will conclude on 9 June.

Question 1 of 29

What could the Welsh Government do to support the implementation of the Marine Plan once it's adopted?

Question 2 of 29

How could Wales enhance the health and resilience of the marine ecosystems to further support Welsh coastal communities to thrive?

Question 3 of 29

How could we support practical action for biodiversity gain to help secure marine ecosystem resilience?

There are different layers of international and national legislation which sets the legal basis and framework for how the Welsh Government manages the Welsh marine environment, and specifically Welsh fisheries. To date we have followed EU legislation negotiated and agreed by 28 Member States. Much of the legislation marine users currently adhere to in the marine environment is derived from the EU and its mechanisms to meet international obligations, such as UNCLOS (United Nations Convention of the Law of the Sea). Marine users are also subject to some UK legislation as well as Welsh legislation (including the saved Byelaws of the former Sea Fisheries Committees in Wales). This is a complex picture which has developed over many years.

Our primary objective has been to ensure, on leaving the EU, all existing legislation (European, UK and Welsh) is functional. This is of crucial importance so we can trade and can continue to control Welsh waters. Significant work has been undertaken to put in place a number of statutory instruments to ensure the necessary functionality when we leave the EU.

Most fisheries activities are currently regulated through EU legislation, but fisheries management is, in the main, a fully devolved function of the Welsh Government. The UK, Welsh and Scottish Government and the Northern Ireland Executive have been working jointly to define a set of high level governance and sustainable fisheries management principles for the UK. We recognise, in using a common resource, our actions are co-dependent on not only Welsh but UK wide and international solutions to fisheries management. The approach has been to develop collaborative approaches which both respect devolution and achieve common outcomes. These include, jointly agreed and developed common frameworks, as well as maintaining and enhancing the current legislative framework. There has already been agreement to cooperate in areas of fisheries management, including:

- Control and Enforcement
- The management of fleet capacity and fishing opportunities
- Common standards in relation to data collection
- Fisheries science.

The fisheries framework is proposed to be delivered through a range of non-legislative mechanisms including:

- Memorandum of Understanding (MoU)
- New concordats
- Partnership agreements
- Jointly developed fisheries objectives.

The Welsh Government and other UK administrations have agreed to work together and reach mutual understandings on all these issues as we prepare to leave the EU. However, we wish to retain the ability to instigate policy divergence where it is in the best interest of Wales (respecting the devolution settlement). The Welsh Government will manage Welsh fisheries in the best interests of Wales. We will enter into new concordats and joint working where it delivers benefits, and identify areas in which Wales should develop its own policy and legislation.

Currently, the National Assembly for Wales does not have full legislative competence for fisheries in the Welsh zone – the Welsh area outside of 12 nautical miles from the shore. This is in contrast to Scotland. We are currently working towards resolving this anomaly through the UK Fisheries Bill. Gaining full legislative competence throughout the Welsh zone will allow the National Assembly for Wales to legislate to develop consistent fisheries management measures across the Welsh zone for the benefit of coastal communities in Wales. This will align the Assembly's primary law making power with areas where Welsh Government already has management responsibility.

The UK Fisheries Bill, which is currently before the UK Parliament, seeks to provide a range of powers to Welsh Ministers for the sustainable management of our fisheries post EU exit. The Bill also sets down the basis of a fisheries management framework between the four fisheries administrations. The Bill sets out a shared set of 'fisheries objectives', and places a requirement on fisheries administrations to develop in collaboration a 'Joint Fisheries Statement' which will set out the policies of each administration, and joint policies where appropriate, for achieving the fisheries objectives.

At the time of writing the fisheries objectives included:

- The sustainability objective
- The precautionary objective
- The ecosystem objective
- The scientific evidence objective
- The discards objective
- The equal access objective.

A definition of each objective is included within the Bill. The Joint Fisheries Statement will be developed in collaboration with stakeholders from across the UK, and will provide a focal point for pan UK cooperation in the future.

Wales' fishing industry has over 400 licensed vessels undertaking a range of different activities often in small rural communities.

The negotiation of annual fishing opportunities between EU member states has intended to ensure sustainable exploitation of shared stocks. These negotiations are underpinned by the scientific assessment of key stocks undertaken by the International Council for Exploration of the Seas (ICES). The annual ICES advice will set appropriate levels for sustainable exploitation, where possible, by Maximum Sustainable Yield (MSY). MSY is a biological reference point which allows maximum fishing mortality without causing damage to the productivity of the stock. Achieving MSY by 2020 is an objective of the CFP which all member states have signed up to.

The CFP seeks to manage the shared fish stocks across the European waters. When we exit the EU, many of the controls of the CFP will be saved by the European Union (Withdrawal) Act 2018 and become UK law or equivalent measures developed in law. If the UK leaves the EU with a deal, the UK will enter an implementation period likely to run until December 2020. Whilst the UK will be a coastal state on exit and will not be a member state of the EU, the UK's current aim (during that implementation period) will be to mirror the CFP as closely as possible. Under these terms, negotiations for a coastal state agreement between the UK and EU (and Norway and Faroes) will then begin in 2020 for implementation from 2021.

