



DRAFT MINUTES

23rd LDAC Working Group 4 meeting Bilateral Fisheries Agreements with Third Countries

Tuesday, October 23, 2018, from 14:30 to 18:30h

NH Brussels EU Berlaymont Hotel - Boulevard de Charlemagne 11-19 - Brussels

1- Welcome and opening of the meeting

The Chairman, Mr Julio Morón, welcomes the attendees.

Annex I includes a full list of members and observers present at this meeting.

2- Adoption of the minutes to the last WG4 meeting held in Brussels on March 7, 2018.

The minutes to the last WG4 meeting of March 7, 2018, are approved without any objections.

3- Adoption of the agenda.

The agenda is approved.

4- Update by DG MARE on the current state of negotiations and technical meetings on fisheries agreements with third countries. Analysis of the effective implementation of SFPAs

4.1. Atlantic Ocean

The representative of the Agreements Unit in DG MARE, Ms Catherine Chapoux, summarizes the current state of the agreements by country:

- Morocco: The negotiation of the Agreement and Protocol with the Kingdom of Morocco has concluded for the European Commission in a satisfactory manner. The period of validity expired on July 14, 2018 and the new agreement is now pending approval by the European Parliament and the Council of Ministers of the EU. There are some complexities that require legal adjustments due to the ruling issued by the Court of Justice of the EU on Sahara. Nevertheless, the signing is expected to take place by January or February 2019.

The new agreement shall be valid for 4 years. Among other developments, the increase in fishing opportunities for small pelagics is noteworthy, which will rise up to 85,000 tons during the first year, with yearly increases reaching up to the final amount of 100,000 t.

- Ivory Coast: There is a new 6-year protocol. It is mainly a Tuna Fishery Agreement. Different activities in support of the fisheries sector have been identified, aimed, among others, at developing international legislation, strengthening their scientific capacity and improving the statistics and data gathered by the Administration on industrial fishing, as well as fostering artisanal fisheries and aquaculture development.

- Gambia: The negotiation of the agreement has concluded this very same week with a new 6-year protocol consistent with and complementary to the SFPAs with Senegal. Reference tonnage is 3,300 t for tuna (purse seiners and pole-and-line vessels) and 750 t for hake.

- Cape Verde: A new protocol was signed on last October 12. Conditions of the agreement in force are maintained in general terms regarding 8,000 t for swordfish, sharks and tuna-like species. The most significant aspect is the inclusion in the sectorial support of a specific chapter on blue economy and contribution to artisanal fishing.
- Guinea Bissau: Negotiations were resumed after a long time at a meeting held on October 8 and 9. Significant progress has been made, moving from a fishing effort to a quota management system and a new fishing category is expected to be included for the small pelagics fleet. A new round of negotiations is scheduled for next month.
- Mauritania: A Joint Committee meeting was held recently, albeit without amendments to the protocol. There was disagreement regarding the inclusion of a new category for pelagics.
- Senegal: Good level of utilization of fishing opportunities for black hake, having reached the foreseen limit in 2017. On the other hand, the tuna fleet only used up half its fishing opportunities, which had an impact on the country's revenue. The next Joint Committee meeting shall revise the utilization of sectorial support.

4.2. Indian Ocean

- Madagascar: Negotiations are currently in progress, given that the protocol is about to expire, so as to avoid interruptions of the fishing activities carried out in the area.
- Seychelles: Negotiations are in progress for the renewal of the agreement.
- Mauritius: The agreement shall be discussed at the next Joint Committee meeting.

The Chairman thanks Ms Chapoux for this complete update and opens **the floor to questions and comments from the members**.

Ms Rocío Béjar, from CEPESCA, emphasizes the importance for the Spanish fleet of an early adoption by the EP and the Council of the new agreement with Morocco.

With respect to Guinea Bissau, she highlights that the Spanish fleet keenly awaits this agreement; therefore they expect the next round of negotiations to take place as soon as possible. Furthermore, it is welcomed that the increase in the financial contribution from the EU is catered to so as to improve the technical capacity of the different fleets and improve fishing opportunities.

On the other hand, she conveys the concern on behalf of the shellfish fleet from Huelva with regard to the demand set by Guinea Bissau authorities regarding compulsory landings, to the extent that the operations of this fleet would be hampered, and, therefore, urges the EC to take this request into consideration.



Ms Béatrice Gorez, from CFFA-CAPE, underscores the importance of improving biological knowledge on small pelagics (especially *sardinella*) so as to determine the surplus at the Joint Scientific Committees. To that end, it would be desirable to follow a regional approach in the research conducted through organizations such as CECAF.

