



DRAFT MINUTES

22nd meeting of LDAC Working Group 4 Bilateral Fisheries Agreements with third countries

**Wednesday, 7 March 2018, from 2.30 pm to 5.30 pm
Hotel NH Brussels EU Berlaymont – Bvd. Charlemagne 11-19 - Schuman**

1- Welcome and opening of the meeting

The Chair, Mr. Julio Morón, gives the welcome.

2- Approval of the minutes of the last WG4 meeting - Brussels, 19 October 2017.

The minutes of the last meeting are approved incorporating the comments received from Mr. Sven Biermann, from the Secretariat of the Fishing Transparency Initiative (FiTI), and from Ms. Gunilla Tegelskär Greig, from the Swedish Agency for Marine and Water Resources Management.

3- Approval of the agenda.

The agenda is approved, adding the point on the H2020 FarFish project that was not dealt with in the Joint WG1 and WG4 Group.

4- Update by DG MARE of the state of negotiations and technical meetings held by the Commission on behalf of the EU on fishing agreements with third countries. Analysis of the application of the SFPA.

The deputy head of unit for fisheries and trade agreements, and representative of the European Commission, Mr. Emmanuel Berck, reports that there are currently 13 fishing agreements with third countries under implementation in force, highlighting the importance of taking sustainable fisheries management as well as transparency into account. He then spells out, in a report, the current state of each fishing agreement by geographical demarcation.

4.1. Atlantic Ocean

There are negotiations in force in 2018 on the renewal of fishing agreements in force or ended with Morocco, Guinea Bissau, Sao Tomé and Príncipe, Ivory Coast, Cape Verde, Madagascar and probably Gambia.

- Morocco: the jurists of the Commission and the Council are analysing the ruling of the Court of Justice of the European Communities, whereby it was indicated that the fishing agreement was valid but not applicable to waters of western Sahara.



This is a sensitive issue but it will not affect the current agreement that will still be applicable, in an endeavour to continue cooperating in the fisheries area and the will to reach a common agreement.

- Mauritania: Agreement in force without negotiations. The last joint commission was called in September 2017, when they addressed issues related to the difficulties of the activity of the pelagic sector, as well as of sectoral support and transparency of fishing activities. For the moment, there are no noteworthy changes to be reported.
- Guinea Bissau: The mixed agreement was extremely important for the European fleet until its interruption in November 2017. The political situation is uncertain, there was a change in government and, seemingly, they are ready to resume negotiations, but the EC demands guarantees, with the current Minister of Fisheries acting as qualified interlocutor. Negotiations will possibly resume shortly. It is interesting insofar as Guinea Bissau offers possibilities of catching small pelagic fish, seemingly this is possible; the latest information from the Scientific Committee must be considered, the quantities are not great but it may be interesting. It is also reported that the Russians are no longer present in Guinea Bissau.
- Sao Tomé and Príncipe: Negotiations started in February, the agreement expired on 23 May. The Commission suggested they should meet, but they rejected the proposal because they need to reflect, and for the moment, there is no news about progress.
- Ivory Coast: Negotiations started in March, the second round being held in Abidjan, where the amount of the financial contributions was discussed and where the number of catches was limited. They do not appreciate sectoral support much. There are around 28 seiners and 10 longliners interested in renewing this agreement. Given that less than fifteen ships have requested licences and they have fished less, the Ivory Coast authorities are quite disappointed with the level of use of the agreement, in terms of number of tons of fish.

As a final thought, the EC representative highlights that these countries are becoming increasingly demanding regarding the financial contribution they receive, despite them also having sectoral support, but they do not see it in the same way.

Round of questions from WG4 members:

Ms. Rocio Bejar, CEPESCA, on Morocco, recalls that, regardless of the logical concern that exists in the Spanish fishing sector about the scope of the ruling of the ECJ, she highlights that the sector wants to renew the agreement, and that, in fact, there has always been a good climate of dialogue between both industries and countries. She asks if the Commission views the possibility of an extension of the fishing agreement currently in force as feasible.

