



House of Commons
Northern Ireland Affairs
Committee

**Brexit and Northern
Ireland: fisheries:
Government Response
to the Committee's
Fourth Report**

**Sixth Special Report of Session
2017–19**

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Northern Ireland Affairs Committee

The Northern Ireland Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Northern Ireland Office (but excluding individual cases and advice given by the Crown Solicitor); and other matters within the responsibilities of the Secretary of State for Northern Ireland (but excluding the expenditure, administration and policy of the Office of the Director of Public Prosecutions, Northern Ireland and the drafting of legislation by the Office of the Legislative Counsel).

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Publication

Committee reports are published on the Committee's website at www.parliament.uk/niacom and in print by Order of the House.

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Committee staff

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Sixth Special Report

The Northern Ireland Affairs Committee published its Fourth Report of Session 2017–19 [Brexit and Northern Ireland: fisheries](#) (HC 878), on 15 September 2018. The Government's response was received on 4 December 2018 and is appended below.

The Committee's conclusions are shown in **bold** type and its recommendations in *italic* type.

Appendix: Government Response

1. **The Committee supports the Government's commitment to move away from the current inequitable allocation of fishing opportunity under relative stability and welcomes its publication of evidence in support of the zonal attachment measure. However, the White Paper does not say whether the Government intends to negotiate quota increases in line with these projections. Nor does it set out the criteria on which the UK will determine access for foreign vessels to UK waters after Brexit.** *We recommend that the Government clarify, in its response to this report, how it intends to exercise its rights under international law to secure a significant redistribution of fishing opportunity in UK waters. We further recommend that the Government sets out its projections for how quota allocation based on zonal attachment will differ from that of relative stability for the Northern Ireland fleet and the criteria that will be used to permit access by foreign vessels to fishing opportunity in UK waters after Brexit.* (Paragraph 31)

As outlined in our White Paper '[Sustainable fisheries for future generations](#)', as an independent coastal State, the UK will work closely with the EU and other coastal States, including Norway and the Faroe Islands, to manage transboundary stocks. As part of the negotiations on our future relationship with the EU, we will seek to agree a process for future annual negotiations on access and fishing opportunities. These negotiations with the EU are continuing.

This provides an opportunity to move away from relative stability towards a fairer and more scientific method for future Total Allowable Catch (TAC) shares as a condition of future access. Initially, we will seek to secure increased fishing opportunities through the process of 'annual exchanges' as part of annual fisheries negotiations. In due course, as part of those annual negotiations we would be open to considering multi-annual agreements for appropriate stocks, as happens currently between the EU and other coastal States.

To inform this process, we have instigated a comprehensive programme of research, working closely with the Centre for Environment, Fisheries and Aquaculture Science (Cefas) and Marine Management Organisation (MMO), to provide the evidence to support consideration of a future fairer share of fishing opportunities. Some initial findings of this analysis were set out in Annex C to the White Paper.

The MMO published [final form statistics](#) on Thursday 27 September 2018. Other zonal attachment figures in the White Paper, based on bathymetry and swept-area biomass, were provided by Cefas. This work is ongoing and is being updated; an interim report containing details of the methodologies used to calculate the figures in the White Paper, alongside similar data for other stocks, will be released later in the year.

We do not intend to change the method for allocating existing quota. However, Defra intends to begin discussions with the Devolved Administrations, Crown Dependencies and stakeholders to allocate any additional fishing opportunities negotiated by virtue of the UK's new status as an independent coastal state on a different basis.

As an independent coastal State, we will have rights under the 1982 United Nations Convention on the Law of the Sea ("UNCLOS") to control and manage fishing in UK's territorial waters (0–12 nautical miles) and Exclusive Economic Zone ("EEZ") (12–200nm, or the median line with other coastal States), whilst obliging the UK to cooperate with other countries to manage shared stocks sustainably. Any decisions about giving vessels from the EU, and coastal States, access to our waters will be a matter for negotiation. Any foreign vessels granted access to fish in UK waters will need to meet the same requirements as our fleets across all UK fishing zones, including adherence to sustainable practices.