She adds that it would be very useful for African Coastal Countries to have transparency protocols in order to know the global fishing effort made by all fleets operating in their waters. Among others, it is necessary to know the data related to access conditions and the stake of Chinese investments in Madagascar.

Regarding the Ivory Coast, she highlights the need to ensure regular tuna supply for the women's fish processing cooperatives. In that sense, she congratulates both the EP Fisheries Committee as well as the European Commission for attending to this request and holding meetings with their representatives to listen first hand to their claims. Furthermore, she urges politicians and the European industry alike to show more will so that this activity can be successfully developed.

Answering the questions addressed by the members regarding the trade-off for the sectorial support and the European fishing activities conducted in the countries with which SFPAs are signed, the EC representative states that the ex-ante and ex-post reports on the socioeconomic impact of these actions gather the strengths and weaknesses, as well as the areas for improvement to be tackled in future protocols. Said reports are publicly available and accessible for consultation on the website of DG MARE. All interested parties are encouraged to refer to them.

ACTION:

- **The Secretariat shall include on the meeting website a link to the ex-ante and ex-post reports published regularly by the European Commission for each agreement.**
- **The Secretariat shall gather the comments from the representatives of the interested fleets and other stakeholders regarding the recommendations to convey to the European Commission for the next negotiations to be held with third countries.**

4.3. Pacific Ocean

There are no new developments.

4.4. Reflections on the implementation of fisheries agreements

The EC representative, Ms Catherine Chapoux, clarifies that the reports on the different countries are drawn by external consultants and published on the website of DG MARE.

Mr Alexandre Rodríguez, Executive Secretary, asks about the consistency of the expenditure and the EU funding priorities. For example, an FAO regional project is being conducted in Cape Verde on Blue Economy; therefore he asks whether they are thinking about using specific funds, from sectorial support or other sources, so that they are complementary to those from the FAO or other organizations like the World Bank.



Ms Catherine Chapoux, from the EC, answers that the EU funds utilization depends on the priorities identified by the country itself. She states that they are coordinated with the World Bank, which focuses more on loans and funding with return, therefore the kind of actions executed are different. Nevertheless, she points out that they are paying very close attention to the rest of international donors (the European Fund for Development, the African Bank, the Arab Bank...).

After several comments uttered by the members regarding the degree of confusion or lack of precision shown in the data of different ex-post reports with respect to vessel types and catch levels, the EC representative replies that managing the information pertaining to the agreements is a complicated task and points out that the ideal scenario would be to improve the methodology by using the real data handled by the European Commission (following prior consent given by the Flag States) to allow for a more reliable analysis.

ACTION:

- **The Secretariat shall evaluate the need to create an infographic chart showing all existing projects that count on funding from the EC (DG MARE and DG DEVCO) and from other international bodies such as the FAO, the World Bank and cooperation agencies. The aim of the chart would be to map possible synergies to be found in the field of international fisheries governance and resource management so as to analyse the value they provide.**

5- Initiatives to foster dialogue on international fisheries governance

5.1. Analysis of the LDAC letter and the answer from the European Commission regarding the *'Improvement of EU actions on international fisheries governance for the Atlantic and Indian Oceans'*

Mr Alexandre Rodríguez, Executive Secretary, reminds about the LDAC letter and the response by the European Commission. Both are accessible on the following links:

- LDAC letter: <http://ldac.ldac.eu/attachment/270ff81b-bf7b-4e5b-8e37-c814f85b3802>
- Answer: <http://ldac.ldac.eu/attachment/a9e4ee60-2859-43bc-bf24-abab33cfed07>

There are no actions derived from this topic.

5.2. Proposals to establish regional dialogues on fisheries governance with Coastal Countries in the Atlantic and Indian Ocean

The EC representative, Ms Isabelle Viallon, from DG DEVCO, states that they are pondering the way to support investments in Africa and work more with the private sector from those countries as part of a new approach. In fact, the President of the European Commission, Mr Juncker, spoke at the African Alliance about the need of the EU to support investments in Africa and adopt a new approach when working with the private sector through public-private initiatives or partnerships. In particular, the EU requested to identify sectors of economic activity with potential for growth, analysing their value chains, and fisheries appears as a key sector. In this sense, there is a new research program in place with the FAO and the ACP countries on social and environmental responsibility in the fisheries value chain.

More details will be shared in the upcoming months.