Mr. Rob Banning, PFA, agrees with the words of the CEPESCA representative. He sets out that the agreement of the pelagic fleet in Morocco is very important, underscoring that they depend a lot on Morocco in terms of catches. They want there to be a level playing field; he comments that Russia also has an agreement with Morocco whose full details are not known.



He indicates that the Europeans create a lot of employment in Morocco and not being able to continue fishing there would have devastating effects for the fleet. He asks if the EC can clarify the situation of the protocol, both current and future.

Mr. Juan Manuel Trujillo, ETC, supports the intervention of the CEPESCA representative, indicating that it is not just a Spanish problem as it also affects the Netherlands or Estonia in terms of catches and employability. He indicates that the possible non-renewal of a fishing agreement with Morocco could have bad consequences in other fields such as agricultural production or border control. If the EU leaves Morocco, its place is going to be taken by other countries that do not have adequate development cooperation policies and that could overexploit the resources, mentioning China or Korea as a case in point.

Ms. Anna Boulova, FRUCOM, expresses her pessimism regarding the development of the trade agreement with Morocco, and she believes it will be a long and complicated process. She believes that DG TAXUD and the European External Action Service should also get involved.

Mr. Ivan Lopez, AGARBA, asks about the possibility of negotiating with a designated person and if there are impediments to establishing agreements with the administrators of a sovereign territory.

The EC representative, Mr. Emmanuel Berck, refers to the Joint Statement of the High Representative of the EU for Foreign Affairs and Vice-President of the European Commission, Ms. Federica Mogherini, and the Minister for Foreign Affairs and Cooperation of the Kingdom of Morocco, Mr. Nasser Bourita. The abovementioned statement can be read here:

<https://eeas.europa.eu/headquarters/headquarters-homepage/40464/d%C3%A9claration-conjointe-par-federica-mogherini-et-le-ministre-des-affaires-%C3%A9trang%C3%A8res-et-de-la-en>

He then reports that, during the last meeting of the EU-Morocco Joint Commission it was decided to reduce the volume of catches of stocks of small pelagic fish by 15%, always in agreement with the scientific decision. They will try to clarify the requests for licences, although they have to consult the legal service and the Council on this. After that, the operators will be informed. He indicates that the maximum number of catches possible is 80,000 tons and that approximately half have been fished. The will of the EC is to cooperate for the sake of continuing with the agreement. The problems with the waters of the Sahara will require legal clarification.

Mr. Michel Goujon, ORTHONGEL, indicates that he does not understand the EC's problem with the Ivory Coast, as, in his opinion, a contribution could be made that is proportional to the number of vessels registered to be able to fish. He indicates that if they prefer fewer ships to be included in the fishing agreement, then the contribution to the number of vessels must be dissociated through the Joint Commission, and that, also, the sector should be invited to participate in this.

Mr. Julio Moron, OPAGAC, on his part, indicates that the problems with the Ivory Coast or Sao Tomé are the lack of understanding regarding how the tuna fleet operates. There are complaints, on the one hand, due to the employment levels, and on the other hand, due to not having sufficient catches. However, although there are not many catches, there is activity in



terms of transshipment in port, which contributes to the country's economic activity and development.

He believes, therefore, that it would be very helpful to have a report on the socio-economic impact of the European fisheries activity in that country before and after their presence there. In his opinion, this analysis would be a very useful tool for the negotiation. The data of the fisheries activity there should be known, as well as of all the activities they create and the socio-economic return, allowing local and European stakeholders to participate in the joint committees for them to be able to transmit these examples of socio-economic returns resulting from both main and auxiliary services (seamanship, materiel, equipment, etc.)

