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Fisheries: UK-EU future relationship negotiations

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1. Background

At the end of the transition period the UK will cease to be part of the [EU Common Fisheries Policy](#) (CFP). The UK becomes an [independent coastal state](#) and after the transition period fully responsible for managing fisheries in the UK's Exclusive Economic Zone (EEZ) of 200 miles. This will include setting total allowable catches (TACs), distributing quotas and determining who has access to fisheries.¹

The UK will continue to be bound by the requirements of the UN Convention on the Law of the Sea ([UNCLOS](#)) and how they relate to the management of fisheries. UNCLOS requires coastal states to give neighbouring states access to the surplus of the allowable catch in its EEZ. It also emphasises the need to minimise economic dislocation for states

¹ Article 61(1) of the [UN Convention on the Law of the Sea \(UNCLOS\)](#) states that: "The coastal State shall determine the allowable catch of the living resources in its exclusive economic zone."

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whose nationals have habitually fished in the zone. The Convention also places an obligation to co-operate with other coastal states on the management of shared stocks or stocks of associated species.²

The [Fisheries White Paper](#) *Sustainable fisheries for future generations*, published in July 2018, set out the Government's intention to continue to co-operate closely with the EU and other coastal states on the sustainable management of fish stocks that cross borders. It states that "any decisions about giving access to our waters for vessels from the EU, or any other coastal states including Norway, will then be a matter for negotiation".³

Fisheries is a small part of the UK economy. However, the [economic activity](#) from fisheries is concentrated in some coastal areas, where it is important both socially and economically. Fisheries [featured prominently](#) in the Brexit debate. [Fishers](#), both quota and non-quota sectors, are expecting greater fishing opportunities. The [processing sector](#) and [shellfish exporters](#) have concerns about access to export markets and potential border delays.

How [fishing opportunities are allocated](#) to individual fishing vessels is unaffected by Brexit or the transition period. This is because it has always been within the UK's competence rather than the EU's. Fishing for [non-quota species](#) in UK waters, such as most shellfish species, isn't affected either as it does not fall under the CFP.

The future level of access for EU vessels to UK waters and vice versa, once the transition ends will be decided during the negotiations. Depending on the outcome of the negotiations, any agreed access may or may not be linked to a trade agreement. The aim set out in the Political Declaration, is to reach agreement on fisheries by 1 July 2020 in advance of agreement in other areas.

For an overview of the negotiations to date please see Commons Briefing Paper [The UK-EU future relationship: the March 2020 EU draft treaty and negotiations update](#). Further background can be found in the Commons Briefing Papers on [Fisheries and Brexit](#), and on [Fisheries Management in the UK](#).

2. Reaching agreement on fisheries

Previously, the stated [Government position](#) on any future agreement with EU on fisheries was one that increased the quota share for UK vessels while recognising the "need to do that over time".

Reaching agreement on the detail of sharing fish stocks has always been a technically complicated and politically charged issue. Setting quota within the Commons Fisheries Policy is already based on [annual negotiations](#) between all Members States on what the Total Allowable Catch (TAC) of each stock in each area should be. However, within the CFP the share of each TAC for Member State is fixed based on the historical fishing activity of each nation, so called relative stability.⁴

Any new fisheries agreement with the EU will need to set out if and how each TAC is agreed and shared. The UK and the EU have set out very different views on how this should be done.

² [UN Convention on the Law of the Sea \(UNCLOS\)](#)

³ Defra, [Fisheries White Paper](#) *Sustainable fisheries for future generations*, published July 2018

⁴ The principle of equal access and relative stability are applied under [EU Regulation 1380/2013](#) on the Common Fisheries Policy. This sets out that "fishing opportunities allocated to Member States shall ensure relative stability of fishing activities of each Member State for each fish stock or fishery".

