

# Scotland-UN

25 Wallace View  
Kilmarnock  
KA1 4EN  
Scotland



**John J.G. McGill, FSA (Scot.)**

**Secretary**

**Tel: (01563) 528 505**

**Email: [jmcgill\\_fsa@elmsella.demon.co.uk](mailto:jmcgill_fsa@elmsella.demon.co.uk)**

17 May 2003

Dr. Franz Fischler  
Commissioner for Agriculture, Fisheries and Rural Development  
Commission of the European Union  
Brussels

Dear Commissioner Fischler,

The Scotland-UN Committee was established in 1979 as a national non-party think-tank and international action group for the purpose of having the ancient Scottish Parliament recalled. That objective having been successfully accomplished, the committee has been kept in existence in order to perform the same function in respect of other aspects of Scottish national affairs that call for international action. We have accordingly taken up the issue of the current fisheries crisis, at the request of some sectors of the industry as well as the relevant political actors. We append a copy of a paper we commissioned from two experts on an appropriate fisheries policy by the Scottish Government. This analysis was intended for domestic circulation within Scotland, and not for international use, but we send it for your information.

Our researches into the economic impact of the Common Fisheries Policy on the Scottish national economy have brought to light a scandal on a scale that is as horrifying as it is disgraceful. We can only assume that you are unaware of the extent of the economic devastation that the EU fisheries policy has caused in Scotland.

Scotland joined the European Economic Community in 1973 along with the other members of the British political union. Although the Scottish fishing industry represents three quarters of the United Kingdom industry, its affairs are conducted in Europe to this day largely by English politicians and administrators, who found no difficulty in “giving it away” as a bargaining counter on other unrelated issues. 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. We therefore used 1975 as the baseline for the figures we published in the policy paper.

These show that, since joining the Common Fisheries Policy, the Scottish fishing fleet has been reduced by almost two thirds of its 1975 size – for no better reason than to “share the common resource” with other EU members. Since equality is ostensibly the *raison d’etre* behind this policy, perhaps you will be good enough to inform us when you propose to reduce the Spanish and French fleets by the same proportion – two thirds - in order to solve the problem of too many boats chasing too few fish.

The figures we have given in the policy paper must be updated in one respect. In the light of the most recent decommissioning figures for 2003 available to us (177 boats), by the end of the year the Scottish fishing fleet will have been reduced to 668 boats of 10 metres and over in length, by comparison with 1,782 in 1975.

Using the same criterion as in the policy paper, i.e. average earnings over the past five years, the 1,114 vessels removed from the fleet over this period would each have earned more than £310,000 (€431,000) annually from some 330 tonnes of fish. As a direct result of the removal of this earning capacity (whether officially decommissioned or sold under economic pressure is irrelevant), the loss to the Scottish catching sector for boats of 10 metres and over is currently in excess of £345 million (€479 million) every year, with corresponding downstream effects on the vessel servicing industries and all the other recipients of domestic expenditure from crew wages.

This, of course, is not the full extent of the disaster, because fish processing, marketing, boat building and the other ancillary industries have all been hit by the loss of their supplies and their clients. The standard GDP impact ratio for fisheries is 2.35 times the landed price for fish. The identifiable loss to the Scottish national economy as a result of the catastrophic damage caused by the Common Fisheries Policy is therefore a minimum of **£812 million (€1,128 million) every year** in respect of vessels of 10 metres and over.

We must make it clear that these figures are **minimum** ones, since they are the only ones we could base on statistical information. It was impossible to obtain accurate statistics over the CFP period for coastal and inshore boats smaller than 10 metres, which we know have also been badly hit. A good deal of the known factors could not be quantified. Other economic fallout includes the cost to public funds of unemployment and other social benefits as well as broader economic consequences, including loss of tax income, and much more besides.

