

## Exporting overfishing

The lack of capacity leads to many access agreements having no limit to how much fish can be caught, causing severe environmental damage, bycatch of sometimes threatened species, and ultimately to the depletion of fish resources on which local communities and industry of the coastal State depend for income and food supply.

The European Commission negotiates fisheries agreements with third countries – Fisheries Partnership Agreements (FPA) – under the auspices of the Common Fisheries Policy. It currently has such agreements in place with more than 20 countries in Africa, the Indian Ocean and the Pacific. As an example, in 2004, Spain had fisheries agreements with 18 States, 16 of which in the developing world – as far apart as Kiribati and Cape Verde.

## Reflagging and joint ventures

Getting access to fisheries resources within a country's exclusive economic zone is also done by reflagging vessels or establishing joint ventures with a local company. Joint ventures are meant to facilitate transfer of know-how and technology, securing long-term development of the fisheries sector of the partner, and are partly financed by the EU. In reality, they often enable EU vessels to fish in countries with a minimum of fisheries management in place, and allow unscrupulous vessel owners to avoid any monitoring or restrictions imposed upon foreign vessels, and escape the

## The Cotonou Agreement – providing an incentive

In 2000, the EU signed an agreement with 77 African, Caribbean and Pacific countries – the Cotonou Agreement. This aims to tackle poverty and promote sustainable development through focusing on development cooperation and trade between the EU and these countries. WWF believes fisheries partnership agreements should be one of the cornerstones in this approach, and through integrating FPA negotiations with European development policy, the EU can champion the promotion of sound resource management in developing countries – making a difference for people and fisheries.



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penalties for operating in violation of the regulations established under bilateral access agreements.

Reflagging and joint ventures must only be allowed when a strong management structure is in place, have strict terms of references, and their actual benefit to the coastal state is assessed, as they are truly uncertain.

## Time for change

Sustainable use of natural resources is for many developing countries the only means to eradicate poverty, prevent food shortage and fuel development. To ensure the future for local communities that depend upon a healthy marine environment, fisheries access agreements must respect both local fishers and marine resources and be part of an integrated approach to environmental sustainability and development. As such, they must be carefully designed, managed and enforced.

Industrialised nations have a responsibility towards the future of people in poorer

nations, and have agreed to work towards the Millenium Development Goals set out in Johannesburg in 2002.

To meet these goals and to give people and fisheries a chance, WWF calls on the EU to adopt sustainability principles in its agreements and advocate for Parties to the FAO Commission on Fisheries to solely enter into fisheries partnership agreements with developing countries under the auspices of a fully developed fisheries management plan and design those according to the seven key principles described above.



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WWF's mission is to stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature, by:

- ◆ conserving the world's biological diversity
- ◆ ensuring that the use of renewable natural resources is sustainable
- ◆ promoting the reduction of pollution and wasteful consumption



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# Fair fishing deals

## Sustainable development through sound fisheries management

Fisheries access agreements are increasingly common arrangements between big fishing nations and coastal developing countries. Many of these agreements simply allow foreign vessels access to coastal fisheries through paying a lump sum in cash, with no obligations on how this money should be used, nor for the vessel owners to respect the state of fish stocks.

Such agreements often entail negative consequences for fisheries and local communities, for example by depriving local communities and local fishing industries from revenue opportunities, and are in breach with the development goals agreed upon by the international community.

The European Union's reformed Common Fisheries Policy (CFP) includes

principles of sustainability – both in terms of environment, economy and social aspects – and the EU is now aiming for all its vessels to exploit fisheries in a sustainable manner, whether in European or distant waters. If these principles are incorporated into all new fisheries access agreements between the EU and third countries, fishing deals could achieve healthy fisheries, contribute to sustainable development and reduce poverty.

To bring about this essential change of direction in access agreements, WWF is focussing our work on the EU. We believe the EU's legal framework for distant water fleets can, if properly designed, serve as a model for sustainable agreements to be used by all countries engaged in distant water fishing.

