Edward Mountain MSP  
Convener  
Rural Economy and Connectivity Committee  
The Scottish Parliament  
EDINBURGH  
EH99 1SP

27 January 2020

Dear Edward,

AGRICULTURE AND FISHERIES COUNCIL: 16-17 DEC 2019

I am writing to you to report on the outcome of the EU Agriculture and Fisheries Council I attended last month in Brussels.

Fisheries

The main focus of the Council was on the annual fisheries negotiations which took place, as always, against the backdrop of EU agreements with both Norway and the Faroe Islands which had resulted in particularly poor outcomes for Scotland, including a 50% cut in the 2020 Total Allowable Catch (TAC) for North Sea Cod, which will create particular difficulties for our fishermen this year in view of the existence of the Landings Obligation which bans the practice of discarding. Cod is widely distributed throughout the North Sea, but there are now indications of area differences that have developed over a period of time in the abundance of this species in the North Sea. We impressed on the European Commission, through a formal UK Council Statement, the importance of scientific work commencing immediately to improve our overall understanding of the impacts such differences may have on the scientific advice that informs recommendations for TACs. We also stressed that this work be completed so that it could inform negotiations and management decisions this year. I have since raised the importance of getting that research started with UK Ministers and will continue to monitor progress. Better understanding of the state of the whole North Sea stocks is important for Scottish fishing interests as we move towards annual negotiations as a separate coastal state.

2019 was the first year in which the Landing Obligation had been implemented in full. This meant our fishermen were operating in 2019 with a number of so called “by-catch” TACs which although outlawing the targeting of species regulated by them, nevertheless permitted us to land fish subject to those TACs caught incidentally in mixed whitefish fisheries. In this respect, a major priority was to avoid a proposed 41% cut in the West Coast Cod by-catch TAC, which we achieved, reducing that cut instead to -26%, consistent with the scientific advice. We also secured modest increases for allowed 2020 catch limits of +5%

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respectively for North Sea Ling and North Sea Skates and Rays, +4% for North Sea Nephrops and +1% for North Sea Megrim. On the West of Scotland, we secured increases of +5% and +2% for Nephrops and Megrim respectively. We were unsuccessful however in achieving a number of our other objectives, including flexibility for the capture of our Saithe quota, which would have allowed us to catch around 10% of our North Sea quota in the west of Scotland and 10% of our west coast quota in the North Sea.

A summary of the outcomes agreed at Council on fisheries matters can be found in the table attached to this letter and I and my officials would be happy to explain the outcomes further to members of the Committee.

Agriculture

Elsewhere at Council, agriculture ministers continued to debate the current proposals for reform of the Common Agricultural Policy (CAP). Combatting climate change and simplification are the core drivers for the reform although Member States are still somewhat divided on the scale of climate/environmental measures, the governance of the overall system and of course the proposed (5%) cut to the CAP budget in the next EU financing period. I continue to monitor this debate closely as we develop our own domestic agriculture policy, and note agreement is unlikely until the second half of 2020 under the German Presidency, and implementation likely from 2023.

I have consistently made clear to the UK Government the Scottish Government’s deep concerns about the impact of the current US tariffs on Scottish whisky, shortbread and cashmere as a consequence of the Airbus trade dispute at the WTO. Agriculture ministers debated the tariffs issue in Council, the matter having been raised by the Spanish and French Ministers who were very concerned about the impacts on their olive oil and wine sectors respectively. In the debate that ensued, a large number of member states expressed concerns about the impact on their respective food products with it being clear that cheese was another product of specific concern. My officials will continue to monitor this issue along with any support measures that might be available to us going forward. The European Commission also continues to monitor the situation. To date it has offered storage aid for olive oil producers and increased flexibilities in its promotion programme for wine producers.

In addition, at France’s instigation, there was a discussion on pesticides (the Minor Use Cooperation Facility) and an inconclusive debate on the need for further legislation on country of origin labelling for food products. Ministers also debated the European Bioeconomy strategy and met the Director General of the Food and Agriculture Organisation (FAO) to discuss sustainable forest management along with sustainable forest use and protection. These have been priority issues for the 2019 Finnish Presidency given the role of afforestation in tackling biodiversity loss and climate change. Notwithstanding the UK’s forthcoming departure from the EU, I believe Scotland’s experience in the forestry sector could be of value to our EU partners as they take this work forward in the context of transitioning to a “net zero” future.

Conclusion

Last month’s Council was a particularly challenging one, which concluded a difficult year of fisheries negotiations, where it was abundantly clear to me that the European Commission was actively prioritising the interests of the member states committed to EU membership rather than the interests of the UK, which is choosing to walk away.

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This Council was also the first outing for the new team of European Commissioners. I had the opportunity to meet the new Commissioner for Environment, Oceans and Fisheries, Virginijus Sinkevičius, during the fisheries negotiation and hope to meet the new Agriculture Commissioner in the near future.

Yours sincerely,

FERGUS EWING