



Department
for Environment
Food & Rural Affairs

Seacole Building
2 Marsham Street
London
SW1P 4DF

Victoria Prentis MP
Parliamentary Under Secretary of State

T 03459 335577
defra.help@defra.gov.uk
www.gov.uk/defra

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House of Lords European Union Committee
House of Lords
London
SW1A 0PW

Dear Lord Teverson

Thank you for your letter of the 20th of May regarding my response to the key findings of your inquiry into access to UK fishing waters post Brexit. I have addressed the points raised below.

We are fully committed to agreeing fishing provisions in line with the Political Declaration which provides for both Parties to use best endeavours to reach an agreement by 1st of July, or as soon as possible thereafter. As we have set out in the UK's Approach to Negotiations, published on 27th of February, the UK 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. The UK will continue to use best endeavours to work with the EU to find an agreement and we continue to believe that a fair and equitable agreement is the best outcome for all Parties.

Annual Negotiations

You asked me to set out our position on annual negotiations separately for Total Allowable Catch (TAC) and access.

The UK's draft UK-EU fisheries framework agreement text, published on the 19th of May, is based on the EU's existing bilateral arrangement with Norway, the most relevant precedent for relationships between two independent coastal States. Like the EU-Norway agreement, the draft UK text provides for annual negotiations on fishing opportunities and access to waters, and, like Norway's agreement, the UK's draft fisheries framework agreement is entirely separate from its trading relationship. The EU-Norway agreement demonstrates that annual negotiations on access and fishing opportunities can provide long term stability while respecting the sovereignty of each independent coastal State.

The Secretary of State in his recent evidence to you and your Committee was clear that under such a framework there will always need to be annual negotiations in order to discuss and reflect the latest scientific advice to manage shared stocks sustainably. Up to date science is one of the key determinants in setting the TAC for any given stock.

In terms of access to fish, negotiating annually reflects our status as an independent coastal State, and our legal rights under UNCLOS to control and manage UK waters. Annual negotiations on access are a normal part of coastal State negotiations including in the EU's relationship with Norway.

Trade

You also raised concerns about the potential impact of our approach to negotiations on the fishing industry and the wider economy. Arrangements under the Common Fisheries Policy represented a poor deal for the UK. The Government is fully committed to securing an agreement on fisheries that



ensures a fair share of the fishing opportunities in UK waters for UK fishers, and enables us to manage our fisheries as an independent coastal State to the benefit of UK fishers and coastal communities. We've also been clear that we want a free trade deal, based on friendly cooperation. The Political Declaration sets as an aim a zero tariff and zero quota FTA. Reducing the costs and processes associated with trade is in the interests of people and businesses across the UK and the EU.

Negotiations

You also asked me to update you on the current state of play in the fisheries negotiations, outlining both Parties' positions, the key points of contention, my view on any potential ways forward, and whether I believe agreement will be reached by 1st of July, or as soon as possible thereafter.

Since you wrote to me, the Government updated Parliament on the progress of negotiations in a Written Ministerial Statement on the 8th of June 2020 on the 4th round of negotiations (2nd -5th of June)¹. This included two days of negotiations on fisheries covering objectives of the agreement, consultation and cooperation procedures, access and scope, and quota sharing. Little progress was made and fundamental divergences remain over the status of the agreement, access to waters and new quota-sharing arrangements.

The UK's position is simple, reasonable and straightforward. We want a separate fisheries framework agreement which reflects our rights under international law and which provides for annual negotiations over access to each other's exclusive economic zone and sharing opportunities based on the scientific principle of zonal attachment. The EU maintained its position which seeks to tie a fisheries framework agreement to the wider FTA, maintain the current access provisions it enjoys and maintain the status quo on quota sharing.

Whilst progress remains limited, the talks have been positive in tone. Negotiations are continuing and we remain committed to a successful outcome. The High Level Meeting will take place on the 15th of June and we have agreed with the EU an intensified timetable for talks in July, consisting of formal negotiating rounds and smaller group meetings. We very much hope this new process will deliver more progress that has been possible to date.

Let me reiterate our commitment to securing the best possible outcome for the UK in these negotiations.

Yours sincerely,



VICTORIA PRENTIS MP

¹ <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2020-06-08/HCWS271/>