

Swedish Society for Nature Conservation

# Report To draw the line

EU fisheries agreements in West Africa

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**Order No:** 9534  
**ISBN:** 978-91-558-0010-9  
Stockholm, 2009

This report has been produced with financial support from Sida. Sida has not contributed to the development of this report. The views and interpretations expressed are those of the authors and do not necessarily reflect those of the Sida.

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Ahmedou Ould Abderahane, 40 years, fisherman. Photo: Mikael Cullberg

## 144 kilometres south of Nouakchott, Mauritania. 14th February 2009

– Fishing here is dangerous. There aren't any ports along the whole length of the coast. The waves are often very high. Last week two boats sank and thirteen people drowned.

### **Here? Off this beach?**

– Yes. They were my friends. I used to meet them every day.

### **What happened?**

– The sea is very rough at this time of year. They fell overboard. Legally, they should have worn life jackets, but most of them didn't. The ones that had life jackets were rescued by the coastguards.

### **Why didn't they all have life jackets?**

– Some had them, some didn't.

### **But the ones that didn't have life jackets, why didn't they have them?**

– They didn't own any.

### **How do you feel now?**

– I am always worried. I hope that my son will not end up working here. He is in Nouadhibou, north of Nouakchott, learning to fish. It is much safer there, there is a natural harbour. Here, we are completely unprotected. Accidents happen here almost every day.

### **What will happen to the families of the fishermen that died?**

– Their relatives will help them.

### **Do you have a life jacket when you are out at sea?**

– No.

### **Why not?**

– I don't own one.

# Foreword

During the 1990s, criticism was often directed at the EU fisheries agreements with third countries and the European Commission's implementation of the external fisheries policy.<sup>1</sup> When the EU Common Fisheries Policy, CFP, was reformed in 2002, the criticised fisheries agreements were given a facelift, and renamed Fisheries Partnership Agreements. Though the partnership sounds good in theory, and criticism of the agreements has diminished, there are still very strong reasons to question whether these agreements promote sustainable use of marine resources and whether the development aspects of the agreements are satisfactorily met in reality. The CFP is once more in line for reform, in 2012. EU member states and other stakeholders have been invited to contribute their ideas to the reform process, based on the issues outlined in a so-called *Green Paper* from the Commission. In other words, now is the time for the Swedish government to accept responsibility and contribute to the development of the EU external fisheries policy. The government should ensure that the task given to the Commission agrees with the Swedish Policy for Global Development and with the EU resolution on Policy Coherence for Development. The Commission should act to ensure that those who need it most have access to fish, now and in the

future. One part of the solution is to ensure that the partnerships are given a meaningful content and lead to long-term fisheries and development cooperation with the contracting states, in West Africa and other parts of the world.

This report was produced within SSNC's Global Marine Programme. It would not have been possible without the valuable contributions of many, in particular: Abdoulaye Diame, *African Mangrove Network, Senegal*; Béatrice Gorez, *Coalition for Fair Fisheries Arrangements, Belgium*; Jedna Deida, *Chief Editor Le Quotidien de Nouakchott, Mauritania*; Sid'Ahmed Sidi Mohamed Abeid, *Chairman of the Artisanal Fishermen's Association in Mauritania* and many others, both in Europe and West Africa. SSNC extends very warm thanks to everyone who has contributed.

Swedish Society for Nature Conservation, May 2009



*Mikael Karlsson*  
President, Swedish Society for Nature Conservation

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<sup>1</sup> Policy for EU fisheries in foreign (third country) waters

# 1 Summary

The so-called Fisheries Partnership Agreements, FPA, cost the EU more than 150 million euro during 2009. This is 16.8 percent of the total fisheries budget and meets the needs of around 718 vessels (of which 59 percent come from Spain, 14 from France and 10 from Portugal). In 2009, 25 percent of the total financial contribution in the agreements was earmarked for the development of fisheries policy goals in the contracting states. The most important agreements are those signed with countries in West Africa, maintaining a long tradition of European fishing in the region.

In order to find out how this money is used and to study experiences of the so-called partnership with the EU in the contracting states, the Swedish Society for Nature Conservation, SSNC, visited four West African countries. Our journey took us to Mauritania, Guinea-Bissau, Senegal and Guinea (Conakry), where we met amongst others fish workers, civil servants and government representatives.

The results were disheartening. Most demersal, and many other fish stocks in West Africa are overfished. For numerous species, the situation is unclear. In many cases, there is little or no room to increase fisheries, for example, by allowing access to foreign vessels; on the contrary, in many cases there is a need to cut numbers. Furthermore, we found few signs that the EU money benefits the fisheries sector, at least not small-scale fisheries. Even if the fisheries agreements include a clearer development element since the reforms in 2002, these so-called partnership agreements are, and remain, based on the commercial relationship between a seller and a buyer, and are therefore dependent on the existence of viable fish stocks with which to trade. Moreover, the concept of fisheries and fish as a prerequisite for food security seems to be forgotten.

On our return from West Africa, we visited the EU Directorate-General for Maritime Affairs and Fisheries in Brussels, where the Commission commented on the lack of evaluation of the sectoral support. In defence of the fisheries agreements, the Commission was keen to point out their transparency. To test this transparency we requested access to a number of highly relevant pieces of information about the agreements and the fisheries concerned. None of this information was supplied to us.

The member states engage the Commission with the task of developing fisheries agreements to meet the goals of the external fisheries policy. All member states have the right to be present during the negotiation of these agreements and protocols. At the same time, it is generally recognised that the main fishing nations dominate the discussions. Initiatives from other EU member states, including Sweden, are sporadic despite the Commission's encouragement.

For many of those we met on our travels, preparation for the 2012 reform of the EU Common Fisheries Policy has already begun. The external fisheries policy passed in 2002 turned out to be a failure. The current reform process provides an opportunity to improve fisheries and development cooperation so that they make a practical difference – a difference for the women, men and children that are dependent on fisheries in countries such as Mauritania, Guinea-Bissau, Senegal and Guinea.

Mohamed Ould Saleck, a fisher and chairman of the artisanal fishers in southern Mauritania, asked us by what right children in Europe eat fish, when children in Mauritania cannot. And Gaoussou Gueye, a fish trader and vice chairman of CONIPAS, Senegal's artisanal fisheries organisation sent this message to Europe: "Why are the hygiene standards for fish exported to the EU so important, when no-one cares about ensuring that these standards are met for fish consumed in West Africa?" Mohamed, Gaoussou and many other West Africans hope that the CFP reform in 2012 will lead to a more serious approach to partnership and initiate long-term cooperation which benefits the domestic industries.

In view of the weaknesses in the current system, SSNC recommends a reform of the EU external fisheries policy which paves the way for real partnerships, based on coherence between fisheries, development and trade policies, in accordance with the EU development policy and the UN Development Goals. With the support of the national Policy for Global Development, Sweden's government could be the driving force.

SSNC recommends that a clear division be made between, on the one hand, cooperation and development and, on the other hand, fisheries access. Contracting states in Africa and



For children in West Africa, fish is an important source of protein. Photo: Kajsa Garpe

other parts of the world should be offered basic, long-term fisheries cooperation that addresses management, control and development. The partnership should be based on the perspective of poverty reduction and sustainability. It should prioritise management of small-scale, artisanal fisheries – those that are most important for people’s livelihoods and for the local food supply. An ecosystem approach to fisheries management and local community involvement are both needed to prevent depletion of the oceans’ resources. Where surplus fish stocks are well documented, and where EU vessels can be allowed access without causing negative effects for the domestic fisheries, a specific commercial agreement may be negotiated. Such an agreement should be subordinate to the long-term cooperation agreement, should be transparent, and should mainly be financed by those that make use of the resources.

Small-scale fish trading and processing should also be supported. This would lead to important improvements in the availability and quality of food and nutrients. At the same time, the prospects for people, in particular women, to provide for themselves would increase, fostering development that benefits the very poorest. It is only through the goal of true partnership that Sweden and the EU can win Mohamed’s and Gaoussou’s trust and create the conditions in which children in West Africa have the same rights to fish (of the same quality) as children in Europe, today and in the future. Should there be a shortage of fish, it is the West Africans who have the right of precedence to their own fish!



# Mauritania/ République Islamique de Mauritanie

**Independence from France:** 1960

**Population:** 3.1 million inhabitants

**Area:** 1 000 000 km<sup>2</sup>

**Capital city:** Nouakchott

**Terrain:** Desert, semi desert

**Natural resources:** Iron ore, gypsum, copper, phosphates, diamonds, gold, oil, fish

**Cultivable land:** 0.2 percent

**Political status:** A military junta gained control after a coup in August 2008. The elected parliament continues its work. A free presidential election is promised for the 18th July 2009.

**Median age:** 19 years

**Life expectancy:** 60 years

**Illiteracy:** 36 percent for men and 65 for women

**Unemployment:** 30 percent

**HDI ranking<sup>2</sup>:** 140/179

**Other:** Slavery was formally abolished in 1980. Ownership of slaves was criminalised in 2007.

**Domestic fisheries:** Fishing is nowhere near as extensive and technically developed as in Senegal. A significant share of fishing is for cephalopods. According to authorities, IUU fishing is extensive.

**Fishing agreement with the EU:** Until now, the EU has paid 86 million euro per year for access to Mauritanian waters, which makes it the EU's largest fishing agreement. The financial contribution will fall gradually from 2009 until the end of the agreement period in 2012, because fishing opportunities and the needs of the EU fishing fleet are both diminishing. Ship owners (mainly from Spain, Portugal, Italy, Greece and France, but also the Netherlands, Poland and Lithuania) also pay 15 million euro per year for their licences. The agreement covers tuna and other pelagic species<sup>3</sup>, demersal species, cephalopods and crustaceans. The payments for the agreement represent almost one third of Mauritania's state income. The first fishing agreement was signed in 1987.<sup>4</sup>

**EU support for national fisheries policy:** Between 11 and 20 million euro per year (gradually increasing) are earmarked for implementation of Mauritania's national fishing policy. This includes support to local fisheries, coastguard activities and stock assessments.

<sup>2</sup> Human Development Index. The index is used in the same way as GDP to compare the welfare in different countries. Whilst GDP focuses on material welfare, HDI is claimed to give a fuller picture of welfare, because it weighs up life expectancy, level of education and GDP. Sweden's HDI ranking is 7/179

<sup>3</sup> Living in the open sea, not associated with the seabed or coastal areas

<sup>4</sup> European Commission 2008



*” By what right do children in Europe eat fish when children in Mauritania cannot?”*

144 kilometres south of Nouakchott, Mauritania. 14th February 2009

– Let me ask you a few questions, seriously! Why doesn't the EU buy fishing rights from Norway? How many Norwegians are there and how much fish do they have? Wouldn't it be simpler to buy fishing rights from them rather than from us? When you have the answer to why Norway doesn't sell fishing rights, you also have the answer to why a poor country like Mauritania sells rights. In the past, Europeans were colonists, dictating the conditions. And it's the same today. I call it economic slavery! Mauritania cannot forgo these agreements; we cannot manage without them. It is plain extortion! And what happens to us in the meantime? Nothing. We have not developed our technology at all, we are used to being dependent on Europe; we are enslaved! The Mauritanian fisheries get nothing out of the EU agreements, nothing!

– And let me ask another question: How many kilometres is it from Nouakchott to Tokyo? And how many to Brussels? Lisbon? Amsterdam? Why is it that the Japanese have built schools and roads for us here, even though they don't even fish in our waters? They buy fish from us instead! It is true

that the Russians fish here, but they do sell three percent of the fish to Mauritania. The Europeans don't sell anything to us – they land the fish in Las Palmas! We never see the fish here! They do not create any employment, they do not land any fish, and they do not build anything. It is only the Chinese and the Japanese that build anything here. Why is that the case? Do you know who paid for the fish auction house in Nouakchott? The Japanese! Not Europeans, never Europeans!

– In the EU agreement it says that artisanal fisheries should receive some of the money, but we have never seen any money from the protocol. Can you see a hospital here? Did you know that we can only go out to sea on two days out of every seven, because the sea is so dangerous? Where are the cold storages along the coast? Where are the transport facilities? Our fish rots. We cannot export it – but you can! The people here are poor and they can't afford to buy the fish. Do you think that women in Portugal have more right to eat fish than women in Mauritania? By what right do children in Europe eat fish when children in Mauritania cannot?



Photo: Mikael Cullberg

Mohamed Ould Saleck (fourth from the right), Chairman of PAS, Pêcheurs Artisanaux Sud (Artisanal Fishers of Southern Mauritania).

## 2 Introduction



Small-scale fisheries may be non-selective; in which case different species are caught. Photo: Kajsa Garpe

Our oceans are being emptied of fish, often with the help of state subsidies, by vessels that are far away from their country of origin or flag state. A study undertaken in 2008 found that no area of the world's seas is unaffected by human influence.<sup>5</sup> Furthermore, a large fraction (41 percent) is strongly affected by multiple human activities. At the same time, the world's fisheries are in crisis. 80 percent of the world's fish stocks are fully exploited or overfished and only 20 percent of stocks could sustain more fishing.<sup>6</sup> The EU fleet consists of 88 600 vessels, of which 718 mainly fish outside of European waters,

many in West Africa. Daniel Pauly, an internationally renowned fishing expert, criticises the EU for first having emptied its own waters and now moving on to neighbouring waters.<sup>7</sup> The few available estimates of fish stocks off the West African coast indicate that industrial fishing should not increase, but rather decrease in order to make room for more sustainable small-scale fishing. In the next few years, it is expected that strong international focus will be placed on small-scale, so-called artisanal fisheries and their importance in securing access to food, health and livelihoods.

5 Halpern *et al.* *Science*, 319: 948-952.

6 *State of the world's fisheries and aquaculture 2008*, FAO 2009

7 Dagens Nyheter, Sweden, 4 April 2008

## 3 Merits of fisheries

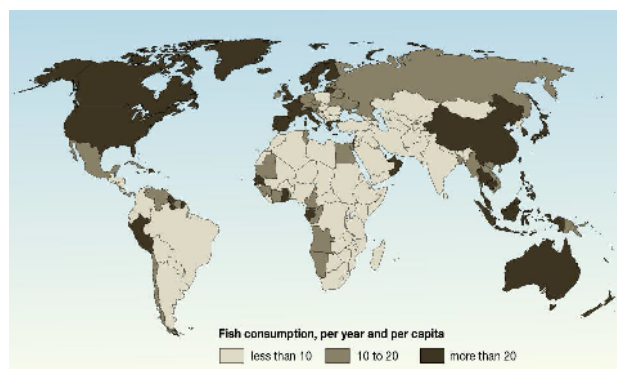
Fisheries are crucial for a large share of the world's poor. They create employment and livelihoods for many people and are a source of food and essential nutrients, in Africa and worldwide. Small-scale fisheries provide a safety net for poor and marginalised groups and an economic force for development in poor countries. With the UN Millennium Goals in mind, fisheries are a key area through which millions of people living below the poverty line<sup>8</sup> can be given tools that will raise their income, improve their families' intake of nutrients and their education, and work actively for economic development and improved social and democratic conditions.<sup>9</sup>

### 3.1 Fish as food

Fish is a vital staple for over one billion people worldwide.<sup>10</sup> Annual fish consumption per capita has steadily increased from around 10 kg in the 1960s to almost 17 kg in 2006.<sup>11</sup> The current consumption of fish and shellfish varies by region, from one to 100 kg per year and per capita. In recent years, the main increase in fish consumption has been seen in China. By 2030, we will need a further 37 million tonnes of fish per year to maintain the current level of consumption as the world population increases. In Africa, two hundred million people are dependent on fish for between 22 and 70 percent of their animal protein intake.<sup>12</sup>

Fish is eaten fresh, or even more commonly smoked, dried or in the form of fishmeal. For many communities, from isolated rural villages to poor urban households, it is the only source of dietary protein and vital nutrients. Yet according to WorldFish Center, fish consumption in Africa is falling. Africans currently consume less than half as much fish per capita as the worldwide average.

Fisheries also contribute indirectly to the food supply through trade and export. In equivalent terms, half of the



Worldwide fish consumption in kg.<sup>13</sup>

low-income food deficit countries' import bill for food is covered by the income from the export of fish and fish products, according to WorldFish Center.