Ms. Beatriz Gorez, CFFA-CAPE, expresses her agreement with the proposal of Mr. Moron and highlights the contribution made in countries such as the Ivory Coast, in the sense that the economic performance originates from landing of tuna catches in port, which, in case they would reach women fish processors at affordable prices, would not only directly contribute to food security but also to job creation in fishing communities; hence, the fishing agreements should contribute to these aspects, to be supported by the sectoral support (which could help women access the fish, could help improve processing infrastructure, etc). In this specific country, it is essential to help the local communities of women who, in this case, are responsible for transforming and processing the tuna.

The EC representative, Mr. Emmanuel Berck, indicates that, within one year, they hope to have a report on the assessment of the socio-economic impact of the fishing activities of European foreign fleets in these countries. In any case, he indicates that each country has a different profile, as, for example, Sao Tomé has no port infrastructures so they request including a larger number of onboard national crew members in the agreement.

Mr. Michel Goujon, ORTHONGEL, indicates that it is important to transmit the benefits of training activities carried out by private operators for the nationals of those countries, offering them the necessary fishing training to form part of the crew.

Mr. Rob Banning, PFA, asks if there are fishing possibilities in Guinea Bissau for small pelagic fish.

Mr. Berck, EC representative, indicates that it is limited to the size of the vessels, excluding large pelagic fish vessels, with tonnage limited to 5000 GT. The available tons vary between 15,000 and 20,000.

- Gambia: They have finished the ex-ante assessment study, and it seems that the political context is very positive. A priori, it is a tuna agreement. Ms. Beatrice Gorez, CFFA-CAPE, comments that there is a problem with Gambia, as there have been Italian vessels involved in illegal fishing in past years, with very little concrete action taken against them by their flag state. She believes this aspect should be controlled better.
- Cape Verde: This is a very important agreement for the Spanish longliner fleet, they have fished well, the joint commission was held and there was agreement. They do not have the problems of the past with the longliners. After the assessment, they will draft a working paper. The agreement expires in December, but they hope to start negotiations in April or May.



- Madagascar: It is an agreement in force, with a very similar calendar to that of Cape Verde, which expires in December. The catches are less than expected. Negotiations will start in April or May.

4.2. Indian Ocean

- Seychelles: A meeting of the Joint Commission was held in January. The catches are high, around 50,000 tons, and they form part of the main agreement in the Indian Ocean. The relevant assessment will be made at the end of 2019. This agreement expires in January 2020.
- Mauritius Islands: It is a modest but useful agreement for the European seiner and longliner fleets, but not to be reached at any price.

4.3. Pacific Ocean

- Cook Islands: This is the only active agreement in the area, it does not have many catches but the chapter on sectoral support works well. A delegation travelled to meet with the team responsible for this dossier in the European Commission in Brussels, and they believe there will be no problems with the licences.
- Kiribati: The third round of negotiations is scheduled to take place in December, and commercial aspects should be included. Their acceptance of the principle of establishing a reference tonnage has been achieved, the problem being the amount or level of catches. On the other hand, many aspects still have to be solved to exit the IUU fishing yellow card process (inadequate fleet registration, lax control of foreign fleets such as Taiwan,...). They request drafting a plan of action that should be ready for the next meeting scheduled for May or June. Respect to aspects related to combatting IUU fishing and the negotiation parameters, the ball is in their court.

Then, Mr. Emmanuel Berck reports on the dormant agreements, which have a six-month consultation period to be able to evaluate their unilateral abolishment.

- Mozambique: There has been nothing new.
- Gabon: They have appointed a new fisheries minister. It takes them a long time to answer but they hope, during the first six-months of the year, to meet with them, although nothing is guaranteed.
- Equatorial Guinea: The Commission decided not to present mandate proposals to the Council, so there will be no negotiation for the time being.
- Micronesia and the Salomon Islands: These are dormant agreements with nothing new. The possibility of reporting them if there are no signs of resuming negotiations is even being considered.



- Kenya, Tanzania and Ghana: Although there is a negotiation mandate, the EC is waiting for Ghana to express a real interest.

The WG4 Chair, Mr. Moron, thanks Mr. Berck for his comprehensive report.

