PEOPLE'S NEWS

News Digest of the People's Movement

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No. 155 **23 October 2016**

"Not a word of the Belfast Agreement has been affected by Brexit"
—Stormont's top legal adviser

The Northern Ireland attorney-general, John Larkin, has said: "Not one full stop, not one comma of the Northern Ireland Act 1998 has been affected. Not one word or phrase in the Belfast Agreement or the British-Irish Agreement, at least in its operative parts, has been affected."

He said there was nothing in the Belfast Agreement, signed in 1998 to end decades of violence, that could possibly be considered a deal for staying in the EU. "There are no substantive obligations in the Belfast Agreement which required continued membership of the EU."

He said that those who negotiated the agreement did not seem to have contemplated the possibility of leaving the EU; but that does not matter, because "nothing in it precludes either [Britain or Ireland] from doing so."

Lawyers challenging Brexit have said that EU directives constitute a "pillar" of law in Northern Ireland. A cross-community group of politicians and victims campaigners at the High Court in Belfast is challenging the British prime minister's right to start negotiations for withdrawal from the EU by next March, following concerns for the peace process.

The case, which seeks to force Parliament to vote on article 50 of the Lisbon Treaty—which will formally begin the process of taking the United Kingdom out of the EU—has been brought by a group of parties, politicians and human rights groups. It is running concurrently with a separate but more far-reaching case brought by Raymond McCord, a campaigner for victims of loyalist violence who is concerned about the effect of Brexit on the peace process.

McCord's counsel—who is being paid by taxpayers, after legal aid was granted for the challenge—argued that the Belfast court should be able to stop Brexit for the entire United Kingdom, because there had not been a Leave majority in Northern Ireland.

Ronan Lavery QC, who represents McCord, said that if the government ignored the wishes of the people of Northern Ireland as enshrined in the Belfast Agreement they could just as easily deny their wishes and scrap the European Convention on Human Rights.

Dr Tony McGleenan QC, who represents the British government, told the High Court there was no legal basis for stopping the government

from implementing the will of the people of the United Kingdom to leave the EU.

A crucial aspect of the case is the question whether the "royal prerogative"—now largely exercised by ministers—can be used to trigger article 50. The general legal principle is that if a statue provides for a certain action, it cannot be carried out under royal prerogative.

Dr McGleenan said that using the royal prerogative to give effect to the EU referendum result was "classically within" the remit of such powers. And he argued that to do so was "not illegitimate, unorthodox, or undemocratic."

"There is no legal impediment to the government giving effect to the will of the people," he said. The United Kingdom joined what was to become the EU by using the royal prerogative, and it could leave using the same mechanism.

He took the court through several occasions since 1972, including one last year, when Parliament could have chosen to put into statute law a requirement that only it could decide to take the United Kingdom out of the EU. On each occasion, he said, members of Parliament had chosen not to do so.

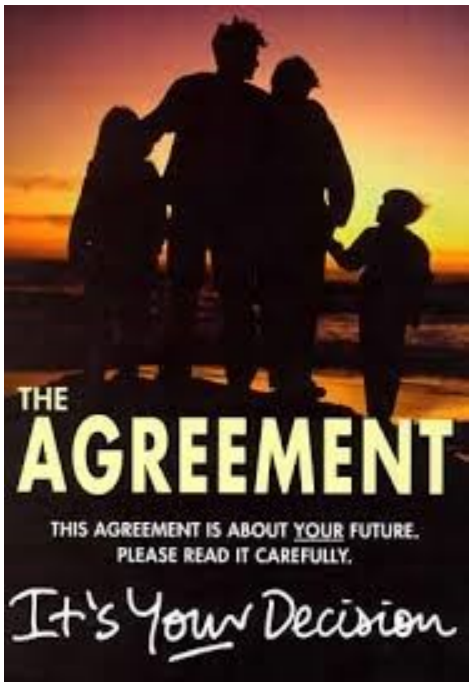
He argued that the references to EU law in the Northern Ireland Act (which enacted into law the Belfast Agreement) referred to the "empirical fact" that EU law was in operation at the time—not that it must continue to remain on the statute book. There is "nothing in the Northern Ireland Act which requires ongoing membership of the EU," he said, and the act's section on excepted matters (over which Stormont has no power) explicitly put the issue outside the scope of Stormont. "This is something which Parliament has said is nothing to do with the Northern Ireland Act."