Whilst aquaculture has increased greatly in Asia, it represents less than two percent of fish production in Africa. The potential for expansion is believed to be considerable in some areas. However, aquaculture also has its problems, especially in the production of tropical shrimps and predatory fish, which are mainly dependent on feed from capture fisheries.

### 3.2 Fishing as livelihood

Small-scale fish workers operate from small boats mainly along the coast, on inland waters or from land. According to WorldFish Center, three quarters of the 30 million fishers worldwide work in small-scale fisheries. If everyone working in fisheries-related trades – such as processing and fish mongering – and their families are included, then approximately 150 million people are directly dependent on small-scale fisheries for their livelihood.

It is estimated that between six and nine million people in sub-Saharan Africa work full or part time with fisheries

<sup>8</sup> Defined here by income, where the threshold is the income needed to buy all the resources necessary to survive.

<sup>9</sup> The Millennium Development Goals – fishing for a future, WorldFish Center 2007. WorldFish Center is an international organisations working in partnership with a wide range of government and non-governmental agencies to conduct research with the aim of developing sustainable small-scale fisheries and aquaculture.

<sup>10</sup> State of the World's Fisheries and Aquaculture 2008, FAO 2009

<sup>11</sup> Ibid

<sup>12</sup> Fish, Food and Energy: balancing our approaches to meeting growing demand, WorldFish Center 2008

<sup>13</sup> UNEP/GRID-Arendal. Source: State of the world's fisheries and aquaculture, FAO 2006

*”At least 30-45 million people in Africa depend on fisheries for their livelihood.”*

along the coast and inland, including those that trade and process the fish. A very cautious estimate is that at least 30-45 million people in Africa depend on fisheries for their livelihood.

Women have a key role in fisheries in developing countries, henceforth referred to as the Global South or the South. Most processing and local trade of fish is done by women. In many of the poorest families in fishing villages, it is the women that are the breadwinners.

Fishing is also an alternative occupation for others than full-time fishers. Many poor people who work in farming turn to fishing as an alternative source of income, in particular when there is a poor harvest or when livestock are hit by disease. In this way, small-scale fishing is a way to secure survival. For those that cannot afford to buy food, fishing for the household’s consumption can make the difference between health and illness, between survival and starvation. Not only occupational fishers provide food to the family; family members of all ages in many African villages contribute to the family’s survival by turning to fishing from time to time.

### 3.3 Fish as a commodity

The total export value of fish and fish products worldwide was 92 billion US dollars in 2007 according to FAO statistics. The current global fish production from fisheries and aquaculture is 144 million tonnes, of which 77 percent is food fish. 55 million tonnes or 38 percent of the total fish production is sold on the international market. The trade in fish is increasing at a much faster rate than the trade in agricultural products. An increasing share of global production is exported. The export value of fish exceeds the export value of many major agricultural products for countries in the South.<sup>14</sup>

Countries in the South produce around half of all global fish exports in terms of value. Countries in the North buy 62 percent of all fish imports, by weight, but 80 percent by value.

The net income to countries in the South from fish exports was around 25 billion US dollars in 2005, which was an increase from 3.4 billion in 1980 and 17.4 billion in 2001.<sup>15</sup> These figures include both fish from aquaculture and capture fisheries.

Overall, it is expected that countries in the South will continue to be net exporters of fish until 2020, but this is not the case in Africa, where the fish deficit<sup>16</sup> is expected to increase nine-fold according to WorldFish Center. Some African countries are nonetheless keenly developing export to Europe, Asia and America, with the risk of undermining the local and regional food supply.<sup>17</sup>

In theory, fish that is exported, and thereby “disappears” from the African market, can be replaced by imports, and the foreign income from export can stimulate economies in many ways. However, this market mechanism rarely works for the poor of rural Africa, and scarcely for poor people in cities. Export rarely provide any benefits for them; rather they risk losing from it. Furthermore, a strong emphasis on export often favours large-scale fisheries, at the expense of small-scale fisheries, which is unlikely to work in the poor’s favour. An exception to this situation is Senegal where small-scale fisheries make the main contribution to export.

#### Hiv and Aids affect the fishing communities

Small-scale fisheries are diverse, geographically dispersed and vulnerable to external influences and crises –threatening people’s livelihoods. Hiv and Aids are one such threat. The prevalence of Hiv and Aids is between five and ten times higher in fishing communities than in the population as a whole. There are several reasons for this: many fishers are in the most sexually active age group, between 15 and 35; their mobile lifestyles increase exposure to risky behaviours. In some cases, sex is a part of the business transaction between the fisher and the women that buy the catch – who are often in position of weakness compared to the seller. Furthermore, fishing communities are often marginalised, and access to health care and Hiv and Aids support services is inadequate or non-existent.

<sup>14</sup> The State of World Fisheries and Aquaculture 2006, FAO 2007

<sup>15</sup> Handeln med fiskprodukter expanderar, FAO Norden 2008

<sup>16</sup> Here the deficit is equal to the net import: production - export + import = consumption.

<sup>17</sup> WorldFish Center 2009

## 4 Fisheries in West Africa



Three quarters of the world's fishers work in small-scale fisheries. Photo: Mikael Cullberg

Fisheries are of great importance in West Africa. Consumption is in many cases much higher than in Africa as a whole. Senegal is the major fishing power in the region, with a large fleet that fishes both in its own waters and in neighbouring waters. Fish export, both to Europe and to other African countries, is central to the Senegalese economy.

Lack of facilities and resources on land for storing and processing the catch is common in many parts of Africa.<sup>18</sup> Without ports, refrigerators, ice and vehicles to transport the catch, the quantity of fish available to consumers is reduced and the income to fishers, traders and processors falls. Consequently fishers must increase their effort to support themselves and meet market demands.

### 4.1 Regional management

The waters off the West African coast, from the Straits of Gibraltar to the mouth of the River Congo, are regulated through the Committee on East Central Atlantic Fisheries, CEECAF, an advisory committee within the Food and Agriculture Organisation, FAO, of the United Nations. The committee is composed of the West African coastal states as well as the EU and some member states.<sup>19</sup> The committee members work together to collect data on fish stocks and fisheries, and to agree on guidelines for how the fisheries should be managed. The Norwegian research vessel *Fridtjof Nansen* is one of the vessels contributing to studies of fish stocks in these waters.

<sup>18</sup> Fish and food security in Africa, WorldFish Center 2005

<sup>19</sup> In international organisations in areas where the EC possesses competence, such as fisheries, both EU member states and the EC can be members. In these cases, the EC (still the EC rather than EU according to international law) is represented by the Commission.

*” According to CECAF, the best available knowledge suggests that most stocks are either fully exploited or overexploited.”*



Many places in Africa do not have sufficient facilities and resources to take care of the fish catches. Photo: Isabella Lövin

#### 4.2 Fish resources

According to CECAF, the best available knowledge suggests that most stocks are either fully exploited or overexploited. In many cases, the status is unknown. There is, therefore, very little room to increase fishing, for example by granting access to foreign vessels; on the contrary, in many cases there is a need to reduce activities. The most recent scientific advice is from 2007.<sup>20</sup> The results were mixed for pelagic species; according to estimates, some stocks were overexploited whilst others most likely were not fully exploited. For several species, the uncertainty of the results

was emphasised and for some other species the committee could not draw any conclusions due to lack of reliable data.

For all demersal species, the situation was found to be critical. Advice from 2007 covered 24 stocks in the northern part of the CECAF area, from the northern Atlantic border of Morocco to the southern border of Senegal. One stock is estimated to be depleted (*”thiof”*, *Epinephelus aeneus*, a valuable and highly appreciated food fish), whilst 13 others are assessed to be overexploited, including cephalopods, hake and certain tropical shrimp stocks. Three demersal

<sup>20</sup> Main outcomes of the fifth session of the scientific subcommittee, CECAF 2008

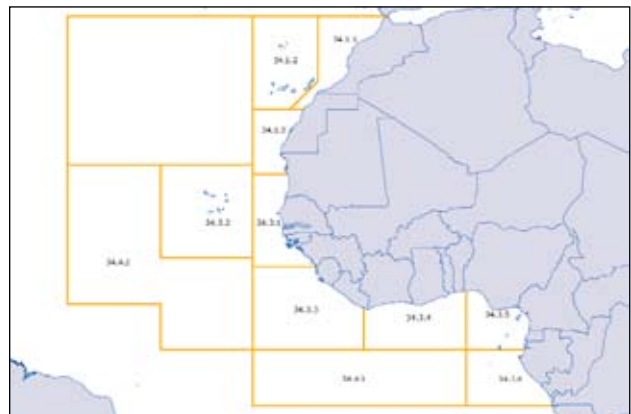


Illegal fisheries in Guinea. Photo: Pierre Gleizes



Photo: Kajsa Garpe

The highly valued food fish *thiof* is depleted off the West African coast.



The CECAF area. Source FAO

stocks are considered to be fully exploited, whilst the situation for a further seven stocks is uncertain due to insufficient data.

#### 4.3 IUU fishing in West Africa

In addition to the lack of complete and regular estimates of fish stocks, uncertainty about the status of West Africa's fish resources is compounded by widespread illegal, unreported and unregulated fisheries, hereafter referred to as IUU fishing. No one knows how many vessels are fishing illegally and it is even more difficult to estimate the size of the

catches. Countries in the south do not generally have the economic or human resources to regulate, monitor and control fisheries. In some cases, the extent of IUU fishing can be close to that of legal activities. When Greenpeace surveyed the Guinean waters in 2001, they found that more than one third of vessels were involved in IUU fishing.<sup>21</sup> The value of IUU catches in Guinean waters was estimated to be around 110 million dollars over a twelve-month period in 2003-2004.<sup>22</sup>

21 Environmental Justice Foundation 2006

22 Ibid



Sid 'Ahmed Sidi Mohamed Abeid, Chairman of PAN, Pêcheurs Artisanaux Nord (national representative for artisanal fisheries) and also chairman of the Regional Permanent Forum of Artisanal Fisheries Professional Actors in West Africa

## Nouakchott, Mauritania. 14th February 2009

– My father was a Bedouin, he had more camels than any other in his tribe. When my older brother died I became the eldest son, so I was allowed to study. All of my siblings grew up in the desert, but I lived in town and studied in school. My uncle was a fisherman. I spent all of my school holidays fishing with him. I helped to establish the first fishery cooperative in Nouadhibou in 1971. And I was the first who started to fish for octopus, first with cement cages, then with used five-litre tomato cans. I managed to buy 4 000 empty five-litre water bottles in Spain, which I started to use as pots. They worked really well so we now manufacture these plastic pots and I own five boats. We fish both octopus and fish.

– Since 2008, there has been a serious crisis in octopus fishing. In Mauritania we have a ban on fishing for four months of the year: September, October, April and May. But when we saw that the price of octopus was falling on the Japanese export market we voluntarily extended this ban by one month. The problem is that the EU ships didn't stop fishing and their subsidised boats have continued to export octopus to Japan despite the falling prices. In less than one

year the price has fallen by 57 percent and in Mauritania we have stored 3 000 tonnes of octopus that we cannot sell. It's unfair competition! Our fishermen are poor and the government has put an extra tax on fuel, whilst EU ships are subsidised by European taxpayers! They don't care; they can sell at much lower prices than we can! Of course, they also have much better trading channels and all sorts of sophisticated equipment. We are completely against Mauritania having an agreement with the EU for fishing octopus! It is strategically important for the small-scale fisheries which employ 25 000 people. Besides, we have much less destructive fishing methods than the EU boats and we don't have any discard. The foreign boats from the EU, and also from Russia and China, use bottom trawls, destroying the habitat and our cages too. Now we are worried that EU ships will become interested in the big food fish instead, so that we get problems with those too. The agreement with the EU does not specify how much they can take, only how many boats they can have here. Naturally, they take as much as they can.

*”The government has put an extra tax on fuel, whilst the EU ships are subsidised by European taxpayers.”*



## 5 The EU external fisheries policy

The EU Common Fisheries Policy, CFP, is decided by EU ministers, in accordance with the EC Treaty. Besides all fisheries within the EU the CFP also covers European fishing vessels in distant waters, that is to say waters outside of the EU economic zone; these fisheries must follow the same objectives as fisheries within the EU – economically, environmentally and socially sustainable fisheries.

The reform of the CFP in 2002 resulted in considerable changes, not least for external fisheries. Until then, operators could receive subsidies to build new vessels; this was phased out after 2002. Subsidies were also available for vessels to change flags or to move to distant waters; these subsidies were also phased out. Before 2002, the number of EU vessels in the external fleet was increasing but since 2002, both the internal and external fleets have decreased in numbers.

### 5.1 EU external fisheries policy objectives

The EU external fisheries policy, which is implemented through so-called Fisheries Partnership Agreements, FPA, enables EU vessels to fish in a contracting state's economic zone in return for a financial contribution. The objectives of the FPAs from 2002 are threefold:

- to create fishing opportunities for the European fleet;
- to supply fish to the European market;
- to promote sustainable fisheries in the contracting state.

The validity of these goals can be questioned. The first goal, to create fishing opportunities, may be acceptable if resources really are available that are no one is exploiting. In practice, agreements have also been signed in areas where stocks are fully or overexploited. In these cases, domestic fisheries in the contracting country have been negatively affected. Nowadays, new agreements are mainly concerned with access for the EU tuna fleet, which is less problematic than coastal fisheries.

The second goal, to supply the European market with fish, is obsolete. There is no doubt that EU importers can always obtain fish, irrespective of whether it has been caught by European or other vessels. For the contracting states, it is

Photo: Isabella Lövin



In the agreement with Mauritania, it is stated that part of the payment shall be used in support of the domestic fisheries policy. Nonetheless, Mauritanian fish workers have not yet seen any evidence of these 27 million euro (the total earmarked contribution for 2008 and 2009).

obviously better that the domestic fleet land the catch and then exports it to Europe, rather than European vessels landing the catch. The main obstacle for West African countries is the EU hygiene requirements.

The last goal aims to promote responsible and sustainable fisheries in the contracting states, in particular by supporting their fisheries policy. This goal was added in the reform in 2002 to cover the concept of “partnership”. In this way agreements would no longer just be about gaining access to fisheries; the EU would also ensure that fisheries in the contracting state became sustainable by developing domestic fisheries management and control. This aspect was already present in previous agreements, but the 2002 reform aimed



In Mauritania, EU and local fishers catch the same species. Photo: Mikael Cullberg

to increase focus and to improve the way in which the agreements were implemented. The aims were commendable but according to available evaluations<sup>23</sup>, these aims have not been reached yet. Our own research and impressions support this conclusion.

## 5.2 Future reform of fisheries policy

As part of the coming reform of the Common Fisheries Policy, the European Commission published a discussion document, a so-called *Green Paper*<sup>24</sup> in April 2009. It poses a number of open questions to all stakeholders. The questions will also be discussed by member states in the Council of Ministers. After the 2009 consultation period, the debate will be summarised and proposals for a revised fisheries policy will be put forward.

The Green Paper questions two of the current fisheries policy objectives: to create fishing opportunities for the European fleet and to supply fish to the European market. The Commission also admits that it has been difficult to implement agreements in the right way in several countries because of political instability and an insufficient, or complete inability, to assimilate support for fisheries policies. The Commission nevertheless considers that the best aspect of the current agreements is that they contribute to better fisheries management in the partner country, but that research must be improved in order to improve assessments of sustainable catch levels.

According to the Green Paper, the agreements contribute to the development of the EU fishing industry, but have not

had any real effects on poverty reduction in the contracting states. The paper suggests that the EU should take into consideration the efforts of the contracting state to improve food security. It also says that the current arrangements must be reviewed and that other forms of collaboration should be investigated.

“We are disappointed with the results of the Fisheries Partnership Agreements so far,” said Fabrizio Donatella, head of the unit responsible for fisheries agreements at the Commission’s Directorate-General for Maritime Affairs and Fisheries, in an interview with SSNC.

