



Ministry of Agriculture, Fisheries and Food  
Whitehall Place London SW1A 2HH

Prime Minister

A.S.C. 28.  
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From the Minister's Private Office

David Hayhoe Esq  
Private Secretary to the  
Lord President of the Council  
Privy Council Office  
Whitehall  
London SW1A 2AT

*[Handwritten mark]*

28 January 1983

*Dear David*

COMMON FISHERIES POLICY

- ... Mr Walker has prepared the enclosed note on the settlement that was reached at the Council of Fisheries Ministers on 25 January, and which he hopes that his Ministerial colleagues might find helpful.
- / I am sending copies of this letter and enclosure to the private secretaries of the Prime Minister, other members of the Cabinet, and the Chief Whip.

*Yours sincerely*

*Robert Lawson*

ROBERT LOWSON  
Private Secretary

COMMON FISHERIES POLICY: AGREEMENT OF 25 JANUARY

On 25 January the Government succeeded in obtaining a common fishing agreement covering all the main issues of quotas, access, conservation, enforcement, structures and marketing.

Last October the Government succeeded in obtaining the agreement of eight other Member States but Denmark refused to give her agreement. The Danish Government was unable to change this position in December and sought further concessions both on access and on quotas.

The agreement reached on 25 January is an agreement in which the Danish Government obtained no concessions on either quotas or access affecting the benefits obtained by the United Kingdom last October.

It is of tremendous importance for the Community that this long-standing problem has finally been resolved. This will help to create the right atmosphere for the other difficult problems which the Community will have to tackle in the months ahead. It also shows that it is perfectly possible for the Community to make progress on a basis of unanimity, and that the Luxembourg Compromise continues to have validity.

After nearly four years of difficult and tough negotiations the Government has succeeded in obtaining a remarkably fine agreement to the benefit of the British fishing industry.

The Government inherited a situation from its predecessors where eight Member States were in agreement (before Greek accession) an agreement totally unsatisfactory to the United Kingdom.

From the commencement of this Government's negotiations Peter Walker stated categorically that he would only accept an agreement that had the support of the three main fishing organisations; the British Fishing Federation, the National Federation of Fishermen's Organisations and the Scottish Fishermen's Federation. All three of these organisations have supported the agreement now obtained.

Austen Laing, then the Director-General of the British Fishing Federation, in a letter to The Times immediately after the agreement wrote:

"Many other qualifications could be attached, but none of them should be allowed to obscure the great skill and nice judgement that Peter Walker and his ministerial colleagues have exercised in getting as much as they appear to have done.

The hand which he was obliged to pick up when he assumed office was a yarborough. There was no question, therefore, of his going for a little slam, much less

/that grand .....

that grand slam which, holding the hand many think he ought to have held, he might well have bid for and which the industry would have liked him to have secured in any event. The fact that he bid for and made a contract which was no more than the minimum which the industry's leaders thought acceptable should not belittle a most noteworthy achievement."

### The Inheritance

When the Government came into office they inherited a situation from John Silkin in which the eight other members of the Community had come to a fishing agreement at Berlin, a meeting that Mr Silkin had decided not to attend. The agreement of the eight had been unsatisfactory to the UK on quotas, on access and enforcement. The Government had to negotiate in order to persuade the Commission and the other Member States to support an agreement acceptable to the UK.

It has been argued that if Britain had a 200 mile limit a substantial quantity of Europe's fish would be in British waters. The opportunity to use this argument to obtain better quotas for the UK was in fact thrown away by the previous Government when in 1976 all Community countries were asked to go for a 200 mile limit on the basis that all waters contained within that 200 mile limit would be Community waters. This was known as the Hague agreement and was negotiated by Dr David Owen, who was then a Labour Foreign Office Minister and is now a leader of the Social Democrats. In these negotiations Ireland insisted that if they were going to agree the 200 mile limit as European waters they should gain arrangements entailing the doubling of their catch in absolute terms; this was agreed by the other Member States including Dr Owen. The Labour Government however sought no such agreement for the UK and accepted the Hague agreement which created a 200 mile limit for the Community without any specific undertaking to the UK on quotas. Although Mr Silkin did not negotiate this, it is extraordinary that, as the Minister responsible for fishing, he did not prevent his Foreign Office colleague from entering such an agreement without obtaining some advantage for the UK.

