



## BRIEFING PAPER

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# Brexit: What next for UK fisheries?

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2. Fisheries management
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## Summary

In 2014 fishing contributed £426 million to UK GDP and employed around 12,000 fishers.

The implications of Brexit for fisheries are highly uncertain. The implications will depend on future negotiations with the EU and future UK Government policy.

Possible implications, based on the views of different stakeholders and evidence from existing non-EU European countries, may include:

- The UK obtaining exclusive national fishing rights up to 200 miles from the coast. However, the UK may trade-off some of these rights in order to obtain access to the EU's sea area or access to the EU market for fisheries products;
- Impacts on the UK's ability to negotiate favourable fish quotas for UK fishers with the EU. It is not possible to say whether the UK will be more or less able to obtain satisfactory quotas for fishers;
- The need for a new mechanism to enable the UK to negotiate and agree annual fishing quotas with the EU and other countries;
- The introduction of a UK fisheries management and enforcement system. This in many respects may mirror the existing arrangements for managing fisheries, albeit with additional resources required;
- Restrictions on EU market access for fishery products (depending on the outcome of negotiations) and less influence in discussions on determining EU market rules for fish;
- Less certainty around public funding of support for fishing communities or environmental sustainability; and
- Issues related to possible changes to the protection of the marine environment.

# 1. The Common Fisheries Policy

In 2014, fishing contributed £426 million to UK GDP and employed around 12,000 fishers.<sup>1</sup>

Fisheries in the UK and EU are managed under the Common Fisheries Policy (CFP). The policy aims to ensure that fishing is “environmentally, economically and socially sustainable” and to allow fair competition between fishers.<sup>2</sup>

Under the CFP, every year, the European Commission proposes a Total Allowable Catch (TAC) for each commercial species for each area within the EU 200-mile limit. These TACs are then shared between EU countries in the form of national quotas. The TACs are agreed by the Council of Ministers at the Agriculture and Fisheries Council at the end of the year.

The CFP has recently undergone several key reforms, including: a phased ban on discarding fish (effective for pelagic fisheries as of 1 January 2015); a legally binding commitment to fishing at sustainable levels; and increasingly decentralised decision making. These measures are being phased in to 2020.

The CFP’s main policy areas include:

- 1 **Fisheries management:** controls on how fish can be taken with the goal of ensuring that fish stocks are healthy enough that the maximum sustainable amount of fish possible can be caught. The measures include technical regulations on what kinds of gear can be used and quotas for the amount of fish landed.
- 2 **Funding:** The CFP provides funding to fishers and fishing communities for a number of purposes including supporting sustainable fishing and helping coastal communities to diversify their economies. The UK was allocated €243.1 million in fisheries funding from 2014-2020.<sup>3</sup>
- 3 **Market organisation:** the CFP puts into place measures such as common marketing standards, common consumer information rules and competition rules, and provides market intelligence via the European Market Observatory for Fishery and Aquaculture Products.
- 4 **Import tariffs:** the CFP allows for import tariff reductions for certain fish and fish products from outside the EU to help increase supply at times when EU supply cannot meet the demand of fish processors.

The chapters that follow describe the views of different stakeholders about the implications of Brexit for UK fisheries. They also seek to draw on evidence from non-EU European countries, such as Norway, to give an indication of possible outcomes for the UK.

The basic principles of the Common Fisheries Policy were agreed in 1970 prior to UK accession. The policy was intended to address the mobile nature of fish, to protect local fishing grounds, and to share resources within adjacent seas fairly.

<sup>1</sup> [UK Sea Fisheries Statistics](#), Commons Briefing Paper 2788, 21 January 2016

<sup>2</sup> “[The Common Fisheries Policy \(CFP\)](#)”, European Commission, 29 May 2015

<sup>3</sup> “[The Common Fisheries Policy \(CFP\)](#)”, European Commission, 29 May 2015

It is important to note that the outcomes will in large part depend on the nature of the UK's withdrawal and the negotiations that will take place.