## 5.3 Fishing waters as a commodity

### *The Convention on the Law of the Sea*

Since 1982, coastal states control the ocean and its resources in the area up to 200 nautical miles from land: the Exclusive Economic Zone, EEZ. This was established through the binding UN Convention on the Law of the Sea, UNCLOS. According to the convention, a coastal state *must* sell rights to any surplus fish resources which it cannot utilise itself, if another country wishes to use these rights. Of course, this presupposes that it is known whether a surplus catch is available. In reality, knowledge about the state of the fish stocks is often too uncertain to be able to determine whether there is a surplus. The FAO Code of Conduct for Responsible Fisheries, which most countries have adopted, requires a precautionary approach to be used where there is uncertainty.<sup>25</sup>

Before the creation of the EEZs, fishing in the oceans

23 Comparative Study of the Impact of Fisheries Partnership Agreements, MRAG 2007

24 EU’s Green Paper: Reform of the common fisheries policy, European Commission 2008

25 FAO Code of Conduct for Responsible Fisheries, adopted in 1995 by over 170 member states of the UN Food and Agriculture Organisation, FAO

*” According to the convention, a coastal state must sell rights to any surplus fish resources which it cannot utilise itself, if another country wants to use these rights.”*

outside of each country’s territorial waters (12 nautical miles from land) was free for all. European fishers, in particular from Spain, Portugal and France, have long fished in foreign waters, including those off West Africa. They were present during the colonial period, and have continued fishing ever since. The development of the economic zones was forced during the 1970s as a way to control fisheries and to generate new incomes. The requirement to allow fishing rights in the economic zones to other countries came in to being as a compromise when the fisheries that were previously free were closed for foreign vessels.

#### *Agreements – a way to stop southern European fisheries from fishing in the EC’s northern waters*

Several states in Europe began to sign agreements with coastal states in order to ensure continued access to fishing waters for their businesses. Joint agreements were signed by the countries that were members of the European Community, EC, at the time. The first agreement that the EC signed was with Senegal in 1980. During the negotiations on the accession of Spain and Portugal to the EC, a compromise was reached. These countries did not gain access to the EC’s northern waters – the North Sea and the rest of the north-west Atlantic. Only vessels from the EC’s northerly member states were allowed to fish these waters. In return, the EC signed fisheries agreements with West African countries, where vessels from the new member countries were already fishing. In this way, the continued existence of these fishing fleets was guaranteed, not least in Morocco’s waters. This factor may obstruct change in the EU external fisheries policy. The treaty on accession specifies that the fisheries agreements should be taken over by the EC, but just how far-reaching the agreements should be and how long they must remain is a political decision.

#### *Costs*

The European Union pays around 150 million euro from tax revenue to ensure that European vessels can access fisheries



In Africa, at least 30-45 million people depend on fisheries for their livelihoods. Photo: Mikael Cullberg

in other countries’ waters, mainly in Africa. Even if the cost is less than half a euro per person, it is a considerable sum of money for a sector of such little significance to Europe’s economy as a whole. The total sum has fallen since its highest level of 296 million euro per year in 1997. In addition to these public funds, the ship owners pay a licence fee to fish in these waters. In 2007, the total financial contribution to countries with fisheries agreements was 191 million euro, of which 33 million came from the fishing industry (17 percent of the cost).

#### *Many kinds of agreements*

The USA also signs fishing agreements for distant waters, mainly with island states in the Pacific Ocean. Vessels from other countries including China and South Korea also fish in distant waters, such as those controlled by African states, under fisheries agreements. In these cases, it is usually not an agreement between two states, but rather with associations of companies. Such agreements are not in the public domain, and it is very hard to know the conditions under which the agreements are signed and how far-reaching they are.<sup>26</sup>

<sup>26</sup> Comparative Study of the Impact of Fisheries Partnership Agreements, MRAG 2007



## Guinea-Bissau/ República da Guiné-Bissau

**Independence from Portugal:** 1974

**Population:** 1.5 million inhabitants

**Area:** 36 000 km<sup>2</sup>

**Capital city:** Bissau

**Terrain:** Savannah, rainforest, mangroves. Around thirty islands make up the Bijagos archipelago

**Natural resources:** Fish, timber, phosphate, bauxite, oil (unexploited)

**Cultivable land:** 8.3 percent

**Political status:** Republic. Interim president in place after the country's president, Joao Bernardo Vieira, was murdered on 2nd March 2009

**Median age:** 19 years

**Life expectancy:** 48 years

**Illiteracy:** 55 percent

**Unemployment:** Unknown

**HDI ranking:** 171/179<sup>27</sup>

**Domestic fisheries:** A small and undeveloped sector suffering from high charges. A fishing licence for an artisanal fisher costs between 150 000 and 300 000 franc CFA (225–450 euro). This is ten times more than in Senegal and an enormous sum of money for the average fisher. The licences provide a significant income to the public treasury. The state of fish stocks is generally unknown.

**Fishing agreement with the EU:** The EU agreement is worth almost 30 percent of the total state income. The first agreement was signed in 1980. The current agreement, for 7 million euro per year, allows vessels mainly from Spain, Portugal, Italy, Greece and France to fish for cephalopods, tropical shrimps, demersal species and tuna in Guinea-Bissau's waters.

**EU support for national fisheries policy:** According to the agreement, 35 percent of the financial contribution, i.e. 2 450 000 euro, should be earmarked for "defining and implementing a sectoral fisheries policy in Guinea-Bissau with a view to introducing sustainable and responsible fishing in its waters. In addition, an annual sum of 500 000 euro will be provided to improve sanitary conditions and for monitoring, control and surveillance in Guinea-Bissau fishing zones." There are strong doubts that Guinea-Bissau has fulfilled the conditions of the agreement.

**Other:** Guinea-Bissau was in a state of crisis after the murders of the president and head of the army in early March 2009. EU's financial contribution is crucial for the economic and political stability of the country. An attempted military coup took place in winter 2008 and the head of the navy was murdered in January 2007. There was also a military coup in 2003, and one in 1998, which led to a bloody civil war ending in 1999. One third of the state budget is allocated to the army and police service; only 3.5 percent is spent on healthcare according to the WHO. According to the UN, the unguarded archipelago is widely used for smuggling narcotics from South America, on their way to Europe. Guinea-Bissau lies in joint ninth place in a ranking of the world's most corrupt nations.<sup>28</sup>

<sup>27</sup> Human Development Index. The index is used in the same way as GDP to compare the welfare in different countries. Whilst GDP focuses on material welfare, HDI is claimed to give a fuller picture of welfare, because it weighs up life expectancy, level of education and GDP. Sweden's HDI ranking is 7/179

<sup>28</sup> Transparency International 2008. Transparency International is a global civil society organisation with the aim of fighting corruption.



José Antonio Assôe, Deputy Head of the fishing authority in Region Nord  
Photo: Mikael Cullberg



Mussa Mané, Head of Cabinet, Ministry of Fisheries, Bissau  
Photo: Isabella Lövin

## Cacheu, Guinea-Bissau. 17th February 2009

### **Cacheu is the largest fishing port in Guinea-Bissau. How many boats are based here?**

- 75 canoes without motors and 27 canoes with motors. We issue about 80 licences per year, but we know that many more fish without a licence.

### **What happens if you catch someone fishing without a licence?**

- They have to pay a fine. First they have to pay the licence which is 200 000 CFA, and then an additional 200 000 in fines (in total around 600 euro). If we catch a foreign fisher, for example from Senegal, Ghana, Sierra Leone or Guinea then they are fined about double this amount.

### **Do you ever catch larger foreign vessels involved in IUU fishing?**

- Sometimes. Last week we caught two South Korean vessels that were fishing illegally. We know that only one in seven Korean vessels fishes legally, but it is difficult for us to stop them. There are 150 EU boats and an unknown number of Korean and Chinese vessels – and we only have three coastguard vessels.

### **We noticed a coastguard vessel here in the port. Why isn't it out patrolling?**

- It is very expensive to do inspections at sea. Our economic capacity is limited; fuel is quite simply too expensive. The foreign vessels know this. They can easily avoid us by moving outside of our range. No, we don't have any aerial or radar surveillance either.

## Bissau, Guinea-Bissau. 18th February 2009

### **Does the ministry have data about the size of the catches from the EU vessels fishing here?**

- We get annual reports, but our experience is that the ship owners like to under-report catches. There should always be an independent observer on board, but it is still hard to get hold of the true data. The observers work together with the vessel owners, one could say. According to the agreements, the vessels should report position and catch data every day, but this rarely happens.

### **What happens to vessels that don't follow the agreement regarding reporting catch and position?**

- According to the contract, there should be a penalty, but it is a "minor offence" so normally we don't do anything about it. We don't have the resources to control or report all the vessels that violate the rules of the agreements. If we did try to do this, then we'd need to report every vessel in our waters.

### **According to the EU Fisheries Partnership Agreement, 35 percent of the funds from the contract, that is 2 450 000 euro, should go to strengthening the domestic fisheries policy, and a further 500 000 euro should be used to strengthen, amongst other things, coastguard activities. Can't you use this money to tighten the controls?**

- It's a little bit complicated. We have a very large budget deficit, and all state incomes must pass through the finance ministry. The 2008 funds from the fisheries agreement have been tied up at the finance ministry since September 2008.

*"We don't have enough resources to control and report all the vessels that violate agreement rules. If we did try to do this, then we'd need to report every vessel in our waters."*

## 6 Fisheries agreements in practice

Fisheries agreements are often signed without a time limit, but there are exceptions. The agreements contain general formulations and no details about the fisheries. Within the agreement framework, the two parties – the EU and the contracting state – negotiate a so called protocol defining the size of the fisheries and what payments the country will receive from the EU.

In the past, negotiations between the EU and coastal states were characterized by the major fishing states within the EU trying to obtain as much access as possible, and by the Commission taking a rather weak position. In many cases, the impression was that the Commission mainly served the needs of Spain and the other fishing states. Other EU countries did not show much interest in the negotiations. However, the Commission does appear always to have been careful to keep down costs in the agreements as much as possible. Over time, the situation has changed. Criticism of the agreements increased during the 1990s from several quarters, both independent organisations and certain

member states, including Sweden. There was even criticism from the EU's control units such as the European Court of Auditors and the Commission's own budget control. The Commission has subsequently tried to a greater extent to hold back the demands from the fishing states. Increasingly, attention has been paid to making fisheries more sustainable; the reform of the Common Fisheries Policy in 2002 confirmed and established this. There is now a clear aspiration to only fish from stocks that are known to have surplus capacity. Evaluations are made in preparation for all new renegotiations. There has been a considerable reduction in the number of agreements containing coastal zone fishing, with a transition towards more tuna agreements. In the last few years, it has become quite common that the coastal states want to sell more fish than the EU is willing to buy.

### 6.1 Fisheries regulation

Fisheries are nearly always regulated by the number of vessels, when fishing for tuna, and the gross tonnage (weight of the vessel) for all other kinds of fish. The so-called agreement protocols also specify how much the ship owners must pay for fishing licences and which rules they must follow. Permitted and closed fishing areas may be specified; for example, vessels may not be allowed to fish in the contracting state's coastal waters. There may also be rules regarding which gear a vessel may use, such as the minimum mesh size in the net. European regulations are not applied. The protocols are applied before the country's internal fishing regulations, because international agreements always take precedence over national laws and regulations. However, it is, of course, possible to sign a protocol specifying that EU vessels must follow the national rules. The advantage with this would be that the rules do not need to be renegotiated when new fishing regulations are needed such as stricter rules on fishing gear.

Most agreements only address tuna species, that is to say, highly migratory stocks that roam the oceans, but there are some remaining agreements that include more coastal and local stocks. These mixed agreements involve the largest





Cirilo Vieira, Director of Fisheries, Fisheries Directorate, Guinea-Bissau  
Photo: Isabella Lövin

**Bissau, Guinea-Bissau.  
19th February 2009**

**How does the EU Fisheries Partnership Agreement affect domestic fisheries?**

– In order to understand our agreement with the EU we have to look back to 1975 when Guinea-Bissau gained independence. We signed a fisheries agreement with the Soviet Union that was meant to provide us with funds to build up the country after the colonial era. The Portuguese had not developed the domestic fisheries, and neither did the Russians. When we signed an agreement with the EU in 1980 things remained the same. It is true that the philosophy behind the agreement is different today, but in reality, I cannot see any difference in the results. The problem is that the fisheries here are completely underdeveloped. We currently have between 100 and 150 motorised canoes in the entire country. In 1994, we had between 400 and 500. The civil war in 1998 devastated everything and we have not yet recovered.

It is impossible to say how much foreign fisheries affect the domestic fisheries' catches because the fisheries here are so small, hardly measurable.

**But what about all the money from the fisheries agreement that should go to strengthening the domestic fisheries – what happens to that?**

– The funds do not stretch as far as we would like. Most money is spent on surveillance, mainly on fuel to the coastguard boats because fuel is very expensive. Our EEZ covers 72 000 km<sup>2</sup> – twice the size of our land area! Our coastguard boats can only be out for a maximum of three days at a time. They cannot go out too far; otherwise they cannot get back again. IUU vessels just make sure that they flee far enough out so that we cannot reach them.

**Guinean fishers have to pay many expensive charges, licences and taxes. Is this a good policy for developing the domestic fishing fleet?**

– I know that our fishers complain that they must pay many charges in order to fish, but I do not agree that 200 000 CFA (around 300 euro) for an annual licence is very much.

We must all pay taxes to the government so that the government can build hospitals, schools and roads – they get back everything that they pay for.

**Which problems need to be dealt with most acutely for the future?**

– We must put a stop to all the wastefulness of resources. EU vessels fish for tropical shrimps and dump enormous quantities of by-catch. A shrimp trawler can have 90 percent by-catch, which means that an EU vessel that catches 2.5 tonnes of tropical shrimps per day can dump 25 tonnes of fish! If there are one hundred EU boats, then 2 500 tonnes of fish can be wasted each day – fish that we need for human consumption!

Another problem is that EU vessels do not land their catch in this country but in Las Palmas, Vigo and Seville in Spain, or in Porto in Portugal. We do not know how much the EU vessels catch. Of course, we have asked many times, but the European Commission tells us that they also have difficulty in obtaining catch data.

We want the fish to be landed here in future. It would create employment and contribute to food security here, but first we need to build a port.

There are an infinite number of steps we need to take. We lack everything: infrastructure, freezers, ice, refrigerators, reserve parts, motors, and monitoring capacity. I believe that in the future the partnership agreements must become real partnership agreements. The EU must bring its know-how here and help us to develop the sector.

financial contributions; species like cephalopods are attractive to European fishers.

Pelagic fisheries are often very large-scale and most of the fish are used for fishmeal production. Not only Spanish and south European vessels, but also northern and eastern European vessels are involved in this fishery.

#### *Regional regulation of tuna fishing*

Quotas for tuna fishing are set for the Atlantic Ocean as a whole, and in the same way for the other oceans or parts of them. The allocation of catch quotas are based on previous landings by the fishing states. However, the tuna quotas have regularly been set far too high resulting in several tuna species and stocks having become threatened. Furthermore, some states are not satisfied with their assigned quota, and IUU fishing is extensive. Moreover, catch reports are hard to control and there is a risk that they are unreliable. Tuna fishing needs to be better regulated, but this can only be achieved through the Tuna Commissions<sup>29</sup>, not through fisheries agreements.

Tuna agreements often also allow vessels to fish for bait, which is then used to catch the tuna. In this case, they also catch small pelagic species. However, no EU vessels may fish in the coastal zone that is reserved for domestic fisheries.

#### *Fisheries without quotas*

For species other than tuna catch quotas are not specified in the protocol; instead, the vessels' gross tonnage is specified. This can be considered a measure of the fishing effort of the vessels, but the problem is that a vessel's efficiency cannot be measured by its size alone; engine power, gear and equipment are also important factors. On the other hand, catch quotas are not particularly easy to apply to multi-species fisheries. Experiences from catch quotas in Europe have identified a number of problems, in particular by-catches and fish that are simply thrown away (discards). The current system does not include any

incentives at all to encourage ship owners to avoid overexploited or threatened species. Furthermore, information about the quantity of fish that a vessel really has caught is very hard to obtain.

#### **6.2 Voluntary agreements between equal parties?**

The EU and West African coastal states (and other low-income countries) can clearly not be considered equal parties in the agreement negotiations. The state of dependency is clear; the West African countries often receive substantial aid from the EU and its member states. The EU is often the largest export market. In the past, trade and fisheries agreements have not always been treated as completely unrelated subjects; for example, during the fisheries agreement negotiations with South Africa in 2001, direct references were made to the trade agreement.<sup>30</sup>

In at least two of the countries, Mauritania and Guinea-Bissau, the governments are currently as good as completely dependent on the income from FPAs. In both cases, the EU payments and licence incomes are the equivalent of one third of the total state incomes. Other countries have a better negotiating position, such as Senegal, Angola and Morocco. Payments from the EU and from fishing licences for EU vessels are nonetheless important incomes for most of the West African states with agreements.