2. The EU is an important export market for the Northern Ireland fishing sector. Negotiating a good deal for the Northern Ireland fishing industry is therefore not just about attaining increased quota but also securing continued access for Northern Ireland's fisheries products to EU markets. Any future agreement with the EU should secure reciprocal tariff-free trade in fish and fisheries products, mutual recognition of standards, and a streamlined export process for perishable fisheries goods. The consequences of high tariffs will be particularly acute for those fishermen in Northern Ireland who catch non-quota shellfish species. These fishermen stand to incur the costs associated with increased tariff and non-tariff barriers without gaining the benefits of renegotiated quota. We recommend the Government set out, in its response to this report, which rules pertaining to fisheries trade would be included within the common rulebook. (Paragraph 47)

The Government's White Paper 'The future relationship between the United Kingdom and the European Union' sets out our proposal to create a UK-EU free trade area which establishes a common rulebook for industrial goods and agricultural products covering only those rules necessary to provide for frictionless trade at the border. This would remove the need to undertake additional regulatory checks at the border, and deliver on our shared commitment to no infrastructure at the Northern Ireland-Ireland border. It would protect the uniquely integrated supply chains and 'just-in-time' processes that have developed across the UK and the EU over the last 40 years, and will remain important given our geographical proximity, and the jobs and livelihoods dependent on them.

The White Paper is also clear that the UK will be leaving the Common Fisheries Policy. Rules on fisheries management do not require a check at the border and therefore would be outside the common rule book. We will negotiate for access to markets for fisheries products as part of our future economic partnership, just as with other goods and food products.

3. In a no deal scenario, in which trade in fisheries products is subject to the EU's common external tariff, the gains implied by the exclusion of EU fishermen from the UK's EEZ would be offset to an extent that is both unclear and uneven across the sector. (Paragraph 48)

4. In the event of no deal, catch certificates will be required for Northern Ireland's fisheries imports and exports trade with the EU. The Government must be in a position

to process catch certificates for all of Northern Ireland's trade with the EU by 30th March 2019. *We recommend the Government set out, in its response to this report, DEFRA's timetable for piloting and delivering a new IT system capable of providing catch certificate for all UK fisheries trade with the EU in the event of a no deal scenario.* (Paragraph 57)

Defra is working closely with the Devolved Administrations to ensure we have a UK-wide approach to this project to enable a seamless trade in fish and fisheries products post EU exit. The UK intends to replace the current paper-based catch certificate system with a new digital system to process applications and issue certificates. This new IT system currently being developed will be quicker and easier for exporters to use, and will be able to handle the expected increase in catch certificates. The initial phases have been completed on the new system and the prototype is ready for development. Import catch certificates, where the increase in demand is expected to be less severe, will continue to be processed through the current paper-based system.

5. In the event of no deal, the UK must have sufficient assets in place to prevent illegal fishing within its EEZ by 30 March 2019. *We recommend that the Government publish its assessment of the assets required to police the UK's EEZ after the UK leaves the EU and provide details of the amount of funding and number of ships available to the Joint Maritime Operations Coordination Centre to prevent illegal fishing in UK waters.* (Paragraph 62)

Control and enforcement are devolved matters. As such, the Department of Agriculture, Environment and Rural Affairs (DAERA) will decide how best to control the NI fishing zone and what new arrangements may be needed when the UK leaves the EU. DAERA are currently running a recruitment competition and will be employing additional officers.

Surface patrol vessels provide physical presence, deterrence and inspection capability. UK Fisheries Administrations will continue an area-based multi-agency approach to the deployment of their seagoing resources available to patrol UK waters post Brexit. This includes the DAERA Fisheries Protection Vessel.

DAERA does not partner the Joint Maritime Operations Coordination Centre (JMOCC) for fisheries activities.