The EU manages many of the key commercial stocks by setting Total Allowable Catches (TACs) which are based on the ICES assessments. These TACs are shared between EU countries in the form of national TACs and quotas and can be defined as fishing opportunities. For each stock, a different allocation percentage per EU country is applied based on historic fishing practices known as relative stability. The UK gets a share of the total TAC which is then

shared between the 4 administrations within the UK. At the time relative stability shares were set, the UK's vessels were not focused on the species found in its Exclusive Economic Zone (EEZ). As a result, under this arrangement, other EU member states have a greater percentage of the stock within the UK's EEZ than the UK.

The majority of fishing opportunities derived from the UK's national quota share are automatically distributed between larger vessels which belong to producer organisations through a prescribed percentage. This share is called Fixed Quota Allocations (FQAs).

The UK fisheries concordat sets out how the TACs are shared within the UK, including agreements which allow for differences in policy making between each of the fisheries administrations. This concordat has been in effect and operational since 2012. The concordat maintains a historic position of fishing based on a track record, where at the time, the Welsh industry had limited access to quota species. As a result, coastal communities see little value from the quota species off their coastline.

The available catches in European waters are currently allocated to the UK based on relative stability (based on historic catches). Zonal attachment, the alternative to this, has the ability to take account of the available fisheries resources physically in each coastal states zone. Due to changes in fishing patterns and stock locations over the intervening years (many stocks have been shifting north) historic relative stability shares do not reflect where the stocks are currently found, zonal attachment methodologies could have the ability to do this depending on the quality of the scientific evidence.

A shift away from relative stability at the international level would see a few extra fishing opportunities provided to the Welsh fleet, however only a shift in how quota is allocated between the UK fishing administrations could lead to a fairer share for the Welsh fleet. The Welsh Government's policy is that any additional fish realised through the coastal state negotiations should be top sliced and used to rebalance any historic disparity in the fleet segments which, in turn, should benefit Welsh coastal communities.

The Welsh Centre for Public Policy report 'Implication of Brexit for Fishing Opportunities in Wales' considered the future of quota. The report found 'A shift in the division of fishing opportunities to be based on zonal attachment would be a clear benefit to the Welsh fishing fleet'. Further it also found that "Wales could stand to gain a significant quantity of quota if the Welsh EEZ is used to inform the division of gains in EU quota amongst the UK nations, or extending this further to the division of quota by UK vessels as well".

In addition to MSY, the CFP objectives include implementation of the landing obligation (LO), commonly referred to as the discard ban. The LO requires all catches of regulated commercial species caught to be landed and counted against quota.

Brexit means that the UK and Wales will be leaving the CFP and we will need to decide what aspects of the CFP framework and overall fisheries management processes to keep. The Welsh Government also has to consider how changes to Welsh specific policy will impact the UK as a whole, as well as the 2012 concordat. Any significant changes will require detailed discussions and agreement at UK level. This infographic helps explain the makeup of the fleet and the value of the Welsh fishing industry's most valuable species.

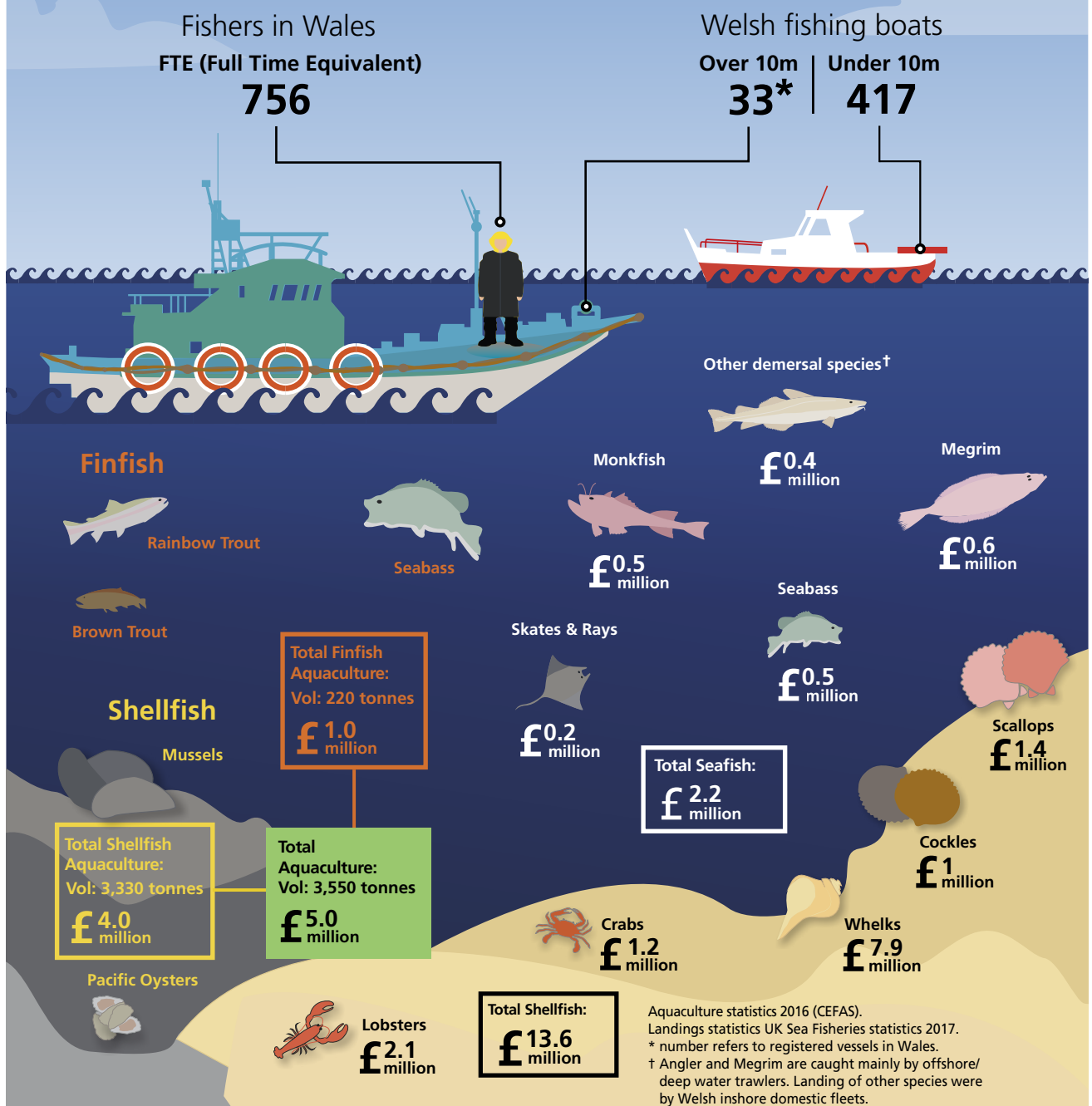
The Fisheries Administrations of the UK work collaboratively to negotiate fishing opportunities and the best outcome for all parts of the UK and their respective nations. This may serve as a model for how the four constituent parts of the UK could work together after we exit the EU. As most fish stocks need to be assessed on an international scale, Wales, as part of the UK, will continue to rely on scientific advice from bodies such as ICES.

