

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD
WHITEHALL PLACE, LONDON SW1A 2HH



From the Minister

CONFIDENTIAL

PRIME MINISTER

*It is our water and
but for the unitive common
resource policy - our fish.
It's just been here.*

THE COMMON FISHERIES POLICY

1. Our declared policy is to get the Common Fisheries Policy resolved on a footing acceptable to us. During the Election and subsequently you have left no doubt about your own commitment. If we are to achieve our objective, we will have to secure better terms than the Commission and our Community partners have yet shown any disposition to contemplate. The change of Government has improved the negotiating atmosphere which my predecessor deliberately soured. Although better atmosphere itself gives us nothing, we should attempt to use it to our advantage.
2. In our approach to the CFP we can take one of two courses. We can indicate willingness to negotiate constructively; or we can stick to the position as left by my predecessor in the hope that the others will eventually move our way, ie attrition.
3. We need to assess our capability of maintaining a policy of attrition and bringing it to a successful conclusion.
4. So long as the CFP remains unresolved there will be deepening uncertainty in the industry. There is also the risk that over-fishing will not be checked and fish stocks will go on being depleted: this could further endanger the economic viability of our fishing industry. If the CFP is still unresolved when Spain and Portugal accede to the Community, that risk would increase.
5. To succeed in a policy of attrition we must be able to put pressure on the others. So far, the UK has done this mainly by introducing or threatening unilateral conservation measures. The legality of measures introduced by my predecessor has been challenged before the European Court by the Commission acting with the support of other Community members: measures introduced this year, including those for implementation from 1 July, could be even more vulnerable to successful challenge. Verdicts on the former are expected in the next few months.
6. It is far from certain that the legality of our measures will be upheld. Even if it is, given the nature of the Court, it is reasonable to suppose that our freedom of action for the future will be limited: and it is certain that the Commission will challenge us again whenever we act.

*we must
try to
show success
with the
in new world*

7. As time goes on, our position will almost inevitably weaken. And if, the judgment of the Court goes against us, we shall be under intense pressure this autumn and the prospects of our being able to achieve a tolerable settlement would seem remote. For these reasons, I do not judge time to be on our side.

NO //
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8. I seriously doubt whether we should be able to sustain a policy of attrition for long enough to achieve the outcome we want. Our best hope is to explore the prospects of an early settlement ie by this autumn. I see little chance that the others will move in our direction if we simply stand pat where my predecessor left off. I conclude that we should adopt the alternative course, and indicate that we are prepared to negotiate constructively for a solution which meets our political requirements. If we get no response, we can fall back to attrition.

9. To be satisfactory for us, the new CFP will need to provide for:-

- i) a comprehensive conservation regime effectively policed within its jurisdiction by the coastal state;
- ii) a substantial quota share for the UK of the fish available that recognises the UK's political needs;
- iii) arrangements for preferential access for UK vessels in important areas of water near our shores.

Not
entirely
satisfied
by
any
of
these
proposals

10. It is not beyond us to negotiate tolerable arrangements on conservation and to get quotas which though less than our fishermen's public demands, would be defensible and better than has currently been proposed. The main problem will be on access.

11. My predecessor made bids on access which were not negotiable and probably not intended to be. They were presented on a basis that could only be seen by the Commission and other member states as discriminatory and therefore contrary to the principle of free access enshrined in the Treaty. Nevertheless, if we can convince the others that we genuinely seek a settlement, we may expect to achieve virtually exclusive access in a belt of water immediately adjacent to our shores. That should help to meet our stated requirement for "an adequate exclusive zone".

No
way

12. Having secured an important exclusive zone, I am doubtful of being able to negotiate against the non-discriminatory provisions of the Treaty "a further considerable area of preferential access" beyond this exclusive zone on a flag state, ie discriminatory, basis. The real preference that our fishermen would enjoy in those waters will have to rest on their proximity, backed up to some extent by conservation measures and our coastal state enforcement of them and perhaps also by such limited arrangements beyond an exclusive belt as we might secure for communities highly dependent on fishing.

NO

13. A package of that sort, if we could get it, would be well worthwhile. It would secure the future for a viable British fishing industry. But it would have to be "sold" and sold as a whole. We could not hope to get away with settlement piecemeal, and we should need time in any case to "educate" industry and public opinion.

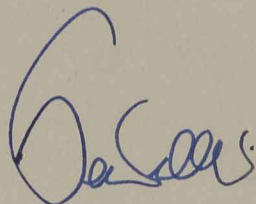
I'm not
a buyer

14. Moreover, although modern and efficient vessels capable of fishing anywhere in waters subject to the CFP would get real advantages from an exclusive zone, this would not be so - save perhaps in a few limited areas - for vessels of the old distant-water fleet which a wider preference area would suit better. This

New

sector of the industry is still a strong lobby. It would help us get political acceptance of a settlement of the sort I have indicated, if we could keep them on our side. That, I fear, means money. A case can be argued for helping finance restructuring of their fleet for the fishery situation of the future and keeping vessels at sea meantime. Other member states, not least Germany, have provided capital and operating aid for their fleets, and our people - with some justification - point to this and the fact that it puts them at a disadvantage. My predecessor entertained restructuring proposals in that sense. It needs to be looked at in relation to our approach to the CFP.

15. I will, of course, be putting these points to colleagues in the normal way. Because of their bearing on relations with Europe and their political significance internally we must settle our broad strategic approach. I therefore thought it right first to outline the main issues to you and the Foreign Secretary, to whom I am sending a copy of this minute. I would be grateful if we could have a word together.



PETER WALKER
24 May 1979



24 MAY 1979

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