



DEBATE PACK

Number CDP 2017/0256, 6 December 2017

The UK Fishing Industry

This pack has been prepared ahead of the debate to be held in the Commons Chamber on Thursday 7 December 2017 on the UK fishing industry. The subject for this debate has been selected by the Backbench Business Committee, and the debate will be opened by Sheryll Murray MP.

The House of Commons Library prepares a briefing in hard copy and/or online for most non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

By Dr Elena Ares,
Chris Rhodes, Matthew
Ward

Contents

1.	The UK fishing industry	2
1.1	The Commons Fisheries Policy	2
	EU Council Agriculture and Fisheries Meeting December 2017	3
	Fisheries Bill	3
1.2	The UK fishing industry	3
	Economic contribution	4
	Employment by region	4
	Landings by UK and EU vessels	5
	UK trade in fish	6
1.3	Brexit	7
	United Nations Convention on the Law of the Sea (UNCLOS)	7
	EU perspective on UNCLOS	8
	UK Fisheries post-Brexit	9
2.	Press Articles	14
3.	Parliamentary material	16
3.1	Written questions	16
3.2	Oral questions	20
3.3	Committee reports	21

1. The UK fishing industry

The Library Commons Briefing Paper [Brexit: What next for UK fisheries?](#) published in July 2017 provides an overview of how fisheries are currently managed within the UK, as part of the EU Commons Fisheries Policy.

There were 4,000 businesses in the fishing industry in 2016. These businesses employed 24,000 people and contributed £1.4 billion to the UK economy in terms of Gross Value Added (GVA – a measure similar to GDP). The implications of Brexit for fisheries are highly uncertain. The implications will depend on future negotiations with the EU and future UK Government policy. The Government announced its intention to introduce a Fisheries Bill in the [2017 Queen's Speech](#), which will: “Enable the UK to control access to its waters and set UK fishing quotas once it has left the EU.”

Possible implications, based on the views of different stakeholders and evidence from existing non-EU European countries, may include:

- The UK obtaining exclusive national fishing rights up to 200 miles from the coast. However, the UK may trade-off some of these rights in order to obtain access to the EU's sea area or access to the EU market for fisheries products;
- Impacts on the UK's ability to negotiate favourable fish quotas for UK fishers with the EU. It is not possible to say whether the UK will be more or less able to obtain satisfactory quotas for fishers;
- The need for a new mechanism to enable the UK to negotiate and agree annual fishing quotas with the EU and other countries;
- The introduction of a UK fisheries management and enforcement system. This in many respects may mirror the existing arrangements for managing fisheries, albeit with additional resources required;
- Restrictions on EU market access for fishery products (depending on the outcome of negotiations) and less influence in discussions on determining EU market rules for fish; and
- Issues related to possible changes to the protection of the marine environment.¹

Since July then there has been continued discussion on the future of UK fisheries post-Brexit, together with further detail from Ministers on what they are hoping to achieve within the Brexit negotiations, commentary on which are provided below.

1.1 The Commons Fisheries Policy

Fisheries in the UK and EU are currently managed under the [Common Fisheries Policy \(CFP\)](#). As summarised by the Commission, the policy aims to ensure that fishing is “environmentally, economically and socially sustainable” and to allow fair competition between fishers. The

¹ Commons Briefing Paper, [Brexit: What next for UK Fisheries?](#) 4 July 2017

stated aim is that between 2015 and 2020 catch limits should be set that are sustainable and maintain fish stocks in the long term.² Under the CFP, every year, the European Commission proposes a Total Allowable Catch (TAC) for each commercial species for each area within the EU 200-mile limit. TACs are then shared between EU countries in the form of national quotas. The TACs for each area are agreed by the Council of Ministers at the Agriculture and Fisheries Council, based on scientific advice on sustainable catch levels.³

The UK's fishing industry is currently regulated at an EU level and managed in England by the Marine Management Organisation (MMO), Marine Scotland in Scotland, Natural Resources Wales in Wales and the Department of Agriculture and Rural Development in Northern Ireland. These are responsible for setting individual fishing vessel quotas, within the annual TAC allocated by the EU.

Further information on quotas and how they are set is available in the [Commons Briefing Paper Brexit: What next for UK fisheries?](#)⁴

EU Council Agriculture and Fisheries Meeting December 2017

The [EU Agriculture and Fisheries Council](#) is holding a meeting on 11 and 12 December. During this the Council is due to agree on a regulation setting the 2018 catch limits for the main commercial fish stocks in the Atlantic and North Sea. Quotas set at the meeting will apply to the UK as it will continue to be part of the Commons Fisheries Policy until at least March 2019.

Fisheries Bill

The UK Government has made clear that new legislation will be required to replace the Commons Fisheries Policy. A proposed Fisheries Bill was [announced](#) in June 2017, in acknowledgement that withdrawal from the EU would require legislation that specifically addressed fisheries management. A White Paper is expected before the end of the year, to be followed by the Bill. The Defra press release announcing the Bill stated that during the summer there would be a period of engagement with the devolved administrations, industry and the public with the aim of delivering the best outcome for the UK industry.⁵

1.2 The UK fishing industry

Changes in the definition of the "fishing industry" can have a big impact on estimates of employment and economic output, because the definition determines the type of economic activity included in the totals. The fishing industry is defined here as:

² [The Common Fisheries Policy \(CFP\)](#), European Commission, website on 5 December 2017

³ *ibid*

⁴ Commons Briefing Paper, [Brexit: What next for UK Fisheries?](#) 4 July 2017

⁵ Defra, [Environment Secretary Michael Gove sets out new approach for UK fishing](#), 23 June 2017

- Fishing and aquaculture (the cultivation and capture of fish and shellfish)⁶
- Fish processing (the preparation and preservation of fish and shellfish)⁷

The fishing industry is sometimes defined so that it includes the fleet repair and maintenance industry, and quay services. However, it is not possible to isolate when these activities are undertaken for the benefit of fishing boats, rather than for boats engaged in other activities.⁸

This section provides some analysis of the fisheries industry. More detailed information is available in the Commons Briefing Paper [UK fisheries statistics](#) published 5 December 2017.