Aside from our commitments under UNCLOS, there are other treaties such as OSPAR (the mechanism by which the UK and 14 other Governments & the EU cooperate to protect the marine environment of the North-East Atlantic) and our commitment to the Convention on Biological Diversity (CBD). Even outside the EU we are part of a wider community of fishing nations that have the sustainability and preservation of our marine resources as a top priority.

The Welsh Government is committed to meeting its obligations in all these areas and future policy development will need to consider all these factors.

Sea Fisheries and Aquaculture in Wales

Sea fishing and aquaculture is worth millions of pounds to the Welsh economy and supports hundreds of jobs around the Welsh coast.



The CFP currently sets the framework for the sustainable management for the majority of our fish stocks which are renewable yet finite if not managed correctly.

Current EU policy intends to maintain or improve productivity by moving toward fishing at MSY levels. This is closely aligned with the international principles of UNCLOS.

Improving long term sustainable fishing

Due to the long history of fishing in Wales, the emergence of new unfished areas is unlikely, although it is possible through natural circumstances or through climate change that new stocks may become abundant in coming years. However, planning will focus on improving the economic strength of the fishing industry in Wales, the long term sustainability of key shellfish stocks and, over time through the negotiation of a greater share of stocks, diversification into other established species. It will seek to increase the economic value of what is already caught whilst establishing opportunities to diversify into other sustainable species.

The Welsh Government intends to improve long term sustainable fishing measures. These include: reducing sector fragmentation, giving fishers greater management responsibility over the coastal environment, and improving sector organisation and representation.

We will work with the fishing industry to explore these issues in more detail and will explore what initiatives should be put in place to deliver long term sustainable fishing in Wales.

Continuing principles of MSY and improving sustainable management regimes

The Welsh Government is already committed to achieving MSY in line with EU timeframes, and the need to achieve MSY is set out in the over arching international obligations. However, that does not mean the Welsh Government should not explore

alternative sustainable management regimes as part of a future fisheries strategy as long as they fit with the international scale and method of stock assessment and do not compromise our negotiating position to achieve future coastal state agreements. Brexit offers an opportunity to think differently about how to manage our fisheries and improve overall sustainability.

Improving future fishery management

Welsh Ministers have a range of powers to make subordinate legislation for the management of fisheries in Wales. However, the powers to provide administrative flexibility are limited and would benefit from being enhanced to better enable the rapid adaptation of the management regime to respond to the changing dynamic nature of the marine environment. This includes fishing activities which are not pursued by licensed fishing boat.

An enhanced power to do so would better enable real-time, flexible management of our marine resources in Wales. As part of the Sustainable Management of Natural Resources (SMNR) consultation the Welsh Government proposed additional enabling powers to allow more administrative flexibility for fisheries management. We are committed to achieving flexible management of our fisheries and will look to develop primary legislation to further improve the current powers. In developing the case for new legislation, we will look at the possibility of habitat enhancement measures and co-location strategies to seek to improve and sustain the management of our resources further.

We will enhance our sustainable management practices for species with commercial value. Currently, only certain species are covered by the quota system. The intention is, over time and



subject to available evidence, to introduce adaptive management to other elements in the marine environment which have a commercial value. Such adaptive management would contribute to the sustainable management of marine species and contribute toward ecosystem resilience. The intention is to prioritise those species of primary importance in Wales in the first instance and to develop a

simpler way of opening and closing fisheries. But, if as a result of innovation and new product development, a new marine species is identified as having commercial value, it could have adaptive management practices applied. Such scientific research would have a cost and decisions will need to be made on prioritisation of existing budgets.

Question 4 of 29

What initiatives could be used to improve the long term sustainability of fisheries in Wales?

Question 5 of 29

How could the Welsh Government achieve greater administrative flexibility and responsiveness in fisheries management?

