



UK and Norway after the Common Fisheries Policy

BARRIE DEAS

NATIONAL FEDERATION OF FISHERMEN'S ORGANISATIONS

A presentation for the Norwegian Seafood Council

- ▶ UK leaves the EU – March 2019
- ▶ Transitional arrangements - “fluid”
- ▶ Exit negotiations completed by October 28
- ▶ Fishing jurisdiction – change in March 2019
- ▶ Trade issues
- ▶ UK Fisheries management

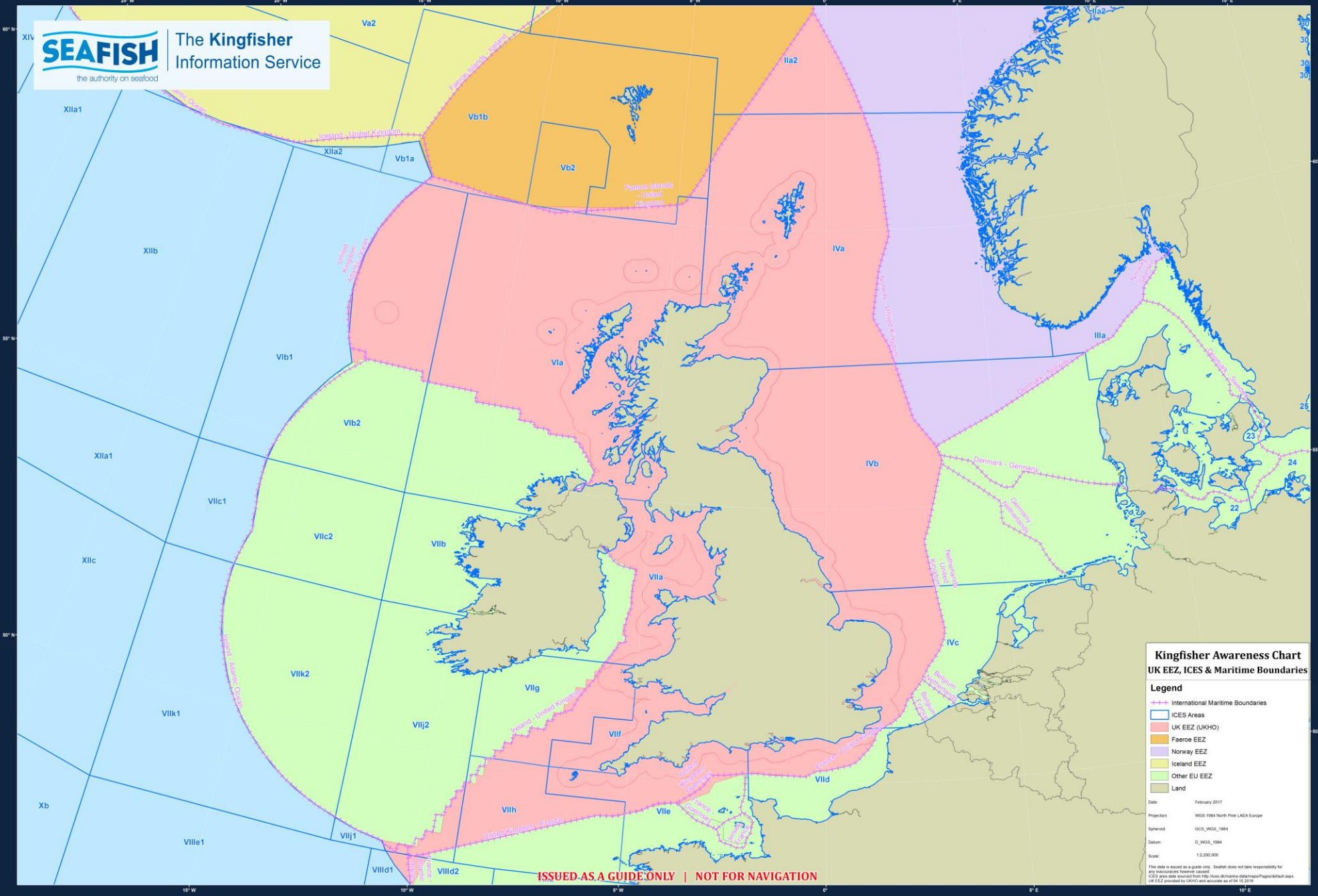
Legal Position – April 2019

- ▶ UK will be an independent coastal state
- ▶ No longer subject to the Common Fisheries Policy
- ▶ UN Law of the Sea will apply
- ▶ New UK Fisheries Act covering quota setting and access
- ▶ A legal and common-sense need to manage shared stocks collaboratively
- ▶ New institutional arrangements for shared stocks
- ▶ Transitional arrangement – still subject to negotiation

Kingfisher Awareness Chart - UK EEZ, ICES & Maritime Boundaries



The Kingfisher Information Service



Kingfisher Awareness Chart UK EEZ, ICES & Maritime Boundaries

- Legend**
- International Maritime Boundaries
 - ICES Areas
 - UK EEZ (UKHO)
 - Faeroe EEZ
 - Norway EEZ
 - Iceland EEZ
 - Other EU EEZ
 - Land

Date: February 2017
Projection: WGS 1984 North Pole LAEA Europe
Spheroid: GCS_WGS_1984
Datum: D_WGS_1984
Scale: 1:2,000,000

This data is issued as a guide only. Seafish does not take responsibility for any inaccuracies hereof caused.
ICES area data sourced from the ICES website (ICES-Data/ICESData/ICESData.html)
UK EEZ data sourced from UKHO and accurate as of 10/10/2016.

