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House of Lords European Union Committee

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House of Lords
London
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Dear Lord Teverson

Thank you for your letters of 13th March 2020 and 29th of April 2020. The Secretary of State has asked me to respond to your key findings.

Since the Secretary of State spoke to you in February, the Coronavirus outbreak has emerged as the biggest public health emergency in a generation. It calls for decisive action, at home and abroad. In Defra, we are working closely with the industry and coastal officers to better understand the impacts of Covid-19 and related control measures on the sector. A £10 million fund for England's fishing and aquaculture sectors was announced on 16 April to secure the long-term future of the English fishing industry. As the Prime Minister has said, the government will do whatever it takes to win the fight against the pandemic, and mitigate its impacts.

Access to UK Fisheries post-Brexit

As regards to the questions raised in your letter of 13 March 2020 on Access to UK Fisheries post-Brexit, I have set out further details below.

Negotiation Aims

The Government believes that there is ample time to strike a deal based on free trade and friendly cooperation. The proposals we have outlined are grounded in precedent and align with the parameters for our future relationship as agreed in the Political Declaration.

On 27 February 2020, the Government published the UK's approach to the future relationship with the EU. At the end of the transition period, the UK will be an independent coastal State able to control and manage our own waters and to decide who has the right to fish there. The UK and EU committed in the political declaration to use best endeavours to agree a new fisheries agreement by 1 July 2020. The Government is ready to consider an agreement on fisheries that reflects the fact that the UK will be an independent coastal state at the end of 2020. It should provide a framework for our future relationship on

matters relating to fisheries with the EU. This would be in line with precedent for EU fisheries agreements with other independent coastal states.

Annual negotiations

Any framework agreement should set out the scope and process for annual negotiations on access to the parties' exclusive economic zones and fishing opportunities. Fishing opportunities should be negotiated annually based on the best available science for shared stocks provided by the International Council for Exploration of the Seas. As the Secretary of State made clear in his evidence, there will always have to be annual negotiations on fisheries in order to discuss and reflect the latest science in any fishing opportunities under discussion. We have been clear that we will respond reasonably to the EU's asks, but equally any deal must reflect our status as an independent coastal state.

Reducing Access

The inshore fleet is a cornerstone of local coastal communities, significantly impacting on the identity and economies of these communities. The Government has been clear that we want to work with and support our inshore fishing fleet to implement new and more sustainable fisheries management, drawing on their expertise and knowledge.

As the Prime Minister made clear in his speech on the 3rd of February 2020, leaving the EU provides us with a unique opportunity to control who can access our waters for the first time in over 40 years. Any agreement on fisheries must reflect the fact that the UK is an independent coastal State. We want to ensure that UK fishers benefit from the resources in UK waters.

Quota rebalancing:

After the Transition Period, the UK will no longer be bound by the Common Fisheries Policy and the outdated and unrepresentative 'relative stability' mechanism for sharing fishing quotas and will not have access to in-year exchanges of fishing opportunities with the EU and vice versa. Future fishing opportunities should be based on the principle of zonal attachment, which better reflects where the fish live, and is the basis for the EU's fisheries agreement with Norway.

Zonal attachment reflects the spatial distribution of fish stocks. Under the principle of zonal attachment, fish are allocated to the zone in which they are found, rather than to the state that has historically fished them.

My Department has carried out a comprehensive programme of research into zonal attachment, working closely with Cefas and MMO, to provide the evidence to support a new sharing arrangement with the EU.

The EU's negotiating Directives place a priority on stability in quota shares. Whilst we have been clear that we will no longer accept the relative stability mechanism, an agreement that shares of fishing opportunities should be based on the principle of zonal attachment would provide stability. This will be a matter for negotiation.

Trade:

Controlling access to fish in UK waters and negotiating fishing opportunities is the role of a sovereign State. As an independent coastal State, the UK will have the right to control access to fish in its waters and to decide on domestic fisheries management rules. This is automatic and does not need to be negotiated. Trade in fisheries products should be covered by a free trade agreement.

The Government believes that, over time, the economic benefits of departing from EU law and controlling our own rules clearly offset any short-run and often hypothetical problems that come from introducing friction.

Enforcement:

The Marine Management Organisation (MMO) has assessed, and continues to assess the levels of enforcement capacity required after the transition and the options for best delivering this. A significant increase in enforcement is in place in preparation for the end of the transition period. Additional capacity is comprised of an increase in recruitment, an increase in the number of planes available for aerial surveillance and an increase in the level of at-sea surveillance.

As set out in supplementary evidence the running costs of the UK's control and enforcement programme are met by Exchequer funding. Additional funding has already been secured to ensure effective enforcement of UK waters will be in place following the transition period. Expenditure by the Marine Management Organisation on fisheries enforcement (for 2019/2020) has increased by the following amounts in comparison to the previous financial year (2018/2019).

- a) Surface surveillance: £7.44m
- b) Aerial surveillance: £2.23m
- c) Training and staff costs for warranted Marine Enforcement Officers: £2.11m

Any decision on future funding for fisheries enforcement will be made during the Spending Review 2020 alongside decisions on all domestic spending priorities.

Devolution

The Government is committed to establishing the future relationship with the EU in ways that benefit the whole of the UK and strengthen the Union. The UK Government takes its responsibilities to negotiate on behalf of the whole of the UK and deliver for all our communities very seriously, recognising the interests of the devolved administrations in our negotiations with the EU, and their responsibilities for implementation in devolved areas. We will continue to identify and discuss priority areas within the UK-EU fisheries negotiations with the devolved administrations to ensure that our positions deliver for the whole of the UK.

We have recognised the importance of maintaining UK wide common approaches in many areas of future fisheries management in a way that respects the devolution settlements. The Joint Fisheries Statement developed in conjunction with the Devolved Administrations ensures that across the UK we will fish sustainably, maintain existing environmental commitments and adopt common approaches to fisheries management where appropriate.

Sustainability

The Government has been clear in its negotiating approach that the UK is committed to acting as a responsible coastal State and to working closely with the EU and its Member States and other coastal states on the sustainable management of shared stocks in line with our international obligations. We are therefore, open to providing, in the agreement on fisheries, for the creation of a forum for cooperation on wider fisheries matters outside of annual negotiations. This could include cooperation on matters to support responsible fisheries management, such as data-sharing, science and control and enforcement.

The objectives in the Fisheries Bill create a clear framework that places environmental improvement at the forefront of fisheries management, while tailoring our approach to our unique seas and the needs of our fishing industry.

Our approach to the objectives set out in the Fisheries Bill is stronger than what is currently done in the CFP, and aims to increase transparency and accountability. The CFP objectives do not place a duty on any specific member state to comply with them. These objectives will ensure that our seas are managed sustainably to enable a thriving fishing industry for current and future generations.

The White paper sets out our ambition to establish a gold standard in sustainable fisheries management. We are continuing to explore the use of REM alongside other monitoring and enforcement tools, as a cost effective and efficient way of monitoring fishing activity and ensuring compliance.

We are working with industry and other interested parties on the use of REM for gathering data to facilitate an end to wasteful discarding. We have been clear that any EU vessels granted access to fish in UK waters in annual negotiations would be required to comply with UK rules and laws. As such if REM was implemented for English fishing vessels foreign vessels would need to either be equipped with REM or follow rules which would enable similar data collection and compliance outcomes to that expected under the use of REM.

Yours sincerely,



VICTORIA PRENTIS MP