Dr McGleenan argued that the triggering of article 50 should be "properly characterised as an administrative step to withdraw from an international treaty." The ministerial power is the "common currency" of withdrawal from international treaties, such as the one governing Britain's membership of the EU, a barrister for the Northern Ireland Office said.

Dr McGleenan added: "There is no legal impediment to [the] Government giving effect to the will of the people." The United Kingdom joined the EU using the royal prerogative—ministerial power. "It can withdraw using the same power," he said.

The British government intends to repeal the European Communities Act (1972). This act gives direct effect to all EU law; and the introduction of a bill to repeal it will mean that the act will cease to apply from the day of exit. "It is not illegitimate, unorthodox or undemocratic," Dr McGleenan said, "to use a prerogative power in that context."

Speaking about the question whether the United Kingdom should leave the EU, he said: "That ship has sailed. It is telling that most of the applicants' arguments reduce to arguments about consequences, not about powers."



Earlier David Scoffield QC, representing the political parties and human rights groups, said that "the Northern Ireland institutions are obliged to implement community law and obliged not to contravene community law." For that reason, he said, "one of the constitutional pillars of Northern Ireland is EU law."

He argued that if the court does direct Parliament to vote on whether article 50 should be triggered, the House of Commons should put before Stormont a legislative consent motion—a mechanism whereby the Assembly is asked to vote on allowing the British Parliament in London to legislate on its behalf.

The High Court challenge to Brexit, which is fronted by several Northern Ireland political parties, is in fact being financed with money that comes from an American billionaire. Though it was not referred to in court, nor publicised in advance, the money for the case has come from Chuck Feeney. It is not clear, however, whether or not he personally supports the case, as his philanthropic support largely involves handing over large grants to organisations that he has set up and that then decide on how the money is spent.

The more far-reaching case—which argues that Northern Ireland should be able to veto the entire United Kingdom leaving the EU—was heard concurrently in the High Court in Belfast. This case has been taken by Raymond McCord using legal aid. But although that was known from the outset, the financing of the politicians' case has been less transparent.

Even though the referendum on 23 June supported Brexit, a majority of 56 per cent of voters in Northern Ireland voted to remain. McCord argues that they have a legal right to resist being forced out.

McCord himself has hardly featured in the case, with only a passing reference to the fact that he is considering applying for an Irish passport and is concerned about the possibility of losing access to EU "peace funds" and to the EU courts.

His lawyers argue that the Belfast Agreement has given the Northern Ireland public sole sovereignty to decide on their future. They also predicted that Brexit would have a "catastrophic effect" on the peace process, causing constitutional upheaval amid renewed calls for a united Ireland.

Several members of the Northern Ireland Assembly, including David Ford (Alliance), Colum Eastwood (leader of the SDLP), John O'Dowd (Sinn Féin), and Steven Agnew (Green Party), are also seeking a judicial review of the British government's move to leave the EU. The politicians, whose case is backed by representatives of voluntary and community organisations, claim that an act of Parliament is required before Brexit can take place. They further contend that the Assembly should be consulted and asked for its consent.

In closing submissions, David Scoffield QC suggested that provisions within Northern Ireland could become "a dead letter." Referring to the effect on devolution, he said: "This is not a case of a mere procedural defect. There's been a complete failure on the part of the Northern Ireland Office to undertake any analysis on the issue."

Counsel for the Secretary of State for Northern Ireland responded by insisting that the British government is legally entitled to use the royal prerogative to carry out the people's will to get out of the EU. He described the power as "common currency" in making and withdrawing from international treaties—pointing out that it was also the method used to join the EU.

Rejecting claims that Parliament is being sidestepped in the process, he said it will be involved in any changes in the law resulting from Brexit. According to his case, the Northern Ireland Act (1998) created no substantive legitimate expectation that its people will be consulted before quitting the EU. He also denied that Brexit would damage the Belfast

Agreement by stressing that the British government remains committed to the peace process.

The attorney-general, John Larkin QC, Stormont's chief law officer, also took an opposing stance to the MLAs involved in the litigation. Looking to a post-Brexit future, he argued that "not one word or phrase in the Belfast Agreement" would be affected. He also pointed to the examples of the Isle of Man, Jersey, and Guernsey—none of which are part of the United Kingdom—to support his case that the agreement can still work once the United Kingdom leaves.