There is significant uncertainty.

## 2. Fisheries management

Brexit will have a number of implications for fisheries management. While it is possible to identify some possible broad implications, the specific outcomes are highly uncertain.

The following issues are likely to be important during and after the negotiations:

- Control over a greater area of sea;
- Renegotiating the UK's share of fish quotas;
- The power to walk away from negotiations;
- The degree to which the UK could exclude non-UK vessels;
- Cooperation with the EU and other countries on setting quotas;
- UK influence on the management of stocks shared with the EU; and
- A new UK fisheries policy and management system.

These points are elaborated on below.

### 2.1 Control over a greater area of sea

Norway and Iceland are responsible for fishing in their Exclusive Economic Zone (EEZ) up to 200 nautical miles from the coast. This is the norm in international law.

This contrasts with the situation in the EU, where Member States share access to fishing grounds from 12-200 miles from the coast (see box).

Following Brexit the UK could take full responsibility for fisheries in the UK's EEZ.

However, this does not necessarily mean that the UK will as a result have greater access to fish. This point is elaborated on below.

In addition, there could be legal arguments under international law about the extent to which the current fishing rights of foreign fishers could be abolished.<sup>4</sup>

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<sup>4</sup> "[Traditional fishing rights: analysis of state practice](#)", Polite Dyspriani, Published by Division for ocean affairs and the law of the sea office of legal affairs, the United Nations, 2011



### Box 1: Why do we not control fisheries out to 200 miles from the UK coast?

When the UK joined the EEC in 1973 the Members agreed to exclusive national fishing rights to 12 nautical miles, unless another Member State could prove historic fishing activity between 6 to 12 miles.<sup>5</sup> This was broadly in line with international law at the time. As a result, UK fishing fleets have access to some fishing grounds within 6-12 miles of four other Member States, and five Member States have access to fishing grounds within 6-12 miles of the UK.

The seas further than 12 miles from the coast were considered high seas, and not under the control of anyone. However, this changed in the late 1970s when it was agreed under international law that countries had rights over the sea up to 200 nautical miles from their shores.<sup>6</sup>

When these new Exclusive Economic Zones (EEZ) were introduced, EU competence for fisheries was extended to 200 miles off the coast. The principle of equal access was applied to this new area.

## 2.2 Renegotiating the UK's share of fish quotas

George Eustace MP, the Minister with responsibility for fisheries and who campaigned for Brexit, stated that “outside the EU [we would be] in the strongest possible position to re-open the issue of “relative stability” and argue for a fairer share of quota allocations in many fish stocks”.<sup>7</sup> He said that this could be conducted on the basis of an “assessment of spawning grounds and this science would help inform a new settlement”.<sup>8</sup>

Mr Eustace said that Brexit would enable the UK Government to represent itself at quota negotiations. This would mean that UK interests could not be bargained with in order to “give advantages to other EU countries”.<sup>9</sup>

The current agreement between the EU and Norway provides that quotas are shared on the basis of ‘zonal attachment’. This is the extent to which a stock is distributed in an area over time.

However, changes in “fish distribution, abundance and migration patterns can be caused by changing environmental conditions and increases or decreases in spawning stock biomass (among other factors)”. This fact can “cause problems for agreements based on zonal attachment” as disagreements can occur over the sharing of fish stocks as they change.<sup>10</sup>

Others have questioned the extent to which the UK will be in a position to renegotiate greater quotas outside of the EU.<sup>11</sup> Elizabeth Truss MP, who was Secretary of State for Environment at the time and who campaigned to remain, questioned the impact of losing “the collective bargaining power of the EU”. She believed the UK “would be hard-pressed to get agreements as favourable as those we

<sup>5</sup> House of Lords European Union Committee, [The Progress of the Common Fisheries Policy](#), 22 July 2008, HL 146-i.