The final part of our inheritance was a fishing industry which had lost its rights in Icelandic waters, while stocks of important fish were declining and, in the last years of that Labour Government, precious little special financial aid had been given to the industry.

/The Industry ....

## The Industry

the commencement of his attempt to negotiate a much better fishing agreement Peter Walker gave an undertaking to the industry that he would not accept any agreement that did not have their approval. He complied totally with that promise and when the final offer was made by the Commission he called in the leaders of the fishing industry and asked them whether they wished him to approve or reject. He made it clear to them that if they wanted him to reject he would do so and that they were entirely free to come to a decision. All three organisations asked him to accept the package.

Mr Norman Buchan suggested in the House of Commons on 27 October that aid to the industry of £15 million announced on that day had been used as a bribe to obtain the industry's agreement. This is totally untrue. Indeed on the Monday before the agreement Peter Walker saw all the industry leaders and told them that the aid of £15 million would be publicly announced later in the week, irrespective of whether there was an agreement or not, and irrespective of whether they backed an agreement or not. All the leaders of the industry thanked Mr Walker for making it clear that national aid was in no way linked to an agreement.

Mr Bill Letten, the President of the British Fishing Federation, issued a statement following Mr Norman Buchan's outburst confirming that the Minister had guaranteed the aid whatever the outcome and whatever the decisions taken by the industry and said:

"Our decision was not influenced by the promise of money but was made after carefully weighing the facts and assessing the consequences of alternative actions. To suggest otherwise is a slur on the integrity of myself and my colleagues and is deeply resented".

It will be seen from the following table that there is a remarkable contrast between the Conservative Government's record in giving special financial aid to the industry and that of the Labour Government. Indeed, the aid provided last autumn was more than the total of special aid given by the Labour Government in its entire period of office. Already, this Government has given almost four times the aid that Labour gave when it was responsible.

/Special aid .....

Special aid to the fishing industry:

Previous Government

£ million expenditure

1974/5	0.6
1975/6	11.1
1976/7	2.3
1977/8	0.1
1978/9	0.8

Total 14.9

This Government

1979/80	0.4
1980/81	17.1
1981/82	24.7
1982/83	15

Total 57.2

The Agreement

Quotas

Of the seven main species of fish, six provide more than 80 per cent of UK landings. Another species of great importance in the future, if stocks recover, is herring.

The quotas obtained for the seven main species are in excess of our fishing in the years from 1973-78 and indeed for most stocks are as great as, or greater than, the exceptionally high level of fishing of these species in 1981. To illustrate this, the average catch of North Sea cod in the years 1973-78 was 85,000 tonnes, while the quota provided in this agreement for 1982 was 114,700 tonnes. The new quotas provide the UK with 47 per cent of the EC availability of North Sea cod, 60.5 per cent of the EC availability of west coast herring and 58.7 per cent of the EC availability of west coast mackerel.

With the conservation measures and the enforcement measures described below, it is likely that stocks will increase over the years instead of decline and therefore that these percentages will give the industry good growth prospects.

/The proportion ....

The proportion of quotas for the seven main edible species is:

United Kingdom	37.3%
Denmark (including Greenland)	25.5%
France	11.6%
Germany	11.4%
Netherlands	7.7%
Ireland	4.6%
Belgium	1.9%
Italy	nil
Greece	nil
Luxembourg	nil

Some measure of the success of the negotiation undertaken by this Government can be obtained from the fact that, when they took up the negotiations, the Commission's first proposals offered only 31% of the stocks of the 7 main species. Every percentage point gained since then has been at the expense of other Member States.

#### Access

The agreement provides British fishermen with a better domination of our coastal waters than has been available at any time in the history of the fishing industry.

Up to 1964 Britain enjoyed a three mile exclusive zone. When the London Convention was adopted in 1964 and limits were extended first to six and then to twelve miles agreement was reached with all the other fishing countries as to what historic fishing rights should be allowed in the 6-12 mile belt. These rights were agreed to by all the countries involved in the London Convention and were the historic rights by which we had to abide in the 6-12 mile zone until the UK joined the Community. In 1973 under the Treaty of Accession, other Community countries demanded and obtained a further extension of historic rights.

