

European Scrutiny Committee

House of Commons, London, SW1A 0AA

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From: Sir William Cash MP

10 March 2021

Victoria Prentis MP
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs
Seacole Building
2 Marsham Street
London SW1P 4DF

12189/20: Proposal for a Regulation fixing for 2021 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters (41612)

8871/20: Commission Communication — Towards more sustainable fishing in the EU: state of play and orientations for 2021 (41347)

We considered your letter of 3 March 2021 on documents relating to the negotiation of fishing opportunities for 2021 at our meeting of 10 March.

As you note, there is a need to move forward at pace with these negotiations with a view to concluding them so that definitive fishing opportunities can be introduced by 1 April 2021 given that both the EU and UK have put in place provisional fishing opportunities covering the first three months of the year. The EU appears to share your desire to make progress according to the comments made by the European Commission's Director General for Maritime Affairs and Fisheries at the European Parliament Fisheries Committee on 22 February. We therefore trust that the negotiations are progressing well with a view to a swift outcome and we look forward to confirmation from you that agreement has been reached, not only with the EU but with the other coastal states with which the UK is negotiating.

If there is not a negotiated outcome (or if it is incomplete), we ask that you write to us at the earliest possible opportunity setting out the implications, including for the sustainability of fish stocks. It would be helpful in that

instance to provide us with a table including the science-advised TAC and the cumulative total of unilateral catch limits adopted. If any of the cumulative totals are higher than the scientific advice, your specific analysis of those stocks would be required.

We are sure that you will share our frustration at the delays to the agreement of the 2021 fishing opportunities and the lack of opportunity that Parliament has had to scrutinise the Government's approach. The timescale and the lack of scrutiny are both factors that we ask you to address ahead of negotiations for the 2022 fishing opportunities.

Helpfully, the Trade and Cooperation Agreement sets out a clear structure for the adoption of fishing opportunities for the following year, requiring that, by 31 January of each year, the Parties shall cooperate to set the schedule for consultations with the aim of agreeing TACs for shared stocks for the following year or years. TACs should be agreed by 10 December each year for the following year or years. Have the EU and UK cooperated this year to set the schedule for consultations on agreeing TACs for 2022? If so, what is the schedule? If not, why has that Treaty commitment not been met?

In addition to establishing a schedule with the EU and other negotiating parties, we ask you to set out how else the Department is preparing itself for the negotiation of the 2022 fishing opportunities to avoid a repeat of the timing and Parliamentary scrutiny difficulties experienced in negotiating the 2021 TACs. As the UK takes its place as an independent coastal state, so it is incumbent on the Government to submit its approach to effective scrutiny by Parliament. We seek your commitment to effective scrutiny and ask you to explain how you will facilitate that scrutiny process.

We ask for a response to our letter by 7 April 2021 at the latest, or earlier in the event of swift conclusion of the negotiations.

We are copying this letter to Neil Parish MP, Chair of the Environment, Food and Rural Affairs Committee and Ian Bradshaw, Clerk of the Committee; the Earl of Kinnoull, Chair of the EU Select Committee in the House of Lords and Christopher Johnson, Clerk of the Lords EU Select Committee; your Departmental EU Scrutiny team; and Les Saunders and Donald Harris in the Cabinet Office.

CHAIR