## International obligations

As inadequate fisheries management leads to more and more fish stocks becoming depleted in industrialised nations' waters, many vessels venture far from home to catch enough fish to keep their businesses running and to feed an ever-growing market demand. According to the UN Law of the Sea, any nation has the right to give other nations

## Food security – fish is vital !

Marine fisheries are vital to food security in many poorer coastal states. Over 39 per cent of the global population live within 100 kilometers of a coast, and many of these people depend on the productivity of the sea. In Asia alone, over one billion people rely on the sea for protein.

Fisheries also provide jobs and income to many people in coastal areas. In Senegal, for example, the fishing industry accounts for 15 per cent of national employment.

Despite the importance of healthy fish stocks to food security and local and national economies, rampant overfishing threatens to deprive more than one billion people in 40 developing countries of their main source of protein, according to the UN Development Programme.



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access to fish for excess stocks in their waters. Such access agreements can be on a state-to-state, or private basis. If properly designed, they can generate substantial foreign exchange revenue for developing countries and help developing the infrastructure needed for monitoring and enforcing fisheries management efforts. But if not, they contribute to overfishing and exacerbate poverty, leading to tension between governments, local fishers and industrial groups.

Access agreements have in the past rarely had adequate provisions for ensuring sustainable fisheries management, nor considered the protection of the marine environment. According to the UN Law of the Sea, a fisheries agreement should be signed only if fish stocks are not fully utilised. But in reality, most developing nations have little or no capacity to monitor their fish stocks, nor to control and enforce bilateral agreements.





## New partnership agreements – an opportunity for change

Through the introduction of FPAs, European access deals have taken a step towards becoming a management tool for sustainable resource use. If properly implemented, they can provide a governance structure that reduces the footprint of European vessels on the marine resources of developing countries and promote equal sharing of benefits from the exploitation of marine resources between fishing nation and the country giving access to resources.

Every few years, the EU renegotiates its agreements with third countries. As the reformed CFP emphasises the promotion of sustainable fisheries for all European vessels, WWF is working to ensure that the EU fulfils its obligations on sustainability and true partnership with third countries. However, a transition from heroic intentions to real change requires cooperation between the EU's external policies. The development, trade and fisheries sectors should all acknowledge their mutual impacts and give priority to increasing coherence between policies where marine resources are vital for poverty reduction.

Through the inclusion of sustainable fisheries management practices within the Cotonou framework (see box), fisheries partnership agreements can be a valuable tool for poverty reduction and good governance of marine resource exploitation. Trade plays an important role in the reduction of poverty and development of local economies. The EU must therefore ensure its trade



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policies too support the sustainable development of fisheries in developing countries, and that the doors to the European market are open to fish products from developing countries.

