

EU fishery agreements

Can the leopard change its spots?

Reform of the European Union's fishing policy lacks credibility, going by the instance of Mauritania

"...there is a need to improve both credibility and image vis-à-vis international public opinion (and) to contribute to...responsible and sustainable fisheries"

—The Green Paper on the Future of the Common Fisheries Policy, European Commission.

When it comes to credibility and sustainable and responsible fisheries, the European fishing sector's reputation leaves something to be desired. Although not unique in many respects, the fact is that European fisheries are characterized by overinvestment, overcapacity, resource depletion and declining employment.

In distant waters, the European Union (EU) fishing fleets are infamous for the unfair 'cash for access' fisheries agreements, and for fishing on several clearly overexploited stocks (Argentinian hake stocks and Mauritanian octopus stocks being two particularly noteworthy examples).

The attempts made by the European Commission to address these issues in its Green Paper on the future of the Common Fisheries Policy (CFP), published earlier this year come, therefore, as a welcome surprise.

Of particular interest are the statements of intent to reform the international policy. Here the Green Paper acknowledges: "Many third countries where European fleets used to fish are also facing the problem of resource depletion while fish supply is crucial for their food security and economic development." It goes on to assert that "...in third countries where there is a need to reduce fleet capacity, it is inconceivable to ask for an increase of fishing possibilities for European vessels".

In this regard, one of the key issues of concern in EU fisheries relations with developing countries is the issue of 'surplus stocks'. The presence of such 'surplus stocks', according to Article 62 of the United Nations Convention on the Law of the Sea (UNCLOS) is a prerequisite for distant-water fishing access.

In this regard, the Green Paper notes: "Ensuring access for the Community fleet to surplus stocks in the exclusive economic zones of third countries remains the objective of the Community external fisheries policy. (and furthermore that) this objective should be achieved in a manner coherent with other objectives...and compatible with the fundamental mission of the CFP, that is, ensuring the sustainability of fisheries resources."

However, it is well known that fish stocks fluctuate over time, and there are differences of opinion as to what constitutes a surplus. Thus the 'surplus issue' is often highly politicised, and is often fudged by vested interests. It would be much more appropriate to adopt an ecosystems approach and apply the precautionary principle, than to haggle, with spurious arguments, over what constitutes a surplus.

It was the prospect of the extension of the EU-Mauritania fisheries agreement that spurred the visit of two Mauritians to Brussels earlier this year.

Important visitors

For two weeks in June 2001, Ahmed Mahmoud Cherif—Director of Fisheries in Mauritania from 1976 to 1980, General Secretary of the Ministry of Fisheries and Marine Affairs from 1986 to 1988, and now Chairman of the Mauritanian NGO PECHECOPS (Ecological Fishing for Social

Progress)—and Sid’Ahmed Ould Abeid—President of the Artisanal Section of the Mauritanian National Fisheries Federation (FNP)—were in Europe to raise awareness about Mauritania’s fishery problems.

Hosted by the Coalition for Fair Fisheries Arrangements (CFFA), the two visitors participated in various formal meetings and hearings with the European Parliament and Commission Directorates, had an exchange visit with Italian octopus fishermen, visited the fish auction in Zeebrugge, and met with officials from the Dutch Fisheries and Development Co-operation Ministries. They also met with Belgium government officials on the eve of the Belgium Presidency of the EU.

Cherif was also in Brussels at the invitation of the European Commission to participate in a Round Table meeting on Fisheries and Development. In many ways, this was a groundbreaking event: for the first time in its history, the European Commission was formally debating the links between its fisheries policy and its development co-operation policy with countries in the South, a debate to which participants from the South had been invited. Previously, in November 2000, the European Commission had issued a Communication entitled *Poverty Reduction and Fisheries*.

This communication, prepared jointly by the Fisheries and Development Directorates, makes the case for adopting a common framework for the fisheries and development policies, with the priority objectives of sustainable development of the local sector and support to small-scale communities.