3. UK position: Annual negotiations independent of trade

As already referred to in previous sections, the [UK Government](#) set out in the Written Statement of 3 February 2020 that it envisages a “suite of agreements” including an agreement on fisheries. The UK has reiterated that it wants to negotiate [fisheries access on an annual basis](#) with neighbouring nations:

The UK will become an independent coastal state at the end of 2020 and any agreement must reflect this reality. The UK will, like Norway, Iceland and the Faroe Islands, have annual negotiations with the EU on access to waters and fishing opportunities, and will consider a mechanism for cooperation on fisheries matters

Further detail was provided in the [command paper](#) published by the Government on 27 February 2020. This set out that trade in fisheries products should be covered by its proposed CFTA, which should be supplemented by a range of other agreements, including one on fisheries. The agreement on fisheries should be a framework agreement:

Overall, the framework agreement on fisheries should provide a clear basis for an on-going relationship with the EU, akin to the EU’s relationship with other coastal states, one that respects the UK’s status as an independent coastal state and the associated rights and obligations that come with this.

Any such framework agreement on fisheries should cover access to fish in UK and EU waters, fishing opportunities and future cooperation on fisheries management, as follows.

a. It should set out the scope and process for annual negotiations on access to the parties’ exclusive economic zones and fishing opportunities (total allowable catch and shares).

b. 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 (ICES). The UK will no longer accept the ‘relative stability’ mechanism for sharing fishing quotas, which is outdated, based on historical fishing activity from the 1970s. This means that 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.

c. Any EU vessels granted access to fish in UK waters in annual negotiations would be required to comply with UK rules and would be subject to licensing requirements including reporting obligations. New fisheries management measures will be notified in good time.⁵

The document goes on to state that the Government supports sustainable fisheries and is open to:

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.⁶

3.1 EU and Norway Fisheries Agreement

The UK Government is modelling its approach for a fisheries agreement with the EU on the existing agreement between the EU and Norway which was reached in 1980. The 2016 House of Lords report on [Brexit and Fisheries](#) summarised the EU-Norway fisheries agreement, which covers six shared stocks, as follows:

⁵ HM Government, [Future Relationship with the EU The UK’s Approach to Negotiations](#) 27 February 2020

⁶ HM Government, [Future Relationship with the EU The UK’s Approach to Negotiations](#) 27 February 2020

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The Framework Agreement is extended for periods of six years, though consultations are held each year to determine TACs, exchange quotas and grant reciprocal access. TACs for jointly managed shared stocks are based on scientific advice about stock health and sustainable exploitation rates from ICES. Once agreed, the TACs are divided into quotas between the parties according to 'zonal attachment', that is to say a fixed percentage based on the spatial distribution of the stock over time and its life cycles.⁷

The agreement included a mutual reduction of fishing effort in each other's water over a period of six years to 1981 and was adjusted in 1993 to increase access for the EU to Norwegian fisheries. This was as part of the agreement for Norway's increased trade access through the European Economic Area (EEA), where trade concessions for fishery products imports were reportedly linked during negotiations to access for EU fishers.⁸

Negotiations on [quotas for 6 shared stocks for 2020](#) between the EU and Norway were completed on 17 December 2019 after three rounds of negotiations. As a comparison the EU's draft text lists 97 shared stocks to be covered by any agreement.⁹

Zonal attachment

The Government's suggested approach to agreeing fishing allocations is based on the principle of zonal attachment. This is a methodology where share of quota of a particular stock between neighbouring countries is determined based on its behaviour, mainly where it is present during its lifecycle.¹⁰

This approach was set out by the Government in the [Fisheries White Paper](#) published in 2018, which also included some examples of how it could be applied. The reason for this approach was set out as follows:

The UK's overall share of fishing opportunities under relative stability does not accurately reflect the quantity of fish found and caught within the UK's Exclusive Economic Zone (EEZ), which extends out to 200 nautical miles or the median line with other states. Relative stability therefore results in a poor deal for the UK.¹¹

A Parliamentary Office of Science and Technology (POST) note on [UK Fisheries Management](#) set out some of the challenges agreeing quotas based on zonal attachment can present as is the case with the EU and Norway's six shared stocks:

Norway and the EU use zonal attachment in some bilateral negotiations on certain stocks. This allocates fishing opportunities using information on the spatial distributions of stocks over time and lifecycle. This may be difficult because of complexity in species lifecycles or changes in their distributions due to factors such as climate change.

