

BS RAC Conference – presentation by Richard Adams, European Economic and Social Committee

Unlike most people at this conference I am not an expert on fisheries. My background is in the development of social enterprise and in consumer issues and as a member of the European Economic and Social Committee I concentrate on environmental and food subjects. I've also founded a number of companies in the UK concerned with sustainable food and fair trade. As a result I have become particularly interested in the problems we are dealing with in this tightly packed 24 hours; the sustainability of fish stocks, of commercial fishing and of coastal communities. As one of the EU institutions the EESC will be advising the Commission on the CFP Green Paper – I will be chairing that group which I anticipate will be lively and hopefully productive.

I come from a non-Baltic country which nevertheless has a long maritime tradition and previously I have taken an interest in a number of issues relating to the sea and shipping. It comes as no surprise to discover that whilst the tone of the conference so far has generally been positive a number of tensions, unresolved difficulties and looming environmental and market pressures are evident. I've been most impressed with the progress and dialogue that has been taking place in the Baltic but it is not, of course, isolated from the general European fishing experience.

For the most part the sea remains an unforgiving and lawless place, untameable, full of wild energy and of a changeable nature. Often these characteristics are also reflected in those who work on the sea. No wonder the Commission admits that its attempts to impose order on the harvesting of the sea through the Common Fisheries Policy is inefficient, expensive, complex

and does not produce results. Mr Borg invites us to start again, to have a “no holds barred debate” and in the Green Paper asks us to answer 81 specific questions as a prelude to a new vision for European fisheries. Amongst these questions lie the possibility of incorporating some of the diverse experience of the Baltic Sea Fisheries.

In fact the Green Paper starts with a description of this vision – a view when, some would say, miraculous changes have come about, just 11 years from now in 2020. Is this a prophetic vision, inspiration or a fairy story? Is it right to suggest that we have the power to reverse 39 years of confusion, exploitation, self-interest and decline. Like Mr Borg I am an optimist so I am willing to suspend my disbelief but only if we understand the conditions required for reconciling the conflicting values in the CFP. If we can do this we have a chance, and over the last day I have heard much to encourage me that here in the Baltic you may be beginning to get to grips with the issues.

Let us go back to basic. Fisheries, as far as the EU is concerned, was an afterthought. The EC Treaty does not contain provisions dedicated to fisheries, and this unsatisfactory situation continues with the Lisbon Treaty. This has meant the CFP (unlike the CAP where aims and objectives are set out in clearly in both the EC and Lisbon Treaties) has relied on secondary legislation (such as the Fisheries Regulation) for its elaboration.

To make matters worse the CFP has attempted to reconcile the three objectives of conservation, social sustainability and economic exploitation when it is obvious that a mutually satisfactory reconciliation is not possible. It seems that the Commission may be leaning towards a ‘rights-based’ approach but some would argue that this has already been shown to

be disastrous for European fisheries as a whole. The problem is not how to enforce rights but how to restrict rights of extraction – and restricting rights in support of sustainability for future generations is still a concept to be taken to heart, not only by much of the industry but also by the Courts.

The CFP is undoubtedly one of the less well devised EU policies which have been put under increasing pressure through a combination of marine environmental issues and global market factors. I have to conclude that it seems unlikely that the Baltic can isolate itself from these pressures. The ‘tragedy of the commons’ continues and the EU, with the most extensive and well developed international consultative, legislative and regulatory regime in the world, may be unable to turn tragedy into triumph.

The objectives of the CFP of conservation, sustainability and economic exploitation are wide-ranging, diverse and not necessarily compatible. The values underpinning the CFP at present are sustainable exploitation, the precautionary approach, and the principle of relative stability. These have determined the operation of the fisheries policy and have been instrumental in the sector’s decline. Whilst the CFP is subject to the broader values of the Union (including the precautionary principle, and sustainable development), these have had the effect of putting fisheries under even greater pressure. The Commission’s response has been to try different management models and offer a debate on the comparative advantages of a rights-based or eco-system based scheme. The Green Paper in content and approach confirms that the CFP is incoherent and incapable of meeting its objectives, lacking an integrated maritime policy, and that the situation cannot be rectified until the values underpinning the policy are revised.

As far as I can see this must mean getting agreement on a set of values specific to sustainable fisheries into the Treaty. It requires that the term sustainable exploitation is replaced with sustainable development. (Immediately we reach an obstacle. The EU's sustainable development strategy, like the CFP, is in crisis. It is under-resourced, under-prioritised, without clear targets and milestones, and subject to change or disregard when economic or national interests are involved.)

It requires global and integrated approach to control, fully backed up by all stakeholder member states, which covers the entire chain from catch, through landing, transport, processing and marketing. It requires the precautionary approach to be replaced with the precautionary principle, with ensuring that scientific advice is determinative in legislation and with the concept of relative stability taken apart and made fit for purpose. It requires all parties to adopt an attitude of compliance and minimise self interest.

Some of this is built into the developments in the Baltic over that last few years, and even more is hopefully enshrined in the ministerial declaration signed yesterday. I will certainly encourage my colleagues to look closely at these initiatives and reflect them as appropriate in our Opinion on the Green Paper to the Commission. I hope the forthcoming reform of the CFP will be the big breakthrough that we need. But it could go either way. Stephanie Schmidt of DG MARE closed her presentation on Baltic Sea fish stocks yesterday with a poignant photograph of the sun just above the horizon. Was it rising or setting?