## How can European FPAs contribute to sustainable development?

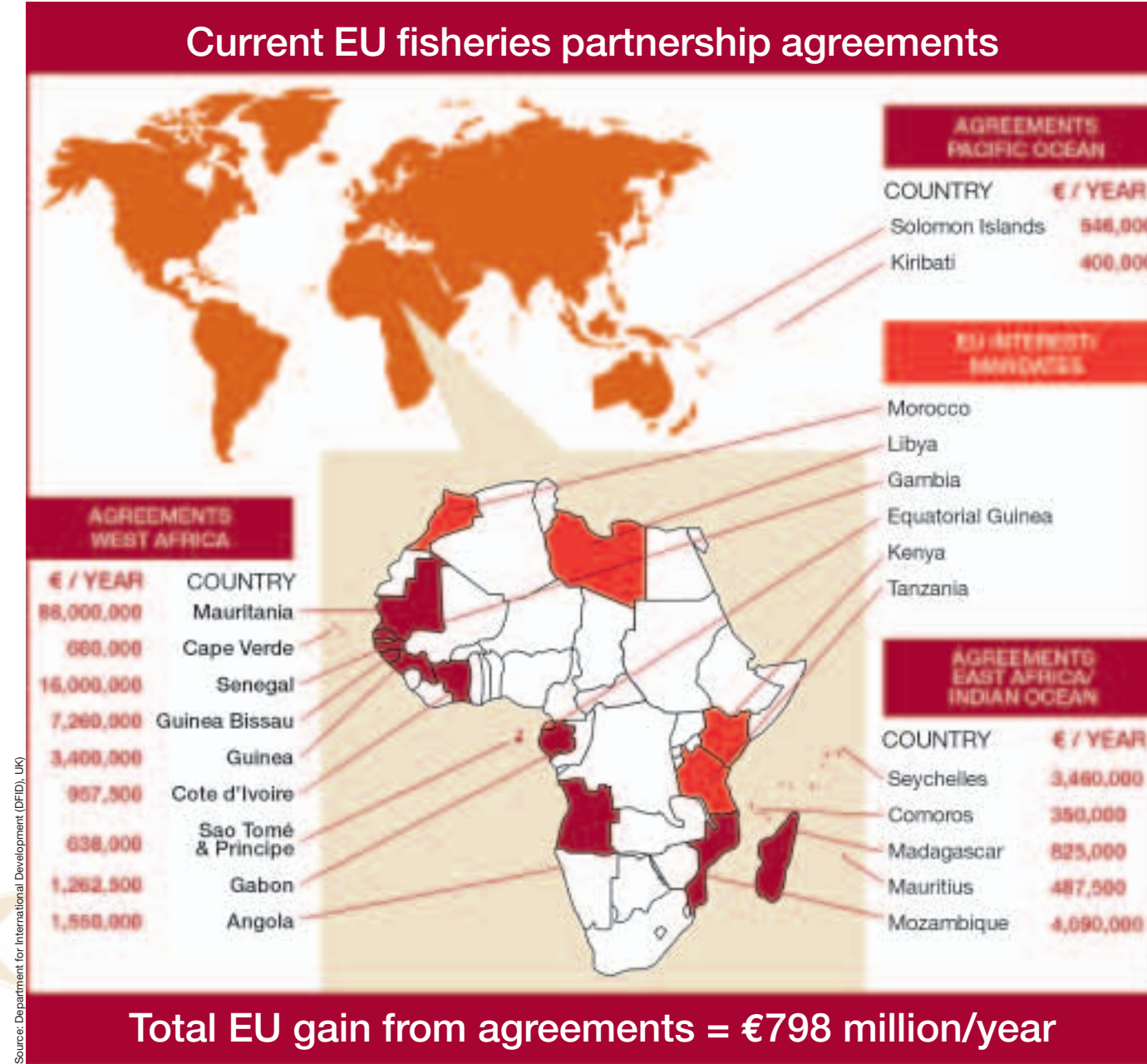


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If properly designed, the FPA framework can serve as a blueprint for fair and sustainable access agreements between other fishing nations and third countries across the world.

By carefully designing each FPA, they can help manage fisheries and alleviate poverty, as good deals can promote coherence between fishing, development and biodiversity protection policies. By forging deals between governments, a solid foundation for promoting sustainable fishing and increased opportunities for local economies can be created, and illegal, unreported and unregulated (IUU) fishing, a major threat to global fish stock, can be addressed. Additionally, not all nations have the ability to fully exploit their marine resources, so access agreements can provide an opportunity to promote the development of sustainable domestic fishing industries, if transfer of technology and know-how is done correctly.

Fair fishing deals must also ensure adequate stakeholder involvement and impact assessment studies must be carried out for all new and renewed agreements. Lastly, it is imperative that the EU vessel owners' expenses are adjusted to a level that matches the real costs and values of their fishing activities.



## Monitoring is essential

The new CFP provides some tools intended to increase the sustainability of new agreements, for example:

- ♦ establishment of bilateral scientific committees to advice on sustainability of the fishing sector
- ♦ impact assessments
- ♦ financial incentives to promote sustainability

To be effective in reducing poverty and ensuring sustainable use of marine resources, these tools need to be closely surveyed. WWF will monitor the impacts of FPAs on local economies and ecosystems, and demand coherence between the EU's development, trade and fisheries policies.



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## The EU's agreement with Senegal

The fisheries agreement between the EU and Senegal was renewed in June 2002. The four-year deal, worth €64 million, has taken some significant steps towards achieving more sustainable fisheries and developing Senegal's fishing industry.

