

Our Ref: JNCC/JG

Gérard ROMITI  
Comité National des Pêches Maritimes et des Elevages Marins  
134 Avenue de Malakoff  
75116 Paris

22 June 2012

Dear Monsieur ROMITI,

Thank you for your letter of 24 April 2012. We apologise that you have not received the written response to your letter of 28 October 2011. When we received that letter, we informed members of the CNPMEM that our ministry (Defra) were leading on the response.

It is clear that you are unhappy with the processes within MCZ Project. Please be assured that we take the rights of stakeholders seriously and this includes those of fishermen from all EU member states with rights of access to UK waters. We describe below how we have been trying to meet your concerns, and how we will continue to work on them in future.

### **MCZ Project stakeholder engagement process**

The scale of the MCZ project has given us many significant challenges. One of the key challenges has been to ensure fairness for all stakeholders, particularly fishermen not resident in UK. For a variety of reasons, we realise that it has not always been possible to ensure absolute equity in the engagement process. However one of JNCC's roles is to advise Defra on possible shortcomings so that they can use this knowledge as part of their decision making in the site selection process. The results of this site selection process will be consulted on publicly in 2013, giving you another opportunity to input your views (should you wish).

In July 2012, JNCC will be providing advice on the MCZ process to Defra that includes:

- A description of national and international stakeholder engagement;
- A critique of the process, including where it has and has not worked;
- Highlights of the main issues encountered by the project; and
- Advise on the issues that Defra could take into account in the next stages of the project.

Among the issues that we will highlight will be the difficulties experienced by non-UK fisheries stakeholders due to delays in engagement; tight time frames to respond to requests coupled with language barriers; difficulties with the Named Consultative Stakeholder process; difficulties engaging with the regional project stakeholder groups; and problems with gaining access to Vessel Monitoring Systems (VMS) data and landings data from non UK member states.

During the project, JNCC worked to mitigate these issues as much as possible in response to concerns that yourselves and others raised. We engaged the French fishing sector through meeting CRPMEM in France (using French language) and raised concerns with the regional projects and the MCZ Project board.

### **MCZ Impact Assessment Process**

As you have highlighted in your letter there are also difficulties with the impact assessment process and the equitable representation of economic interests of non-UK stakeholders. The purpose of the Impact Assessment is to inform the UK Government of the likely social, economic and environmental impacts (both positive and negative) of designating MCZs. It provides information to help the UK Government take decisions on whether to designate MCZs to meet UK legislation. The Impact Assessment is not a policy decision about the UK's approach to Marine Protected Areas.

By way of a brief explanation; the likely economic impact of MCZs on stakeholders was quantified using a standardised Fisheries Model. This model uses data on landings and fishing effort (VMS for vessels greater than 15m) to estimate the impact of specific management scenarios. Although official landings statistics are available for the UK fleet, the team developing the impact assessments had no right of access to non-UK landings data. As a result, only data from all vessels landing into UK ports was included in the original draft Impact Assessment document published in November 2011. Since this first draft, JNCC have worked closely with the teams and the Marine Management Organisation as far as possible to ensure that all fishing interests are treated equally. To this end:

- a) We have included qualitative/semi-quantitative descriptions of the impact of MCZ designation on all non-UK fishermen. This was based on information submitted via Impact Assessment questionnaires, including a submission from Ifremer through the Direction des pêches maritimes et de l'aquaculture (DPMA) web-portals and the extra information the CNPMEM provided for the impact assessment.
- b) UK's Marine Management Organisation (MMO) has requested official landings statistics from member state authorities to enable us to apply the Fisheries Model equally to UK and non-UK stakeholders.

When the non-UK landings data become available we will be able to include this into impact assessment (this will however be included into updated versions of the impact assessment prepared by Defra later in the site designation process).

## Conclusion

JNCC recognise and greatly appreciate the effort that the French fishing industry, in particular the CN/RPMEs, have made to engage in the MCZ Project. We also recognise that there have been a series of additional challenges for non-UK stakeholders to participate fully in the site selection process compared to those from the UK. However, JNCC has worked hard with the CNPMEM and others to support and facilitate engagement of French stakeholders.

Where there have been particular shortcomings regarding engagement or where concerns have been raised over the fairness of the process, we will provide this information in our advice to the UK Government.

It is important to finish by noting that no sites have yet been selected by the UK Government, that no advice yet has been provided on the management of these sites, and no management proposals have yet been made to the European Commission by the UK Government. Once we know what sites have been selected, we expect that management measures will be considered on a site-by site basis with full consultation on any proposals. We sincerely hope that your organisation will be involved in these discussions.

I hope the above help clarify some of your concerns and that we can continue to work productively with you in the future.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'J. Goold', enclosed within a large, loopy oval stroke.

Dr. John Goold  
Director of Marine Advice

- cc. Nigel Gooding – Depute Director - Marine and Freshwater Biodiversity, Defra
- cc. James Marsden – Marine Director, Natural England
- cc. Sophie Elliott, Declan Tobin – JNCC fisheries liaison officers
- cc. Regional Projects
- cc. North Sea and North West Waters Regional Advisory Council
- cc. French Ministry of Fisheries