

By: KEIFCA Chief Fishery Officer

To: Kent & Essex Inshore Fisheries and Conservation Authority  
– 29 January 2021

Subject: **Outcomes of EU-UK Trade and Cooperation Agreement**

Classification Unrestricted

**Summary:**

This paper will provide Members with an overview and outcomes of the EU-UK Trade and Cooperation Agreement (TCA) and proposals of how local communities in the KEIFCA district can maximise these new opportunities.

**Recommendations:**

1. Members are asked to **DISCUSS** the outcomes of EU-UK Trade and Cooperation Agreement assessment and explore the opportunities to our coastal communities that are now created from this agreement.
2. Members are asked to **APPROVE** the formation of a working group/partnership of local fishermen and IFCA members to engage with local fishermen and identify plans and projects that could help fishing communities' better access national funds and quota as well as develop a stronger local market for fish.

**Background**

On 24<sup>th</sup> December 2020 the UK government agreed the 'EU-UK Trade and Cooperation Agreement (TCA)' which was then ratified by Parliament on 30<sup>th</sup> December. This means that the UK has now left the Common Fisheries Policy (CFP) and the Fisheries Act 2020 starts to take effect. The deal runs to more than 1,200 pages, with a whole section (Heading 5) and several annexes dedicated to fisheries.

Although there is a lot of detail in the TCA the text in the deal mainly provides a framework of how the new UK-EU relationship will work over the next 5½ years. This means that there are still a lot of smaller issues to be agreed and rolled out

before it becomes clear as to what the deal will mean to local fishing communities in our district.

### **The new management framework**

The deal agreed covers the UK-EU fishing arrangements for the next 5½ years (with an end date of 30 June 2026). This is known as the "adjustment period", giving EU fleets time to get used to the new arrangements.

The TCA outlines an annual cycle of TAC setting which is very similar to the previous EU system with ICES advice on stocks being provided in July and annual negotiations taking place by the 10 December each year. If a stock listed remains without an agreed TAC on 20 December each year, then the UK and EU shall set a provisional TAC corresponding to the level advised by ICES, applying from 1 January.

The TCA creates a new body, the 'Specialised Committee on Fisheries', which has the following roles outlined and may adopt measures, including decisions and recommendations on a wide range of issues.

- provide a forum for discussion and co-operation in relation to sustainable fisheries management;
- consider the development of multi-year strategies for conservation and management as the basis for the setting of TACs and other management measures;
- develop multi-year strategies for the conservation and management of non-quota stocks;
- consider measures for fisheries management and conservation, including emergency measures and measures to ensure selectivity of fishing;
- consider approaches to the collection of data for science and fisheries management purposes, the sharing of such data (including information relevant to monitoring, controlling and enforcing compliance), and the consultation of scientific bodies regarding the best available scientific advice;
- consider measures to ensure compliance with the applicable rules, including joint control, monitoring and surveillance programmes and the exchange of data to facilitate monitoring uptake of fishing opportunities and control and enforcement;
- develop the guidelines for setting the TACs and make preparations for annual consultations;
- develop a mechanism for voluntary in-year transfers of fishing opportunities between the Parties;

After June 2026, there will be annual talks to set the amount EU fishing boats can catch in UK waters (and vice versa). At that point, the UK has the right to completely withdraw EU boats' access to UK waters. But the EU could then suspend access to its waters for UK boats or impose tariffs (taxes) on fish exports from the UK to the EU. There will be an arbitration system to try to resolve fishing disputes.