What has been negotiated in this agreement is the elimination of most of the Treaty of Accession rights, and an improvement on the rights that existed prior to accession. Under the terms of the Treaty of Accession, Member States held rights in respect of 1,999 miles of our 2,667 miles of coastline.

/In the .....

In the agreement now reached these rights would be eliminated or reduced in 1,441 miles of those 1,999 miles. A major improvement has therefore been achieved in 72 per cent of the coastline where historic rights previously existed.

United Kingdom fishermen will also obtain important rights in 6-12 mile areas of other Member States. This includes rights to fish all species in the French waters from the frontier with Belgium to Capd'Alprech for demersal species from Texal Island in the Netherlands to the border with Germany, cod and plaice around Heligoland in Germany, and to fish for most species round the Irish Republic from Minehead east along the southern coast and north up the eastern coast to the Ulster border. The arrangements under which Northern Ireland fishermen can fish in any part of the Irish Republic's 12 mile area, and vice versa are also continued; arrangements that work very much to the advantage of Northern Ireland's fishermen.

Added to this, a box has been obtained around the Shetland Islands where fishing by larger vessels will be licensed so that the important stocks for that area can be carefully conserved, and, over the years, enhanced. There is no restriction on vessels under 80 feet in length, which is to the advantage of United Kingdom, particularly Scottish, vessels. These arrangements provide a 20 year guarantee against a really major increase in the intensity of fishing in a fishing area of vital importance to us.

#### Enforcement

One of the most important demands of our fishermen was to have a sensible system of enforcement in which Member States could not overfish their quotas or infringe the access provisions. The agreement provides a system which

/will ensure .....

will ensure the effective control of fishing by all fishermen in the Community. The United Kingdom Government provided the first proposals for such a regulation. It sets out clearly Member States' obligations to ensure that Community fisheries rules are obeyed. The United Kingdom will be responsible for enforcement within our own ports and fishing limits. In addition, at the United Kingdom's insistence, the Commission are establishing a special unit whose specific task will be to check up on Member States' fulfilment of their enforcement responsibilities. Inspectors from this unit will make regular visits to all the Member States concerned, will have the power of on the spot inspection, and will be able to accompany the national inspector to check that agreed control measures are being properly enforced. The Commission will have the power to ask for information and call for and attend an administrative enquiry if it is not satisfied with that information. Of most importance the Commission will be able to stop Member States fishing when there is reason to believe its quota has been exhausted.

Substantial penalties will be available. A fine of up to £50,000 plus the confiscation of the very costly gear will add up to a major disincentive to over fish.

#### Conservation

We will have a new regime to meet some important United Kingdom needs and establish on a permanent basis the vital Norway pout box. The proposals will also include a more rigorous control on beam trawling. Our previous national measures will now be put on a Community basis, and the South-West England mackerel box will continue. These measures, plus effective quota enforcement will give the fishing industry increasing instead of declining stocks.

#### Marketing

The industry has welcomed the improved arrangements already agreed and this will give a new stability to the market. In future, in close collaboration with the industry we will discuss marketing arrangements to secure a stability and a prosperity in the industry.

/Structures .....

## Structures

The structures package is made up as follows:

	<u>EC budget</u> (million units of account)	<u>EC budget</u> £m approx	EC share of total cost to Member State	Duration (years)
Decommissioning (scrapping)	32	18	50% (of up to approx £360 per tonne)	3
Vessel building and modernisation	118	66	25%*	3
Laying up Grants	44	25	50%	3
Joint Ventures	7	4	50%	3
Development of aquaculture	34	19	25%*	3
Artificial Reefs	4	2	50%	3
Exploratory Voyages	11	6	50%	3
Total	250			

\* 50% in Ireland (including N Ireland), Greenland, Greece, the Mezzogiorno and the Departments D'Outre Mer.

Substantial scrapping, modernisation and construction grants will be made to our fleet and the Community will finance 50% of all scrapping grants of about £360 per tonne and 25% of the cost of modernising vessels.

## Conclusion

For the first time for many years the fishing industry will have the prospect of a stable and secure future. A future that will enable fishermen to make rational decisions on investment and will enable Governments, in collaboration with the industry, to pursue policies to provide the United Kingdom with a stable and prosperous fishing industry.

