Application of the precautionary principle and multiannual arrangements for setting TACs

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PURPOSE : to apply the precautionary principle and mulitannual arrangements for setting TACs.
CONTENT : this paper focuses on the application of the precautionalry approach to a specific problem, the setting of TACs and the rate of exploitation in a single-species fishery management context. Firstly, it should be noted that the scope for applying the precautionary principle extends far beyond fisheries. The subject has been reviewed in general. While the scope has been deliberately restricted, the analysis that follows does deal with a key problem of the CFP. The application of 'precaution' in regional fishery organisations and in fisheries agreements, both as a principle and in the way it is implemented, tallies with the conception of the precautionary principle as reflected in the Commission Communication. A dominant feature of resource conservation policy under the CFP to date has been the annual pattern of the end of year negotiations to set the TACs for the year ahead. The inevitability of this pattern has given rise to drawbacks that have worsened over the years. Moreover, the annual pattern of decision-making has resulted de facto in a dilatory policy of stock management that has failed to safeguard or restore stocks. Since the problem is not specific to the CFP, the precautionary principle has been developed in response to such difficulties. The first section of this paper sets out to throw light on then on this topic. The second part broadens the discussion to include the introduction of multiannual management frameworks, as the mulitannual dimension is necessary not alone to avert the risk of disaster but also to rationalise the management of resources. The third section focuses on the links between the precautionary approach and the multiannual decision-making mechanisms for the TACS. The final section outlines the approach required to provide the CFP with these multiannual decision-making arrangements, focusing on the precautionary approach as well as other factors, starting with the industry's concern to prevent as far as possible over-rapid fluctuations in the TACs. To conclude, the report stipulates that the conditions are now ripe for making real progress and that initial discussions on the precautionary approach have brought about a general awareness of the dangers in the conventional way of determining TACs. Although it could have been better adapted through further consultation, the scientific evidence currently available has paved the way to a multiannual approach. Lastly, there is no need to wait until discussions on the reform of the CFP are concluded before putting such arrangements in place, because the matter is urgent, but also and especially because a better mechanism for determining TACs is needed in any case.