

# Fish fights: Britain has a long history of trading away access to coastal waters

March 25 2019, by Andy Forse, Ben Drakeford And Jonathan Potts

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A 19th-century Brixham trawler by William Adolphus Knell. Credit: [National Maritime Museum/Wikipedia](#)

The British boats were outnumbered by about eight to one by the French. Before long there were collisions and projectiles were thrown. The British were forced to retreat, returning to port with broken

windows but luckily no injuries.

The conflict behind this skirmish between British and French fishers in the Bay de Seine at the end of August 2018 was quickly dubbed the "[scallop war](#)" in the press. The French had been trying to prevent the British scallop dredgers from legally fishing the beds in French national waters. But the incident exposed tensions that have been simmering for many years.

Under the European Union's [Common Fisheries Policy](#) (CFP), the British fishers had the legal right to [fish](#) in these waters, as did any boats from an EU member state. The complication came from a French regulation that prevented local boats from fishing these waters between May 16 and September 30 each year, in order to allow stocks to recover from the annual harvest. But under the CFP, an EU country has no authority to prevent another member state's fleet from fishing its waters.

This quirk of the CFP left the French fishers unable to dredge for scallops until October 1, and forced to stand by and watch while fleets from other countries harvested what they saw as a French resource from French waters. When the British boats arrived, the French fishers took on the role of guardians of their resource, actions they believed were justified but viewed by the British [fishing industry](#) as illegal.

This incident in a small corner of a shared EU sea was settled within a few weeks thanks to a [new agreement](#) on how the two countries would share the scallop harvest. But the underlying tensions that the CFP has created over the sharing of national resources go much deeper, with a sense that the rules don't allow for a fair use of the seas.

This sense of unfairness was obviously expressed in the role that fishing played in Britain's decision to leave the EU. Campaigners promised that "[taking back control](#)" of British waters would enable the country to

revive its long-declining fishing industry and the communities that rely on it.

Yet regardless of the impact the CFP has had on Britain's fishers, their future after Brexit depends very much on any future trade deal that the government negotiates with the EU. And the history of how Britain has responded to conflicts over fishing rights far bigger than the scallop war doesn't bode well for the industry.

## The start of the decline

[Research into fishing activity](#) shows that the decline of the British fishing industry began well before the creation of any European fishing policy. In fact, its ultimate origins can be traced to a surprising source: the expansion of the railways in the late 19th century.

Trawling, under the power of sail, had existed for more than 500 years. But without refrigeration, fish could only be delivered for sale to areas close to the ports. The coming of the rail network meant that fish could be transported inland to big towns and cities.

To further meet this growing demand, steam trawlers started to replace sail trawlers from the 1880s onwards. The power of these steam vessels greatly increased the scope of trawling and allowed them to trawl for longer and further away from port while towing larger nets. British steam trawlers [ventured further away](#) from Britain in search of fish, with the fishing grounds expanding to areas as far as Greenland, north Norway and the Barent's Sea, Iceland and the Faroe Islands.

But as early as 1885, concerns were raised that this advance in technology was having a negative impact on both fishing stocks and their habitat. [Evidence from](#) records of fishing activity show that this improvement in technology and the increased size of the fishing fleet

was squarely behind the increase in landings.

The fishing boom that the railways had unleashed proved unsustainable, and the resulting overfishing would ultimately send the industry into a long-term downturn. After decades of more and more fishing, landings eventually started to decline after World War II, a trend that continued through the second half of the 20th century and into the new millennium.

To compensate, the size and power of the fleet continued to increase as more effort was required to catch ever-scarcer fish. From the late 1950s, the amount of fish landed per unit of power declined at a faster rate than fish landings, as the fleet continued to expend more and more effort to maintain the size of catches. However, this effort was all in vain and by 1980 catches had declined to their lowest point in a century.