What has been achieved is immensely superior to anything on offer under the previous Government and what has been achieved has been obtained by Ministers who for 3½ years have consulted the industry on every negotiating move and decision that they have taken. The Government can claim to have fulfilled its promise to the industry and their record is in stark contrast to their predecessors', where there was plenty of rhetoric but no agreements and very little aid.

27 January 1983

Seen

Debate on the Fishing Industry

It is hoped that this brief will be of some help to Members during the above Debate on Monday 31st January, 1983.

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## Introduction

During the negotiations that preceded the entry of Denmark, Ireland, the United Kingdom to the European Economic Community, the then member states hurriedly formed a Common Fisheries Policy (CFP) based on historic access to each others' waters which excluded a coastal belt of six miles, to be followed up by an agreement to allow fishing 'up to the beaches' at the end of 1982. The Conservative Government, whilst accepting the CFP, persuaded the member states that the policy must be renegotiated by 1982..

The move to exclusive 200-mile limits by all nations around the world, overtook events and the existing CFP became totally unworkable. A chance to change the CFP was missed by the Labour Government during the renegotiations culminating in the Dublin agreement in 1975. All member states extended National Fisheries Limits to 200 miles on the 1st January 1977 to create an EEC exclusive zone.

At Luxembourg on 26th October 1982 the Government succeeded in obtaining the agreement of eight other Member States to a fishing policy covering all the main issues of quotas, access, conservation and enforcement. Only Denmark did not give her agreement. The nine countries that were in agreement made it clear that in the event of the failure of the Danish Government to agree, they would take Commission approved national measures. This they did on the 1st January with the agreement of the European Commission and within the legal parameters of the Treaty of Rome.

an agreement

On the 25th January 1983, the Government succeeded in obtaining/with all Ten Member States of the European Community which will run for 20 years into the next century. After 3½ years of difficult and tough negotiations the Government has achieved an agreement that is acceptable to all the fishing organisations - the British Fishing Federation, the National Federation of Fishermen's Organisations and the Scottish Fishermen's Federation.

## The Inheritance

When the Government came into office they inherited a situation from John Silkin in which the eight other members of the Community (Greece at that time was not part of the Community) had come to a fishing agreement at Berlin, a meeting that Mr Silkin had decided not to attend. The agreement of the eight had been totally unsatisfactory to the UK on quotas, on access and on enforcement. The Government had to negotiate in order to persuade the Commission and the other Member States to support an agreement acceptable to the UK.

It has been argued that if Britain had a 200 mile limit a substantial quantity of Europe's fish would be in British waters. The opportunity to use this argument to obtain better quotas for the UK was in fact thrown away by the previous Government when in 1976 all Community countries were asked to go for a 200 mile limit on the basis that all the waters contained within that 200 mile limit would be Community waters. This was known as the Hague agreement and was negotiated by Dr David Owen, who was then a Labour Foreign Minister and is now a leader of the Social Democrats. In these negotiations Ireland insisted that if they were going to agree to the 200 mile limit as European waters they should gain arrangements entailing the doubling of their catch in absolute terms; this was agreed by the other Member States including Dr Owen. The Labour Government however sought no such agreement for the UK and accepted the Hague agreement which created a 200 mile limit for the Community without any specific undertaking

to the UK on quotas.

The final part of our inheritance was a fishing industry which had lost its rights in Icelandic waters, while stocks of important fish were declining and, in the last years of that Labour Government, precious little special financial aid had been given to the industry.

### The UK Fishing Industry

At the commencement of his attempt to negotiate a much better fishing agreement Peter Walker gave an undertaking to the industry that he would not accept any agreement that did not have their approval. He complied totally with that promise and when the final offer was made by the Commission he called in the leaders of the fishing industry and asked them whether they wished him to approve or reject. He made it clear to them that if they wanted him to reject he would do so and that they were entirely free to come to a decision. All three organisations asked him to accept the package. "The House will know that I have always undertaken that I would only approve an agreement that has the approval of the British Fishing Industry. When the Commissions final proposals were made I met the leaders of the three fishing organisations and all three asked me to accept these final proposals" (Hansard, 27th October 1982, Col 1051).