The inequality between the EU and contracting states is a significant reason why a regional approach should be considered for fisheries agreements, that is to say, regional cooperation, for example, for the whole of West Africa. Fish stocks are transboundary and so are the associated management challenges – not least IUU fishing. Any regional framework must take into consideration the differing capacities of each state and institution (including local and national interest groups); for example, one could compare the capacities of Senegal with those of Guinea-Bissau. A regional framework should ensure cooperation in fisheries controls and research. Common fishing rules

<sup>29</sup> International organisations that regulate tuna fishing, for example, in the Atlantic and Indian Oceans.

<sup>30</sup> The author participated at the negotiations.





Since the civil war in Guinea-Bissau, it has been difficult to find fishing gear, material and spare parts for fishing boats. Photo: Isabella Lövin

should be drawn up and the maximal fishing pressure should be stipulated. A minimum amount that EU should pay for access should also be specified. The island states in the Pacific Ocean have developed such a regional approach within the Forum Fisheries Agency, which is commonly put forward as a good example of how to manage foreign distant water fisheries.

The Moroccan fishing waters have long been important to the EU, in particular to the Spanish fishing fleet. The current EU fisheries agreement is less extensive than previous agreements. Naturally, this reflects the fact that Morocco's domestic fleet has the capacity to make use of a greater share of the fish resources available, but the state of the fish stock in the area has also deteriorated in several ways. One complication in the case of Morocco is that the country has occupied West Sahara since 1975. The zone off West Sahara's coastline is covered by the EU agreement, and according to the interpretation of the legal services of the Commission and the Council of Ministers, this is in accordance with international law. As a basis for this interpretation, lawyers referred to a statement from the UN's

then Under-Secretary-General for Legal Affairs, Hans Corell, where it could be concluded that an occupying power had the right to sign agreements on behalf of the occupied area if they were to the advantage of the area's inhabitants. However, after retiring, Hans Corell has pointed out that he does not support this interpretation of his statement.<sup>31</sup> Swedish vessels fish occasionally in the West Sahara's waters using licences issued by Morocco.

Namibia, like South Africa, has chosen not to sign a fisheries agreement with the EU. When Namibia gained independence, the waters were overexploited by foreign interests, mainly South African. However, the country succeeded in regulating its fisheries well enough for domestic fisheries to become viable. Instead of foreign distant water fisheries, domestic fishing was encouraged. The domestic sector was nevertheless built up with foreign capital – often in companies funded up to 49 percent by foreign capital. In comparison with the countries that signed agreements with the EU, Namibia's domestic economy enjoys a significantly larger share of the post-harvest benefits.

31 Hans Corell's website: [www.havc.se](http://www.havc.se)

Photo: Isabella Lövin



### 6.3 Existing agreements and protocols

There are currently 20 EU fisheries agreements (or Fisheries Partnership Agreements) in force, with countries in Africa, and the Indian and Pacific Oceans. Four of the agreements are not applied. The most important agreements, that is, those with most vessels and highest payments, are with Mauritania, Morocco and Guinea-Bissau. The agreement with Senegal was also one of the most important until it ceased to be applied in 2006.

| COUNTRY               | PROTOCOL IN FORCE                      | TYPE  | EU FINANCIAL CONTRIBUTION PER YEAR   | OF WHICH SUPPORT TO FISHERIES POLICY  |
|-----------------------|--|-------|--------------------------------------|---|
| Angola                | <i>No protocol in force</i>            |       |                                      |   |
| Equatorial Guinea     | <i>No protocol in force</i>            |       |                                      |   |
| Ivory Coast           | 2007–2013                              | Tuna  | € 595 000                            | 100 %   |
| Gabon                 | 2007–2011                              | Tuna  | € 860 000                            | 60 %  |
| Gambia                | <i>No protocol in force</i>            |       |                                      |   |
| Guinea                | 2008–2012                              | Tuna  | € 450 000 plus specific contribution | 100 %<br>+ € 600 000 (year 1)<br>+ € 400 000 (year 2)<br>+ € 300 000 (year 3) |
| Guinea-Bissau         | 2007–2011                              | Mixed | € 7 000 000                          | 35 %  |
| Cape Verde            | 2007–2012                              | Tuna  | € 385 000                            | 80 %  |
| Kiribati              | 2006–2012                              | Tuna  | € 478 400                            | 30, 40, 60 %  |
| The Comoros           | 2007–2010                              | Tuna  | € 390 000                            | 60 %  |
| Madagascar            | 2007–2012                              | Tuna  | € 1 197 000                          | 80 %  |
| Morocco               | 2007–2011                              | Mixed | € 36.1 million                       | € 13.5 million  |
| Mauritania            | 2008–2012                              | Mixed | € 86, 76, 73, 70 million             | € 11, 16, 18, 20 million  |
| Mauritius             | <i>No protocol in force</i>            |       |                                      |   |
| Micronesia            | 2007–2010                              | Tuna  | € 559 000                            | 18 %  |
| Mozambique            | 2007–2011                              | Tuna  | € 990 000                            | 100 %   |
| The Solomon Islands   | 2006–2009                              | Tuna  | € 400 000                            | 30 %  |
| São Tomé and Príncipe | 2006–2010                              | Tuna  | € 663 000                            | 50 %  |
| Senegal               | <i>No protocol in force since 2006</i> |       |                                      |   |
| The Seychelles        | 2005–2011                              | Tuna  | € 5 355 000 (from 2008)              | 56 % (from 2008)  |

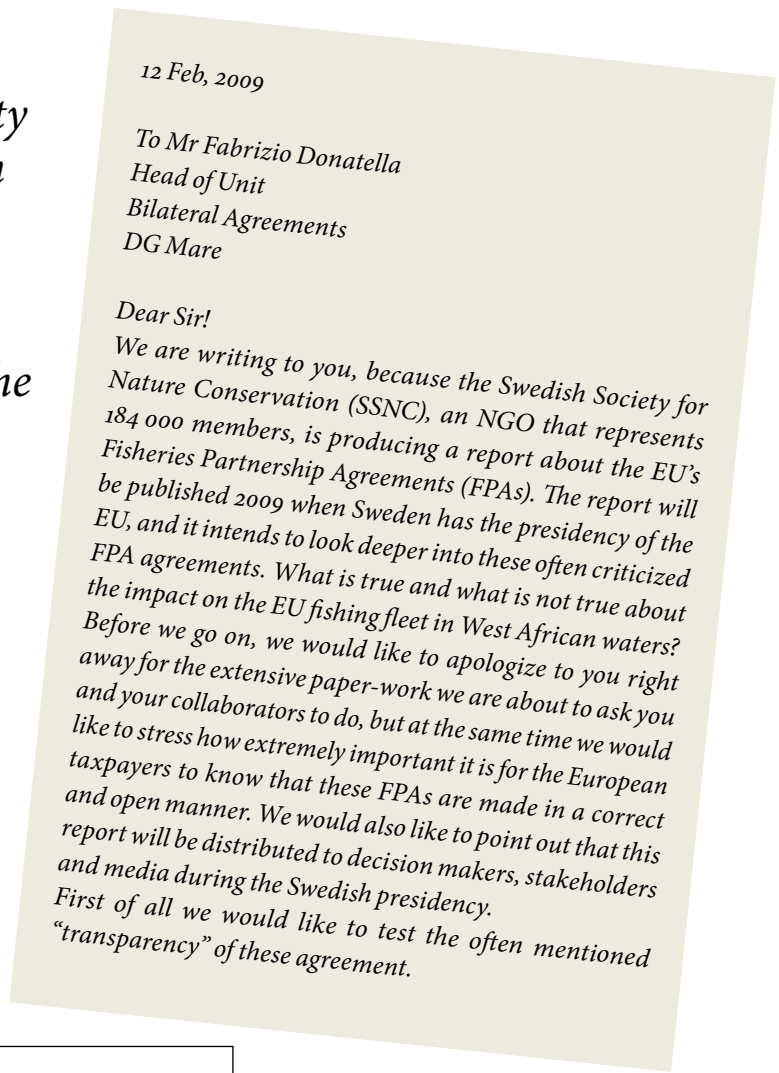
Source: [www.ec.europa.eu](http://www.ec.europa.eu), own adaptation

*” Transparency and accountability are equally important concepts in the negotiation and the management of the agreements. The Community agreements are the only fisheries agreements in the world made publicly available to the public.”*

EU Directorate-General for Maritime Affairs and Fisheries (DG MARE);

#### 6.4 SSNC tests the transparency of FPAs

With the aim of testing the asserted transparency of the FPAs, specific information was requested for the countries in question: Mauritania, Guinea-Bissau, Senegal and Guinea. The reasons for not providing the information to us, according to Fabrizio Donatella, the official responsible at the European Commission, are found in the footnotes.



| Will the European Commission make the documents/information available to us? | For Mauritania? | For Guinea-Bissau? | For Senegal? | For Guinea? |
|--|-----------------|--------------------|--------------|-------------|
| Evaluation of the agreement? <sup>32</sup>                                   |                 |                    |              |             |
| Results and audits of earmarked funds? <sup>33</sup>                         |                 |                    |              |             |
| List of the EU vessels and owners? <sup>34</sup>                             |                 |                    |              |             |
| Reported EU landings in tonnes? <sup>35</sup>                                |                 |                    |              |             |
| Value of the EU landings? <sup>36</sup>                                      |                 |                    |              |             |
| Total value of the FPA landings? <sup>37</sup>                               |                 |                    |              |             |
| Destination/market of FPA fish? <sup>38</sup>                                |                 |                    |              |             |

means yes  
 means perhaps later  
 means no

32 "Evaluations are not distributed to the wide public, but on the other hand sent to our institutional partners (European Parliament, Member states and Council) and the government of the concerned third countries. All the countries you have listed there have indeed received the evaluation report before negotiations had started."  
 33 "We are focused on the results and on the political commitments the country makes, not on the way they use their own budget. therefore we do not insist on analysing too much in details the way these countries spend their own money... In fact, if we focus too much on this, we tend to forget that the real issue is on the results they have achieved."  
 34 "This information is not in the public domain, since they contain informations of a commercial nature and the rules are that we cannot disclose information which could be used against those vessels or the ship owners by potential competitors. However, these informations are in the hand of the Member states that have an allocation or a quota in the context of these FPAs."  
 35 Ibid  
 36 Ibid  
 37 "I may be able soon to give you some useful data, I am expecting the overall evaluation of the FPAs to be sent to us soon."  
 38 Ibid

*”In reality, the background data available to support the negotiations are often inadequate.”*



Photo: Kajsa Garpe

The wait can be long for fish traders on the beach in Dakar.

### 6.5 How is a surplus guaranteed?

In theory, both the Convention on the Law of the Sea and negotiations for fisheries agreements are based on the assumption that there is sufficient knowledge of the status of fish stocks and of the domestic fisheries. In reality, the background data available to support the negotiations are often inadequate. This has led the European Commission to act more cautiously when negotiating fisheries opportunities for species other than tuna. One example is the negotiations with Guinea (Conakry) in December 2008, where the contracting party wanted to sell access to tropical shrimp fisheries. The Commission declined as a precaution. Only a formulation that the situation would be reassessed the following year was included in the agreement.

#### *Catch reporting*

Fisheries agreements contain rules about catch reporting and possibilities for satellite and radar surveillance. In many cases, there are also observer programmes, so that vessels should take onboard an observer from the contracting country. The observers are normally employed and paid by the government of the contracting country. Nevertheless, reliable catch data from EU vessels are in short supply. No statistics on catch data are published, despite the fact that EU vessels fishing within the fisheries agreement framework are

obliged to report their landings, just like fishing vessels within the EU. The landings are not seen in the trade statistics either, because the origin is defined as the vessels' flag country. Accordingly, these landings are classified as domestic to the EU. Another reason why the observer system does not always work in practice, is that countries rarely have enough observers. Furthermore, the observers can be very vulnerable, alone on board a foreign vessel. Bribery and threats to observers are known to occur.<sup>39</sup>

### 6.6 Fisheries as part of an ecosystem

One fundamental problem with fish stock assessments and the regulation of fisheries worldwide is the lack of a comprehensive view of the ocean environment. To understand the accumulated effects of a fishery, the impacts of stock size and the level of exploitation on other species and on the benthic environment must be analysed. This is referred to as an ecosystem approach to fisheries. In some cases, fishing for one species can have direct or indirect effects on other species, a fact that is not taken into consideration in conventional stock assessments.

Bottom trawling is common in mixed fisheries agreements. It results in destruction of the benthic environment, high emissions of carbon dioxide and major discards which are thrown back, dying, into the sea. One can compare fishing by bottom trawling to clear-cutting a forest merely to hunt its game. The bottom trawl can have an opening as large as a football (soccer) field. Benthos and all sorts of fish are swallowed by the trawler. The trawls leave a deep gash in the seabed; it is not known how long it takes to recover. It should be mentioned in this context that northern Europe has made very little progress in the application of the so-called ecosystem approach, despite much research and the fact that northern European waters have only a small fraction the number of species found in southerly waters.

<sup>39</sup> Interview with Abdoulaye Fall, Senegal

## 7 Fisheries and development policy

If the EU is to succeed in reducing world poverty, it is vital that all policy areas have a clear focus on poverty and that they do not obstruct development policies. This concept is summarised in the EU's so-called Coherence Policy for Development. We have already seen how important fisheries are from a poverty perspective. So, how coherent are the EU fisheries, trade and development policies? Considering EU's role as a key global player in development there is every reason to scrutinise its external fisheries policy from the perspective of coherence.

Whilst development has become a clearer objective in fisheries agreements since 2002, the EU development cooperation budget does not contribute to fisheries cooperations or marine resource management programmes. The so-called partnership agreements remain based on the commercial relationship between seller and buyer – and are therefore dependent on sustainable fish stocks with which to trade. The contribution of fisheries and fish to food security seems to be forgotten.

To summarise, there are serious shortcomings in the

coherence of the EU policy areas. To improve this situation, fisheries policy must adopt serious development goals, and development and trade policies must prioritise and improve capacities in fisheries issues.

### 7.1 The Paris Declaration and fisheries

The Paris Declaration on Aid Effectiveness is an international agreement that aims to harmonise the development efforts of industrialised nations into fewer sectors and countries. Emphasis is placed on budget support, unconditional payments directly into a country's national budget. To a certain extent, fisheries agreement payments resemble budget support, because the money is not bound to specific uses. The Paris Declaration has led to the concentration of development efforts into fewer sectors, which – the way that it has been implemented – has reinforced the tendency to ignore fisheries and their importance in development. Fisheries agreements are therefore currently the only (potential) source of funding from the EU for this sector.

Photo: Kajsa Garpe



*”No matter what I do,  
the fishing just gets worse  
and worse.”*



Barack Maé Bianta,  
35 year, fisher.  
Photo: Mikael Cullberg

**Cacheu, Guinea-Bissau.**  
17th February 2009

– I got my boat in 1992 through a development aid project from Portugal. Several of us were given training and offered the chance to buy a glass fibre boat with a motor at a reasonable price. But the motor broke down so I handed it in to be repaired before the war in 1998 and it disappeared. Now we row the boat, and we have to bail out water all the time because it leaks. It used to have a steel rim underneath, but that fell off and there are not any replacement parts in Guinea-Bissau. There is nothing to buy here! If you want to buy a motor, you have to go to Senegal. You can't even buy nets. But I should be happy; a glass fibre boat lasts much longer than a wooden boat anyway.

#### **Do you like being a fisher?**

– I don't have a choice. If I could choose, then I would not want my children to become fishers, there are huge problems. In the past, when I had a motor, we could catch around 100 kilos on a three-day fishing trip. Nowadays, we usually only get around 60 kilos. We have to buy ice and food, pay licences, port control, and veterinary certificates – and split the profit between three men. Just think, I have the same name as the president of the USA – but I am his complete opposite. No matter what I do, the fishing just gets worse and worse.

