

The Maritime Policy: Thoughts, Reactions and Political Context

On Wednesday, 7 June, the Commission released its Green Paper on a Maritime Policy for the Union (COM (2006) 275). This note provides a brief summary of the content of the Policy and some initial comments and criticisms, along with proposals for Green demands.

General Introduction

The Paper explains its aim and thrust in a very interesting manner:

This Green Paper aims to launch a debate about a future Maritime Policy for the EU that treats the oceans and seas in a holistic way. It will underline that our continued enjoyment of the benefits that they provide will only be possible through a profound respect for them at a time when their resources are threatened by severe pressures and our increasing technological ability to exploit them....

The Green Paper builds upon existing EU policies and initiatives and dovetails with the Lisbon Strategy. It seeks to strike the right balance between the economic, social and environmental dimensions of sustainable development. [page 5-6; emphasis added]

The idea of developing a policy that attempts to deal with all aspects of human impact on the seas is a very good one and, considering the state of the marine environment in the EU, a much-needed initiative. However, the use of the word "resources" implies that the whole basis of the policy will be economic - how can the maximum possible financial benefit be taken from the seas? The classic insistence that the "right balance" be struck between economic, social and environmental dimensions simply reinforces the idea that this policy is not about conservation of the marine environment (even less about improving it!), but about creating jobs and making money. Thus, it is clearly stated that the Maritime Policy is to be firmly anchored in the Lisbon Strategy (also on the Marine Strategy, see below).

Further, the tone of the paper is quite positive, focussing on the potential benefits of a more coordinated approach to the oceans and paying rather less attention to the changes in human activities that would be necessary to improve the status of the marine environment. For instance, it talks about the importance of marine transport for the EU economy and the potential for economic growth, but makes very little mention of the environmental problems that are associated with such traffic (emissions, port construction, accidents and pollution at sea, etc.). If the marine environment is to be improved, marine traffic will clearly need to be constrained in some ways, but this need is glossed over. The development of maritime transport and environmental conservation (Natura 2000, Habitats Directive, etc.) will need to be "reconciled" at the same time as further extending ports (page 31). The same tone applies to many other human activities that are discussed.

Positive Aspects of the Green Paper

The Paper makes a number of useful observations and some positive suggestions.

- it frequently points out the extent to which the marine environment is degraded;
- any EU policy must be developed in an international context (page 5);
- development and introduction of new technologies to ensure environmental sustainability can lead to jobs and export opportunities (page 10);
- attention is paid to flags of convenience, the limitations of flag state responsibility, the liability of ship-owners (page 12, 41-44);
- the need for EU leadership on climate change is stressed (offshore renewable energy, carbon sequestration, etc.) at the same time as increased exploration for hydrocarbons (including methane hydrates);

- it sets an objective of "quality ships, manned by highly skilled employees, working under the best conditions" (page 21);
- it notes the need for a stable regulatory environment and a comprehensive system of spatial planning (page 22);
- data are poor on use of the marine environment (lack of data, not comparable between Member States, etc.) and proposals are made to improve that (page 32);
- it calls for a system of spatial planning for maritime activities, based on an ecosystem approach to, when necessary, place restrictions on maritime activities (page 34);
- ship dismantling in Asia is recognized as a possible contravention of the ban on the export of hazardous wastes (page 43);

Criticisms of the Green Paper

The major criticism that can be levelled at the Paper is that on virtually every page, reference is made to economic benefits to be derived from the oceans; the need to curtail or modify economic activities to conserve the marine environment is given far less attention. Even when the poor state of the marine environment is mentioned, it is done using words with very specific implications, such as the following from page 6:

we must maintain and improve the status of the resource upon which all maritime activities are based: the ocean itself.

The oceans are viewed as a resource, not an environment. As another example, when the Paper describes the economic importance of the EU's maritime interests, it begins with transport, and notes that 90% of external trade and 40% of internal trade are conducted by sea, and then notes:

Maritime transport and ports are key components of the logistics chains which link the Single Market the world economy. Their continued efficiency and vitality is crucial to European competitiveness in a globalising world.

One could be forgiven for interpreting this as saying "Maritime transport is too important to be constrained by environmental considerations."

The Task Force that was set up to develop the Paper consisted of seven Commissioners, of which the majority were industry-oriented - Fisheries (chair), Enterprise and Industry, Transport, Energy and Regional Policy (the others were Research and Environment). This industry domination demonstrates very clearly the orientation of the Commission and what kind of Policy Barosso wants to establish.

There are other, more specific problems:

Governance. It is beneficial to try to get those who are affected by rules to accept them, which requires a certain amount of consultation, dialogue, etc. However, the Paper talks about Corporate Social Responsibility as having an important role to play in this as an "alternative to regulation" (page 23). CSR has far too often turned out to be green-washing to have any major role to play in such an important matter as the maritime policy.

Military. The military is mentioned several times in the Paper, but always in the context of what the military can contribute to improving use of the oceans - use of military technology for surveillance of vessels, disaster relief, combatting piracy. No mention is made at all of the

environmental and other problems caused by military activities and the need to ensure that the military is also constrained in what it can do at sea.

Marine Strategy. The Commission has adopted a Marine Strategy, and proposed a directive to "achieve good environmental status of the marine environment by the year 2021" (COM (2005) 505). As noted above, marine environmental conservation should, indeed must, be the underlying basis of the EU approach to maritime activities. However, the Paper makes clear that the Marine Strategy is intended to be merely a part of the Maritime Policy, and not the dominant one. It is true that it is to be one of the two pillars of the Policy (along with the Lisbon Strategy), but all indications are that it will end up being subservient to the Lisbon Strategy.

Financial Support. The Paper notes, correctly, that there are many EU financial instruments that can, or could, contribute to the objectives of the Maritime Policy - structural funds, cohesion fund, the new fisheries fund, etc. It even raises the possibility of involving the European Investment Bank. All of this is mentioned in the context of finding money to bring out the full potential of the oceans, such as boosting competitiveness and employment, financial engineering, alternatives to fishing, etc. No mention is made of the need to examine the very detrimental impact that these funds have had in the past by being too much concerned with "development" - building new fishing vessels to fish depleted stocks, for example, or building new ports that are not needed. A thorough and coordinated review of the objectives of these sources of funding and the sorts of projects they can be used for is desperately needed.

Specific Themes

Fisheries

A curiously positive spin is put on fisheries in the Paper. It notes how fish stocks depend on a healthy marine environment, and in turn how fisheries depend on abundant fish stocks. But it does not provide any sort of analysis of the extremely depressing state of so many of the EU's fish stocks, caused in large part by over-fishing, unsustainable fishing techniques and excessively large fishing fleets. Perhaps it thinks this is well-known, but it needs to be constantly repeated. Instead, the paper talks about how healthy fish are as food! This is in stark contrast to the levels of PCBs, dioxins and other pollutants that are regularly found in fish.

Later, reference is made to the declaration made at Johannesburg to bring fish stocks up to a level of abundance known as "maximum sustainable yield" (MSY) and the benefits that would result from more abundant fish stocks are outlined. It is true that the Johannesburg declaration referred to MSY, but it is far too weak as an objective - fish stocks should be much more abundant than that.