Economic contribution

The following table summarises the economic contribution of the fishing industry in the UK.⁹

Fishing industry in the UK, 2016			
	Fishing	Processing	Total
Economic output (£ millions)	788	653	1,441
Employment	8,000	16,000	24,000
Businesses	3,900	300	4,200

Source: Output and businesses: ONS, Annual Business Survey, 2017
 Source: Employment: ONS, Business register and employment survey, 2017
 Notes: Industry = fishing and aquaculture, and processing and preserving of fish; SIC codes 03, 10.2
 Economic output is Gross Value Added (GVA)

There were 4,000 businesses in the fishing industry in 2016. These businesses employed 24,000 people and contributed £1.4 billion to the UK economy in terms of Gross Value Added (GVA – a measure similar to GDP). In 2016, the fishing and fish processing industries accounted for 0.12% of the all UK economic output.

The fish processing and preserving part of the industry employed more people than the fishing part of the industry – 15,000 compared with 8,000. But the processing industry was less significant in terms of overall economic output and involved fewer businesses.

Employment by region

The fishing industry is unevenly distributed across the UK, with employment concentrated in the areas with long coastlines and established aquaculture facilities (such as the salmon industry in Scotland).

⁶ Standard Industrial Classification (SIC) [code 03](#)

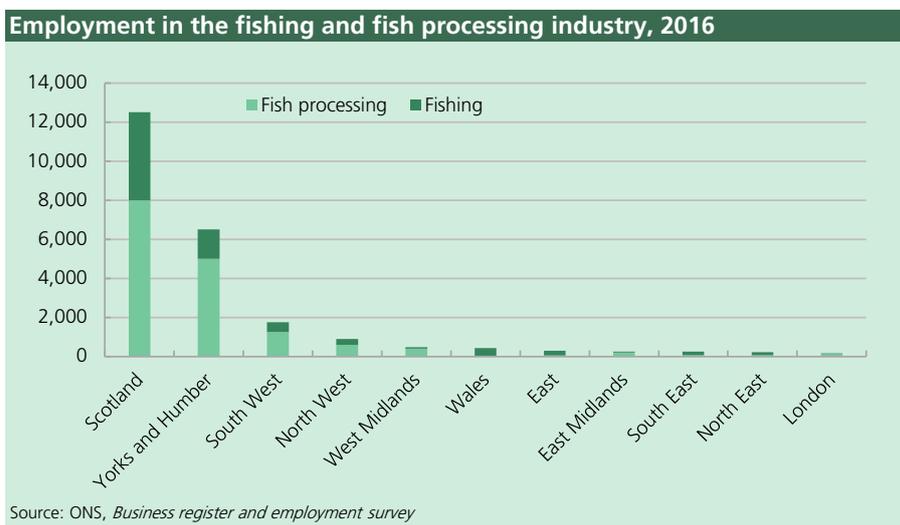
⁷ SIC [code 10.2](#)

⁸ For example, the trade association Sea Fish uses the broader definition of the industry in their analysis, [Industry economics](#)

⁹ Data are from the ONS [Annual Business Survey](#), and the ONS [Business register and employment survey](#) which ask businesses about their financial status each year. Employment data refer to Great Britain.

Over half of the Great Britain fishing industry was based in Scotland in 2016 (53% of the total). There were 4,500 fishing/aquaculture employees and 8,000 fish processing employees in Scotland in 2016.

The next most significant region was Yorkshire and Humberside, which accounted for 11% of fishing industry employment, 6,500 employees in total.



Fishing industry employment in Great Britain, 2016

	Fishing	Processing	Total
Scotland	4,500	8,000	12,500
Yorks and Humber	1,500	5,000	6,500
South West	500	1,250	1,750
North West	300	600	900
West Midlands	75	400	475
Wales	400	35	435
East	250	50	300
East Midlands	50	200	250
South East	175	75	250
North East	150	75	225
London	40	125	165
Great Britain	7,940	15,810	23,750

Source: ONS, Business register and employment survey, 2017
Notes: Industry = fishing and aquaculture, and processing and preserving of fish; SIC codes 03, 10.2

Landings by UK and EU vessels

Fish landed in Britain/ the UK by the home fishing fleet peaked at 1.0 million tonnes in 1973, when the UK joined the EU. Since then, landings have fallen steadily. Landings stabilised at around 0.4 million tonnes in 2009, the lowest levels of any years outside the two world

wars. In 2016, total landings increased from 415,000 tonnes to 446,000 tonnes, an increase of 31,000 tonnes or 7%.¹⁰

However, the value of landings by the UK fleet at home and abroad (a wider definition than above) has continued to increase despite a long-term decline in total landings. For example, while the volume of the shellfish catch rose by 32% between 1994 and 2016, the value of the catch more than doubled in real-terms. The total value of landings was £936 million in 2016, a real-terms increase of 21% on 2015.¹¹

With regards to the UK's Exclusive Economic Zone (EEZ), which is an area defined in international law as extending up to 200 nautical miles from a country's coast, a study by the NAFC Marine Centre at the University of the Highlands and Islands suggests that the majority of fish and shellfish was caught by EU boats.¹² The study estimates that an average of 58% of fish and shellfish caught in the UK's water was landed by fishing boats from other EU countries each year between 2012 and 2014. This is said to represent about 650,000 tonnes of fish and shellfish worth over £400 million each year. The estimate for UK fishing boats was landings of an average of 90,000 tonnes of fish and shellfish, worth £100 million, caught in other EU member states' waters each year.

