

How the EU Common Fisheries Policy Permanently Damaged Scotland: A Warning for Iceland

By Dr James Wilkie and associates*

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We are a small group who favour Scotland's independence from both the United Kingdom and the European Union, although we do believe that Scotland should continue its membership in the European Economic Area (EEA).

We took great interest in the article, "Eyewitness: Ingrid Melander in Brussels", published in the leading Scottish newspaper, The Scotsman, on 6 February 2009.

The first sentence of the article stated that the "fate of Iceland's fishing industry – an issue that strikes to the heart of its national identity – will be the hardest obstacle to resolve if it applies to join the European Union." It is difficult to see why Iceland should apply to join the EU, since the EEA already gives it all the main advantages of full membership. Our group believe that joining the EU would be permanently disastrous for Iceland – and not only for its fishing industry. Iceland's present financial situation is dire, but it is temporary.



Fishing has been a key element of the Scottish economy for many centuries, even thousands of years. During those centuries the Scottish fishing industry harvested the seas while maintaining healthy fish stocks in balance with the rate of exploitation. In 1970 this all changed with the advent of control from Brussels, a move that resulted in an economic, environmental, ecological, social and cultural disaster. The direct results for Scotland have included almost 100,000 job losses and an annual loss of wealth creation of the order of £1,500 million. This exposition is devoted to analysing the development of the present situation and the forces behind it, without which it cannot be properly understood or appropriate measures undertaken.

The Start of Control from Brussels

The European Union's Common Fisheries Policy (CFP), dating from 1970, basically consists of an agreement between the then six members of the European Economic Community (EEC) that fishing vessels belonging to member states would have free and equal access to the waters of all other members (Directive 2141/70, later replaced by 101/76).

The clear purpose was to gain unrestricted access to the rich (being strictly conserved) fish stocks of the United Kingdom, Ireland and Norway, which together with Denmark had just applied to join the EEC, the European Coal and Steel Community (ECSC, amalgamated with the EEC in 2001) and the European Atomic Energy Community (Euratom).

It had nothing to do with management or conservation. It was a ruthless political gambit, with no legal basis, to give powerful commercial interests in other member states an entry ticket to the well

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conserved Norwegian, UK and especially Scottish waters, which they would otherwise have been unable to exploit. Later, as EU global ambitions expanded, the control of the surrounding seas was seen as another function that could be added to the EU's powers to help it on its way to becoming a European state.

The Norwegians, in a referendum, rejected the terms negotiated by their government. Norway then remained a member of the **European Free Trade Association (EFTA)** and later joined the EFTA/EU umbrella organisation known as the **European Economic Area (EEA)**. The UK became a member of the EEC, the European Coal and Steel Community (ECSC) and the European Atomic Energy Community (Euratom) on 1 January 1973.

These three (now two) economic institutions became known collectively as the **European Community**, which now constitutes the so-called First Pillar of the European Union. Unlike the second and third “pillars” of the EU, which are intergovernmental in nature, the European Community is supranational, which means that its rules are directly binding on member states.

In 1973, apart from open access, there was no EU fisheries “policy” as such. However, after it became obvious that free access to the fishing grounds for all was going to have disastrous ecological and economic effects, an enormous complex of rules and quotas was drawn up in a futile attempt to correct the damage – but without addressing the root cause of the damage. These ‘sticking plaster’ amendments – the real CFP – only made matters worse.

Like the original agreement on open access, these measures were of highly dubious legality, as well as being unmanageable, and with increasing Community membership have merely aggravated the situation. The predictable result was the collapse of fish stocks. The transitional arrangements leading to full open access ran out at the end of 2002, and there is still no sign of any genuine reform of the **CFP**.

The Effects of the CFP on the Scottish Fishing Industry

The well-conserved reserves of fish stocks in Scottish waters at first ran down only slowly under the increased pressures in a Community of nine members. The real deterioration began after 1975, and accelerated from around 1980. Up to 1983 there were no licences and only limited quota allocations, but from then on the regulatory pressures increased and decommissioning started.