<sup>6</sup> House of Lords European Union Committee, [The Progress of the Common Fisheries Policy](#), 22 July 2008, HL 146-i.

<sup>7</sup> [“The Fishing Industry and Brexit”](#), George Eustice MP, 13 April 2016

<sup>8</sup> [“The Fishing Industry and Brexit”](#), George Eustice MP, 13 April 2016

<sup>9</sup> [“The Fishing Industry and Brexit”](#), George Eustice MP, 13 April 2016

<sup>10</sup> [“Brexit: Where next for UK fisheries?”](#), Marine Environmental Research, July 2016

<sup>11</sup> [“Brexit”](#), The National Federation of Fishermen’s Organisations, 24 June 2016

currently enjoy with third countries like Norway, Iceland, Russia, the Faroe Islands and Greenland".<sup>12</sup>

The National Federation of Fishermen's Organisations noted that "we can certainly seek to renegotiate quota shares as well as access arrangement but it is realistic to expect that there will be a price of some sort. Who will pay that price is a critical question".<sup>13</sup>

## 2.3 The power to walk away from negotiations

Perhaps an additional bargaining tool available to the UK post-Brexit will be the ability to "walk away" from negotiations if it was unhappy with its share of quota.

Dr Bryce Stewart from the University of York said that "although this may sound appealing, it is likely to result in the setting of unsustainably high catch limits, as occurred during the recent "Mackerel Wars" when Iceland, Norway and the Faroes all argued for (and set) a higher quota / share of the catch than that advised by the EU".<sup>14</sup>

If the UK chose to walk away from negotiations, and unilaterally set higher quotas, the EU could respond harshly. For example, when a dispute emerged between the EU and the Faeroes regarding herring quotas, the EU responded with trade sanctions, introduced a ban on Faeroese herring imports and prohibited the entry into European ports of Faroese fishing vessels.<sup>15</sup>

Ultimately the Faeroes agreed to reduce its quota from 100,000 tonnes to 40,000 tonnes (albeit up by 9,000 tonnes from a previous agreement).<sup>16</sup> This was much less than the Faroese believed they should be entitled to on the basis of the science related to the distribution of herring in its waters, and in spite of the fact that the Faeroese Government claimed that the EU's actions were illegal under international law.<sup>17</sup>

There appears to be significant uncertainty about the implications of Brexit in terms of the UK's bargaining power in fish quota negotiations.

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<sup>12</sup> ["We must not lose our voice in EU fishing policy: Elizabeth Truss"](#), The National Federation of Fishermen's Organisations, 13 May 2016

<sup>13</sup> ["What would Brexit really mean for the UK's fishing industry?"](#), The UK in a Changing Europe, 24 March 2016

<sup>14</sup> ["What would Brexit really mean for the UK's fishing industry?"](#), The UK in a Changing Europe, 24 March 2016

<sup>15</sup> ["EU lifts fish sanctions on Faroe Islands, WTO dispute closed"](#), International Centre for Trade and Sustainable Development, 27 August 2014

<sup>16</sup> ["EU lifts fish sanctions on Faroe Islands, WTO dispute closed"](#), International Centre for Trade and Sustainable Development, 27 August 2014

<sup>17</sup> ["Government of the Faroes: Coercive economic measures are illegal and 26.07.2014 counterproductive"](#), The Government of the Faroe Islands, 26 July 2014



**Box 2: Relative stability**

In 1983, after seven years of negotiations, it was agreed that fisheries and quotas in the EEZ would be shared on the basis of who was already fishing in those areas (the principle of relative stability). This meant that when the EEZ was introduced, there would not be any dramatic consequences for any Member State.<sup>18</sup> It was also felt that this would help to “prevent repeated arguments over how quotas should be allocated, and to provide fishers with an environment which [was] stable relative to the overall state of the stock in question”.<sup>19</sup>

Relative stability also gave certain fishing-dependent communities in the UK and Ireland special protection in the form of additional quotas that would be taken from other Member States in the event of quotas falling below certain levels.<sup>20</sup>

In retrospect it could be argued that this situation disadvantaged the UK, which might have asserted control over a greater proportion of the EU's catch through enforcement of a 200-mile EEZ.