Iceland's Odinn and HMS Scylla clash in the North Atlantic during the 'Third

Cod War' in the 1970s. Credit: [Isaac Newton/www.hmsbacchante.co.uk](http://www.hmsbacchante.co.uk)

## Cod Wars

Overfishing wasn't the only reason for decline, however. The falling fish stocks combined with the improvements in the range and power of the fleet in the post-war years led Britain's fishers to seek new waters, with more boats moving further away from the UK to catch enough fish to meet domestic demand. And this long range trawling brought the UK fleet into conflict with Iceland.

British fishers had fished these waters from the 15th century. However, Iceland's fishing industry began to resent this as the steam trawlers began fishing off Iceland in the late 19th century. It led to accusations that British trawlers were damaging the fishing grounds and depleting stocks. In 1952, Iceland declared a four-mile zone around their country to stop excessive foreign fishing, although fish don't stick to human-made boundaries and stocks could still be depleted outside of this zone. Iceland's decision drew a response from the UK, which banned the import of Icelandic fish. As a major export market for Iceland's most important industry they hoped that this would bring them to the negotiating table.

[In 1958](#), against a background of failed diplomacy, Iceland expanded this zone to 12 miles and banned foreign fleets from fishing in these waters, in defiance of international law. It led to the first of what became known as the [Cod Wars](#) – an act in three stages that lasted nearly 20 years.

During the first Cod War, Royal Navy frigates accompanied the UK fleet into Iceland's exclusion zone to continue their fishing. A game of

cat-and-mouse ensued between the Icelandic Coastguard vessels and the British trawlers. In response to attempts to seize them, the trawlers rammed the coastguard vessels and the coastguard threatened to open fire, although major incidents were avoided.

In 1961, the two countries eventually came to an agreement that allowed Iceland to keep its 12-mile zone. In return, the UK was granted conditional access to these waters.

By 1972, however, overfishing outside of this limit had worsened and Iceland extended its exclusive zone to 50 miles and then three years later, to 200 miles. Both these moves led to more clashes between Icelandic trawlers and the Royal Navy escort ships, respectively dubbed the second and third Cod Wars.

Icelandic Coastguard vessels towed devices designed to cut the steel trawl wires (hawsers) of the British trawlers – and vessels from all sides were involved in deliberate collisions. Although these clashes [were mainly bloodless](#), a British fisher was seriously injured when he was hit by a severed hawser and an Icelandic engineer died while repairing damage to a trawler that had clashed with a Royal Navy frigate.

In January 1976, British naval frigate HMS Andromeda [collided with Thor](#), an Icelandic gunboat, which also sustained a hole in its hull. While British officials called the collision a "deliberate attack", the Icelandic Coastguard accused the Andromeda of ramming Thor by overtaking and then changing course. Eventually NATO intervened and another agreement was reached in May 1976 over UK access and catch limits. This agreement gave 30 vessels access to Iceland's waters for six months.

NATO's involvement in the dispute had little to do with fisheries and a large amount to do with the Cold War. Iceland was a member of NATO, and therefore aligned to the US, with a substantial US military presence

in Iceland at the time. Iceland believed that NATO should intervene in the dispute but it had up until that point resisted. Popular feeling against NATO [grew in Iceland](#) and the US became concerned that this strategically important island nation – which allowed control of [the Greenland Iceland UK \(GIUK\) gap](#), an anti-submarine choke point – could leave NATO and worse, align itself with the Soviets.

Amid protests at the US military base in Iceland demanding the expulsion of the Americans, and growing calls from Icelandic politicians that they should leave NATO, the US put pressure on the British to concede in order to protect the NATO alliance. The agreement brought to an end more than 500 years of unrestricted British fishing in these waters.

The loss of these Atlantic fishing grounds cost 1,500 jobs in the home ports of the UK's distant water fleet, concentrated around Scotland and the north-east of England, with many more jobs lost in shore-based support industries. This had a significant negative impact on the fishing communities in these areas.

