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FILE TITLE:

FISHERIES

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SERIES

RURAL AFFAIRS

PART

3

PART BEGINS

1 April 2004

PART ENDS

5 MAY 05

CAB ONE

LABOUR ADMINISTRATION

PREM 49/4336

CONFIDENTIAL

T.S.O. Order No. N0064510 3/98 C5 59064



# PART

# CLOSED

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| DATE CLOSED | 5 MAY 2005 |
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Series : RURAL AFFAIRS

File Title : FISHERIES

Part : 3

| Date       | From     | To           | Subject  | Class | Secret |
|------------|----------|--------------|--|-------|--------|
| 12/05/2004 | MS/FCO   | FCS          | Line UK should take at Agriculture and Fisheries Council on 24 May   | U     |        |
| 18/05/2004 | LPS      | ss/defra     | Ten Minute Rule Bill, Alex Salmond MP: Fisheries Jurisdiction        | R     |        |
| 12/07/2004 | DEFRA    |              | Common fisheries policy  | U     |        |
| 11/08/2004 | MS/DEFRA | FCS          | Infringement No 2002/2173 - Alleged UK Overfishing in 1999 and 20    | U     |        |
| 19/08/2004 | DEFRA    | FCS          | Reasoned Opinion: Failures to Provide Data on Fishing Effort         | U     |        |
| 14/10/2004 | MS/DEFRA | HOC - Leader | 10 Minute Rule Bill - Fisheries Limits (UK) No 2 Bill                | U     |        |
| 09/11/2004 | PUS/SO   | FCS          | Safeguard measures on farmed salmon: Modified commission propo       | U     |        |
| 17/12/2004 | FCS      | MS/DEFRA     | Negotiations at December Fisheries Council                           | U     |        |
| 10/01/2005 | MS/DEFRA | PM           | Thankyou for message about the Fisheries Conference                  | U     |        |
| 22/02/2005 | DEFRA    | CWO          | Fishing Opportunities for certain fish stocks in 2005 and 2006 (EM 1 | U     |        |
| 05/04/2005 | ss/dti   | FCS          | Salmon Farmers   | U     |        |



GN  
cc RB  
KD  
AP

**dti**

5 April 2005

**The Rt Hon Patricia Hewitt MP**  
SECRETARY OF STATE  
FOR TRADE AND INDUSTRY

The Rt Hon Jack Straw MP  
Secretary of State for Foreign  
and Commonwealth Affairs  
Foreign and Commonwealth Office  
King Charles Street  
LONDON  
SW1A 2AH

*Dear Jack,*

**Consideration of EU trade defence action in support of UK and Irish independent salmon farmers moves to a new stage later this week. With definitive safeguard measures introduced in February lacking the necessary support in Council, attention is turning to a Commission proposal for provisional anti-dumping measures. In the continuing absence of the necessary support for safeguards, the UK will support the anti-dumping proposal. At the moment trade-offs to secure this do not appear necessary. This may change, either in the short term or if /when definitive anti-dumping measures are proposed in the autumn.**

Colleagues may recall that on 6 February 2005, the European Commission imposed definitive safeguard measures on imports of farmed salmon originating in third countries. I am writing again to provide an update on developments.

As expected, Denmark referred the safeguard measures to the Council on 24 February and was later supported by France. This requires the Council to act by a qualified majority by 24 May to confirm, amend or revoke the measures. The Commission's view (with which the UK concurs) is that unless there is a significant switch in positions, consideration of the measures in the Council would result in their being defeated. In these circumstances, the Commission would avoid a discussion in the Council and either withdraw or allow the measures to lapse.