However, the UK government may have accepted the terms because:

- the agreement had little effect on UK fisheries at the time as the UK fleet was focused on other areas ([see our briefing on the Cod Wars](#) for more information);
- enforcing the EEZ might have led to significant conflict with other Member States;
- enforcing the EEZ might have been incompatible with EU membership;
- some UK fishing communities were given special protections.<sup>21</sup>

## 2.4 Excluding foreign vessels from UK waters

Aside from giving the UK the ability to walk away from talks, an argument for Brexit has been that it will enable the UK to exclude EU fishers from the UK's EEZ.<sup>22</sup>

Some have questioned the extent to which that option would be feasible. Issues that might arise include:

- increased political tensions during a time when the UK will be negotiating EU market access. The Danish fish producer organisation stated that the UK should only be granted access to the EU market on the basis that it still permitted access to UK waters;<sup>23</sup>
- the possible retaliatory exclusion of UK vessels from EU waters. That could be “a major concern in the fishing industry as 20% of the fish caught by the UK fleet is landed elsewhere in the EU”, and because the UK fleet currently has access to areas outside of the UK's EEZ;
- a ban possibly contravening international law;
- the implications of damaging fish trading relationships with Europe, as “at present the UK exports around 80% of its wild-

<sup>18</sup> [“Government of the Faroes: Coercive economic measures are illegal and 26.07.2014 counterproductive”](#), The Government of the Faroe Islands, 26 July 2014

<sup>19</sup> [“How we manage our fisheries”](#), European Commission, viewed 27 May 2015

<sup>20</sup> [HC Deb 16 December 2004 c1220W](#).

<sup>21</sup> House of Lords European Union Committee, [The Progress of the Common Fisheries Policy](#), 22 July 2008, HL 146-i.

<sup>22</sup> Burns, C., A. Jordan, V. Gravey, N. Berny, S. Bulmer, N. Carter, R. Cowell, J. Dutton, B. Moore S. Oberthür, S. Owens, T. Rayner, J. Scott and B. Stewart, [“The EU Referendum and the UK Environment: An Expert Review. How has EU membership affected the UK and what might change in the event of a vote to Remain or Leave?”](#), UK in a Changing Europe, 2016

<sup>23</sup> [“UK market access has to mean fishing access”](#), FiskerForum, 28 June 2016

caught seafood, with four of the top five destinations being European countries”.<sup>24</sup>

Other non-EU European countries have granted access to EU vessels (including UK vessels) to their EEZ as part of negotiations on fisheries. For example, when Greenland left the European Economic Community in 1982 it negotiated “tariff-free access to the EEC market for fisheries products” and in return “it allowed continued European access to its waters”.<sup>25</sup>

Norway also has mechanisms for allowing access to its EEZ by EU (and therefore UK) vessels. These long-standing arrangements were put into place to enable fishers from both the EU and Norway to maintain access to historic fishing grounds in each other’s EEZ.<sup>26 27</sup>

It therefore seems possible that some form of agreement on continued EU access to UK waters, and vice versa, could be part of the negotiated settlement.

### 2.5 Cooperation with the EU and other countries on setting quotas

The UK would need to cooperate with the EU after Brexit on quota setting. Cooperation on sharing stocks is required as many fish stocks are migratory and therefore cross EEZ boundaries. Fish populations could be damaged if countries failed to coordinate on fishing effort.

Such cooperation is enshrined in international law. The UN Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks and the UN Convention on the Law of the Sea in 1996<sup>28</sup> require cooperation on the conservation and management of fish stocks that straddle national jurisdictions. The UK has ratified these agreements.