6. While informed by scientific advice, the decisions which determine Total Allowable Catch at the annual Fisheries Council are inherently political. The agreed Total Allowable Catches represent the culmination of a year's worth of research and careful negotiation from interested parties across the EU. The absence of UK representation around the table at the December 2019 Fisheries Council, and in other fisheries governance bodies which influence the Commission's decisions, could result in disadvantage to the UK fishing industry.

7. The Committee welcomes the commitments, contained within the Draft Withdrawal Agreement, on protecting British interests during the implementation period. However, the vague language and general terms which sufficed for the Draft Agreement will not be acceptable in the final text. *We recommend that the final text of the Withdrawal Agreement, or accompanying documentation, clarify:*

- *How the UK will be able to influence the Fisheries Advisory Councils, the Fisheries and Aquaculture Expert Group and the Science, Technical and Economic Committee for Fisheries during the implementation period;*
- *How the UK's right to consultation will operate in practice;*
- *What action the UK can take if it believes the EU is not acting in good faith; and*
- *How it will make clear to the EU that opportunism would not be tolerated, that its good faith would be on trial and that failure would have consequences.* (Paragraph 74)

The Withdrawal Agreement makes clear that during the implementation period, current fisheries rules will continue to apply. The UK has a considerable interest and expertise in fisheries matters and there is a strong case for the UK's continued involvement in groups such as advisory groups during the implementation period.

Article 130 of the Withdrawal agreement relates specifically to fisheries during the implementation period and makes clear that the UK's share of quotas will not change during the implementation period. The UK will be consulted in relation to negotiations of fishing opportunities and may attend international negotiations. Furthermore, the agreement as a whole includes an obligation on both sides to act in good faith during the implementation period.

We are engaging with the Commission regarding the practicalities of this agreement.

8. We are disappointed that the Voisinage Arrangement has been unilaterally suspended in Ireland. While Irish fishermen have access to waters in Northern Ireland, fishermen in Northern Ireland have suffered hardship through exclusion from their habitual fishing grounds. This needs to be resolved as a matter of urgency. *We recommend the Government structures talks with the Irish Government to establish the future of reciprocal access for Northern Irish vessels under the Voisinage Arrangement. If the Irish Government does not give a clear commitment to pass, within 6 months of publication of this report, legislation which restores reciprocal access, the Government must discontinue access to UK waters for Irish vessels from 30 March 2019. If the Irish Government does pass legislation to reinstate the Voisinage Arrangement, then the UK Government should consider whether the arrangement should also be put on statutory footing in UK law.* (Paragraph 82)

The UK Government remains committed to the principles behind the Voisinage Arrangement and to protecting and supporting continued cooperation between Northern Ireland and Ireland. We have continued to honour the agreement. However, we will not be able to accept this unequal application indefinitely.

The Government has raised this with Minister Creed, Irish Minister for Agriculture, Food and the Marine, and will keep the situation under review.

In the meantime, we will continue to explore possible solutions to make sure that the arrangement can be reinstated as quickly as possible and that it can benefit fishers from both Northern Ireland and Ireland.

9. The dispute over maritime boundaries has resulted in environmental damage and economic disadvantage to the Lough Foyle area. The cause of the current crisis is the

failure of the Irish and UK Governments to either resolve the jurisdictional issue or reach a management agreement for Lough Foyle. *We recommend that the Foreign and Commonwealth Office concludes a management agreement with the Irish Government, within the next 12 months, that enables the Lough's Agency to fully implement the 2007 Foyle and Carlingford Fisheries Order. We further recommend that the Agency be given the extra resources necessary to remove existing unlicensed oyster trestles.* (Paragraph 89)

The Government recognises the need to take action to address illegal shellfish farms that have been established on the side of Lough Foyle that borders Ireland. The management of these activities falls into two parts - the leasing of the lough-bed on which the trestles are erected, and the licensing of activities taking place in Lough Foyle. We are committed to working constructively towards a practical resolution to the issue.

