

EDITORIAL COMMENTS

The Fisheries Question

The principal issue that was left unresolved after the conclusion of British negotiations for accession to the Treaty of Rome last autumn, that of the applicability of Community fisheries policy, has been resolved by a diplomatic compromise of some ingenuity and ambiguity. Community policy provided for reciprocal inshore fishing rights and free access to all fishing grounds for signatory States. That policy was declared, in the British Government's White Paper of last July (Cmnd. 4715, paras. 152–153) to be inappropriate to the needs of an enlarged Community and was widely regarded as contrary to the specific national interests of both Britain and Norway. Considerable doubts were also expressed by the other applicant countries, Denmark and Ireland. After a period of deadlock compromise proposals were agreed upon between the Six and Britain, Denmark and Ireland. These proposals contained two key elements. The first was the specification of coastal areas within which a twelve-mile fisheries limit could continue to be operated by the three applicant countries for a ten-year transitional period after entry and before implementation of the established common policy of the Community. The second was agreement upon a review clause providing for arrangements after the expiry of the initial transitional period. During the transitional period, therefore, Britain will preserve her existing fisheries limit of twelve miles, which dates from the European Fisheries Convention of 1964, for the specified coastal areas requiring special interim protection—these are the Orkneys, the Shetlands, North-Eastern Scotland from Cape Wrath to the English border at Berwick-upon-Tweed, North-Eastern England down to Flamborough Head, the coastal waters around Devon and Cornwall, and those off County Down in Northern Ireland. Denmark has secured similar protection for the Faroes, Greenland, and a stretch of coastal waters off Western Jutland. Ireland was able to exempt for the transitional period its coastal waters from Lough Foyle to Cork and to secure exemption for shellfish for the whole of its Eastern coast. The review clause arrangements caused serious difficulty and have aroused substantial criticism. Each of the applicant countries wanted to be able to continue to restrict access to their coastal fisheries after the transitional period; the agreement, however, provides only for reports on the coastal areas and on the state of fish stocks to be prepared before the end of the ten-year period and for the Council to consider in the light of these reports and the common policy objectives and derogations from the interim arrangements it may wish to propose. Although the designated coastal areas are more generous than at one time could have been expected, the agreement as a whole did not commend itself to Norway, which sought further negotiations on a separate basis, although not expecting significantly better treatment than that accorded to the other three applicants. The terms agreed for Norway, announced at the moment of going to press, indicate that the twelve-mile limit will apply to the coast between Egersund and the frontier between Norway and the U.S.S.R., which is a slight increase on the Commission's earlier proposal.