Such cooperation is currently seen in Norway and other non-EU European countries. Around 90% of Norway’s fisheries are shared with other countries<sup>29</sup>, even though it is much more geographically isolated than the UK. The Norwegians set fish quotas and management strategies for important fish stocks in negotiation with other countries, including the EU and Russia. Norway and the EU

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<sup>24</sup> [“What would Brexit really mean for the UK’s fishing industry?”](#), The Conversation, 24 March 2016

<sup>25</sup> [“Reality Check: How would Brexit affect the UK’s fishing waters?”](#), BBC, 31 May 2016

<sup>26</sup> [“Committee on Fisheries: Hearing CFP reform; the external dimension by Johán H. Williams, Director General, Norwegian Ministry of Fisheries and Coastal Affairs”](#) European Parliament, viewed 14 July 2016

<sup>27</sup> [“Fisheries cooperation with the EU”](#), The Norwegian Ministry of Trade, Industry and Fisheries, 8 March 2010

<sup>28</sup> [“Fishery and Aquaculture Country Profiles: The Kingdom of Norway”](#), Food and Agriculture Organization of the United Nations, 14 July 2016

<sup>29</sup> [“Fishery and Aquaculture Country Profiles: The Kingdom of Norway”](#), Food and Agriculture Organization of the United Nations, 14 July 2016

have developed management strategies for several joint stocks including cod, haddock and herring.<sup>30</sup>

The EU cooperates and negotiates with non-EU countries on behalf of Member States. The outcome of negotiations on one stock may be influenced by negotiations on another.<sup>31</sup>

Following Brexit the UK will have to:

- maintain a close working relationship with the EU to enable the effective management of fisheries;
- agree a mechanism for agreeing quotas and management measures with the EU and other countries. This could be a bilateral mechanism between the UK and EU “in the case of stocks that are shared only between the EU and UK”, or through the North East Atlantic Fisheries Commission (NEAFC) for stocks shared with other countries “as is currently the case with mackerel, which is negotiated between the EU, Norway, Iceland and the Faroe Islands”.<sup>32</sup>

## 2.6 A new UK fisheries policy and management system

George Eustace MP, the Minister with responsibility for fisheries and who campaigned for Brexit, said that in his view the UK Government would seek to retain a number fisheries management measures such as fishing within sustainable limits through a quota system and that the UK “would still strive to eliminate the wasteful practice of discarding dead fish back into the sea”.<sup>33</sup>

“Managing cod stocks is not rocket science—it is much more complicated than that.”

Brexit could also help to address cases where it is argued that the EU has taken decisions on fisheries management that may be inappropriate to UK circumstances.<sup>34</sup> Nevertheless, following Brexit management will need to be well-coordinated with the EU given the extent to which stocks are shared. It could be that the UK will have less influence over the management measures of some stocks, as it may have less ability to participate in discussions with EU Member States.

The experience from Norway and other countries suggests that the UK will need to introduce a potentially complex system of fisheries management.<sup>35</sup> A Norwegian marine scientist commented that “managing cod stocks is not rocket science—it is much more

<sup>30</sup> [“Norwegian fisheries management”](#), The Ministry of Fisheries and Coastal Affairs, 2007

<sup>31</sup> [“Committee on Fisheries: Hearing CFP reform: the external dimension by Jóhán H. Williams, Director General, Norwegian Ministry of Fisheries and Coastal Affairs”](#) European Parliament, viewed 14 July 2016

<sup>32</sup> [“Brexit: Where next for UK fisheries?”](#), Marine Environmental Research, July 2016

<sup>33</sup> [“The Fishing Industry and Brexit”](#), George Eustice MP, 13 April 2016

<sup>34</sup> [“Drift Net Ban pushed onto back burner”](#), The National Federation of Fishermen's Organisations, 22nd September 2014

<sup>35</sup> [“Cod almighty: the secret of Norway's monster fish bonanza”](#), The Guardian, 25 April 2016

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complicated than that”.<sup>36</sup> In many cases the management system may need to be negotiated and agreed with the EU.

