

- j) The Community's joint responsibility for cooperation with and aid to developing countries should be recognized in the Treaty.
- k) Steps should be taken within the framework of international monetary organizations (IMF, G 7, etc.) to initiate an analysis and possible reform of
- l) Consideration should be given to the likely influx of immigrants, in particular from Central and Eastern Europe and North Africa.
- the existing international monetary system, which many see as contributing to the world's, and thus to the Community's, present economic difficulties.

Done at Brussels, 26 September 1991.

*The Chairman  
of the Economic and Social Committee*

François STAEDELIN

### **Opinion on the Communication from the Commission to the Council and the European Parliament on the Common Fisheries Policy**

(91/C 339/14)

On 11 January 1991 the Commission decided to consult the Economic and Social Committee, under Article 198 of the Treaty establishing the European Economic Community, on the Communication from the Commission to the Council and the European Parliament on the Common Fisheries Policy.

The Section for Agriculture and Fisheries, which was responsible for preparing the Committee's work on the subject, adopted its Opinion on 5 September. The Rapporteur was Mr Silva.

At its 289th plenary session (meeting of 26 September 1991), the Economic and Social Committee adopted the following Opinion *nem. con.* with two abstentions.

#### **I. INTRODUCTION**

##### **1. Support for a global policy**

###### *1.1. Adjustment*

1.1.1. The Committee welcomes the Commission Communication and its intention to bring the Common Fisheries Policy (CFP) into line with the new situation.

###### *1.2. Consultation*

1.2.1. The Committee stresses that the Commission document takes the form of a Communication, and will

be followed by a report which the Commission is to submit to the Council by 31 December 1991. The Commission wishes to weigh up its stance against that of the Member States' authorities and of those involved in the sector at national and EC level.

###### *1.3. A global policy*

1.3.1. The fisheries sector as a whole is highly complex. For this reason, a global policy is to be preferred embracing all aspects (stocks, prices and markets, structures, social aspects).

## 2. The need for a social policy

### 2.1. A serious shortcoming

2.1.1. The failure of Community fisheries policy to take account of the social dimension has been a serious shortcoming.

2.1.2. The Commission does however seem to be aware of the need to take the social dimension into account.

### 2.2. Earlier ESC Opinions

2.2.1. The Committee—in particular in its Opinion on the social aspects of sea fishing<sup>(1)</sup>—has repeatedly drawn attention to the fact that the Common Fisheries Policy lacks a proper social component. This tends to reduce the value of the positive action taken in other spheres.

### 2.3. Integration of the social dimension

2.3.1. Community law makes widespread use of the concept of integration, and it is unclear why there is not to be any integration of the social dimension in other EC policies, too.

## 3. Need for accompanying socio-economic measures

3.1. The socio-economic consequences of structural policy (the multiannual guidance programmes or MGP) and stock management must be carefully considered before they are implemented. Provision must also be made for accompanying measures.

## 4. Importance of support from the sector

4.1. If fisheries policy is to succeed, shipowners and fishermen must support its aims. To ensure maximum support, the policy must aim at optimum use and development of Community resources. It must help businesses to remain viable, and ensure reasonable incomes and modern social conditions.

## 5. The Mediterranean

5.1. Given the special features of the Mediterranean region, the Committee considers that the Community should take the necessary political, technical and regulatory steps to integrate the region fully into the CFP.

## II. GENERAL COMMENTS

### 1. Conservation and management of resources

#### 1.1. Preservation for the future

1.1.1. The purpose of fishing is to maintain extraction of the maximum renewable resources while at the same time maintaining the balance of the marine environment to preserve it for the future.

#### 1.2. Maintain activity and improve incomes

1.2.1. A proper conservation policy should be buttressed by advances in scientific knowledge and the technological developments which they generate, so that stocks can be steadily renewed. This in turn will help ensure the survival of this fundamental economic activity and improve the incomes of the sector's workforce.

#### 1.3. Protection of the marine environment

##### 1.3.1. Environmental parameters

1.3.1.1. A proper policy for the conservation and management of fish stocks must also consider the protection of the marine environment. The biological situation on which fishing depends is heavily influenced by environmental factors, chiefly pollution. Global environmental measures are called for which cannot simply be left to Community environment policy but must instead be an integral part of the CFP. Article 130 R of the Treaty rightly stresses that 'environmental protection requirements shall be a component of the Community's other policies'.

1.3.1.2. Knowledge and use of the environmental parameters for determining fish biomasses should make it possible to gauge the extent to which the environment affects the mortality of species, and might show that fishing mortality should not be systematically blamed as the sole reason for the deterioration in stocks.

