

Fishing – a step backwards

The Government has consistently stated their aim is to provide continuity, and a smooth transition to independence but the very opposite is happening. Business is becoming nervous, mainly because ministers are sending out mixed messages that are destroying confidence

Fisheries is a classic example. Let us take the words of George Eustice, the fisheries minister, on 26th October 2017. In reply to an oral question from the Labour MP Ben Bradshaw – a former DEFRA minister, he said:-

“The EU Withdrawal Bill will bring across current EU legislation to provide continuity on the day we leave. In the context of fisheries, that will include the body of technical conservation regulations currently set by the EU”.

What the Minister appears to be staying here is that in order “to provide continuity on the day we leave,” the regulations relating to fisheries in the EU *acquis* will be brought across. He completely ignored the fact that there is supposed to be a Fisheries Bill that overrides the Withdrawal Bill. Taking his statement at face value, the conclusion to be drawn is that on Brexit day, we will be operating under the CFP we are supposed to have just left.

Remarks such these create doubts for businessmen, sending doubts through industry, but then it is not surprising when UK ministers and the negotiating team seem to be making such heavy weather of getting to grips with the technicalities of Brexit. The EU (Withdrawal) Bill is a sensible way of ensuring that life will continue pretty well as normal within the UK on Brexit day, but it makes a fundamental mistake in assuming that because our laws will still be in sync with those of the EU, we can continue to relate to the EU very much as before, This erroneous thinking lies behind the current talk of a

“transitional” arrangement. Unfortunately for the government, this assumption is totally wrong.

Although our laws may be aligned with those of the EU, we will no longer be a member of the EU, but a “third country”. The entire way in which we relate to the EU will change. The government does not seem to have understood this. New trading arrangements will need to be negotiated and the alignment of our rules and regulations with those of the EU-27 does not make much difference. Because we will no longer be covered by the EU treaties, everything changes. There is no automatic right to continuity. We cannot force the EU to bend its own very inflexible rules to accommodate us.

The Business community has begun to realise this and feels understandably concerned. The half way point between last June’s vote and Brexit Day (9th November) is nearly upon us. Where have the last 16 months gone? The confusion emanating from the government is causing confidence to evaporate and if the situation is not rectified pretty quickly, concern will turn to panic among some sectors of the economy, with disastrous consequences for the UK.

Returning to Fisheries, until Eustice’s statement last week, the one consistent fact stated about Fisheries since the referendum has been that we will manage our own Exclusive Economic Zone, while at the same time abiding by International Law. This has been confirmed on a number of occasions by the Ministry of Agriculture, Forestry and Fisheries (MAFF).

For instance, on 20th July 2017, in reply to a question from Deirdre Brock, the SNP MP Edinburgh North and Leith, the MAFF Spokesman said:-

“As an independent coastal state we will develop and implement a domestic fishing policy that best meets the interests of the UK and is in line with our objectives under international law”

That same day, Holly Lynch, the shadow DEFRA minister, was

told:-

" I can tell the Hon. lady exactly what taking back control means. When we leave the EU, we automatically under international law become an independent coastal state. That means we have responsibility for managing our Exclusive Economic Zone which is 200 nautical miles or the median line".

Yet these fine words were contradicted by Mr Eustice. Rather than deliberately planning to sell our fishermen short, what we are seeing is a confused Government which seems never to have actually read the International Law, or at least, understood its implications.

There is absolutely no reason for this confusion. The fisheries *acquis* would need such drastic revision to be incorporated into UK law that it is best to exclude it altogether and concentrate on designing a fishing policy based on best practise elsewhere. This can easily be completed before March 2019. The idea that we must include the fisheries *acquis* in order to keep our legislation in step with the EU's to facilitate a transitional deal is based on an illusion. In other words, any potential problems for the UK's fishermen after Brexit will be home bred and nothing to do with the EU.