#### **What do you think of the fact that Guinea-Bissau has a fisheries agreement with the EU?**

– When I had a motor for the boat, we used to see the boats. Now, when we can only paddle out, we never get far enough to see them. But I know that they are there.

**Cacheu, Guinea-Bissau.**  
17th February 2009

– I started fishing in 1975. My father was both a fisher and a farmer, like many others here. I would have liked to study if it was possible, but I became a fisher. I fish for the sake of my five children, so that they can study. I pray to God that they will be successful and that they will be able to provide for me in my old age.

#### **How is the fishing?**

– It gets worse and worse. I used to have a motor and fished for the French company that owned the processing plant here. But when it closed they left the country and took my motor with them. I am a member of the fishers' organisation that is fighting to defend us from the authorities and all their taxes. There are new licences, charges and controls all the time. It makes it impossible for us to make a living. So many people choose to fish illegally and pay bribes instead.

#### **How much do you have to pay in bribes if you get caught?**

– For a small canoe, you may have to pay 30 000 franc CFA (45 euro). For a big boat, around 120 000 franc CFA (180 euro) – otherwise they confiscate your gear and you cannot fish any more.

#### **How do you think the fisheries could be improved here?**

– If the people who come here to fish were to invest here, we could work for them. If they gave us motors and good equipment, and invested in the processing plant, then they could get a lot out of us!

*”There are so  
many charges.  
Many people  
choose to fish  
illegally and  
pay bribes  
instead.”*



Carlos Sagna, 52 years, fisher.  
Photo: Isabella Lövin



Photo: Kajsa Garpe

## 7.2 Fisheries and the UN Development Goals

Given sound management, the fisheries sector can make a tangible input to realising the UN Millennium Development Goals.<sup>40</sup>

Living conditions can be improved through fisheries and aquaculture, helping to reduce poverty and hunger (goal 1). The income from fisheries can pay the school fees for fish workers' families (goal 2). The incomes from fisheries empower women; they provide the majority of the workforce and local trade in small-scale fisheries (goal 3).

Fish contain high quality dietary proteins and nutrients, which contribute to reducing child mortality and improving maternal health (goals 4 and 5). Similarly, improved nutrition through increased consumption of fresh fish can contribute to mitigating the effects of Hiv and Aids by improving the resistance to infection of those carrying the disease and enhancing the effectiveness of medication (goal 6).

In order to achieve environmental sustainability (goal 7), the threats to marine and inland fisheries must be averted. Fish are also a reliable indicator of water quality and the general state of the environment. Finally, when countries cooperate bilaterally and on a regional level to tackle the environmental problems associated with fisheries, the work contributes to strengthening global partnerships for development (goal 8).

## 7.3 The forgotten fisheries

EU's development cooperation does not prioritise fisheries. Nor do most Poverty Reduction Strategies. Though Poverty Reduction Strategies constitute national framework and tools for development and thus doubtless reflect country-specific priorities, EU's development policy most certainly has an influence in terms of setting the agenda. Long-term and coherent EU development efforts in the fisheries sector is likely to have a significant impact.

Taking food security and livelihoods into account it is important that development efforts aim to support, promote and protect small-scale and labour-intensive fisheries, both



The number of licences and permits needed by fishers in Guinea-Bissau is increasing all the time. These documents are costly and the fisheries business is becoming unprofitable. Photo: Isabella Lövin



In the whole of Guinea-Bissau, there are only around one hundred motor-driven boats. Photo: Mikael Cullberg



Porto de Canoa (Bandim) is one of Guinea-Bissau's largest fishing ports. Photo: Mikael Cullberg

<sup>40</sup> The Millennium Development Goals – Fishing for a Future, WorldFish Center 2007

*”We see them out there. They fish 24 hours a day. We see the lights, hear the noise. The ocean is never closed. If it continues like this there will be no fish left in 50 years.”*



Diana Diara, fish trader. Photo: Isabella Lövin

### Fish market in Bissau, Guinea-Bissau. 19th February 2009

– Barracuda costs 1 000 CFA (1.5 euro) per kilogram. People say it is too expensive. The fishers are having a hard time. They say it is too expensive to fish. We don't have any customers and hardly any fish. Nobody can afford it any longer.

### Cacheu, Guinea Bissau. 19th February 2009



Cipriano Fernandez Sa, project manager for the second largest fish processing plant in Guinea-Bissau, located in Cacheu. Photo: Isabella Lövin

– The plant was built in 1981 with funding from the USA and EC, but it doesn't meet the current EU hygiene standards so we cannot export fish to the EU.  
– What is the biggest problem? The biggest one? That is impossible to say. There are many problems: lack of training, gear, infrastructure, and that the purchasing power of the domestic market is so weak. None of these problems is bigger than the others are – we lack everything! Everything needs to be improved.



Augusto Dju, chairman of ANAPA (Association National Armadores Pesca Artisanal), an umbrella organisation for Guinea-Bissau's fish workers' organisations. Photo: Isabella Lövin

### Bissau, Guinea-Bissau. 19 februari 2009

#### What is the biggest problem for you today?

– The economic situation for fisheries. Yesterday we met the Minister of Fisheries and showed him a summary of the average costs for artisanal fishers. It is currently almost financially meaningless for fishers to continue with their trade. Our expenses are greater than our income. The minister has promised to investigate the situation.

#### How do you perceive that money from the EU fisheries agreement is used?

– It disappears somewhere! In any case, it does not reach the fisher who has a broken boat. He is forced to stop fishing, because he can't afford to repair the boat, or to buy a new one. In this country nothing works, that's the problem.

We do not benefit in any way from the foreign agreements, that's for sure. They just sell out the fish. If the processing industry was set up here then at least we would get some employment opportunities. But in the current situation we just see the European boats out there, and hear them. They fish 24 hours a day, we see the lights and hear the noise. The ocean is never closed. If it continues like this, we will have no fish left in 50 years!

#### How many people does your organisation represent?

– I don't know. The vast majority of our fishers are illiterate. It is difficult to raise their interest in the fish workers' organisations, in the same way as in Senegal and Mauritania. They tend to avoid the public authority controls too. Here, people fish from canoes, paddling. We want motors and nets, but there aren't any here. Many fishers flee to Spain. Everyone dreams of Europe, but few really know how it is there, that life is hard and there are many difficulties for them there too.





Women in Mauritania are trained in fish processing. Photo: Mikael Cullberg



coastal and inland. Better fisheries management is necessary to avoid depletion of resources – and this requires the involvement of local communities. If individual countries are not able to give higher priority to their fisheries, then donor countries can stress the importance of good management of fish and other natural resources on a regional level, for example in the whole of West Africa. After all, a coherent approach across national borders is needed to protect stocks and overcome IUU fishing.

In the past, many countries, not least Sweden, supported fisheries development in the South. For example, the Swedish Board of Fisheries had many employees in Angola and Guinea-Bissau. However, the outcomes of this development aid were often disappointing and did not lead to the desired results, mainly because efforts were aimed at improving the yields from fisheries without improving the management. Instead of reforming the aid, Sweden almost completely phased it out at the beginning of the 1990s. Other countries did the same and a similar fate was witnessed for agricultural support. Nowadays, the Swedish International Development Cooperation Agency, Sida, provides only small sums of funding to fisheries, mainly through the FAO, which also has responsibility for fisheries. Attention is now gradually returning to agriculture, but fisheries are still far from visible enough in development cooperation, even in countries where a large share of the population are dependent on fishing for their livelihood or nourishment.

#### **7.4 Good governance is a prerequisite for sustainable resource management**

Efficient resource management requires a well-functioning social system. If there are difficulties in promoting good governance and control within a development cooperation, then it becomes more difficult for the cooperation to succeed in other ways. State budget support and other forms of development cooperation always work less effectively, or not at all, in countries with poorly functioning social structures.

In many countries, not least Guinea and Guinea-Bissau, state governance is virtually non-existent, which opens the door to ruthless exploitation of natural resources and various other problems. No matter whether the fisheries sector is prioritised or not, it is the task of development cooperation to build effective public institutions and well-planned, long-term management of natural resources.

#### **7.5 Fisheries and trade**

The ongoing negotiations between the EU and African states regarding Economic Partnership Agreements, EPAs, will determine the design of other political steering instruments in the future. This may affect how fisheries will be managed and who will benefit. EPAs, which should promote regional cooperation, are negotiated on a regional level, in contrast to fisheries agreements, which are bilateral. In West Africa, the regional organisation ECOWAS (Economic Community of West African States) negotiates with the EU.

The negotiations cover issues such as customs duties, export taxes, rules of origin and investment regulation, which affect the local prospects of using fisheries resources. Indirectly, these rules affect how much fish can be caught by EU vessels. Furthermore, there are agreements within the World Trade Organisation, WTO, for example the SPS agreement<sup>41</sup>, which affect the prospects of exporting to the EU. The rules of origin define the requirements on crew composition, vessel ownership and vessel chartering agreements needed to be able to export into the EU with advantageous market access.

Access to raw materials is important for the EU fisheries industry. In the current negotiations, the EU is trying to limit the possibilities for African countries to impose export taxes. However, this limits the room for manoeuvre for the African countries to control fisheries resources and to create incentives for local processing and consumption.

Better coherence is needed between the different instruments used by the EU to form its fisheries relations

<sup>41</sup> Agreement on the Application of Sanitary and Phytosanitary Measures



## SENEGAL/République du Sénégal

**Independence from France:** 1960

**Population:** 13.7 million

**Area:** 196 000 km<sup>2</sup>

**Capital city:** Dakar

**Terrain:** Mangrove, plains, highlands, desert

**Natural resources:** Fish, phosphate, iron ore

**Cultivable land:** 12 percent

**Political status:** Republic

**Median age:** 18.6 years

**Life expectancy:** 59 years

**Illiteracy:** 53 percent for men, 72 percent for women

**Unemployment:** 48 percent

**HDI ranking:** 153/179<sup>42</sup>

**Domestic fisheries:** Have grown explosively over many years and there is now a large over capacity. 60 000 people are estimated to work in the fisheries sector and there are few alternative sources of livelihood. Senegalese fishers also fish in the waters of neighbouring countries and Senegal has its own fisheries agreements. Fisheries are responsible for almost 40 percent of Senegal's export income. There are currently no specific plans to limit the number of fishing boats. The issue is politically sensitive due to the lack of alternative sources of livelihood.

**Fisheries agreement with EU:** In 1980, Senegal became the first country to sign a fisheries agreement with the then European Community. The most recent protocol was worth 16 million euro per year (2002–2006) and included coastal fishing for demersal species, deep sea fishing with trawls and longlines, and fishing for tuna, shellfish and small pelagic species. No new protocol was signed in 2006 because the stock situation had deteriorated for certain species, and because foreign fisheries agreements are politically sensitive in Senegal since the domestic fisheries are such a major occupation. There are, however, a number of Spanish and French vessels that continue to fish for tuna with licences issued directly by the Senegalese state. The justification for these licences is that they supply the domestic canning industry because the country does not have sufficient domestic tuna fisheries. Furthermore, a number of European vessels have changed to the Senegalese flag, by transferring to a Senegalese company – commonly with 49 percent European ownership.

**EU support to national fisheries policy:** In the most recent agreement protocol, 12 million euro per year was given to supporting Senegal's fisheries. The Senegalese fisheries administration and control have experienced a fall in funds since 2006.

**Other:** According to the United Nations Development Programme, UNDP, 17 percent of the population live in extreme poverty, defined as living on less than one US dollar per day. 56 percent live on less than two dollars per day. Human trafficking is a problem; Senegal acts as an originating, transit and recipient country for the trade in women and children for sexual exploitation.

<sup>42</sup> Human Development Index. The index is used in the same way as GDP to compare the welfare in different countries. Whilst GDP focuses on material welfare, HDI is claimed to give a fuller picture of welfare, because it weighs up life expectancy, level of education and GDP. Sweden's HDI ranking is 7/179.



Mamadou Sy is head of the regional fisheries authority. He has worked with surveillance, controls, statistics and inspections at the authority since 1989.  
Photo: Kajsa Garpe

## Saint-Louis, Senegal. 10th February 2009

– The fishing pressure is much too high here; the situation is disastrous. All demersal species, *thiof*, sole, seabream, they are all disappearing at a very worrying rate. It is not just the foreign vessels that are to blame, despite what our own fishers like to claim. The local fisheries work with almost no limits, and they break all the laws. They fish in rearing areas, they take up fish that are not mature, and they fish with dynamite and use beach seine, a way of trawling from the beach – a method that destroys the spawning grounds.

The problem is that we have too many fishers, too many boats; too many people who try make a living from the fisheries. Many are desperate and try to flee to the Canary Islands, or they join one of the so-called *bateau ramasseur*. These are old freight ships with freezers onboard, usually South Korean. They function as mother ships, loading smaller boats on board, transporting them to, for example, Guinea, where the boats are offloaded to fish on behalf of the ship owner. This is a growing source of employment for the fishers here; around 2 000 people now work in this way. The working conditions on board are very difficult. If I could

choose, the system would be prohibited. Nowadays there are some licence conditions in place: maximum 40 fishing canoes on board, there must be a trained nurse and an observer on board, and the vessel must have valid insurance. But these rules are not very far-reaching. There are usually at least 230 people on board each vessel, which were originally built for around 30 people. The vessel is out at sea for months at a time with rationed, poor quality water.

### **Is it positive that the EU agreement has expired?**

– Both yes and no. Of course, there wasn't a surplus of fish to sell any longer. But we used to get some money for training through the agreement, and that has stopped. Some of the money for surveillance and control has also been frozen. Ironically, we have received an extra financial contribution from Spain this year for coastguard activities, because illegal boat immigration to the Canary Islands is a growing problem. If we hadn't had that funding then we wouldn't have any coastguards here at all.



Abdoulaye Fall, 38 years, fisher on a *bateau ramasseur*. Photo: Kajsa Garpe

Saint-Louis, Senegal. 10th February 2009

– I haven't fished at home in Senegal for many years. I spend most of the year fishing for the so-called *bateau ramasseur*, mother ships with large freezers, mainly from South Korea. They load up 40 fishing canoes in Senegal, with five crew members per boat, and then head off along the coast to areas that are not so over-fished: to Guinea, Angola, Guinea-Bissau, Gabon or Sierra Leone. The conditions on board are very bad. We sleep crowded together, get up at four o'clock in the morning, and work on the boats until eight o'clock at night. Each day we are given 18 litres of petrol and ten litres of water to share between each crew and food. We fish all day and sell the fish to the mother ship every evening. They pay twice as much for "Europe fish" as for "Africa fish". Africa fish are the smaller species, the best goes to Europe. The costs of the petrol, food and equipment that we received are drawn from our payment. We work like this for three months at a time. We are meant to have one day off per month, but we usually only have one day off in three months.

– What do we do in the evenings? Eat, drink tea and sleep, that's all, and talk too, of course. But no-one dares to complain out loud; anyone who did would lose their job. They would never allow a journalist on board one of these boats

*"They would never allow a journalist on board one of these boats – if they did the boats would lose their licences."*

– if they did the boats would lose their licences. The water we drink is very yellow and it gives us stomach pains. The smell and the heat on board are awful. They force us to go out fishing even when the weather conditions are risky; the people running the ship are ignorant and they can't speak Wolof or any other African language so they often make mistakes. Not very long ago, two Korean *bateau ramasseur* vessels with 40 fishing canoes on board were detained in Angola because they had been fishing in the wrong area, where fishing was prohibited. Of course, we meet local fishers when we are out on the water, and there are conflicts because they accuse us of taking their fish. The situation is made even worse when the Korean captain has been sold false paperwork so he believes that he has permission to fish in the area but in reality he doesn't. There are observers on board the vessels to keep an eye on them, but they never report the bad conditions. Why not? They are paid well to keep quiet.

– I go out on one of these boats three times a year, fishing for three months each time, plus the time it takes to get to the fishing waters. My dream? I want to save enough money to be able to learn a new trade. I'd like to be a fishmonger. I am very fed up with life at sea.

## Fisheries agreements – from proposal to decision

The decision to enter into a fisheries agreement or to renew a protocol is taken by the European Council, while the negotiations are handled by the European Commission. The Council discusses the Commission's proposals on three levels: working groups at civil servant level, Permanent Representatives Committee (Coreper) and the Council of Ministers itself. The first step in developing a new fisheries agreement is that representatives of the member states address a proposal in the working group for external fisheries policy. In the next step, Coreper reviews the proposal and discusses the issues that have not been solved at the lower level. If the member states agree, then the Council of Ministers (in this case, the Fisheries Ministers of each member state) can approve the proposal without debate.