##### 1.3.2. Water quality

1.3.2.1. It is vital to know of any changes in the quality of Community waters. The sector's organizations should be kept informed of the situation, and of the EC's objectives and actions as well as their results. The EC should work vigorously with the Member States and the international community, and strive to educate the public in general and fishermen in particular.

<sup>(1)</sup> OJ No C 237, 12. 9. 1988.

#### 1.4. *Total Allowable Catch (TAC) and quotas*

##### 1.4.1. Maintain and improve the system

1.4.1.1. Despite the inadequacies of the system for regulating fishing effort, experience shows that the present TAC and quotas system should be maintained. Although there is room for improvement, the system (together with other structural measures) has helped to curb the 'disastrous effects of over-fishing of certain stocks'<sup>(1)</sup>, and to divide up fishing possibilities among the Member States. The system is in general use, and those working in the sector are already familiar with it and its mechanisms.

1.4.1.2. However, the use of analytical methods alone (without reference to other parameters—see point 1.3) does not always correspond to the biological situation. The compiling and use of multi-species models would give a more concrete picture of the development of the species within the ecosystem.

##### 1.4.2. Annual 'carry-over' scheme

1.4.2.1. The Committee wonders whether the recognized inadequacies of the TAC and quota system might be eliminated by the introduction of an annual 'carry-over' scheme (positive or negative) for each Member State.

##### 1.4.3. Quota swaps and the coefficients used for them

1.4.3.1. In any event, a similar system already exists for situations where one Member State has exceeded its quota at the expense of another Member State [Regulation (EEC) No 493/87 of 18 February 1987].

1.4.3.2. In the same way, Article 5 of Regulation (EEC) No 170/83 allows for adjustment of Member States' fishing in line with changes in activity. The swapping of quotas between Member States allowed under this Article is important and useful because, while respecting the principle of 'relative stability', it allows a certain degree of flexibility in fishing activity. The coefficients used for quota swaps were laid down in 1983 in tonnes of cod equivalent, and should perhaps now be adapted since trends on the market and in fishing itself have enhanced the value or reduced the price of species, which are now held in differing regard on the market.

<sup>(1)</sup> Guidelines and initiatives for the development of the Common Fisheries Policy—Communication from the Commission to the Council (12 June 1986) Doc. COM(86) 302 final.

#### 1.4.4. Proposals

##### 1.4.4.1. It would also appear necessary:

- To provide for greater involvement of those working in the sector.
- To establish (a) multi-species quotas for related or jointly-fished species and (b) multi-area quotas, even if this is not totally satisfactory from a scientific viewpoint.
- Alongside this multi-species approach, to establish authorized bycatches in the case of fishing for human consumption. When fishing for one species in a fishing ground is closed, fishermen could keep a limited percentage of the bycatch caught at the same time as the species for which fishing continues, rather than being obliged to throw the fish back. Such a bycatch is generally of no interest in terms of stock since the fish are dead, and throwing them back is a waste of effort; by selling them—even in limited quantities—fishermen would improve their yields and hence their incomes.
- In tandem, and if the gravity of the situation warrants, to introduce a Community licensing system for sensitive areas. Member States would be responsible for administration of the list of vessels authorized to fish in these areas. The list could be revised at regular intervals (to be determined later). The total number of licences would correspond to the authorized level of fishing effort.

##### 1.4.5. Precautionary TAC

1.4.5.1. At the same time, it seems reasonable to allow flexibility in applying TAC in cases where insufficient information is available on development of stocks.

##### 1.4.6. Simple measures

1.4.6.1. In any event, no system of management is perfect. Rational management requires a package of measures which are not over-technical. Simple measures which can be refined later are preferable to apparently perfect but impractical measures.

#### 1.5. *Technical measures*

##### 1.5.1. Ease of monitoring

1.5.1.1. Technical measures should be avoided which

cannot be monitored or which could cause confusion or be interpreted differently by inspectors.

#### 1.5.2. Prior testing

1.5.2.1. New provisions (square mesh panels, increased mesh size, etc.) should be tested with the cooperation of the sector before they are introduced, in order to gauge their impact and make provision for accompanying measures.

### 1.6. Industrial fishing

#### 1.6.1. Effect on stocks

1.6.1.1. The impact on stocks of industrial fishing (catches not intended for human consumption) needs to be clearly assessed. It is inconceivable that technical management measures should be strengthened, quotas reduced or the fleets restructured, when industrial fishing has a considerable impact—beyond its allotted share—on fish stocks in general.