**Department of Trade and Industry**

V 823  
1 Victoria Street  
London  
SW1H 0ET

**Direct Line** +44 (0)20 7215 5428  
**Fax** +44 (0)20 7215 5468  
**Minicom** +44 (0)20 7215 6740  
**Enquiries** +44 (0)20 7215 5000  
[www.dti.gov.uk](http://www.dti.gov.uk)  
[mpst.hewitt@dti.gsi.gov.uk](mailto:mpst.hewitt@dti.gsi.gov.uk)



I have also previously reported that the EU salmon producers were pursuing a separate anti-dumping complaint addressed to imports of farmed salmon originating in Norway. This resulted in the initiation of an anti-dumping investigation in October 2004. The Commission has presented a preliminary report of the investigation's findings. This will be considered at the meeting of the Anti-Dumping Committee on 7 April.

I have considered the best way to secure appropriate trade defence measures to provide a breathing space for the conditions for a viable future for the salmon farming industry to develop. I have concluded that, while we continue to favour definitive safeguard measures, we must recognise that the lack of support among Member States makes it extremely unlikely they will survive the challenge in Council and that they will come to an end or may be withdrawn earlier by the Commission. Therefore we should concentrate our efforts on securing at least anti-dumping measures.

Posts have already been instructed to lobby Member States with a view to:

- ensure continuing support from Member States who supported the safeguard measures; and
- persuade those who opposed safeguards to judge the anti-dumping case on its merits and to support it or, failing that, to at least abstain. (Abstentions count in favour of proposed anti-dumping measures.)

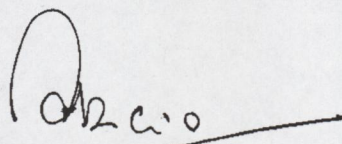
My judgement, reflecting inter-Departmental consultation and close liaison with the Commission, is that there is no feasible package of deals deliverable to save the safeguard measures. At the moment it does not appear necessary to consider similar trade-offs to secure provisional anti-dumping measures.

It is possible this position may change as we move towards consideration of definitive anti dumping measures around October.

In the event that the safeguard measures continue to lack support and provisional anti-dumping measures are taken forward, the Commission will synchronise the withdrawal of one and introduction of the other. The two trade defence measures will not run in parallel; neither would there be a gap between the two. The Commission expect any such changeover to take place end of April/beginning of May.

I am copying this letter to EP colleagues, Jack McConnell, Andrew Turnbull and John Grant (UKRep).

Best wishes,



PATRICIA HEWITT



020 7238 6465

defra

Area 6C, 17 Smith Square, London, SW1P 3JR

Telephone: 0207 238 3000

GTN: 238 5455

Direct line: 0207 238 5455

FAX: GTN 238 6241

E-mail: deirdre.kennedy@defra.defra.gov.uk

Roy Stone Esq  
PPS/Chief Whip  
9 Downing Street  
LONDON  
SW1A 1AA

22 February 2005

*Dear Roy*

**FISHING OPPORTUNITIES FOR CERTAIN FISH STOCKS IN 2005 AND 2006 (EM  
15390/04 & 15237/04)**

**EUROPEAN SCRUTINY DEBATE: 14.00 – 16.30 TUESDAY 8 MARCH 2005**

The House of Commons Scrutiny Committee, having considered Explanatory Memorandum 15390/04 of 9 December 2004 and Explanatory Memorandum 15237/04, has recommended a debate on the Commission proposal for a Council Regulation fixing for 2005 and 2006 the fishing opportunities for Community fishing vessels for certain deep-sea stock amending Regulation (EC) No 2347/2002 and fixing for 2004 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in Community waters and, for Community vessels, in waters where catch limitations are required. This proposal was adopted at the Agriculture and Fisheries Council on 19 December 2003 and Jimmy Hood, Chairman of the European Standing Committee was notified of the outcome in a letter from Margaret Beckett dated 18 January 2004. Ben Bradshaw also wrote to the European Standing Committee on 9 February setting out more detail on changes in TACs of interest to the UK, including deep sea species.

