

**Illegal, Unreported and Unregulated Fishing in West Africa:  
which impacts, which solution**

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Report from the  
**European Bureau for Conservation and Development (EBCD)**

The Intergroup on Climate Change, Biodiversity and Sustainable Development hosted at the European Parliament on 3<sup>rd</sup> December 2009 a hearing on “Illegal, Unreported and Unregulated Fishing in West Africa: which impacts, which solutions?”

Representatives from the different countries of West Africa: Mauritania, Guinea Bissau and Senegal as well as key organisations such as IUCN, Environmental Justice Foundation, WWF and the Swedish Society for Nature Conservation participated in the hearing. The European Commission was represented by the unit in charge of IUU fishing within DG MARE. The meeting was chaired by Struan Stevenson, MEP and Chair of the Intergroup on Climate Change, Biodiversity and Sustainable Development.

The conference enabled to raise awareness about the situation in the West African Countries regarding IUU fishing and its disastrous environmental and socio economic consequences on the population. It also warned the European Union on the important problems that will generate the entry into force of the IUU regulation, as many developing countries are not ready yet. The report as well as the various presentations will be sent to the European Parliamentarians, members of the Intergroup.

The participants recognized unanimously the need to fight efficiently against IUU fishing.

As indicated by DG MARE and other participants, it is estimated that IUU practices amount to approximately 10 billion Euros every year worldwide and IUU fishing represents 19% of the worldwide reported value of catches. The sub region of West Africa is particularly concerned by this problem as its waters are one of the richest waters in the world regarding fisheries resources.

### **Introduction by the Chair**

**Struan Stevenson**, MEP, Chair of the Intergroup “Climate Change, Biodiversity and Sustainable Development.

M. Stevenson insisted that IUU fishing was one of the most serious worldwide problems having catastrophic environmental and socio-economic consequences. It contributes to the depletion of fisheries stocks, threatens biodiversity and undermines protection and recovery measures adopted to ensure sustainable fisheries management. He reminded that IUU fishing represented an unfair competition for fishermen who complied with the rules and had detrimental consequences on coastal communities, especially in Developing countries, who relied on fisheries for their livelihood. He noticed that IUU fishing represented more than 50% of the value of catches for some African countries. From a recent article written by the Institute for Security Studies, Africa loses \$1 billion from IUU fishing.

M.Stevenson reminded that as the largest market for fish in the world, the EU had a responsibility in playing a key role in the fight against IUU fishing. The EU adopted on 29 September 2008 a Regulation to prevent, deter and eliminate IUU fishing after a unanimous political agreement. One of the key elements of this regulation is the catch certification scheme. M.Stevenson underlined that the European Parliament was very active by adopting an opinion which firmly condemned IUU fishing and urged the adoption of ambitious measures to tackle this plague.

M.Stevenson stressed that the implementation of the IUU Regulation from 1 January 2010 as well as the capacity to meet the requirements of the regulations were issues of concern to Third countries. He reminded that in order to help the countries to implement efficiently the Regulation, the European Commission committed to assist them. Technical trainings have been carrying out with both third countries and EC Member States and seminars all over the world have been organized over the last months.

He stressed that the hearing would contribute to a better understanding of the EU Regulation. It will enable also to:

- \* know what has been done so far to implement the Regulation in West Africa;
- \* understand better your expectations and concerns regarding this implementation;
- \* have a picture of the situation of fisheries in West Africa and the impact of IUU fishing.

He finally thanked IUCN and EBCD for organizing the hearing.

## **Film**

### **“Deadly Catch – Pirate Fishing in Sierra Leone” – Environmental Justice Foundation**

Environmental Justice Foundation produced a film showing the dramatic consequences of IUU fishing in Sierra Leone on the coastal populations. In fact, IUU fishing activities carried out by trawlers flagging some flags of convenience have a significant impact on the status of stocks which have direct repercussions on the livelihood of coastal communities. Those coastal communities mostly rely on fishing activities as fish is an essential source for food supply and the first protein supply. The problem get worst with the end of the civil war as a big part of the population moved to the coastal region. In fact, more people started fishing and there is no fish for everyone. The film also denounces the existence of the port of Las Palmas one of the main ports of IUU landed fish products. Finally, the film underlines the problem of the DG SANCO list of vessels which are considered in conformity with the sanitary requirements. According to Environmental Justice Foundation, some of the vessels authorized by this SANCO list are vessels practicing IUU fishing

activities and not respecting the sanitary requirements at all. DG Sanco numbers are not designated by Commission, but rather by the 'Competent Authority' in the Flag State.