Question 6 of 29

How should adaptive management be introduced for a wider range of species, if so, which would be the priority?

Our coasts and seas are an incredible natural asset, contributing millions of pounds to the economy of Wales, supporting thousands of jobs and providing a rich heritage and culture.

Wales's fishing industry has over 400 licensed vessels undertaking a range of different activities, often in small rural communities.

In the UK, a large proportion of the fishing opportunities are shared out based on the FQA (Fixed Quota Allocation) attached to fishing licences. Across the UK, fishers have sold and leased the FQAs attached to licences to gain access to more fishing opportunities. Buying and selling in this way has resulted in fishing opportunities becoming a valuable commodity. As a result of these historic practices the Welsh fleet now has a very small share of fishing opportunities for quota species.

The majority of fishing opportunities are often held by larger vessels which belong to a Producer Organisation, or held by fisheries administrations in a 'pool' for smaller vessels. This has favoured more industrial and nomadic fishing and has diminished the opportunities available to local small-scale fishers and coastal communities. As a result, coastal communities and fishers do not tend to see a derived benefit from the natural resources off their shores. This has not served Wales well. The Welsh fleet is now predominately small, limited to fishing within the 12 nautical mile (nm) zone, unable to benefit from resources further out to sea.

It is the Welsh Government's view that fishing opportunities should be more equitably shared within the industry and should benefit the wider coastal communities they serve. The basis of this principle has a range of implications for how we provide stewardship of these resources for future generations. This premise will form the basis for a national conversation over the coming years as the implications of EU exit become clear and our future relationship with the EU becomes settled.

For example, we will now consider the appropriate role fishers and wider society should take in the stewardship of this important resource. Since 2010, the Welsh Government has directly managed Welsh fisheries with advice from a range of stakeholders through the Wales Marine and Fisheries Advisory Group. We will need to consider if this mechanism remains the best vehicle as we further develop co-management.

The Welsh Government is proposing five related developments in this area:

Fish stocks will be managed for the benefit of Wales and Welsh coastal communities

Any additional fishing opportunities which become available for Wales may address the historic imbalance in the allocation of fishing opportunities and provide a fairer share to the Welsh fishing industry. These opportunities would be managed on behalf of the people of Wales and especially our coastal communities. Making the most of new opportunities could include introducing a new management system where the Welsh Government could define and adapt terms over time in recognition of changing economic, social, cultural and environmental conditions.

Secure a greater share of fishing opportunities

Welsh allocations are currently fixed by agreements made under the 2012 UK Fisheries Concordat. In Wales, this split of the UK share of the EU quota is allocated exclusively to the less than 10 metres and the non-producer organisation sector of the Welsh registered fleet.

As a result, Wales has access to less than 1% of the major demersal stocks made available to UK vessels in EU waters (including the UK EEZ), although in some specific areas such as the Bristol Channel this can be 15-20% of Total Allowable Catches (TACs). The Welsh Government intends to negotiate together with other parts of the UK for a greater share of fishing opportunities in UK waters, including in the Welsh zone.

The Wales Centre for Public Policy report 'Implications of Brexit for Fishing Opportunities in Wales', provides a case for Wales to receive a fairer share of fishing opportunities.

Invest in the Welsh Fishing industry to allow it to make the most of additional opportunities

Acquiring new fishing opportunities will present challenges in Wales. Any new opportunity will be for fin fish and other species predominately found outside the 12nm zone and therefore out of reach for most of the current Welsh fleet. This would mean businesses in Wales would need to update their vessels or invest in different vessels with greater capabilities. This may be unrealistic in the short term due to the reduced opportunity for investment in the industry and lack of business confidence for expansion.

Nevertheless, new fishing opportunities could be made available in the short term to other vessels to generate benefits, which might, in turn support investment in adaptation of the Welsh fishing sector. There may be opportunities to diversify into other areas.

Manage choke species more effectively

A choke species is a term used to describe a species, in a mixed fishery, with a low quota that can cause a vessel to stop fishing even if they still have quota for other species in the fishery. This is a particular risk with the use of a landing obligation as a method of managing fisheries. In some cases choke species lead to fisheries being prematurely closed. The Welsh Government wishes to work with the industry and other stakeholders to develop proposals to reduce this risk whilst maintaining sustainability.

Ensure the 0-12nm zone around Wales is managed for the benefit of the inshore fleet

Currently, under EU rules the UK EEZ is considered to be 'community waters'. As such, UK vessels have no more right to fish in the UK EEZ than EU vessels. Reciprocal fishing rights are based on historic agreements. Currently the 0-6nm zone is restricted to vessels from the coastal member state alone. In the Welsh 6 - 12nm zone certain EU member states have fishing rights, for example approximately half of the area is accessible to vessels from Belgium, France and Ireland.

In the future, the Welsh Government envisions the 0-12nm zone around the UK should be managed predominantly for the smaller, inshore fleet. This would require fisheries management measures which are more appropriate to their fishing patterns and should be of benefit to coastal communities.

Question 7 of 29

How might you see fish stocks being managed for the wider benefit of the people of Wales and their coastal communities?

Question 8 of 29

What mechanisms could you seek to help the Welsh fleet adapt to make the most of any new fishing opportunities?

Question 9 of 29

How could the industry and coastal communities generate sustainable funding or financing opportunities and where might these opportunities arise from?

Question 10 of 29

What do you think could be done to manage 'choke' species more effectively?

