

## **Fishing for the truth: is Europe really destroying African fisheries' industry?**

***Critics of the European Partnership Agreements (EPAs) recently published a pamphlet on "how the Economic Partnership Agreements would further contribute to the decline on fish stocks and exacerbate the food crisis in Senegal". The author expands to the point of stating that EPAs' "...likely negative impacts will be: the worsening of the food crisis, the loss of work and revenues for women, with a direct impact on livelihoods, the loss of control by the government over a strategic sector, a loss for the national economy, and a strong incitement to illegal immigration." Its sounds really like EPAs will wreak havoc in Senegal and in ACP (African, Caribbean, Pacific) countries....***

..... Except that no EPA has been signed with Senegal or with the full Western African region! "Stepping stone" EPAs have been initialled with Ivory Coast and Ghana, and we are now progressing in the negotiation of a full EPA with the West African region. So the pamphlet speculates on possible effects of an agreement which does not exist, and implies that current problems in the fisheries sector in Senegal are to be blamed on some future EPA with the EU. There is no basis for drawing these conclusions. As shown by different impact assessment studies, there are opportunities for growth and mutual benefits on both sides. Furthermore, the issues addressed by the pamphlet have yet to be negotiated with West Africa. However, the draft proposal currently being discussed with our West African partners puts a strong emphasis on sound fisheries management and control, appropriate fisheries governance and fight against IUU (Illegal, Unregulated, Unreported Fishing).

***But EPAs will without doubt exacerbate overfishing in the area, push once again poor countries towards specialising in export industries, and in the end worsen the food crisis...***

Why so? On the contrary. EPAs, in particular for the Pacific, Eastern and Southern Africa and Cariforum regions, contain provisions on fisheries management and control to ensure that exhaustible resources like fish is caught in a sustainable manner. Market access goes hand in hand with provisions on sustainable fisheries management and control, agreeing on best practices to develop the fishing industry in a sustainable way, to preserve fish stocks and fight against Illegal, Unregulated, Unreported Fishing.

Let us take a look at the interim EPA with ESA (Eastern and Southern Africa) region, which includes a chapter focussing specifically on fisheries. In the agreement, "the Parties recognise that fisheries constitute a key economic

resource (...) and agree to cooperate for the sustainable development and management of the fisheries sector in their mutual interests taking into account the economic, environmental and social impacts". The objectives are to "...promote sustainable development and management of fisheries; promote and develop regional and international trade based on best practices; create an enabling environment, including infrastructure and capacity building, for the ESA States to cope with the stringent market requirements for both industrial and small scale fisheries; support national and regional policies aimed at increasing productivity and competitiveness of the fisheries sector; and build links with other economic sectors."

Moreover, under the European Development Fund (EDF) substantial funding is aimed at improving ACP fisheries sector and implementing the measures aimed at enforcing sustainable fishing. The EU is also providing financial assistance to help ACP countries meet EU standards (in particular, Sanitary and Phytosanitary ones – SPS). The EU-Senegal fishing agreement was in place until 2006 and included a legal framework for fishing practice to help develop a thriving Senegalese fishing sector - Senegal decided not to renegotiate the agreement.

***European fleets are already invading the local fishing market, either illegally or by making the most of loopholes in local legislation and joint-venture regulations. They push local fishermen out of the market and make them illegally emigrate to the EU.***

European vessels were allowed to fish in Senegalese waters until the expiry of the last bilateral fisheries agreement in 2006, and fished only 2 to 3% of total products on the local market. On the other hand, they provided Senegalese fish factories with raw material from neighbouring fishing areas. This boosted Senegalese companies' business and created jobs for the Senegalese.

Bilateral Fisheries Partnership Agreements should not be confused with EPAs. Whereas the former concern access to fishery resources, EPAs are about trade and development and do not go into the details of access quotas to fish stocks or licences for fishermen.