### **The EU Regulation on IUU fishing**

Jean-Pierre Vergine, Deputy Head of Unit - Policy Officer - Implementation of IUU Regulation, DG MARE, European Commission

The Commission representative made a presentation on the IUU regulation adopted by the Council the 29<sup>th</sup> September 2009. After introducing the problem of IUU fishing across the world, he described the consequences of such activities on the environment but also at the socio-economic level. At the European level, he indicated that the EC imported an estimated 1,1 billion Euros worth of IUU fishery products every year (*Oceanic development study 2007*). He emphasised that The EC had a key role to play in the global fishery production and market and must have therefore taken a key role in the fight against IUU fishing. He presented the consequences of IUU fishing in developing countries. According to the Commission representative, the poorest countries pay the highest price to IUU activities through diminished resources and lost potential catches and revenue. IUU operators are often profiting from a lack of means by developing countries to protect/ control its waters from IUU operators. Moreover, developing countries pays a particular high price to this scourge. For instance, IUU fishing represents more than 50% of the value of catches for certain African countries. He continued by introducing the IUU regulation itself and stressed that the IUU Regulation did not introduce any new conservation and management measures. He explained that the scope of the Regulation applies to all fishing vessels under any flag in all maritime waters and to all processed and unprocessed marine fishery products, (excluding products listed in Annex I of the Regulation, revised on a yearly basis). The Commission representative listed the main components of the IUU regulation which included, among others, provisions on the inspection of third countries' fishing vessels in ports of a Member State, the catch certification scheme and a list of non-cooperating third countries. On the catch certification, he specified that the validation must certify that the catch was made in accordance with applicable laws, regulations and international conservation and management measures. He stressed that catches from EC fishing vessels shall also be subject to the validation of catch certificates by competent Member State authorities prior to exportation, if required by the third country of destination. He also indicated that a system of mutual assistance to third countries was foreseen. He listed all the benefits which were expected from the entry into force of the regulation: more sustainable management of fisheries, improved control over fishing activities carried out by a flag State's vessels, improved cooperation in the fight against IUU fishing (among others). The Commission representative specified that all countries have been requested to notify the European Commission of their authorities competent for the validation of catch certificates. The European Commission has received notification from almost all its trading partners.

Finally, the Commission representative indicated the state of implementation of the IUU regulation<sup>1</sup>.

### **General situation of fisheries in West Africa – overexploitation and threats to national economy, employment and food security**

Renaud Bailleux, International Union for Conservation of Nature

Duncan Copeland, Environmental Justice Foundation

Duncan Copeland from the Environmental Justice Foundation indicated that the Countries in the region have extremely limited capacity and that the Eastern Central Atlantic had among highest rates of IUU fishing globally. Unlike many other regions IUU appears to be increasing. IUU fishing activities concern mainly demersal species but also some pelagic species to some extent. IUU fishing is practised by both industrial and artisanal fishers but industrial fisheries have significantly higher impacts. M.Copeland explained that those countries for different reasons presented vulnerability to IUU. In fact, Post-conflict nations (e.g. Liberia and Sierra Leone) and those with current political instabilities (e.g. Guinea) are extremely vulnerable to IUU and appear to be deliberately targeted. At the same time, those countries are dependent of fisheries for local livelihoods and food security. This Reliance on fisheries results in increased significance of environmental, social and economic impacts of IUU. He finally presented the findings of the EJF's investigations on IUU fishing which have been carried out since 2005 in the region. He described the key findings which were the following:

- ID of vessels very difficult; those identified majority East Asian
- Bottom trawling predominant – destructive, high bycatch
- Few fish landed – most destined for overseas markets
- Extensive at-sea transshipment
- Fish 'laundering' operations.