5- Debate on the role of fishing agents or intermediaries in Africa in the sustainable fisheries partnership agreements (SFPA).

Ms. Beatrice Gorez, CFFA-CAPE, introduces and sums up the topic, indicating that the LDAC decision on the role of fishing agents and their regulation within the framework of sustainable fisheries partnership agreements has already been sent to the EC. This decision was adopted by consensus and is available at the following link: <http://ldac.eu/download-doc/193506>

6- Ideas for improving the implementation of the SFPAs and their links to development cooperation.

6.1.- Regional seminar in the Atlantic and Indian Oceans.

6.2.- Key elements to be included:

- **Communication on value of SFPA**
- **Good practices**
- **Socio-economic impact in Third Countries**
- **Sectoral support in the SFPAs**

Mr. Julio Moron, OPAGAC, indicates that this point responds to the questions that Mr. Rambaud, EC, asked in the month of October. In the joint WG1-WG4 working group, they commented on the idea of promoting regional governance dialogues at fisheries level, suggesting to the coastal countries that they can give their opinion on the EU's input to fisheries governance, focusing on 5 points: 1) Fishery partnership agreements; 2) Regional Fisheries Management Organisations (RFMOs); 3) Fight against illegal, unreported and unregulated fishing (IUU); 4) Trade policy; and 5) coherence with development policies.

He also suggests that it would be very positive to know the net contribution of all the socio-economic activity that exists, with the possibility of coordinating with organisations such as ATLAFCO-COMHAFAT or the Indian Ocean Commission (IOC), among others.

Then, he asks if the EC could include a specific part for this in the socio-economic report, not only referring to licences but also the benefits derived from fishing activities, for example, in countries such as the Seychelles. Furthermore, he asks if the EC could finance these meetings or dialogues insofar as they can be very useful to improve the bilateral relations in the field of international cooperation.



The EC representative, Mr. Emmanuel Berck, responds that they will try to study this matter as well as the way to improve the image of the community fleet and of the European fisheries investments in these countries.

Sustainable Fisheries Partnership Agreements (SFPA) action: Implementation and links with cooperation for the development policy.

An “ad hoc” focus group will be established on this issue if thus requested by the Chairs of WGs 1 and 4.

7- Collaboration and Partnership between LDAC and ATLAFCO/COMHAFAT:

7.1. Conclusions of the annual LDAC-COMHAFAT coordination meeting

7.2. Joint initiatives for 2018

Mr. Alexandre Rodriguez, Secretary General, informs that the annual meeting with COMHAFAT was held on the 31st of January 2017. The host was the Secretary General of the Sea, with the attendance of EC representatives, Mr. Rambaud, from the EFCA, Mr. Savouret and Mr. Galache, as well as a delegate from the Presidency of COMHAFAT, Mr. Angaman Konan, from the Ivory Coast, another from Cape Verde and several representatives from the COMHAFAT Secretariat.

They dealt with topics such as: strategic planning for 2018; regional cooperation as well as bringing the EC up to speed on the EU strategy on governance of regional fisheries and the fight against IUU fishing.

The documents and presentations of the meeting can be found at the following link:
<http://ldac.ldac.eu/post/reunion-anual-de-coordinacion-comhafat-ldac-190307>

Mr. Julio Moron, OPAGAC, highlights that he hopes that the EC will respond positively to the offering and will of ATLAFCO-COMHAFAT to collaborate with the EU, hoping that they will attend to this request as soon as possible.

Collaboration and Partnership actions between LDAC and ATLAFCO/COMHAFAT:

- **The Secretariat will draft and disseminate the report of minutes and presentations given during the annual coordination meeting between LDAC and ATLAFCO-COMHAFAT, held in Madrid on the 31st of January 2018.**
- **The Executive Secretary of the LDAC will provide a summary report on the contribution of the LDAC and the results of the validation workshop on a harmonised regional programme for port inspection in the region of ATLAFCO-COMHAFAT. This meeting will be held in Rabat from the 12th to the 13th of March.**
- **The LDAC will work to continue developing joint actions and meetings with ATLAFCO-COMHAFAT in EU countries and in Africa, proposing a path for the**



Commission to follow to improve governability on the Atlantic façade of Africa, and placing emphasis on the importance of development for cooperation and other EU policies.