Discussions between the UK and Irish Governments are progressing on the jurisdictional issues with a view to concluding a management agreement to address this activity.

10. The Loughs Agency, as a cross-border body, is ideally placed to manage the regulations that govern management of the river systems and loughs along the border. The Agency may face difficulties if it is required to balance two increasingly divergent sets of environmental regulations within its catchment area and so should be given the power to make sensible decisions on regulations itself. *We recommend that the Loughs Agency be given the power, with the assistance and the oversight of the North-South Ministerial Council, to select the most appropriate environmental management strategy to regulate the areas under its jurisdiction and commensurate financial support and human resources to implement its decisions.* (Paragraph 99)

As stated in the Joint Report of December 2017 the United Kingdom remains committed to protecting and supporting continued North-South and East-West cooperation across the full range of political, economic, security, societal and agricultural contexts and frameworks of cooperation, including the continued operation of the North-South Implementation Bodies.

Both Governments will await negotiations to conclude before making any decision on the implications of any environmental divergence in both jurisdictions and what role, if any, the Loughs Agency will have post exit. While the Agency can operate on a North South basis within the Foyle and Carlingford Areas on a range of fisheries matters, the Competent Authorities for environmental regulations are both Governments and a range of State Agencies. We would wish to examine any transfer of powers to the Loughs Agency carefully and in consultation with others. Any decision on the transfer of such powers would ultimately rest with the North South Ministerial Council.

11. It is disappointing that the collapse of devolved government in Northern Ireland is preventing the passage of legislation recommended by the Loughs Agency for the protection of the natural environment within its jurisdiction. In light of the Court decision on the limit of civil service decision-making powers in Northern Ireland, we recommend that the Government establish a new mechanism to ensure regulatory decisions proposed by the Loughs Agency and approved by the North South Ministerial Council can be implemented. (Paragraph 100)

This proposal will require careful consideration by both Governments. Any mechanism would require a detailed analysis and legal scrutiny to ensure that the Loughs Agency

does not go beyond its powers which are clearly set out in the North South Co-operation (Implementation Bodies) (Northern Ireland) Order 1999 and the equivalent legislation in Ireland.

The Government's priority remains to secure a basis for political talks and re-establish a locally elected, democratically accountable devolved government that works for everyone in Northern Ireland at the earliest possible opportunity.

The future of Northern Ireland fisheries

12. In the absence of a Northern Ireland Executive, there is no capacity in Northern Ireland to take decisions on future fisheries policy, particularly on the allocation of quota. This means that Northern Ireland, unlike the other devolved administrations, is unable to put forward its own management proposals or adopt the proposals the UK Government has developed for England. The Fisheries White Paper does not acknowledge this impediment and sets out a future fisheries policy for England only. We recommend that, in order to prevent a governance gap, the Government, in legislation proposed for October 2018, should set out how decisions on fishing policy in Northern Ireland will be taken in the continuing absence of an Executive. Any decisions should be amendable by a future Northern Ireland Executive, once it is established. (Paragraph 111)

In the continued absence of a functioning Executive in Northern Ireland, DAERA is contributing to the programme of legislative amendments in relation to sea fisheries and aquaculture legislation which is necessary before the United Kingdom exits the European Union and during the IP.

Officials in DAERA have been engaged with DEFRA and other government departments in Scotland and Wales in a programme of work to amend deficiencies in EU retained law (e.g. Common Fisheries Policy) under powers conferred by the EU Withdrawal Act, to make it operable in the UK after exit day.

In terms of Northern Ireland legislation which implements EU retained legislation, DAERA is drafting amending legislation to correct a number of pieces of subordinate legislation on matters relating to sea fisheries and aquaculture. In the absence of a Northern Ireland Executive it has been agreed that these amendments will be made at Westminster by the Secretary of State for Environment, Food and Rural Affairs. The purpose is not to create new policy but to amend existing legislation so that it is operable on exit day.

