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EUROPEAN COUNCIL, LUXEMBOURG

27/28 APRIL 1980

FISHERIES

Brief by the Ministry of Agriculture, Fisheries and Food

OBJECTIVE

1. To avoid a European Council statement on fisheries prejudicial to United Kingdom negotiating objectives or linked explicitly to the budget.

POINTS TO MAKE

2. [If others raise issue] No real need for a discussion or statement on fisheries. Last Fisheries Council made real progress, reflecting United Kingdom's positive commitment to progress on revised Common Fisheries Policy. No reason why Fisheries Ministers should not continue to make progress.

[If necessary]

3. Agree fisheries is one of several issues on which progress in Community is needed. Would be counter-productive to link directly to budget. Officials should consider appropriate wording of Presidency conclusions.

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BACKGROUND

4. The last Fisheries Council (29 January) recorded the first real progress towards a revised Common Fisheries Policy (CFP) for some years. Agreement was reached on total allowable catches for 1980 and on arrangements for monitoring member states' catches. The Commission also agreed to undertake preparatory discussions on the more difficult outstanding issues. Mr Gundelach has however been tied up with the agricultural prices package and the next Council is not now expected to be held until early May.

5. The principal outstanding CFP issues comprise:
- (i) quota allocations between member states;
 - (ii) preferential access arrangements;
 - (iii) comprehensive conservation measures;
 - (iv) third country fishing arrangements; and
 - (v) Community measures and financing for restructuring fishing fleets.

6. On quotas the Commission have promised to put forward new proposals; we require larger shares than were last proposed by the Commission (January 1978). Access is perhaps the most difficult aspect. We are committed to securing an exclusive belt round our coast and beyond this a zone of preferential access. The other member states claim to view this as contrary

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to the "acquis" and the Treaties. It is difficult to see how a solution can be reached, save on the basis of new Commission proposals which have not yet been promised. On conservation, progress has been made bilaterally with the French over mesh sizes. The other issue outstanding (the Norway pout box) is mainly a UK/Danish problem and could probably be solved bilaterally if there were any prospect of an overall solution. On third countries the only substantive difficulty relates to the German desire for much more substantial quotas at Canada which would only be secured if the Community were to offer substantial tariff concessions which we would not wish to accept. Restructuring aids are expected to be agreed as part of the final package.

RELATIONSHIP WITH EC BUDGET

7. We have endeavoured to keep fisheries separate from other EC issues particularly the budget, partly for political reasons and partly because the issues are inherently complex and therefore need detailed and extensive preparation in the Community before decisions can be taken. However, some other member states wish to include a fisheries reference (which they hope will secure their objectives on the revised CFP) in the final communique. If progress is made on other EC issues, it will be difficult to oppose a fisheries reference but the precise wording will need careful consideration. The UK fishing

industry would be likely to view very suspiciously any text on fisheries and any seeming concessions at this stage (i.e. concessions not made in the context of an overall fisheries "package") could set back the careful educative work Ministers have undertaken with the industry.

8. Work is in hand at official level on possible texts and it is possible that agreement might be reached before the European Council on a text acceptable to all parties. However, if this is not possible, or if attempts are made at a late stage to amend the text, the following points should be borne in mind:

- (i) the need for a proper balance between the different issues: if the statement identifies individual fisheries issues, we should ensure that all outstanding issues listed in paragraph 5 are included. Other member states like to ignore our demands on access in particular.
- (ii) Community principles: references to "Community principles" or to "the principles of the Treaties" can cause problems because of the view of some member states that this implies "access to the beaches". Any such reference would therefore require counter-balancing references to access particularly to Annex VII of the Hague Agreement

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of November 1976 (which is the most explicit recognition we have yet managed to secure to our needs on access).

- (iii) Deadline: references to an early deadline for agreement on the CFP could be used as leverage against us on fisheries or other EC issues. Any date before summer would be particularly objectionable but, if necessary, we could accept a later date, e.g. 31 December 1980.
- (iv) Commission proposals: it would be preferable to omit all reference to Commission proposals but if this is not possible we could not accept explicit references to existing Commission proposals (which do not meet our needs) and should seek to secure explicit references to new Commission proposals.
- (v) Third country agreements: references to immediate conclusion of third country agreements should be resisted. The long-term future of agreements with third countries should be settled at the same time as the other outstanding issues. This is also the firm view of the UK industry.

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