It had been hoped that this initiative, together with the overall reform of the CFP, would lead to the EU adopting a more responsible and sustainable model of fisheries, both within and outside Community waters. As noted by Steffen Smidt, the Director General for EU Fisheries, it is only by adopting such an approach that the EU will gain any credibility. However, such credibility (and responsibility) was noticeably absent in the previous agreement with Mauritania, particularly with regard to access to octopus stocks. The increased levels of access obtained by the EU in the new agreement seems a cynical contrast to the EU Fisheries Director General’s and the Green Paper’s rhetoric about promoting sustainable and responsible fisheries.

Main engine

In Mauritania, the fisheries sector has become the main engine driving national development. It provides more than half of the foreign exchange earnings, 10 per cent of the gross domestic product (GDP), between 25-30 per cent of the government revenue, and provides some 30,000 jobs.

Cephalopods (squids, cuttlefish and octopus) provide nearly 70 per cent of the foreign exchange earnings from the fisheries sector. In terms of volume and value, the most important species is the common octopus (*Octopus vulgaris*), which accounts for half the turnover of the sector. The rest is shared equally between several demersal and pelagic species.

For those who believed that the EU was serious about reforming its fisheries policy, the new protocol recently signed to extend the fisheries agreement between the EU and Mauritania has been a major deception, especially when the EU's Fisheries Commissioner Franz Fischler hailed it as "beneficial both to Mauritania and the EU". Conversely, Sid'Ahmed Ould Abeid described the agreement as "potentially disastrous for the fishery".

A particularly cynical aspect of the new agreement is the clause that gives access to pelagic stocks for "vessels over 9500 GRT that were fishing in Mauritanian waters during 2001". This provision would seem to be made exclusively to benefit the *Atlantic Dawn* (see *SAMUDRA Report* No 29), whose fishing activities have caused an international outcry. This vessel is now subject to legal proceedings brought by the European Commission against the Irish authorities for their failure to fulfil their obligations with regard to the information requirements of the Commission.

Also, in the new agreement, the EU has dramatically increased the levels of financial compensation to be paid to Mauritania, a country that, according to the World Bank, is one of the world's poorest and most indebted. An increase of more than Euro 160 million (from Euro 266.8 million to Euro 430 million) over the five years to 31 July 2006, makes this the EU's most important agreement with any country. Whilst this compensation may have been earmarked for many positive developments, such large sums of money exert huge financial pressures on developing country governments to toe the EU line.

However, this dramatic increase in financial compensation is not all that it

seems. Given the weakening position of the Euro against the US dollar, the Euro 430 million provided in the new agreement are worth US\$374.5 million (with the exchange rate at Euro 1 = US\$0.87). In 1996, the 267 million ECU financial compensation package provided to Mauritania was worth US\$ 331 million (with 1 ECU = US\$1.24). Experts estimate that with well-managed stocks, the octopus fishery in Mauritania alone could generate as much as US\$ 100 million annually.

When asked by a Dutch official why he was in Europe, when the organization he represented—the FNP—was part of the Mauritanian negotiating team, Sid'Ahmed replied: "You must understand that we are here as observers and not as participants (in the negotiations). The Mauritanian government is under pressure (to sign a fisheries agreement). We need to clarify confusions (in the EU), and our purpose here is to raise awareness about the reality in Mauritania."

From a preliminary study of the new agreement, it would seem that the EU pressure has prevailed over reason. In a recent debate in the Spanish Parliament, the Fisheries Minister announced that he was pleased that the agreement had been signed, as this allowed the redeployment of Spanish trawlers from Moroccan waters. This confirms the fact that the agreement is more about re-deploying surplus capacity than about access to surplus stocks.