The Committee is concerned that, as in previous years, the Commission's proposals were issued at a very late stage, (29 November 2004 in respect of deep-sea species and 10 December 2004 in respect of other TACs and quotas), were only deposited in the House on 9 December and 14 December, respectively and the Council of Ministers agreed it at the Agriculture and Fisheries Council on 21 December, prior to receipt of scrutiny clearance. Since important decisions had to be taken on the level of Total Allowable Catches (TACs) for 2005 (and 2006 in the case of deep water species) as well as on other issues, the UK voted in favour of the proposal prior to obtaining scrutiny clearance.

The Committee recognises that the timing of the publication of the Commission's proposal was beyond the Government's control. Nevertheless, they consider that Members should have a further opportunity to question the Minister on the outcome of the December Council.

The debate is likely to focus on the levels of TACs agreed for 2005 (and 2006 in the case of deep water species), revised measures on effort restriction (a general reduction in fishing



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days in the North Sea, west of Scotland and the Eastern Channel) to protect cod stocks, days at sea limitations to protect sole in the Western Channel and on improved controls to ensure that illegal discarding does not undermine cod recovery.

The debate will be led by Ben Bradshaw. He has proposed the following motion which has been cleared by the Committee Clerk:

*That the Committee takes note of European Union Document 15390/04, draft Council Regulation fixing for 2005 and 2006 the fishing opportunities for Community fishing vessels for certain deep sea stocks, amending Regulation (EC) No. 2347/2002; European Union Document 15237/04, draft Council Regulation fixing for 2005 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required.; and supports the Government's objective of achieving the conservation and sustainable exploitation of fishing resources in line with the precautionary principle whilst preserving a viable degree of activity for the industry.*

Copies of this letter go to the Secretaries of the EP and LP Committees and to the Private Secretaries of the President of the Council and the Lord Privy Seal.

Yours

Deirdre

DEIRDRE KENNEDY  
Parliamentary Clerk



Nobel House  
17 Smith Square  
London SW1P 3JR

Telephone 08459 335577  
Email [helpline@defra.gsi.gov.uk](mailto:helpline@defra.gsi.gov.uk)  
Website [www.defra.gov.uk](http://www.defra.gov.uk)



1. *AB* ✓  
2. *RM*

10. I. 05.

From the Minister for Nature Conservation and Fisheries  
Ben Bradshaw MP

Doc Tay,

Thanks for the kind note  
you sent after the Fisheries Conference.  
It was a good team effort.

Best wishes,

Ben

✓



File: Fisheries



V B  
cc: MH  
RD  
AP  
AMG

17 December 2004

Foreign &  
Commonwealth  
Office

Ben Bradshaw Esq  
Department of Environment, Food and Rural Affairs  
Nobel House  
17 Smith Square  
London SW1P 3JR

London SW1A 2AH

*From the Foreign Secretary*

Dear Minister,

**Negotiations at December Fisheries Council**

**I am writing to confirm that you have EP clearance for your approach.**

Thank you for your letter of 8 December seeking the agreement of EP colleagues to the UK's proposed approach to negotiating at the December Fisheries Council on 20 December.

There have been no replies from EP colleagues and you may therefore take it that you have EP clearance for your approach.

The Devolved Administrations in Wales and Scotland have also seen your letter and have highlighted several concerns. Ross Finnie has highlighted that it will be a difficult negotiation but that he is content with the suggested UK approach. However, he has raised concerns about the West of Scotland being neglected in the negotiations and has suggested that the closed areas and reduced days at seas are handled generically rather than individually. He has also highlighted his concerns about access to deep-





water species and that he expects representations from the fishing industry if their needs are not met.

Carwyn Jones fully supports the UK's position.

I am copying this letter to the Prime Minister, other members of EP, Ross Finnie, Carwyn Jones and to Kim Darroch, Sir Andrew Turnbull and John Grant.