Mr Norman Buchan suggested in the House of Commons on 27 October that aid to the industry of £15 million announced on that day had been used as a bribe to obtain the industry's agreement. This is totally untrue. Indeed on the Monday before the agreement, Peter Walker saw all the industry's leaders and told them that the aid of £15 million would be publicly announced later in the week, irrespective of whether there was an agreement or not, and irrespective of whether they backed an agreement or not. All the leaders of the industry thanked Mr Walker for making it clear that national aid was in no way linked to an agreement.

### Aid to the Fishing Industry

It will be seen from the following table that there is a remarkable contrast between the Conservative Government's record in giving special financial aid to the industry and that of the Labour Government. Indeed, the aid announced in October 1982 was more than the total of special aid given by the Labour Government in its entire period of office. Already, this Government has given almost four times the aid that Labour gave when it was responsible.

<u>Previous Government</u>	<u>£ million expenditure</u>
1974/5	0.6
1975/6	11.1
1976/7	2.3
1977/8	0.1
1978/9	0.8
<u>Total</u>	14.9
<u>This Government</u>	
1979/80	0.4
1980/81	17.1
1981/82	24.7
1982/83	15.0
<u>Total</u>	57.2

(Source: MAFF January 1982)

## The Agreement

### Quotas

Of the seven main species of fish (Cod, Haddock, Saithe, Whiting, Plaice, Mackerel and Red Fish), six provide more than 80 per cent of UK landings. Another species of great importance in the future, if stocks recover, is herring.

The quotas obtained for the seven main species are in excess of our fishing in the years from 1973-78 and indeed for most stocks are as great as, or greater than, the exceptionally high level of fishing of these species in 1981. To illustrate this, the average catch of North Sea cod in the years 1973-78 was 85,000 tonnes, while the quota provided in this agreement for 1982 is 114,700 tonnes. The new quotas provide the UK with 47 per cent of the EC availability of North Sea Cod, 60.5 per cent of the EC availability of West Coast herring and 58.7 per cent of the EC availability of west coast mackerel.

With the conservation measures and the enforcement measures described below, it is likely that stocks will increase over the years instead of decline and therefore that these percentages will give the industry good-growth prospects.

The proportion of quotas to each Member State for the seven main edible species is:

United Kingdom	37.3%
Denmark (including Greenland)	25.5%
France	11.6%
Germany	11.4%
Netherlands	7.7%
Ireland	4.6%
Belgium	1.9%
Italy	NIL
Greece	NIL
Luxembourg	NIL

Some measure of the success of the negotiations undertaken by this Government can be seen from the fact that, when they took up the negotiations, the Commissions' first proposals offered only 31 per cent of the stocks of the seven main species. Every percentage point gained since has been at the expense of other Member States.

### Access

The agreement provides British fishermen with a better domination of our coastal waters than has been available at any time in the history of the fishing industry.

Up to 1964 Britain enjoyed a three mile exclusive zone. When the London Convention was adopted in 1964 and limits were extended first to six and then to twelve miles, agreement was reached with all the other fishing countries as to what historic fishing rights should be allowed in the 6-12 mile belt. These rights were agreed to by all the countries involved in the London Convention and were the historic rights by which we had to abide in the 6-12 mile zone until the UK joined the Community. In 1973 under the Treaty of Accession, other

Community countries demanded and obtained a further extensions of historic rights.

This agreement has eliminated most of the Treaty of Accession rights, and has improved on the rights that existed prior to accession. Under the terms of the Treaty of Accession, Member States held rights in 1,999 miles of our 2,667 miles of coastline. In the agreement now reached these rights are eliminated or reduced in 1,441 miles of those 1,999 miles. A major improvement has therefore been achieved in 72 per cent of the coastline where historic rights previously existed.

United Kingdom fishermen will also obtain important rights in 6-12 mile areas of other Member States. This includes rights to fish all species in the French waters from the frontier with Belgium to Cap d'Alprech for demersal species, from Texal Island in the Netherlands to the border with Germany, cod and plaice around Heligoland in Germany, and to fish for most species round the Irish Republic from Minehead east along the southern coast and north up the eastern coast to the Ulster border. The arrangements under which Northern Ireland fishermen can fish in any part of the Irish Republic's 12 mile area, and vice versa are also continued; arrangements that work very much to the advantage of Northern Ireland's fishermen.

