



2022/2188(INI)

29.6.2023

OPINION

of the Committee on Fisheries

for the Committee on Foreign Affairs and the Committee on International Trade

on the implementation report on the EU-UK Trade and Cooperation Agreement (2022/2188(INI))

Rapporteur for opinion (*): João Albuquerque

(*) Associated committee – Rule 57 of the Rules of Procedure

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SUGGESTIONS

The Committee on Fisheries calls on the Committee on Foreign Affairs and the Committee on International Trade, as the committees responsible to incorporate the following suggestions into their motion for a resolution:

- A. whereas the common fisheries policy¹ (CFP) requires the EU to promote and ensure the policy's objectives and principles in any fishing activity regardless of geographical area so as to provide a level playing field for EU and non-EU stakeholders; whereas the CFP also requires the EU to cooperate internationally on the basis of the best available scientific knowledge and to fight illegal, unreported and unregulated (IUU) fishing;
- B. whereas Heading Five (Fisheries) of Part Two of the EU-UK Trade and Cooperation Agreement² (TCA) recognises the importance of conserving and sustainably managing marine biological resources and ecosystems on the basis of the best available scientific advice, as well as the importance of promoting responsible and sustainable fishing and aquaculture activities, good fisheries governance and the role of trade in achieving these objectives;
- C. whereas the UK's withdrawal from the EU has had a severe impact on the EU fisheries fleet, resulting in the loss of quota, the decommissioning of vessels, and the disruption of long-established commercial enterprises and trade;
- D. whereas the Brexit Adjustment Reserve³ (BAR) was established to provide support in countering the adverse consequences that Member States, regions and sectors have experienced as a result of the withdrawal of the United Kingdom from the EU and thus to mitigate the related negative impacts on economic, social and territorial cohesion; whereas the shift in quota shares from the EU to the United Kingdom over the transition period agreed in the TCA will have major negative economic consequences for EU fishers;
- E. whereas the Specialised Committee on Fisheries will prepare multiannual conservation and management strategies to serve as a basis for setting total allowable catches and other management measures, including for non-quota stocks, and for defining scientific data collection for fisheries management purposes as well as for sharing this data with scientific bodies so that they can provide the best possible scientific advice;
- F. whereas the Protocol on access to waters, appended to the TCA as Annex 38, provides for an 'adjustment period' from 1 January 2021 to 30 June 2026, during which each party will grant the other party's vessels full access to its waters to fish for the species

¹ [Regulation \(EU\) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations \(EC\) No 1954/2003 and \(EC\) No 1224/2009 and repealing Council Regulations \(EC\) No 2371/2002 and \(EC\) No 639/2004 and Council Decision 2004/585/EC \(OJ L 354, 28.12.2013, p. 22\).](#)

² [Trade and Cooperation Agreement between the European Union and the United Kingdom of Great Britain and Northern Ireland \(OJ L 149, 30.4.2021, p. 10\).](#)

³ [Regulation \(EU\) 2021/1755 of the European Parliament and of the Council of 6 October 2021 establishing the Brexit Adjustment Reserve \(OJ L 357, 8.10.2021, p. 1\).](#)

listed therein; whereas after this date, reciprocal access to waters and fisheries resources will be the subject of annual negotiations between the EU and the UK; underscores the need for clarity on the post-transition period in order to maintain investment in the sector;