The “dog-eat-dog” situation created by abolishing the three mile limit and allowing European fleets into the national **Exclusive Economic Zone (EEZ)** pitched Scottish fishermen against each other, and this accelerated the reduction of inshore fish stocks, particularly in the Firths and Minches. The owners of larger Scots pair trawlers and pursers felt they should harvest the coastal stocks before Continental vessels caught them. The British government completely failed to institute local fishery management schemes as it had in effect conceded fishery management authority to Europe.

The situation changed again dramatically when Spain and Portugal joined the Community in 1986. Offshore fishing in Spain is in the hands of large industrial combines that exert considerable political power. Spain entered the CFP with a huge fishing fleet not much smaller than the entire remaining Community fleets combined, and contributed nothing substantial to the sum total of Community resources. From the beginning, the by now already over-fished Scottish waters were a prime target for Spanish exploitation.

In order to give the southern EEC members access to a “common resource” that by this stage was totally inadequate to sustain the inordinate catching capacities that were now to be let loose on it, the fishing sectors of Scotland and the other northern countries were systematically run down to make way for the incomers.

The effects on Scotland of this piratical Brussels policy and grossly excessive foreign access can be illustrated by the following official statistics for operational Scottish boats over 10 metres in length. Note that EU-enforced decommissioning of vessels has brought about most of the reduction, as well as the sale of some no longer viable, due to quota restrictions and the loss of fishing grounds to EU fleets. Decommissioning assistance is regarded as a last resort, since the actual grants are very meagre:

<u>YEAR</u>			<u>BOATS</u>
1973	Entry into EEC	(approx.)	1,800
1975	Scottish waters opened to boats of 8 countries		1,782
1985	Fish stocks declining – decommissioning & licenses introduced		1,396
1995	Spain & Portugal enter CFP		1,209
1998	Apparent reduction in fish stocks – yet more decommissioning		1,045
2002	Perceived collapse of cod stocks – panic restrictions by Brussels		845
2007	Brussels devoid of an answer except still more decommissioning		697

This represents a reduction of two thirds in the Scottish fishing fleet since joining the CFP, with corresponding downstream effects on fish processing, boat building, and other shore industries. More than 1,100 offshore boats have been removed, mostly from the demersal fleet (although official figures have recently been inflated by counting small inshore vessels down to rowing boat size that previously were never included in the statistics). At 2004 values (an average taken over five years) each of these sold or decommissioned boats would have grossed on average more than £310,000 annually from around 330 tons of fish. The loss of direct income to the catching sector was therefore a minimum of £334 million annually. Of this, £110 million would have been crew wages, with the remaining £224 million lost to the vessel services including fuel, boat repairs, gear, insurance, banks, groceries, harbours, transport. Local fish processing has also suffered greatly.

Added value, fish processing and marketing, etc., raise the economic value of the annual loss considerably. The recognised GDP impact ratio for fisheries is 2.35 times the landed value. Thus the direct economic impact of the reduction of the Scottish fishing fleet in 1975-2003 was an annual loss to the Scottish economy of a staggering £785 million in respect of vessels of 10 metres and over alone. The costs to public funds of unemployment and other social benefits as well as broader economic consequences, including loss of tax income, probably brought the total loss nearer to £900 million every year. This exceeds by a huge margin any economic benefits Scotland receives from the European Union, especially when it is considered that Scotland as a member of the UK is already a substantial net contributor to the EU.

The above calculations were made in 2004, on the basis of the then available information, by Dr James Wilkie, with data and guidance from Japanese economist Kaz Nagao, Fishermen’s Association (FAL) Secretary Roddy McColl, and fishery consultant David Thomson. The figures have now been shown to be an under-estimate by an excellent 2009 study by The Taxpayers’ Alliance, which reveals that the total annual economic cost to the UK of the EU Common Fisheries Policy is £2,813 million, or £2.8 billion (American billion 10⁹ – European billion 10¹² is different). Of that total, £2,100 million was from the loss of access to home waters.