The majority of Wales' seafood industry consists of shellfish, with aquaculture a significant contributor to the total value of shellfish catch. The Welsh Government is committed to continue sustainable growth in this sector and to ensuring there are appropriate management tools to sustain our natural and cultivated shellfish populations in the future.

The shellfish catch is not subject to quota restrictions and the Welsh fleet has historically relied on this resource as the main (and in some cases the only) source of income. Reductions in the availability of fishing opportunities for fin fish and reduced vessel capabilities have also played a part in this reliance. When Wales leaves the EU it is clear shellfish will continue to play a large part in any future fisheries policy and there is great potential to grow our aquaculture industry. This means safeguarding this resource and creating a fair and simple management process for future generations is of vital importance.

Sustainable growth of shellfish and aquaculture products

The Welsh Government is committed to the continued sustainable growth of shellfisheries and aquaculture. It helps to underpin sustainable economic growth, particularly in rural and coastal communities and has significant potential to contribute further.

However, we recognise the process of applying for a Several or Regulating Order to have exclusive access to the seabed for a period of time for aquaculture is currently lengthy. The mechanism for creating Several and Regulating Shellfishery Orders under the Sea Fisheries (Shellfish) Act 1967 could be considered to no longer be the most appropriate management tool.

We intend to incorporate an adaptive management system, where both fisheries and aquaculture for shellfish can be flexibly managed so policy changes can be responsive and quick. We wish to introduce an improved aquaculture management regime to facilitate stronger growth within the shellfish sector, and remove the current doubts of the operators. The licensing regime could remove the need for such aquaculture operations to be established by subordinate legislation and we are keen to work with aquaculture businesses to understand how this process would continue to safeguard their investment whilst maintaining the environment for the duration of the management agreement.

Aquaculture

Aquaculture is one of the UK's key food production sectors and helps to underpin sustainable economic growth, particularly in rural and coastal communities. Beyond this, it has significant potential to contribute further, investing to provide quality and securing jobs. Aquaculture has been identified as a particular sector for growth, both within the draft Welsh National Marine Plan and other strategies across Europe.

Commercial aquaculture for human consumption in Wales has traditionally been focused on shellfish production, mainly mussels and some small scale native, and pacific oyster production. The cultivation of shellfish is seen as a low impact and sustainable form of food production. The production of farmed finfish in Wales is relatively small and is confined to on-shore salmonid in ponds and, more recently, purpose-built state of the art recirculation facilities for cleaner fish for the farmed salmon sector.



Over the past two years, £2.5 million of European Maritime and Fisheries Fund (EMFF) money has been allocated to support various innovative aquaculture projects, including funding to develop offshore rope systems for collection of mussel seed and mussel on-growing, and the commissioning of aquaculture systems for the production of carp and other species.

The Welsh Government's priorities for the development of aquaculture focus on three core areas – developing new and existing shellfish activities, supporting new and existing operations to increase finfish production, and promoting diversification of commercially viable species in the marine and inland areas.

Question 11 of 29

Do you agree with proposals to manage shellfish flexibly? Can you provide any example where flexible management would be of benefit?

Question 12 of 29

Do you agree with our proposals to introduce a new management regime for aquaculture? Please consider whether there are any other functions you think the management regime should cover.

Question 13 of 29

How could Wales increase its aquaculture production? What role do Welsh businesses and the Welsh Government have in this process?



The Welsh seafood industry is dominated by two key characteristics which makes it different from the rest of the UK. Firstly the industry is based on shellfish, not finfish. Secondly most exports are live, unprocessed and almost exclusively to the EU market; with almost no preservation or processing capability. The Welsh seafood sector is characterised by micro and small businesses which are important to coastal communities.

This means the possible impacts of Brexit on fisheries and aquaculture trade, are different to and arguably more significant, than elsewhere in the UK. Welsh Government is working with the UK Government to try to mitigate the impact of Brexit on the Welsh shellfish and aquaculture industries.

The role of exports in the Welsh fishing and aquaculture industries

Shellfish and aquaculture in Wales generates £8.6m gross value added, the remaining wild capture sector generates £7.1m gross value added, while the fisheries processing sector generates £2.3m.

The Welsh Government has consistently argued for full and unfettered access to EU markets, because the Welsh seafood industry is almost entirely reliant on exports. Most of the fish and shellfish landed into Wales is exported. Most species sold from Wales are reliant on export; 100% of whelk, 90% of mussel and 90% of cockle, and a significant amount of crab, lobster and scallops are exported. The total value of Welsh seafood exports is currently about £22 million. Wales' contribution to the UK Seafood industry is significant; contributing approximately 22% of total UK seafood exports by value.

When we leave the EU, it is likely Wales will leave the European Single Market which includes some 500 million consumers. Approximately 90% of all Welsh seafood products are exported to the EU, with the principal destination being Spain, taking approximately 57% of the Welsh seafood product.

The EU has also negotiated a number of trade agreements with up to 50 other countries worldwide, on behalf of all the member states. The benefits to Wales of these agreements include; no tariffs with the EU members and favourable tariffs with other countries; most agreements result in reduced compliance checks and less paperwork. The whelk industry in Wales is particularly vulnerable to changes; 100% of the catch goes to South Korea, which is 14% of the total Welsh seafood export.