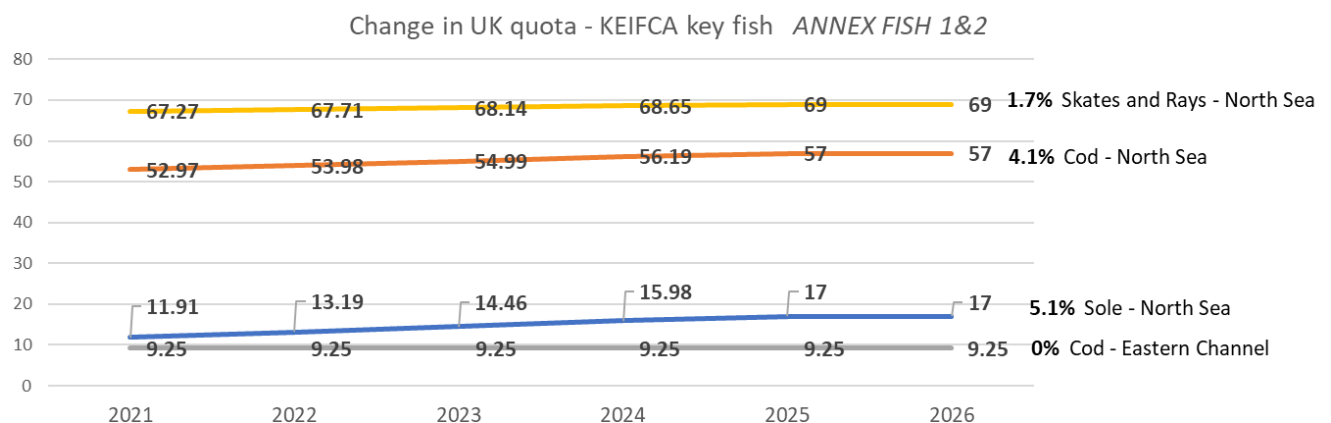
### New access arrangements

As part of the TCA, the UK and EU have agreed to grant to vessels of the other party full access to its waters to fish specified TAC and non-quota stocks in the respective Exclusive Economic Zones (EEZs, 12-200 nautical miles); and in a specified part of the waters of the Parties between six and twelve nautical miles (Annex FISH.4, Article 2). In effect this means EU vessels with a track record of fishing in UK waters will continue to have access to the 6-12 nm area from shore throughout the 5½ year adjustment period and vice versa.

### New quota arrangements

As part of the TCA both sides have agreed that 25% of EU boats' fishing rights in UK waters will be transferred to the UK fishing fleet over a period of five years, with EU fishing quota in UK waters will being reduced by 15% in the first year and 2.5 percentage points each year after.

The document also sets out details of how each species of fish will be shared out between the UK and the EU during the transition. The UK fleet can expect increases in quota for 57 out of the 90 types of fish caught in UK waters every year. But quota shares for some species like Channel cod, of which EU boats (mainly from France) catch more than 90% each year, will remain unchanged. Using the information contained in the Annex FISH 1&2 of the TCA the change in UK-EU quota allocations for key stocks in the KEIFCA district are outlined below.



The framework of how new quota will be allocated to the UK fleet is outlined in the Fisheries Act 2020 section 25 (Distribution of fishing opportunities) and section 27 (Sale of English fishing opportunities), however the detail of how this works down to the inshore fleet is still being developed. The government has also announced a £100 Million fund to support the UK fishing industry with the adjustment period.

## **Trade**

The TCA means that for the time-being, tariffs will not apply in either direction. Additional documentation will be required to export fisheries products into the EU, because of the UK leaving the single market and the customs union. KEIFCA officers have been feeding back information to DEFRA and the MMO from the coast as to how this process is working and making sure any issues are feed to decision makers.

## **Capitalising on new opportunities**

With the announcement of a new £100 Million fund, additional quota derived from the trade deal, and an incentive to develop new non-EU markets to avoid export costs and off-set the impact of future trade tariffs linked to EU fishing access; there are a now clear new opportunities for the local fishing industry to work towards. To help the local inshore fleet best quickly access these opportunities it is suggested that a working group/partnership of local fishermen and IFCA members is created. The group would look to work together to engage with local fishermen to identify opportunities and plans/ projects that could help fishing communities' better access national funds and quota as well as develop a stronger local market for fish.

Part of this approach could also try and best utilise and engage coastal MPs in our district with these plans/projects. It is suggested that whist KEIFCA staff can help facilitate the running of this group there would need to be a strong lead and direction from the local fishing industry. It is suggested that local fishermen could be co-opted onto the group and that meetings could be held remotely on Zoom. Updates and recommendations made by the group could then be discussed as agenda items at KEIFCA quarterly meetings.

**Recommendations:**

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