### Changes

- ♦ Eighteen per cent of payments are dedicated to support conservation of fish stocks and strengthen the Senegalese fishing sector, including support for the development of Senegal's fisheries management capacity, control and monitoring systems. A proportion of these funds is allocated to scientific research and the evaluation of fish stocks, increasing the security of small-scale fishing vessels and providing training for fishers.
- ♦ To protect the interests of local fishers, the areas where EU vessels can operate are restricted and the overall EU fishing opportunity for certain stocks reduced. The number of Senegalese fishers required to be employed on EU vessels has been increased from 33 to 50 per cent.
- ♦ EU landings of tuna in Dakar have increased, to support the local fish processing industry.
- ♦ Pelagic fishing (two trawlers dragging one net), which results in high bycatch levels, has been banned and an annual two-month fishing ban has been established to help fish stocks replenish.
- ♦ There are provisions for observers on EU vessels to increase Senegal's ability to monitor the deal.



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### WWF's take

Although the deal is a major step forward, there is still room for improvement. The reduction of quota is inadequate and research must be further strengthened to identify sustainable fishing quota and closure periods. The provisions to protect the country's small-scale fishing sector also need to be improved. Surveillance and enforcement must be increased for this sector and local fishers need to be more closely involved in the negotiations of future agreements.

## WWF's strategy for fair fishing deals

To help fishing nations and third countries develop fair agreements, WWF has developed a global strategy to negotiate fairer access agreements and is working in Africa, Latin America and the Pacific Ocean to share this strategy with fishers, governments, fisheries managers and other stakeholders. WWF has also produced a handbook for developing nations to use when negotiating sustainable fisheries deals, based upon one basic requirement and seven key principles. WWF's principal requirement is that:

*Fisheries partnership agreements should only be granted under the auspices of a fully developed fisheries management plan and after conducting environmental impact assessments.*

Agreements should ensure a comprehensive, ecosystem-based approach to management of all activities. Management should include measures to promote selective fishing gear to reduce bycatch, close spawning and nursery grounds to fishing during key periods and the establishment of fully protected areas.

This is now also required under the new European CFP, but will need to be addressed in negotiations between other fishing powers and third countries. Once fulfilled, negotiations can begin, following the key principles below.

## WWF's seven key principles

- 1 Review** – before agreements are renewed, their impact on the marine environment and local economy and livelihoods should be assessed via effective impact assessments. The impact on fish stocks, the wider marine environment, the livelihoods of coastal peoples, the local fishing industry and the economy of the host nation should be assessed. The results should be used to improve the ecological and social sustainability of deals.
- 2 Transparency** – as part of good governance, negotiation of terms and conditions of the agreement should be transparent. The negotiation of access agreements should be in the public domain and the agreement texts should be available. The analysis of the status of stocks should also be made available.
- 3 Monitoring and enforcement capacity** – the coastal state should have adequate capacity to monitor and enforce fishing agreements. To foster good governance of fisheries, money should be used to develop infrastructure for effective monitoring and surveillance, and the data gathered evaluated, made public and used in future management. However, many coastal states do not have adequate capacity and in such cases fishing agreements should seek to strengthen capabilities. For example, a proportion of the payment by the fishing state could be allocated for monitoring activities.
- 4 Cooperation on research and reporting** – knowledge on state of target stocks and the level of catch is essential for sound fisheries management. Distant water fleets should cooperate with the coastal state in scientific research on stocks and accurately report catches and fishing effort.
- 5 Sustainable fishing levels** – total catches should be compatible with sustainable fishing levels, based on a scientific assessment of the state of stocks. If data is unavailable, the precautionary approach should be used. The negotiation of fishing deals should only take place when analysis shows a surplus of stocks. Fishing deals should also allow for yearly adjustments to the level of catch over the duration of the agreement based on regular analysis of stock levels, and the use of seasonal closures.
- 6 Environmental costs** – foreign fleets should cover their share of the environmental costs of fisheries.
- 7 Protecting local fishers** – the interests of small scale fishers must be protected. Fishing deals should minimise the impact of foreign fleets on national fishing interests by restricting access to inshore areas or stocks on which local communities or the local fishing industry depend. Ideally, fishing deals should be used to promote local employment and the development of the local fishing industry.