In the future, without these trade agreements or successor arrangements, tariffs may be levied on Welsh exports, potentially making them less profitable or even unviable. These species are not unique to Wales and importers in the EU and further afield will have a choice of provider. If these alternative providers are from within the EU, their prices will not incorporate tariffs. Welsh businesses will need to consider how to accommodate extra costs associated with additional tariffs to stay competitive; which will affect profit margins.

The possible impacts of leaving the EU on exports of live and fresh shellfish

The majority of Welsh products are exported fresh or alive and changed export routes and increased travel time may negatively affect the product and its value. The industry relies on a seamless route to the market. Live and fresh products must arrive as quickly as possible because they are highly perishable.

Transport infrastructure issues are largely a reserved matter for the UK Government. The system includes; the UK Port Authorities, road traffic systems (particularly to and around ports on the south coast of England) and the system of haulier permits and licenses. The Welsh Government will continue to work with the UK to try to ensure these systems are fit for purpose as we leave the EU.

On leaving the EU, it is expected that additional paperwork will be required of exporters, by the EU. These will include export catch certificates, export health certificates and other associated documentation. Exporters will need to ensure all paperwork is appropriate and in place and does not cause a delay in travel. It is likely that export requirements to the EU may differ considerably to the conditions and requirements for export now. It is the role of Government to keep industry aware of these requirements as they become apparent.

Also live exports may have to be exported to the EU through Border Inspection Posts (BIPs). The EU are working to increase the number of BIPs that can process shellfish exports in Northern Europe. Exporters from Wales currently use ports that may not be BIPs and it is also unclear if there is sufficient current capacity at existing BIPs.

A further implication of fresh and live export is that there is very little 'value added' activity on Welsh products, which constrains the net contribution of the industry to the Welsh economy. EU consumer demand is for live and fresh produce; preservation such as freezing is not appropriate for all species and reduces the value of the product significantly.

This also reduces options if trade routes are disrupted and there is a reliance on daily and fluctuating prices of a primary product.

New market opportunities for shellfish

The Welsh Government is undertaking activities to work with the industry to identify market opportunities for Welsh seafood outside of EU countries. The intention is to try to expand and grow markets. The Welsh Government is actively working to promote Welsh seafood globally. However, given the live nature of exports, distance and time to market are factors. This work includes attendance at trade shows and facilitating trade missions. Sector growth opportunities could also focus on improving transport systems to keep produce fresh and minimise wastage. Other opportunities could come from diversification to value added products for other export markets.

There may be potential to grow interest within the domestic market. The Welsh Government is keen to increase domestic consumer demand for Welsh seafood products to reduce the reliance on the export market. This would require a cultural change in attitudes to shellfish and could be multi-generational before there is benefit to the sector.

Question 14 of 29

How could market development be encouraged in future e.g. new markets and new products?

Question 15 of 29

**How could Welsh producers boost UK consumer interest in Welsh seafood produce?
Does the Welsh Government have a role to play?**

Question 16 of 29

Could new markets for Welsh seafood, outside the EU be expanded, if so where and how?

Growth and innovation is vitally important to any industry which is facing change. Brexit offers an opportunity for the fishing and aquaculture industry in Wales to transform itself.

A potential increase in fishing opportunities, particularly for species in demand by UK markets, brings with it an opportunity to expand the fishing industry in Wales and meet some of these objectives. However, as previously discussed, the challenges of fleet capability may be an issue in the short-term. The production of farmed finfish in Wales is relatively small and is confined to on-shore salmonids in ponds and more recently, purpose-built state of the art recirculation facilities for cleaner fish for the farmed salmon industry.

Adding Value

The processing of fisheries products in Wales is relatively small scale. Currently, there are 10 processing sites producing seafood for the domestic market. The Welsh Government is keen to create a stimulating environment for future growth and innovation. A focus on value-adding activities can contribute towards economic and social development. However, the opportunity for development is currently limited because many vessels which catch Welsh seafood do not currently land the catch in Welsh ports. Addressing the lack of access to fishing opportunities for the Welsh fleet could facilitate a diversification of fishing activities and generate environmental, economic, cultural and social benefits in coastal communities and beyond.

Diversification in food production

The fishing industry will need to diversify in order to maintain the sustainability of fish stocks and sustain the economic viability of fishing businesses and the communities they support.

However these opportunities may not be traditionally pursued in Wales and re-skilling of the industry may be required. This might include training or support packages which would need to be tailored to meet the current and future needs of the fishing industry in Wales.

Learning to use a wider breadth of marine resources and making these profitable for existing fishers will be challenging. Any developments will need to meet sustainability requirements and reduce reliance and pressure on existing fisheries, leading to wealthier, healthier coastal communities.

Non Food opportunities

The Welsh Government is keen to explore growth opportunities by exploring how fishing for non-food products could create commercial value. The intention is for entrepreneurs, academics, researchers and other stakeholders to work closely together to identify innovative ideas as to how resources in the marine environment in Wales could be sustainably used for commercial purposes. This could include the innovative re-use of by-products, or creating entirely new products. These developments will not happen overnight. In addition the timing and arrangements for EU withdrawal have not yet been finalised; they may affect the ability of the industry to start to utilise these opportunities in the short-term.

Non-food diversification of the fishing industry could also include marine expertise and resources for purposes other than commercial fishing or providing services to other marine industries or the Welsh Government.



