

Position paper

Sustainable Fisheries Partnership Agreement negotiations between the EU and Mauritania: staying on course

Brussels, 26 October 2020

As a new round of negotiations between the EU and Mauritania is expected to start soon, this position paper recalls the demands of the Mauritanian artisanal fisheries sector, highlighting technical conditions, such as the access to octopus to be reserved for local artisanal fishers, the zoning for trawlers to be maintained, and landings of small pelagics to be kept. Governance issues are also key, such as transparency, especially regarding the activities of other foreign fleets; and the urgent need for the SFPA to contribute to regional management for shared stocks.

1. Overview

Last April, the European Parliament adopted the extension for one year of the protocol¹ to the EU Sustainable Fisheries Partnership Agreement (SFPA) with Mauritania. In its recommendation, the Parliament requested that this delay should not be used as “*a wild card to make negotiations drag on longer than necessary.*” A few weeks later, the Covid-19 restrictions made it impossible for the Commission to continue the negotiations with its Mauritanian counterpart. In July 2020, the EC reluctantly negotiated the prolongation of the current protocol for one additional year. Meanwhile, the EC is now about to restart the negotiations for a new protocol.

As these negotiations are taking place, it is important to recall the demands from the Mauritanian artisanal fisheries sector. Most importantly: transparency regarding the activities of other non-EU Distant Water Fleets, maintaining the zoning agreed in the

¹ PHILIPPE, Joelle, “The EP Fisheries Committee voted the extension of the EU-Mauritania SFPA protocol, highlighting issues for renegotiation,” CFFA website, 28 April 2020. Available at: <https://www.cffacape.org/news-blog/the-ep-fisheries-committee-voted-the-extension-of-the-eu-mauritania-sfpa-protocol-and-highlighted-issues-for-renegotiation?rq=Mauritania>

current protocol, the exclusive access to octopus for Mauritanian fishers and a regional management of small pelagics, as its stocks are in dire straits.

2. Technical conditions

A. OCTOPUS: RESERVING THE RESOURCE TO ENSURE THE DEVELOPMENT OF THE LOCAL SECTOR

In 2012, Mauritanian artisanal fishermen obtained a great victory: the European cephalopod vessels were removed from the SFPA. This allowed for local octopus fishing to soar. Since then, the number of fishermen has doubled, the number of pirogues increased of 50%. Mr. Sid'Ahmed Abeid, president of the artisanal section of Fédération Nationale des Pêches (FNP), made his case at the European Parliament, in November 2019² and explained that in Mauritanian octopus artisanal fishing, the added value is 8 times higher than in industrial fishing.

“Today we are 80,000 artisanal fishermen and we use 10,000 artisanal boats and 300 artisanal deck boats (less than 14m). As far as octopus fishing is concerned, we provide 80% of the national production in quantity and 82% in value. We provide 90% of the employment in the sector, with people working in 140 product freezing processing plants, in 12 workshops for making pirogues, a shipyard for building 14m deck boats, and in hundreds of shops selling equipment, thousands of fish wholesalers, transporters, hundreds of women processors, potters, etc.”

Mauritanian octopus fishing is also a selective fishery: fishermen collect by hand the octopus hidden at the bottom of a pot. If it is too small, they immediately put it back in the sea undamaged. The removal of foreign cephalopod vessels has allowed for this overfished stock to start recovering³ and fishermen have been demanding that the Mauritanian government should reserve octopus by law to artisanal fishers.

The EU should guarantee that this acquis from the last protocol continues, and that there is zero access to octopus for EU fleets.

B. ZONING: REDUCING ACCESS TO OVERFISHED DEMERSAL AND SMALL PELAGICS

Another very important acquis from the last protocol was the modification of the zoning aimed mainly at stopping EU trawlers to access sardinella, protecting fragile environment from bottom trawling and reducing the potential interactions between EU fleets and Mauritanian fishing fleets. This measure has allowed the protection of resources caught by artisanal fishermen and the Banc d'Arguin, but has also helped to prevent the overexploitation of demersal and small pelagic species.