Since Scotland has over 66 % of the UK EEZ, then £1,400 million of that loss relates to Scotland. Adding the other estimates proportionally from the TPA study now make the Scottish fisheries sector loss due to the CFP over £1,500 million every single year. The 2004 SEP calculation of £ 0.9 million including the wider related sectors is therefore forty per cent lower than the more recent TPA figure. Little wonder that nobody in the UK government or Brussels repudiated the estimate at the time.

Dr Lee Rotherham, who carried out the research for The Taxpayers' Alliance, said:

“For years everyone has known, even in Brussels, that the Common Fisheries Policy has been a disaster. It has trashed the environment, wrecked coastal communities like Hull and Grimsby, and dumped hundreds of thousands of tonnes of dead fish uselessly back into the sea. If any government minister had ordered such actions, he would have been lynched. The time is long overdue to scrap the CFP and manage our territorial seas with the self-interest and self-enlightenment of countries like Norway, Iceland and Canada.”

Costing the Common Fisheries Policy, January 2009

Commenting on the TPA study, the Aberdeen (Scotland) *Press and Journal* in its editorial of 30 January 2009, *The Price of Fish*, wrote: *“In case any proof were needed that the European Union's Common Fisheries Policy is one of the most damaging political schemes ever to affect a UK industry, some facts about its impact on every single household will help. Pressure group The Taxpayer's Alliance has calculated that the policy costs every family £111 a year in higher taxes and lost business and puts £186 a year on the average food bill. As the north and northeast of Scotland has witnessed, the impact on jobs has been severe. More than 9,000 directly in fishing and up to 90,000 have been lost from onshore dependent industries. This is before the baffling phenomenon of throwing away tons of dead fish each year has been considered. The problem with the CFP of course, is that we are pretty much stuck in a world in which the European Union will forever meddle with this vital Scottish industry. ... The CFP is a triumph of pork barrel politics over commonsense and compassion.”*

Summary of Scottish Losses

No calculable benefits to Scotland of EU membership could possibly compensate for this haemorrhage of Scotland's economic wealth. The appalling figure of lost value creation of £1,500 million every single year, and the loss of almost 100,000 jobs from the Scottish employment market, represents nothing less than a national disaster – brought about for no better reason than the crazed ideology of “sharing the common resource” with other EU member countries.

What the figures cannot reveal is the amount of personal tragedy and communal disruption that lie behind them: bankruptcies, the uprooting of individuals and families, the destruction of thriving communities with centuries-old cultural traditions and communal lives. Major harbours, like Lossiemouth, that were the focus of social and economic life twelve months in the year, are now marinas for a handful of yachts. One can imagine the reaction if Brussels had reduced the Spanish or French fishing fleets by almost two thirds simply to make way for incomers. And fishing is by no means as important to those countries as it is to Scotland.

In the following section we analyse the situation from its beginnings in 1970 and, in the light of current political developments in Scotland, present our views on what the relevant Scottish policy goals should be, both within and without the European Union.

The Underlying Factors

There are four principal elements in the broad complex of motivational factors that govern the

Community's policy on fisheries as it affects Scotland:

1. The first, considerably underestimated one is **Euro-ideology**. The ostensible primary reason for having a European Community policy on fisheries at all is the so-called "European Ideal" or "European Idea", in this case expressed as the argument that common resources should be shared equally between member states. This view is genuinely held by many of the decision makers from the landlocked countries, among whom knowledge of the actual maritime situation is either limited or non-existent. For most of the fishing states, however, it represents the justification for exploiting the resources of more fish-rich neighbours in order to maintain fishing fleets and levels of employment that they could not sustain from the resources of their own waters. It goes without saying that, if they are gaining, somebody else must be losing, not the best of neighbourhood policies.

The then six members of the European Economic Community suddenly discovered this allegedly idealistic "principle" **one day** before the opening of entry negotiations with Denmark and the fish-rich states Norway, Ireland and the UK. It was blatant opportunism by politically powerful fishing lobbies in five of the Six, with the obvious exception of tiny landlocked Luxembourg. There was no necessity otherwise for the move, especially since **the EEC treaty contained no provision empowering the Community to become involved in fisheries at all**. Unfortunately for the credibility of the argument, fish are so far the only "common resource" to have been identified. The sharing of others is evidently not contemplated. And no other group of fishing nations has thought it necessary to give each other "equal access to a common resource", although fishery cooperation is conducted harmoniously between the ASEAN, SADEC and Pacific states, which all retain control of their own EEZ resources.