ACTIONS:

- The Secretariat shall request members to send ideas on fisheries investments of the European fleets and fishing sector in third countries, as well as specific examples of various elements of the fisheries value chain of certain European investments. These examples, once discussed at the WG4 and adopted by the Executive Committee, shall be sent to Ms Isabelle Viallon (DG DEVCO) for them to be included in the EC analysis on fisheries value chains (i.e., species caught, number of vessels, operational dynamics including trade flows, value added generation, return on investment, local economies, etc.).
- The Secretariat shall be in touch with the FAO Fisheries Department in order to assess the possibility of taking part in the public stakeholder consultation to promote social responsibility in the fishing sector all throughout the value chain, by virtue of the agreement reached on the 33rd Session of the FAO Committee on Fisheries (COFI).

5.3. Presentation on the Pacific-EU Marine Partnership Programme

The EC representative, Ms Isabelle Viallon, from DG DEVCO, reports that the Pacific-EU Marine Partnership Agreement (PEAMP) is one of the largest regarding its geographical scope, which encompasses the Pacific Ocean and works together with the regional organizations of 4 continents. It is an ambitious programme in terms of resources and is managed by the South Pacific Community and counts on the collaboration of the University of the Pacific for the development of the curriculum. She highlights that the European Commission wishes to use the regional programmes already in place to include the EU in the dialogue on marine and fisheries policies. She points out that DG DEVCO and DG MARE have coordinated their efforts and held meetings to prepare this Programme.

5.4. Launch and action plan for the Indian Ocean – ECOFISH programme (DG DEVCO)

Ms Isabelle Viallon, from the EC, emphasizes the will to lend support to the different fisheries organizations in the region and underscores the interest in following a new approach that sheds special importance to governance-related topics, in addition to the analysis of the value chain and the strengthening of the social and environmental dimension of fisheries. She reports that the programme was already signed with the Indian Ocean Commission (IOC) and focuses mainly on the support to the fisheries organizations in the region and the engagement and development of coastal communities.

Furthermore, she points out that the Commission is seeking to support the different organizations with fisheries management competences in the Indian Ocean region, mainly the IOTC and the SWIOFC. They are facilitating the dialogue so as to engage coastal countries to participate in these organizations and to implement their recommendations through national reports. There will also be calls for proposals for specific regional projects.



- Question time for WG4 members:

Then, Mr Julio Morón, from OPAGAC, asks how the LDAC can become engaged in the work developed by the EU in Africa and how the role of the COMHAFAT could fit into that task.

Ms Viallon, EC representative, answers that for the development of regional programs with other regional organizations ECOWAS should be the direct contact, as the economic body. CECAF and ICCAT are present as RFMOs; and the subregional fisheries organizations, as regional allies. She points out that the moment calls for proposals are launched for tasks or actions within the ECOFISH programme aimed at supporting fisheries development projects in the different countries, all information published will be shared with the LDAC so that it can be distributed to COMHAFAT.

Mr Julio Morón, from OPAGAC, explains that they want to prompt a political reflexion on the value of the role played by the COMHAFAT at the ICCAT, and states that the Japanese are already aware of it.

The EC representative, Mr Kristopher Du Rietz, points out that he himself has participated directly there and considers the topics dealt with at the COMHAFAT meetings to be of high interest, nevertheless he underscores that in order to be able to lend economic support to projects with them, certain elements regarding participatory mechanisms need to be taken into consideration. He invites all interested parties to request a meeting with DG MARE.

ACTION:

- **The LDAC Secretariat and Chairmanship shall make progress working with the COMHAFAT in order to launch initiatives such as the regional observer program at sea and the regional scheme on port state control in African coastal countries. A joint LDAC and COMHAFAT delegation shall request a meeting with the European Commission (DG MARE and DG DEVCO) so as to analyse the role of ECOWAS and other organizations and have a clear picture of where the COMHAFAT would fit in or which role it could play.**

5.5. Update on EU-funded projects in Western Africa: FISHGOV2 and PESCAO

The EC representative, Ms Isabelle Viallon, informs that the first meeting of the PESCAO Project Steering Committee shall take place during the first week of November. In addition to that, she highlights that, in the ECOWAS region, two subregional organizations (namely the SRFC and the FCWC) as well as the European Fisheries Control Agency (EFCA) have taken part in the design of the phase dealing with the joint sea inspection and control operations.

She adds that the first capacity-building workshop for control authorities in West African countries involved in the project (Senegal, Gambia, Guinea Bissau and the Republic of Guinea, Togo and Benin) will take place this week in Vigo. Inspectors in possession of good technical skills will be identified from all the different countries so that they can later on train the rest of the teams in their countries of origin.



