

Inquiry into EU reform and the EU referendum: implications for Scotland

Scottish Fishermen's Federation

What EU Membership means for your sector and membership

The fishing industry is particularly tightly wrapped in regulation under the CFP, going well beyond what most other endeavours would accept as wholly necessary. Given that almost everything we do as an industry is within this tight regulatory framework it follows that EU membership, with its constraints and opportunities, is a matter of central importance to the Scottish fishing sector.

The single most pertinent fact of EU membership for us is shared control of our maritime space as regards fisheries and environmental legislation. The change occurred on joining the EEC in 1973.

To put this into context for the fishing industry, membership means a sharing arrangement in our EEZ in matters of access for other fishing nations and the negotiation and allocation of fishing opportunity, having conceded our national control. Our geographical position and the resultant wide extent of our EEZ means that this trade-off as part of the balance of benefits is considerable for the Scottish fishing industry. A glance at the EEZ divisions on the northern European continental shelf and beyond indicates the degree of control, relative to other Member States, that was pooled on European entry. In summary, EU membership itself and any potential change in conditions of membership are therefore matters of acute interest to the Scottish fishing industry.

The areas in which you would welcome EU reform and the extent to which you consider the EU needs to be reformed

The CFP is subject to revision every 10 years and the latest edition came into force at the beginning of 2014. Significantly, there was a move towards more "regionalisation", or the devolution of responsibility to more local areas. This is self-evidently sensible and the level chosen was actually down to the level of sea basins such as the North Sea and the Celtic Seas, with regional groups of relevant Member State fisheries managers forming the executive groups. However, the executive power devolved is actually very thin because under the treaties, "exclusive competence for the conservation of marine biological resource" remains with the EU. Full management responsibility simply cannot therefore be devolved and the process is largely an advisory one. If a sea basin group of Member States can unanimously agree a plan or policy – for example the properly evidenced contents of a long-term management plan for a fishery then it is unlikely that the EU will oppose it. Obviously, this is a long way from devolved power.

If this is to be corrected, as suggested by the SFF when the UK government consulted on the matter in 2012, then the area of reform to welcome would be the formal delegation of competence for conservation of marine biological resource down to regional level. This looks like it would require a treaty change.

What the implications of the UK leaving the EU would be for your sector and members

If the UK were to leave the EU, control over our own EEZ, for example as exercised by Norway, would be restored. This would embrace a range of controls such as fishing access by other nations, setting of fish quotas and negotiation on our own behalf of shared fishing opportunity. If in the matter of EU membership, fishing interests were the only consideration, then it would seem that leaving the EU would be the obviously favoured choice, however there are undeniably other considerations such as the status of the EU as one of the primary markets for our products. It is important perhaps to note that the act of withdrawing from membership is a very different circumstance from not having joined in the first place. For example, we presently have a share of the natural resource of fish in accordance with “relative stability” with other member states. Unless we were on leaving to unilaterally declare a changed (presumably larger) share, then we would have to renegotiate this, alongside a range of other presently settled resource and market share arrangements. Some urgent work would seem to be required to illuminate the balance of benefits that might result.

Wider considerations

The text above refers only to some of the most significant direct interests of the Scottish fishing industry. The whole business and governance arrangements of the UK would change under both reform of and withdrawal from the EU and this would affect everyone including the fishing industry. Finally, if the UK referendum on EU membership were to stimulate constitutional change within the UK as some have suggested, then the range of questions to be answered would change, reverting largely to those put during the referendum on Scottish independence.

Conclusion and further work

Clearly, the matter of reform or a change of status as a Member State is of very considerable importance to the Scottish fishing industry. We are grateful for the opportunity to report to the committee and offer our continued involvement in further work, should you so choose.

Bertie Armstrong
Chief Executive