Key elements of the Norwegian approach to fisheries management include:

- limiting access to fisheries;
- basing quotas on scientific evidence about the maximum amount of fish that can be sustainably caught;
- reducing overcapacity in the sector (i.e. limiting or reducing the number of vessels);
- abandoning subsidies for fishing;
- controls on the types of fishing gear permitted;
- a discard ban;
- control and enforcement measures at port and at sea to ensure compliance;
- measures to protect marine habitats and biodiversity.<sup>37</sup>

It seems likely that the UK will develop a domestic system for managing fisheries, which could in large part reproduce the existing EU arrangements.

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<sup>36</sup> [“Cod almighty: the secret of Norway's monster fish bonanza”](#), The Guardian, 25 April 2016

<sup>37</sup> [“Changing attitudes 1970 – 2012. Evolution of the Norwegian management framework to prevent overfishing and to secure long-term sustainability”](#), Norwegian Directorate of Fisheries, 4 November 2015

### 3. Funding for fishing communities

The CFP provides funding for a number of purposes including supporting sustainable fishing and helping coastal communities to diversify their economies. The European Commission [consulted](#) in early 2016 on a possible post-2020 fisheries fund, although no decision has yet been made.

The UK was allocated €243.1 million in fisheries funding from 2014-2020.<sup>38</sup> These funds are then matched by the UK government. The UK Government's strategy for spending these funds can be found [here](#). The strategy provides for funding to be available for a range of projects, including those related to:

- innovation and training;
- economic growth;
- environmental sustainability;
- port and equipment upgrades;
- health and safety on vessels; and
- financing of small and medium enterprises.

It has been questioned whether future UK governments would continue to make these funds available after Brexit.<sup>39</sup> If there is a contraction in the economy, fewer funds may be available for funding fisheries.<sup>40</sup>

On 12 July 2016 the National Federation of Fishermen's Organisations (NFFO) Executive Committee said that it expected "the UK to provide at least the same level of financial support for the fishing industry as has been channelled through European funds".<sup>41</sup>

The EU also provides scientific funding, of which the UK was a major recipient, and also supports joint marine science activities. Dr Bryce Stewart indicated that the "UK's involvement in such programmes would likely be limited after a Brexit".<sup>42</sup>

Following Brexit, financing of fisheries support and science will become a decision solely for the UK Government.

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<sup>38</sup> ["European Maritime and Fisheries Fund \(EMFF\)"](#), European Commission, 22 June 2016

<sup>39</sup> Burns, C., A. Jordan, V. Gravey, N. Berny, S. Bulmer, N. Carter, R. Cowell, J. Dutton, B. Moore S. Oberthür, S. Owens, T. Rayner, J. Scott and B. Stewart, ["The EU Referendum and the UK Environment: An Expert Review. How has EU membership affected the UK and what might change in the event of a vote to Remain or Leave?"](#), UK in a Changing Europe, 2016

<sup>40</sup> [Reality Check: What would happen to funding from EU post-Brexit?](#), BBC website, 14 June 2016

<sup>41</sup> [The NFFO Executive Committee met on 12th July 2016 to discuss the implications of Brexit](#), NFFO website, 12 July 2016

<sup>42</sup> Burns, C., A. Jordan, V. Gravey, N. Berny, S. Bulmer, N. Carter, R. Cowell, J. Dutton, B. Moore S. Oberthür, S. Owens, T. Rayner, J. Scott and B. Stewart, ["The EU Referendum and the UK Environment: An Expert Review. How has EU membership affected the UK and what might change in the event of a vote to Remain or Leave?"](#), UK in a Changing Europe, 2016

## 4. Market access

The EU is “the largest single fisheries market in the world and a net importer of fish and fish products”.<sup>43</sup> Tariffs on fish imports are applied on a range of fisheries products from non-EU European countries such as Norway.