- G. whereas the energy-related provisions of the TCA are also applicable until 30 June 2026; whereas however, the Association Council may extend them until 31 March 2027 and annually thereafter;
 - H. whereas the TCA gradually reduces the share of fishing opportunities for the EU fleet in UK waters by 25 % by 2026, a reduction that will affect all segments of the EU fleet, in particular small-scale fishing;
1. Points out that the full impact of Brexit is not yet fully known, not least because the full implementation of the TCA in relation to fisheries is still ongoing and will only be completed after the transition period ends on 30 June 2026; highlights the importance of a faithful implementation of the TCA, considering that issues are still emerging; agrees with the Commission's implementation report that 'certain challenges remain', such as the implementation of the electricity trading arrangements and the full and correct implementation of the provisions on fisheries;
 2. Calls on the Commission to take all the necessary measures to ensure that reciprocal access to waters and fisheries resources is maintained after 30 June 2026 and that there are no further quota reductions for EU fishers; calls for the exchange of fishing quotas between the parties to be streamlined and manageable for the sector; urges the Commission to keep all negotiation channels with the UK open in order to find stable, lasting solutions that are beneficial to both parties, to provide stable and predictable conditions for fishers and the fishing sector as a whole and to cover the time period beyond 2026; recalls the coinciding validity periods of the TCA's provisions on energy and on reciprocal access to waters and fisheries resources and notes the implicit link between these two sectoral domains in the TCA;
 3. Notes the unique situation of Ireland owing to its border with Northern Ireland, the 'voisinage' agreement for reciprocal access to the 0-6 nautical mile zone and its historical dependence on reciprocal access to UK waters;
 4. Expresses its deep concern at the uncertainty created by the review clause (Article 510) under Heading Five (Fisheries) of Part Two of the TCA, which will be applied four years after the end of the adjustment period; calls on the Commission to swiftly, steadfastly and transparently engage in negotiations on a multiannual post-2026 agreement, while ensuring stability, economic viability and predictability for the sector; highlights that this agreement must be linked to the overall review of the TCA and must not allow further losses in shared quotas for the EU; stresses, in this regard, the importance of keeping all aspects of the TCA interlinked, in particular of linking access to the single market for the UK to the TCA's fisheries provisions;
 5. Reiterates that reciprocal, continued access to waters and fisheries resources must be considered as a key part of relations between the EU and the UK and must, therefore, be dealt with in conjunction with the numerous issues relating to trade and access to the single market; reminds the Commission that it is essential to ensure that, as of 2026, the

TCA is applied in a stable and sustainable manner following the transition period;

6. Recalls that, should the UK decide to limit the access of EU fishing vessels to British waters at the end of the adjustment period, the EU would be able to take measures to protect its interests; recalls that, in accordance with the TCA itself, these measures include the re-establishment of tariffs or quotas on the UK's fish imports and the suspension of other parts of the TCA should there be a risk of serious economic or social difficulties for the EU's fishing communities; stresses that, in this regard, the EU should consider linking other specific parts of the TCA, such as the UK's access to the European electricity market, as well as other relevant sectors under the TCA, with the EU's access to British waters and fisheries resources;
7. Stresses that, in order to ensure that the TCA is fully implemented, all relevant legal instruments should be employed and leveraged, including those related to market access, as well as all countervailing and response measures and dispute settlement mechanisms provided for by the TCA;
8. Calls on the Commission to assist the Member States in using the funds under the BAR more quickly and to their full extent to promote and support the fisheries sector and the coastal communities affected and to compensate for the losses suffered by all fleets, including small-scale ones; regrets that the BAR is not being used to help the wholesale and processing sectors, which have been badly affected by this crisis;
9. Calls on the UK to refrain from adopting any discriminatory unilateral technical measures; reiterates that the TCA provides that technical measures should be proportionate, should be based on the best scientific advice, should apply equally to vessels from both parties and must be notified in advance; stresses the role of the Specialised Committee on Fisheries in seeking a common approach on technical measures and in discussing any measures for which one party may give notice to the other; recalls that the TCA obliges each party to precisely justify the non-discriminatory nature of any measures in this area and recalls the need to ensure long-term environmental sustainability, on the basis of scientifically verifiable data; reiterates that it is highly desirable for the UK to stick as closely as possible to EU rules; stresses that there should be more coordination with the EU on this and that there should be proper procedures for notification and participation; calls on the Commission to be particularly vigilant about whether these conditions are complied with and to strongly respond if the UK acts in a discriminatory manner;
10. Highlights, in particular, that the designation of marine protected areas must be non-discriminatory, based on science and proportionate; emphasises that marine protected areas should be established with well-defined conservation objectives and should not be used as a tool to restrict foreign access to waters; regrets, in this regard, the unilateral approach that the UK has taken in relation to designating areas with restrictions for fisheries around the Dogger Bank and the fact that the UK is planning to use these areas for other economic activities;
11. Opposes all decisions taken unilaterally that establish fishing opportunities that contravene international law or go against the best scientific advice available and thus call into question the credibility of international agreements and undermine the

sustainability of the exploitation of shared resources; urges the Commission to take any necessary and proportionate measures to resolve disputes with concerned international partners and to assure compliance with international obligations;