*Carwyn Jones,*

*Carwyn Jones.*

PP

(JACK STRAW)  
(Approved by the Foreign Secretary  
and signed in his absence by the  
Private Secretary)





SCOTLAND OFFICE

Parliamentary Under Secretary of State

Dover House

Whitehall

London SW1A 2AU

Telephone: 020 7270 6806/6741

Fax: 020 7270 6703

www.scottishsecretary.gov.uk

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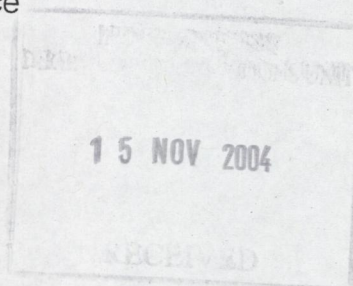
Fo-rùnaire Stàite na Pàrlamaid

Taigh Dhòbhair

Whitehall

Lunnainn SW1A 2AU

The Rt Hon Jack Straw MP  
Secretary of State  
Foreign and Commonwealth Office  
King Charles Street  
London  
SW1A 2AH



9 November 2004

*Dear Foreign Secretary*

VB  
✓ CC KD  
AP  
MM

**SAFEGUARD MEASURES ON FARMED SALMON: MODIFIED COMMISSION  
PROPOSAL FOR A DEFINITIVE TARIFF RATE QUOTA**

I have seen Patricia Hewitt's letter of 4<sup>th</sup> November informing colleagues of the latest developments on the European Commission's efforts, on behalf of the UK (and Ireland) to secure an arrangement with Norway that should put the indigenous Scottish and Irish salmon farming industries back on a secure and sustainable financial basis. I am grateful to Patricia and her officials for the work they, and others, have put in to this issue which is of great importance in parts of Scotland.

I agree with Patricia that we should accept the Commission's proposed agreement with Norway with the condition that the MIP reaches €2.85 by end March. If it does not, then I understand that the industry would wish to pursue its anti-dumping complaint.

I think it is very important that we react positively to this offer from Norway that will, I hope, result in a sustainable deal which will permit Scottish producers to compete fairly in the long term.

I am copying this letter to members of EP committee, Jack McConnell, Sir Andrew Turnbull and John Grant (UKREP).

*Yours sincerely*  
*Anne McGuire*

100 ANNE MCGUIRE

*Approved by the Minister and signed in her absence.*





Nobel House  
100 Smith Square  
London SW1P 3JR

020 7238 6465

Telephone 08459 335577  
Website [www.defra.gov.uk](http://www.defra.gov.uk)



The Rt Hon Peter Hain MP  
Leader of the House of Commons  
2 Carlton Gardens  
London  
SW1Y 5AA

14 October 2004

MM  
CCUB  
Keg

From the Minister for Nature Conservation and Fisheries  
Ben Bradshaw MP

Doc Peter.

#### 10 MINUTE RULE BILL – FISHERIES LIMITS (UNITED KINGDOM) NO 2 BILL

Anthony Steen MP introduced a 10 minute Rule Bill just before the summer recess. The second reading debate of this bill is to proceed on 15 October. The full title of the bill is

***'Make provision for the United Kingdom to withdraw from the Common Fisheries Policy of the European Union; to amend the Fishery Limits Act 1976; to make provision about fishing and the discarding of fish; and for connected purposes.'***

The proposed bill covers issues that are subject to EU law under the Common Fisheries Policy (CFP). The commitment to the CFP is laid down in the Treaty of Rome (as amended) which is, in turn, incorporated into UK domestic law under the European Communities Act 1972, which gives European law priority over domestic law.

This bill is almost identical to the one presented by Austin Mitchell on 14 May 1996 (blocked at Second reading) and for the second time on 4 June 2003 (insufficient Parliamentary time for the Second reading); the one presented by Alex Salmond MP on 18 November 2003 (insufficient Parliamentary time for the Second reading); and the one presented by Lady Salthoun of Abernethy on 27 November 2003, which received its second reading on 17 December 2003. All of these propose that the UK should regain control of fisheries within the 200 mile Exclusive Economic Zone by giving the Fishery Limits Act 1976 priority over Community law; and that domestic legislation should be amended to ensure that fishing activities in UK waters are conducted by UK vessels and the catch landed in British ports.