In reality, it is not so much a case of sharing the resource (which would be done anyway through the single European market) but rather more one of carving up the fish catching capacity, and hence the employment and economic benefits as well as the value added in the ancillary industries. This blatantly corrupt so-called "principle" implies that a country with, say, a coastline of 4,000 kilometres, and hundreds of communities dependent on fishing, should have a catching capacity no larger than that of another country with a coastline of 40 km, or - theoretically - none at all.

It also implies a planned reduction of employment in the fisheries sector in certain countries, above all Scotland, in order to protect or expand employment in certain others – **something for which there is no enabling provision in any treaty**. Therefore, in the eyes of the Euro-ideologists, who seem to be blind to the sheer immorality and indeed illegality of what they are doing, the systematic destruction of most of the Scottish fishing industry is a small and acceptable price to pay for the achievement of this overriding "ideal". It is a classic case at best of applied lunacy, or perhaps more accurately another example of the EU's endemic moral corruption and lack of ethics.

The reasoning behind this ideology (insofar as it is not just cynical manipulation) is not easy to comprehend in a maritime environment; however, some fundamentals must be grasped. The integration movement in Europe, with the associated attempts to establish a common European identity, is a product of Central European history. One must be acquainted with this, and with the Central European mind, in order to understand it. In the light of 20th century history it regards "the great work of European unification" not simply as a necessity, but also as a burning ethical ideal that sheds its golden ray from the moral high ground.

In respect of its strong peacekeeping element, integration has in fact been completely successful; another war between Western European countries is not merely unthinkable, but also materially

impossible, due to the interlinking of their economies. The emotive element should not be underestimated, however. Its protagonists look back on the ninth-century Frankish empire under Charlemagne as the last time Europe was “united”, and regard the present integration movement as the rebirth of that alleged ideal. This Central European view is, of course, a completely foreign concept to the island and Scandinavian peoples like the Scots, who were never involved in those continental empires.

Be that as it may, the generation that learned the lessons of European divisiveness from hard experience during the past century has now passed away, and all that is left is a mindless integrationist ideology – integration for the sake of integration. It is noteworthy that the ideological, indeed quasi-imperialist “what-we-have-we-hold” attitude is most pronounced among diplomats and politicians from landlocked countries with no direct interest in fishing.

They cannot understand the maritime situation, nor do they attempt to do so, and can become quite short-tempered with anyone who questions the holy principle of integration.

They regard with horror any retreat from the degree that has already been achieved as a dangerous regression towards the nationalist excesses that tore the continent apart during the 20th century. This is reflected in their voting within the Fisheries Council, where they will always side with the Brussels centralists.

This may be understandable coming from a landlocked country with a turbulent history that shares common borders with half a dozen others in Central Europe, but the result is that principles, policies and structures that have essentially been tailored to Central European conditions are being applied in an arbitrary manner to maritime and island communities, as if there were no geographical, demographic, economic, social or cultural differences there. The implications of this policy are sinister.

The stated policy is to have a common EU fishing fleet operating without restriction anywhere within the waters of member countries, and controlled from Brussels. (There is no such thing as “EU waters” or “Community waters”, since international law recognises only the national waters (EEZ) of the individual member states.)

The most acute danger of the EU fisheries policy arises directly from this ideological basis, since it clearly implies the de facto creation of a single European state. This has implications that go far beyond fishing.

2. The second and by now major factor is **national covetousness**. This was the obvious motivation behind the original “open-access” policy, which was adopted by the Six in 1970 even although their own experts had pointed out to them that there was no legal basis for it in any provision of the EEC treaty. It has remained the dominating factor to this day, with the pseudo-ethical “European Ideal” as window-dressing. It is not the first time in history that lofty principles have been advanced to justify the pursuit of naked self-interest.