Other grounds of challenge have been stayed because they overlap with the proceedings at the High Court in London.

As the hearing in Belfast ended, Mr Justice Maguire said: "I will be giving my immediate consideration to the case."

"Joint interpretative declaration" on CETA doesn't make it acceptable say Canadian trade activists

While the negotiations on the Transatlantic Trade and Investment Partnership (TTIP) have been postponed, the implementation of the Comprehensive Economic and Trade Agreement (CETA) between the EU and Canada has been fast-tracked, with the signing fixed for 27 October.

CETA amounts to TTIP by the back door, because most American corporations have subsidiaries in Canada. Large claims for damages can therefore be made against, say, the Netherlands just as easily by means of CETA as with TTIP.

Thanks to CETA, transnational corporations will be able to significantly tighten their grip on policy. This is not surprising when we consider that they have contributed extensively to the treaty's content. Representatives of corporate business will soon be able to take their seats in an Advisory Council in which European and Canadian regulations will be harmonised.

An arbitration tribunal will give corporations the chance to sue a state for millions of euros should its government wish to introduce measures to protect its citizens. CETA means more power for corporations, less power for people.

European norms will come under pressure as Canada and the EU, through CETA, attempt as far as possible to establish "mutual recognition" of each other's standards. In the case of farm products, for example, this could have extremely negative consequences for food safety. Canada, like the United States, allows the use of growth hormones, carcinogenic weedkillers, and genetically manipulated products. CETA will make it harder to keep these products out of Europe.

And CETA puts in jeopardy the precautionary principle, which states that a product cannot be marketed if it cannot be demonstrated that it poses no threat to public health. This principle distinguishes Europe from North America, where the usual situation is that you have to enforce your rights at law once the damage has been done.

At the last minute a "joint interpretative declaration" has been appended to the text with the aim of clarifying the treaty's doubtful passages. The declaration expresses all sorts of good intentions regarding the preservation of control of public services and respecting standards in the areas of "public health, social services, public education, safety, the environment, public morals, social or consumer

protection and the promotion and protection of cultural diversity."

The status of this annex, however, is completely unclear. A Canadian lawyer, Steven Shrybman of Goldblatt Partners, has stated that such declarations have no legal value, going so far as to insist that any tribunal referring to this text in its deliberations would be jeopardising its own credibility. The research service of the EU Parliament has also noted that a declaration of this kind would be legally binding only if it was fully integrated in the treaty. The chance that this will happen is small.

The joint declaration gives every impression of being a panic measure in which a few soothing words have been tacked on to the treaty at the last minute.

Decision-making has become an enormous rush job, with approval in Brussels already arranged for 18 October and the signing of the treaty fixed for the 27th. Parliamentarians from twenty-eight member-states and Canada will therefore have no more than a week to judge the entire package. This has nothing to do with democratic decision-making: it amounts to shoving a treaty down legislators' throats.

In short, this decision-making process is negligent, and the joint declaration lacks any legal force. It is a sop that changes nothing when it comes to the negative consequences of CETA.

Escaping the "nightmare scenario"

Nearly twenty years ago the former Taoiseach and founder of the Irish "European" Movement Garret Fitzgerald wrote:

Ireland cannot on its own block the development of a core European federation and to attempt to do so would make us a pariah among our partners. And if Britain were to seek to do so, for us to join with our neighbour in what would almost certainly be a futile attempt would not be in our long term interest. We would have the invidious choice of remaining behind with what would certainly be an isolated UK, or else join the federal core, thus widening, possibly irretrievably the gap between ourselves and the UK including Northern Ireland.

The former line of action would effectively involve abandoning any chance of participating in decisions that would affect our long term future—for all key decisions would thereafter be taken by the core federation, from which we would be absent. The latter would put great difficulties on the Belfast Agreement. For Irish policy makers this is a kind of nightmare scenario: potentially a stark choice between our European and NI policies.

For mainstream Irish policy-makers, Brexit is the ultimate "nightmare scenario." If Ireland remains a member of the EU when Britain leaves, the North-South border within Ireland will have a wide range of EU-related dimensions added to it, affecting at the very least trade and travel between the two areas.

Minimising North-South border controls was a crucial factor in Ireland's original application to join the then EEC simultaneously with Britain in 1961; it finally joined alongside Britain in 1973. The British-Irish common travel area goes back to 1923.