Selecting the criteria to use, such as biomass or abundance, in determining allocations is done on a political basis. Although scientific evidence and advice can be provided to inform the political choice of criteria, there is also uncertainty over how objectively it can be used in decisions. For example, differences in survey sampling between areas could weight criteria differently. Social and economic factors will also need to be considered in negotiations.¹²

⁷ House of Lords European Union Committee, [Brexit: Fisheries](#), 8th Report of Session 2016–17 HL Paper 78, 17 December 2016

⁸ Scottish Parliament Information Service (SPIce), [UK-EU Future Relationship Negotiations: Fisheries](#), 21 April 2020

⁹ EU Commission, [Draft text of the Agreement on the New Partnership between the European Union and the United Kingdom](#), 12 March 2020, Annex Fish 1

¹⁰ NEF, [Not in the same boat: the economic impact of Brexit across UK fishing fleets](#), 17 November 2019

¹¹ Defra, [Fisheries White Paper: Sustainable fisheries for future generations](#), July 2018

¹² POSTnote, [UK Fisheries Management](#), 21 February 2018

Annual negotiations can also create difficulties if no quota is agreed. The POSTNote refers to the challenges that arose when the EU, Norway and other countries failed to reach agreement in 2010, resulting in some TACs being set unilaterally.¹³ More recently, when agreement was reached between the [EU and Norway](#) for fishing quotas for 2020, the TAC for [cod](#) was set higher than the EU had suggested as necessary to maintain stocks within Maximum Sustainable Yield.

4. EU position: Continued reciprocal access linked to trade

The EU position set out in the [Council's negotiation directives](#) is that agreement on fisheries shall guide the conditions on agreement of a future economic partnership, specifically any "access conditions under the free trade area".¹⁴

The negotiating directives restated the EU's position of continued access to EU fishers to UK waters. The Commission's [original draft](#) was strengthened by Member States, and now calls for any agreement to "uphold continued reciprocal access" and "uphold stable quota shares". The EU sets out that any quota share should only be amended with the agreement of both parties. And that the agreement on fisheries should "avoid economic dislocation for Union fishermen that have been engaged in fishing activities in the United Kingdom waters".¹⁵

The EU wants a comprehensive agreement, which provides a framework for fisheries and, in the latest version of the directives refers to "common technical and conservation measures":

The envisaged partnership should include, in its economic part, provisions on fisheries setting out a framework for the management of shared fish stocks, as well as the conditions on access to waters and resources and common technical and conservation measures.¹⁶

And:

The provisions on fisheries should be underpinned by effective management and supervision, and dispute settlement and enforcement arrangements, including appropriate remedies.¹⁷

Fisheries has been referred to as a red line issue by [French Ministers](#) to their Parliament:

There must be a fisheries component in the agreement; it's not an issue where we'll tolerate any unilateral decisions.

Indeed, fisheries is the most affected, most visible, most iconic sector. And we're making it an absolute red line. We must protect access to British waters for our fishermen. We must also secure a distribution criterion ensuring we have quotas and protect the resource.

¹³ POSTNote, [UK Fisheries Management](#), 21 February 2018

¹⁴ Council of the European Union, [Directives for the negotiation of a new partnership with the United Kingdom of Great Britain and Northern Ireland](#), 25 February 2020

¹⁵ Council of the European Union, [Directives for the negotiation of a new partnership with the United Kingdom of Great Britain and Northern Ireland](#), 25 February 2020

¹⁶ Council of the European Union, [Directives for the negotiation of a new partnership with the United Kingdom of Great Britain and Northern Ireland](#), 25 February 2020

¹⁷ Council of the European Union, [Directives for the negotiation of a new partnership with the United Kingdom of Great Britain and Northern Ireland](#), 25 February 2020

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We've got to have multiannual arrangements for stock management and we've got to have fair competition conditions.¹⁸

The link between reaching agreement on fisheries and other sectors which are a significant part of the UK economy, such as services, has also been made by [EU Ministers](#).

