

Anglo-North Irish Fish Producers Organisation (ANIFPO) - Written evidence (NIP0008)

House of Lords Committee work on agrifood (including fish) and the Protocol

16th June 2020

1. This evidence is submitted on behalf of the Anglo-North Irish Fish Producers Organisation (ANIFPO), which is based in Northern Ireland. ANIFPO is a membership organisation, which manages fishing opportunities, is involved in the purchasing, processing and sale (including export) of Northern Ireland seafood under the Sea Source brand.
2. Alan McCulla OBE is the organisation's Chief Executive. He has worked for the the ANIFPO for 28 years, most of which as CEO.
3. It should be noted that like the rest of the United Kingdom the majority of fishermen in Northern Ireland were and remain supportive of leaving the EU and the Common Fisheries Policy (CFP). Around the coast of the United Kingdom fishermen have different reasons for wishing to leave the CFP. In Northern Ireland one significant issue was the EU's application of the Hague Preference quota regime, which each year since 1990 has removed quota allocations from UK fishermen (primarily those from Northern Ireland) in the Irish Sea and rewarded this quota to fishermen from the Republic of Ireland. Regardless of the concern the EU and/or the Republic of Ireland feigns for Northern Ireland, this clearly did not and does not apply to fishermen. Ireland had the option not to invoke the Hague Preference. Regardless of the economic impact on Northern Ireland's fishermen they did.
4. The main market for seafood landed into Northern Ireland is Great Britain. 60% of fish and shellfish landed into Northern Ireland is destined for GB, 30% is exported to the EU (incl. Ireland) and the remaining 10% is exported worldwide.
5. A significant proportion of the seafood harvested by Northern Ireland fishermen is landed outside Northern Ireland. This reflects proximity of fishing grounds and a lack of adequate infrastructure at home. The construction of a new outer harbour at Kilkeel is a project designed to facilitate a larger proportion of seafood to be brought back to Northern Ireland.
6. The Ireland/Northern Ireland Protocol (hereafter referred to as the Protocol) does not extend to the territorial waters of the United Kingdom. So at the end of the transition period within Northern Ireland's maritime zone regulations currently applied under the auspices of the Common Fisheries Policy shall be replaced by UK regulations, just as they will be throughout the United Kingdom's EEZ.
7. Similarly at the end of the Transition Period British registered fishing vessels based in Northern Ireland will remain part of the United Kingdom's fishing fleet, subject to UK Fisheries Policy within the UK's fisheries zone and harvesting UK quota allocations.
8. There remain outstanding questions as to how seafood from UK fishing vessels, including those based in Northern Ireland, will be treated when landed in Northern Ireland fishing ports. A strict interpretation of the Protocol suggests such seafood

could be subject to tariffs. However, we are advised this is not the intention and discussions within the United Kingdom and with the Joint Committee are ongoing to devise a work around that would resolve this anomaly; in other words seafood landed by UK registered fishing vessels into their home ports in Northern Ireland would not be subject to tariffs.

9. There remains debate as to whether Northern Ireland fishermen might be required to submit documentation such as Catch Certificates when they land their catches into Northern Ireland. This is based on the fact that the waters around Northern Ireland are not subject to the protocol. Therefore a strict interpretation foresees seafood harvested by Northern Ireland fishermen, in Northern Ireland registered and owned fishing vessels, which is landed into Northern Ireland harbours being subject to the same rules as though it was seafood landed from a third country into the EU's single market. This does not reflect the unfettered trade envisaged by the Protocol.

10. The Protocol is specifically designed to avoid border checks on the island of Ireland, especially those around trade between Northern Ireland and the EU's single market. Another outstanding question is what (if any) quantitative restrictions might be imposed by the EU side upon imports of seafood from Northern Ireland into the single market? There has been no mention of quantitative restrictions upon other goods, so why would such constraints be imposed upon seafood?

11. Nevertheless, under the previous 'Backstop' proposals there was mention of such quantitative restrictions or a cap on the volume of seafood exported from Northern Ireland into the Single Market. From the EU's perspective this was designed to avoid Northern Ireland being used as a 'back door' by other UK seafood producers to access the Single Market. If this approach is repeated under the Protocol any cap should be future proofed and reflect all quota allocations held by Northern Ireland producers.

12. As mentioned above most seafood (60%) landed into Northern Ireland is traded with GB. The Protocol envisages continued unfettered access of produce, including seafood, from Northern Ireland to GB (west to east). However, some checks are envisaged for seafood moving from GB into Northern Ireland (east to west). This will impact upon seafood producers across GB who currently trade (e.g. pelagic species and salmon) with customers in the Republic of Ireland where their produce is processed. Likewise it could also impact upon Northern Ireland vessels that land their seafood into GB ports before it is sent back to Northern Ireland for processing. Similarly a significant volume of scampi products are sent to Northern Ireland from across the GB for primary processing. In this case all of the scampi product is sent back to GB where it is finished, primarily for consumption in the UK. As with other products, where seafood is solely traded between GB, Northern Ireland and back to GB there should be no additional checks.

13. Neither should we forget that buyers and processors based in the Republic of Ireland depend upon significant volumes of seafood they process being purchased from landings made in Northern Ireland or by British fishing vessels landings directly into Irish ports. With seafood Ireland has much to lose if a satisfactory arrangement is not agreed.

14. Neighbourhood agreements, whilst not the subject of the Protocol, reflect historic fishing patterns around the island of Ireland and are another important part of future fisheries relations between the United Kingdom and Republic of Ireland/EU.

What is known as the 'Voisinage Agreement' dates back to the 1960s and was recently the subject of tension following Ireland's suspension of the agreement, although this has now been resolved through new Irish domestic legislation. We are eager to see such neighbourhood agreements continue. There is precedent for the same between Norway and the EU (Sweden and Denmark).

15. Whilst the Protocol is focused upon trade between Northern Ireland, Ireland and the Single Market, clarification is required where seafood transits through GB on its way to continental Europe. The vast majority of seafood landed into Northern Ireland and destined for Europe uses the GB land bridge. What processes will be in place to verify seafood entering GB from Ireland? Furthermore, what processes will be in place to verify seafood arriving in Europe from Ireland that's transited through GB?

16. Officials from DEFRA have maintained regular contact with our Organisation on Brexit issues, including implementation of the Northern Ireland Protocol. Likewise officials from the Devolved Administration's fisheries team (part of DAERA) have liaised closely with industry here around practical matters that may arise from the implementation of the protocol. We share the goal that like other produce from Northern Ireland, seafood should not be subjected to new restrictions by the EU when it is traded into the Single Market. We would suggest that any attempt by the EU side to introduce such restrictions flies in the face of the entire premise of the Ireland/Northern Ireland Protocol.

17. Finally, whilst UK fishermen in Northern Ireland desire frictionless trade with the EU, for them the biggest goal remains a separation from the Common Fisheries Policy and an end to the discrimination this policy brought to all UK fishermen based around the Irish Sea in respect of fishing quota allocations (the Hague Preference). The opportunities more than outweigh the challenges.

End.