Prior to exit day, DAERA will also make some amendments to domestic sea fisheries and aquaculture legislation using powers separate from those in the EU Withdrawal Act. These will be laid at the Northern Ireland Assembly as part of normal business procedures.

Ultimately it will be for a future Executive Minister to determine fisheries policy in Northern Ireland. Northern Ireland needs devolved government. That is what the Belfast Agreement intended, and that is what the people of Northern Ireland voted for.

13. The Government has yet to make any clear commitment to fisheries funding post December 2020. Investment in the industry at this critical period of change will be essential to ensure Northern Ireland's fishermen can seize the opportunities presented by Brexit and adapt to new requirements. We recommend that the Government commit to continued funding for the fisheries industry, at comparable levels to EMFF, after December

2020. *The Government should, in the fisheries Bill, set out priorities for funding which are based on experience of successful investments under EMFF such as harbour infrastructure and safety measures.* (Paragraph 118)

Leaving the EU means we will take our own decisions about how best to deliver the policy objectives previously supported by EU programmes. The Fisheries White Paper set out our plans to consider financial support to the sector in the future. In the Fisheries Bill, we are proposing a power in England to replace, modernise, and broaden the existing grant-making powers in the Fisheries Act 1981. It has subsequently been requested that a comparable power be made available in Northern Ireland. This will provide greater flexibility and ensure that a new grant scheme can deliver better value for money.

Defra is currently undertaking a range of evaluation activities of the current European Maritime and Fisheries Fund (EMFF) scheme in order to get a clear overview of the benefits that grant funding has on the sector. This includes the mid-term evaluation of EMFF, which will focus on the success of the programme at a procedural level. We are also conducting social research to assess the wider impact of the funding scheme across the UK, both on the sector and local coastal communities. Finally, we are participating in a study, commissioned by Marine Scotland, which will assess the economic growth of the seafood sector. This study will have a wide scope in order to capture the areas of inclusive economic growth across the UK.

The data gathered from these evaluations will form an evidence base to inform any future funding arrangements for the fisheries sector, fish processors and coastal communities. Decisions on replacement domestic arrangements will be taken during the Spending Review 19 (SR19) alongside decisions on all other domestic spending priorities.

The case for future spending priorities in Northern Ireland will be developed by DAERA before the end of the existing funding programme in 2020.

14. Manpower shortages encouraged by current rules pose an existential threat to fishing businesses. Crewing fishing vessels is a skilled job, and experienced and qualified crew are required simply to maintain the current Northern Ireland fleet. Access to crew will become even more essential if the fleet is to take advantage of increased quota dividends and grow the industry after Brexit. *In the short term, we recommend the Government grant a time-limited immigration concession for non-EU/EEA crew, as it did in March 2010, to help sustain and develop the fishing industry in Northern Ireland. In the longer term, we recommend the Government creates a visa pathway for fishermen which allows crewing of boats by EU/EEA and non-EU/EEA workers from the 6-nautical mile limit in recognition of the topography of the coast lines surrounding Northern Ireland.* (Paragraph 130)

We are aware that the Northern Ireland fishing industry has an interest in access to labour from outside the UK. The Government has been clear that it would consider the issue further in the light of the recommendations of the Migration Advisory Committee (MAC).

The MAC published its report on 18 September 2018. The Government is considering its response to the report and will publish a White Paper on its proposals for a future immigration system later this year, including what future provision we expect to make for the admission of workers at lower skill levels.

The MAC did, however, make clear that, except in the case of seasonal agricultural workers, it did not recommend introducing separate sector-based routes for lower skilled workers.

Attracting skills and talent is crucial to realising our ambitions for a thriving fisheries sector.