Most people in the Republic were confident that the United Kingdom would vote to remain in the EU in the June referendum. In the four months since then it has become increasingly clear that there can be no going back to the pre-referendum position. The United Kingdom and the EU are going to go their separate ways.

And, despite what the naysayers might claim, there is a clear democratic mandate for this course.

The question that voters were asked to decide on 23 June was "Should the United Kingdom remain a member of the European Union or leave the European Union?" Voters

chose between two options: “Remain a member of the European Union” and “Leave the European Union.” The question put to the electorate made no reference to any changes in the terms of the United Kingdom’s EU membership: it was a self-contained, binary choice, an “in-out” decision.

What about Northern Ireland? On 17 October members of the Assembly voted against a motion calling for Northern Ireland to be granted special status within the European Union.

What about a possible border poll? Was the majority vote for Remain in Northern Ireland support for Irish reunification inside the EU? The stark reality is that if a border poll were to be held just now there would certainly be a huge majority in Northern Ireland for remaining in the United Kingdom.

As Irish public opinion becomes more aware of the profound drawbacks of continuing membership of the EU, especially as Britain disengages from it, voices are likely to grow louder that Brexit should be accompanied by “Irexit.”

In 2014 the Irish state became a net contributor to the EU budget for the first time, so that in future any EU moneys that come here under the common agricultural policy, EU cohesion funds, Erasmus schemes, research grants or whatever are Irish taxpayers’ money coming back, having been recycled through Brussels to keep some bureaucrats there in business. In the North too EU grants and subsidies are really United Kingdom taxpayers’ money being recycled.

The Irish state does a third of its trade with Britain and the North, a third with America and the rest of the world, and only a third with the euro zone. As the British pound falls vis-à-vis the euro and the dollar as the United Kingdom moves away from the EU, we desperately need an Irish pound that can fall along with it, so maintaining our competitiveness in our principal export markets: Britain and America.

This is why the Irish state urgently needs to get its own currency back. It was economic and political madness ever to give it up. Among other things, that folly was principally responsible for the 2001–2008 financial boom-and-bust, whose malign consequences still dog the lives of so many Irish people daily.

If Ireland remains in the EU and euro zone after the United Kingdom leaves, we will almost certainly be subjected to ever further integration measures as Brussels and Frankfurt seek desperately to hold the euro zone together. Such measures, entailing EU banking union, tax harmonisation, signing up to TTIP, etc., would severely hit us economically in the years ahead, while adding ever newer dimensions to the North-South border.

Outside the EU Ireland can take back control of its valuable sea-fishing waters, whose value, if they had been exploited in the Irish interest over the years, would have been greater than all the net moneys we got from Brussels since 1973. These fisheries are still a hugely valuable resource, as are our potential undersea energy resources, which the EU also has its eye on.

Outside the EU we can get rid of a whole mass of stupid EU rules and regulations that are designed to serve the interests of the big capitalist monopolies, to privatise public services, and to hit small and medium-sized national business. We can revert to an independent foreign policy, adopt once again a meaningful neutrality, and once more do trade

deals with the United Kingdom and the wide world, having regained the power to sign commercial treaties, which at present is an exclusive power of Brussels.

The euro zone and the EU in general is a low-growth area, with a dysfunctional currency and an ageing population. The proportion of our trade with it has been declining in recent years as our exporters move into more dynamic, expanding markets outside the euro zone. Leaving the EU, getting our own currency back and getting back control over trade treaties puts us in the best position to develop links with the wide world outside the sclerotic EU and euro zone.

The main argument for our staying in the EU if the United Kingdom leaves is that foreign investors may prefer to invest in an Ireland that is inside the EU than outside it along with the United Kingdom. But with a highly competitive exchange rate and a competitive corporation tax rate, the United Kingdom outside the EU will remain attractive for foreign investment. An Irish state that takes back its own currency and also keeps a low company tax rate would be attractive for foreign investors too.

TTIP threat to more healthy, just and sustainable food system

TTIP threatens citizen-led movements towards a healthier, more just and more sustainable food system in the EU and the United States. It would promote the expansion of industrial meat production at a time when civil society is demanding the opposite: meat produced humanely, locally, free of harmful substances, and benefiting rather than degrading the environment.

