

European Scrutiny Committee

House of Commons, London, SW1A 0AA

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From: Sir William Cash MP

23 April 2020

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Parliamentary Under Secretary of State
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2020 Fishing Opportunities (Council documents 13438/19 and 6546/20) (40907, 41111)

We have considered the above documents and are drawing them to the attention of the House as politically important for the following reasons: they will be applicable during the transition period; they raise issues concerning the implementation of the Withdrawal Agreement; they are relevant to the future relationship; and they raise post-Brexit policy questions.

In your Explanatory Memorandum on document 6546/20, you expressed concern that the UK had been given insufficient opportunity to input into the development of North Sea cod recovery measures. Should that be the case, it would represent a breach of the terms of Article 130(1) of the Withdrawal Agreement. This is an important concern, and so we would ask you to clarify if your concerns remain and, if so, how you have raised them with the Commission.

Ultimately, cod recovery measures were not included in the adopted Regulation, but we understand that work is ongoing. We would welcome any information that you are able to provide on the process and timing for agreeing those measures, including how the UK is being consulted. Cod recovery measures in the North Sea would clearly be of direct relevance to the UK fleet.

Turning to the agreement in December on fishing opportunities for 2020, we note that the agreement was largely aligned with the UK's negotiating objectives and that the value of the UK's quotas under the final outcome was marginally higher than that under the Commission's proposal.

On a point of detail, your predecessor identified a number of stocks where the outcome would present challenges if chokes were to be avoided, such as: Celtic Sea cod; Irish Sea whiting; and West of Scotland cod. We would welcome the Government's latest assessment on those stocks and the extent to which chokes are proving to be an issue.

This was the UK's final annual fisheries negotiation as an EU Member State. During the second half of 2020, the UK will negotiate its own fishing opportunities in advance of becoming an independent coastal state with effect from 1 January 2021. Negotiations will be required not only with the EU, but with a series of other coastal states with which the UK shares stocks.

We are concerned that, with only eight months until the end of the year, there is very little clarity on the modalities for negotiating the 2021 fishing opportunities with the EU or any other coastal state. Between the UK and the EU alone, the negotiation will involve nearly 100 shared stocks. While the internal EU negotiation is currently based on multi-annual plans and agreed catch allocation between Member States, no arrangement is yet in place for 2021 between the UK and the EU. Even though both the EU and UK have agreed the objective of concluding and ratifying a fisheries agreement by 1 July 2020, success by that date cannot be taken for granted. We would welcome an indication of the steps that you are taking to prepare the UK for what may well be a highly complex and time-consuming negotiation.

We ask for a response within ten working days.

We are copying this letter to 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