Defra wants to work with industry to encourage more domestic workers to enter the fisheries profession and attract the engineering, manufacturing, research and other relevant skills necessary for the increasingly sophisticated fisheries sector workforces. The Government is already taking action through our apprenticeship programme, post-16 Skills Plan to reform technical education and new Careers Strategy. We want industry to make the most of this framework to attract more domestic workers.

15. Lack of investment in Northern Ireland's harbours has resulted in the loss of vital repair services and reduced the economic benefit that local communities receive from the fish caught by the Northern Ireland fleet. *We recommend that the Government make a clear commitment to invest in infrastructure at Northern Ireland's ports to ensure fishermen can bring home the benefits of renegotiated quota to their local communities.* (Paragraph 138)

Currently the three fishery harbours under the control of the Northern Ireland Fishery Harbour Authority (NIFHA) make extensive use of European funding to maintain harbour infrastructure in good condition. This includes regular refurbishment of harbour walls and fish markets, and upgrading and modernisation of fishery services such as ice making and slipways. The current EMFF scheme has contributed match funding to support infrastructural improvements in Northern Ireland's ports and harbours through a number of projects. For example, £775,000 was granted to improve facilities at harbours managed by the Northern Ireland Fishery Harbour Authority. Fisheries is a devolved policy area, and it will be for a future Northern Ireland Executive to consider how it targets and distributes funding to the seafood sector post-Exit.

16. It is deeply disappointing that absence of an Executive and Assembly in Northern Ireland is preventing progress on a valuable infrastructure project at Kilkeel. Important opportunities for economic development must not be kept on hold due to the collapse of Stormont. *In the continued absence of devolved government, and in light of the Court of Appeal's ruling on the limit of civil servant's decision-making powers, we recommend that the UK Government create a new mechanism to enable decisions on infrastructure investment at Kilkeel.* (Paragraph 139)

The Government recognises that there is a need to provide reassurance and clarity to both the Northern Ireland Civil Service and the people of Northern Ireland on the mechanisms for the continued delivery of public services.

On 18 October 2018 the Secretary of State for Northern Ireland introduced new legislation to facilitate her clear plan to restore devolved government in Northern Ireland. The Executive Formation and Exercise of Functions Act 2018 creates a period where an Executive can be formed at any time, during which there will be no duty to call an election. This will provide an opportunity and the necessary time and space to restart political talks with the aim of restoring devolved government as soon as possible. The Bill contains provisions to

give greater clarity and certainty to enable Northern Ireland departments to continue to take decisions in Northern Ireland in the public interest, to ensure the continued delivery of public services.

As the Secretary of State for Northern Ireland has made clear, the current arrangement and this legislation can never be a replacement for decision-making by an elected, and democratically accountable Executive Government.

Specifically in relation to the infrastructure proposal at Kilkeel, it is acknowledged that much work has been undertaken to date. However this has focused on one sector of the fishing industry and a wider strategic exercise to examine future development opportunities for the whole of the Northern Ireland fish and seafood industry is required. Therefore the Department of Agriculture, Environment and Rural Affairs, and the Department for Economy in Northern Ireland have together initiated a strategic programme of work on the development of the Northern Ireland fishing industry. This will explore the challenges and opportunities facing the industry and will help shape long term plans that will enable the industry to realise its full potential. This programme will provide a substantive basis for future development of Northern Ireland Fisheries, at a time when the UK transitions into an independent coastal state.

17. The Lough Neagh Fishermen's Cooperative Society plays a vital role in bringing economic prosperity to the Lough Neagh area and conserving the wild European eel for future generations. The long-term future of the Lough Neagh wild eel fishery depends on securing a Non-Detriment Finding under CITES and maintaining financial support for the restocking project. *We recommend that the Government set out, in its response to this report, what steps it has taken to secure a Non-Detriment Finding in advance of the UK's exit from the EU in March 2019 and whether it intends to continue the current levels of EMFF support for the restocking of eels into Lough Neagh.* (Paragraph 147)