Similarly, the Marine Management Organisation estimates that in 2015, UK fishing boats landed between 94,000 and 149,000 tonnes from the Exclusive Economic Zones of other EU member states, worth £90 -169 million.¹³ This suggests that about 16% of all fish and shellfish landed by UK vessels into the UK and abroad that year was caught in other EU member states' waters.

UK trade in fish

Statistics on the UK's trade in fish in 2016 are shown in the table below:

UK trade in fish*, 2016 (£ millions)			
	Exports	Imports	Balance
Total, EU	1,167.3	1,040.1	127.2
Total, non-EU	475.5	2,029.0	-1,553.5
Total, world	1,642.8	3,069.0	-1,426.3
Source: UK Trade Info			
* Defined as fish, crustaceans, molluscs & aq. inverts & preps thereof			

In 2016 the UK had an overall trade deficit in fish (meaning the value of imports exceeded the value of exports) of £1.4 billion.

¹⁰ Sources: B R Mitchell, British Historical Statistics; OPCS, Annual abstract of statistics (various years); Defra, [United Kingdom Sea Fisheries Statistics 2004](#), Table 3.3; Marine Management Organisation, [UK Sea Fisheries Statistics](#) (various years)

¹¹ Marine Management Organisation, [UK sea fisheries statistics 2016](#); HM Treasury, [GDP Deflator November 2017](#)

¹² Ian Napier, [Fish Landings from the United Kingdom's Exclusive Economic Zone, and UK Landings from the European Union's EEZ](#), University of the Highlands and Islands, October 2016. See also: Ian Napier, [Fish landings from the United Kingdom's Exclusive Economic Zone: by area, nationality](#), November 2016

¹³ Marine Management Organisation, [Provisional statistics – UK fleet landings from other EU member states' water: 2015](#), February 2017

The UK had a trade surplus in fish with the EU of £127.2 million; the EU accounted for 71% of UK fish exports and 34% of imports.

This surplus was more than offset by a deficit with non-EU countries of £1.6 billion; non-EU countries accounted for 29% of all UK fish exports and 66% of all UK fish imports.

The UK's largest trading partners in fish are shown in the table below. France was the UK's largest export market, while Iceland was the largest source of imports (all by value).

UK's largest trading partners in fish, 2016					
Exports	£ millions	% of total	Imports	£ millions	% of total
France	452.4	27.5%	Iceland	333.8	10.9%
United States	202.6	12.3%	Faroe Islands	213.3	7.0%
Spain	169.9	10.3%	Germany	213.2	6.9%
Irish Republic	142.8	8.7%	China	192.6	6.3%
Italy	111.8	6.8%	Denmark	169.0	5.5%
China	90.0	5.5%	Sweden	161.4	5.3%
Netherlands	76.2	4.6%	Vietnam	141.6	4.6%
Germany	69.7	4.2%	Netherlands	121.1	3.9%
South Korea	29.9	1.8%	Norway	115.1	3.8%
Poland	28.7	1.7%	India	111.2	3.6%

Source: UK Trade Info

1.3 Brexit

United Nations Convention on the Law of the Sea (UNCLOS)

Currently within the EU, Member States share access to fishing grounds from 12-200 miles from the coast (the Exclusive Economic Zone or EEZ). The rules on EEZs are set out under the [United Nations Convention on the Law of the Sea](#), or UNCLOS, which was adopted in 1982 and regulates activities at sea. Within their EEZ coastal states have:

- the right to exploit, develop, manage and conserve all resources e.g. fish, oil, gas etc.
- the responsibilities and obligations to prevent and limit pollution and to facilitate marine scientific research. And jurisdiction for the protection and preservation of the marine environment.¹⁴

Following Brexit the UK could take full responsibility for fisheries in the UK's waters. However, the UK would still have to comply with international treaty commitments, which allow for resources to be shared and requires historical fishing rights to be taken into account. Article 62 of the UNCLOS requires coastal States to give other States access to the surplus of the allowable catch in its EEZ and emphasises the need to minimise economic dislocation in States whose nationals have habitually fished in the zone.

UNCLOS articles relevant to sea fishing¹⁵

¹⁴ Scottish Parliament Information Service (SPICE), [Implications of Leaving the EU – Fisheries](#), March 2017

¹⁵ UN, [United Nations Convention on the Law of the Sea](#), 1982

- **Article 61(1)** The coastal State shall determine the allowable catch of the living resources in its EEZ
- **Article 61(2)** A coastal state shall take into account the best scientific advice available, and prevent over-exploitation of living resources, via conservation and management measures
- **Article 61(3)** conservation and management measures should maintain or restore populations of harvested species at levels which can produce the maximum sustainable yield
- **Article 62(1)** The coastal State shall promote the objective of optimum utilization of the living resources in the exclusive economic zone without prejudice to Article 61
- **Article 62(2)** Where the coastal State does not have the capacity to harvest the entire allowable catch, it shall, through agreements or other arrangements ... give other States access to the surplus of the allowable catch
- **Article 62(3)** requires coastal states to “minimize economic dislocation in States whose nationals have habitually fished in the zone” when giving access to the EEZ
- **Article 63 (1)** Provides an obligation to co-operate with other coastal states on the management of shared stocks or stocks of associated species¹⁶

