

On to the next generation

The new set of fisheries agreements with developing countries should be sharply defined and implemented democratically

The classical fisheries agreements negotiated by the European Union (EU) with developing countries have involved the payment of financial compensation in exchange for access to fish resources. The primary objectives of the EU in these arrangements have focused on supplying the domestic market. Little, if any, attention has been paid to the impact of fishing upon either the environment or the needs and rights of local populations.

The fisheries agreement with Senegal is a very good illustration of the effect of these classical agreements. Since 1979, the EU fishing industry has benefited from a profitable access to the once-rich Senegalese waters, with few restrictions imposed by either the EU or the Senegalese government. After over 15 years of EU-Senegalese 'co-operation', the assessment is clearly negative, from both a social and environmental point of view: fish stocks are depleted and the Senegalese artisanal fishery disrupted. As there were fewer fish for the European fleets to catch, in 1994, the EU reduced its financial compensation—from 32 million ECU (US\$40 million) to 18 million ECU (US\$ 22 million).

The EU has an increasingly long list of agreements to be negotiated with countries from different regions of Latin America, Africa, the Caribbean and South Asia. There is also the possibility of an agreement with New Zealand. This would be the first step towards the South Pacific, a region to which the EU has long sought access.

The EU Council has even issued negotiation directives for an agreement with Somalia, despite the fact that this country is clearly not in a state to negotiate a fisheries agreement, considering all that

such an act involves in terms of stock assessment, etc. But that does not seem to be a problem for the EU, especially with all the tuna and other high-value fish species swimming in Somali waters. The fact is that EU vessels have not waited for an agreement, but have been poaching in these rich waters for some time.

As the EU Fisheries Commissioner has declared on several occasions, the days of the classical agreements of the 'pay, fish and scoot' type are over. Indeed, a new type of agreement, the so-called second-generation' agreement, is now being proposed to various countries, but not to all. It seems that the EU has certain criteria to determine who is 'worthy' of a second-generation agreement.

The first of this type was signed in 1993 with Argentina. It is still early to fully evaluate the social and environmental impact of this agreement, but certain aspects should cause concern, as the agreement involves much more than a simple exchange of access to fish for money or markets.

The agreement is based on the creation of joint enterprises (a permanent association) and joint ventures (a temporary association) between EU vessel owners and fisheries interests in Argentina. In order to transfer their activities permanently or temporarily, whether under the EU-Argentina agreement or under joint enterprises/ventures in general, vessel owners receive subsidies from both the EU and the Member State where the boat is registered.

Budget allocation

The EU has allocated an important budget for this agreement: 162.5 million ECU (US\$ 203 million) for the five-year period

1993-1999, most of which is allocated for the creation of joint enterprises and ventures. The main EU beneficiary of the agreement is Spain, but other Member States (Portugal, Italy, Greece, France and Germany) are also involved.

Many EU fishing vessels are permanently transferred and re-flagged to Argentina. These vessels will, therefore, disappear from EU registers. EU authorities will no longer bear the responsibility of managing the activities of these vessels. Neither will the EU Council of Ministers, the European Commission and Member States be accountable any more to other EU institutions such as the European Parliament and the EU Court of Auditors for the financial, social and environmental implications of those fishing activities.

At a time when the EU is obliged to dramatically reduce its fishing capacity, this constitutes a painless and even profitable way to meet fishing capacity reduction targets and to rid itself of the responsibilities and financial burden associated with these fleets, while still continuing to supply the European market.

Indeed, as the vessels no longer fly an EU flag, vessel owners will not be subject to EU regulations. The whole responsibility for managing the activities of these

vessels falls on the recipient country, in this case, Argentina. While Argentina has appropriate means to ensure control and enforcement in its waters, many developing countries are not so fortunate and will probably not possess sufficient means to ensure that ex-EU vessels abide by the relevant fisheries management regulations.

On the other hand, Miguel Arias Canete, Spanish Conservative Euro-MP and Chairman of the European Parliament's Fisheries Committee, has declared that the EU-Argentina fisheries agreement represents a model to be copied. He stated that to demonstrate its importance "it only needs to be pointed out that, in 1994, 141,186 tonnes of fish, with a value of approximately ECU 248.7 million (US\$ 311 million), were exported to the European Union, the catch comprising high economic value species such as hake, for which there is abundant demand within the Union,"

Not truly joint

Nonetheless, this new type of agreement is presented as an opportunity for the recipient country to develop its fishing industry through the EU's capacity and know-how.

