

Making Sustainable Fisheries Partnership Agreements' evaluations more efficient

Introduction: SFPAs evaluations have seen considerable improvements in the last ten years

Until 2012, fishing agreements evaluations were not accessible to the public. The position of the Commission was that these documents should be confidential, to protect the commercial interest of the EU fishing fleet, and to protect international relations of the EU. In 2011, a group of NGOs asked for these documents to be made public,¹ referring to the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, of which the EU is a signatory. By early 2012, existing evaluation reports were released to the public, and evaluations have since been made public as soon as they are finalized.

Another key request from NGOs in 2011, that evaluation reports should take into account the views of a wide range of stakeholders from both parties, not only the EU fishing industry, has also been met. Today, the views of third country professional fishing organisations, trade unions, NGOs, EU industry are actively sought in the process of evaluating SFPAs.

1. Strengthening the evaluation process

The current ex-ante ex-post SFPAs evaluation reports are crucial documents to increase the comprehension of the impact of EU Sustainable Fisheries Partnership Agreements (SFPAs), for a range of stakeholders, both within third countries and the EU, as well as understanding broader issues on the management of fisheries in the third country waters. SFPAs evaluations have the potential to become an essential tool for dialogue on sustainable fisheries between the EU, the third country and their stakeholders. To achieve this, steps should be taken to strengthen the evaluation process:

1.1 Increase third countries stakeholders' awareness about the SFPAs

Generally, EU stakeholders are well informed about these evaluations, and are making good use of it. This is not the case in most partner countries. This would require that

¹ See STANDING, Andre, "CFFA recommendations for future FPA ex-ante and ex-post evaluations", CFFA website, 18 May 2012. Available at: <https://www.cffacape.org/publications-blog/2012/05/18/2012-5-18-cffa-recommendations-for-future-fpa-ex-ante-ex-post-evaluations>

evaluation reports are accessible and actively disseminated to local communities in host countries prior to the negotiations.

1.2. Increase transparency during the implementation of the agreement/protocol

The evaluation reports raise crucial concerns, including on issues such as catch data, ecosystem damage, the effectiveness of EU funds, etc. It would be vital to understand how these concerns are addressed not only in the negotiation of the protocol/agreement, but what concrete steps are taken, successfully or not, for the duration of the agreement and protocol to address these concerns. To achieve that, the minutes of the Joint committees and Joint scientific committees that oversee the implementation of the protocol should systematically be made public. Furthermore, the ex-ante and ex post evaluation reports should include details of the outputs of these committees, to inform the future negotiations.

2. Strengthening the content of evaluations

The existing evaluation reports contain a great deal of information and a good level of analysis on many aspects. However, the content of the evaluations could be improved if the following issues were incorporated:

2.1. Impacts on ecosystems

The evaluation reports do not adequately assess and discuss the impacts of EU vessels operations on marine ecosystems. These include, for example, the impact of trawlers on coastal areas and seabeds, and the incidental catch of sensitive species such as marine mammals, seabirds or sharks and rays. The evaluation reports should better understand these impacts and identify concrete solutions to mitigate them.

2.2. Governance/Transparency

In the last years, increasing emphasis has been put in the SFPAs on governance issues, including transparency (in particular regarding the overall fishing effort) and non-discrimination of treatment with regards to other distant water fleets by the partner countries. This means that any measure agreed between the EU and the third country aiming at protecting resources and fishing communities that depend on those resources, should be applied to all foreign vessels. These two aspects of governance are crucial to promote sustainable fisheries. Yet, whether and how these clauses have been respected is hardly discussed in SFPAs evaluations. The concrete implementation of the transparency and non-discrimination clauses should be part of SFPAs evaluations, based on interviews with stakeholders.

2.3. Women in fisheries

SFPA evaluations could contribute to better identify women in fisheries needs. The analysis of the impact of the SFPAs should highlight any specific impact on women in the local fisheries sector. This would help identify, including through interviews of local women

groups, needs that should be given due consideration in sectoral support, when part of the sectoral support is affected to local fisheries development.

2.4. Labour aspects

The evaluation reports tend not to consider in detail the implementation of the social clause of SFPAs,² something EU stakeholders are committed to. These aspects, including better working and living conditions on board, job attractiveness, development of professional training, free movement of workers, should be given more consideration, particularly given the EU commitment³ regarding the 2007 ILO Convention on Work in the Fishing Sector.

2.5. Contribution to SDGs and Policy Coherence for Development

The EU should develop quantitative and qualitative indicators to explicitly assess the various aspects of SFPAs (fleets access, sectoral support) and their contribution to achieving the SDGs,⁴ through adequate resources to collect relevant necessary data, within the ex-ante and ex-post evaluations.

Through its commitment to Policy Coherence for Development (PCD), the EU should ensure that the cumulative impacts of its various actions contribute to reach the objectives of the European development cooperation policy, as well as the Sustainable Development Goals (SDGs), namely the promotion of sustainable fisheries, and food security at national and regional level. The SFPA evaluation is the ideal tool to evaluate the impact in the third country of the various EU policies that affect fisheries in the third countries concerned.

Evaluations should list these actions (fisheries - including actions in neighbouring countries and in RFMOs-, aid, trade, investments), and suggest how to increase synergies between these actions, and also with the partner countries (for example, how to jointly address sustainability issues at regional level).

² ETF, “European Social Partners committed to overcome social deficiencies in the Common Fisheries Policy (CFP)”, 1 December 2015. Available at: <https://www.etf-europe.org/european-social-partners-committed-to-overcome-social-deficiencies-in-the-common-fisheries-policy-cfp/>

³ ILO, “EU-wide legislation adopted to improve working conditions in the fishing sector”, press release, 19 December 2016. Available at : https://www.ilo.org/brussels/press/press-releases/WCMS_537359/lang--en/index.htm

⁴ Including SDGs on Sustainable fishing (SDGs 12 and 14), Jobs and economy (SDG 8), food security (SDG 2), poverty reduction (SDG 1). More information about SDGs at: <https://www.un.org/sustainabledevelopment/sustainable-development-goals/>