According to Civitas (a think tank), while Norway does not benefit from completely free trade in fisheries products, it has managed to agree “preferential or tariff-free access to EU markets” for many of its products. As a result, Civitas argued that Norway had successfully defended its interests and market access even though it was outside of the EU.<sup>44</sup>

However, the CBI, the business organisation, noted that tariffs had had an impact on fish processing in Norway. It stated that tariffs had led to “most of Norway’s fish-processing industry relocating within the EU, principally to Scotland, to continue to benefit from full market access”.<sup>45</sup>

It is also relevant to note that Norway has provided reciprocal access to its waters, and contributes to the EU budget. In order to negotiate reduced or tariff-free access to the EU, it is possible that the UK would need to make concessions on fisheries or in other areas unrelated to fisheries.<sup>46</sup> The Danish fish producer organisation has stated that the UK should only be granted access to the EU market on the basis that it still permitted access to UK waters for EU vessels.<sup>47</sup>

As a result, following Brexit the UK may no longer have tariff-free access to the EU market, although access to the market would depend on the negotiations and the future nature of UK-EU relations.

The UK, as in other trade areas, would still in all likelihood have to comply with any EU market regulations to export fishery products to the EU. The UK will have less influence over what those regulations will be.

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<sup>43</sup> “[Fishing outside the EU](#)”, European Commission, 10 December 2015

<sup>44</sup> “[The Norwegian Way: A case study for Britain’s future relationship with the EU](#)”, Civitas, February 2015

<sup>45</sup> “[The Norway Option](#)”, CBI, viewed 14 July 2016

<sup>46</sup> “[Norway wants to remove trade barriers for seafood exports to the EU](#)”, Undercurrent News, 13 January 2015

<sup>47</sup> “[UK market access has to mean fishing access](#)”, Fisker Forum, 28 June 2016



## 5. Interactions with EU environmental laws

A number of EU laws relate to the protection of the marine environment. The protection of the environment can deliver benefits to the management of fish stocks.

For example, the Birds and Habitats Directives have contributed to the creation of a network of marine protected areas around the UK. According to Dr Bryce Stewart, such areas can “have a direct influence on fisheries (by restricting where they can operate) but are also likely to be beneficial to fisheries in the long run”.<sup>48</sup> Such European protected areas “have generally offered much higher levels of protection” than marine protected areas created by the Government under domestic legislation.<sup>49</sup>

If the UK negotiates membership of the EEA, it may be required to continue to apply the Marine Strategy Framework Directive and Water Framework Directive, but not the Birds or Habitats Directives.<sup>50</sup> The Government’s nature conservation advisors, the Joint Nature Conservation Committee, have said that the Birds and Habitats Directives have helped the UK to effectively coordinate with other EU countries on conservation action and science.<sup>51</sup>

It is not clear the extent to which Brexit will effect marine conservation, and therefore whether there might also be implications for fisheries management.

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<sup>48</sup> Dr Bryce Stewart, Personal Communication, 13 July 2016

<sup>49</sup> Burns, C., A. Jordan, V. Gravey, N. Berny, S. Bulmer, N. Carter, R. Cowell, J. Dutton, B. Moore S. Oberthür, S. Owens, T. Rayner, J. Scott and B. Stewart, “[The EU Referendum and the UK Environment: An Expert Review. How has EU membership affected the UK and what might change in the event of a vote to Remain or Leave?](#)”, UK in a Changing Europe, 2016

<sup>50</sup> Burns, C., A. Jordan, V. Gravey, N. Berny, S. Bulmer, N. Carter, R. Cowell, J. Dutton, B. Moore S. Oberthür, S. Owens, T. Rayner, J. Scott and B. Stewart, “[The EU Referendum and the UK Environment: An Expert Review. How has EU membership affected the UK and what might change in the event of a vote to Remain or Leave?](#)”, UK in a Changing Europe, 2016

<sup>51</sup> “[Directive 2009/147/EC on the conservation of wild birds \(codified version\)](#)”, JNCC, October 2014

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