Added to this, a box has been obtained around the Shetland Islands where fishing by larger vessels will be licensed so that the important stocks for that area can be carefully conserved, and, over the years, enhanced. There is no restriction on vessels under 80 feet in length, which is to the advantage of United Kingdom, particularly Scottish vessels. These arrangements provide a 20 year guarantee against a really major increase in the intensity of fishing in a fishing area of vital importance to us.

#### Enforcement

One of the most important demands of our fishermen was to have a sensible system of enforcement in which Member States could not over fish their quotas or infringe the access provisions. The agreement provides a system which will ensure the effective control of fishing by all fishermen in the Community. The United Kingdom Government provided the first proposals for such a regulation. It sets out clearly Member States obligations to ensure that Community fisheries rules are obeyed. The United Kingdom will be responsible for enforcement within our own ports and fishing limits. In addition, at the United Kingdom's insistence, the Commission are establishing a special unit whose specific task will be to check up on Member States' fulfilment of their enforcement responsibilities. Inspectors from this unit will make regular visits to all the Member States concerned, will have the power of on the spot inspection, and will be able to accompany the national inspector to check that agreed control measures are being properly enforced. The Commission will have the power to ask for information and call for and attend an administrative enquiry if it is not satisfied with that information. Of most importance the Commission will be able to stop Member States fishing when there is reason to believe its quota has been exhausted.

Under the agreement of nine last year where National measures for enforcement applied, UK courts could only prosecute vessel owners from Denmark, with cases involving other Members States vessels being referred to the country in which the vessels were registered. Now, under the final

agreement of the 25th January, all vessels caught infringing Community law will be prosecuted in British courts.

Substantial penalties will be available. A fine of up to £50,000 plus the confiscation of the very costly gear will add up to a major disincentive to over fish.

### Conservation

There will be a new regime to meet some important United Kingdom needs and establish on a permanent basis the vital Norway pout box in the North Sea. The proposals will also include a more rigorous control on beam trawling. Our previous national measures will now be put on a Community basis. It is this measure that will give the fishing industry increasing instead of declining stocks.

### Marketing

The industry welcomes the improved arrangements and this will give a new stability to the market. In future, in close collaboration with the industry the Government will annually discuss marketing arrangements to secure a stability and a prosperity in the industry.

### Structures

The structure package is made up as follows:

	<u>EC budget</u> (million units of account)	<u>EC budget</u> £m approx.	EC share of total cost to Member State.	Duration (Years)
Decommissioning (scrapping)	32	18	50% (of up to approx. £360 per tonne).	3
Vessel building and modernisation	118	66	25%*	3
Laying up Grants	44	25	50%	3
Joint ventures	7	4	50%	3
Development of aquaculture	34	19	25%*	3
Artificial Reefs	4	2	50%	3
Exploratory Voyages	11	6	50%	3
Total	250			

\*50% in Ireland (including Northern Ireland), Greenland, Greece, the Mezzogiorno and the Departments D'Outre Mer.  
(Source: MAFF October 1982).

Substantial scrapping, modernisation and construction grants will be made to our fleet and the Community will finance 50% of all scrapping grants of up to £360 per tonne and 25% of modernisation grants.

### Conclusion

For the first time for many years the fishing industry will have a

secure future. A future that will enable fishermen to make rational decisions on investment and will enable Governments, in collaboration with the industry, to pursue policies to provide the United Kingdom with a stable and prosperous fishing industry.

What has been achieved is immensely superior to anything on offer under the previous Government and what has been achieved has been obtained by Ministers who for 3½ years have consulted the industry on every negotiating move and decision that they have taken. The Government can claim to have fulfilled its promise to the industry and their record is in stark contrast to their predecessors', where there was plenty of rhetoric but no agreements and very little aid.

As Peter Walker said of the Agreement: "There is no doubt that fishing is an area in which it is vital to have a common agreement throughout European waters if growth, as opposed to decline, is to be the future of fishing. I believe the agreements reached yesterday are good for Europe and good for Britain." (Hansard 26th January 1983 Col 905).

R B-C/CB  
27/1/83