1.6.1.2. Where industrial fishing is continued for certain species which can only be used for other than human consumption, authorization should only be granted if there is no impact on stocks intended for human consumption. Under these conditions, proper monitoring should be carried out.

#### 1.6.2. Reconversion

1.6.2.1. Reconversion of this sector must receive priority consideration, and the sector must be geared towards fishing for human consumption.

### 1.7. Monitoring

#### 1.7.1. A computerized network

1.7.1.1. As stated in the last paragraph of point 2.2 of the Commission Communication, an integrated computerized network for vessel surveillance must have the full support of the sector. A study should first be conducted to ascertain the actual potential, cost and practicability of such a system for monitoring the Community fleet. Installation of the system must not lead to differing treatment of different methods of navigation and types of vessel. Neither should it replace on- and offshore inspections, which enable species, quantities and size of fish caught, and net types to be checked. Consequently, it should only be introduced as a back-up measure.

#### 1.7.2. Increased monitoring

1.7.2.1. At all events, the Committee considers that increased on- and offshore monitoring is the only way of gauging the effectiveness of the technical measures and deciding whether they should be altered.

#### 1.7.3. Training, qualifications and number of inspectors

1.7.3.1. Implementation of EC fisheries legislation is monitored by inspectors appointed in each Member State, although Regulation (EEC) No 4027/86 states that these inspectors may be accompanied by officials authorized by the Commission.

1.7.3.2. In the interests of a coherent Common Fisheries Policy, and for the benefit of the Community, thought should be given to the possibility of training national inspectors in Community practices and providing more EC inspectors, with wider powers, both at sea and onshore.

#### 1.7.4. Financial support

1.7.4.1. Member States should be granted more financial support to help step up surveillance and make it more effective. In order to equip themselves with more means of surveillance at sea, Member States should receive aid for the purchase or use of fishing vessels (possibly enlisting vessels which have been laid up because of structural policy).

## 2. Structures

### 2.1. Balance between capacity and effort

2.1.1. If fish stocks are to be properly managed, fishing capacity must be consistent with the level of fishing effort permitted—which is not universally the case at the moment. This means monitoring the activity of the fleet.

### 2.2. Need for adjustments

2.2.1. A perfect balance between capacity and effort is impossible; temporary adjustments are needed. This raises the question of the best type of management.

2.2.2. Fishing activity can be significantly stabilized by an appropriate combination of measures to regulate management of stocks and structural measures to con-

trol the Community's fleet capacity.

### 2.3. *Social impact*

#### 2.3.1. *Accompanying measures*

2.3.1.1. The package must be accompanied by appropriate social measures. The Committee stresses that this is the main criticism levelled by those working in the sector, and is one reason why the multiannual guidance programmes lack credibility.

#### 2.3.2. *Impact of Community measures*

2.3.2.1. In order to define future priorities for the CFP, it is necessary to have an idea of the impact of Community measures on employment and incomes. The impact on small fishermen (using vessels of less than 12 m), who account for the bulk of direct employment, is particularly important.

### 2.4. *Gauging the level of fishing effort*

#### 2.4.1. *A Community shipping register*

2.4.1.1. A proper structural policy presupposes the existence of a Community shipping register. The Committee supports efforts to secure the best possible information on the size of the Community fleet and vessel characteristics. Those characteristics which would help to gauge the level of fishing are particularly important.

#### 2.4.2. *Indicators of fishing effort*

2.4.2.1. The MGP are measured in terms of engine power (kW) and gross registered tonne (GRT). These do not on their own provide a sufficient indication of fishing effort. Other factors (length of nets and lines, number of days spent fishing, etc.) should also be considered.

### 2.5. *A differentiated reduction*

2.5.1. The experts consulted by the Commission propose an average reduction in fleet capacity of 40%. The Committee stresses that such a reduction could not be uniform throughout the Community. It should vary from country to country and should take account of the position of the multiannual guidance programmes in each Member State. More detailed work about each fleet is needed, examining each fleet's fishing possi-

bilities in the light of the quotas available. This is the only way to give practical expression to the Commission's proposed reduction for the whole of the EC's fishing fleets.

### 2.6. *Fishing in the waters of third countries*

2.6.1. The purpose of structural policy is to strike a balance between the EC's domestic resources and the fishing capacity of its fleets. From this point of view, fishing for resources located in third countries should be subject to restrictions other than those contained in the MGP.

### 2.7. *Aid*

#### 2.7.1. *Innovation*

2.7.1.1. Aid for renovation should give priority to innovative projects and those designed to improve safety, living and working conditions.

