

rainer froese **view from the top**

# Evil plans afloat in EU waters

In an evil world, and on a quest for world domination, what would a bad guy, a real 'Dr Evil', do if he decided to weaken the EU by destroying European fisheries? What despicable actions would such an evil genius take?

First, he would aim for the destruction of the resource itself. Towards that end, he would push for total allowable catches much higher than could be replenished from current stocks. He would make sure that most fish were caught before they had a chance to reproduce. He would specifically aim at eradicating the large, highly fecund, old fish with good genes, which are the natural protection that fish stocks have evolved to survive bad years.

What else could he do to derail things? Dr Evil would make sure that legal fishing gear catches fish that are smaller than the legal landing size, and he would install a network of regulations to force the fishermen to discard half their catch dead at sea. He would deplete forage fish, such as sand eel and herring, to deprive other fish of their food.

He would propose 'protected' areas in which everything is allowed, such as using heavy gear to plough the sea floor many times a year.

Of course, such treatment of fish stocks and of the marine environment is against international laws, such as the Law of the Sea, and against international agreements, such as the Code of Conduct for Responsible Fishing. It is also against the precautionary principle, which is a binding principle of European Union law. Dr Evil's agents would thus have to initiate a strong lobbying campaign to make European legislators forget about these constraints.

But there might be a self-limiting mechanism at work to save the day. As the evil plan proceeds and stocks decline, catches also fall and the fishermen suffer bankruptcy, surely bringing the scheme to a halt before the resource is fully destroyed? To prevent this, Dr Evil's agents would have to channel tax payers' money towards the fishermen, so that they can maintain a fleet that is much larger than needed, with every fish already paid for as it is landed.

To cover up this scheme, the agents would also pay hundreds of fisheries scientists to produce thousands of pages of stock assessment reports, on the condition that they avoid any message that could be understood by the public. The agents would then pressure the responsible EU ministers to ignore scientific advice and set catch quotas 50 per cent higher than those that would prevent the stocks from collapsing. The agents

would also hire companies to derail the ecolabelling campaigns of environmental groups, so that suddenly over-fished stocks such as herring, plaice and sole become certified. To soothe the public, the agents would organise media campaigns showing the plight of the fishermen in colourful pictures, and explaining that the reasons for their problems have nothing to do with any impact on the fish stocks.

Of course, any resemblance of the scenario described above with the real state of European fisheries is purely coincidental. Or is it?

Sadly, only the existence and motivations of Dr Evil and his agents are fictional. According to the European Commission, 88 per cent of European fish stocks are over-fished and 30 per cent are outside safe biological limits. A recent scientific study, *The Necessity for Response Indicators in Fisheries Management* by Piet et al, shows that scientific advice is followed only for 8 per cent of the stocks and catches are set on average 50 per cent higher than the catch that would prevent stocks from collapsing.

The study I have carried out with Alexander Proelß, an expert in international law, finds that Europe so far has failed to implement an obligation in the Law of the Sea to restore its fish stocks to the level that can produce the maximum sustainable yield. The UN's development summit in Johannesburg in 2002 gave this restoration a political deadline of no later than 2015. However, under a business-as-usual scenario, 91 per cent of the European stocks will miss that goal.

We stress that the continued over-use of a public resource is incompatible with the precautionary principle of EU law and that fishing pressure has to be drastically reduced on most stocks. We also point out that several European stocks can be rebuilt quickly, and that the average time to recovery without fishing is just four years.

If all stocks were recovered, landings could be 79 per cent higher than they currently are. Thus, today's subsidies and future earnings could be used to finance a transition phase, where some fishermen are allowed an 'exit with dignity' from the industry, and the remaining fishermen are trained in sustainable resource management and use of new gear with less negative impact on the stocks and the ecosystem.

Unfortunately, such a Common Sense Fisheries Policy requires an amount of political will that is hard to find. So Dr Evil will probably prevail.

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'A recent study shows that scientific advice is followed for only 8 per cent of EU fish stocks.'

Rainer Froese is a fisheries biologist based at Leibniz Institute of Marine Sciences (IFM-GEOMAR) in Kiel, Germany.