EU perspective on UNCLOS

An indication of the EU perspective on how UNCLOS would impact post-Brexit is provided by the [European Common Fisheries Policy and Brexit](#) research report published by the EU Committee on Fisheries (COMPECH) and Policy Department B (PECH Research).¹⁷ Agreement on historical fishing rights for non UK vessels, together with agreement of the management of fish stocks that fall or migrates across different zones are highlighted as potential issues [emphasis retained from original document]:

That referring to **access to fishing grounds** in UK and EU waters. This access will no longer be regulated by European law but rather international law. Consequently, the principle of equal access and use will be replaced by the criteria set out in **UNCLOS [United Nations Convention of the Law of the Sea]** (sovereignty of the UK over its fisheries resources, determination of its harvesting capacity, and access by third countries to the **surplus**, in particular, by those that have habitually fished in the zone):

- These historical fishing rights should be taken into account in the negotiations to facilitate preferential access by Member State fleets to the resources in British waters and vice versa.

- With regard to **straddling and highly migratory fish stocks**, international law includes the obligation to cooperate, directly or through RFMOs; thus, the UK's exit will not eliminate its need to negotiate fishing quotas or any transfers or exchanges thereof.

- All of these issues should be addressed in the **agreement regulating EU-UK fisheries** relations. However, prior to that, the withdrawal agreement or an ad hoc agreement should include **clauses** establishing transitional periods to enable a progressive and gradual transition from a regime of equal access to waters and resources to a preferential regime based on historical rights

¹⁶ Scottish Parliament Information Service (SPICE) , [Implications of Leaving the EU – Fisheries](#), March 2017

¹⁷ EU Committee on Fisheries (COMPECH) and the Policy Department B (PECH Research), [European Commons Fisheries Policy and Brexit](#), June 2017

and reciprocity (which could be quite similar to the current regime).¹⁸

UK Fisheries post-Brexit

In the UK quotas are based on historical fishing effort and are tradeable, leasable and transferable with ships when they are sold. The New Economics Foundation March 2017 report on how fishing quotas are managed in Europe, [Who Gets to Fish?](#), explains the UK approach as follows:

ALLOCATION

The UK's quota system is differentiated between fishers that are members of POs [producer organisations] ('sector') and ones that are not (inshore and 'non-sector'). Allocation is performed on the basis of historical catch records for sector vessels and monthly individual catch limits are rationed equally to the non-sector.

HOLDER

Fixed quota allocation (FQAs) are attached to vessel licences but are managed by POs for vessels in the sector. For inshore and non-sector vessels, quotas are held by the each of the four regional governments of the UK in a pool.

TRANSFERABILITY

Sector fishers can easily lease and temporarily swap quotas via their producer organisation. Permanent transfers can also be made with the sale of the vessel and to a limited extent, independently. Inshore and non-sector quotas cannot be leased or transferred.

SECURITY

FQAs attached to vessels are highly secure allocations as the FQA system has existed for 18 years with minimal alteration. However, the fisheries minister has the right to make changes to allocations. Inshore and non-sector quotas are rationed at the discretion of the regional government.

DURATION

Sector quotas apply for the whole quota year, whilst inshore and non-sector quotas are allocated on a monthly basis. POs may also use impose monthly catch limits for pooled quotas.¹⁹

The report also highlights the level to which quotas can be traded and the fact that there are no restrictions on ownership:

UK's transferable quota system has evolved without design and has no measures in place to limit excessive concentration of FQAs or restrictions on who can hold them. This means that FQAs can potentially be used by non-fishers as a financial asset or can be leased out by non-active fishers.²⁰

And

A Greenpeace analysis of the FQA owners in England and Wales revealed the level of concentration in terms is much more extreme than at the vessel level because many vessels or FQA holders will have the same ultimate owner. According to their calculations,

¹⁸ *ibid*, p15

¹⁹ New Economics Foundation, [Who Gets to Fish?](#), March 2017 p316

²⁰ *Ibid* p325

63% of English and Welsh quotas are owned by just three companies.²¹

Brexit is seen by a number of organisations and representative bodies as an opportunity to address a wide range of concerns over how fishing effort is set:

- [Fishing For Leave](#) proposes replacing the fishing quotas with an effort based system, by introducing a [days at sea](#) approach, because of the difficulties of dealing with unwanted by-catch when species are quota specific. They advocate being able to land and sell all catches.²²
- The [National Federation for Fishermen's Organisation \(NFFO\) view](#) is that days at sea is a blunt instrument and that "our experience of it, as part of the EU cod recovery plan, has not been a happy one".²³ The NFFO also argues that against the top down approach of the CFP, instead calling for "responsive decision-making with industry centrally involved in management" as key to an effective post-Brexit fisheries regime.²⁴
- The New Economics Foundation (NEF) report about quotas and how they are managed in the different EU countries [Who Gets To Fish?](#) includes a section on the UK current practices and recommendations for future changes post Brexit, including non-monetary peer to peer quota swapping. It also proposes increasing the quotas for smaller inshore vessels to improve equity, and suggests it could have a big impact on that sector without significant impact on larger vessels. The report does not support an efforts based approach stating that it could encourage a race to fish, which could be detrimental to stocks.²⁵
- The [Angling Trust](#), which represents recreational fisheries, supports a quota system being retained. Its [view](#) is that the evidence on effort based systems such as days at sea, suggests that it would be "disastrous both environmentally and economically".²⁶ It advocates a quota system based on zonal attachment, which would be based on the time a particular species spend in different national waters.