**The current real loss to the Scottish economy arising from the reduction of the Scottish fishing fleet by around two thirds of its 1975 figure, as a result of the damage caused by the Common Fisheries Policy, must now be well in excess of £1,000 million (€1,389 million) every year. This exceeds by a huge margin any economic benefits Scotland receives from the European Union.**

No country of five million people can stand an economic haemorrhage on this scale indefinitely, especially following on other euro-crimes like the “rationalisation” out of existence of the profitable and efficient Scottish steel industry, with knock-on effects on the famous Scottish shipbuilding industry (importing steel – not the lightest of materials – involves heavy transport oncosts, especially to an island location). On fishing policy, miniscule EU payments like decommissioning and retraining grants hardly appear in the balance against the costs to Scotland of what is nothing less than barefaced exploitation. We cannot conceive of any calculable benefits to Scotland of EU membership that can possibly compensate for this economic bloodletting.

\* \* \* \* \*

This is clearly not the kind of Europe that was envisaged by Robert Schumann, Jean Monnet or Richard Coudenhove-Kalergi – Europe as a piratical oppressor and plunderer of its people’s national resources. **The situation is clearly grossly unjust, and we have a right to know what you intend to do to compensate and to restore the Scottish fishing industry to its previous economically healthy size and status.**

To date we have seen no indication that this goal is likely to be achieved, least of all through the Commission's published proposals for the reform of the CFP. We have studied these proposals with care and, notwithstanding several positive aspects, we find them totally inadequate both as a means of dealing with the current crisis and as a basis for a structure capable of ensuring long-term security for the fishing industry together with its downstream and ancillary industries and the communities dependent on it.

In our opinion, the proposals fail to demonstrate the kind of radical thinking that the situation demands. Furthermore, they bear no relation to good management or conservation, but are based purely and simply on the same mindless centralist ideology that has failed conspicuously over the past three decades, as it also did after 70 years of experience within the Soviet Union.

The first thing that has to be recognised as a fact – and there is no sign of any such awareness in the Commission's proposals – is that **the principle of opening all waters to all Community vessels without restriction is already dead**. That mendacious ideology never had anything to do with management or conservation. These have at best been advanced as alibis to justify nationalist greed, mostly by member states that had already gutted their own waters by overfishing. The current state of cod stocks in the North Sea has shown where this policy has led, even in a period of transitional restrictions.

There is no sign here of any recognition by the Commission and Council of Fisheries Ministers that their record in this field has been one of abysmal, disastrous failure of a magnitude that, in the private sector, would result in the dismissal of an entire management and the drastic restructuring or winding up of the organisation concerned.

The positive aspects of the proposals have not been lost on us. For example, we approve of the proposals for regional fishing management structures for the transnational aspects of conservation and management, and especially of the predominance of practical fishermen in their membership, but we strongly object to their proposed status as “regional advisory committees”.

**These bodies must *not* be subject to control from Brussels, but must be completely autonomous management authorities responsible only to the national governments whose waters they cover.** Any such central control would be in conflict with the basic principles of federal government and in any case could serve no useful purpose, since Brussels would be totally dependent on the expertise and judgement of the regional authorities, who alone would be acquainted with local conditions.

We also note that the Commission's proposals adopt the principle of priority of access to marine resources by local fishing interests, with outsiders being admitted only where resources surplus to sustainable local catching capacity are available. This perfectly reasonable principle has, however, been adopted only in respect of third states whose waters are fished by Community vessels. **This same principle must now be applied by the Community internally, in respect of all Community waters out to the 200-mile or median limits.**

Such positive examples apart, what concerns us is that the proposals ignore a number of factors that are of central importance if the future of any kind of viable fishing industry is to be guaranteed.

For example, with the exception of distant-water vessels, there is no justification for any EU member state maintaining a fishing fleet with a catching capacity that exceeds the renewable resources of its own territorial waters. Anything in excess of this is simply a means of preying on other members, to the detriment of employment there, with the resulting negative economic, social and cultural effects on fishing communities that Scotland has already experienced.

Furthermore, all member states must be forced to conserve the resources of their own waters – and if those waters are overfished (as is widely the case, especially in the southern EU member states), there can be no question of admitting that country's fleet to the national waters of other members in order to compensate for its mismanagement.