Fisheries agreements are negotiated in several steps. The process is the same for all agreements, whether they are with Norway or Guinea-Bissau.

1. The Commission puts forward a proposal for a negotiating mandate for a specific country to the Council of Ministers.
2. The Council makes a decision on the mandate. The mandate stipulates that member states should assist the Commission during the negotiations.
3. Before negotiations start with the country in question, the Commission presents the dossier in the working group, which discusses the guidelines for the Commission.
4. Representatives for all member states are allowed to be present during every round of negotiations (which are held in Brussels or in the capital city of the contracting party) but often only states that have a fishing interest take part. The member states present on the spot are seen as an extension of the working group for external fisheries policy.
5. Before starting and between the negotiating sessions, the Commission consults the member states. These co-ordination meetings are led by the country that holds the presidency at the time.
6. In sessions with the contracting country, the Commission negotiates on behalf of the EU, based on the mandate from the Council of Ministers. Though member state representatives may be present, they cannot speak.
7. Before concluding the negotiations and before initialling the agreement, the Commission consults the member states present, to hear their opinion.
8. When the EU and the contracting country have agreed, the agreement can enter into force provisionally.
9. As soon as possible thereafter, the Commission submits a proposal to the Council of Ministers to approve the agreement.
10. When the Council has approved the proposal, the EU president signs the fisheries agreement or the protocol.

If a member state has any objections, they must be conveyed as soon as possible in order to influence the negotiations.

Normally, objections are raised in the working groups discussions before negotiations begin. Sweden is always very active in all phases of negotiations with Norway. During negotiations with Norway in Brussels or Oslo, there is always a Swedish civil servant present with instructions from the Swedish Ministry of Agriculture.



The EU fisheries protocol with Senegal stopped being applied in 2006. In Senegal, the issue of renewing the protocol is politically sensitive because small-scale fisheries are an occupation for many. However, the government hopes for a new agreement in the future.  
Photo: Kajsa Garpe

with countries in the South. In order to promote trade and development on a regional level, ECOWAS has proposed a regional framework for fisheries agreements. This framework should be based on the EU's Coherence Policy and the development goals for an environmentally, socially and economically sustainable development of fisheries communities in the South.

### 7.6 Sweden's responsibilities and tasks

There is a need to revise fisheries and development policies, both in the EU and in Sweden. So what role should Sweden play? Sweden is part of the decision-making process – while Swedish taxpayers are paying for the resultant decisions. As a member state, Sweden influences the mission given to the European Commission. Sweden should take an active part in fisheries and development policies simultaneously, to ensure a coherent approach.

#### *Sweden's Policy for Global Development*

In 2003, Sweden became the first country in the world to adopt an integrated Policy for Global Development. This requires every policy area to take into account the effects of its policy actions on global development. It is very clear that fisheries policies affect a country's development.



El Hadj Dao Gaye and Gaoussou Guye head the Senegalese artisanal fishing organisation CONIPAS. Not only does the organisation give a voice to small-scale fisher workers in Senegal, it also works to improve the EU external fisheries policy and the FAO Code of Conduct for Responsible Fisheries with regards to conditions for small-scale fisher workers in West Africa. Photo: Kajsa Garpe

### *Sweden's responsibility*

Together with member states, the European Commission has the task of managing and implementing the common fisheries policy. The majority of the administration is undertaken by member states; the Commission's resources are relatively small in comparison. The work is governed by the regulatory framework and other guidelines, decided by the EU fisheries ministers. Fisheries agreements are currently guided by conclusions by the Council of Ministers in 2004; all member states have agreed to these guidelines, including Sweden. Agreements are funded by the EU fisheries budget, which is approved by the ministers of the member states. Sweden, together with the other member states, therefore has full responsibility for, and has indeed lent its support to EU's external fisheries policy including questionable fisheries agreements in West Africa.

### *The Swedish government lacks a clear and consistent position*

Amongst those working with international development and fisheries in Sweden, both at Sida and at the Swedish Board of Fisheries, there is a perception that Sweden could and should do more to influence the EU's external fisheries policy. Sweden should both follow the practical implementation of the policy, and influence how policy is developed. Sweden should engage the Commission and member states in an open dialogue to achieve sustainable management of natural resources, and to ensure that ship owners conduct their activities correctly. Since the 1990s, the national public authorities involved have consistently argued for strong Swedish action on a European level, yet efforts have been weak and scattered. Despite government representatives stating a position from time to time, no consistent policy has

been put into practice. The Commission encourages all member states to participate in the negotiation of fisheries agreements, not only those states that have an interest in the fisheries.<sup>43</sup> Swedish civil servants have been present during some negotiations, but they have rarely had any mandate from the government to act. Nowadays there is a general instructions on the Swedish position regarding third country agreements, but specific instructions are still not given for each round of negotiations. The Commission's perception of the Swedish participation in negotiations is negative. It would have preferred to see a more clear and consistent position from the Swedish government.<sup>44</sup>

Sweden also has particular responsibility to monitor and control the actions of Swedish vessels and ship owners in foreign waters. For example, Swedish vessels have been known to fish in Moroccan waters, and even Western Saharan waters, using licences issued by Morocco. Naturally, Swedish, like French and Spanish authorities, must take responsibility, to the extent legally possible, for the actions of its businesses and citizens in other parts of the world. Consultation with the Commission – and even Moroccan authorities – may be appropriate to ascertain which measures Sweden can take if it has objections. Similar issues have been experienced, for example, when French vessels have bought Moroccan licences.

<sup>43</sup> Fabrizio Donatella, Head of Unit for Bilateral Agreements, DG Mare, March 2009



Photo: Isabella Lövin

Selection – with focus on West and Central Africa – of the negotiating rounds over the last few years that have shaped the agreements<sup>44</sup>

| NEGOTIATION                    | SWEDEN'S ACTIONS IN THE NEGOTIATIONS AND CONSULTATIONS   | SWEDEN'S VOTE  |
|--------------------------------|--|--|
| Guidelines for FPA (2002-2004) | Sweden participated and cooperated with like-minded (northerly) member states.   | Sweden voted in favour of the guidelines for the agreements. |
| Angola (2004)                  | Sweden did not participate.  | Sweden voted in favour.                                      |
| Cape Verde (2005)              | Sweden did not participate.  | Sweden voted in favour.                                      |
| Guinea-Bissau (2006)           | Sweden participated through the presence of a civil servant from the Swedish Board of Fisheries. No instructions were issued by the Ministry of Agriculture.           | Sweden voted in favour.                                      |
| Senegal (2006)                 | Sweden participated through the presence of a civil servant from the National Board of Fisheries. No instructions were issued by the Ministry of Agriculture.          | No result and therefore no vote.                             |
| Morocco (2005-2006)            | Sweden did not participate. The agreement includes Western Sahara.   | Sweden voted against.  |
| Ivory coast (2007)             | Sweden did not participate.  | Sweden voted in favour.                                      |
| Gabon (2007)                   | Sweden did not participate.  | Sweden voted in favour.                                      |
| Mauritania (2008)              | Sweden did not participate. This is the most costly agreement.   | Sweden voted in favour.                                      |
| Guinea (2008)                  | Sweden participated through the presence of a civil servant from the National Board of Fisheries. No specific instructions were issued by the Ministry of Agriculture. | Sweden voted in favour.                                      |

<sup>44</sup> Sweden never participates in negotiations with states in East Africa, the Indian Ocean or Pacific Ocean.



Photo: Erik Bratthall

Eskil Erlandsson, Minister for Agriculture, responsible for fisheries.

## Ministry of Agriculture in Stockholm, Sweden. 26th March 2009

### **What is the Swedish government's attitude to the EU fisheries agreements with countries in the South?**

– My opinion is that we must ensure that fishing resources are not overexploited and that money should go to supporting and developing the opportunities for local fisheries in those areas. We should not be subsidising this kind of private agreement; it is those that make use of the agreements that should pay.

### **Almost 20 percent of EU Common Fisheries Policy funds currently go to these external fisheries agreements. What has been done by Sweden to influence the formulation of these agreements?**

– According to the conclusions of the Council of Ministers in 2004, the Commission, and no other, is the negotiating party in the agreement negotiations. On several occasions, Sweden has monitored the negotiations by sending an observer.

### **Our sources tell us that these people have attended the meetings on the initiative of individual civil servants, and that they have not had any instructions from the Swedish government. What have they been monitoring?**

– There is a standing instruction to ensure that fish stocks are not overexploited.

*” Yes, we have a responsibility. To the highest possible degree! And we will look into this question more closely in the lead up to the reform of the common fisheries policy.”*

**According to the agreements, a large share of the funds from the agreement should be used to support the domestic fisheries in the contracting country. Has Sweden done enough to ensure that the funds are used correctly?**

– Based on the Council conclusions from 2004, these issues have not been on our agenda. However, we now know that a new fisheries policy will be developed for 2012, so it is appropriate to start to examine these agreements, and to try to influence the Commission.

### **What is the government's view on the earmarking of money from fisheries agreements, which have a commercial basis, for development purposes?**

– We have pressed for this money to be used to build up effective controls, research and management systems.

### **Is it right that the EU signs this type of agreement with countries with high levels of corruption, suffering a succession of coups d'etat?**

– I do not know enough about the stability in these specific countries to answer that question. But if we do not sign agreements, then others will. In principle, we should not support countries that do not follow international laws.

### **The Commission wishes that more member states got actively involved in working with fisheries agreements, not just those countries that have fishing fleets in the area. How has Sweden replied to the invitation?**

– I have not heard of any such wish or invitation.

### **Sweden doesn't make use of these agreements. Do you believe that EU countries that do not use the agreements have a responsibility for how the agreements are formulated?**

– Yes, we have a responsibility. To the highest possible degree! And we will look into this question more closely during the preparations for the reform of the Common Fisheries Policy.





Hassena Ould Ely, Minister of Fisheries after the military coup in August 2008.<sup>45</sup> Photo: Mikael Cullberg

*” My attitude is that the fish in Mauritania’s waters belong to everyone in the world.”*

## Ministry of Fisheries in Nouakchott, Mauritania, 15th February 2009

### **Is the current fisheries agreement with the EU beneficial for Mauritania?**

– It could be better. In 2006, the Europeans insisted on lowering the financial contribution, but the truth is that they do not have anywhere else to fish. I wish that the agreement could generate more investment in Mauritania. We have the fish, that’s not a problem. My attitude is that the fish in Mauritania’s waters belong to everyone in the world. Our task is to manage the resource in the best possible way.

### **Some of the money from the agreement, between 11 and 20 million euro per year, should be used to support domestic fisheries. Does it?**

– I came to this post in August 2008 and I want to invite the European Commission to work with us in ensuring that these funds are used in ways that are beneficial to the fisheries sector, down to the very last cent. I want full transparency; everything should be handled as openly as in a Swedish government ministry! In reality, we could do whatever we want with the money, but we now want to be completely open with you. I am still waiting for a response from the Commission. Let’s hope that the EU can be as open as Mauritania!

### **But the EU’s lack of response must, of course, depend on the fact that there was a military coup in August 2008? The government is not democratically elected.**

– I am a great admirer of Olof Palme, I am not a “creature of

dictatorship”. I want to point out that the current regime was forced to step in because the Islamists were very close to taking over the country. But let us differentiate once and for all between political and economic development. People are calling for more democracy everywhere, but what we need is economic development!

### **You have recently imposed a ban on the export of some fish species, which has made the economic situation worse for Mauritanian fishers. Why?**

– Quite simply, there was not enough fish on the local markets. And the fish that was available was too expensive. We have now succeeded in reducing the prices by more than 50 percent, and it is once again possible for Mauritians to buy fish. It is an essential foodstuff for us; we must increase our fish consumption.

### **The company Holland Shellfish wants to make use of large Venus shellfish banks in your waters. The method they are planning to use is very destructive and is prohibited in the EU. And the so-called experimental fisheries that they want to start are larger than any existing bivalve fisheries in the world today. What is your view on this?**

– I have spent many hours together with Greenpeace and researchers and I am extremely sensitive for environmental and development issues. The issue will be processed very carefully. If an experimental fishery is authorised then it will be very carefully assessed.

<sup>45</sup> Mauritania’s military regime, including Hassena Ould Ely was replaced following elections on 18 July 2009. New Minister of Fisheries is Aghdhefna Ould Eyih.

*”It is not only the professional fishers who have a hard life in this country; everyone has a hard life. ”*



Minister of Fisheries Carlos Massa Baldé, came to office with the new government in November 2008.<sup>46</sup> Photo: Isabella Lövin

## Ministry of Fisheries in Bissau, Guinea-Bissau. 19th February, 2009

**Approximately one third of your state budget comes from the EU fisheries agreement. Is this a good situation for your country?**

– Or course, it is good for us to have agreements. The country is underdeveloped and the income from the fisheries agreements helps development.

**According to the agreement, 25 percent of the funds, which is 2 450 000 euro, should be used to support domestic fisheries policy. Does it?**

– Together with the Europeans, we have developed a plan of action for how to use the money. This plan includes monitoring and control, costs for the ministry, research, infrastructure and more. For example, we are going to build a training centre for inspectors and modernise the port in Bissau.

**The fishers that we have met complain that the authorities demand very large charges, which makes it harder for the sector to develop. We have not seen any signs of support for the local fisheries; most fishers do not even have motors for their canoes.**

– It is not only the professional fishers who have a hard life in this country; everyone has a hard life. When the conditions improve for the whole of Guinea-Bissau they will also improve for fishers. You cannot compare Sweden with Guinea-Bissau.

**Nonetheless, it seems that it is difficult for the earmarked funds to reach the goals for which they are intended. Would it be better for Guinea Bissau if the EU funded pure development projects in the country instead of giving this budget support?**

– No, that is not possible. We are an independent country and our philosophy is to manage the funds that we receive from the fisheries agreements in the way that we see best. Are you finished with your questions? This takes up a lot of my valuable time. You only give me words, and questions. If you were here to give me something more concrete, such as money then we could sit here as long as you like, even until tomorrow. Words don't help us. Thank you, I'm afraid I do not have any more time to give you.

<sup>46</sup> Scarcely two weeks after this interview with Baldé, Guinea-Bissau's president and the highest army commander were murdered. Following elections in July 2009, Arthur Silva is new Minister of Fisheries

*”At present, 27 European countries negotiate with each African country one by one; the poorer countries are at a disadvantage.”*

Ministry of Fisheries in Dakar, Senegal. 11th February 2009

**Senegal’s EU fisheries agreement expired in 2006. Why?**

– We no longer have a surplus to sell. We have a large over capacity in our own artisanal fishing fleet, which represents a large share of the fisheries in our waters. The management of fisheries resources was handled very badly by previous governments. One has turned a blind eye to destructive fishing methods such as fishing with dynamite, in spawning grounds and in rearing areas.

**Is the EU responsible for Senegal’s overfished waters?**

– No, I don’t believe they are. Previous governments are to blame. This government is now trying to do something to improve the situation. What we have learnt is that we must not sign agreements with foreign vessels for demersal species, and that we must have better knowledge and stock assessments before signing any agreements.

**When the EU agreement was in place, you received earmarked funds to support domestic fisheries policy. How has Senegal been affected by the loss of this contribution, 3 million euro annually?**

– We have to take this money from the state budget instead.

**With the benefit of hindsight, was it so wise to sell fishing rights to EU vessels?**

– It is a fact that there is a global problem with overfishing, and that previous governments have behaved naively and irresponsibly. We now have to work to limit the number of fishers, prohibit fishing in some areas, and retrain fishers in other trades; we have received funds from the World Bank and the African Development Bank for these tasks. Senegal



Souleymane Ndéné Ndiaye, Minister of Fisheries.<sup>47</sup> Photo: Kajsa Garpe

is also planning to invest in aquaculture. But we have not ruled out the possibility of entering a new protocol with the EU for pelagic species, where there is currently a surplus. We believe that we should collaborate as a region in order to be a more equal party in negotiations with the EU. At present, 27 European countries negotiate with each African country one by one; the poorer countries are at a disadvantage.