From her point of view, she believes that trust has been instilled among the members. Furthermore, ECOWAS shows interest in working on topics related to fisheries, which is key in order to start considering fisheries as a priority, create synergies to fight against Illegal, Undocumented and Unreported Fishing (IUU) and promote a regional approach in the control of fisheries.

While the 1st Steering Committee will focus on procedural and logistics issues, the next one should be devoted to dialogue and policies.

6- Collaboration and Partnership between the LDAC and other international bodies

6.1. Conclusions of the 10th Conference of the Fisheries Ministers of ATLAFCO-COMHAFAT (Abidjan, August 26-28, 2018)

Mr Alexandre Rodríguez, Executive Secretary, attended the meeting on behalf of the LDAC. He summarizes the outcome and encourages WG4 members to read the full report available at: <http://ldac.ldac.eu/attachment/78efe427-b149-43df-8b48-5a07da6444f0>

6.2. Summary of the 7th SWIOFC meeting on Fisheries Agreements (Sept. 19-21)

Mr Julio Morón, from OPAGAC, explains that they were invited to attend as members of the Community delegation, that they were the only attendees acting as observers and that nobody attended the meeting on behalf of the European Commission.

It was the seventh out of a total of 13 meetings scheduled in order to agree on the minimum terms and conditions (MTC) on access for those fisheries agreements signed with South West Indian Ocean Fisheries Commission (SWIOFC) country members. One of the main conclusions was the establishment of an access fee per vessel, which should be no less than 12% of the catch value, and he highlights the fact that the European fleet does not currently have fishing licences in countries imposing access fees, such is the case of Kenya, Tanzania or Mozambique, as this measure renders this situation economically unviable.

Currently, they wish to modify the rules, as they estimate losses reaching up to 6 million euros for not paying heed to some simple recommendations regarding the economic viability of the agreements.

On the other hand, the demand to report data using the VMS was also introduced as an alternative to the AIS, which is not a feasible option in this area due to the severe safety risk exposure for the crews that would fall prey to the proliferation of piracy.

The distribution criteria of the IOTC were also discussed without reaching any agreement. It appears as though the conditions for fishing licences will be announced shortly.

He asks himself what is the EC position regarding the action strategy for the SWIOFC and points out that they will attend the next meetings and continue to report about them.



ACTION: OPAGAC will report WG4 about the developments and decisions made at SWIOFC meetings.

6.3. Joint initiatives and actions for the second semester of 2018

ACTION:

- The Secretariat shall include in the budget and work programme for Year 13 (June 2019 – May 2020) the organization of an international conference on the EU strategy to improve regional and bilateral governance for fisheries with third countries from the Indian Ocean, such as Seychelles, Mauritius and Madagascar.

7- Date and place of the next WG4 meeting.

The Secretariat announced that the next meeting shall take place in March in Brussels. Members and observers shall be notified as soon as the exact date is confirmed.

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ANNEX I. LIST OF ATTENDEES

LDAC Working Group 4 Brussels, October 23, 2018

WORKING GROUP MEMBERS

1. Julio Morón. OPAGAC
2. Despina Symons. EBCD
3. Marc Ghiglia. UAPF
4. Iván López. AGARBA/CEPESCA
5. Raúl Garcia. WWF
6. Luis Vicente. ADAPI
7. Edelmiro Ulloa. Anapa / Anamer / Acemix / Agarba
8. Rocio Bejar. CEPESCA
9. Juan Manuel Liria. CEPESCA
10. Sara Fröcklin. SSNC
11. Michel Goujon. ORTHONGEL
12. Beatrice Gorez. CFFA-CAPE
13. Frédéric Le Manach. BLOOM
14. Sergio López. OPP-Lugo
15. Emil Remisz. NAPO
16. Georg Werner. EJF
17. Daniel Voces. EUROPECHE
18. Juan Manuel Trujillo. ETF
19. Vanya Vulperhorst. OCEANA

OBSERVERS

20. Catherine Chapoux and Maria Ferrara – DG MARE (SFPAs)
21. Alessandra Lamotte – DG MARE (International Fisheries Governance)
22. Isabelle Viallon – DG DEVCO
23. Kristopher Du Rietz – DG MARE (International Fisheries governance)
24. Josu Santiago. AZTI - SECOFAD
25. Mireille Thom. Independent Consultant
26. Ylva Mattsson. Swedish Agency for Marine and Water Management
27. Benoit Guerin. Independent Consultant
28. Alexandre Rodríguez. LDAC Secretariat
29. Manuela Iglesias. LDAC Secretariat
30. Marta de Lucas. LDAC Secretariat