It must be recalled that any new bilateral Fisheries Partnership Agreement to be negotiated with Senegalese authorities would give access to European vessels only to surplus fishing stocks – only fishing capacity which local fleets are unable to exploit themselves. Moreover, access to the local fishing sector goes in parallel with direct creation of jobs, marketing of produce in African countries, strengthening of control and surveillance (all European vessels are equipped with satellite tracking devices) and rules (on nets, fishing areas, rest periods to let fishes reproduce etc) to avoid depletion of local fish stocks.

As of today, as clearly indicated by Senegalese Minister Mr Djibo Ka, there are very few European shipping vessels operating in Senegalese waters, and they have virtually no impact on local fishing resources, reduced fishing production and immigration of local fishermen. In fact, as far as migration is concerned, most Senegalese migrants are not fishermen but rather jobless urbanised youth (see migration profiles in the DSP/PIN 10° EDF). Other industrialised countries are, on the contrary, present and active on the Senegalese market.

And in case of problems, joint ventures between European and Senegalese fishing fleets are signed under Senegalese law and, if European vessels abuse of those agreements, they should be held accountable under Senegalese law and by local authorities.

***European negotiators are forcing ACP ones to include provisions on investments in EPA texts, so as to open local markets to foreign direct investment and eventually letting Europeans take over local industry, including the fishing sector.***

As reminded by Mr Errol Humphrey, Ambassador of Barbados in Brussels, in a speech on 13 February 2008, "(we) aggressively seek Foreign Direct Investment (FDI) to support our economic development. EPA rules on investment give predictability and transparency on market access in the manufacturing, mining, agriculture and forestry, and service sector in both the EU and (ACP countries). In our view this helps to improve the environment for attracting FDI. Legitimate investors, local or foreign always prefer to know the rules, the process of securing approvals etc. (...) Public services, utilities and other sensitive sectors (will) not be liberalised to foreign investors. (...) EPAs also contain provisions which obligate investors to safeguard the environment and maintain high labour, occupational health and safety standards. Furthermore, the agreement proscribes the Parties from lowering environmental and social standards in order to attract investment. It also stipulates that investors should be penalised for engaging in corrupt practices such as bribery, in order to secure special concessions from public officials." Sub-Saharan Africa is the region with the lowest level of investment in the world, and even Africans invest abroad. The EU's objective is to reverse this trend.

***Shouldn't West Africans try to further explore opportunities for sub-regional trade in fish products rather than turning to the EU?***

First of all, as already under the "Everything but Arms" initiative most West African countries have duty-free quota-free access to European markets, meaning that they can already export fish and fishery products to the EU at zero tariff. But EPAs go beyond simple market access: they also encourage trade in the region, between West African countries themselves, in the framework of a broader regional integration drive which is at the heart of all EPAs. Currently only 12% of the trade exchanges in West Africa is intraregional. West African countries should therefore be able to boost intra-region trade in, for instance, fish and fish products. EPAs are all about boosting regional integration.

With regards to management, there are already organisations in the region, such as the "Commission sous-régionale de pêche" (CSRP), which could play a more active role - it belongs to African governments to kick-start their functioning and make them be more active. The EU is already providing assistance to the CSRP.

But management of resources and selling rights to those resources are not the same thing. The first is a matter of cooperation and politics, the latter a legal issue and question of allocation of benefits. The EU thinks EPAs could be a

place to negotiate better resource management. Moreover with landlocked countries and a region cutting across different fisheries, it is for the region to decide if and how to establish a legal resource sharing mechanism – until then international law clearly defines access to marine resources and rights to negotiate that access on national lines.

***Beyond the Senegalese case, all EPAs are bad for developing countries and will ultimately lead to the impoverishment of local fish stocks.***

Look at EPA provisions in the Caribbean and East Africa - they are about improving fisheries management and creating a sustainable industry, including the right to domestic regulation of industry and increasing measures aimed at the protection and sustainable management of fish stocks. The key focus here is on sustainable development and ensuring no lowering standards to encourage investment, and enforcement of local standards.