UK fishing sector response to EU position

Fisheries is a diverse sector, with a range of concerns about Brexit. However as noted by the New Economics Foundation in its report on [Media Capture in UK fisheries](#), media coverage is often limited in its range of stakeholders, with regular coverage of potential gains from Brexit, but less on the impact of tariff and non-tariff barriers.¹⁹

There has been limited commentary from the fisheries sector on the Council Negotiation Directive. However, the [National Federation of Fisheries Organisation](#) (NFFO), which mainly represents larger scale quota fishers, was highly critical of the EU negotiating directives, stating:

Conceding to these demands would eviscerate the UK's legal status as an independent coastal state and would commit the UK to remaining in an asymmetrical and exploitative relationship with the EU on fisheries. The UK could only accept these provisions by breaking the promises that have been made repeatedly by the Prime Minister and Cabinet level ministers, commitments on fishing made during the EU referendum. It would amount to a betrayal on a scale equivalent to the UK's sell-out on fishing in 1973.²⁰

And on the linking of a fisheries agreement to access to trade:

The EU has made plain that a free trade deal would be contingent on UK concessions on fishing rights. There is no international precedent for including free access to exploit another country's natural resources as part of a trade deal. A trade deal is important for both the UK and the EU. Some EU member states will be extremely vulnerable if the UK is forced to trade on WTO terms.²¹

The [strength of views](#) within the fishing industry, and the wider political debate, have led to some speculation that the very different positions set out by both parties could lead to a failure to reach agreement on fisheries, and [derail](#) trade talks with the EU.²²

5. EU Draft Agreement text

The EU Commission published a *Draft text of the Agreement on the New Partnership between the European Union and the United Kingdom* in March 2020. A first draft was published on 12 March 2020, with a second amended version published on 18 March.

The Draft Agreement is examined in detail below. However, the main difference in regard to fisheries was an amendment to the text which changed the first common fisheries objective from:

(a) defining clear and stable rules and conditions on access to waters and resources;

To a much more robust objective that would uphold existing reciprocal arrangements:

(a) upholding clear and stable rules and existing reciprocal conditions on access to waters and resources;

¹⁸ French Embassy in London, [Fisheries "an absolute red line" in Brexit talks – Minister](#), 20 January 2020

¹⁹ NEF, [Media Capture in UK fisheries](#), 4 September 2019

²⁰ NFFO, EU Negotiating Mandate and NFFO Comment, 26 February 2020

²¹ NFFO, EU Negotiating Mandate and NFFO Comment, 26 February 2020

²² Financial Times, [Brexit: why fishing threatens to derail EU-UK trade talks](#), 28 January 2020

A further objective, objective (m) was amended from “respecting the existing fishing activities” to “upholding the existing fishing activities”.

Both of these changes suggest that Member States continue to take the position, already set out on a number of occasions, that there should be no changes to existing rules and quota allocations for fisheries. This further reinforces the position set out in the rest of the text, as discussed below, which has remained unchanged between the two drafts

5.1 EU draft text detail

Fisheries is covered in Title Five in the draft document. There are three chapters. The first sets out 15 common fisheries objectives and a number of definitions; the second covers the “conservation and sustainable exploitation of fisheries resources”; and the third covers access to waters and resources. Overall, they present a position that would result in a continuation of fisheries management in the UK along the principles of the Commons Fisheries Policy (CFP). The proposals cover 97 different stocks of fish which are shared between the UK and EU.

Fisheries objectives

The 15 common fisheries objectives set out in the Draft Text, include upholding reciprocal access and fishing activities for both parties. They do not make any reference to annual negotiations to agree share of fish stocks.

Several of the objectives mirror those that have been set out by the Government, in both the fisheries white paper and the 25 year environment plan. For example, there are objectives on stock recoveries; co-operating on conservation, management and data collection; basing policies on best available science; and cooperating to prevent illegal, unregulated and unreported fishing.

However, a number would appear restrictive on future UK fisheries policies. There is a commitment to continue to fish at Maximum Sustainable Yield (MSY), would mean that [Total Allowable Catches](#) could not be set below or above this by the UK, should it wish to do so, as they would be agreed jointly with the EU.

There is an objective on the [landing obligation](#) (or discard ban) which commits to eliminating discards and ensuring all caught fish are landed. However, the [Fisheries Bill](#) currently in the House of Lords already contains measures for amending the landing obligation, which could result in changes that do not fall within the objective.

Conservation and sustainable exploitation

The document sets out that both parties should “adopt joint long-term strategies for conservation and management as the basis for the setting of fishing opportunities and other management measures”.

[Technical measures](#) are the detail of how and when fishing for different stocks can be carried out and set out in EU regulations, and transposed into UK regulations. In the draft, any changes to technical measures by either party must be notified with four months’ notice, and either party can request a consultation to the Specialised Committee on Fisheries, which would be set up as part of the Partnership Council proposed by the Commission.

