

IS EUROPE REALLY GIVING SENEGAL SUCH A RAW DEAL?

Facts and figures

A NGO opposed to European policy on deep-sea fishing recently published claims that the EU, through its fisheries and trade policies, is helping deplete fish stocks, worsen the food crisis in Senegal and drive emigration from that country. But is this really true?

1. Are EU trawlers flouting the rules to exploit Senegalese maritime resources?

No - the flagging rules for the Senegalese fleet are set by the Senegalese government, which has **full sovereignty** in this area.

If European ships are fishing under the Senegalese flag, it is not a case of rules being broken, because current Senegalese rules allow this. The EU has no powers in this area. Also, responsibility for overseeing and regulating the activities of its fleet and access to its waters lies with the flag state (i.e. Senegal), regardless of whether the vessels in the fleet are owned by companies from the EU or elsewhere. Senegal applies its own fisheries rules and policy, including agreements with other foreign countries.

As regards foreign investment, Senegal has for several years been running a liberal policy, designed to increase the volume of outside investment, create companies and jobs. Any profits from this investment belong – after taxes – to the shareholders, European or otherwise. The Senegalese government has not imposed special rules on the use of these profits, which would probably have been counter-productive. More details on this can be found in the Senegalese government's [guide for maritime investors](#).

The charges of positive discrimination in favour of European ships are also unfounded because – unlike the Senegalese industrial fishing fleet – they are currently obliged to land their whole catch in a Senegalese port (Article 24 of Senegalese decree 98-498). The 11 European tuna vessels currently permitted to fish in Senegalese waters must land their whole catch in Dakar. Also, European fishing vessels are monitored by the Senegalese authorities, while the Senegalese small-scale fleet is not. So discrimination does indeed take place, but not in favour of European vessels.

2. Are European ships overfishing stocks and competing with small fishermen in Senegal?

No - **catches by European vessels** under the fishing agreement with Senegal (until June 2006) **accounted for only 2-3% of all fish caught in Senegalese waters.**

It is true that these vessels *landed* some 20% of the total catch landed in Senegal, especially tuna from neighbouring exclusive economic zones, adding value to the Senegalese economy by making work for processing plants, creating jobs and tax revenue for the government. Note also in this connection that the only cannery in Senegal operates solely due to tuna landed from European ships. Senegalese tuna vessels do not land their catch in Dakar but rather tranship it for transport to Spain.

Senegalese Fisheries directorate figures for large vessels currently fishing in Senegalese waters are:

- 7 Spanish pole-and-line tuna vessels

- 4 French pole-and-line tuna vessels (2 of which allowed their licence to lapse after 1 July 2008)
- 2 tuna seiners from Cape Verde
- 1 Gambian trawler
- 4 Mauritanian trawlers (which have access for only 2 months a year)

This is alongside an estimated 10 000 – 15 000 motorised wooden canoes (*pirogues*) (the figure varies depending on the source).

Small-scale fishing accounts for 80-90% of the Senegalese catch (averaging 87% in 2000-2003 – see table below).

Table 1 – Catch figures (in tonnes) for the various fleets (except tuna vessels) in Senegalese waters, 2000 - 2003 (source: Senegalese Fisheries directorate)

Subsectors	Small-scale fishing	Industrial fishing			
	Senegalese boats			Foreign boats	
Fleets	Pirogues	Senegalese trawlers	Sardine vessels	EU trawlers	Other trawlers
Years					
2000	338 207	37 944	1 377	7 169	1 519
2001	332 360	43 689	1 688	8 120	632
2002	311 536	43 014	1 472	7 837	675
2003	385 776	38 683	1 539	9 458	18
2000-03 average	341 970	40 833	1 519	8 146	711
%	86.98	10.39	0.39	2.07	0.18

Given these figures, it is wrong to say that it is the European fleet – and only the European fleet – that is overfishing in Senegalese waters.

Although under the previous fisheries agreement, there was some interaction between small-scale local fishermen and European industrial fishing, it was tiny and restricted solely to coastal demersal fishing, involving just 4 European trawlers. Given the state of demersal stocks on the coast and the economic situation of small-scale fishermen, the Commission's position has consistently been to remove this category from the discussions on a future fisheries agreement with Senegal.