The UK also established its own 200-mile limit in response to Iceland's exclusion zone. These limits were eventually incorporated in the [1982 United Nations Convention on the Law of the Sea](#), giving similar rights to every sovereign nation. The creation of these "exclusive economic zones" (EEZ) was the first time that the international community had recognised that nations could own all of the resources that existed within the seas that surrounded them and exclude other nations from exploiting these resources.

The UK now owned the rights to the 200-mile zone around its islands, which contained some of the richest fishing grounds in Europe but up until this point the principle of "open seas" had existed, with Britain its most vocal champion. Fishing nations, had fished the high seas within

200 miles of their own and others coasts for centuries and now were restricted to their own.



British trawler Coventry City passes Icelandic Coastguard patrol vessel Albert off the Westfjords in 1958 during the first Cod War. Credit: [Kjallakr/Wikipedia](https://en.wikipedia.org/wiki/Kjallakr)

## **Economic trade offs**

Britain's Exclusive Economic Zone (EEZ), however, wasn't that exclusive.

On joining the European Economic Community (the forerunner to the EU) in 1972, the UK had agreed to a policy of sharing access to its waters with all member states, and gaining access to the waters of other countries in return. The UN convention effectively gave the EEC one giant EEZ.

The UK government was willing to enter into the agreement as fisheries were one part of overall negotiations that would allow the UK to export goods and services to the European continent with significantly reduced trade barriers.

Although the fishing industry is of high local importance to fishing communities, it is relatively unimportant to the UK economy as a whole. In 2016, the UK fishing industry (which includes the catching sector and all associated industries) was valued at [£1.6 billion](#), against [£1.76 trillion](#) for the UK economy as a whole – or just under 1%. The UK's trade with the EU, both import and export, stands at £615 billion a year [in comparison](#).

## **Enter the Common Fisheries Policy**

In 1983, the Common Fisheries Policy was adopted, introducing management of European waters by giving each state a quota for what it could catch, based on a pre-determined percentage of total fishing opportunities. This was known as "[relative stability](#)" and was based on each country's historic fishing activity before 1983, which still determines how quotas are allocated today.

The formula that the EEC adopted, based on historic catches, is one of most contentious parts of the CFP for the UK. Many fishers have stories of the years running up to 1983, where foreign vessels increased their fishing activity in UK waters in order to secure a larger share of these fish in perpetuity. Although there is little evidence to support these views, it demonstrates [the level of distrust](#) in both the system, and foreign fishers, from the outset.

As a result, only 32% of fish caught in the UK EEZ today is caught by UK boats, with most of the remainder taken by vessels from other EU states, Norway and the Faroe Islands (who have also joined the CFP).

Therefore, non-UK vessels catch the remaining 68%, about 700,000 tonnes, of fish a year in the UK EEZ. [In return](#), the UK fleet lands about 92,000 tonnes a year from other EU countries' waters.

Joining the CFP did not cause a decline in UK fish landings. However, in its early days, it did nothing to stop it. Fish landings continued to decline – and along with this, the industry itself contracted, using improved technology to offset the decline in stocks. Through the 1980s and into the early part of this century the imbalance – enshrined in the relative stability measure of the CFP – [has led to the view](#) that the CFP doesn't work in the UK's interests. Rather it allows the rest of the EU to take advantage of the country's fish stocks.