Emergency measures could be imposed by either party to protect stocks for a maximum of a year, and again either party can request a consultation via the Specialised Committee on Fisheries. The measures would be suspended during a month-long consultation.

In addition, both parties “shall establish joint control, monitoring and surveillance programmes in order to coordinate and cooperate on control, monitoring and surveillance of fishing activities within Union and United Kingdom waters.”

Access

The section on access to stock and resources, together with Annex Fish 1 (setting out the fishing areas and the stock in each) and Annex Fish 2 (setting out % share of each stock for EU and UK), and Annex 3 (on which areas there will be access for UK and EU fishing boats) set out the EU’s proposal for how stocks should be shared.

Annex Fish 2 includes a table, currently blank, for percentage allocation of each stock to EU and the UK. This may be an indication that there could be some flexibility in the EU’s position on whether the current percentage share should remain or could be amended. However, the Annex also states “it is planned to uphold here existing quota shares”

On access, the EU proposes access to “all jointly managed stocks and other stocks”, as set out in Annex 3

The provision is for negotiations on agreeing the annual total catches of each stock, which would then be shared based on fixed percentages as set out in the agreement. This is similar to the current annual negotiations within the CFP.

Negotiations would begin on 31 January each year for the following year and be completed by 10 December of that year. Failure to reach agreement by that date would require allowable catches to be set at MSY levels or, if this data is not available, using a precautionary principle.

Provisions are included for quota exchanges between countries, as is currently the case within the CFP.

Failure to comply with any of the provisions, would allow each party to use the suspension of trade tariffs concession on goods covered by the trade agreement as a remedy, within 7 days. The matter would be considered under arbitration and could not be pursued through other international channels such as the WTO.

6. Third round of negotiations

In advance of the third round of UK EU negotiations, which took place on 11 to 15 May 2020, the [NFFO set out its view](#) that the lack of progress meant fishers should prepare for no agreement being reached on fisheries by the end of the year:

There can probably be high-level agreement on a commitment to the principles of fishing sustainably and using science to inform management decisions, but unless there is movement on the EU side on the other issues, it is unlikely that an agreement will be reached in June, or even later this year. At present, the EU negotiating mandate does not allow for any flexibility, and so it looks like a no-deal is the most likely outcome.

On fisheries, the UK will then prepare to enter the cycle of autumn negotiate [sic] with Norway, the EU, and the other countries with which it shares stocks, in the absence of a UK-EU framework fisheries agreement. This is not ideal, but it is better than the alternative: agreement to terms that would tie the UK back into a CFP type arrangement.

That would be politically unsellable in the UK.²³

²³ NFFO, UK EU Negotiations: Fisheries, 28 April 2020

Little progress was reportedly made in the third round on fisheries. The chief negotiator David Frost [stated on 15 May 2020](#), after their conclusion that there had been “useful discussions on fisheries on the basis of our draft legal text” but progress had been limited. He also stated that the Government would be publishing the UK’s draft legal texts on the week commencing 18 May 2020.

7. UK draft fisheries text

[Draft texts](#) were published by the UK Government on 19 May 2020, including a draft fisheries framework agreement. At the same time David Frost published a letter to Michel Barnier, the EU Chief Negotiation. Mr Barnier wrote a letter in response 20 May 2020.

7.1 Letter exchange

The [letter from Mr Frost](#) set out the UK’s concerns about the negotiations. These included that the EU was not willing to replicate the contents of previous FTAs and other agreements, including the fisheries draft agreement which was “very close to the EU/Norway agreement”. The letter also set out that “on fisheries, where the EU’s position that access to our waters after the end of this year should be the same as now is clearly not realistic”.

[In his response Mr Barnier](#) laid out that the EU’s approach was not based on previous agreements stating that “every agreement that the EU has concluded is unique” and that “there is no model, no uniform precedent to follow in EU trade policy”.

On the EU focus on negotiating a single agreement, including fisheries, and the limited time remaining to reach agreement on fisheries by 1 July 2020, he concluded:

...I would like to state again that the success of our negotiation will only be possible if tangible and parallel progress is made across all areas of negotiations, including engagement on and commitments to a level playing field and appropriate governance mechanisms, as well as to balanced, sustainable and long-term arrangements on fisheries. The next round must bring this new dynamism in order to avoid a stalemate.²⁴

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7.2 Draft Fisheries Framework Agreement

The UK’s [draft for a fisheries framework agreement](#) was published on 19 May 2012. The document sets out the UK’s proposal for a fisheries agreement, independent of any trade agreement with the EU.

