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First Minister, Nicola Sturgeon MSP
cc: Roseanna Cunningham MSP, Fergus Ewing MSP, Mairi Gougeon MSP

First Minister of Scotland
Scottish Government,
St Andrew's House,
Edinburgh,
EH1 3DG
27th October 2020

The Future of Fisheries Management in Scotland

Dear First Minister,

I am writing on behalf of Our Seas Coalition in response to the Scottish Government's recent publication of the Future of Fisheries Management discussion paper analysis and accompanying policy intent paper (FFM).

In the recently-aired documentary 'Our Life on Planet Earth', David Attenborough notes that;

"there are many differences between humans and the rest of the species on earth, but one that has been expressed is that we alone are able to imagine the future".

This coalition has a vision for the future of life in Scotland's seas that is fundamentally richer and more positive than the present and predicted situation based on our current trajectory. We want reinvigorated coastal communities delivered by investing in ecological restoration of our fisheries and marine ecosystems. We look forward to the strategy document which is due to follow these consultation reports, and are writing to reiterate our key asks for it.

Since writing to you in April this year, the number of organisations in our coalition has grown significantly. Our Seas is now a group of 69 marine businesses, community groups, Scottish fishing associations, environmental and charitable organisations and marine recreational groups. The coalition represents many thousands of people living within or connected to coastal communities, who share a passion for the marine environment and on which many of us rely for our livelihoods. We are united in raising awareness of the urgent need to recover the degraded health of our coastal seabed and marine ecosystems. For a full list of members please visit our website: <https://www.ourseas.scot/#supporters>.

Collectively, we are calling for:

- The return of a modern inshore limit on bottom-towed fishing to recover seabed habitats, including nursery and spawning grounds, via a just transition.
- Effective vessel tracking systems for all boats
- Preferential allocation of fishing opportunity to vessels with low environmental impact, bringing increased sustainable economic value and employment to communities.

Recovering seabed habitats

We welcome your recently published Future of Fisheries Management consultation report but contend that the resulting “policy intentions” fail to step up to the challenges faced by our seas.

In its consultation analysis, Marine Scotland acknowledges that there “has been a clear steer from stakeholders around the issue of sustainability and the need to respect biodiversity with an ecosystem approach to future management.” This steer is supported not just by stakeholders, but by binding targets established on the basis of a global scientific consensus that protection of marine biodiversity is needed; the Sustainable Development Goals and Aichi Targets.

We will not rehearse the statements made in our previous correspondence¹, but Ministers will know our calls for the urgent consideration of reinstating an inshore limit on bottom-towed fisheries to enable ecological recovery. Coastal prohibitions on bottom-towed gear are commonplace throughout Europe and the rest of the world. It is heartening that the Scottish Government now acknowledges this is widely supported:

“The re-introduction of a 3nm limit (which restricted some mobile fishing within 3nm of the coast) was widely discussed by respondents and was seen by some as a vital measure for the recovery of coastal waters.”

However, there is no information on how coastal protection might be implemented. Scotland’s fisheries have a widespread impact on the health of Scotland’s marine ecosystems and yet Marine Scotland’s policy unit is not delivering substantive measures to deliver ecosystem recovery. There is no reference to protecting or recovering marine habitats via the long-delayed Priority Marine Feature (PMF) Review as integral to fisheries management. Worryingly the policy intent paper betrays equivocation on the Government’s intentions to protect marine habitats: “We will also **begin to explore** [emphasis added] the potential to protect nursery areas and areas where there are juvenile fish, potentially through seasonal activities.” Given the legal obligation to protect seabed habitats (specifically Priority Marine Features under General Policy 9 of the National Marine Plan), this is deeply concerning and has engendered significant disappointment and frustration within this coalition.

Currently less than 5% of our coastal waters are protected from bottom-damaging fishing gear and the few areas that are theoretically protected continue to be damaged illegally. Without action by the Scottish Government, vulnerable habitats will continue to be degraded by bottom towed fishing gear, and the longer their recovery will take. This risks biodiversity, carbon sinks and the long-term resilience of our coastal communities.

The recent success of hatching a flapper skate egg in a Scottish Association of Marine Science laboratory after 18 months of monitoring provides an insight into the potential for recovery. Flapper skate have been listed as ‘critically endangered’ due to overfishing since 2006, and are on the IUCN Red List. They are described as extinct through much of their range, the west coast of Scotland being one of their final strongholds, and they are on the Scottish Biodiversity

¹ <https://www.ourseas.scot/frequently-asked-questions/#how-can-we-fix-this>

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List as a threatened species requiring conservation action. Whilst diving, one of our coalition members found flapper skate eggs in various stages of development in the Inner Sound of Skye in November 2019 – an area with no permanent protection from bottom-towed fishing gear. This was reported to Marine Scotland and Scottish Natural Heritage (now NatureScot) at the time but as yet there has been no follow up from Marine Scotland. This is one example of the failure to protect our most vulnerable species regardless of how they are listed or designated, and is a sad indictment of the responsiveness of the current regime.

We call on the Scottish Government to urgently commit to a timetable for progressing the Priority Marine Feature Review and protecting our inshore waters from damaging bottom-towed fishing.

Vessel tracking

We welcome the roll-out of vessel tracking across the scallop dredge fleet, but are disappointed that this is seriously delayed until the end of next year and that it appears to already be over-budget. Furthermore, the roll-out of devices on trawlers remains a long way off and there is no clear plan to roll out modernised vessel tracking for the <12m and >12m bottom-trawl fleet. *Nephrops* trawlers are responsible for ongoing damage to our coastal seabed, and significant bycatch of struggling fish stocks. Effective vessel monitoring is essential if the illegal fishing within Marine Protected Areas and issues such as illegal discarding and undocumented catches are to be addressed.