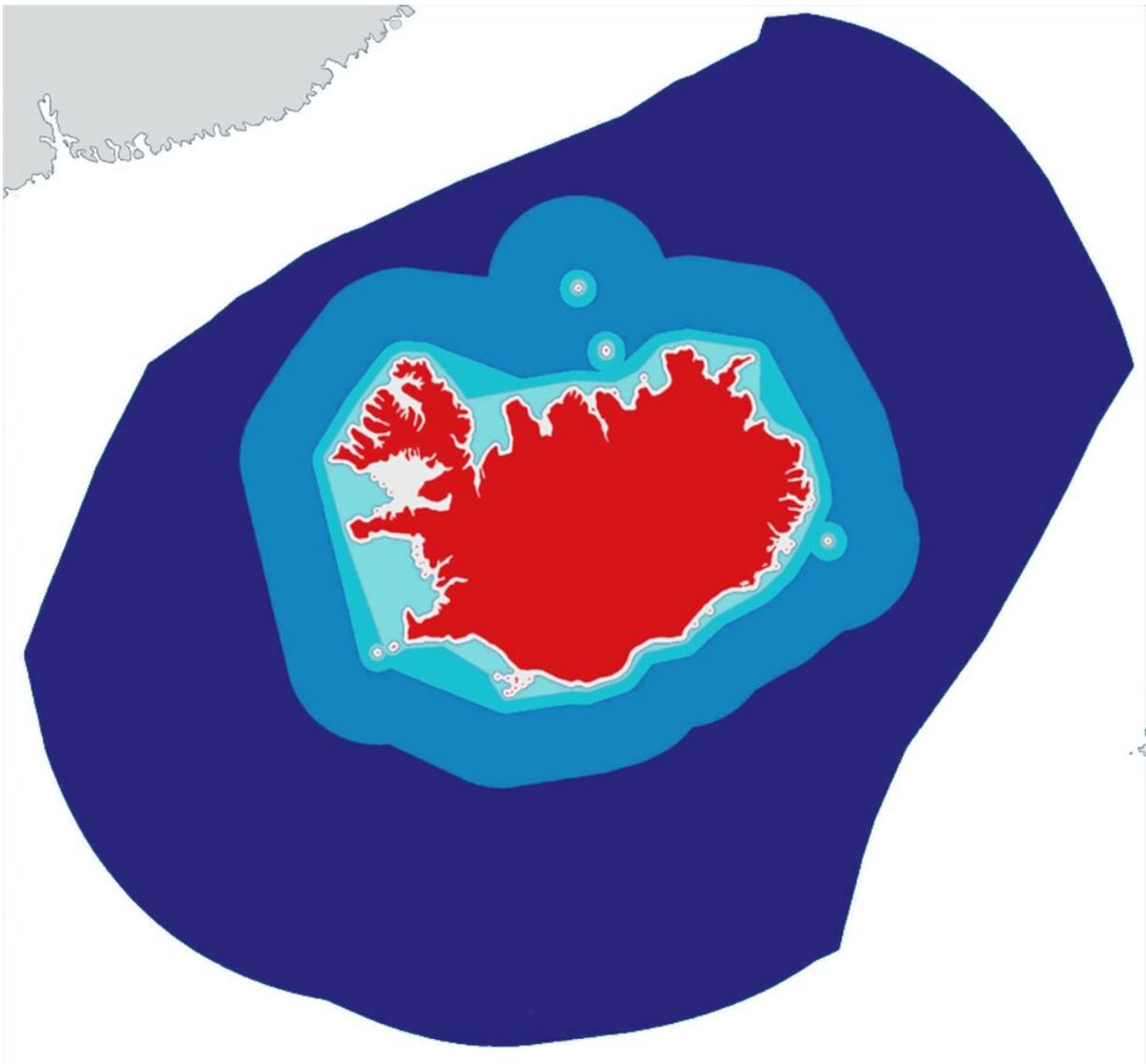
The CFP's quota system, while credited for helping the industry survive (and even reverse the collapse in fish stocks), is now seen as burdensome and preventing further growth.

A recent [academic analysis](#) of the current performance of the CFP showed it was not improving the management of the fish stock resources in any of its 17 criteria and was actually making things worse in seven areas.

For example, a 2013 reform of the CFP introduced the [landing obligation](#), the so-called "discard ban", that was designed to stop vessels discarding fish (bycatch) caught alongside the species they were targeting. Environmentalists, and campaigns backed by celebrities such as [Hugh Fearnley-Whittingstall](#), have long voiced concerns [over incidents](#) of bycatch being dumped by fishers operating under the quota system.