Both by eliminating tariffs and through its regulatory co-operation provisions, TTIP would encourage a race to the bottom to achieve the cheapest methods of production and processing, at the expense of other public goods.

Negotiators' statements to the contrary, TTIP must be recognised for what it is: a multi-pronged strategy promoted by global agri-business concerns on both sides of the Atlantic that would establish a continuing mechanism for deregulation and the consolidation of the meat industry.

It is undemocratic; the policies it promotes are unsustainable; and it must be rejected by anyone who cares about good food and farming, human and animal rights, and the future of our planet.

Industrialised practices prevalent in the United States produce meat more cheaply than in the EU. Farm-gate prices for beef, pork and poultry for American and European farmers in the last ten years demonstrate that American farmers are paid consistently lower prices for their animals. Such cost-cutting is possible only with the extreme corporate concentration of the meat industry, which allows for the exploitation of farmers and workers and shifts environmental and public health costs onto the taxpayer.

The EU lacks the reliable livestock supplies, low-cost feed and economies of scale that define the American meat industry. Studies by the US Department of Agriculture, EU Commission, EU Parliament, NGOs and farming interests all find that TTIP, as at present proposed, would increase meat imports to the EU from the United States and could seriously disrupt the meat industry and other agricultural sectors of Europe's economy. The EU meat industry would probably respond by further concentrating market power and, in the process, price out many more independent and small producers.

While EU officials insist that the most sensitive agricultural products would be exempt from "complete tariff liberalisation," leaked documents demonstrate that negotiators' actions do not match the rhetoric. Live beef cattle, animal and dairy products and animal feed products are all earmarked for tariff liberalisation, even up to the elimination of tariffs over time.

The EU has also said that although some tariffs would not be eliminated, tariff rate quotas for hormone-free beef are likely to be expanded. These offers of market access alone would result in a race to the bottom for EU production as European meat-processors compete with the United States. However, combined with TTIP's deregulatory agenda, food and agriculture in the EU are likely to undergo their biggest industrial transformation yet.

TTIP's goal of eliminating "non-tariff barriers" or "trade irritants" threatens sustainable farming regulations on the environment, public health, and animal welfare. Where there are vast differences between regulatory regimes, those standards that are more protective (and, usually, more costly to implement) are at significant risk. With TTIP envisaged as a "living agreement," future rule-making processes at the EU and member-state levels (and likewise at US national, state and local levels) would be affected.

Proposals on regulatory co-operation that would lower food and farming standards run throughout TTIP, both in a "horizontal" chapter on national regulatory practices intended to apply throughout the agreement and embedded in specific chapters.

These provisions would grant unparalleled influence to business as a primary stakeholder, screening regulations to ensure that only the "least trade-restrictive" can go forward and shifting policy-making from open, democratic processes to informal, less accountable negotiations.

Many civil-society organisations have identified the real dangers presented by increased corporate influence on the development of public health and safety standards posed by both the American and EU regulatory co-operation texts.

Taken together, these measures implement a deregulatory agenda that would:

- give priority to trade effects over the public interest;
- undermine the precautionary principle;
- weaken protective standards through mutual recognition and harmonisation of standards;
- streamline "modern agricultural technology" approvals relying on confidential industry studies;
- heighten the burden of proof on regulators to make and defend regulatory decisions;
- delay protective regulations through "paralysis by analysis";
- create a regulatory chokepoint by "managing" regulations;
- chill the development of new standards addressing changing circumstances and new data;
- institutionalise and expand corporate influence throughout the standard-setting process;
- limit more protective standards at the EU member-state and American state levels of government; and
- create new possibilities for trade-based corporate legal challenges and new pools of data to support those challenges.

NI public housing gains undermined by EU requirements

One social problem that afflicts both parts Ireland is the chronic shortage of social housing. The problem in the Republic has been well publicised, though few politicians seem to be either aware of or prepared to acknowledge the cause: restrictions by EU requirements on state aid. A similar blindness seems to afflict politicians in Northern Ireland.

The Northern Ireland Housing Executive was established in 1971 by the Housing Executive Act (Northern Ireland) as a result of campaigning by the civil rights movement. Before 1971 the allocation of public housing was the responsibility of local councils and the Northern Ireland Housing Trust. But it stopped building new social housing in 2002, with housing associations taking on this task. At present it is the public housing authority for Northern Ireland and is the enforcing authority for those parts of housing orders that involve houses with multiple occupants, houses that are unfit, and housing conditions.