There is potential for fishers to be more involved in tourism activities in Wales which could attract new revenue. Tourism in Wales is flourishing and the 1,200km coastline is the main attraction and campaigns through visit Wales have been very successful in attracting people from further afield to our coast and coastal towns. The Welsh Government

would like to see fishing businesses take more advantage of this opportunity and explore options to expand into the tourism industry. Such a move could also help attract the next generation of fishers to the industry and therefore enhance and diversity opportunities even further.

Question 17 of 29

What role could the Welsh Government and others play to enable the industry to expand processing and other economic activities? How should coastal communities be engaged in developing new opportunities?

Question 18 of 29

How could the relationship between academia and industry be better improved?

Question 19 of 29

What opportunities are there to grow fishing businesses in Wales, in other activities e.g. tourism, providing services to marine industries and Government?

The availability of the types of fishing opportunities over many years has meant the Welsh fleet now comprises largely small vessels. As a result, most of the Welsh fleet relies on inshore shellfish as the main source of income. Small fleets are considerably more vulnerable to economic fluctuations. Average profit margins are 0% for small-scale fleet, with some currently running at a loss. The fact that the majority of the Welsh fleet is less than 10m means they will not benefit from increased access to waters and offshore fisheries in the short term. The challenging meteorological conditions faced by the west coast of Wales and the majority of harbours being small and tidal means these vessels are limited by their extent and scale and type of fishing.

Improving the fleet

The Welsh Government is interested in working with the fishing industry to help improve the capability and efficiency of the current fleet, develop long

term employment in fishing, especially in coastal communities, whilst striking a balance with our commitment to sustainability. Welsh Government is keen to explore opportunities to lever sustainable growth opportunities for the fishing industry and coastal communities from our natural marine resources.

The workforce

The fishing workforce has an ageing demographic. There are limited new entrants into the industry which impacts on the sustainability of fishing businesses. The Welsh Government is therefore keen to encourage new entrants to work in the fishing industry in Wales. However, a key part of this approach would depend on securing sustainable, investible and diverse fishing opportunities.

Questions 20 of 29

How could the Welsh fleet be sustained and enhanced?

Question 21 of 29

How might the fishing industry, aquaculture businesses and coastal communities lever opportunities for sustainable growth from Wales' natural marine resources?

Question 22 of 29

What could be done to encourage new entrants into the maritime and fishing industries in Wales?

Robust and transparent evidence is essential for the sustainable management of our marine environment and the natural resources it provides.

Sound evidence is also critical to understanding and responding to the risks and opportunities that arise from both EU exit climate and change.

In line with the Welsh Government's vision that Welsh seas are clean, healthy, safe, productive and biologically diverse. We aim to achieve this vision by delivering marine and fisheries evidence and technology that enables:

- an ecosystem approach where science-based integrated management results in seas which are healthy and resilient and maintain and enhance marine biodiversity and ecosystems
- increased access to, and enjoyment of, the marine environment, improving people's health and well-being
- sustainable development and a thriving economy where more jobs and wealth are get created, helping coastal communities become more resilient, prosperous and equitable with a vibrant culture
- the responsible deployment of low carbon technologies within the Welsh marine area making a strong contribution to energy security and climate change emissions targets.

Towards this, the Welsh Government is developing a Marine Evidence strategy and has commissioned the Centre for Environment Fisheries and Aquaculture Science (Cefas) to review our knowledge and

understanding key fish species and stocks in Welsh waters. Any gaps identified can then be assessed, prioritised and where possible filled through the delivery of a Fisheries Evidence Plan.

Over £1.5m of funding has been secured – primarily through the EU Exit Transition Fund – for research and surveys to transform our fisheries evidence base. This evidence will be gathered and analysed through a collaboration and contracts with fisheries science organisations, industry, academia and private and public sector partners.

Many fisheries evidence priorities will be common across England and Wales, the UK, or internationally. We will continue to engage closely with the other UK Administrations on the collection and analysis of marine and fisheries data.

In relation to fisheries after EU exit, International Council for the Exploration of the Sea (ICES) advice will continue to underpin fishing allocations in Welsh waters and the UK will become an independent Member State in Regional Fisheries Management Organisations (RFMOs). The Welsh Government will continue to influence and be an integral part of future UK engagement with ICES and the RFMOs.



Question 23 of 29

What are the priority issues facing the marine environment that should be researched?

Question 24 of 29

What are the priority fisheries species and stocks that should be researched?

Question 25 of 29

What are the key economic, environmental and social factors that should be explored as part of this research?

Question 26 of 29

How can public sector, academic and other fisheries science projects be focussed and joined up to provide the evidence needed to develop and evaluate marine and fisheries policies and management?



Current EU supported programmes

The EU provides a number of funding opportunities. Under Prosperity for All, Welsh Government spending, including any fisheries financial support will always reflect government strategic priorities. The WFG Act commits all Welsh public services to consider sustainable outcomes as part of their normal business.

The European Marine and Fisheries Funds (EMFF) is the principal source of direct funding. The funding period for programmes such as this runs to 2020. These programmes currently fund projects across marine and fisheries policy; for example, the Ireland Wales programme and EMFF supported Eco structures, programs to improve safety on board fishing vessels and supporting the development of new aquaculture businesses, and collection of scientific evidence. Fishing businesses in Wales are largely deemed micro businesses and changes to fisheries management regimes have often meant they have needed a degree of support to adapt. That support has, to date, been via the EMFF.

