



15/02/23

To members of the Rural Affairs Committee

Dear Committee Member

**SCFF petition re Inshore Limit on dredge and bottom-trawled fishing gears**

We thank the RAI committee for hearing SCFF's petition but we would like you to note our regret regarding the decision to close the petition, which we regard as premature for the reasons we set out below.

In my evidence I set out how the Scottish Government's current (and planned) fisheries management measures are insufficient to allow it to deliver 'ecosystem management', which it is obliged to do under existing legal and policy obligations. The case is set out in writing in SCFF and Fish Legal briefings to the committee and I will not reiterate them here.

Mr Carson in giving his reasoning for closing the petition explained that he was satisfied that the issues raised would be accommodated by the Scottish Government in their consultations around the new National Marine Plan in due course. We have no such confidence. The obligation to deliver 'ecosystem management' has been a keystone principle of fisheries management since the Marine Scotland Act 2010 and has been reiterated in numerous Government policy documents since (including the NMP) yet it would appear that the Scottish Government are unwilling to put fisheries measures in place to deliver that obligation. The failure of the Scottish Government to deliver needs explanation.

The Scottish Government has fully committed itself to 'maintaining or exceeding EU environmental standards', most recently in the Scottish Biodiversity Strategy to 2045. The Strategy also underlines the need for urgent and decisive action. We agree that urgent action is needed and we call upon RAI to ensure that it actually happens and by that we mean a clear explanation from the Scottish Government as to the specific measures that will allow Good Environmental Status to be achieved.

We set out how an inshore limit could help Scotland deliver on its obligations to achieve Good Environmental status (GES). We do not believe the petition should have been closed until the Scottish Government had been given the chance to explain how GES can be achieved without such closures.

Nonetheless we strongly welcome the fact that the committee plans to consider the issue of a coastal limit on the use of mobile dredge and bottom trawled fishing gears within the context of the committee's general investigation into inshore fisheries management. We hope that the committee will, as a matter of urgency, include the delivery of 'ecosystem management' as a key element of its investigations and consider seeking evidence from Ms Gougeon in her capacity as Cabinet Secretary for Rural Affairs at the earliest possible opportunity.

We believe RAI will be better placed to consider the upcoming debates on 'Highly Protected Marine Areas' and the 'inshore cap' from a position of understanding the overarching obligation on the Scottish Government to deliver ecosystem management.

Your sincerely

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P.s. The source for the 58% Highly disturbed (by fishing activity) area is:

<https://oap.ospar.org/en/ospar-assessments/intermediate-assessment-2017/biodiversity-status/habitats/extent-physical-damage-predominant-and-special-habitats/>

And further details on Scotland's regional seabed disturbance figures can be found here:

<https://marine.gov.scot/sma/assessment/predicted-extent-physical-disturbance-seafloor>