This policy is now seen as potentially disastrous by some representatives of Britain's North Sea fishing fleet, as so many different types of fish live in the waters and bycatch is common and often unavoidable. They

are concerned that boats would be forced to fill their holds with commercially worthless fish and return to port early. Or by exhausting their quota for some species early in the season, they would be forced to stay in port for the rest of the year, despite having quotas available for other species. Evidence given to the [House of Lords](#) suggests that this situation has not arisen as non-compliance and a lack of enforcement has undermined the discard ban.



Map of the Icelandic EEZ, and its expansion. Red = Iceland. White = internal waters. Light turquoise = four-mile expansion, 1952. Dark turquoise = 12-mile expansion (current extent of territorial waters), 1958. Blue = 50-mile expansion, 1972. Dark blue = 200-mile expansion (current extent of EEZ), 1975. Credit: [Kjallakr/Wikipedia](#), [CC BY-SA](#)

When we interviewed fishers in north-east Scotland in 2018, we found many feared such blanket management across the entire EU would continue to damage their industry because it simply does not take into account the local environment that they work in.

## **Brexit**

The depth of feeling among the UK fishing community was illustrated by the voting figures for the EU referendum in June 2016.

In Banff and Buchan, the constituency in Scotland containing Peterhead and Fraserburgh – the largest and third largest fishing ports in the UK respectively – 54% of people voted to leave the EU, with the size of the fishing industry given as the [reason for this result](#). The result compared to 52% for the whole of the UK and just 38% [for Scotland](#). A [survey](#) of members of the UK fishing industry before the vote indicated that 92.8% of correspondents believed that doing so would improve the UK fishing industry by some measure.

But will Brexit really bring the fishing revival so many have promised and hoped for? British politicians have promised a renaissance in UK fishing after leaving the EU. A [Fisheries Bill](#) was launched by the environment secretary, Michael Gove, with an aim to "take back control of UK waters". However, no definitive plan to remove the UK from the CFP in a transition deal has been made, nor has the industry been given

any answers on future access for EU vessels, the apportionment of any new quota – if indeed the quota system remains as it is – the rules that they will be operating under, or even a date on which this will come into effect.

The UK government is seen by many in the fishing industry to be acting against their interests in pursuit of wider goals, for example by using the industry as a [bargaining chip](#) in wider UK trade negotiations with the EU.

The fishing industry's [distrust](#) of the government has a long tail: many believe they were [sacrificed in 1973](#) by the then prime minister, Edward Heath, in order to secure access to the single market.

## **A soured relationship**

Ironically, despite the fishing industry's support for Brexit and the popular campaign promises, our research suggests fishers don't simply want to close British waters to European fleets. We interviewed people who were sympathetic to their fellow fishers from abroad and did not wish to see businesses and livelihoods lost. They favour a re-balancing of quotas over time to allow EU vessels to adapt to the change, with all vessels having to adhere to UK rules. This would avoid any situations similar to the Scallop War by ensuring that all vessels with a quota have to abide by local restrictions.

The EU is the main export market for UK fish and fisheries products accounting for 70% of UK fisheries exports by value. Valued at [£1.3 billion](#), this trade far exceeds the £980m value of fish landed in the UK, due to the added value from the processing sector. Some of the remaining 30% of exports that go to countries outside of the EU are governed by trade agreements negotiated by the EU that reduce trade barriers. So the single market, and additional trade agreements, are

crucial to the success of the UK fishing industry.

This reliance on trade into the EU puts the industry in a position where unilaterally preventing access to UK waters would likely be met by reciprocal trade barriers and tariffs. This would increase the cost of their product, while reducing access to their biggest market. The question for the government, then, is how to balance a political issue against an economic one?

The issue centres on the word "control". If the UK has control of its waters that would simply mean that its government has the power to decide on anything from keeping fishing within UK waters purely for UK vessels, to remaining in or re-entering the CFP, or all points in between. Until the deals are negotiated and signed, the industry will remain in a limbo that has reopened old wounds and reignited distrust in the UK government.

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