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Committee on Fisheries

23 April 2003

OPINION

of the Committee on Fisheries

for the Committee on the Environment, Public Health and Consumer Policy

on a communication from the Commission to the Council and the European Parliament towards a strategy to protect and conserve the marine environment (COM(2002) 539) – 2003/2065(INI)

Draftsman: Patricia McKenna

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PROCEDURE

The Committee on Fisheries appointed Patricia McKenna draftsman at its meeting of 20 February 2003.

It considered the draft opinion at its meetings of 18 March and 23 April 2003.

At the last meeting it adopted the following conclusions unanimously.

The following were present for the vote Struan Stevenson (chairman), Rosa Miguélez Ramos, Brigitte Langenhagen, Hugues Martin (vice-chairmen), Elspeth Attwooll, Niels Busk, Yves Butel (for Nigel Paul Farage), Arlindo Cunha, Ian Stewart Hudghton, Salvador Jové Peres, Giorgio Lisi, James Nicholson (for Ioannis Marinos), Camilo Nogueira Román (for Patricia McKenna), Seán Ó Neachtain, Manuel Pérez Álvarez, Dominique F.C. Souchet and Daniel Varela Suanzes-Carpegna.

SHORT JUSTIFICATION

As the Communication notes, the marine environment is assaulted by many threats, but there is no integrated policy for marine protection at the EU level. This document aims to be action-oriented and to establish the foundation upon which a strategy can be built.

It is telling that, in the list of threats to marine biodiversity, overfishing is the first problem mentioned. The main environmental damages posed by overfishing are depleted stocks of commercially valuable fish, damage to non-target species, including fish, and damage to the marine habitat, such as Posidonia beds or coral. Improved data are needed in order to better manage fisheries, but we should not forget that the tools do exist for cases in which knowledge is imperfect. In particular, the precautionary principle specifies that *the absence of adequate scientific information shall not be used as a reason for postponing or failing to take conservation and management measures.*¹ It is encouraging that the precautionary approach has now been included as one of the primary objectives of the Common Fisheries Policy.

The Communication sets great store by the reform of the CFP, hoping that it will lead to *a change in fisheries management to reverse the decline in stocks and ensure sustainable fisheries and healthy ecosystems, both in the EU and globally* (Objective 3 of the Communication). As the first stage of the reform is now complete (basic regulation, subsidies), it is possible to evaluate the possible contribution of the "new" CFP to reversing stock declines and ensuring sustainable fisheries.

There have been a number of changes to the Basic Regulation that strengthen the conservation requirements of the CFP:

- inclusion of the precautionary approach and requirement for good governance in the CFP;
- provisions for the adoption of multi-annual recovery and management plans, possibly on multi-species basis,
- Member States may take short term emergency measures in their waters, or impose stricter measures within their coastal zone;
- significant strengthening of the provisions concerning control and enforcement, giving more rights to the Commission, expanded VMS requirements and encouraging greater collaboration among the Member States

On the other hand, changes fall short of what the Commission had proposed in many respects:

- effort controls are optional in recovery plans, as are harvesting rules with predetermined biological parameters;
- the MAGPs have been eliminated and there is no requirement to reduce existing fleet capacity;
- the setting of annual TACs will continue to be a process heavily influenced by short-term political considerations;
- vessels can refuse a Commission inspector if he/she is not accompanied by a national inspector, and Member States are not required to take action based on findings by the Commission inspectors.

With respect to the Structural Funds, the Commission managed to achieve a phase-out of subsidies for vessel construction, modernization (except for improved safety, hygiene, etc.)

¹ See Article 6 of UN Fish Stocks Agreement

and export - approval of projects is to end after 2004. While the early termination of these measures is better than their indefinite continuation, it is quite probable that it will simply lead to an accelerated programme of construction and export in the next two years.

In short, the Commission and Council have given themselves some new and improved tools that could be used to good effect in the management of fisheries. Their full and prompt utilization could lead to much stronger management measures, resulting in both improved stock conservation and a brighter future for coastal communities. An optimistic view would be that the new CFP could result in halting the decline in biodiversity by 2010, ensuring sustainable fisheries and healthy ecosystems (Objectives 1-3 of the Communication).

But, in most instances, they are optional tools, that the Council can use or not as it chooses. As usual, political will on the part of the Ministers will continue to be all-important. Unfortunately, the Council does not always find itself able to make the difficult decisions that are necessary to reverse the declines in fish stocks and thereby to provide the help that the fishing communities so badly need.

A pessimistic view would thus be that the Commission and Council will not avail themselves of these new provisions and that fish stocks, the marine environment and coastal communities will continue to deteriorate.

It will take several years to see which is correct.

A worrying development occurred in January. Sweden, being dissatisfied with the decision of the International Baltic Sea Fisheries Commission to allow continued fishing of cod, tried to declare a moratorium on cod fishing by Swedish vessels. But the Commission, rather than considering the Swedish proposal to be an instance of a Member State attempting to go beyond the minimum standards of the CFP and to help to achieve the objectives that the Commission outlined in the Communication, denied Sweden that right. In essence, the Commission has told Sweden that it must continue to fish upon the depleted cod stocks in the North Sea and the eastern Baltic. This raises questions about the commitment of the Commission to these objectives.

Finally, the Communication outlines a strategy for protecting the marine environment throughout the world. As Community fleets are active throughout the world, and as Community consumers have access to fish from around the world, it is to be hoped that the EU will act to conserve fish stocks throughout the world with a greater commitment than it has shown in its own waters.

CONCLUSIONS

The Committee on Fisheries calls on the Committee on the Environment, Public Health and Consumer Policy, as the committee responsible, to incorporate the following points in its motion for a resolution:

1. Welcomes the Commission's Communication on developing a strategy to protect and conserve the marine environment;

2. Concurs with the analysis contained therein that overfishing is a common problem worldwide, resulting in depleted fish stocks of commercial importance; threats to species such as other fish, sharks, birds, marine mammals and turtles; and damage to the marine habitat and threats to jobs linked to or deriving from fishing;
3. Recognises that overfishing is but one of the serious threats that harm the marine environment but considers that it is one of the most important to deal with rapidly and effectively, if fish stocks are to recover and be maintained, as appropriate, so as to provide hope for coastal communities;
4. Notes that fish from around the world is available in the Community, either caught by EU-flagged vessels or obtained on the international market, thereby giving the Community a significant responsibility for the impact of fishing;
5. Calls upon the Council and the Commission to take the necessary action to conserve fish stocks both on the high seas and in the waters of third countries;
6. Urges the Council and the Commission to make full and prompt utilization of the new opportunities to improve fisheries management that were included in the new Basic Regulation 2371/2002, agreed in the December 2002 Council meeting.