² PHILIPPE, Joelle, “The challenges of fisheries agreements: the perspectives of African coastal communities,” CFFA website, 26 November 2020. Available at: <https://www.cffacape.org/news-blog/the-challenges-of-fisheries-agreements-the-perspectives-of-african-coastal-communities?rq=Mauritania>

³ Mauritania's 2015-2019 Development Strategy Paper for the fisheries sector emphasized that “despite a recent recovery, the state of octopus stocks is still overexploitation levels estimated at 17%.”

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One of the biggest concerns for artisanal fishermen in the region is that foreign fleets, including from Russia, Turkey, China and the EU, have access to small pelagics, without proper management of such access. These migrating stocks are shared between Morocco, Mauritania, Senegal, The Gambia and Guinea Bissau and are suspected to be severely overexploited.⁴ The lack of regional management, including robust scientific data, means that a surplus of small pelagics to which EU fleets could have access is impossible to identify. If decisive steps are not put in place for regional management (see point 4 below), these resources should not be the subject of a discussion on the access of European fleets in the framework of a future “sustainable” protocol with Mauritania.

Another shared stock, black hake is also overfished, according to CECAF.⁵ While the EU has taken measures to reduce the catch in the recently renewed EU-Senegal SFPA, the problem is that EU shrimp trawlers bycatch demersal species and that demersal fishing vessels often exceed targeted catches. In this case also, the EU should look into a regional strategy to promote a sustainable management of black hake.

The existing zoning for pelagic and demersal trawlers is essential to protect the areas surrounding the Banc d'Arguin, and to prevent overfishing. For example, recently, the Mauritanian press⁶ informed in an article that two Latvian vessels fishing under the SFPA were fishing close to the coast. The EU should ensure that the means of surveillance are sufficient for the effective implementation of this zoning.

Further to that, according to a scientific expert, most of pelagic trawlers from Lithuania and Latvia refuse to embark observers. The provisions in the protocol are not very strict on observer embarking.⁷ However, given the concerns on the state of the small pelagic stocks, it is essential that small pelagic vessels board observers. The EU should condition the renewal of those vessels' licences to the embarkment of an observer.⁸

C. FOOD SECURITY: CONTINUING THE LANDINGS OF SMALL PELAGICS

In the last protocol, it was agreed that 2% of European catches of small pelagics⁹ would be landed in Mauritania for human consumption. This was a great success as it

⁴ CORTEN, Ad, “Mauritania: How the EU agreement can be used to improve fisheries management,” CFFA website, 26 February 2020. Available at: <https://www.cffacape.org/publications-blog/how-the-eu-mauritania-fisheries-agreement-can-be-used-to-improve-fisheries-management?rq=Ad%20Corten>

⁵ Recent FAO figures indicate overexploitation: 17,000 tonnes of catches throughout the subregion for a potential of 10,900 tonnes. See FAO, “Report of the 8th session of the scientific sub-committee,” FISHERY COMMITTEE FOR THE EASTERN CENTRAL ATLANTIC (CECAF), Abidjan, Côte d'Ivoire, 23–26 October 2018. Available at: <http://www.fao.org/3/ca5623b/CA5623B.pdf>

⁶ See « Les éléments de la garde côte agissent avec brutalité avec les navires de la flotte nationale et ferment les yeux sur les violations des chalutiers étrangers ... reportage photos », Agence d'information Alwiam, 23 September 2020. Available at : <https://alwiam.info/fr/ar/8955>

⁷ See Annex I of the protocol, Chapter X on Scientific observers: “For each fishing category the Parties shall designate at least two vessels per year which shall take on board a Mauritanian scientific observer, except for tuna seiners, which shall board observers at the request of the ministry.” EUROPEAN UNION, “Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania for a period of four years,” Official Journal of the European Union, L 315/3, 1 December 2015. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2015.315.01.0003.01.ENG&toc=OJ:L:2015:315:TOC

⁸ This recommendation has been made repeatedly by the Joint Scientific Committee to all SFPAs joint committees for years.

⁹ See Annex 1 of the Protocol, Chapter III: Fees, Article 2 “Fees in kind”.

allowed local fish consumption to increase from 4 to 12kg/person/year in only a few years, thus ensuring food security of local communities as fish bring affordable and irreplaceable source of proteins and key nutrients (vitamins and amino acids) to the population. Provided that a sustainable management of small pelagics is guaranteed, and that the EU agrees with Mauritania on an access to small pelagics for its fleet, the EU should also make sure that these landings continue.

