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Proposal to change law to allow sustainable fishing is not new

In his intervention before the Foreign Affairs Committee of the Spanish Parliament yesterday, the Spanish Foreign Minister said:

"I get good news this afternoon - that Gibraltar authorities are willing to amend Gibraltar protection law of nature of 1991 for our fishermen to return to where they used to fish. Again, we do not recognise the jurisdiction of Gibraltar but we welcome this gesture as a gesture of good will if it is in the benefit of our fishermen. We expect it to be true."

The Government wish to make it clear that its policy objective of amending the Nature Protection Act and allowing some fishing by Spanish and other fishermen in British Gibraltar Territorial Waters (BGTW) using lawful methods of fishing is not new.

This is a long-standing policy which has been explained on several occasions both in public and in private over the last twelve months.

Indeed, this objective was explained directly to the Spanish fishermen themselves during meetings that were held in No 6 Convent Place.

It will be recalled that shortly after coming to power in December 2011, the Government sought to regularise the fishing methods being used inside BGTW, some of which were clearly contrary to the 1991 Nature Protection Act and had resulted in over-fishing of certain areas.

Over a period of fourteen months, meetings were held with international marine experts (including experts from Spain) and with the fishermen from La Linea and Algeciras.

The result of these meetings with the fishermen, agreed through on a Memorandum of Understanding, was the announcement on 5 July 2012 that a commission of experts would be set up "to study the whole situation relating to the protection and potential sustainable use of marine resources within British Gibraltar Territorial Waters." This was indicated more than twelve months ago.

The panel of international experts were commissioned and this included experts from Spain. The report, entitled "The management of marine living resources in the waters around Gibraltar" was made public on 4 June 2013.

The Government also made it clear then that the planned strategy to take the report forward, "will make allowance for changes to laws to allow sustainable fishing practices with sustainable fishing methods where all the relevant local stakeholders consider it would be appropriate." It also went on to say that the details of each specific action and the revised legislation were being worked upon and the whole process would be completed in the autumn.

The report included the recommendation that an artificial reef, similar to over 100 such reefs laid along the Spanish coast, should be used to enhance fish stocks in the most over-fished areas. This was welcomed by, among others, Greenpeace and several Spanish environmental groups

Moreover, on 23 August the Government reiterated its position on fishing and said in a statement that "it does not seek to exclude Spanish fishermen from BGTW, but that fishing had to be in keeping with Gibraltar law." The Government also pointed, in the same statement, to its route map to regulate sustainable fishing in BGTW.

The Government is now finalising the necessary draft legislation to make changes to the Nature Protection Act to permit sustainable fishing in BGTW in a properly regulated and accountable manner that complies with the overriding principle of conservation of the marine environment and the replenishment of fish stocks.

The Government has said publicly last month that it expects to shortly publish a Bill to this effect that Parliament will be able to consider in October.

The Prime Minister and the Foreign Secretary have repeatedly indicated their strong support for the actions taken by the Government of Gibraltar.