**How serious is the problem with IUU fishing in your waters?**

– The honest answer is that we don’t know. We have no idea. The Senegalese government does not have any statistics for IUU fishing and there aren’t any funds available to combat it. We plan to buy two helicopters to improve our monitoring. The current situation is that we have no way of monitoring our waters.

<sup>47</sup> Souleymane Ndéné Ndiaye was the fifth Minister of Fisheries in Senegal since 2000. On 30 April 2009, he was appointed Prime Minister of Senegal. New Minister of Fisheries is Khouraisi Thiam.



Youssouf Sylla, Minister of fisheries from June to December 2008.<sup>48</sup>

## Ministry of Fisheries, in Conakry, Guinea. 4th December 2008

### **Is the EU fisheries agreement important for Guinea?**

– Of course. We need money to buy foreign goods. And we have a great need for funds to fight poverty in our country. The problem is that we do not receive enough money from the EU.

### **Why doesn't Guinea develop its own fishing fleet?**

– Europe uses hygiene requirements as a trade barrier. It is not currently possible for us to export to Europe.

**You have had a so-called mixed agreement, for fish, tuna and shrimps. Now the stocks have fallen and the EU only wants to sign a new agreement from 2009 for tuna. What is your opinion on this?**

*”We do not know how much the EU vessels catch, nor how much the catch is worth.”*

– We do not believe that the stocks have fallen. Just look at the satellite images and you can see many vessels from different countries around Kamsar, in our waters. Why do they congregate there? Because we have fish! One of my predecessors is said to have tried to bribe a representative from the Commission with 5 000 euro. This idiotic behaviour has weakened our position in negotiations for the moment. It is not fair to our poor country. We have a surplus of fish to sell.

**A large share of the funds from the EU agreement are meant to pay for strengthening of controls, stock assessments and your domestic fisheries – did it?**

– Of course, but it was too little money. The costs for our old, fuel-intensive patrol boats alone are very high. Unfortunately, it is very hard for us to control our waters; we really need new, more efficient patrol boats.

**How about the information from the EU when you are negotiating an agreement? Do you have access to the same information as the EU?**

– No, we don't know what is written in the EU's assessment of the agreements. Nor do we know how much the EU vessels have caught, because the agreement is based on access to vessels of a certain gross tonnage, not on the number of tonnes of fish caught. The statistics that we have seen show that the vessels under-report on their catches. We believe that we receive around 2-3 percent of the value of the tuna catch, and only a little more for the other species. European taxpayers should be told about this; it's something I feel strongly about.

<sup>48</sup> Two weeks after this interview, on 23 December 2008, the military took over control of Guinea following the death of the president, Lansana Conté. At the time of going to press, the Minister of Fisheries is Raymond Ounouted. A new parliamentary election is promised in Guinea in January 2010.

## 8 The effects of the agreements



Photo: Isabella Lövin

If the added value from the whole production chain is taken into account, then fisheries agreements are considered profitable for the EU. This assessment is based not only on the landing value of the catch, but also the onshore employment that is created including the fish processing industry. Assessments have shown that the advantages for the contracting country are much less important.<sup>49</sup> It is true that they are paid to allow EU vessels to fish in their waters, which is a welcome addition to the public treasury. However, the largest profits from fisheries are to be found in the

processing stage, which currently bypasses the contracting country. The fish are not landed and processed locally; they are often taken directly to the EU market. The catch may be reloaded at sea, often to freezer or canning vessels and taken directly to an EU port, most commonly Las Palmas in the Canary Islands. In the short term, agreements can be profitable for the contracting country if the country does not have any fisheries capacity of its own, but in the longer term, there is a risk that the agreement obstructs the development of the domestic fisheries sector.

<sup>49</sup> Comparative Study of the Impact of Fisheries Partnership Agreements, MRAG 2007

## 8.1 Winners and losers

|                                     | Positive effects  | Negative effects   | Comments  |
|-------------------------------------|---|--|---|
| EU citizens                         | Employment and income for areas dependent on fisheries (southern Europe, in particular Spain)   | The agreements cost taxpayers around 150 million euro per year.  | The expenditure on distant water fisheries generates four times as much income for the EU, but this income benefits only a small number of actors in the first instance. Whether or not this is profitable for the economy as a whole, has not been assessed.           |
| Citizens in the contracting country | More funds for the public treasury can be beneficial (in theory).   | Less work opportunities for domestic fish workers, less availability of food and dietary protein   |   |
| Ship owners                         | Of course, the ship owner achieves better profitability because the EU stands for around 80 percent of the costs of the agreement, plus administration. |  |   |
| Shipping crews                      | Employment for local sailors in the contracting country   |  | The crew of the vessels is usually not EU citizens, apart from the officers. Nor are they always from the contracting country. However, Senegalese sailors are particularly popular; there are many good sailors in Senegal. A certain degree of employment is created. |
| Domestic fish workers               |   | Local fish workers are generally disadvantaged by agreements that allow EU vessels to fish coastal or demersal stocks. Coastal fishers may be forced to increase efforts in order to continue their work, for example, by working more hours or making large investments in motors and gear. The physical risks to the fisher also increase. |   |
| Consumers in the North              |   |  | Without a doubt, the fisheries agreements do not affect the availability of fish in the EU. The European market could be supplied equally well from the world market as from EU vessels fishing in foreign waters.  |
| Consumers in the South              |   | Agreements that allow fishing of local stocks can negatively affect the local market. Catches and market availability may decrease, and prices may increase.   |   |
| The marine environment              |   | Depleted or overfished stocks, seabed damaged by bottom trawls, by-catch of marine mammals and birds   |   |



Dior Diouf, fish smoker. Photo: Kajsa Garpe

## Kayar, Senegal. 19th February 2009

– There are around 300 women who work here on the beach smoking fish, but right now we are not working. No catches have come in during in the last few days, the weather is too bad. On the whole, it is difficult for everyone to find enough work; there are hardly any fish anymore! I have worked here for 33 years, and I have seen how the situation has gradually become worse, even though we now have better equipment. We used to dry the fish on straw lying on the sand. Now we have better fish smokers and drying frames. But the young people flee to Spain anyway, in old fishing boats.

### Do they leave Kayar?

– Yes of course! Many leave Kayar. My oldest son left three years ago with several others in a boat. He sold his own boat because there were no fish left. He left his wife and three children and is now supporting himself with various jobs in the Canary Islands.

### Are things going well for him?

– He is getting by, at least. Many are not happy, they have trouble finding a job. Some do not survive the journey.

### Who organises the boats?

– It varies. Someone has a boat and everyone else pays. It takes between 5 and 13 days to reach the Canary Islands from here, depending on the weather and the level of coastguard activity. There are many dangers on the way. But nowadays the journey goes much faster because people have better knowledge of how to do it.

## In a fishing boat to Europe

– A selection of tragedies during one month



Photo: Scanpix

12th February 2009. 61 African migrants, of which 24 children, arrive at El Hierro, Canary Islands, in an open wooden boat.

16th February 2009. At least 21 people, of which 14 children and two women, drown when a 5½ metre long wooden boat capsizes about 20 metres from the shore in Arrecife, Lanzarote. Surfers manage to save six people.

20th February 2009. 35 adult West Africans are saved by coastguards off the coast of Costa Tropical after one of the migrants rings the emergency services. The outboard motor on the open wooden boat has broken down and the boat is drifting on the current.

2nd March 2009. 46 migrant, of which five children, are escorted into the port of Los Cristianos in Tenerife.

11th March 2009. 43 children under 18 years of age arrive in the port of La Restinga on the island of El Hierro. Never before had so many children arrived at the same time.

Thanks to improvements in coastguard monitoring, the number of migrants travelling from Africa to Spain has fallen. According to official statistics, 31 678 people arrived in 2006, 12 478 in 2007 and only 9 181 in 2008. According to Humans Rights in Andalusia, 921 people drowned in 2007 whilst trying to reach Spain. Of these, 732 died close to the African coast.



## Guinea/République de Guinée

**Independence from France:** 1958

**Population:** 10 million inhabitants

**Area:** 246 000 km<sup>2</sup>

**Capital city:** Conakry

**Terrain:** Savannah, mangroves, rainforest

**Natural resources:** Bauxite, iron ore, diamonds, gold, uranium, fish

**Cultivable land:** 4.5 percent

**Political status:** Republic. Military coup in December 2008. The military junta, headed by Captain Moussa Dadis Camara, has promised free elections in 2010

**Median age:** 18.5 years.

**Life expectancy:** 57 years

**Illiteracy:** Over fifty percent of men and four fifths of women in Guinea cannot read or write.

**Unemployment:** Unknown

**HDI ranking:** 167/179<sup>50</sup>

**Domestic fisheries:** The country is poorly developed and leadership is generally unstable, which is also the case for the fisheries and management of natural resources. IUU fishing is a major problem.

**Fishing agreement with the EU:** The 2004–2008 agreement gave Guinea 3 400 000 euro per year in exchange for access to all types of fisheries in Guinea's waters: tuna, tropical shrimp, demersal species and cephalopods. A new protocol was signed not long before the military coup, for the period 1 January 2009 to 31 December 2012. The protocol applies only to tuna and is worth 450 000 euro per year. All other EU fisheries activities have ceased because of the uncertain status of the stocks.

**EU support to national fisheries policy:** In the previous agreement, 41 percent of the financial contribution, that is to say 1 400 000 euro, was to be used to strengthen the local fisheries sector. From 2009, the entire amount should be used to implement a sustainable fisheries policy. An additional 600 000 euro in specific contribution in the first year, 400 000 euro in the second year and 300 000 euro in each following year is given to strengthen fisheries controls and to enable Guinea to acquire a satellite surveillance system by 2010 at the latest. Finally, the EU will support efforts made by Guinea to mobilise and use all the resources available in the country to ensure optimum application of the surveillance policy.

**Other:** Guinea was the first French colony to gain independence. A sort of "African socialism" was introduced, with hard repression of free speech and other human rights. Guinea is a turbulent country. A few days after the fisheries agreement was finalised, the aged Lansana Conté died and the country's government was overturned in a coup. In September 2009, UN, EU and the African Union all condemned the killings of numerous demonstrators, who were opposing the junta leader to run for president in an election due in January 2010. The fisheries protocol is nonetheless in force and has been approved by the EU Council of Ministers. According to the CIA, human trafficking is extensive and Guinea is a significant transit point for narcotics. Members of the recently deceased president's family have confessed to involvement in the narcotics trade. Transparency International ranks Guinea in joint fifth place among the world's most corrupt countries.

<sup>50</sup> Human Development Index. The index is used in the same way as GDP to compare the welfare in different countries. Whilst GDP focuses on material welfare, HDI is claimed to give a fuller picture of welfare, because it weighs up life expectancy, level of education and GDP. Sweden's HDI ranking is 7/179.





Madame Bamba Marie Zado Guilavogni, 55 years, fish smoker.  
Chairwoman of one of Guinea's fifteen fish smoker cooperatives

## Conakry, Guinea. 3 december 2008

– We have many power cuts here, so the only way to preserve the fish is to smoke it. I work together with a few other women in the area. We have worked together for four years, but we do not have enough resources to be able to build a smoking installation together, which would allow us to have a better standard of hygiene.

### **Why is hygiene so important?**

– The foreign boats here catch our fish and send them to Europe. But we cannot export anything because we do not meet the hygiene requirements. And domestic trade is almost impossible because of the risk that the fish perishes during lengthy controls and inspections. It's almost impossible for us to make a profit in this line of work.

### **What are conditions like for fish smokers generally?**

– Really bad. We are very worried about the plastic too. The fishers throw rubbish into the sea and the plastic is washed up on the beaches. Many of the women use the plastic to light their ovens. They don't understand that the smoke from plastic is poisonous. Even without the plastic, it is bad for us to stand around in the smoke all day; we all have problems

with our lungs and eyes. My chest feels as heavy as stone after twelve hours in the smoke, and my eyes sting.

### **It sounds unhealthy and dangerous. Do the fish smokers suffer from many illnesses?**

– Dangerous? We are in Africa; we have no choice! The only thing we know that helps against the smoke is to drink milk; it soothes the throat. Our eyes are always red; our lungs ache. The only thing I know is that the women fish smokers cough a lot - and suffer headaches. The fish is landed in the evening, so they smoke the fish all night. They have to, they have a family to feed, and many of them are widows.

### **How do you look after the children?**

– The children are often with us in the smoke. We do not have any childminding and most children do not go to school. Every year there are children that drown because their mothers cannot watch them every second of the day. When the boats arrive, everyone rushes to the beach to haggle over the fish. The fish is in short supply, and we have to compete with the other smokers to buy the fish. Sometimes it is complete chaos on the beach, and then no one has time to watch the children.

### **How could the situation be improved?**

– We need money to build a shared smoking installation, with proper ventilation. We need money to help us with childminding. We need money so that we can lend money to our members. Most of the fish smokers have loans with moneylenders who demand 100 percent interest on the loan.

*” Many of the women use the plastic to light their ovens. They don't understand that the smoke from plastic is poisonous.”*



Women have a key role in fisheries in the South; most people working with processing and local trade are women. In many of the poorest families in fishing villages, the women are the breadwinners. Photo: Isabella Lövin

## 8.2 Corruption and other negative results on the social system

### *The extensive corruption in West Africa*

Corruption is rife in many West African countries. The organisation Transparency International ranks 180 countries in the world, from the least corrupt (1) to the most (180). Among the most corrupt countries are Guinea, ranked 173, and Guinea-Bissau, ranked 158 in the 2008 assessment. Mauritania is ranked 115, while Senegal is in the upper half of the ranking, at 85.

Corruption can be defined in different ways. It is often defined as more than just bribes and nepotism; other negative effects on decision-makers and public administration are also considered. Corruption affects all areas of society and fisheries are no exception, especially since the sector has relatively high turnover, especially considering income from export and licences. There are links between fisheries and international organised crime in many areas of the world, not least in West Africa.<sup>51</sup> For example, in Guinea-Bissau the fisheries have become a centre for drugs smuggling, because of the weak state control in the country. Some fish workers that have difficulty in supporting themselves by their trade become involved in smuggling, enticed by higher incomes.<sup>52</sup>

### *The negative effects of fisheries agreements on governance*

A report from the Norwegian Chr. Michelsen Institute<sup>53</sup> discusses a number of risks associated with fisheries agreements. The study points out that the contracting states have strong incentives to consider short-term profitability rather than long-term resource management, and provides examples. In the case of Mauritania, a reduction in the fishing of octopus called for by the country's marine research institute was delayed several years – and when it was finally decided, the reduction was smaller than requested. According to the report, heavy dependence on fisheries

agreements can have a negative effect on the state's freedom of action. The Norwegian report also suggests that there is a risk that the agreement is, openly or not, linked to how much development aid the country receives in other areas. Insufficient limitations on fisheries activities may also be the outcome of a weak bargaining position. A report from MRAG<sup>54</sup> demonstrates that fisheries management has improved in those countries that have actively refrained from signing an EU fisheries agreement, both in cases where a country has never entered an agreement (Namibia) and where an agreement has been terminated (Mozambique). In other words, an EU agreement can delay the development of good local fisheries management.

The Norwegian report also discusses the difficulties of applying partnership agreements in their current form with unstable and non-democratic nations. Nonetheless it would be incorrect to claim that all agreements in all countries have a negative effect on the social system. A report from the Coalition for Fair Fisheries Arrangements, CFFA, in Brussels draws the same conclusions.<sup>55</sup> CFFA points out that the situation is sometimes worse where no agreement is in place, using Senegal as an example. In this case, vessels that were EU flagged changed to Senegalese flags when the EU agreement was no longer applied. According to the report, these vessels are now granted exception to some of the fishing regulations that they were restrained by under the EU agreement.

Finally, CFFA describes how Guinea undertook an audit of the Ministry of Fisheries after pressure from civil society. Many discrepancies were identified, not least the issuing of licences without any payment being received by the ministry. Public treasury losses were substantial. This is a country, with which the EU has a fisheries agreement.

