

Fishing authorisations for Union fishing vessels in United Kingdom waters and fishing operations of United Kingdom fishing vessels in Union waters

2019/0010(COD) - 23/01/2019 - Legislative proposal

PURPOSE: to mitigate the impacts that a Brexit without an agreement would have on fisheries at EU level.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: a withdrawal agreement was concluded between the Union and the United Kingdom and endorsed by the European Council (Article 50) on 25 November 2018. However, its ratification in the United Kingdom is uncertain. This proposal is part of a package of emergency measures proposed by the Commission to deal with a possible withdrawal from the European Union without the United Kingdom's agreement.

When the Common Fisheries Policy ceases to apply to the United Kingdom, the United Kingdom waters (territorial sea and adjacent exclusive economic zone) will no longer be part of the Union waters. Consequently, in case of a disorderly withdrawal, Union and United Kingdom vessels risk not having the possibility to utilise fully the fishing opportunities as established for 2019.

To guarantee the sustainability of fisheries and in light of the importance of fisheries for the economic livelihood of many communities, it is important to keep open the possibility of arrangements for continued reciprocal fishing access by Union and United Kingdom vessels to each other's waters, for a limited period of time, after the withdrawal date.

On 17 and 18 December 2018, the Agriculture and Fisheries Council fixed the fisheries opportunities for 2019. Based on this, the Commission has concluded that two contingency measures are necessary for the fisheries sector in order to mitigate the significant impacts on the fisheries sector of a withdrawal from the United Kingdom without a withdrawal agreement.

Alongside this measure on the sustainable management of external fishing fleets, the Commission is proposing a [measure](#) to amend the European Maritime and Fisheries Fund.

CONTENT: the proposal shall amend [Regulation \(EU\) 2017/2403](#), so as to provide a legal basis in Union law providing for the possibility for United Kingdom vessels to carry out fishing activities in Union waters and for introducing simplified and more efficient authorisation procedures for vessels wishing to fish in United Kingdom waters. In doing so major disruptions and delays in the authorisation procedures will be avoided.

The proposed Regulation also continues the practice of exchanging quotas with the United Kingdom, as was the case when the United Kingdom joined the Union (approximately 1 000 quota exchanges take place each year between the United Kingdom and the Member States).

The granting of authorisations is subject to the principle of 'reciprocity', i.e. on condition that the United Kingdom extends the current access rights for EU vessels to conduct fishing activities in United Kingdom

waters. Consequently, authorisations will only be granted if and to the extent that the United Kingdom provides authorisations for Union vessels to make use of fishing opportunities allocated to them in accordance with the fishing opportunity Regulations.

The specific rules provided for in this proposal should apply from the day following that on which Union law ceases to apply to the United Kingdom pursuant to Article 50(3) of the Treaty on European Union.