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MINISTRY OF AGRICULTURE, FISHERIES AND FOOD  
WHITEHALL PLACE, LONDON S.W.1



From the Minister

Prime Minister

(2)

May I have -

12 December 1980

Ants 12/11

note on the unilateral position

PRIME MINISTER

on the 200 miles - when the changes  
to 200 miles were made and whether  
any thing in the Treaty -  
of Rome imposed on  
unilateral changes not

COMMON FISHERIES POLICY

When we met on 4 December to discuss our negotiating position for the meeting of the Fisheries Council on 15/16 December, I made the point that one factor affecting the strength of our position in the negotiations was the Hague Agreement entered into by the previous Government. I undertook to let you have a note on the terms of the Agreement. This I now attach; it is I think self-explanatory. Perhaps I should add that the Hague Agreement has not so far been published, although it is possible that parts of the Agreement, ie those which do not contain confidential negotiating mandates, may be published in due course.

I am sending copies of this minute and note to Peter Carrington, George Younger and to Sir Robert Armstrong in the Cabinet Office.

PETER WALKER

THE 'HAGUE' AGREEMENT

1. The Government's task of securing a fair settlement has been made very much more difficult by the decisions taken by the then Government in 1976 on the extension of fishery limits from 12 to 200 miles.

2. Among the points decided, or not decided, at the Hague were the following:-

- (i) it was agreed that the fishery limits of all member States would be extended to 200 miles. However, there was no special advantage in this since at the time we had freedom to act nationally. More importantly we implicitly accepted that fishery limits would only be extended in future after reaching agreement with the other member States;
- (ii) no bankable safeguards in terms of quotas, access or conservation were secured for the British fishing industry about the future Community fisheries policy needed to deal with the new situation of 200 mile fishing limits. In other words incomplete decisions were taken which limited our future freedom of action and which either could not be or were not followed up properly;

(iii) new restrictions were introduced on our national freedom to take necessary conservation measures. It was agreed that in future Commission approval would be sought for all such measures and that even the residual national right to take action would be terminated after certain Community decisions had been taken. As a result, national measures which the previous Government themselves regarded as vital have been held to be unsatisfactory by the European Court;

(iv) a commitment was given to the effect that catches taken by the Irish Republic should be doubled from the 1975 level without any certainty that this would not damage the interests of United Kingdom fishermen, particularly those in disadvantaged regions like Northern Ireland which compete directly with Irish Republic fishermen. This has greatly weakened our negotiating hand in the quota discussions in Brussels;

(v) a vague commitment was secured designed to protect the interests of local fishing communities in an area defined as the "northern parts of the United Kingdom" but this definition necessarily excludes many

of our most important fishing areas; in any event the commitment for the Irish Republic was cast in more specific terms;

- (vi) competence was conceded to the European Commission on the control of negotiations with third countries. We therefore lost the ability to use in negotiation the large amounts of fish found in our waters for the primary benefit of our own industry;
  
- (vii) it was envisaged that rights might be conceded in the North Sea to third countries in exchange for benefits in the Baltic but not the other way round. In other words it was explicitly envisaged that concessions be made from stocks of interest to our own hard-pressed industry in exchange for rights from which they could not benefit.