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Transition: Commission Negotiating Guidelines

- ▶ “Specific procedural arrangements which are compliant with paragraphs 17 and 18 should be found **for the fixing and allocation of fishing opportunities** (total allowable catches) during the transition period.”
- ▶ Art 17 maintains the jurisdiction of the ECJ during the transition period but removes UK ministers from all EC decision-making
- ▶ Art 18 indicates that the UK could be invited to participate in discussions (without voting rights)

EC Position – Transition Period

- ▶ Concedes that UK will have jurisdiction
- ▶ Status quo on quota shares and access – no change in modalities
- ▶ Whole *aquis* applies
- ▶ UK will no longer participate in EU decision-making
- ▶ “Consultations”

EU Position – Future Agreement

- ▶ Joint management of shared stocks
- ▶ Reciprocal Access (EU lands EUR 585 million from UK waters; UK lands EUR 127 million)
- ▶ Single Market for fish and seafood (68% of UK seafood exports are to the EU)
- ▶ Quota shares based on historic catches
- ▶ Maximum regulatory convergence

UK aspirations

- ▶ Status as an independent coastal state
- ▶ Sustainable harvesting of exclusive and shared stocks
- ▶ Negotiated access rights for non-UK vessels
- ▶ Access conditions applied by the coastal state
- ▶ Quota shares that broadly reflect the resources in UK waters (zonal attachment)
- ▶ Regeneration of coastal communities
- ▶ UK credentials on global governance

Norwegian perspective



Norway: Future Cooperation: Basic Principles

- ▶ Future Cooperation: Basic Principles
- ▶ Relevant modern management principles
- ▶ Goal: increasing long-term total out-take
- ▶ Goal: utilisation of all fish; and all of the fish taken out of the sea
- ▶ Respect for the different starting points for the management systems of the parties

Norway: A new framework agreement would:

- ▶ Define the geographical scope of the Agreement
- ▶ Outline the main principles for cooperation
- ▶ Shape the institutional framework for negotiations etc

Norway: Sharing and Access

- ▶ Crucially, the Agreement would also cover the important areas of future sharing of the stocks (which are currently not codified) and access arrangements. These could be included in the form of bilateral annexes to the framework agreement, or agreed record, or could take a trilateral form.
- ▶ The EU/Norway agreement in 1979, pioneered zonal attachment as the basis for establish the resources in each exclusive economic zone and therefore the basis of national quota shares.

NFFO Study tour to Norway September 2017

- ▶ Oslo and Bergen
- ▶ Norwegian Fisheries Ministry,
- ▶ Norge Fiskarlag
- ▶ Fisheries Directorate
- ▶ Marine Institute

Study Trip

- ▶ What can we learn from Norway?
- ▶ Begin a dialogue on post-Brexit arrangements

New Arrangements – speculative and subject to negotiation

- ▶ TACs for jointly managed stocks set in trilateral (UK, Norway, EU) discussions on the basis of ICES advice
- ▶ Access arrangements should be part of bilateral discussions covering access to waters and quota shares
- ▶ Transfers of quota should be part of bilateral discussions

Continuity

- ▶ UK and Norway
- ▶ Quota exchange is the glue which holds the agreement together
- ▶ Reciprocal Agreement
- ▶ Norwegian access to UK waters
- ▶ UK access to Norwegian EEZ
- ▶ Quota exchange: Barents Sea cod quota

Trade in Fisheries Products

- ▶ Uncertainty over UK/Europe future trading arrangements
- ▶ UK naturally seeks unimpeded two-way trade
- ▶ Some parts of our fleets have nothing to gain and a lot to lose
- ▶ Norway pays significant sums to maintain access to the single market – even playing field
- ▶ UK is 19th largest export market for Norway major and growing market for Norwegian fisheries products £5.7 Billion
- ▶ 2.6% of UK fish exports go to Norway
- ▶ 65 million population
- ▶ UK will continue to be a major fish importer and exporter

Transitional arrangements

- ▶ Negotiations for a transitional deal
- ▶ Opening positions are being stated
- ▶ Fisheries separate from trade vs fisheries subordinate to trade
- ▶ Norway wary about UK preferential arrangements
- ▶ Fluid situation
- ▶ Third Country trade: studying options

Trade Relations

- ▶ Hoping for continuity
- ▶ Contingency planning for discontinuity
- ▶ Build in the future
- ▶ Maintain, enhance improve,

Uncertainty

- ▶ UK aspirations
- ▶ Strong legal foundation
- ▶ Bruising negotiations ahead
- ▶ Whose hand of cards would you rather hold?

Thank you