He also insisted on the link existing between IUU fishing and the DG SANCO and stressed that many IUU vessels in West Africa were on DG Sanco lists. He also emphasized the poor conditions of the crew working on those industrial vessels (poor vessel safety, poor pay, poor food, water, sanitation, etc). He finally

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<sup>1</sup> The Commission Implementing Regulation has been adopted by the Commission on 22 October. A handbook on the IUU Regulation is published for the benefit of authorities and stakeholder in Member States and third countries. Numerous bilateral contacts with third countries. Regional seminars/workshops: *South Africa 4-5 March 2009, Colombia 26-27 March 2009, Vietnam 14-15 May 2009, Cameroon 11-12 June 2009, New Caledonia 12 – 13 Nov 2009.*

recommended to adopt measures at local, national and regional levels and to combined the implementation of the EU-IUU Regulation with the support to improved capacity in the region (ex: reinforcement of Monitoring, Control and Surveillance).

Renaud Bailleux from IUCN made a presentation giving an overview of the general situation of the fishing sector within the Sub Regional Commission for Fisheries (CSRP) area. Created since 1985, the CSRP is in charge of harmonizing the policies and the legislations and is composed of seven countries: Mauritania, Senegal, Gambia, Guinea, Guinea-Bissau, Cape Verde and Sierra Leone. Besides that, the Regional Programme for the Conservation of the coastal and marine area in West Africa (PRCM), a coalition of 4 NGOs (IUCN, WWF, FIBA and Wetlands Int') works in partnership with the CSRP with the same countries to protect and to ensure the conservation of the coastal and marine area. M.Bailleux stressed that the CSRP area had a really high fishing potential (fish, shellfish, cephalopods) and an exceptional biological productivity. The population is estimated in the region around 30 millions of which 60% live in the coastline area. Artisanal fisheries mainly take place in Senegal with a production of 385 000 tones whether industrial fishing is more important in Mauritania (650 000 tones). He emphasized the importance of fisheries in the region showing some figures (ex: fisheries represent 20 to 60% of animal proteins, 600 000 work in this sector in Senegal). M.Bailleux also explained that fisheries activities were considerably increasing in the region particularly regarding small scale fisheries. This recent development is due in part to the big migration of people on the shore (ex: Sierra Leone). However, the production is decreasing constantly since 2003. In fact different species are considered as overexploited (ex: sardine, *S.aurita*, since 2007, grouper closed to extinction since 2005, sea bream overexploited since 2007, and shrimps overexploited since 2005).

### **IUU fishing and regulating access to fisheries resources**

Khady Sane, Programme régional de conservation de la zone côtière et marine en Afrique de l'Ouest

Khady Sane explained that alarmed by the importance of IUU fishing in the region, the member States of the CSRP tried through the regulation of the access to the resource to prevent the worrying progression of the IUU fishing within the sub-region.

In 1993 the Member States of the CSRP adopted two important instruments to fight against IUU fishing:

- The Convention on the determination of the minimal conditions for the access and the exploitation of the fishing resources (14 July 1993, Cap Verde).

- The Convention on the Sub-Regional Cooperation for the exercise of the right of maritime pursuit and surveillance of fisheries between the member States (1<sup>st</sup> September 1993, Conakry).

She indicated that some bilateral agreements for the implementation of those instruments were or already signed or in current negotiation. The PRCN representative underlined that the Convention on the minimal access conditions was not still implemented, although it has been ratified and entered into force. However, she stressed that this Convention was a good legal instrument which contributed to the fight against IUU fishing as it permitted to submit all the vessels fishing in the region to the same access conditions. This Convention is currently revised to take into account the recent evolutions of the situation regarding IUU fishing. Besides that, the member States of the CSRP adopted the Declaration of Nouakchott on IUU fishing, following the adoption of the IUU FAO Plan.

At the national level, the PRCN representative indicated that the Countries of the region adopted recently some regulations to ensure the sustainable use of the fishing resources (gears restrictions, MPAs, fisheries closures, zoning industrial and artisanal fisheries). Some specific measures have been adopted for artisanal fisheries: registration of the pirogues and fishing license). Besides that, some agreements of reciprocity are signed between the countries of the region.

She concluded that the Countries of the region were making lots of effort to fight IUU fishing at the national level but also at the regional level. However, they are facing different problems which limited considerably their action: lack of control and surveillance means, insufficient and reliable data base, insufficient awareness of the authorities on the IUU the seriousness of the IUU problem, etc.

