



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels
MARE.C5/EL/vr/Ares(2021)

Mr Garat Javier
President of Europêche
javiergarat@cepesca.es

Mr van Balsfoort Gerard
President of EUFA
gbalsfoort@pelagicfish.eu

Mr Visser Pim
President of EAPO
wvisser@visned.nl

Subject: Your letter of 5 January 2021

Dear Javier, Gerard and Pim,

Thank you for your letter.

We are very pleased to have concluded the Trade and Cooperation Agreement (TCA) with the UK. This provides the basis for cooperation with the UK on the sustainable management of our shared resources and of the fisheries exploiting those resources. As importantly, it also provides our fishermen and women with the needed stability and continuity.

DG MARE has been working intensively over the winter holidays to ensure the access to UK waters and I am happy to give you an update on this issue, with the caveat that exact numbers keep evolving.

For access to the 12-200 nm, we have 1.440 notified EU vessels requesting access, with 1.304 EU vessels having been authorised. EU vessels have a temporary license. This temporary license will be converted into a full license on 21 January, provided that member states authorities can provide the necessary information, mainly owner details, to allow for full licenses to be issued. It is worth to note that, despite the short period of time available, the necessary arrangements are in place.

Regarding access to territorial waters, we are finalizing a possible methodology to determine the track record for vessels seeking authorisation to fish in the other Party's territorial waters in the zones laid down in the TCA. We are engaging with the member states in order to have the relevant data and evidence collected and after due diligence

performed by our team we have already sent the first batches of such data to the UK. MARE is holding almost daily meetings with the relevant UK authorities to clear the outstanding issues and to ensure full and timely engagement from the UK side for expedient processing and solutions. With respect to Crown Dependencies, obtaining licenses to fish in Jersey waters has proven to be more challenging, but we are working hard at all levels to resolve this as soon as possible. We have already 57 vessels, for which temporary licenses have been issued for access to Jersey's waters.

Regarding access to Norwegian waters, consultations with Norway are ongoing and we hope to resolve the outstanding issues as soon as possible. Access to Skagerrak has already been negotiated and achieved. We have no detailed knowledge about authorization for UK vessels to fish in Norwegian waters.

Finally, I fully concur with your views on the level playing field issue. As you know, ensuring a level playing field has been key for the Union. As regards the Common Fisheries Policy, the withdrawal of the United Kingdom means the CFP rules are no longer applicable to the UK. The United Kingdom exercises its sovereign rights under UNCLOS. However, while in accordance with Article FISH.4 TCA, "each Party shall decide on any measures applicable to its waters in pursuit of the objectives and principles set out in the agreement" the TCA includes the principle of "applying proportionate and non-discriminatory measures for the conservation of marine living resources and the management of fisheries resources, while preserving the regulatory autonomy of the Parties". Article FISH.4 also requires that measures are based on the best available scientific advice and that sufficient notification is given. The European Commission will closely monitor the adherence to these legal commitments.

To the best knowledge of the Commission, the UK has not proposed or adopted legislation addressing the activities of 'super trawlers'. We are aware of the decision not to allow pulse trawling in UK waters and you are of course aware of the Union's decision regarding pulse trawling, which as a general rule will no longer be allowed in the EU as of July 2021.

Best wishes,

Charlina VITCHEVA