In effect this would require unilateral withdrawal from the CFP (currently impossible under EU law and only achievable, if at all, by a complex renegotiation of European Union treaties with other Member States). Notwithstanding this obstacle, it is clear that issues of

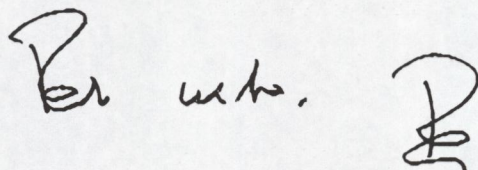


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fisheries conservation, access and enforcement need to be managed through international co-operation and agreement. Leaving the CFP would mean having to embark on a difficult set of negotiations to conclude a new series of bi- and multi-lateral agreements along broadly similar lines. Our response to the imperfections of the CFP has been to negotiate an improved CFP that is capable of fulfilling its objectives and to spare no effort in encouraging and promoting its successful operation.

Taking all this into consideration, there cannot possibly be any question of our supporting the proposed bill.

I am copying this letter to the Prime Minister, members of the Legislative Programme Committee, the First Parliamentary Counsel and Sir Andrew Turnbull.

**BEN BRADSHAW**



020 7238 6465

Nobel House  
17 Smith Square  
London SW1P 3JR

Telephone 08459 335577

Website [www.defra.gov.uk](http://www.defra.gov.uk)The logo for DEFRA (Department for Environment, Food and Rural Affairs) features the word "defra" in a bold, lowercase, sans-serif font. To the right of the text is a stylized circular emblem containing a leaf-like shape.Department for Environment  
Food and Rural Affairs

The Rt Hon Jack Straw MP  
Secretary of State  
Foreign and Commonwealth Office  
King Charles Street  
London

19 August 2004

From the Minister for Nature Conservation and Fisheries  
Ben Bradshaw MP

MH  
cc VB  
KD  
AP

*Dear Jack,*

**REASONED OPINION: FAILURES TO PROVIDE DATA ON FISHING EFFORT**

I am writing on behalf of Margaret Beckett to seek the agreement of EP colleagues to the line that we propose to take in response to a Reasoned Opinion from the Commission on failures to provide data on fishing effort by UK vessels in the Western waters sea areas. To meet the required timetable I would appreciate confirmation from colleagues that they are content by 2 September.

The UK has received a Reasoned Opinion, dated 15 July 2004, citing delays and failures to supply data on the fishing effort exerted by UK fishing vessels in the Western Waters sea areas as required by Article 19i of Council Regulation (EEC) No. 2847/1993. Officials in my Department and in the devolved administrations have considered the contents.

It has been conceded in earlier infraction correspondence that such delays did take place. Measures were taken in 2001 to produce and supply all outstanding data, which was done by January 2002. Additional computer problems were experienced during 2003 that led to further delays in the submission of data.

At the current time the UK is now fully compliant with its obligations. All outstanding data required have been submitted and accepted by the Commission's systems. In addition procedures in Fisheries Departments have been tightened to seek to ensure that delays are not experienced in future.

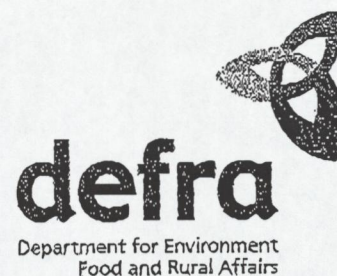
I am copying this letter to the Prime Minister, members of EP Committee and Sir Andrew Turnbull. I am also writing separately to the devolved administrations.