The introduction sets out the Government’s approach to the Agreement:

The UK proposal reflects the fact that, at the end of 2020, the UK will be an independent coastal State and will no longer be bound by the Common Fisheries Policy, and that the current arrangements on quota-sharing will end. In line with the UK’s commitment to best available science, future fishing opportunities should be based on the principle of zonal attachment. The UK proposal is based on relevant international precedents, including the EU’s separate fisheries agreements with other coastal states. Through this agreement, and the annual negotiations it provides for,

²⁴ UK Government, [Draft Working Text for a Fisheries Framework Agreement between The United Kingdom of Great Britain and Northern Ireland and The European Union](#), 19 May 2020

the UK would fulfil its obligations under UNCLOS to cooperate with the EU on the sustainable management shared stocks.²⁵

The draft contains 12 articles. **Article 2** sets out that there would be annual fisheries negotiations with the EU, co-ordinated with negotiations with other neighbour states, as follows:

The Parties shall negotiate annually to seek to determine the following matters for the next year:

(a) fishing opportunities, taking into account the best scientific evidence available to the Parties, the ICES-recommended TAC, the interdependence of stocks, the work of appropriate international organisations, socio-economic aspects and other relevant factors;

(b) the amount of fishing opportunities mentioned in sub-paragraph (a) above that will be available to each Party, based on the principle of zonal attachment; and

(c) any access for each Party's vessels to relevant waters of the other Party for fishing.²⁶

Article 5 covers provisions for a Fisheries Co-operation Forum, which should aim to be set up by January 2021:

1. The Parties shall set up a Fisheries Co-operation Forum for discussion and co-operation in relation to sustainable fisheries management, including monitoring, control and enforcement.

2. The Parties shall use their best endeavours to decide upon the terms of reference and methods of working for the Fisheries Co-operation Forum by 1 January 2021.

3. The Parties may decide to open the Fisheries Co-operation Forum (or any part of it) to other coastal states in order to co-operate on sustainable fisheries management.²⁷

Article 8 covers dispute resolution and sets out that Parties would consult each other on implementation and dispute resolution. It states:

The Parties agree to consult on questions relating to the implementation and proper functioning of this Agreement, or in the event of a dispute concerning the interpretation or application thereof.²⁸

Article 9, on suspension of the agreement sets out that either Party can suspend the agreement with three months' notice in the event of a dispute or a failure by the other Party to comply with the terms of the agreement.

Further articles cover authorisation and enforcement, co-operation on fisheries management, data sharing and designation of ports.

8. Fourth round: limited progress

There was very limited commentary in the press or from the fishing sector on the detail of the UK draft text. The focus in advance of the fourth round of negotiations, which took

²⁵ UK Government, [Draft Working Text for a Fisheries Framework Agreement between The United Kingdom of Great Britain and Northern Ireland and The European Union](#), 19 May 2020

²⁶ UK Government, [Draft Working Text for a Fisheries Framework Agreement between The United Kingdom of Great Britain and Northern Ireland and The European Union](#), 19 May 2020

²⁷ UK Government, [Draft Working Text for a Fisheries Framework Agreement between The United Kingdom of Great Britain and Northern Ireland and The European Union](#), 19 May 2020

²⁸ UK Government, [Draft Working Text for a Fisheries Framework Agreement between The United Kingdom of Great Britain and Northern Ireland and The European Union](#), 19 May 2020

place from 2 to 5 June, has been on whether there may some movement on fisheries behind the scenes. Fisheries is one of the main items on [the agenda](#), with discussions scheduled for four days.