We are equally concerned that high-precision tracking of vessels will be used to claim that remnant seabed habitats can now be avoided very precisely, such that the few areas where bottom-towed fishing is restricted, might be re-opened to scallop dredging, with just small exclusions around known PMF locations. The knowledge of PMFs held by Marine Scotland Science and NatureScot is acknowledged to be incomplete. This means unknown habitats will be at risk and that recovery of habitats beyond their depleted range will be prevented.

We call on the Scottish Government to deliver robust, high resolution tamper proof vessel tracking across the entire Scottish fishing fleet (and make it a condition for all vessels entering Scottish waters) before the end of 2021.

Preferential access for sustainable fishing

Article 17 of the Common Fisheries Policy has required Member States to use transparent and objective criteria including those of an environmental, social and economic nature when allocating fishing opportunities. Article 17 also requires Member States to endeavour to provide incentives to fishing vessels using selective fishing gear or fishing methods that have a reduced environmental impact. Until recently Scotland was subject to this rule alongside other EU member states, yet the incentivising of fishing methods with reduced environmental impacts was not progressed. Scottish Government's own policy objectives in our National Marine Plan and Marine (Scotland) Act 2010 specify that the Scottish Government will favour sustainable methods, yet to date we have seen no form of preferential allocation.

How does Scottish Government plan to enable preferential access to sustainable fishing and manage the Scottish fishing fleet with a progressive 'ecosystem approach' in line with that of other European countries when it has failed to do so to date?

Governing within environmental limits

We are living in difficult times; Covid-19 has impacted all of us, and as things stand much of the Scottish fishing fleet has little economic and environmental resilience because many of our inshore fishermen are now wholly reliant on shellfish, which is predominantly exported to Europe and other overseas markets. This situation is unsustainable. There is an urgent need to recover fish stocks. The Scottish Government's commitment to a 'Green Recovery' is welcome and yet the Government's Economic Recovery Implementation Plan makes no reference to the foundational role that healthy marine ecosystems have in ensuring a productive marine economy, and outlines no actions to invest in their recovery.

There is a world-wide biodiversity crisis, and as a country we must do our bit to address the issues on our doorstep. Whilst opening the webinar for State Parties setting out the aims of the 'Edinburgh Declaration' Environment Secretary Roseanna Cunningham called for "*[b]old action at all levels of government to halt biodiversity loss.*" We look forward to seeing these words put into action with respect to the management of our vulnerable inshore habitats. If the Scottish Government is serious about protecting the best interests of the Scottish people, this coalition respectfully urges our First Minister and her Cabinet to prioritise investment in the long-term recovery of our coastal seas and the fisheries that so many depend on.

First Minister, we invite you to join us for a private screening of our film ['The Limit'](#) which sets out the concerns of this coalition and invite you to a short Q&A with representatives from this coalition where we can discuss the points raised in this letter.

Yours sincerely,

Annabel Lawrence

Our Seas Coordination Group member
Chair, CAOLAS (Community Association of Lochs and Sounds)

on behalf of the 69 members of the [Our Seas](#) coalition:

1. Angling Trust
2. Argaty Red Kites
3. Argyll District Salmon Fishery Board
4. Argyll Fisheries Trust
5. Ayr Angling Club
6. Blackhouse Watersports Tiree
7. Blue Marine Foundation
8. Blue Planet Society
9. Centre for Human Ecology
10. Click Book Stay
11. Clyde Porpoise
12. Coastal Connection
13. Community Association of Lochs and Sounds (CAOLAS)
14. Community of Arran Seabed Trust (COAST)
15. Craignish Restoration of Marine and Coastal Habitat (CROMACH)
16. Dive and Sea the Hebrides
17. Eigg Environmental Action Group
18. Ethical Shellfish Company
19. Fairlie Coastal Trust
20. Fauna & Flora International
21. Findhorn District Salmon Fisheries Board

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22. Findhorn Nairn and Lossie Fisheries Trust
23. 58°North Scottish Seaweed
24. Fish Legal
25. Friends of the Sound of Jura
26. Frogfish Photography
27. GalGael Trust
28. Grand Tour Moving Pictures
29. Heart of Argyll Wildlife
30. James Curley Fly Fishing
31. Kilchoan Estate
32. Knoydart Foundation Ranger Service
33. Loch Visions
34. Lochnell Oysters
35. Mull Charters
36. Narwhal Expeditions
37. National Trust for Scotland
38. Nourish Scotland
39. Oceana
40. Ockran Oysters
41. Oban Sea School
42. Open Seas
43. Orkney Skate Trust
44. Project Baseline
45. Project Media
46. Project Seagrass
47. Puffin Dive Centre
48. River Eachaig Fisheries Syndicate
49. Salmon Aquaculture Reform Network Scotland
50. Saltwater Life
51. Scottish Creel Fishermen's Federation
52. Scottish Federation of Sea Anglers
53. Scottish Scallop Divers' Association
54. Scottish Sea Angling Conservation Network
55. Scottish Sub Aqua Club
56. Sea Change
57. Sea Freedom Kayaks
58. Sealife Adventures
59. Seawilding
60. Skye and Lochalsh Environment Forum
61. Skye Communities for Natural Heritage
62. Skye Scallop Divers
63. South Skye Seas initiative
64. SubSeaTV
65. Sustainable Inshore Fisheries Trust
66. Ullapool Charters
67. West Sutherland Fisheries trust
68. Wild Argyll
69. Wester Ross Area Salmon Fishery Board (WRASFB)