A handwritten signature in dark ink, appearing to be "B. Bradshaw", is written below the text.**BEN BRADSHAW**



Nobel House  
17 Smith Square  
London SW1P 3JR

**Telephone** 08459 335577  
**Website** [www.defra.gov.uk](http://www.defra.gov.uk)



The Rt Hon Jack Straw MP  
Secretary of State  
Foreign and Commonwealth Office  
King Charles Street  
London

Plu 13/8  
1154

August 2004

MH ✓ ✓ ✓

**From the Minister for Environment & Agri-Environment**  
**Elliot Morley MP**

Dear Jack,

**INFRINGEMENT NO. 2002/2173 - ALLEGED UK OVERFISHING IN 1999 AND 2000**

This letter seeks the agreement of EP colleagues to the line we propose to take response to a Reasoned Opinion from the European Commission about alleged overfishing by the UK in 1999 and 2000. I would be grateful for colleagues' responses by 26 August.

The Commission's Reasoned Opinion of 7 July 2004 alleges that the UK overfished five quotas in 1999 and one in 2000. It also alleges that the UK failed to take legal or administrative measures against the UK vessels for overfishing. In all but one of the cases we maintain that no overfishing took place. The line which we are proposing to take on each of the individual cases is set out below:

## Catfish Greenland Zone V, XIV

The UK landed 4 tonnes in 1999. A re-examination of the rules relating the catfish bycatch for Greenland V, XIV confirms that Common Fisheries Policy (CFP) requirements and Greenland law could only have been satisfied if UK vessels had retained their catch on-board while in Greenland waters, discarding it once they had left. Consequently we are admitting that this by-catch could be construed as an overfish.

## Atlantic Halibut Greenland Zone V, VIV (1999)

UK vessels landed 8 tonnes of Atlantic Halibut in 1999. There was no UK quota. The Greenland Home Rule Government Executive Order No. 32 of 14 December 1995 provides a mechanism to enable by-catches of this stock taken by EU vessels without access to national quotas to be counted against Greenland's share of the total allowable catch (TAC). This meant that there was no need for UK bycatches to count against the EU's share of the TAC, and hence no question of the TAC being exceeded in consequence.



020 7238 6465

**Swordfish, Atlantic Ocean South of Latitude 5°N (1999)**

It is alleged that UK vessels landed 1 tonne of Swordfish in 1999. While there was no quota for Swordfish south of 5°N, the UK can draw on EU quota north of this line. Aside from UK vessels fishing under licences issued by the Falkland Islands and Brazil, there are no UK vessels fishing south of 5°N. We are confident that the catch was made up north of that latitude. We do not know how the confusion arose: there may have been a typographical error when reporting the catch.

**Herring IIIa (1999)**

The alleged overfish of 87 tonnes arose from misreporting of the catch area for UK vessels landings into Denmark. The Commission was not satisfied with the documentation sent with our original explanation. Danish authorities have now provided official confirmation of the correct area of catch.

**Blue whiting, Greenland Zone V, XIV (1999)**

The alleged overfish arose from misreporting of the catch area by the Danish Authorities of landings into Denmark by UK vessels. The Commission was not satisfied with the documentation sent with our original explanation. Danish authorities have now provided official confirmation of the correct area of catch.

**Mackerel IIa (EC waters), Skagerrak and Kattegat, IIIbcd (EC waters), North Sea (2000)**

The Commission allege the UK overfished its North Sea mackerel quota by 7219 tonnes. We disagree. The allegation has arisen from long-standing difficulties in attributing landings under the arrangements whereby the UK is entitled to catch part of its Western mackerel quota in part of the North Sea during certain months. The Commission were fully aware of the difficulty at the time and we made every effort to resolve it in consultation with them. Our correspondence to the Commission on the subject will be attached to the reply.

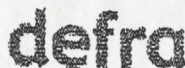
Given the Commission's general stance on fisheries infraction cases it is unlikely that they will be persuaded by our arguments on all points. However they may be satisfied with the documentation supplied in relation to the herring and blue whiting cases. There is little else we can do by way of compliance, as the overfishing occurred in 1999 and 2000 and cannot now be undone.

I am copying this letter to the Prime Minister, members of EP Committee, Sir Andrew Turnbull and John Grant. I am writing separately to the devolved administrations.