#### 2.7.2. *Priority for restructuring*

2.7.2.1. However, while the imbalance between stocks and fishing effort remains serious, greater priority should be given to Member States' restructuring schemes with a view to striking a balance between fishing capacity and the stocks available.

#### 2.7.3. *Avoid distortions in competition*

2.7.3.1. At the same time, vessels fishing in the same waters should not receive very different levels of construction aid, as this could lead to distortions in competition.

#### 2.7.4. *An inadequate budget*

2.7.4.1. It should also be noted that the measures for financing structural policy, laid down in the budget proposed in the amended Regulation (EEC) No 4028/86, fall short of the new structural policy's stated aims and fail to meet the expectations raised by this policy. It is reasonable to hope that future budget allocations will bring about an improvement.

## 2.8. Aquaculture

### 2.8.1. A complementary activity

2.8.1.1. Regulation (EEC) No 4028/86 laid down a framework for Community structural measures for the next ten years, including greater emphasis on aquaculture. Aquaculture should continue to be treated as an activity which complements (but cannot replace) traditional fishing.

### 2.8.2. Priorities and conditions

2.8.2.1. In-depth market analysis would be advisable before developing any particular aquaculture species.

2.8.2.2. Priority support should go to projects involving people already working in the fisheries and aquaculture sector, and in particular to reconversion projects.

2.8.2.3. This type of activity requires a solid financial base, and co-operative associations could offer a suitable form for such undertakings.

### 2.8.3. Added value

2.8.3.1. The best prospects for aquaculture seem to be right at the end of the food chain, where varieties have a higher direct market value or can produce more added value.

### 2.8.4. Financial allocations

2.8.4.1. Greater support for aquaculture products should be provided within the framework of the Common Market Organization.

2.8.4.2. This lends even greater weight to the comments made in point 2.7.4.

## 3. Common Market Organization

### 3.1. Improve and simplify

3.1.1. Although the Common Market Organization has proved itself since it was introduced by the Council in 1970, it should be adapted to developments since then. The Commission should look into ways of improving and simplifying the existing procedures, e.g. those governing carry-over and storage premiums.

## 3.2. Imports

### 3.2.1. Market supply

3.2.1.1. The Community market is still highly dependent on imports, particularly for supplying the processing industry.

3.2.1.2. Care must be taken, however, to ensure that imports do not destabilize Community production. An analysis is needed of each species and the interactions.

### 3.2.2. Implementation of health rules

3.2.2.1. Competition between imported and EC products must not be distorted by laxer implementation of health rules for imported products.

## 3.3. Restructuring or restriction of fishing activity

3.3.1. At times when fleet capacity is undergoing restructuring or restrictions are placed on fishing activity, financial support policies should be devised offsetting low catches.

## 4. Relations with third countries

### 4.1. Principles currently in force

#### 4.1.1. Access to resources and to markets

4.1.1.1. Under the new provisions of the law of the sea, and especially Article 62 of the United Nations Convention, access to fishing grounds and resources has been combined with the principle of equivalent compensation, as demanded by third countries, and has established a direct link between access and trade. Fishing agreements have thus become very important.

#### 4.1.2. No derogations

4.1.2.1. The cornerstone of Community policy is access to fishing grounds in return for access to markets. This rule should be retained and applied in all future agreements, and certain derogations should be rectified. Payment of reduced (or zero) duties for access to Community markets is not a proper quid pro quo for access to the waters of the countries involved.

#### 4.2. *Joint ventures*

4.2.1. Certain aspects of 'second generation' fishing agreements (joint ventures) may prove unsatisfactory in certain cases. Fishing for migratory stocks such as tuna is a case in point.

#### 5. Trade policy

##### 5.1. *Compensation for access*

5.1.1. In too many cases, trade agreements give fishery products from third countries access to the EC market because the EC want access to their markets in the aeronautical, automobile, railway, building or similar sectors. The fisheries sector is not adequately compensated for this access.

##### 5.2. *A bartering tool*

5.2.1. Fishing can no longer be used as a bartering tool, particularly when its very survival is under threat.

##### 5.3. *Respect for principles*

5.3.1. Certain basic principles already invoked (access to waters, Community preference) should be clearly set out and properly respected. The EC is the world's leading consumer of fishery products, and consumption is rising. The EC will attract products both from the developing countries and from nations which engage in trade without reciprocity.

5.3.2. In certain cases, the EC's trade policy has allowed countries with a high standard of living and therefore potential clients (USA, Canada, Japan, Australia, Norway, New Zealand, South Africa and Iceland, amongst others) to act simply as suppliers.

Done at Brussels, 26 September 1991.

*The Chairman  
of the Economic and Social Committee*

François STAEDELIN

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