



Department
for Environment
Food & Rural Affairs

From George Eustice MP
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Tom Tugendhat MP
Foreign Affairs Select Committee
14 Tothill Street
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Dear Tom

14th February 2019

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 submitted an application to the North East Atlantic Fisheries Commission (NEAFC) on January 8th and the treaty has now been laid before Parliament for scrutiny under the Constitutional Reform and Governance Act 2010 ahead of ratification (CRaG). The UK will also soon be applying to the North Atlantic Salmon Conservation Organisation (NASCO) along with five further multilateral fisheries agreements, which will also be laid before Parliament for scrutiny under CRaG.

Of these seven international fisheries agreements, five concern membership of Regional Fisheries Management Organisations (RFMOs). As outlined previously, RFMOs are international organisations which conserve and manage shared fish stocks and the most important of these, economically, for the UK is NEAFC. The UK has a significant fishing interest in pelagic stocks such as mackerel, blue whiting, and Atlanto-Scandian herring, along with a conservation interest.

The other priority RFMOs in the first instance are: the North West Atlantic Fisheries Organisation (NAFO), the International Commission for the Conservation of Atlantic Tunas (ICCAT), the Indian Ocean Tuna Commission (IOTC), and NASCO. As well as a conservation interest, the UK has a fishing interest in cod in NAFO, and tuna like species in ICCAT and IOTC.

The two international fisheries agreements are the Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing, and the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas. These agreements aim to promote compliance with international fisheries rules and standards. The UK is currently covered by these agreements through its membership of the EU and the UK is represented by the EU in the decision-making fora these agreements establish.

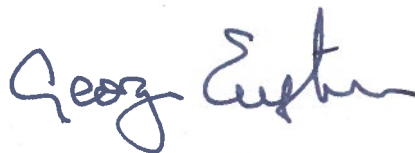
We are taking forward action to ensure continuity for UK coastal communities and businesses. In the event of a no deal scenario, we would join these agreements as a contracting party in our own right as an independent coastal state in order to ensure that we

can maintain access to RFMO regulated fishing opportunities, represent ourselves in discussions, and take part in decisions of importance to the UK.

The UK will assume international obligations in its own right to comply with and implement these agreements from the point at which it joins them as an independent coastal State. At present, these agreements are implemented in EU legislation. As with NEAFC, upon the UK's departure from the EU, the relevant legislation will become part of UK law as 'retained EU law' and made operable using statutory instruments being introduced by the Government. This will ensure that our legislation continues to comply with the requirements of these agreements. RFMOs regularly adopt fisheries management measures that are binding on the parties, and the Fisheries Bill, currently in the House of Commons, will, once enacted, provide the powers necessary to implement these requirements in legislation. We are also able to use vessel licence conditions to ensure that fishing vessels comply with RFMO requirements when fishing in RFMO waters.

In a scenario where we leave the EU with a Withdrawal Agreement the Government has agreed with the EU that they will notify treaty partners that the UK is treated as a Member State for the purposes of its international agreements with third countries during the implementation period. We expect this to happen following final signature of the Withdrawal Agreement. This will provide a basis for continuity in international agreements during the implementation period across a number of sectors, including fisheries. We will therefore refrain from joining these multilateral fisheries agreements until a suitable point during the transition period and in accordance with the Withdrawal Agreement.

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



George Eustice