In these respects it would be expedient for the EU to retain a police function, as well as for the regulation of distant-water fishing by Community vessels, in agreement with non-EU countries.

The worst offenders with grossly excessive capacities (meaning Spain in the first instance) must have their fleets reduced accordingly. We are sympathetic towards those countries that are experiencing problems of unemployment, with which we ourselves are not unacquainted. We would point out, however, that **no treaty empowers the European Union to create unemployment in one member state in order to benefit employment in another**. The present fisheries "policy" is therefore blatantly illegal in this respect. Not only must the policy itself be reversed; the adverse consequences that that policy has had for the Scottish national fishing industry must also be made good in their entirety.

Apart from such strategic functions the European Union definitely has no business to be involved in the direct management and conservation of fisheries – or indeed the direct management of any industry or economic sector! That is not a legitimate function of the Union! Its proven record in this respect is in any case one of unmitigated, disastrous failure.

Furthermore, there is no such thing as a homogeneous European fishing industry that would be capable of being managed on a central basis. There is therefore no way that such centralised management could possibly cope with the different conditions in an enlarged Community, with two dozen states fishing for a vast range of regionally unique commercial species in the Baltic, North Sea, Atlantic, Mediterranean, Adriatic and Black Seas, and with considerable divergences of local economic, social and cultural conditions and fish consumption patterns. Not even with the aid of regional "advisory" committees would it be possible to conduct such a system with any degree of homogeneity. **The only answer here is the abolition of the CFP as such and the transfer of its powers back to where they belong at national and regional level.**

Fishing is not a suitable area for European integration. Somewhere there must be limits to integration, and fishing has been proved by experience to be well beyond those limits. **The European Union is overstretched here, and must confine its activities to those areas where integration is patently feasible.**

The current disaster to fish stocks is not something that has "just happened". There was never any problem of this nature before the involvement of the European Community in fishing. **It is a direct result of the ideology of unrestricted freedom of access to all waters, and there will be no improvement until this purely ideological "policy" is abandoned and reversed.**

Let nobody be under any illusions regarding the strength of feeling within the Scottish fishing industry and the country at large, where there has recently been an upsurge of sometimes virulent anti-EU feeling. Any talk of a “European Ideal” is regarded here as hypocritical whitewash. There is nothing whatever idealistic about the “European Ideal”. In practice, as applied to fishing, it has proved to be simply a tool of nationalist intrigue, with commercial interests running rampant at the cost of destroying centuries-old fishing communities.

We hold the European Commission and the Council of Fisheries Ministers entirely responsible for the disastrous decline of fish stocks and for the completely unnecessary rundown of our national fishing industry.

We hold the European Union responsible, not merely for compensating for this damage, but also for reversing its effects, **leading to the systematically planned restoration of the Scottish fishing industry to its pre-1975 status as regards catching capacity and employment prospects**. We expect you to publish a road map to this goal as soon as possible.

We observe a close parallel here to the attitude of the old guard of the Soviet system, who, after seven decades of obvious failure, were still protesting that their ideological centralist system was the right one and only needed time to prove itself. If this stubborn refusal by the European Commission and Council of Ministers to face up to the reality of the present untenable situation continues, then some kind of unilateral action will be necessary along the lines of that adopted by Iceland to protect its fisheries from being exhausted by foreign plundering.

We say this to the Commission and Council of Fisheries Ministers: You have cut a swathe of destruction through a fishing industry that had remained balanced and viable for centuries prior to your interference. You have devastated communities, you have caused immense misery and personal hardship to individuals and families, you have destroyed age-old cultures, and you have upset the entire ecological balance of the waters on which we depend for our livelihood. We have no faith in your competence, we have no faith in your intentions, and we have the deepest distrust of your motives.