[A report in The Times](#) from 18 May suggested that EU negotiators “were ready to back down for calls on more fishing rights” once European leaders got involved next month.²⁹ Jennifer Ranking from the Guardian also commented on 26 May, that there may be some movement on the part of the EU on fisheries, tweeting that:

Fisheries will be the most interesting area to watch in R4. It's the one area where Barnier hinted at a tentative opening. EU side knows UK has some leverage. Privately few EU diplomats think EU position bit much, but that doesn't translate into any wish to rock the EU27 boat.³⁰

However, on 25 May the European Parliament Committee on Fisheries (PECH) adopted an opinion again reiterating the link between trade agreement and a fisheries agreement should be maintained, tweeting that:

No EU-UK agreement can be concluded without a comprehensive, balanced & long-term #fisheries agreement, allowing continued access to waters & resources + maintaining stringent common rules for species' protection.³¹

And as highlighted in a Guardian article, [Brexit talks 'risk stalemate' if no progress on key issues](#), from 26 May 2020, the Committee's position could impact any future agreement:

Adding to pressure on Barnier not to concede on fishing rights, on Monday night the European parliament's fisheries committee threatened to veto any deal with the UK that did not include a “balanced” agreement on fish quotas, allowing EU fleets continue access to British waters.

“No fisheries agreement means no post-Brexit agreement,” said François-Xavier Bellamy, the French centre-right MEP – and member of Barnier's Les Républicains party – who drew up a report that was adopted with near unanimity by the committee.³²

Following [a meeting](#) between Mr Barnier and Fisheries Ministers on 27 May, reports are a [similar strong message](#) to that from the EU Parliament was delivered by Ministers to Mr Barnier.

8.1 Fourth round outcome

Both David Frost and Michel Barnier made statements on 5 June 2020 on progress at the end of the round. There was little overall progress, an no progress reported on fisheries.

[David Frost stated](#) that progress was limited but the talks have been positive in tone, and mentioned fisheries as an area of difficulty:

For our part we are willing to work hard to see whether at least the outline of a balanced agreement, covering all issues, can be reached soon. Any such deal must of course accommodate the reality of the UK's well-established position on the so-called “level playing field”, on fisheries, and the other difficult issues.³³

Following the round [Michel Barnier stated](#) that there had been “no substantial progress” and highlighted fisheries as one of four main sticking points. And specifically, on fisheries:

²⁹ The Times, [Brussels 'ready to back down' on call for more fishing rights](#), 18 May 2020

³⁰ <https://twitter.com/JenniferMerode/status/1265266128345083904>

³¹ https://twitter.com/EP_Fisheries/status/1264969653840904192

³² The Guardian, [Brexit talks 'risk stalemate' if no progress on key issues](#), 26 May 2020

³³ No 10 Media Blog, [David Frost's statement following the conclusion of round 4 negotiations with the EU](#), 5 June 2020

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The United Kingdom did not show any real willingness to explore other approaches than zonal attachment on quota sharing. It also continues to condition access to its waters to an annual negotiation – which is technically impossible for us. Whereas the EU wants to build a more stable economic partnership.³⁴

Mr Barnier also expressed the view that it would be difficult to reach agreement by the 1 July because of the UK's approach, stating:

The UK continues to backtrack on the commitments it has undertaken in the Political Declaration.

Including on fisheries, where we committed to use our “best endeavours” to conclude and ratify a new agreement by 1st July 2020.

It seems clear that we will not reach this target considering how the negotiations in this area are going for the moment.³⁵

Following this, the Politico website included [an analysis](#) setting out the next steps which could result in change and deliver some progress in the negotiations. These included the high-level meeting expected by the end of June between the Prime Minister, Boris Johnson and the European Commission and European Council presidents; and Germany taking over the presidency of the Council of the European Union in July.

Katya Adler, BBC Europe Editor, set out in an article on 15 June 2020 [War of the deadlines at Brexit summit](#), that there may be some room for progress in all areas including fisheries:

So, does this make no-deal now the most probable outcome?

Not necessarily. A deal is there to be done by December if both sides want one and if both are willing to make concessions. A compromise could be found on fishing, if, for example, EU coastal nations give up the dream of keeping the same quotas they had to fish in UK waters when the UK was an EU member. And if the UK accepts it can't have the exact same fishing agreement Brussels has with much smaller Norway.

³⁴ EU Commission, [Statement by Michel Barnier following Round 4 of negotiations for a new partnership between the European Union and the United Kingdom](#), 5 June 2020

³⁵ EU Commission, [Statement by Michel Barnier following Round 4 of negotiations for a new partnership between the European Union and the United Kingdom](#), 5 June 2020

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