These nationalist excesses have been manifest since then at every meeting of the Fisheries Council, which apparently has the primary function of a platform for the greatest degree of exploitation of the CFP that national delegates can wring out of it.

The representatives of Spain, and also those of Denmark and to a lesser extent the Netherlands and France, have used diplomatic pressure to advance the interests of their fishing industries irrespective of

the consequential damage caused to others. For example, Denmark's industrial sand-eel fishing has been particularly harmful to other interests, since it has destroyed the food chain for other species like cod, thereby making it one of the major causes of the present crisis. Spain, having fished its own waters virtually to extinction, has pursued a policy of unrestricted access by its enormous fleet to the waters of other members, no doubt to repeat the process there.

The governments of other member states, with politically powerful interests breathing down their necks, are often in no position to make concessions. Decisions in the Fisheries Council are routinely taken on political grounds, with expert advice being ignored where it conflicts with national interests. Due to political pressures, backed by powerful commercial fishing lobbies, national quotas have for years been allocated on an aggregate basis far in excess of what is ecologically sustainable. Our fishery scientists have complained privately that their professional findings and recommendations have been regularly misrepresented and misused to support political decisions.

European idealism has been conspicuous by its absence in the cut-throat scramble to plunder Scotland's resources, and the result has been seen in the inevitable collapse of fish stocks.

It should be pointed out that the CFP injustice also adversely affects the remaining English and Irish fishing industries as well as the numerous small-scale inshore fishers in other countries, who complain about it as vociferously as the Scots, but are rarely listened or referred to. The Spanish *cofradias* and the Galician "Cediera Charter" are major examples of their protest. Any change in the system brought about by the Scots would also work to their benefit, as well as that of inshore fishers in Portugal, France and Denmark.

3. The third factor is the nature of the **decision-making process and management system in Brussels**, where integrationist ideology is paramount. There is a lack of knowledge, or wilful ignorance, of the practicalities of fishing among the Eurocrats and politicians active in Brussels, and in many cases among their scientific advisers too.

For years we have seen quotas allocated and effort control measures taken mechanically by ministers who have no real conception of what they are doing. This accounts for some of the most heinous blunders they have committed.

One the worst of these blunders is the discards situation, which by ICES estimates causes the destruction of up to 600,000 tons of fish each year. Single species quota allocations inevitably result in a by-catch of other non-quota species. Any fisherman could have told the EC that nobody has yet invented a trawl net capable of catching only one species of fish, let alone fish species in relative quantities that accord with the latest changes in quota allocations! The heavy penalties for landing the inevitable extra catch, often the major proportion, as "black fish" mean that, every time the net is hauled, this perfectly saleable by-catch has to be thrown overboard - dead, to rot on the seabed or provide food for seabirds, lost to the industry, the consumers and the stock.

Since boats have to bring an economic catch back to port, this senseless waste of valuable stock means more time at sea fishing for the legal quota species, more fuel consumed, an escalating number of discards with every net haul, and consequent devastating damage to fish stocks overall. It is economic and ecological lunacy - and this is only one of many examples of Brussels incompetence.

Decision makers in Brussels consistently refuse to admit such irrational errors (though there now seems

to be the beginnings of an admission that this was unwise). They don't want to lose face, and so fiercely defend their decisions, even when integrationist ideology is plainly in conflict with common sense. The emperor has been revealed to have no clothes, but the show must go on.

The refusal to allow one iota of decision-making power to be removed from Brussels has reduced the whole fisheries system to Stalinist economics. This setup was a disaster after 70 years of experience within the Soviet Union, and it has been a similar disaster after more than 30 years of experience within the European Community. As in the former and now defunct Soviet Union, it is the ultimate failure of "big government", of over-centralisation, of trying to manage at too low a level, instead of delegating – one of the cardinal sins of professional management generally. Since the EU is already over-stretched here, the outlook for a centralised fisheries management system after any further enlargement is distinctly unpromising, to say the least of it.