*Regards*  
*Elliot*

ELLIOT MORLEY





020 7238 6465  
Room 020, 17 Smith Square, London, SW1P 3JR  
Telephone: 0207 238 3000 GTN: 238 5455  
Direct line: 0207 238 5455 FAX: GTN 238 6241  
E-mail: deirdre.kennedy@defra.defra.gov.uk

Roy Stone Esq  
PPS/Chief Whip  
9 Downing Street  
LONDON SW1A 1AA

MH

cc: VB

KD

mn

12 July 2004

Dear Roy

**EUROPEAN STANDING COMMITTEE A: DEBATE ON THE PROPOSAL FOR A COUNCIL REGULATION ESTABLISHING A COMMUNITY FISHERIES CONTROL AGENCY AND AMENDING REGULATION (EC) NO. 2847/93 ESTABLISHING A CONTROL SYSTEM APPLICABLE TO THE COMMON FISHERIES POLICY**

At its meeting on 9 June, the House of Commons European Scrutiny Committee considered Explanatory Memorandum 9104/04 relating to the above proposal. The Committee recommended a debate in European Standing Committee 'A'; this has been arranged for Wednesday 8 September.

The proposal contains the Commission's plans for the establishment of a Community Fisheries Control Agency whose core task will be operational coordination of inspection and surveillance by Member States. It states that the Agency will create a solid partnership with and between Member States and the Commission and that it will contribute to the Community culture of control and enforcement in the fisheries sector. This whole concept flows from the Commission's "Road Map" on the Reform of the Common Fisheries Policy (CFP) which was published in May 2002 (see Explanatory Memorandum COM (02) 181 of 27 June 2002 and its Supplementary of 11 September 2002).

Consultants appointed by the Commission are currently carrying out a feasibility study into the establishment of the Agency. Their final report is due to be received by the Commission by the end of August. However the study will concern itself largely with what the Agency should do and how it should do it, the decision to proceed with the Agency having already been taken at the Heads of Governments Meeting on 13 December 2003.

The Commission identifies the main objectives for the Agency as being the effective implementation of the CFP and uniform inspection and enforcement throughout the Community. In order to achieve this the Commission proposes that coherent control



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and inspection programmes should be adopted and that national means of control and inspection should be pooled by Member States for joint deployment organised by a Community body in accordance with these programmes.

The main functions of the Agency will be:

- to assist Member States in complying with their obligations under Community law pursuant to agreements concluded between the Community and third Parties. This will be achieved by the Agency coordinating control and inspection activities by Member States to fulfill the international obligations of the Community in a clear, transparent and uniform manner;
- to assist with planning the deployment of means of control and inspection at sea and ashore. Instructions concerning the geographical areas, the stocks, fisheries and the fleets to be surveyed and inspected in a given period will also be organised by the Agency;
- to have at its disposal a Community Fisheries Monitoring Centre (FMC) which will have real time access to information on positions of fishing vessels flying the flags of the Member States concerned;
- to carry out tasks relating to the obligations of the Community under regional fisheries organisations and bilateral fisheries agreements. This may include the chartering and operation of surveillance vessels and the contracting of observers for joint use of the Member States concerned;
- to assist in the training of inspectors;
- to coordinate the joint procurement of goods for control and inspection (gauges, logbooks) and the coordination of the implementation of joint pilot projects for testing new control and inspection technologies;
- to develop joint operational control and inspection procedures; and
- to elaborate criteria for the provision and exchange of means of control and inspection.

The UK is generally supportive of the proposal which it is hoped will go a long way towards delivering the more effective and consistent standards of enforcement across the Community that we have been pressing for. There are nevertheless certain aspects of the proposal on which we shall be seeking further assurances. In particular we will wish to ensure that the Agency will not undermine the responsibilities of individual Member States for control and enforcement, that it will take account of the policy aim of increasing regionalisation of the CFP and that the deployment plans which it is said are to form the core task of the Agency make best use of Member States' existing resources without imposing additional financial obligations upon them.