**We therefore have one simple message for “Europe”: Give Scotland the means to rectify the appalling ecological, environmental, economic and social havoc that your fisheries “policy” has caused here – and then get out of our lives!**

There is another aspect of this orgy of mismanagement, incompetence and political corruption on which we must make our position clear: We have reason to believe that the United Kingdom government representatives have been using the fishing industry as a bargaining counter in EU-internal and other negotiations. Let us make it abundantly clear that the Scottish fishing industry is not going to be used as a trade-off in order to buy negotiating concessions in other unrelated fields. We hereby reject and disavow absolutely any and all steps that the United Kingdom representatives have taken along these lines from the basic EEC entry negotiations right to the present day as well as any that may be taken in the future. We regard all such agreements on fishing that have been taken without the consent of the Scottish fishing industry and the Scottish Parliament as invalid, and we refuse to consider Scotland bound by them. We regard any collusion along these lines by the United Kingdom government with any other member state, or with the Community as a whole, as an illegal action that also renders the negotiators personally responsible for the consequential losses suffered by the fishing communities.

In this connection we have noted the circumstances surrounding the replacement of the previous Fisheries General Director after verbal representations by the Spanish Prime Minister to the Commission President.

We must also make it clear that, in stating the above, we are not adopting a purely negative approach to the European Union or to the integration process as a whole. In the light of international developments over the past few decades, with the emergence of global and regional structures, we accept the necessity of European integration in specific areas where it is clearly appropriate as a means of guaranteeing the maintenance of good governance.

Fishing, however, is not one of those areas, as has been proved by the disastrous developments over the past 30 years. Integration here has had an entirely negative effect without a single redeeming feature. It has proved to be the reverse of good governance, and in the case of Scotland it has destroyed a conservation balance that had previously been maintained for centuries. Three decades is long enough to prove that this brainless ideology does not work and can never work.

**There is only one answer to this situation: With the exception of the strategic police functions mentioned above, control of fishing must be returned to national governments and regional fishing councils. National fleets, with catching capacities balanced in relation to their own sustainable national resources, must normally be restricted to fishing their own waters, with special licences to fish in other national waters being subject to the availability of marine resources there that are surplus to the sustainable catching capacities of the local fishing fleets.**

\* \* \* \* \*

Time is running out for the EU on this issue. We intend to pursue this matter with the Intergovernmental Conference in 2004, but at the same time we must make it clear that matters may be taken out of the hands of the European Union. Separatism is not a viable political option nowadays, and there is no question of Scotland attempting to exist in isolation outside the European structures. Having made that clear, however, we have recommended to all of the Scottish political parties that, on the resumption of constitutional independence, Scotland should withdraw from the European Union and participate in European affairs through membership of the European Free Trade Association (EFTA) and the European Economic Area (EEA), thereby giving it the same status as the fishing countries Iceland and Norway.

The Scottish elections on 1 May 2003 resulted in the return of an unprecedented number of members of the Scottish Parliament committed to full independence. Three of the political parties represented there have adopted constitutional independence as a main policy goal, and it is a strong theme running through the remainder, including the non-party independent members. Scotland is presently a member of two political unions, British and European, but - largely as a reaction to the fisheries policy that you are pursuing - it may well secede from both unions within the foreseeable future. You have it in your power to influence such a course of events one way or the other.

We will not have to emphasise that, since around one third of the fish resources in the North-East Atlantic and North Sea fall within the Scottish legal jurisdiction, this would effectively mean the end of the Common Fisheries Policy. There is no such thing as a British or United Kingdom legal jurisdiction over those resources (we suspect that you may have been misled on this point), since under the terms of the Treaty of Union between Scotland and England the Scottish and English legal jurisdictions remain entirely independent of each other.

We would point out particularly in this connection that Scotland's opinion has never been invited on the question of open access to its national waters.

The initiative therefore lies in your hands. We in Scotland have come to the end of our patience – and of our tolerance. There can be no question of leaving the matter in its present state. We are not interested in half measures like the useless tinkering with the CFP that you are presently proposing. There must be a planned and incisive restoration of the Scottish fishing industry to its pre-1975 capacity and status. The European Community has caused the damage, and the European Community must bear the burden of restoration. We look forward to hearing your proposals to this end.

*For and on behalf of the Scotland-UN Committee,*

**John J.G. McGill, FSA (Scot.)**