### **Implementing the IUU regulation in Senegal**

Dougoutigui Coulibaly, Secrétaire Général du Groupement des Armateurs et des Industriels de la Pêche au Sénégal

Dougoutigui Coulibaly urged the European Commission to postpone the entry into force of the IUU regulation of two years. Countries of West Africa including Senegal are not ready for the implementation of the IUU regulation. He presented all the negative consequences that will have the entry into force of this regulation which foreseen for the 1<sup>st</sup> January 2010. Mr Coulibaly insisted on the fact that most of the pirogues were fishing without license and were not registered. What those fishermen will do with their catches when those will become IUU from the 1<sup>st</sup> of January 2010? Mr Coulibaly emphasized that the definition of IUU fishing should be reviewed and adapted to the reality of the situation. IUU fishing practiced by big industrial trawlers flagging some flags of convenience and IUU practiced by local small scale fisheries should not be treated in the same way. IUU fishing is a global problem which needs to be addressed at the international level by the whole international community.

## IUCN Network of West African Parliamentarians on Environment

Oumar Sy, project co-ordinator

Oumar Sy presented the Network of West African Parliamentarians on Environment, an initiative considering that the parliamentarians appear as essential actors who need to be mobilized to manage in a sustainable way the natural resources of the coastal area. This network has been launched since September 2008.

He explained that the network, among others, contributed to the construction and to the sharing of a long term vision of the West African coastal zone taking into account the conservation and the promotion of its natural and cultural resources. It also permits to develop some exchanges with other parliamentarians and local elected representatives in Africa, in European and all over the world.

The network aims to organize training, to inform and to raise awareness of the parliamentarians and local elected representatives on environmental issues. It also promotes the establishment of partnerships with international and national institutions and the civil society. It establishes some thematic working groups on international conventions, on fisheries, mangroves, etc. In this frame, a sub regional workshop on climate change has been created.

Oumar Sy hoped that it would be possible to develop strait relations with the Members of the European Parliament (MPEs) in order to share experiences between the North and the South.

### Debate

**The MEP Lovin** indicated that she felt really concerned by this issue and was really engaged concerning fishing activities in this region (FPAs and IUU fishing). She emphasized the particular lack of patrol vessels in the region. The **Swedish Society for Nature Conservation** underlined the particular condition of small scale fisheries in the region and indicated that it was worried regarding the impacts of the EU-IUU regulation on this kind of fisheries. It also stressed that yet there were no appropriate international instruments to fight adequately flags of convenience.

The **Commission representative** indicated that the European Commission was aware of the need to adapt the system to small scale fisheries. To this end, a simplified catch certificate will be implemented. However, there is not still a common agreement with those countries on the adaptation of the IUU provisions to small scale fisheries' specificities.

The **MEP Lovin** was wondering what the IUU fishing regulation would be able to do against the transshipment operations occurring at sea in those countries. The **DG MARE** explained that the IUU regulation prohibited certain types of transshipments and authorized this kind of operation only under certain strict conditions. In any case, a certificate is required to proceed to this operation.

The catch certification scheme is considered by **West African Countries representatives** and **several NGOs** as a disproportionate measure which should not apply to all species and to all kind of fisheries. A doubt subsists in the NGOs community and in the West African Countries: Is the IUU regulation the appropriate tool to address the IUU fishing? Mainly the real problem of IUU fishing comes from Korean and Chinese vessels which foray the fishing resources of the region, agreed the speakers. One participant proposed that West African Countries adopt agreements with those two Countries.

**Some participants** considered that IUU fishing is a global problem which needs to be addressed at the international level by the whole international community. The action took by the European Union to fight IUU fishing is laudable. However, this initiative should not be isolated and the EU should be aware that it would have collateral consequences on the fishermen community in West African countries which already suffer from IUU fishing.

**DG MARE** considered that there was a need to develop a better cooperation with those countries in order to circulate the information on the IUU regulation which will provide the adequate answers. Furthermore, DG MARE insisted on the fact that the entry into force of the IUU regulation will not be postponed and that no derogations will be granted.

Besides those discussions, the Parliamentarians from West African Countries proposed to the MEPs to strenghten mutual cooperation in order to share experiences between the North and the South under the IUCN network of West African Parliamentarians on Environment. A visit in West Africa could be organised in the future, said **M.Stevenson**, Chair of the Intergroup.