Another key area of EU funding for marine and fisheries is the indirect support that is received via Higher Education Institutions (HEIs), who receive research funding from the EU. This research underpins some aspects of marine and fisheries policy and part funds a number of scientific departments in Welsh HEIs.

Finally, we have benefitted from EU scientific functions being located in the UK or from UK specialists working in these functions as part of their career. These functions have brought knowledge exchange, expertise and have created a vibrant scientific sector with a critical mass of scientific roles.

This all creates a complex picture of funding streams into Wales and Welsh institutions, the scale of which is only known by grant recipient organisations. The dependency of specific marine and fisheries organisations on EU funding is currently unknown to Welsh Government. An early task in developing successor arrangements to EU funding will be to map funding flows from the EU into key organisations.

The future of EU funded programmes

The First Minister continues to press the UK Government to meet its previous commitments to ensure Wales is no worse off after Brexit, so where EU funding was previously available it will still be available (until 2020) after Brexit. We would expect this to cover all three of the above funding and resource streams.

A successor to EMFF is required and proposals will form part of a separate consultation. However, the Welsh Government believes the funding methodology for the successor to EMFF should recognise need and opportunity, and not be based on current number of vessels or landing or similar criteria which might disadvantage Wales. Negotiations in this area are continuing and the Welsh Government is working with other UK administrations to explore options.

The Welsh Government is keen to explore ways in which the industry itself can secure new investment and provide services which will boost prosperity. The Welsh Government believes further investment in new fishing businesses (for example, exploiting other marine resources), vessel upgrades and/or improvements to existing vessels would help create a future-proofed self-sustaining industry which encourages new entrants and overall fleet sustainability in Wales.

Industry benefits

The industry benefits from access to a free resource. But there may be more the fishing industry can do to provide useful services to public bodies or private sector companies by other means.

The Welsh Government is keen to explore new ways for the industry to diversify and find new funding streams by using the tools they already have at their disposal. Fishers in Wales have been supporting the tourism industry for years and provide excursion opportunities for recreational fishing and transport to areas of natural beauty on the Welsh coast to name but a few.

Question 27 of 29

How should any successor to EMFF and other EU funded programmes be targeted in future and on what basis?

Question 28 of 29

Should Welsh Government consider discontinuing support for any current fisheries and marine activity and why?

Question 29 of 29

What opportunities are there to secure further investment for fishing and marine?

Governance and Communication

The Welsh Government will continue to engage with all stakeholders on the future of the marine environment in Wales and will actively seek to engage with members of the public also. This includes making information about the management of our environment as accessible as practically possible.

For a number of years the Welsh Government has been moving towards more co-management of our fisheries, working closely with Welsh Marine and Fisheries Advisory Group (WMFAG), Wales Marine Action and Advisory Group (WMAAG) and more recently the Brexit focussed Seas and Coast subgroup to collectively set priorities and inform decision making.

This consultation will provide the basis to refine our thinking in this area to ensure the fishing industry is robust and strong as we exit the EU and it is prepared for the future. This consultation is the first step as we develop, in collaboration, a longer term fit for purpose Welsh fisheries policy as we exit the EU in line with our commitment in *Prosperity for All*.

Links for further reading

UK Fisheries Concordat (2012) : <https://www.daera-ni.gov.uk/sites/default/files/publications/dard/fisheries-concordat-final-version-may-2012.pdf>

Blue growth strategy: https://ec.europa.eu/maritimeaffairs/policy/blue_growth_en

Common Fisheries Policy (CFP): https://ec.europa.eu/fisheries/cfp_en

Conservation of Habitats and Species Regulations 2017: <http://www.legislation.gov.uk/uksi/2017/1012/contents/made>

Conservation of Offshore Marine Habitats and Species Regulations 2017: <http://www.legislation.gov.uk/uksi/2017/1013/contents/made>

Convention on Biological Diversity (CBD): <https://www.cbd.int/>

Data Collection Framework (DCF): <https://www.gov.uk/guidance/data-collection-framework>

Environment (Wales) Act: <https://gov.wales/topics/environmentcountryside/consmanagement/natural-resources-management/environment-act/?lang=en>

Fisheries and Brexit bulletin: <https://gov.wales/news-alerts/?lang=en>

Marine and Coastal Access Act 2009: <https://www.legislation.gov.uk/ukpga/2009/23/contents>

Marine Policy Statement (MPS): <https://www.gov.uk/government/publications/uk-marine-policy-statement>

Marine Strategy Framework Directive (MSFD):

http://ec.europa.eu/environment/marine/eu-coast-and-marine-policy/marine-strategy-framework-directive/index_en.htm

Multi annual plan: https://ec.europa.eu/fisheries/cfp/fishing_rules/multi_annual_plans_en

Network Management Framework 2018-2023: <https://beta.gov.wales/sites/default/files/publications/2018-10/marine-protected-areas-network-management-framework-for-wales-2018-2023.pdf>

OSPAR: <https://www.ospar.org/>

Prosperity for All: <https://gov.wales/docs/strategies/170919-prosperity-for-all-en.pdf>

United Nations Convention of the Law of the Sea (UNCLOS): http://www.un.org/Depts/los/convention_agreements/texts/unclos/unclos_e.pdf

Wellbeing of Future Generations Act (WFGA): <https://gov.wales/topics/people-and-communities/people/future-generations-act/?lang=en>

WCPP: <https://www.wcpp.org.uk/publication/implications-of-brexit-for-fishing-opportunities-in-wales/>