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The Earl of Kinnoull  
Chairman  
Select Committee on the European Union  
House of Lords  
London  
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13 January 2020

Dear Chair

**EM 13438/19: PROPOSAL FOR A COUNCIL REGULATION FIXING FOR 2020 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 (AND ADD 1-2)**

I am writing to explain my decision to vote in favour of a EU Presidency package ahead of Parliamentary scrutiny, which set fishing opportunities for the North East Atlantic in 2020. In reaching this decision, I considered the impact that a UK abstention would have had in the process of the negotiations during the EU Agriculture and Fisheries Council on 16-18 December 2019. I concluded it was in the UK's favour to hold a formal position during council and that was consistent with supporting the final compromise.

The EU Commission brought forward their proposals for setting fishing opportunities for 2020 on 24 October 2019. Defra began work on an explanatory memorandum (EM 13438/19) immediately afterwards. This EM was complex due to the detailed nature of the Commission proposal. My fisheries team needed time to examine the proposals in detail, working closely with colleagues in the devolved administrations and our scientists, to agree an initial UK position including identifying a range of priorities which reflected the interests of all parts of the UK. Last year there was insufficient time to finalise the EM between receipt of the proposals being laid and the disillusionment of Parliament for the general election that took place on 6 November 2019.

The UK sent a delegation on 16 December to negotiate the UK's priorities based upon the initial Commission's proposals and an agreement in the form of a final compromise document was agreed on 18 December. This process took place before the Parliamentary committees were to be seated again which also ruled out any chance of requesting a Scrutiny Waiver from the committee. It is unfortunate that it was not possible for the EM to be considered by your committee before the council agreement took place.

Overriding the scrutiny of proposals from the European Commission is not an action that I take lightly. The setting of sustainable fishing opportunities is of critical importance to our fishing and processing industries. Hence, I felt it was important for the UK to maximise its influence to ensure that the quotas and other catch restrictions to be fixed at these



negotiations ensured the sustainability of our fisheries and the best possible outcome for our fishermen. I hope that you understand that it was in the best interests for the UK to vote in favour of the fisheries opportunities negotiated for 2020.

I am writing in similar terms to the Chair of the European Scrutiny Committee. I am also copying this letter to the Clerks of the Commons and Lords Committees, Jessica Mulley and Chris Johnson respectively; Les Saunders, Department for Exiting the European Union; and Amy Seakins, Defra Scrutiny Co-ordinator.

Best wishes,



**GEORGE EUSTICE MP**