3. What would be the benefits of a new fisheries agreement with Senegal?

Fisheries Partnership Agreements (FPAs) are designed to provide mutual benefits for the EU and its partner countries, simply by enabling better management of fish stocks (see http://www.ec.europa.eu/fisheries/publications/externalpolicy_en.pdf).

This is achieved through binding instruments of international law laying down precise rules and obligations for both sides, providing a legal framework for the sustainable use of marine resources

in countries where they might otherwise be exploited intensively and irresponsibly by industrial fleets from countries outside the EU as well as local small-scale fishing fleets.

The very basis for this type of agreement is that the EU vessels in question fish only part of those stocks that have been identified, on the basis of scientific evidence, as being surplus to the fishing rights for the national fleet. In accordance with international law, EU fishing agreements apply only to fish stocks that the fleets of the partner countries are not able to exploit themselves.

Moreover, the agreements encourage the constant monitoring of stocks, in particular through scientific committees which meet every year to analyse and adopt the best sustainable stock-management measures. This can even mean cutting the fishing rights negotiated in the agreement, if needed.

Partner countries receive numerous benefits under the agreements, in return for the fishing rights granted to the EU fleet:

- a direct **financial contribution** from the EU to the national government budget
- **economic value**, i.e. direct creation of jobs – fishermen, observers, local companies (processing plants, ports, etc.)
- **marketing of fishery products** intended for African markets
- **tighter control and supervision** – all EU boats are equipped with satellite monitoring systems and the agreements provide financial assistance to help partner countries introduce similar systems for their fleets
- **better management of stocks** – the agreements' stricter rules and conditions (recovery periods, nets, fishing zones, monitoring) often encourage the partner countries to impose the same rules on their national fleet or foreign fleets.

4. Why did the EU and Senegal not sign a new fisheries agreement?

The reasons sometimes given in the press or by certain NGOs highlight the Senegalese government's alleged desire to stop overfishing in its waters by the EU fleet. This is not a fair representation of the discussions that took place between the EU and Senegal.

The fisheries agreement with Senegal was the first to be concluded by the EU, in 1980. But it has since lost much of its importance as Senegal's own fisheries capacity has grown and its stocks declined. When the time came to negotiate a renewal, the Commission made every effort to negotiate a new agreement agreeable to both sides.

In particular, given the state of Senegal's stocks, it proposed cutting fishing rights by 60% and excluding demersal fishing from the agreement altogether (to avoid any possibility of competition with Senegal's small-scale fishing fleet). Despite these proposals, the Senegalese authorities insisted on maintaining the same amount of financial contribution as in 2002-06 and categorically refused our proposal to assign part of this finance to developing their own national fisheries sector.

Although there has been no actual fisheries agreement with Senegal since July 2006, **the EU continues to finance measures to support the Senegalese fisheries sector** (through the European Development Fund) – **in fact it remains one of the biggest financial contributors to this sector.**

A **€6-million programme** for implementing a fisheries development and management strategy for Senegal was launched in 2007. This programme helps the Senegal Fisheries Ministry improve its

systems for regulating its national and local fisheries. The goal is to prolong the life of key Senegalese stocks, especially demersal fisheries in the EEZ¹.

In the past, the EU has also invested **€ million** under the [PAPA SUD](#) project, whose goals were to improve both the contribution made by small-scale fisheries to Senegalese GDP (without increasing fishing effort) and working/living conditions for people in fishing communities.

Other EU funding in the region that benefits Senegal – e.g. support for improving food-safety standards and a regional project on fisheries management, control and surveillance – shows the EU's desire to help the Senegalese government strengthen this sector.

In supporting a policy of improving Senegal's governance of its fisheries, regulating access to stocks (stock ownership schemes, fishing rights allocation schemes, regulatory bodies, etc.), the Commission is seeking to cut fishing effort and promote the sustainable management of Senegalese stocks, while preserving the long-term economic and social activities that depend on this sector. This strategy is clearly the complete opposite of an alleged desire to overfish Senegalese waters, as sometimes claimed by the press and certain NGOs.

Other financial contributors (African Development Bank, World Bank, French Development Agency) are also supporting the restructuring of the sector.

5. Overfishing and migration

Certain NGOs have frequently asserted that the phenomenon of illicit migration – in this case from Senegal to Spain – is caused by declining fish stocks, due to plundering by EU fishing vessels.