In June 1968 Dungannon Rural District Council was accused of discriminating against a Catholic family when it allocated a new council house in the Caledon area of Co. Tyrone to a young single Protestant woman with links to a local Unionist politician. This incident proved to be the catalyst for the ensuing civil rights marches in Dungannon and Derry.

In his parliamentary report on the agitation Lord Cameron concluded that there was,

a rising sense of continuing injustice and grievance among large sections of the Catholic population in Northern Ireland, in particular in Derry and Dungannon, in respect of (i) inadequacy of housing provision by certain local authorities (ii) unfair methods of allocation of houses built and let by such authorities, in particular; refusals and omissions to adopt a "points" system in determining priorities and making allocations (iii) misuse in certain cases of discretionary powers of allocation of houses in order to perpetuate Unionist control of the local authority.

The agency owns and manages nearly 90,000 dwellings and still retains many powers, including the responsibility for homelessness. According to the property consultancy Savills, existing NIHE stock needs an investment of £7 billion over the next thirty years, and nearly half the stock needs immediate attention. But there is still a reluctance to change the status of the NIHE to enable it to borrow against its considerable assets.

A report published in 2010 by Queen's University, Belfast, states that social housing in Northern Ireland is not adequately financed and breaches international human rights requirements. Recent estimates suggest that if building continues at the present rate—5,700 houses a year, in all sectors—it will take twenty years to accommodate the 40,000 households now on the waiting list.

In 1991 the Housing Executive owned 170,000 dwellings. In 2007, primarily as a result of the agency's "right to buy" policy, the housing stock had fallen to just over 92,000.

There has been disagreement about what will happen to the Housing Executive. In 2013 the then minister for social development announced a social housing reform scheme, to be implemented by 2015. Policy proposals divided on unionist-nationalist lines, but neither side displayed much understanding of the fact that EU requirements on state aid provide an unsympathetic environment for bodies such as the Housing Executive.

All our yesterdays

Imagine a BBC reporter telling us that he had just been told by a senior figure in the City of London that the result of a referendum was "a vote of confidence in the British Establishment."

But then the particular reporter, Vincent Hanna, was not one of the usual intellectually desiccated breed that grace our screens today. The year was 1975, and Vincent Hanna had managed to combine civil rights activism in Northern Ireland with a blossoming career as a television journalist. He had been a thorn in the side of the unionist establishment in Belfast, so the BBC moved him to London. Perhaps it was felt that it was safer for him there!

Both the United Kingdom and Ireland joined the European Economic Community (then generally called the Common Market) on 1 January 1973. The Conservative Party was mainly in favour of membership and the Labour Party mainly against.

The leader of the Labour Party, Harold Wilson, promised a referendum on whether or not to stay in the EEC, provided he was able to renegotiate more favourable terms. (Ireland, Denmark and Norway had all put the issue to the popular vote—unlike the United Kingdom—before joining. Norway voted against.)

Wilson won both 1974 general elections, and declared that he had achieved the renegotiation he wanted in early 1975 and called the promised referendum.

Because of divisions within the Labour Party, Wilson allowed members of his Cabinet to campaign for either the Remain or the Leave position. Tony Benn was the unofficial leader of the Labour Leave campaign.

The high Yes vote was unexpected—only a few islands of Scotland voted against in the rest of the United Kingdom, which endorsed staying in the EEC by 67 to 33 per cent, with a turn-out of 65 per cent.

Of the political parties, the SDLP, Alliance and Vanguard were in favour of staying in. (Vanguard was a breakaway from the main Unionist Party. David Trimble was a prominent member; he voted for Brexit in June.)

The DUP, Sinn Féin and most of the Ulster Unionist Party were in favour of pulling out. The results were:

Parliament has decided to consult the electorate on the question whether the UK should remain in the European Economic Community. DO YOU WANT THE UK TO REMAIN IN THE EEC? Put a cross (X) in the appropriate box.		
YES	259,251	52.1%
NO	237,911	47.9%

The Northern Ireland turn-out was low, at 48 per cent, though of course this was the seventh Northern Ireland poll in just over two years since the border poll, and the referendum took place five weeks after the election to the Northern Ireland Constitutional Convention.

Needless to say, the universal mantra on the result was: "The verdict will be respected."