A zonal attachment approach is currently used to inform quota setting of shared fish stocks, for example with Norway. However the information available for other species is currently limited, as highlighted by George Eustace, Minister of State for Environment, Food and Rural Affairs, to the House of Lords European Union Committee enquiry on [Fisheries and Brexit](#), published December 2016.²⁷ Further work in this area was underway by the Department according to the Committees report.²⁸ The Committee report also highlights some of the

²¹ Ibid p326

²² Fishing For Leave, [Only Days-at-Sea work in a Mixed Fishery](#), 30 November 2016

²³ NFFO, [Are Days the Answer?](#) 3 April 2017

²⁴ NFFO, [Post-Brexit Fisheries Management](#), 5 December 2017

²⁵ Ibid p333

²⁶ Angling Trust, [UK sea fisheries policy post Brexit](#), July 2017

²⁷ House of Lords European Union Committee, [Brexit: Fisheries](#), 17 December 2016, para 122

²⁸ Ibid, para 122

complexities that may arise during Brexit negotiations on fisheries, and beyond:

Fisheries policy is a complex area, which cannot be solved in its entirety by the Great Repeal Bill. Untangling UK fisheries from the EU will be challenging and require political will and resources, both in the wider Brexit negotiations and beyond. From the day of withdrawal from the EU the UK will need to have in place arrangements with the EU and third countries with which the EU has fisheries agreements, so that shared stocks can be managed, access arrangements for UK vessels fishing outside UK waters can be negotiated to the mutual satisfaction of the parties, and trade in fish products can continue.

Many in the fishing industry were vocal in their support of Brexit and have declared the vote to leave a great opportunity for the sector. Notwithstanding the comparatively small contribution of fisheries to the UK economy, the voices of the industry, the coastal communities that support, and thrive on, the industry, and its supply chains must be heard in the wider Brexit negotiations.²⁹

The Times [reported](#) on 9 October that Michael Gove, Secretary of State for Environment Food and Rural Affairs, wanted the UK to leave the Commons Fisheries Policy as soon as a Brexit deal is agreed, without waiting to the end of any transitional period.³⁰ Further to this Mr Gove clarified his view on 1 November 2017 when giving evidence to the House of Lords EU Energy and Environment Sub-Committee:

Ultimately, the length and nature of any transitional or implementation period is a matter for negotiation. My analysis is that, with respect to the Common Fisheries Policy, it is the case that at the moment Britain leaves the European Union, which will be in March 2019, we become, as a matter of international law, an independent coastal state and therefore are outside the Common Fisheries Policy. That does not mean that we instantly abandon the relationships and arrangements we have developed with EU countries and others to ensure that we have the most effective and sustainable management of fish stocks, and the most successful and amicable relationship with other countries in whose waters we fish and other countries that fish in our waters. But it seems to me that, as a matter of law—I have not heard to the contrary in legal terms—we would be outside the common fisheries policy at that point, as an independent coastal state.³¹

The Minister also expressed the view that to date the Commons Fisheries Policy had resulted in overfishing and that once the UK leaves the EU there will be an increased focus on the science:

We believe that throughout the period of the CFP there has, effectively, been overfishing. The situation has improved, but we are still fishing more than science would dictate. We want the science to determine what is going to happen in our waters in the future. That is in the interests of everyone, and then we are going to negotiate with you, Norway, Iceland, the Faroes and others, as

²⁹ Ibid, summary p4

³⁰ The Times, [Gove demands immediate end to EU fishing deal](#), 9 October 2017 [subscription needed]

³¹ Select Committee on the European Union, [Energy and Environment Sub-Committee, Corrected oral evidence: Secretary of State for Environment, Food and Rural Affairs.](#), Wednesday 1 November 2017, Q1

the champion of green conservation and science-based decision making³²

In addition, another issue referred to by Mr Gove in the past is the current capacity of the British fishing fleet to fish UK waters. He was [reported](#) by the BBC on 3 August 2017 to have said that foreign trawlers will still have access to UK waters after Brexit as “British fishermen would not have the capacity to land all of the fish in British territorial waters”.³³ This view was reflected in evidence to the Environment, Food and Rural Affairs Committee in September 2017:

At the moment that we leave the European Union we, in international law, become an independent coastal state, so our position is analogous to Norway or the Faroes or Iceland. That means that around our waters, as well as the territorial six- and 12-mile limit, we now have a 200-mile limit, our exclusive economic zone. Obviously, when Ireland, France or Belgium come into it, it is the median line between the two. That means that we can control access to our waters.

I do not think there is anyone who says that no foreign boat would ever fish in our waters, because it is of course in the nature of our own fishing fleet that we fish in Norwegian, Faroese, Icelandic and other waters, as well as French and Spanish. I was in Newlyn in Cornwall on Friday talking to fishermen who fish in French and Spanish waters.

Once we are an independent country, we can then negotiate with those countries and say, “Of course, it is the nature of your fleet that you may want to come to our waters. We want to come to yours.” We can negotiate every year in a way that ensures that we respect each other’s interests. However, it is our ultimate decision.³⁴

The difficulties that may arise in achieving the Government’s aims were highlighted in [an article](#) from November 2016 by Andy Lebrecht, former Director-General for Food and Farming, Defra and UK Deputy Permanent Representative to the EU. This argued that any eventual fisheries deal is unlikely to be very different to the existing one for a number of reasons:

First, whilst the Scottish fishing fleet depends relatively little on non-UK waters, the English fleet traditionally catches its fish in Irish, French and Norwegian, as well as UK, waters. Retaining access to those waters will be an essential demand for the UK.

