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ANNEX

ANNEX

to the

Recommendation for a

COUNCIL DECISION

to authorise the Commission to open negotiations on behalf of the European Union for the conclusion of a Fisheries Agreement with the United Kingdom of Great Britain and Northern Ireland and the Kingdom of Norway

ANNEX

DIRECTIVES FOR THE NEGOTIATION OF A FISHERIES AGREEMENT WITH THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE KINGDOM OF NORWAY

I. GENERAL CONTEXT AND PURPOSE OF THE FISHERIES AGREEMENT

After the withdrawal of the United Kingdom of Great Britain and Northern Ireland (hereafter: United Kingdom) from the European Union a number of fish stocks in the North Sea can no longer be considered as stocks shared bilaterally between the European Union and the Kingdom of Norway only. These stocks occur in Union waters and in the waters under sovereignty and jurisdiction of the United Kingdom and of the Kingdom of Norway.

In accordance with Article 63(1) of the United Nations Convention of the Law of the Sea¹, the European Union, the United Kingdom and the Kingdom of Norway should agree upon the measures necessary to co-ordinate and ensure the conservation and development of the stocks concerned in the North Sea.

For this purpose, the European Union seeks to conclude a fisheries agreement (the Agreement) with the United Kingdom and the Kingdom of Norway.

II. CONTENT OF THE FISHERIES AGREEMENT

1. The Agreement should set out a framework for the management of shared fish stocks as well as the conditions on access to waters and resources. It should secure continued responsible fisheries that ensure the long-term conservation and sustainable exploitation of marine biological resources, in line with the relevant principles under international law.
2. The provisions on fisheries should encompass cooperation on the development of measures for the sustainable exploitation and conservation of resources, including avoiding discarding. Such measures should be non-discriminatory and follow a science-based approach aligned to the objective of achieving maximum sustainable yield for the stocks concerned. The Agreement should include provisions for cooperation in control and enforcement, data collection and scientific advice.
3. The Agreement should include arrangements to uphold Union fishing activities and to avoid economic dislocation of the fishing activities of the Parties to the Agreement.
4. The provisions of the Agreement should uphold existing reciprocal access conditions and quota shares, building on the traditional activity of the Union fleet as provided for by the framework agreement on fisheries between the European Union and the Kingdom of Norway², and therefore:
 1. uphold continued reciprocal access by Union, United Kingdom and Norwegian vessels to the waters of the Union, the United Kingdom and the Kingdom of Norway;

¹ United Nations Convention of the Law of the Sea, *OJ L 179*, 23.6.1998, p. 3.

² OJ - L 226 of 29 August 1980, page 47

2. uphold stable quota shares, which can only be adjusted with the consent of the Parties directly concerned;
3. include modalities for transfers and exchanges of quotas and for the setting of annual or multi-annual total allowable catches or effort limitations on the basis of long-term management strategies;
4. organise the modalities for obtaining fishing authorisations and the provisions that ensure equality of treatment and compliance, including joint control and inspection activities;
5. establish the appropriate institutional framework for cooperation on conservation and management of the shared fish stocks.
6. The agreement should be concluded timely for it to be used for determining fishing opportunities for the first year after the transition period under the Withdrawal Agreement ends.