12. Recalls that Brexit changed the relations among countries in the north Atlantic; believes that Brexit should not be used to manipulate the distribution of quotas in the Northern Agreements; insists that the historical distribution of fishing opportunities, always set based on the best available scientific data and advice, should be respected; calls on the Commission to find stable and long term fishing management arrangements with its counterparts in the north-east Atlantic;
13. Expresses concern about the licensing of EU vessels; notes that vessels under 12 metres were among those most severely harmed by delays in granting fishing licences or by declined licences, owing to the fact that many of them were not equipped with vessel monitoring systems during the entire reference period; regrets that the TCA did not take into account the rules in place on vessel monitoring systems under EU regulations that also bound the UK before Brexit; urges the Commission to continue its efforts to come to an agreement on the unresolved licensing issues, including the level of access for licensed fishing vessels in the waters of the UK and the Crown Dependencies, and to develop a future licensing system jointly with the UK that works in practice;
14. Notes that the issues regarding the licensing of EU vessels have a large impact on small-scale fishers, especially those from the north of France and Normandy, as these vessels are not able to change their fishing areas;
15. Urges the parties to the TCA to strengthen their efforts to promote sustainable fishing and good fisheries governance internationally, by promoting the establishment of regional fisheries management organisations; urges the Commission, in particular, to cooperate with the British authorities and the other parties involved on establishing a regional fisheries management organisation in the southern Atlantic;
16. Expresses its concern about the impact of the displacement of fishing effort following the implementation of the TCA, especially in the Channel; calls for the Commission to propose a regional management plan for the Channel and the North Sea to mitigate this impact and to avoid overfishing;
17. Urges the Commission and the Council to ensure that all decisions taken under the TCA respect the prerogatives of the different institutions and follow the appropriate legislative processes, particularly decisions involving technical measures;
18. Welcomes the fact that both the EU and the UK are members of the IUU Fishing Action Alliance, established in June 2022 to foster ambition and action in the fight against IUU fishing at international level;
19. Recalls that the TCA allows its parties to consult with civil society; calls therefore for representatives of the fisheries sector, regional authorities, coastal communities and other stakeholders to be actively involved in the monitoring and implementation of the TCA; urges the Commission, to that effect, to promote the establishment of a domestic internal fisheries advisory group, without prejudice to the existing advisory councils;

20. Reiterate its call for the Commission to embrace its role as the EU's representative in dealings with non-EU countries, so that it can propose enhanced participatory management models and co-management in cross-border situations with non-EU countries;
21. Emphasises the need to ensure that the work of the Specialised Committee on Fisheries is transparent and that Parliament is regularly updated about this work and the decisions taken; demands, as previously requested by this Parliament⁴, that technical representatives from its Committee on Fisheries be invited to take part in the meetings of the Specialised Committee on Fisheries as observers.

⁴ [European Parliament resolution of 5 April 2022 on the future of fisheries in the Channel, North Sea, Irish Sea and Atlantic Ocean in the light of the UK's withdrawal from the EU \(OJ C 434, 15.11.2022, p. 2\).](#)

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

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| Rule 58 – Joint committee procedure Date announced in plenary | 15.12.2022 |
| Date adopted | 27.6.2023 |
| Result of final vote | +: 25 –: 0 0: 1 |
| Members present for the final vote | Clara Aguilera, João Albuquerque, Izaskun Bilbao Barandica, Isabel Carvalhais, Maria da Graça Carvalho, Asger Christensen, Rosanna Conte, Francisco Guerreiro, Niclas Herbst, France Jamet, Pierre Karleskind, Predrag Fred Matić, Francisco José Millán Mon, João Pimenta Lopes, Caroline Roose, Bert-Jan Ruissen, Annie Schreijer-Pierik, Marc Tarabella, Peter van Dalen, Theodoros Zagorakis |
| Substitutes present for the final vote | Luke Ming Flanagan, Ska Keller, Gabriel Mato, Grace O’Sullivan, Nikos Papandreou, Raffaele Stancanelli, Annalisa Tardino |
| Substitutes under Rule 209(7) present for the final vote | Fabienne Keller |

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

| 25 | + |
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| ECR | Bert-Jan Ruissen, Raffaele Stancanelli |
| ID | Rosanna Conte, France Jamet |
| NI | Marc Tarabella |
| PPE | Maria da Graça Carvalho, Peter van Dalen, Niclas Herbst, Gabriel Mato, Francisco José Millán Mon, Annie Schreijer-Pierik, Theodoros Zagorakis |
| Renew | Izaskun Bilbao Barandica, Asger Christensen, Pierre Karleskind, Fabienne Keller |
| S&D | Clara Aguilera, João Albuquerque, Isabel Carvalhais, Predrag Fred Matić, Nikos Papandreou |
| Verts/ALE | Francisco Guerreiro, Ska Keller, Grace O'Sullivan, Caroline Roose |

| 0 | - |
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| The Left | João Pimenta Lopes |

Key to symbols:

+ : in favour

- : against

0 : abstention