Many people claim that the financial compensation provided for fisheries agreements is expensive because it contributes to the development of the third countries. This is refuted by Ahmed Mahmoud Cherif. He notes that as far as the Mauritanian government is concerned, "the payments made by the EU are a financial compensation for loss of fishing rights, that is, it is the cost of the rent paid for European vessel access, and for resource exploitation. It has nothing to do with development aid. For this reason, any interference in its use is not taken well. Compensation is treated as a receipt to the national budget, and it is therefore not up to the EU to decide in advance how it is to be used. If these funds were really

Belgium Presidency of the EU

Between July and December 2001, the Belgium Government presides over the European Council. One of the key issues to be addressed concerns the role of fisheries in poverty reduction, and the importance of achieving coherence between this fundamental objective of the EU's Co-operation policy and EU fisheries practices. A notable achievement of the Belgium Presidency has been the signing of a Development Council of Ministers Resolution (November 2001) on "Fisheries and Poverty Reduction". This, *inter alia*, notes that: "...fisheries agreements have potential economic benefits for developing countries and can contribute to development objectives... when they involve the following elements, among others:

- respect (for) Article 62 of the United Nations Convention on the Law of the Sea;
- flexible adjustment of fishing possibilities...taking into account the best available scientific information and in accordance with the needs of the local fish industry;
- application of the precautionary principle as laid down in the Code of Conduct for Responsible Fisheries;
- implementation of protective measures for small-scale fishing and for subsistence fishing (in particular, by strict observance of a protection zone);
- observance of the principles of good governance, with financial compensation having to be paid and used in accordance with sound budgetary management practice, and national poverty reduction plans.

allocated in the framework of development co-operation between partners, that would be seen differently."

As regards the previous fishing agreement, Cherif highlighted that "declines in (the cephalopod) resources are a catastrophe for Mauritania's fishery, and the current levels of EU access can't be sustained...also...if (in the new agreement) all the 22 (pelagic) vessels were to be deployed (as specified in the previous EU agreement), it would be a disaster—that is clear. The pelagic resources are very fragile and very sensitive to environmental changes."

Ould Abeid, who has more than 30 years experience in the fishery, started fishing "when many Mauritians would not eat off the same plate that fish had been on"—such was the traditional aversion to fish eating! He said that he is not against fisheries agreements, but feels that they must be responsible and sustainable, and not prejudice or discriminate against the local artisanal fisheries.

The organization he represents—the FNP—has stated that "the massive introduction of bottom fishing vessels from the EU in 1996 plunged the national fishing sector into an unprecedented crisis.

Out of a national fleet of 245 units, only 125 are actually operational, 65 are laid up indefinitely and the rest have been completely written off. The artisanal sector has a fleet of 3,300 vessels, but only 1,800 are active. The rest are tied up. A further highly significant indicator is that the export of fish through the Mauritanian National Fish Trading Society (SMCP), which exceeded US\$ 172.5 million in 1995, has plunged by 50 per cent to US\$ 90 million in 2000."

That the fishery for octopus in Mauritania is anything less than a phenomenon is beyond question. From any perspective, but particularly from biological and socioeconomic perspectives, the story of the fishery is, quite literally, phenomenal.

Japanese fishing companies are said to have been the first to develop this West African fishery in the 1960s, when other commercial demersal fisheries were already in decline.

Substitution

According to Cherif, the substitution by octopus of the other demersal stocks was more than a technical and economic substitution. A biological substitution is also thought to have taken place, caused by a phenomenon similar to the process being witnessed today on the Senegalese fishing grounds further south. Here,

Mauritania's Octopus Fishery: Table showing fleet and catch development over the period 1990 - 1997

Year	No. of Trawlers	No. of Artisanal Vessels	Total Catch (tonnes)	Artisanal Catch (tonnes)
1990			21454	2339
1991	113	343	30550	4620
1992	116	327	43456	8171
1993	120	385	36635	7550
1994	134	558	25126	5791
1995	172	668	18642	2291
1996	224	896	15582	2470
1997	239	986	14919	1635

Source: CNROP 1998

octopus is increasingly occupying the niches left by the overexploited demersal finfish stocks, and is being targeted by the artisanal fisheries in a highly opportunistic fishery.