But, it should be noted that, in many cases, the 'joint' enterprises and ventures under the agreement are totally owned by EU interests: Europeans form agreements

with Europeans. Further, much of the fish caught is destined for the EU market.

The social impact will not only be felt in Argentina. The Spanish crews working on board these re-flagged vessels were not pleased to discover recently that, after a certain period, they would be covered by the local Argentinean social security system, rather than that of Spain. Their salaries will also be based on local scales.

The EU has recently signed general co-operation agreements with Morocco, Chile and other member countries of the Southern Cone Common Market (Mercosur: Argentina, Brazil, Paraguay and Uruguay).

These agreements have, as their primary objectives, the liberalization of trade in goods, services and capital through the establishment of a free trade area, the promotion of trade and co-operation between the parties and an increase of international competitiveness.

Last year, when Chile refused access to its waters to more EU fishing vessels, a delegation of the European Commission warned Chilean authorities that the conditions of access to the EU market for Chilean products might have to be reviewed.

The economic co-operation agreement that Chile has just signed with the EU is likely to make it even easier for the EU to use the economic stick to win access to fishery resources.

The agreement contains provisions through which parties agree to intensify co-operation in the fishery sector and in the management of 'common' resources. Some Spanish Euro-MPs have already referred to the agreement as a means to force Chile to be more lenient on landings by Spanish vessels in Chilean harbours. On the other hand, the economic co-operation agreement with Mercosur did not contain any section on fisheries. This triggered a strong reaction from Arias Canete.

He declared that the Committee of Fisheries is concerned about this lack, and added that "international agreements

with third countries are one of the key aspects of the Common Fisheries Policy and their purpose is to help the Community fleet to adjust in size, thus enabling the excess capacity thereof to be gradually reduced and guaranteeing that the Community market will continue to be supplied with the fisheries products for which there is consumer demand". It is difficult to be more blunt than that!

The trend is clearly toward privatization of the agreements and liberalization of trade. It is foreseeable that this process will ultimately lead to totally private agreements between multinationals such as Pescanova, Unilever, Resource Group International, etc. and theft local partners, in which governments will have done away with their role as stewards of what many still regard as common resources.

Already, groups such as Pescanova are using their local presence to influence national policies. For instance, Namibia has resisted EU pressure to sign a bilateral agreement and, instead, has negotiated fisheries access rights directly with Pescanova. Namibia has also put in place a very strict fisheries management regime.

Apparently, though, the government has recently negotiated with trade unions a five-year moratorium on strikes, in order not to frighten off foreign investors.

Will the next step be a loosening of fisheries regulations and increase of quotas under the threat that Pescanova will take its money and jobs and go where rules are less stringent?

It is clear that the objective of the EU has remained constant: supply the market at the lowest possible cost. Only the strategy has varied on the part of the EU: to decrease or eliminate management responsibility, financial burden, accountability and democratic control. The trend appears to be to depart from 'classical' bilateral fisheries agreements, which have their faults, but which at least have been subject to some—although very limited—form of democratic control and public supervision.

Problems remain

Major problems remain in the new-generation agreements. These

include lack of control and enforcement, leading to overexploitation and a neglect of regulations.

They also include the lack of attention to the needs of local small-scale fishing communities and their food requirements. Unfortunately, whatever limited transparency, public scrutiny and participation that already existed seem set to disappear.

The EU is a major fishing power in distant waters and thus contributes to the dwindling of fish stocks in many areas around the world. These trends in fisheries agreements could be viewed, not only as an abrogation of the EU's responsibility, but also as a manifestation of the EU's determination to continue to supply its market—one of the biggest in the world and keep most of its fleets active, despite the environmental and social costs incurred.

Third-generation agreements are now being mentioned, but no consensus has yet emerged as to what objectives should be or how they will differ from the older generation agreements.

Some contend that they should integrate EU development policy objectives into the current types of fisheries agreements, which are of a purely commercial nature.

However, without clearly defined and agreed objectives, such agreements might just end up like their predecessors—only with a different label.

Future context

Future agreements must be placed in the context of North-South co-operation, where the development needs of coastal fishing communities and the long-term sustainability of fisheries are not subordinated to private interests.

They must be based on management regimes, which ensure that fish stocks are not depleted, but remain productive and able to support local fisheries.

The whole process—from negotiation of the agreement through all aspects of its implementation and evaluation—needs to be transparent and democratic. **3**

This article is by Helene Bours, who currently works for Greenpeace International on EU fisheries. It has been written in her personal capacity