51 The troubled waters of West African fisheries, CFFA 2008

52 IRIN humanitarian news and analysis, UN Office for the Coordination of Humanitarian Affairs

53 Corruption and industrial fishing in Africa, U4 Issue 2008:7

54 Comparative Study of the Impact of Fisheries Partnership Agreements, MRAG 2007

55 The troubled waters of West African fisheries CFFA 2008



Rubbish and smoke characterise the beaches where fish are landed in Conakry, Guinea. Photo: Isabella Lövin

## Conakry, Guinea, 4th December 2008 Abou Bangoura, fisheries advisor at the Ministry of Agriculture

– When the Europeans came, the first people they met were the fish smokers on the beach. When they asked these women the name of the country to which they had come, the women replied *guinea*, which means “woman” in Sousou. So the country is named after fish smokers. I often tell this story, not least because it illustrates that everything in this country emanates from the fisheries. They are vital for us! I was born amongst fishers, only 200 metres from a fishing village, and I am very worried about the changes taking place. Nowadays you can find all the worst aspects of this country in the fishing ports: prostitution, poverty, destitution, rubbish, oil, environmentally hazardous waste. The natural environment is destroyed; the trees for miles around have been chopped down to make boats and to use as fuel for smoking fish.

### **What developments are there in the fisheries in Guinea at the moment?**

– In the past, the boats were owned by families, but that is no longer the case. Now it’s business. The civil servants have bought up all the boats and the previous owners fish for

them. They are only interested in profits, and that is what is decimating the fish stocks. In the past they used hooks and lines, which are more selective. Now they fish with bigger and bigger nets. Fisheries support should go to the families, not to the office workers who have taken over the fisheries. Furthermore, too many licences are issued to foreigners. Conflicts arise between the industrial and artisanal fisheries. Industrial fisheries do not contribute to local employment – none of the fish is landed here. It should be. Instead, everything is reloaded at sea and landed in Las Palmas.

### **Is the EU agreement with Guinea positive or negative for the country?**

– I do not know the answer to that question. Above all, where does the money go? Most people here don’t know what the country receives from the agreement. The coastal regions are still the poorest regions. Where do the financial resources disappear to? The problem is that no one knows. No, I can’t say that I know either.

## 9 Real partnership!



Fishing is a common occupation for those that do not own land. Increasing unemployment results in many people trying to support themselves through fishing. Thereby competition and pressure on the resources increase while revenues per fish worker typically decrease. Photo: Mikael Cullberg

### *Act now!*

Fisheries Partnership Agreements are currently under evaluation. Though the results of the evaluation have not yet been announced, it appears that the agreements in their current form have reached the end of the line. Rather than the Commission having implemented the external fisheries policy incorrectly, it is the task itself that has been difficult to achieve. The Commission holds the executive power, while the member states, through the Council of Ministers, are ultimately responsible. In order to develop a better external fisheries policy, all member states, including Sweden, must revise and rewrite the mandate. With the reform of the CFP due in 2012, the time has come for action. The Commission has already posed the questions to stakeholders in a so-called *Green Paper*<sup>56</sup> on the Common Fisheries Policy.

### *No fish, no development cooperation!*

The EU fisheries agreements may be better than many other fisheries access agreements, such as “private” licences (licences sold to individual vessels), from the point of view of transparency and payments<sup>57</sup>, but a clear commercial basis still characterises. The financial contribution is payment for access to a natural resource. What happens when EU fishing ceases because there is no longer a surplus? To a greater or lesser extent, the EU’s distant waters fishing fleet will have contributed to overfishing. Just when the contracting country needs help the most to improve fisheries management and controls and research collaborations as in the case of Senegal, the so-called partnership ceases. Thus, collaboration and support in fisheries management and control, and development of the fishing industry disappear with the access to the fisheries.

<sup>56</sup> EU’s Green Paper: Reform of the common fisheries policy, European Commission 2008

<sup>57</sup> Comparative Study of the Impact of Fisheries Partnership Agreements, MRAG 2007



Photo: Mikael Cullberg

*What happens without EU agreements?*

What would be the alternatives to fisheries agreements? There are no effective legal possibilities for the EU or its member states to prohibit their businesses from running operations in countries outside of the EU, and it is likely that bilateral private settlements would be agreed if EU agreements were not signed. Without agreements, transparency and public control are likely to diminish. European authorities would then have much less knowledge and control over operations. In summary, it cannot be denied that fisheries agreements are important for how the contracting country and its fisheries sector develop.

*Partnership requires long-term cooperation*

SSNC believes that the new fisheries policy should give the Commission the task of offering basic, long-term fisheries cooperation to contracting states in West Africa and in other regions. The cooperation should be based on the EU

development policy and resolution on Policy Coherence for Development; it should clearly differentiate between, on the one hand, cooperation and development and, on the other hand, fisheries access. Similarly, the budget should be divided into two parts: one part for cooperation and the development of sustainable fisheries (the partnership) and another part for any fisheries access – where this is mutually beneficial.

Where a clearly established fish surplus exists, in accordance with the precautionary approach, and where EU vessels can gain access to this surplus without negative effects surmounting the positive effects for domestic fisheries, then a separate commercial agreement may be negotiated. However, such agreements require much better stock assessments than are currently available today.

## 10 The future of fisheries – four countries

There are both similarities and differences among the West African countries that SSNC visited. The situation is worrying for several fish stocks across the whole region; fisheries management is often insufficient; poverty is widespread. Development is needed in the fisheries sectors of all four countries in order to achieve acceptable working and living conditions, food security and alternative sources of livelihood.

### *Mauritania*

Mauritania has significant natural resources, including fish, and a very small population. Given sensible management and a reasonable contribution to the state, stability would increase and dependency on the fisheries agreement would significantly decrease.

### *Guinea-Bissau*

Guinea-Bissau's treasury is completely dependent on the income from the agreement. If distant water fisheries cannot continue in the country then the EU must find an alternative way of providing support. Otherwise, serious difficulties threaten the stability of the country. It is not more than ten years since Guinea-Bissau was shaken by civil war.

### *Senegal*

The utmost challenge in Senegal is the growing domestic fisheries. Even though it is traditional artisanal fishing, the

Fish are an important staple for more than one billion people.  
Photo: Kajsa Garpe



total fishing capacity is now far too great. Large-scale fisheries are, however, relatively insignificant. Even if the EU vessels did contribute to overfishing of demersal stocks, the main sources of the overfishing remain – the unregulated domestic fisheries and IUU fishing in unknown proportions.

### *Guinea*

The EU has declined offers to fish in Guinean waters, with the exception of tuna, because stock assessments are too uncertain. The country's leadership is poorly developed and is generally unstable, which is also the case for the management of natural resources including fisheries. IUU fishing is a major problem. Support is needed to improve fisheries control and to develop the domestic fisheries. With better knowledge of the stock situation, the country could gain well-needed income from surplus resources through an EU fisheries agreement. However, a prerequisite is well-functioning fisheries management, which does not currently exist.

### *Strengthen regional cooperation*

An effective regional cross-boundary fisheries organisation could greatly strengthen the management of marine resources. It could also make the member countries' fisheries authorities more efficient and forceful, at a lower cost than without regional cooperation. This is particularly true of fisheries control, which can become effective if countries work together. Such cooperation could be a valuable tool against IUU fishing.

The existing regional fisheries organisations in Africa could constitute a basis for an effective cooperation in the future, but they currently lack political force and are poorly financed. Furthermore, the support to these institutions from the EU and other donors is insignificant. The coastal states that have the main responsibility for sustainable management of marine resources lack both resources and commitment to long-term sustainability. Sweden and the EU must increase their support to these regional organisations and persuade the coastal states to strengthen their commitments. Regional fisheries partnerships could be one way of achieving this.



Mariama Bangoura, 19 years, fish smoker. Photo: Isabella Lövin

## Bonfi fish smoking works, Boulbinet, Guinea. 3rd December 2008

### How many children do you have?

- Three. They are three, two and one year old. My husband was a fisher; he drowned three years ago.

### What happened?

- There was a storm and the boat capsized. It was at night. He was the only member of the crew that drowned. He was caught in a rope and dragged overboard.

### Did he have a life jacket?

-No. His body was never found.

### How do you manage to support the children by yourself?

- It is difficult, very difficult. When the children become sick, there is no one to help me. I am the only one who can

provide for them. I like working here. Of course, I don't know any other life. My mother worked here and my father is a fisher, so I was born into this life. I have never been to school.

### Why haven't you been to school?

- I wanted to, but my father wouldn't let me.

### Why wouldn't he let you go to school?

- Because he couldn't afford it.

### Do you want your children to work here?

- No. I want them to go to school, to get the chance to do something else. I want them to become great thinkers; I want them to succeed, and to be happy! That's my dream.

### Name one thing that would improve your life, here and now!

- I can only think of one thing, and that is that my children would not need to work here. I want them to have a better life than mine, that's all I wish for.



## 11 Conclusions

1. None of the four countries visited by SSNC provided information about how the money from the EU fisheries agreements was used. The Commission has undertaken some follow-up work, but there is no comprehensive, open reporting of the results.
2. The stocks of most demersal species in West Africa are overfished. There is great uncertainty in the stock assessments for many species.
3. The Swedish government has neglected its responsibility to promote sustainable development in the fisheries sector as part of the Policy for Global Development. EU fisheries agreements have major consequences for development and poverty reduction in West Africa. Despite this, Sweden, like many other member states, does not make use of the negotiation opportunities available in order to influence the conditions of the agreement protocols.
4. If development cooperation does not succeed in promoting a sound management of resources and good governance, it will hardly succeed in achieving sustainable development. In many West African countries, not least in both Guineas, state governance is virtually non-existent, which opens the door to ruthless exploitation of natural resources.
5. Several examples have occurred where foreign fisheries compete with local fisheries for resources and space (resulting in poor safety). It is likely that extensive industrial fishing of uncertain stocks, legal and illegal distant water fisheries, and domestic industrial fisheries all contribute to undesirable ecosystem effects. This is especially the case for bottom trawling, which is the most common method of catching demersal fish.
6. Small-scale fisheries are often more sustainable and contribute to a greater extent to livelihoods and food for poor communities than industrialised fisheries.
7. Fisheries are currently almost completely ignored in development cooperation and are not included in the Poverty Reduction Strategies formulated by countries in the South. One reason for this may be a lack of knowledge of the significance of fisheries.
8. The negotiations over the current Fisheries Partnership Agreements are largely unequal. Inappropriate links to other agreements (for example, trade agreements) have been made.
9. The European Commission's DG Development does not actively participate in the formulation and monitoring of fisheries agreements.
10. The EU and its member states have no effective legal means of prohibiting their businesses from operating in countries outside of the EU. If fisheries agreements were done away with, transparency and public control would diminish.
11. Fisheries agreements are problematic in many ways and they are just one of many problems in West African fisheries. Other problems are corruption, IUU fishing and environmental degradation.



Photo: Isabella Lövin



## 12 Recommendations

1. Distinguish catch agreements from partnerships. Partnership, in the form of fisheries management cooperation and sector development, should be offered to all cooperating countries, irrespective of whether a catch agreement exists. Where a stock surplus has been reliably identified, the EU may negotiate a separate agreement to allow fishing access for European vessels. Access agreements should only be signed with countries where long-term fisheries cooperation is in place.
2. Because of the transboundary nature of stocks as well as problems such as IUU, regional cooperation should be promoted in West Africa. In time, it may be possible to create regional partnerships.
3. EU fisheries subsidies should be reduced and eventually phased out wherever they are proven not to be socio-economically profitable.
4. Higher capacity in regard to fisheries policy is needed within the development policy (including DG Development, EuropeAid and Sida); similarly, development aspects must be taken seriously in the fisheries policy. Overall, there is a demand for increased coherence between the two policy areas.
5. In accordance with its Policy for Global Development, the Swedish government should take a much more active role in the negotiations on Fisheries Partnership Agreements, especially in West Africa.
6. Sweden and other EU member states should support each of the West African countries concerned, both individually and in any cross-border collaborative activities, in order to improve the management of natural resources and to strengthen the negotiating power of these countries in interactions with the EU.
7. Sweden and other EU member states should strive to strengthen the West African fisheries sector, so that it can offer acceptable working and living conditions and provide food security to the local population. Infrastructure development that facilitate local landing, handling and processing of fish should be prioritised.
8. The small-scale fisheries and its management should be prioritised.
9. Combined European efforts are needed to secure fish stocks and curb IUU fishing, with initiatives such as improved controls in the countries concerned and in the EU: fisheries monitoring, landing controls, port controls, documentation and blacklists.

There is a large over-capacity in Senegalese fisheries. There are too many fishers for the available fish stocks. Photo: Kajsa Garpe





Fish smokers . Photo: Isabella Lövin



The smoke from the fish smoke-curing leads to lung and eye problems. Photo: Isabella Lövin

## The following acronyms are used in the report:

|                |   |
|----------------|---|
| <b>ANAPA</b>   | Association National Armadores Pesca Artisanal; umbrella organisation for Guinea-Bissau's fish workers                  |
| <b>CECAF</b>   | The Fishery Committee for the Eastern Central Atlantic  |
| <b>CFA</b>     | Communauté Financière Africaine; currency used in e. g. Senegal and Guinea-Bissau.                                      |
| <b>CFFA</b>    | Coalition for Fair Fisheries Arrangement  |
| <b>CFP</b>     | Common Fisheries Policy   |
| <b>CIA</b>     | Central Intelligence Agency   |
| <b>CONIPAS</b> | Conseil national interprofessionnel de al pêche artisanale au Sénégal, umbrella organisation for Senegal's fish workers |
| <b>DG</b>      | Directorate-General   |
| <b>DG MARE</b> | Directorate-General for Maritime Affairs and Fisheries  |
| <b>EC</b>      | European Community  |
| <b>ECOWAS</b>  | Economic Community of West African States   |
| <b>EEZ</b>     | Exclusive Economic Zone   |
| <b>EPA</b>     | Economic Partnership Agreement  |
| <b>EU</b>      | European Union  |
| <b>FAO</b>     | Food and Agriculture Organization of the United Nations   |
| <b>FPA</b>     | Fisheries Partnership Agreement   |
| <b>GDP</b>     | Gross Domestic Product  |
| <b>HDI</b>     | Human Development Index   |
| <b>IUU</b>     | Illegal, Unregulated and Unreported fisheries   |
| <b>MRAG</b>    | Marine Resources Assessment Group   |
| <b>NGO</b>     | Non-Governmental Organization   |
| <b>PAN</b>     | Pêcheurs Artisanaux Nord; Northern artisanal fish workers in Mauritania   |
| <b>PAS</b>     | Pêcheurs Artisanaux Sud; Southern artisanal fish workers in Mauritania  |
| <b>SSNC</b>    | Swedish Society for Nature Conservation   |
| <b>UN</b>      | United Nations  |
| <b>UNCLOS</b>  | United Nations Convention of the Sea  |
| <b>UNEP</b>    | United Nations Environment Programme  |
| <b>WTO</b>     | World Trade Organisation  |

Fisheries Partnership Agreements enable the EU to buy fishing rights from other countries, not least in West Africa. As part of these so-called partnerships, the EU is meant to contribute to sustainable development in the contracting state. The Swedish Society for Nature Conservation, SSNC, has interviewed fish workers, civil servants and government representatives in West Africa and in Europe. We found that this aspect of partnership is an illusion. Funds do not reach the intended purposes, fish stocks are decreasing and the lives of fish workers in contracting states are harder than ever. The European Commission acknowledges these failures, in which Sweden is complicit, and encourages all stakeholders to contribute actively to the development of a reformed fisheries policy for 2012. This report describes how responsible partnership could be achieved.

SSNC's Global Marine Programme is engaged in the work towards a new EU Fisheries Policy that is both sustainable and fair. SSNC supports capacity building and regional and national co-ordination of the organisations that represent African fish workers. Together with other environmental organisations in the Global South, SSNC pursues marine and coastal issues. Moreover, SSNC cooperates with organisations that deal with agriculture, forestry, climate change, chemicals, trade and food security. In total, SSNC collaborates with around 60 organisations in more than 20 countries. Much of this work is financed by the Swedish International Development Cooperation Agency, Sida.



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The Swedish Society for Nature Conservation is an environmental organisation with power to bring about change. We spread knowledge, map environmental threats, create solutions, and influence politicians and public authorities, at both national and international levels. Moreover, we are behind one of the world's most challenging ecolabellings,

“Bra Miljöval”(Good Environmental Choice). Climate, the oceans, forests, environmental toxins, and agriculture are our main areas of involvement.

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Bra Miljöval