Second, the basis of each country’s quotas is historical catch records dating back to 1973 that the UK has accepted and defended since the quotas were introduced in 1983. The EU can be expected to resist strongly any attempt to reset such a well-established basis for allocating quotas. The UK will have difficulty making a persuasive case for a different allocation principle.

Third, the UK industry depends heavily on fish exports to the EU and so is vulnerable to tariffs. The UK exported £921m of fish (including £224m salmon) to the EU in 2015 whereas total landings in 2015 (which exclude salmon) were worth £775m. Its

³² Ibid, Q9

³³ BBC, [Brexit: Gove confirms foreign access to UK fishing grounds](#), 3 August 2017

³⁴ Environment, Food and Rural Affairs Committee, [Oral evidence: The work of Defra](#), HC 321, 13 September 2017, Q32

primary supplier of fish is Iceland, followed well behind by China, Germany and Norway. Countries such as France and Spain would have every incentive to demand high tariffs on fish imports from the UK. "Access to markets" and "access to waters" will be linked.

Fourth, UK vessels benefit from rights to fish large quantities of cod in North Norwegian waters that are "paid for" by transfers to Norway of other stocks which are mainly of value to other EU countries. Maintaining this arrangement will be another UK demand.

So the UK's leverage to extract radical improvements is limited. The prospects of the UK and EU (and Norway) agreeing on any access and quota regime that is significantly different from the status quo look slim.³⁵

Other issues that may arise were referred to by Michael Acton in the *Financial Times* in November which referred to European fishing associations who are calling for the current quota system for herring to remain, while Scottish fishermen hope for significant increases, and the possibility that fisheries could become bargaining chip when discussing other more lucrative sectors. The article concluded that "a big shake-up of quotas could open the door to a tug of war between the UK and its neighbours, leading to unsustainable fishing and pressure on stocks".³⁶

³⁵ In Facts, [Better deal for UK fishermen will be hard to catch](#), 11 November 2016

³⁶ Financial Times, [Britain seeks to take back control in Brexit fisheries fight](#), 28 November 2017

2. Press Articles

[Our fishermen should land Brexit benefits](#)

Liam Halligan

Daily Telegraph, 2 December 2017

[Britain seeks to take back control in Brexit fisheries fight](#)

Michael Acton

Financial Times, 28 November 2017

[UK fisherman expect a post-Brexit bonanza - but there's a catch: What Brexit gives with one hand, it can also take away. EU fishermen want Brussels to use its trump card - access to the essential EU market - in negotiations on how to divvy up the seas](#)

Nigel Hunt

The Independent, 19 September 2017

[Overfishing of North Sea may reduce after MEPs vote on fishing quotas; Defra welcomes European vote which aims to secure long-term sustainability of North Sea fish stocks](#)

Fiona Harvey

The Guardian, 15 September 2017

[Fisheries revival 'could scupper Scottish independence dream'](#)

Ted Brocklebank

Daily Telegraph, 15 August 2017

[Michael Gove makes waves with Danish fisheries pledge: Minister accused of mixed messages on foreign access to UK waters](#)

Robert Wright

Financial Times, 3 August 2017

[Sustainable British cod on the menu after stocks recover: A recovery from near total collapse has led North Sea cod stocks to be labelled as sustainable by the Marine Stewardship Council for the first time in 20 years](#)

Damian Carrington

The Guardian, 19 July 2017

[Will Britain's fishermen be better off after Brexit? It is hard to think of many sectors that will be more affected by UK leaving the EU](#)

James Blitz

Financial Times, 3 July 2017

[UK to withdraw from international fishing arrangement](#)

BBC, 2 July 2017

[Belgian fishermen ready to battle for survival if UK 'takes back' its waters: UK's plans to reclaim its fishing zones have dismayed the port of Ostend, with calls to add the issue to the Brexit talks](#)

Daniel Boffey

The Observer, 11 June 2017

[The Brexit catch for North Sea cod: EU policy helped stocks of the fish recover but the UK's exit could unleash a free-for-all between Scottish and other fishermen](#)

Joshua Chaffin

Financial Times, 11 May 2017

[Denmark to contest UK efforts to 'take back control' of fisheries: Copenhagen has built a legal case that claims Danish fishermen's right to fish in seas around UK dates back to 1400s](#)

Daniel Boffey

The Guardian, 18 April 2017

[Fishing communities' Brexit hopes may be too high, peers say: Lords committee says expectations about reducing access to British waters for foreign fleets may be unrealistic](#)

Severin Carrell

The Guardian, 17 December 2016

3. Parliamentary material

3.1 Written questions

[Department for Environment, Food and Rural Affairs: Fisheries: Written question - 115868](#)

Asked by Kerry McCarthy

Asked on 27 November 2017

To ask the Secretary of State for Environment, Food and Rural Affairs, whether he plans to introduce (a) a legal requirement to fish at a level that enables fish stocks to recover and (b) to document all fish caught, after the UK has left the European Union.

Answered by George Eustice

Answered on 30 November 2017

The Government has always made clear that it is committed to science-based fisheries management and managing stocks at sustainable levels; and we will continue to do so after we leave the European Union. We will continue to require accurate data recording by fishers and the gathering of robust scientific evidence. A number of trials have been undertaken to test Remote Electronic Monitoring which provides an effective and efficient way of gathering data on what is caught at sea. We have developed significant expertise through this work and are considering how best to apply this learning as we develop options for future fisheries management approaches.

[Department for Environment, Food and Rural Affairs: Fisheries: HL3010](#)

Asked by Baroness Kennedy of Cradley

Asked on 07 November 2017

To ask Her Majesty's Government what assessment they have made of the level of unauthorised fishing that takes place in British waters.