Firstly, as stated above, EU vessels' share of the total catch has long been tiny, while small-scale fishing accounted for more than 80% of total catch. This does not amount to plundering by the EU.

Secondly, while there is evidence that *some* emigrants are fishermen, most Senegalese emigrants are actually the young unemployed from urban areas. And there is also evidence that emigrants from Senegal are not just Senegalese but also people from other countries, who find Senegal an easier departure point for Europe than more northerly African countries.

The crisis in the fisheries sector is not new. The crisis in farming has generated a major exodus from the countryside, some of which, for a certain period, was absorbed by the fisheries sector. This led to a leap in fishing capacity and consequent overfishing of coastal stocks. As there has been no regulation of access to small-scale fishing – despite repeated warnings based on alarming scientific evidence – the situation has deteriorated very quickly and is today a real cause for concern, both environmentally (certain stocks are collapsing altogether) and in economic terms for the fishermen, who are facing ever-dwindling yields. It is this – together with rising fuel prices – that has reduced opportunities for small Senegalese fishermen. And in this situation, certain unscrupulous boat owners have been making money by exploiting poor rural migrants, forcing some of them to migrate further afield.

The EU works with African governments, NGOs and companies in both Europe and Africa precisely to minimise any negative and unfair competition between European operators and the most vulnerable African operators. Today, in West Africa, no European vessels fishing under an

¹ EEZ - exclusive economic zone

FPA are competing with small-scale local fishing fleets. This is not the case with industrial fleets from other foreign countries.

6. Economic Partnership Agreements (EPAs) and the fisheries sector

In EPA negotiations with the ACP group – which includes African countries – and to ensure consistency with other EU policies, the Commission and the ACP countries have agreed to introduce a chapter on fisheries. The aim is to encourage cooperation for sustainable and responsible management of stocks, ensure good governance in the fisheries sector and more effectively clamp down on illegal fishing.

For West Africa, the text proposed by the EU contains a chapter on "agriculture and fishing". This attaches much importance to sustainable and responsible management of fish stocks, building capacity in partner countries to fight illegal fishing, and sharing information and experience on fisheries. This draft text also recognises that food safety in these countries must be ensured, and includes mechanisms for that purpose.

Contrary to certain press reports and NGO claims, the EU and ECOWAS negotiators have not discussed any chapter on investment, either for fisheries or other sectors. Moreover, in the current discussions, there are no provisions likely to trigger an invasion by European fishing vessels – it is up to each individual partner country to set up the fishing licence and quota systems they consider suitable.

Bilateral FPAs should not be confused with EPAs. FPAs concern access to fish stocks – EPAs cover trade and development, not detailed fishing licences and quotas.

7. Responsibility of national authorities for managing fish stocks

The many charges levelled against the EU or its fishing fleet all too rarely address the responsibilities of the coastal states themselves, preferring to place the whole blame for these crises on a much more high-profile scapegoat – the EU². And while we can all agree that the management and competitiveness of Senegal's fisheries sector – both small-scale and industrial – leave much to be desired, changing this state of affairs is part of the sovereign responsibilities of the Senegalese government.

So it may be helpful to clarify the situation by specifying exactly which areas are the responsibility of the coastal states themselves, being sovereign rights – in particular according to the relevant international instruments (code of conduct for responsible fishing, UN Convention on the Law of the Sea, etc.):

- laying down legislation applicable to the fisheries sector and investment in it
- monitoring the application of these laws
- laying down rights and obligations for industrial fishing vessels
- deciding on the award of fishing licences and flag rights

²Indeed, unlike other foreign partners of Western African coastal states – for example certain Asian countries, for whom transparency is not a strong point – the EU is completely open about its fisheries agreements.

- checking and supervising waters under their exclusive jurisdiction – including monitoring the coastal area and the exclusive economic zone, inspection, boarding and sanctions against vessels that breach the law, combating illegal fishing and other practices
- developing stock management plans (periodic evaluation of stock health, fishing effort, quotas, recovery periods, etc.)
- cooperating with other states, in particular neighbouring coastal states and flag states of foreign ships, especially through regional fishery organisations, such as the [Subregional Fisheries Commission](#), which could play a more active role if African governments wanted them to.

It is incorrect and illusory to think that the EU, or European fishing fleets, have the slightest inclination, let alone power, to influence decisions in these fields, which are and should remain the exclusive jurisdiction of the coastal state governments.