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The proposal is due to be discussed in Council on 22 November.

Ben Bradshaw will be leading the debate for the Government. He has proposed the following Motion:

*That the Committee takes note of European Union Document No. 9149/04 + ADD 1, draft Council Regulation establishing a Community Fisheries Control Agency and amending Regulation (EC) No. 2847/93 establishing a control system applicable to the Common Fisheries Policy; takes note of the Government's welcome of the proposal and supports the Government's objective of playing a constructive part in detailed discussion of the proposal whilst seeking to ensure that the role of the Agency will not undermine the control and enforcement responsibilities of individual Member States or cut across the policy aim of increased regionalisation of the Common Fisheries Policy.*

The Clerk to the European Scrutiny Committee has cleared this Motion.

Copies of this letter go to the Secretaries of the EP and LP Committees, and to the Private Secretaries of the President of the Council and the Lord Privy Seal.

Yours  
Deirdre

Deirdre Kennedy  
PARLIAMENTARY CLERK





MH  
RUB  
CS

LEADER OF THE HOUSE OF COMMONS

THE RT HON PETER HAIN MP

2 Carlton Gardens LONDON SW1Y 5AA  
Tel: 020 7210 1025 Fax: 020 7210 1075

Our Ref: LP2053

18 May 2004

*Dear Margaret,*

**TEN MINUTE RULE BILL, ALEX SALMOND MP: FISHERIES JURISDICTION**

Thank you for your letter of 25 February seeking LP clearance to oppose Alex Salmond MP's Fisheries Jurisdiction Bill at Second Reading. You may take it that you have LP clearance for your proposed handling and the necessary steps will be taken to block the Bill at Second Reading.

In your letter you set out a number of concerns about this Bill. It would require unilateral withdrawal from the Common Fisheries Policy (CFP), and contradict your favoured approach of negotiating an improved CFP that would be capable of fulfilling its objectives.

No member of LP replied. You may therefore take it that you have LP clearance to oppose the Bill.

I am copying this letter to the Prime Minister, members of LP, Sir Andrew Turnbull and First Parliamentary Counsel.

*Peter*

PETER HAIN

The Rt Hon Margaret Beckett MP  
Secretary of State  
Department for Environment, Food and Rural Affairs



12 May 2004

Rt Hon Jack Straw MP  
Foreign Secretary  
Foreign and Commonwealth Office  
King Charles Street  
LONDON  
SW1A 2AH



London SW1A 2AH

Minister for Europe

MH

cc JB  
SW

Dear

John,

Margaret Beckett wrote to you on 26 April seeking views on the line that the UK should take at the Agriculture and Fisheries Council on 24 May.

I agree with our negotiating position. I have, however, a few points I would like to raise.

Regional Advisory Councils are a good new story that we can use when dealing with the fishing industry and with the Eurosceptic press. It gives the industry the chance to become involved in the management of the fisheries, along with other stakeholders, and takes some of the decision making away from Brussels. And it is a clear example of how we can bring our influence to bear on reforming the CFP to take into account the needs of stakeholders. This is particularly important given the current clamour from some sections of the industry, supported by some opposition parliamentarians, to leave the CFP. RACs were also a major theme of the strategy unit report on fisheries and it is good to see read across from that report to the Commissions proposals. The fact that the first RAC is likely to be the North Sea will give our industry the chance to add some constructive thoughts to the debate on fisheries management, rather than just carping about the perceived weaknesses of the CFP.

I don't need to tell you these negotiations are part of an ongoing process to ensure a viable fishing industry in the future. We need to ensure that we get the right message out to our fishing industry and media after the negotiations. A Eurosceptic press may find it difficult to portray a result that will give the industry more involvement in decision making as a betrayal of our fishing industry. It is important that we have robust lines to ensure that this potential good news story for the industry isn't missed.

I am copying this letter to the Prime Minister, members of the EP Committee and Sir Andrew Turnbull.

Yours sincerely

Denis MacShane  
Minister for Europe



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