Answered by Lord Gardiner of Kimble

Answered on 17 November 2017

Control and enforcement of fisheries legislation is a devolved matter. Unauthorised fishing can mean many things including fishing in closed areas, using the wrong gear or not completing records accurately.

In England, the Marine Management Organisation (MMO) assesses the level of unauthorised fishing in the 0-200 nautical mile zone using intelligence and data from at-sea patrols conducted by the Royal Navy as well as from their own enforcement activity at sea and on land. Inshore Fisheries and Conservation Authorities also carry out control and

enforcement activity on land and in the 0-6 nautical mile waters of England.

The MMO publishes information about significant prosecutions and actions taken as a result of finding infringements or non-compliance with fisheries legislation on their website.

Surface patrol vessels are used to provide physical presence, deterrence and inspection capability which is complemented by satellite based surveillance technologies such as Vessel Monitoring Systems, Electronic Reporting Systems and Remote Electronic Monitoring.

The Joint Maritime Operations Coordination Centre was established in October to improve the coordination of cross-agency maritime patrol capabilities, increase information sharing across Government and enhance aerial surveillance operations.

As the control and enforcement of fisheries legislation is a devolved matter, it is for each Devolved Administration to decide how best to develop an enforcement solution to prevent unauthorised fishing.

[Department for Environment, Food and Rural Affairs: Fisheries: HL2933](#)

Asked by Baroness Jones of Whitchurch

Asked on 06 November 2017

To ask Her Majesty's Government what bilateral discussions they have conducted with neighbouring countries interested in fishing in UK waters after Brexit; and how Parliament will be advised of progress in such discussions.

Answered by Lord Gardiner of Kimble

Answered on 15 November 2017

The Government maintains regular dialogue with neighbouring countries on marine and fisheries issues but have undertaken no formal negotiations on future access to UK waters. However, we have written to parties to the London Fisheries Convention to give notice of our intention to withdraw from that agreement. The Minister of State has also discussed the Voisinage Agreement with the Minister for Fisheries in the Irish Republic. We have committed to keep Parliament informed provided that doing so would not risk damaging our negotiating position.

[Department for Environment, Food and Rural Affairs: Fisheries: 109211](#)

Asked by Scott Mann

Asked on 24 October 2017

To ask the Secretary of State for Environment, Food and Rural Affairs, how UK fisheries will be managed after 30 March 2019; whether UK

fisheries will be managed out to the Exclusive Economic Zone median line; and whether the UK will apply different rules to the area between the territorial sea and the Exclusive Economic Zone.

Answered by George Eustice

Answered on 01 November 2017

When the UK leaves the EU on 29 March 2019, we will be leaving the Common Fisheries Policy. The UK will become an independent Coastal State and will be fully responsible, under international law, for control of our Exclusive Economic Zone and for management of fisheries resources within it. We will also have obligations to cooperate with the EU and other coastal states to manage shared stocks.

Decisions on the precise rules that will apply to the area between the territorial sea and the Exclusive Economic Zone have yet to be determined. However, the Government is clear that we want to be a responsible Coastal State and to have a cooperative relationship with the EU and other Coastal States to ensure the sustainable management of fish stocks.

[Department for Environment, Food and Rural Affairs](#)

[Fisheries: North Sea: HL2045](#)

Asked by Baroness Jones of Whitchurch

Asked on 16 October 2017

To ask Her Majesty's Government whether, as part of the UK's future relationship with the EU, they will seek to continue participating in the North Sea multiannual plan.

Answered by Lord Gardiner of Kimble

Answered on 30 October 2017

UK fishing vessels will need to comply with the North Sea Multiannual Plan when fishing in EU waters, both while the UK is still within the EU and when fishing in EU waters in accordance with any agreement post exit. The UK Government will continue to have a strong interest in the overall status and effective long-term management of mixed demersal species and nephrops in the whole North Sea area. The science-based framework established under the Multiannual Plan will provide a valuable support to continued cooperation between the UK and the EU, where it will be important to find a shared basis to agree on sustainable rates of exploitation across all commercially important species. The exact basis for such cooperation is still to be determined.

[Department for Environment, Food and Rural Affairs: Fish Products: UK Trade with EU: HL2044](#)

Asked by Baroness Jones of Whitchurch

Asked on 16 October 2017

To ask Her Majesty's Government whether, as part of the UK's future relationship with the EU, they will seek preferential access to the EU Single Market for fisheries products.

Answered by Lord Gardiner of Kimble

Answered on 23 October 2017

We are working towards achieving the best possible deal for the UK's food and drink industry, and we want to secure a deep and comprehensive Free-Trade Agreement as an alternative to membership of the Single Market.

We want to see trade that is as frictionless as possible, including for agricultural and fisheries products.

[Department for Environment, Food and Rural Affairs: Fisheries: 108048](#)

Asked by Craig Mackinlay

Asked on 16 October 2017

To ask the Secretary of State for Environment, Food and Rural Affairs, whether his Department has made an assessment on the benefits for Great Britain and Northern Ireland's coastal communities of the marine resources in the UK's Exclusive Economic Zone being used solely for the benefit of the UK after the UK leaves the EU.

Answered by George Eustice

Answered on 19 October 2017

On leaving the EU, the UK will become an independent coastal state with responsibility for controlling and managing our Exclusive Economic Zone. This will provide an opportunity to negotiate new agreements on access and quota arrangements which will benefit our coastal communities. We are undertaking ongoing analysis on fish stocks in our waters.

