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From George Eustice MP  
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Mary Creagh MP  
Chair  
Environmental Audit Committee  
House of Commons  
London  
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15 January 2019

Dear Mary

As you will know there has been no change in the government's top priority in delivering the deal negotiated with the EU and our aim remains to sign, ratify and approve the Withdrawal Agreement and for it to enter into force on 30 March 2019. Further to that, for the purpose of the UK's existing international agreements, we have agreed with the EU that they will notify treaty partners that the UK is to be treated as a Member State for the purposes of its international agreements with third countries during the implementation period. This will provide continuity in international agreements during the implementation period across a number of sectors, including fisheries.

However the Government is accelerating no deal preparations to ensure the country is prepared for every eventuality and as such, I am writing to inform you that as part of our No Deal preparations and to ensure there is no gap in the UK's access to key fishing stocks, the UK has submitted an application to the North East Atlantic Fisheries Commission (NEAFC). NEAFC is a priority Regional Fisheries Management Organisation (RFMO) in which the UK has an active fishing and conservation interest.

As you will be aware, RFMOs are international organisations which conserve and manage shared fish stocks, which include the allocation of fishing opportunities for these stocks. The most important of these for the UK is the North East Atlantic Fisheries Commission, in which the UK is currently represented by the EU. In the event of a 'no deal' scenario, we would need to join NEAFC in our own right as an independent coastal State in order to ensure that we can maintain access to NEAFC regulated waters and fishing opportunities, represent ourselves in discussions, and take part in decisions of importance to the UK. We are seeking to become a contracting party in our own right to ensure continuity for UK coastal communities and businesses and allow for the UK to take action as an independent coastal state after exit.

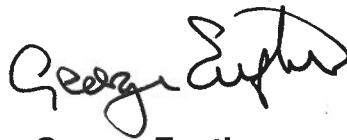
The UK's application requires the approval of four of the five current Contracting Parties (the EU, Russia, Norway, Denmark in respect of the Faroe Islands and Greenland, and Iceland). This process may take up to 90 days. The UK would then formally accede to the Convention upon exiting the EU, which we would do by depositing the relevant articles of accession to the NEAFC depository.

Given these timings, we have commenced the application process now so as to minimise the risk of a gap in membership of NEAFC in the event of a no deal scenario. This application to NEAFC is a contingency measure to minimise the risk of a gap in membership in a situation where the United Kingdom withdraws from the European Union without a Withdrawal Agreement. In a scenario where, as we intend, we leave the EU with a Withdrawal Agreement and implementation period, we will not deposit our Article of Accession until a suitable point during the transition period and in accordance with Article 129(4) of the Withdrawal Agreement.

Upon our departure from the EU, retained EU law will capture measures relating to NEAFC which have already been implemented by the EU. The Fisheries Bill, currently in the House of Commons, will, once enacted, provide the powers necessary to implement new measures passed by organisations like NEAFC.

In accordance with the usual procedures, this agreement (and the accompanying Explanatory Memorandum) will shortly be laid before Parliament for scrutiny under the Constitutional Reform and Governance Act 2010 ahead of ratification.

I trust this is a welcome update, my officials will be happy to discuss any questions you or colleagues may have should they arise.



**George Eustice**