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Who owns the right to catch fish? Manchester United?

Fishing quotas have been privatised and given to unknown holders, in effect holding small Scale fishermen to ransom.

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The Guardian (guardian.co.uk)
Friday 5 August 2011 09.00 BST

The decline of the British fishing industry is often blamed on the EU quota system – the means by which European policymakers decide how many fish European fleets are allowed to catch every year. Less is generally said about how the UK government allocates their share of EU quota domestically – and how this unfair allocation represents a stealth privatisation of public rights, destroying the British fishing industry and the coastal communities that depend on it.

In the UK, the right to catch fish in territorial waters has traditionally been public – owned by the crown and managed by the state on behalf of the people. As fish stocks have dwindled, and under the catch limits imposed by the EU common fisheries policy, these rights to fish have become increasingly valuable and can now be leased to fishermen for substantial amounts of money.

Given this, it is somewhat shocking that very few members of the British public know that the British government freely gave these fishing rights to a small section of the fishing industry in 1999. These public goods have, since then, been bought, sold and leased for private profit on an unofficial, non-transparent and loosely regulated quota market.

Thomas Appleby, a senior lecturer in law at the University of the West of England, has publicly questioned the legality of this "privatisation by stealth", which he calls "the biggest property grab since the Norman invasion". Legally, a state sell-off of public property should only be done through an act of parliament. "Government departments don't normally dish out valuable public rights to individuals without going through due process," Appleby wrote in the Ecologist in March, "this usually involves statutory checks and balances."

The vast majority of UK fishing rights were given to a small minority of large vessels. Smaller fishing boats (under 10 metres in length), which make up around 75% of the UK fishing fleet, were only granted about 4% of fishing rights. This means that thousands of British fishermen have been left with very little right to fish, although smaller boats provide more employment and are widely considered to be more environmentally friendly, they have been forced to either take on the considerable expense of leasing quota from the owners of fishing rights, or go out of business.

"It makes absolutely no sense" says Jeremy Percy, chief executive of the New Under Ten Fishermen's Association, "that small-scale fishermen, with a heritage of genuinely sustainable fishing going back hundreds of years, should be forced to pay quota owners, often quota traders, ever increasing prices to lease the right to catch fish."

The identity of these quota owners and traders is shrouded in mystery, as the management of quota fishing rights is not in the public domain. Only the producer organisations (the industry membership associations that manage quota) know exactly who now owns fishing rights. The government has admitted that even they do not know who owns the quota.

According to one fishing industry representative I interviewed recently, there's a rumour that some is held by Manchester United. "I don't think that's true," he admits. "But there's no way of knowing for sure. I do believe that the Royal Bank of Scotland owns some quota, but again, there's really no way to confirm it."

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