Since the early 1990s, fishing for octopus has become a social and economic phenomenon in Mauritania. Ould Abeid explains that it was the Japanese who first encouraged the development of the artisanal fishery in Mauritania in the 1980s.

The Japanese cephalopod vessels left Mauritania in 1982, choosing not to renew their fishery agreement. Rather, they opted to support the development of a local artisanal catching sector and to encourage octopus exports to Japan. They provided small boats and outboard engines, and trained Mauritians in the use of unbaited pots. Initially, this was based on a system that used the old cans from tinned tomatoes. Today, a system of unbaited plastic pots is used.

Between 1985 and 1992, catches in the Mauritanian artisanal octopus fishery boomed from 60 to 8,000 tonnes. But, since the early 1990s, danger signals have been warning that this species has become overexploited. After spectacular

increases in catch rates, where artisanal extraction rates tripled from around 2,000 tonnes in 1990 to more than 8,000 tonnes in 1992, there came a resounding crash (see table). In 1997, catches in the artisanal sector were less than 25 per cent of those in 1992, a period when the artisanal fleet had tripled in size.

Today, the fishery for octopus is a serious danger of economic extinction. Rarely has there been such a consensus among researchers, the administration and fishworkers that the stocks of Mauritanian common octopus are dangerously overexploited.

In 1998, the 4th Working Group of the National Centre for Oceanographic and Fisheries Research (CNROP), comprising researchers and experts from national, regional and international research institutions, noted that there was "a net reduction in the biomass, which has fallen from 573,000 tonnes to 90,000 tonnes, significantly less than the threshold level of 200,000 tonnes required for maximum catch levels."

It was also noted that "any further increases in fishing effort could have grave consequences both for the stocks and for the fishery; that any reduction in

the age of first capture will inevitably lead to a decline in exploitation levels and have damaging consequences.”

Under the previous fisheries agreement, Spanish trawlers are permitted a 15 per cent by-catch of juveniles. But despite the warnings from CNROP, Spanish vessel owners are asking for this to be increased. José Ramon Fontan, a spokesman for the Spanish trawler organization, ANACEF, has noted that “up to 83 per cent of the catch is composed of juveniles”—a very worrying admission, given the grave state of stocks.

Previously, when the EU renewed its fisheries agreement with Mauritania in 1995 (the first agreement was signed in 1988), the writing was already clearly on the wall for the common octopus. As early as 1992, it was estimated that stocks were being exploited at 30 per cent above the optimal level.

Nevertheless, the EU negotiated increasing levels of access to Mauritania’s octopus stocks, from 25 vessels in 1996 to 50 vessels in 2001. With access being increased for up to 55 vessels under the new agreement, serious questions arise about the EU’s claims to be promoters of responsible and sustainable fisheries.

It can only be hoped that the attempts of the EU Fisheries Commissioner and the Fisheries Directorate to reform the CFP are sincere. But the Mauritanian experience does not bode well. In a recent debate in the European Parliament on Sustainable Fisheries, the EU Director General for Fisheries told the representatives from the Africa, Caribbean, Pacific (ACP) States that, in his view, fisheries agreements were a way of providing a helping hand from one partner to another; that coherence was a practical issue as far as fisheries and development were concerned; and that there should be a two-way traffic between the partners.

The problem with this two-way traffic is that in one direction there is an EU juggernaut bearing down, laden with all kinds of heavy baggage—tax breaks, subsidized access arrangements, vessel transfer grants, low interest loans, etc.—that creates a very uneven surface. In the other direction is rather a fragile

vehicle comprised of highly valuable but extremely vulnerable fishery resources on which local small-scale fishing communities are critically dependent.

Rather than such a two-way traffic, and as proposed in the Development Council Resolution on Fisheries and Poverty Reduction, fisheries access arrangements need, in the longer term, to be based on a “political dialogue between the EU and the developing countries (towards establishing) a joint framework built on the overarching development objective of poverty reduction and taking into account the mutual interests of both sides.”

It is only through such a framework that sustainable and responsible fisheries can be established, and that the EU will become credible. 

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