8- Update on the FiTI Project on Fishing Transparency

Ms. Gunilla Tegelskär Greig, from the Swedish Agency for Marine and Water Resources Management, gives a presentation on the new aspects of the FiTI project: <http://ldac.ldac.eu/attachment/8275caa3-cbe4-4965-bff0-69ced82b668b>

Ms. Ma José Cornax, OCEANA, recalls that there are still four available seats on the Advisory Council of FiTI for the European coastal and deep-sea industry.

Ms. Béatrice Gorez, CFP-CAPE, points out the importance of counting on the FiTI project standards as a reference. She encourages the European industry to join in with this initiative, above all the industry in the Seychelles for them to become actively involved in the FiTI.

Fisheries Transparency Initiative (FiTI) Action

- **The Secretariat will post on its website the presentation of Ms. Gunilla Tegelskär and will consider inviting someone from the FiTI secretariat to the next meeting of this working group to follow up on this point.**
- **She recalls that there are still vacancies for industry representatives on the Advisory Council of Experts of FiTI, if anyone is interested in sending their candidacy.**

Other topics of interest

- Update of the H2020 FarFish Project

The LDAC Secretary General, Mr. Alexandre Rodriguez, reports that a meeting will be held in Vigo in June to launch and validate the six case studies. This event will be promoted by CETMAR.

At the previous coordination meeting that was held, the need to have more information was highlighted, hence the LDAC's suggestion to redirect the objectives and refocus the case studies to achieve greater commitment from industry, highlighting that LDAC members are still in time to make comments on the new revised objectives.

He also reports that the annual meeting will be held in Southampton in May, so anyone wishing to attend should inform the LDAC Secretariat.

Regarding hiring a coordinator for the project charged to LDAC, it is reported that more than 15 CVs have been received, so the Selection Committee will be meeting shortly in order to call for the interview phase that is expected to take place before the summer holiday halt.



9- Date and place of next meeting of WG4.

It will be held in Brussels, in the month of October, awaiting confirmation of the date.

The meeting is adjourned at 5 pm.

ANNEX I. LIST OF PARTICIPANTS

**LDAC Working Group 4
Brussels, 7 March 18**

WORKING GROUP 4 MEMBERS

1. Julio Morón. OPAGAC
2. Despina Symons. EBCD
3. Iván López. AGARBA/CEPESCA
4. Luis Vicente. ADAPI
5. Edelmiro Ulloa. Anapa / Anamer / Acemix / Agarba
6. Rocio Bejar. CEPESCA
7. Juan Manuel Liria. CEPESCA
8. Rob Banning. PFA
9. Michel Goujon. ORTHONGEL
10. Beatrice Gorez. CFFA-CAPE
11. Frédéric Le Manach. BLOOM
12. Juana Parada. ORPAGU
13. Sergio López. OPP-Lugo
14. Anna Boulova. FRUCOM
15. Emil Remisz. NAPO
16. Irene Vidal. EJF
17. Maria José Cornax. OCEANA
18. Bjorn Stockhausen. Seas at Risk
19. Juan Manuel Trujillo. European Transport Federation

OBSERVERS

20. Emmanuel Berck EC DG MARE B3 (SFPAs)
21. Jurate SMALSKYTĖ. EC DG MARE B3
22. Daniel Voces. EUROPECHE
23. Hector Villa. Spanish REPER
24. Josu Santiago. AZTI-Tecnalia
25. Gunilla Tegelskär Greig. Swedish Agency for Marine & Water Resources Management
26. Alexandre Rodríguez. LDAC Secretary



27. Manuela Iglesias. LDAC

28. Marta de Lucas. LDAC