It might be mentioned at this point that many students of the EU believe there was a secret back-room deal or deals to share out predominance in major economic sectors, for example: UK – banking and finance; France and Italy - wine; Germany, France and Italy – motor vehicle manufacture; and Spain – fish. This is not mentioned as established fact, but the very existence of such opinions illustrates just how far the European Union has gone along the road of institutionalised oligarchy or worse. In apparent confirmation of these views the UK government has pointedly washed its hands of its fishing industry.

4. The fourth factor affecting Scotland is therefore **UK government policy**. Not simply economically, but also emotively, the ruling elite in London were committed to entry into "Europe" as compensation for the loss of an empire and of their own influence. Although the UK was already a member of all the other European organisations in the early 1970s, Prime Minister Edward Heath and his negotiators wanted to take the country into the 6-member European Economic Community (EEC), European Coal and Steel Community (ECSC) and European Atomic Energy Community (Euratom) at almost any price. The methods he used to buy entry, using the Scottish fishing industry as a bargaining counter, have left a damnable legacy.

The opening of the relevant records under the 30-year rule has brought to light the fact that Heath was fully aware that the conditions to which he agreed would eventually kill the Scottish fishing industry. This was deliberately concealed from the industry and the country at large, in defiance of all the canons of democratic legitimacy and open government, because it was obvious what sort of a reaction it would have provoked.

This policy of an "expendable" Scottish fishing industry (the word "expendable" is actually used in the records of the former Scottish Office) has continued under every UK successor government since then, including that by the Labour Party under Tony Blair and Gordon Brown.

The EU administration is riddled with secret deals and backstairs carve-ups between governments, and it is clear that, in respect of fishing, the UK has got itself onto a hook that it cannot wriggle off without losing out in other directions. Just what the *quid pro quo* for throwing the Scottish fishing industry to the sharks might be has never yet been revealed. It is extremely doubtful if it has brought Scotland any benefits at all in other directions; at any rate we not been informed of any.

The UK government clearly has no intention of altering this policy of using the Scottish fishing industry as a trade-off, and refuses to come into the open with any explanation of the reasons behind it.

The official UK response to the Commission's Green Paper on the modernisation of the CFP was a model of supine acceptance of the system.

Even more mysterious was UK Commissioner Neil Kinnock's dismissal of a reform-minded Fisheries Director-General in Brussels after political pressure from Spanish Prime Minister Aznar and Commission President Prodi. Everything here points to a surreptitious carve-up between London and Madrid, possibly over Gibraltar or other economic share-outs, with the Scottish fishing industry as a pawn in the game. And Scotland, with three quarters of the UK fishing industry, has been represented (and conspicuously not defended) in Brussels by the English fisheries minister. The fact that this murky double-dealing conflicts with the stated EU principle of transparency does not seem to concern any of the participants.

This all goes to prove beyond doubt that Scotland's interests in Europe generally (i.e. not simply the EU) are not being, and can never be, adequately or safely represented through London. Any solution must take the form of direct Scottish representation at European level. It is only the form and status of that representation that is open to discussion.

The CFP after Enlargement

It could be said that there are also other factors involved, like technology creep and lack of discipline among fishermen. These, however, are secondary issues that ought to be kept under control by any efficient management system. It is further proof of the failure of the centralised Brussels system that it has shown no sign of being able to do so.

The insidious propaganda that has been put about ever since the Bonino regime in Brussels is that, without the EU fisheries policy, the fish stocks situation would have been even worse. It is astonishing and alarming to observe how many people all over Europe, including important decision makers, actually believe this nonsense.

In other words, a balance between resources and exploitation that had previously been maintained for centuries has been destroyed within the space of a few years, and that has nothing to do with the CFP? The argument is a pernicious lie. There is overwhelming evidence that the root cause of the disaster is Brussels mismanagement and overfishing, both resulting from an insane ideology.

Let us look at the future situation. After the latest round of enlargement there are some 20 EU countries with sea fishing industries of some kind, with others in the queue for membership. If the present system continues we will eventually see sturgeon in the Black Sea, swordfish in the Adriatic, sardines in the Mediterranean, cod in the Atlantic, halibut in the North Sea and herring in the Baltic all being administered from the desk of the Fisheries Director-General in Brussels - this without regard to all the other parameters like enormously varied local marine conditions, unique local fish species, different economic, social and cultural structures, and widely varying local fish consumption patterns.

