

Brussels, 16 February 1977

Statement by Mr Gundelach, Vice President of the Commission,  
at the opening of fishery negotiations with the USSR - 16 February 1977

During the last few decades, a good number of coastal States have followed a policy of international cooperation, especially in the northern hemisphere, to protect fishery resources from the threat of growing fishing fleets, whose production capacity has been constantly expanding due to technical progress.

Despite the efforts which have been made and the undoubted achievements, stocks of most of the species marketed have been falling off consistently in the last few years, to the extent that the very existence of some of them will be in grave, even irremediable, jeopardy unless urgent measures are taken in the very near future.

In order to cope with this alarming general situation, the Third United Nations Conference on the Law of the Sea, which is engaged in reviewing the law on the whole range of problems concerning the use of the sea, has also been endeavouring to work out international arrangements for the conservation and exploitation of fishery resources.

Although the Conference's work has not yet been completed, it has nonetheless been possible to see the outlines of the basic approach which most coastal States wish to follow. Under the pressure of circumstances, and in order to respond immediately to the danger of exhaustion of resources reported by many authoritative scientific experts, which cannot effectively be countered by the

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existing forms of international cooperation, certain coastal States which carry on large-scale fishing in the North Atlantic announced in 1975 or early 1976 that they intended to extend to 200 miles from their coasts the fishing zones over which they would be exercising jurisdiction.

This step, which was undertaken in maritime zones where international fishing is most intense, was bound to result in the large-scale transfer of fishing operations from these zones towards the grounds located off the coasts of the Community's Member States. In view of the present level of stocks in the Community's zone, this transfer could only lead to overfishing, thus compromising the available resources, with all the disastrous economic and social consequences this implied. It should be remembered that during the past ten years fishing in the North Atlantic has increased by nearly 25%; the percentage of this increase accounted for by the Community falls short of the average, whereas that attributable to certain non-Community countries is over the 50% mark.

The Council of the European Communities therefore decided that as of 1 January 1977 the Member States would increase to 200 miles the limits of their waters in the Atlantic and the North Sea in which fishing is subject to Community law, in order to be able to pursue an effective policy for the rational conservation and exploitation of resources.

In view of its extensive responsibilities and the fishing potential of its zone, the Community intends to give priority to reconstituting depleted stocks and establishing a rational policy for the optimal exploitation of resources. Thus, the Community has already taken legislative measures stricter than those adopted hitherto by international fisheries Commissions.

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The Community is similarly aware of the fishing interests of non-member states affected by the extension of fishing zones and has begun negotiations with certain countries concerned to establish the framework for their future relations in this sector; these must be based in the first place on mutual recognition of each side's jurisdiction over its own fishing zone in conformity with the principles generally accepted by the Third Conference on the Law of the Sea.

In this respect, the Commission would like to emphasize satisfaction at this opportunity to enter into negotiations with the USSR on the basis of these principles. On this basis, it is incumbent on both parties, in relation to the zone over which the jurisdiction of each extends, and on the basis of the best available scientific data, to fix the volume of exploitable resources and to lay down suitable measures to regulate and control fishing activities within the limits thus determined.

In all the negotiations under way or that have been concluded, the Community is primarily interested in negotiating a framework agreement to regulate future mutual relations as regards fishing between the two parties; in the same spirit, the Community is prepared to work out with the Soviet Union a framework suited to the specific circumstances and thus to define together the type of agreement to be concluded in this field.

The possible approaches to this kind of negotiations have, therefore, several aspects which may, in certain cases, be complementary to each other.

Firstly, the Community is prepared to negotiate with any coastal state on the basis of reciprocal rights; in this way the Community hopes for an exchange of possible fishing activities to the mutual advantage of both sides. Such reciprocity may also be found in the maintenance of traditional local fishing activities. So far this has taken the form of "neighbourhood agreements" that reflect the close interdependence that is the result of geo-political circumstance or a particular configuration of the coast line.

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Secondly, the Community is prepared to consider the problems non-member states may encounter as a result of the establishment of its fishing zone, due either to a fundamental imbalance in the possibilities of reciprocal rights mentioned earlier, or the obvious absence of a basis of reciprocity. In this connection, the Community is prepared to envisage with the parties concerned a phasing-out procedure for their fishing fleets.

At the outset of these negotiations with the USSR, the Community would point out that the choice between the approaches just described depends primarily on the nature of the specific interests at stake, and the choice of its partners in negotiation as regards the desirable level for a satisfactory balance of reciprocal fishing rights. For its part, the Community does not in any way intend to embark on an approach that would determine its future international fisheries relations according to a discriminatory pattern.

The Community is convinced of the need for a negotiated solution to determine the framework of its relations with the USSR as regards fishing within which economic activities would develop and prosper on a lasting basis, and which would ensure that sea-faring people who depend largely on this very special sector for a living would achieve their legitimate aspirations.