# Tribunal finds UK breached Brexit deal over fishing ban affecting endangered seabirds



A recent ruling by an international tribunal has highlighted a procedural error by the United Kingdom regarding its ban on fishing certain stocks, mandated under the Brexit trade deal. The tribunal determined that the UK had failed to adequately consider the rights of EU fishermen during an adjustment period, which contravenes the obligations outlined in the UK-EU Trade and Cooperation Agreement (TCA).

This specific ban affects fish species that are not only crucial to the fishing industries in European nations, such as Denmark, but are also an essential food source for young seabirds. Conservationists have advocated for the fishing ban to address the plummeting populations of these endangered birds, suggesting that providing a respite could allow their numbers to recover.

In response to the tribunal's ruling, a spokesperson for the UK government stated that the decision “does not mean the U.K. is legally obliged to reverse the closure.” The spokesperson further clarified that the government would engage in a process of good faith aimed at bringing the UK into alignment with the tribunal's findings on the highlighted issues. They reaffirmed the country's commitment to safeguarding seabirds and the broader marine environment in line with both the TCA and other international agreements.

As this situation develops, a spokesperson from the European Commission remarked that the EU’s executive body is still analysing the implications of the ruling, indicating that further discussions may take place as both parties seek to address the tribunal’s findings comprehensively.

Source: [Noah Wire Services](https://www.noahwire.com)

## References

* <https://www.reuters.com/world/europe/arbitrators-give-mixed-ruling-eu-uk-fishing-rights-dispute-2025-05-02/> - An arbitration panel delivered a mixed verdict in a dispute between the UK and the European Union regarding post-Brexit fishing rights, particularly a British ban on fishing sandeels in the North Sea. The Permanent Court of Arbitration determined that the ban in English waters was not proportionate and instructed Britain to take measures to comply with the ruling. However, the tribunal dismissed EU complaints regarding the ban in Scottish waters and rejected claims that the overall measure was discriminatory or lacked scientific grounds.
* <https://www.ft.com/content/9ce702ad-05ea-4edf-9228-be63915d9487> - A tribunal ruled that the UK partially breached its post-Brexit obligations by disproportionately closing English waters to EU sand eel fishermen, although it upheld the UK's right to restrict access in Scottish waters. This decision stems from a dispute over the UK’s March 2023 ban on sand eel fishing in areas such as Dogger Bank, implemented for environmental reasons. The Permanent Court of Arbitration judged that the UK’s action did not align proportionally with its agreements, although it is not obligated to reverse the closures.
* <https://www.ft.com/content/0e43bee4-97e9-4b17-94ff-e93f4f71352f> - Negotiations between the UK and the European Union on a 'reset' of their relations have been delayed until next year due to EU member states insisting on agreeing on their own priorities before listening to offers and demands from the UK government. The negotiation mandate will be decided after a meeting of European ministers on December 17, despite numerous meetings between British ministers and Brussels officials. The negotiations are expected to initially address continued access to British fishing waters, which expires in 2026, and reviews of electricity and gas flow arrangements.
* <https://www.ft.com/content/92734ac6-5ada-4784-b694-44043d85244e> - On April 24, 2025, UK Prime Minister Sir Keir Starmer and European Commission President Ursula von der Leyen are set to finalise a UK-EU defence pact and extend current fishing rights arrangements. This agreement, to be formally announced at a summit on May 19, aims to enhance bilateral trust and pave the way for broader economic cooperation including youth mobility, energy partnerships, and eased trade barriers on food products. The defence pact comes amid ongoing tensions in Ukraine and could potentially grant UK defence firms access to the EU's €150bn SAFE fund.
* <https://www.rfi.fr/en/international/20250128-eu-and-uk-clash-in-first-post-brexit-legal-battle-over-north-sea-fishing-ban> - The UK and the European Union are engaged in a legal battle over a ban on sandeel fishing in the North Sea, with the EU arguing that the UK's prohibition nullifies rights conferred on the European Union. The arbitration panel, composed of legal experts from France, New Zealand, and South Africa, is expected to deliver a final ruling by late April. The dispute underscores a delicate balance of post-Brexit relations, with potential political implications beyond the financial stakes.
* <https://oceans-and-fisheries.ec.europa.eu/news/eu-and-uk-reach-three-agreements-fisheries-management-2023-08-08_en> - The EU-UK Specialised Committee on Fisheries (SCF) reached three agreements for better fisheries management between the EU and UK. The agreements include a mechanism for voluntary transfers of fishing opportunities between the EU and UK, common guidelines for notifying management measures to the other party, and improvements to the management of four shared stocks (lemon sole, witch, turbot, and brill).
* <https://news.google.com/rss/articles/CBMiuAFBVV95cUxQd0lIYWFMRF8wdnBSNUNQc3Q4clpnTzVLN0NGRHAxckhsM0hqQk1tMlJ5dDNqWDlNRWpzYmpBdzNRSUxsbm5temN0YzE2LUZvY1g3QTJhTFU1b3Z4c3RLbG11Q3lzS2pHOWhGM0xIM0xnaEJqejlkakVNa05oeC1JU1NMZnZ6dmdiOHc4cUVZaU1BTUh0VG5hRWotQWNMcVhzY0Y1c3U3Tnk4U2NFXzJaMF8zLU43aHl4?oc=5&hl=en-US&gl=US&ceid=US:en> - Please view link - unable to able to access data