Furthermore, the winners in the CFP cut-throat scramble for pickings at Scotland's expense have evidently managed to press home their advantage in the drafting of the failed EU Draft Constitution (the so-called "Constitution for Europe"), which has recently been resurrected as the Lisbon Treaty. That treaty prescribes that fishing is to be managed "jointly" by the EU and the member states. It then takes that vague concession back again in the adjoining provision that all marine biological resources (by definition ranging from basking sharks to the last frond of seaweed) are to come under the exclusive central control of the EU.

The setup is patently impossible – there is no way it can be administered. It does not seem to have occurred to the politicians and bureaucrats concerned that this kind of centrally directed economy is exactly the rock on which the Soviet Union foundered. The attitudes one encounters remind one of the old guard of the Soviet system, who, after 70 years of obvious failure, were still convinced that their system would prove itself if it were only given time. Rigor mortis – the dead hand of Brussels centralism that refuses to part with any powers once acquired – remains the biggest single obstacle to the revival of the fishing industry.

Action Strategy

That said, what do we do about it? There are two distinct aspects, which must be kept completely separate. The first one is, of course, the current fish stocks situation. That must be resolved by agreed measures, however hard they may be in the short term, but without crippling the Scottish fishing industry in the meantime.

The second and strategically more important aspect is the need to remove the cause of the crisis, in order to ensure that such a situation cannot arise again. The cause of the disaster is beyond doubt the now totally discredited Common Fisheries Policy. As long as Scotland remains within the EU, whether as part of the UK or as an independent member, that is where the main effort has to be directed.

It is pointless to attempt to achieve change within the framework of the CFP. The factors mentioned above will always prevent it. This is something that does not seem to have been taken on board by the Scottish fishermen's representatives. The CFP system itself must be their strategic target from now on. Fighting over quotas, decommissioning, etc., does nothing to remove the cause of the crisis. The Scottish Parliament, when led by Labour, was also astonishingly supine in this respect.

Some Minimum Strategic Reforms

The Scottish government should have a number of minimum demands on the reform of the fishing industry, while recognising that many of the detailed measures will require close consultation with the fishing community itself. Some of these proposed measures could be implemented under the EU common fisheries policy as currently administered. However, we see no genuine prospects of success in this direction, since other governments would certainly veto any such moves. If an independent Scotland were to remain inside the EU, then CFP problems would continue to bedevil the industry. And so most or all of these measures will have to await Scotland's independence before they can be enacted.

1. With the exception of distant-water vessels not fishing the waters of EU members, there is no justification whatsoever for any member country retaining a fishing fleet with a catching capacity larger than can be maintained by the sustainable resources of its own national waters. Any excess is merely a means of preying on the livelihoods of other peoples. A country's catching capacity must also be related to the length of its coastline, which has a bearing on the number of communities dependent on fishing.

The present EU aggregate capacity is grossly out of balance in both these respects, with Spain's long-distance fleet as the principal beneficiary.

2. One overriding and absolutely non-negotiable principle is that local fishing interests must have priority of access to marine resources, with outsiders being admitted only where resources surplus to local catching capacity are available, and when the local fishers agree.

3. There must be decentralisation to national and regional fishing councils, which must be responsible only to the national authorities whose waters they cover. Fishing in Scotland's national waters must be regulated only in agreement with the governments of immediately contiguous states. There can be no question of any further centralised administration from Brussels.

4. No state claims to "own" migratory species, but it has a right to the exclusive exploitation of such species within its sovereign territory. This principle must be entrenched in European and international law for migratory marine species, like all other resources on land and sea.

5. Management must be exclusively in the hands of states with fishing industries. Landlocked states with no access to the sea must be excluded from this process, thereby departing from the present monolithic EU structure. Management should be under the oversight of joint fishery sector / government groups. The industry must have a full say in all decisions.

