



BLUE MARINE  
FOUNDATION



Ms. Victoria Prentis MP  
Parliamentary Under Secretary of State  
Minister for Farming, Fisheries and Food  
United Kingdom

London, 19 March 2021

Sent by email to:  
[ps.victoria.prentis@defra.gov.uk](mailto:ps.victoria.prentis@defra.gov.uk) [i]

**Subject: Transparency in negotiations on fishing opportunities between the UK and the EU and stakeholder participation in the work of the Specialised Committee on Fisheries**

Dear Minister Prentis,

The conclusion of the Trade and Cooperation Agreement (TCA) between the UK and the EU presents a key milestone for continued cooperation on fisheries management post-Brexit. The ongoing negotiations on catch limits for 2021 highlight some important lessons learned on transparency and accountability.

We welcome the explicit commitment by both the EU Commissioner and the UK Head of Delegation Mike Rowe and their respective services to include and inform all stakeholders. In particular, we welcome the proactive inclusion of environmental NGOs (eNGOs) in the UK delegation for the plenary to the bilateral negotiations on fishing limits between the UK and EU, and the regular debriefs with your services.

However, despite recent improvements and commitments on both sides, the current situation overall remains unsatisfactory: there is currently a lack of consistency and transparency around the extension of invitations to eNGOs to attend plenary sessions. While we have been included in the plenaries of bilateral negotiations, this has not been the case for the trilateral negotiations between the UK, the EU and Norway, whereas industry is fully represented in both. Overall, access to the negotiations continues to depend on the goodwill of the Parties and individual EU Member States, which creates an uneven playing field.

We are also concerned about the lack of clarity so far from both Parties regarding how the Specialised Committee on Fisheries will operate and how proper stakeholder consultation on its work will be ensured.

These unsatisfactory circumstances need to change. We count on you to honour your commitment to transparent and accountable decision-making by taking the following steps. All of these apply to both the bilateral UK-EU and trilateral UK-EU-Norway negotiations on fishing limits, as well as the wider work of the Specialised Committee on Fisheries under the TCA:

- **Ensure equal access for all stakeholders.** Specifically, we call on you to create a formal observer status, as already used in other international or regional fora such as ICCAT, NEAFC or OSPAR. This will allow NGOs, industry and other stakeholders on both sides to participate on equal terms. Alongside this overarching approach, access to the Parties' delegations should continue, with the requirement that it be extended to all stakeholders equally.
- **Continue the mutually beneficial debriefs between the negotiating teams and eNGOs, and ensure proper stakeholder consultation.** While formalised access of eNGOs to negotiations alongside industry stakeholders is a key step forward, this still needs to be complemented by crucial consultations between both Parties and stakeholders outside of the negotiation room. Stakeholders should also be consulted on recommendations and decisions to be developed by the Specialised Committee in a timely and transparent manner to allow for meaningful consideration of their input.
- **Ensure comprehensive, detailed documentation of all fisheries-related negotiations, and its proactive, timely publication.** Complete and accurate documentation and its swift publication are a crucial element of accountable decision-making. It will enable all stakeholders equally to follow, understand and scrutinise the process and its conclusions.

These actions are key to aligning the management of shared stocks with the obligations and rights under the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, to which both the UK and the EU are Contracting Parties.<sup>1</sup>

Sustainable fisheries management is integral to the health of our ocean. It is therefore vital that the negotiations and the work of the Specialised Committee on Fisheries, in particular the evidence used to inform decision-making, are as transparent as possible. Ensuring this is a prime opportunity for all Parties to show they are ready to put their sustainability commitments, for example under the TCA and the Leaders' Pledge For Nature, into practice.

We look forward to hearing from you on this important matter shortly, and remain at your disposal should you wish to discuss the above in more detail. For your information, we have sent a similar letter with the same requests to Commissioner Sinkevičius and his services.

Yours sincerely,



(Adam Weiss, Head of Programme: Ocean, Plastics, and Chemicals, ClientEarth)

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<sup>1</sup> UNECE, Convention on Access to Information, Public Participation in Decision- Making and Access to Justice in Environmental Matters <https://ec.europa.eu/environment/aarhus/>

On behalf of:

Blue Marine Foundation  
ClientEarth  
Marine Conservation Society  
Oceana  
Our Fish  
Seas at Risk

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