[Department for Environment, Food and Rural Affairs: Fisheries: Treaties: 7323](#)

Asked by Hywel Williams

Asked on 04 September 2017

To ask the Secretary of State for Environment, Food and Rural Affairs, what bilateral agreements (a) have been negotiated and (b) are being planned with (i) Spain, (ii) Iceland and (iii) other EU countries with major fishing fleets to address the potential consequences of the UK's withdrawal from the London Fisheries Convention.

Answered by George Eustice

Answered on 12 September 2017

The UK gave notification of its withdrawal from the London Fisheries Convention on 3 July 2017. There is a two-year notification period.

Iceland is not a signatory to the London Fisheries Convention. Spain is but does not have access to the UK's 6-12 mile zone which, for all signatories, are the waters covered by the Convention. On leaving the EU, the UK will become an independent coastal state and, under the UN Convention on the Law of the Sea, will have responsibility for the management of fishing resources within its own Exclusive Economic Zone including any access arrangements. The UK will make bilateral or multilateral agreements with other independent coastal states, such as Iceland, the Faroe Islands and Norway. Spain and all other EU member states will continue to be represented by the European Union, and the UK will deal bilaterally with the European Commission in any subsequent fisheries agreements.

3.2 Oral questions

[Leaving the EU: Common Fisheries Policy](#)

HC Deb 26 October 2016, c 426-27

Mr Ben Bradshaw (Exeter) (Lab): 11. Whether the rules of the common fisheries policy will apply to the UK during any transition period in the event that the UK leaves the EU. [901410]

The Minister for Agriculture, Fisheries and Food (George Eustice): As the Prime Minister made clear to the House on 11 October, when we leave the European Union we will leave the common fisheries policy, and we leave the EU in March 2019. However, the European Union (Withdrawal) Bill will bring across current EU legislation to provide continuity on the day we leave. In the context of fisheries, that will include the body of technical conservation regulations currently set by the EU.

Mr Bradshaw: That is very interesting: we will not have a voice at the table but we will have to abide by all the CFP rules. Can the Minister give an assurance to our industry, which exports more than 80% of what it catches straight to the rest of Europe, that it will not face any tariffs or other barriers during or after that transition period?

George Eustice: We are seeking a comprehensive free trade agreement and trade would continue as usual during the transition period. The right hon. Gentleman is wrong to say that we would not have a seat at the table. He is familiar with fisheries negotiations and knows that they are annual events, whether we are negotiating with EU member states at December Council, with EU-Norway or at coastal states meetings. We will become an independent coastal state on the day we leave the European Union in March 2019.

David Duguid (Banff and Buchan) (Con): I welcome the Government's commitment to listen to the views of the food sector and to ensure that it has a strong voice in the EU exit negotiations. Does the Minister share my view that the interests both of Scottish fishermen and

of those in the other devolved nations must not be sacrificed during the negotiations?

George Eustice: I very much agree with my hon. Friend and I know that many Scottish Conservative MPs have worked closely with Scottish industry on the issue. The fishing industry is very important in Scotland. Roughly half of the industry is located there, and sectors such as the pelagic sector, which targets mackerel, the largest fish species that we target in this country, are of incredible economic importance. I reassure my hon. Friend that I regularly meet fishing industry leaders in Scotland to discuss their concerns.

Holly Lynch (Halifax) (Lab): May I take this opportunity to send our sincere condolences to the family of the crew member of the fishing vessel Solstice who sadly died at sea since the last DEFRA questions?

While the Brexit negotiations on the common fisheries policy continue, the fishing Minister will appreciate that the safety of our fishermen and women must be paramount. The Solstice is the third fishing vessel to sink involving the loss of life in the last two years where there has been a delay in launching lifeboats. With that in mind, will the Minister reassure the fishing industry that he is working with his colleagues in the Department for Transport to secure a full investigation into the Solstice, in order to rebuild confidence in the fishing community that the coastguard is able to respond quickly and effectively to incidents at sea?

George Eustice: I join the hon. Lady in offering sincere condolences to the family of the crew member who sadly lost his life with the loss of the Solstice in the west country. She will be aware that this issue is covered by the Department for Transport and the Maritime and Coastguard Agency, but I have had the opportunity to discuss the matter with my colleague the shipping Minister, and I know that the marine accident investigation unit will carry out an investigation in the normal way. In addition, and to respond to the points the hon. Lady has raised, he has asked the marine accident investigation unit to consider whether we have adequately learned the lessons from previous accidents—which, as she said, have some similarities—and whether there are wider trends on which we ought to reflect and change policy.

3.3 Committee reports

House of Commons Environment, Food and Rural Affairs Committee
current inquiry: [Fisheries](#)

[Brexit: Fisheries](#)

House of Lords European Union Committee, 17 December 2016

About the Library

The House of Commons Library research service provides MPs and their staff with the impartial briefing and evidence base they need to do their work in scrutinising Government, proposing legislation, and supporting constituents.

As well as providing MPs with a confidential service we publish open briefing papers, which are available on the Parliament website.

Every effort is made to ensure that the information contained in these publically available research briefings is correct at the time of publication. Readers should be aware however that briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

If you have any comments on our briefings please email papers@parliament.uk. Authors are available to discuss the content of this briefing only with Members and their staff.

If you have any general questions about the work of the House of Commons you can email hcinfo@parliament.uk.

Disclaimer

This information is provided to Members of Parliament in support of their parliamentary duties. It is a general briefing only and should not be relied on as a substitute for specific advice. The House of Commons or the author(s) shall not be liable for any errors or omissions, or for any loss or damage of any kind arising from its use, and may remove, vary or amend any information at any time without prior notice.

The House of Commons accepts no responsibility for any references or links to, or the content of, information maintained by third parties. This information is provided subject to the [conditions of the Open Parliament Licence](#).