Brexit opens up a range of fisheries policy options

Already a debate is beginning in the British fishing industry about the fairest, most environmentally sustainable and most efficient system to replace the long-discredited EU common fisheries policy.

Some in the industry want a British fisheries policy that mimics the common fisheries policy. This would operate a quota system of weight per species per vessel. Iceland and Norway are examples of this system: a fishing quota as a

sort of property, attached to boats. These fishermen would like to hold on to the "property" that the EU has given them.

Others suggest a system of control by authorising "days at sea." They suggest that this is a far better method of ensuring a sustainable fishery, because it is nearly impossible to cheat. This is the system used by the Faroe Islands.

Advocates of this policy say the industry should avoid any attempt to create a shadow common fisheries policy. With the treaties no longer applying once the article 50 negotiations are concluded, the regulations that govern EU fishing policy will cease to apply as well. This means that fisheries revert to national control. In other words, the other EU countries will have no quota whatever, unless the United Kingdom offers it to them.

The "days at sea" system addresses the problem of discarding marketable species.

With the Icelandic system, unless you can give every vessel a proportion of quota for every species, which is impossible, there will be discarding in one form or another. Even if you could come up with a complete quota system for every vessel and every species, inevitably one quota will run out before others. Of course officialdom will try to devise ever more complicated ways to prevent discarding, but it's like a dog chasing its tail. It's unworkable.

By contrast, with the Faroese system there is nothing to discard apart from a few under-sized fish. Everything is sold and marketed.

In Iceland as much as the EU, whatever the authorities do to stop discarding it is impossible in a quota-based system, even though it can appear solved on paper.

In a mixed fishery like that of the United Kingdom or Ireland, there is no way to avoid hauling up the wrong species, for which a vessel may have no quota or have used it up.

What do you do? There are three choices, all unsatisfactory:

- Keep them and sell them illegally.
- Open the end of the net and let them go, dead and dying, back into the sea.
- Land them and incur a cost.

A quota system puts pressure on fishermen to cheat if they are to survive.

Under the Faroese "days at sea" system, everything you catch can be landed, to be sold without fear of prosecution.

Fishermen play an essential part in building up scientific data. They are required to report how many of each species they catch and where they were fishing when they caught them.

The quota system, which encourages cheating and discards, will inevitably result in falsified scientific data. After all, if you end up catching species for which you have no quota it is human nature to only record fish that you are entitled to catch. Likewise, if you catch a species that you have a quota for but in an area in which you are not allowed, you will head to the area where you are allowed and say you caught them there, which makes a mess of scientific data.

Faroese fishermen, by contrast, have no fear of criminalisation. They have no reason to be dishonest and therefore record true data.

With a quota system, a given vessel will inevitably use up its quota for one species faster than for others. In a mixed fishery this means that when your quota for one or more species has been used up, a proportion of your catch cannot be sold—at least legally. This means lower profit and more fishing time, along with increased pressure on fishing grounds.

A "days at sea" system means that you can fish without looking over your shoulder. There is one drawback: the limit on the amount of time spent at sea means that fishing off the harbour entrance needs to be discouraged. With this caveat, however, the "days at sea" system is much more efficient, as total actual fishing time is reduced compared with the quota system.

A quota system results in constant battles and lack of trust. Co-operation between the different groups is minimal, as everyone is trying to outwit everyone else. By contrast, all three groups can work in harmony under a "days at sea" system.

If fishermen are given a set allocation of weight per species, it gives little incentive to be innovative or progressive or to improve. The "days at sea" system gives far more scope for fishermen to excel, benefiting from their own endeavours and maximising profit.

Faroese fishermen have a long tradition of fishing in foreign and international waters. The Faroe Islands have reciprocal fisheries agreements with neighbouring countries in the North Atlantic region—Iceland, Norway, Russia, and Greenland—as well as the European Union. These involve exchanging fishing opportunities, including offering foreign vessels quotas and access to the Faroes' zone in exchange for equal fishing opportunities for the Faroese fleet in their zones. These agreements provide Faroese fishing vessels with the scope and flexibility they need.

A number of fish stocks of great importance for the Faroese fishing fleet can therefore be fished both in the Faroese fisheries zone and in the zones of other countries and international waters. Managing and conserving these fish stocks is therefore a shared responsibility, requiring close international co-operation between all relevant states in the region.