6. Since no treaty empowers the European Union to reduce employment in one member country in order to benefit employment in another, the systematic reduction of the Scottish fishing industry must be not only halted, but reversed. The goal must be a planned restoration to its previous status as regards catching capacity and employment prospects, without regard to integrationist ideology.

7. All direct industrial fishing must cease. Fish should be caught only for human consumption, and only that part of landings unsuitable for or unacceptable to the market may be reduced to meal and oil.

8. The 'designated ports' rule that prohibits Scots fishers from landing at smaller ports, must be scrapped, and small fishing harbours encouraged to develop local fish businesses.

9. The current quota system must be abolished, and replaced with a Faeroese style effort-based system operating under a Scottish TAC (total allowable catch) for each species. The persons, companies and banks presently holding quota entitlement would be allocated equivalent fishing rights, but ultimately only active fishers should have fishing access. These issues should be fully debated at meetings with representatives of fishermen, fish merchants, coastal communities, local and national government, and the scientific community.

The Future

A movement towards greater autonomy and indeed constitutional independence is currently a major force in Scottish politics.. The current Scottish government is making commendable efforts to give local communities and coastal fleets more say in the management of their local waters. This has our full support.

After recent revelations regarding the conduct of the UK negotiators, whose sacrifice of the Scottish fishing industry as a bargaining counter on other unrelated issues was little short of high treason, there is no longer a shred of justification for the assertion that Scotland's interests in Europe are best protected by representation at UK level. This scandal is accelerating the movement towards independence, and we are therefore also obliged to take the ensuing scenario into consideration.

Independent Scottish representation within the EU negotiating bodies would unquestionably strengthen the influence exerted by the Scottish fishing industry at European level. It must be made clear, however, that, while this would provide a better platform for obtaining concessions, Scotland would always be outvoted in the various negotiating bodies, as is the UK at present. Representatives of the

landlocked countries, with an interest in maintaining the strong European structure, would be almost certain to adopt the already mentioned ideological/centralist attitude in the absence of any direct interest in fishing. Those of the fishing countries, under powerful political pressure from commercial interests, would be out to retain access to the Scottish fish stocks at all costs. We are therefore not optimistic about the prospects of actually obtaining the reforms suggested above.

The benefits of direct EU membership – in respect of fisheries – would be tangible, but very limited. Scotland would have to balance any overriding advantages of full EU membership against irreparable damage to its fishing industry and the enormous annual past economic damage and future consequential losses.

There is, however, an alternative, namely, membership of the European Free Trade Association and the EFTA/EU umbrella organisation, the European Economic Area (EEA). This possibility (which did not exist at the time the UK left EFTA to join the EEC) would provide many of the advantages of EU membership, including free access to the EU Internal Market, without the major disadvantages. It is presently the status of the fishing countries Norway and Iceland, which seem to be in no hurry to change it.

The EEA, which is administered by a joint EFTA/EU committee, obliges its members to adopt a major part of the EU Internal Market legal code, *the acquis communautaire* (which already applies in Scotland, so that not many changes would be required), but with certain exceptions, including agriculture and fisheries. Its EFTA members control their own waters, and negotiate access by EU outsiders through the EU. In respect of fisheries this structure would be ideal for Scotland, and Scottish EEA/EFTA membership would strengthen the hands of the existing members.

At any rate, “Scotland in Europe” does not inevitably mean “Scotland in the European Union”. Integrated “Europe” has by no means achieved its ultimate development, and it could be that the EFTA/EEA structure is a harbinger of the future integration pattern for countries in Scotland’s position. Given that an existence outside the European political structures is no longer practicable, on economic and other grounds, we conclude that membership of the EFTA/EEA group is the one and only practical solution to Scotland’s fisheries problem, and possibly others too.

The present method of administering fisheries at European level must be totally abolished if a viable industry is to be assured and safeguarded. There must be no further scope for Brussels intrigue and UK government treachery. There must be an end to the “fast buck” exploitation of resources. Fishing must be in the hands of people who are personally involved and personally motivated to take the strategic, long-term view of the protection of their livelihood, and that of their children. It is high time for Scotland to take the initiative towards that end.