The UK Government is developing a scientific case for a possible Non-Detrimental Finding (NDF) under the Convention on International Trade in Endangered Species (CITES) for certain populations of the European eel (*Anguilla anguilla*). It is hoped that this NDF could be applied to eels from the Lough Neagh Fishermen's Cooperative Society's European eel fishery, plus the associated glass eel fisheries in England that the Lough Neagh Fishermen's Cooperative Society depends on for its restocking programme. The scientific rationale for the NDF proposal was discussed at the September meeting of the CITES EU Scientific Review Group (SRG) and the proposal will be submitted to the International Council for the Exploration of the Sea for scientific peer view in the next few weeks. Subject to this review, the UK will formally submit the NDF proposal to the SRG for approval for export of these eels to the EU. The UK will then also be in a position to issue export permits to other non- EU countries, subject to any relevant permit conditions, from 29 March 2019.

Financial assistance granted under the existing EMFF programme (2014–2020) has made important contributions to support eel fisheries projects in Northern Ireland. Notably, EMFF delivered £1.3m of match funding for the £2.54m project to restock Lough Neagh with juvenile eels over a five year period. UK Government has committed to support any EMFF funded programmes until 2020.

After exiting the EU, and in line with the devolved nature of fisheries policy in the UK, it will be for a future Northern Ireland Executive to determine how financial assistance is allocated in Northern Ireland.

18. The Northern Ireland fishing industry has enormous potential, post-Brexit, to generate more jobs and greater economic benefit for coastal communities, as well as contribute further to the wider Northern Ireland economy. The UK's decision to leave the EU offers the chance for the commercial catching sector in Northern Ireland to benefit from new fishing opportunity in UK waters. However, for the processing sector and those fishermen reliant on non-quota species, the risks of increased bureaucracy and the introduction of tariffs on trade with the EU means that securing access to the single market is a key priority. (Paragraph 148)

19. The Government should aim to secure an agreement with the EU on both future fisheries management and wider UK-EU relations that enables Northern Ireland to capitalise on the opportunities presented by Brexit. In its response to our report, the Government must clarify how access to UK waters and quota allocations will change. The Government must also provide information on the UK's capacity to prepare and safeguard its fishing industry in the event of a no deal Brexit. At this critical time of change the Government must support Northern Ireland in dealing with long running structural problems such as infrastructure investment at ports and crewing shortages. The government must demonstrate that it has recognised the fishing industry's crushing manpower constraints and set out how it will deal with them. This will empower the industry to take advantage of quota dividends and ensure economic benefit stays in local fishing communities. A timeline for the Government to act on our recommendations is contained at Annexe 1. (Paragraph 149)

20. The collapse of devolved Government must not result in Northern Ireland being voiceless and incapable of making important policy decisions on its future fisheries and environment policy at such a time. If the Executive is not restored by the end of the year, the UK Government must be prepared to take such decisions and prevent Northern Ireland from falling behind the other devolved administrations in preparing their fishing fleets for Brexit. (Paragraph 150)

The Government's priority is to secure a basis for political talks and re-establish a locally elected, democratically accountable devolved government that works for everyone in Northern Ireland at the earliest possible opportunity. The only sustainable way forward lies in the restoration of stable, fully functioning and inclusive devolved government in Northern Ireland. On 6 September, the Secretary of State for Northern Ireland announced her plan for delivering that for the people of Northern Ireland, and the whole United Kingdom.

While we are working towards this and in the current absence of Northern Ireland Executive Ministers the Executive Formation and Exercise of Functions Act, which received Royal Assent on 1 November, will support Northern Ireland Departments to continue making decisions where it is in the public interest to do so.

DAERA is working closely with the other Fisheries Administrations to ensure that all necessary retained EU legislation is operable in Northern Ireland on exit day. DAERA

is also advising on what powers are required in the Fisheries Bill to ensure that a future Northern Ireland Executive has the necessary powers and flexibility to tailor future fisheries policy and legislation to its requirements.