D. MAURITANIAN SAILORS: BOARDING THOSE WHO ARE TRAINED

Mauritania is training sailors in its training centre « Centre de Qualification et de Formation aux Métiers de la Pêche » (CQFMP) of the Naval Academy on fishing techniques, safety on board, etc. However, those that are properly trained are not necessarily the ones that are taken on board. While the provisions in the protocol to take Mauritanian sailors on board EU vessels are a positive development,¹⁰ the EU should make sure that this boarding is linked to a training.¹¹

3. Transparency

A. TRANSPARENCY COMMITMENTS: ENCOURAGING MAURITANIA TO FULFIL ITS OBLIGATIONS

Mauritania is a signatory to the Fisheries Transparency Initiative (FiTI) which sets transparency standards,¹² including the publication of licences of large vessels. Further to that, article 1.6 of the SFPA protocol requires Mauritania to make public “*any public or private agreement granting access to its EEZ by foreign vessels.*”¹³ However, to date, Mauritania has not fulfilled its commitments. The inclusion of the article on transparency in the last protocol with Mauritania was a positive step but it is not enough.

The EU should make the publication of such information a condition for the renewal of a protocol, as it is essential to identify a potential surplus, as well as to ensure other foreign fleets respect similar conditions for access than EU fleets. To guarantee more transparency at the EU level, the Commission should publish the minutes of joint committees and joint scientific committees.

¹⁰ See Annex 1 of the Protocol, Chapter IX.

¹¹ Some of the sectoral support funds have been used for training. However, according to local fisheries representatives, those that are taken on board are not necessarily the same that were trained.

¹² To read the whole FiTI standards, see the Fisheries Transparency Initiative (FiTI) website:

<https://fisheriestransparency.org/fiti-standard>

¹³ “Mauritania undertakes to make public any public or private agreement granting access to its EEZ by foreign vessels, including: countries or other entities participating in the agreement; the period(s) covered by the agreement; the number of vessels and types of gears authorised; the species or stocks authorised for fishing, including any catch limit applicable; the measures concerning reporting, monitoring, inspection and surveillance which are required; a copy of the written agreement,” Article 1, § 6. EUROPEAN UNION, “Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania for a period of four years,” Official Journal of the European Union, L315/3, 1 December 2015. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2015.315.01.0003.01.ENG&toc=OJ.L:2015:315:TOC

B. SECTORAL SUPPORT: UNDERSTANDING THE DECISION-MAKING PROCESS AND THE USE OF THE FUNDS

The EU should also publish the annual reports by Mauritania regarding the implementation of sectoral support. This would be a first step to shed light on the way the funds were spent as there is opacity in the choices for the allocation and use of sectoral support funds. Coastal and fishing communities continue regretting their lack of participation in the decision-making, even though artisanal fisheries are beneficiaries of sectoral support.

In the last protocol, it was agreed that sectoral support would be managed by an implementation unit ("*Cellule d'exécution*")¹⁴ which was "*responsible for coordinating the implementation in conjunction with the beneficiaries*" of the selected projects. This was aimed at overcoming the lack of transparency and participation of the beneficiaries.¹⁵ A final report on the implementation for each of the measures and projects were to be published and an annual workshop to be held to present it to the beneficiaries.¹⁶ According to local communities, this has been done partially: only the unit was put in place. Given the success of similar initiatives in other countries under SFPAs, like in Cape Verde, with very good feedback from the communities, the EU should ensure a closer follow-up of these processes.

C. JOINT VENTURES: ENSURING THAT INVESTMENTS ARE SUSTAINABLE

The Mauritanian SFPA protocol encourages the creation of joint ventures. It is expected that these joint ventures will also be promoted in the future EU-Africa partnership. The African Confederation of Artisanal Professional Fishing Organisations (CAOPA) drafted a joint position¹⁷ with CFFA regarding small-scale fisheries concerns for joint fisheries ventures. These often operate in an opaque way, compete with local fisheries and fish unsustainably.

The negotiations between the EU and Mauritania are an opportunity to start a public dialogue, which would include fisheries stakeholders from both sides, to define and develop a framework for joint industrial fishing to ensure that the investments are ecologically and socially sustainable.

¹⁴ See Annex 2 of the protocol, article 3.2.

¹⁵ See CFFA publication of the 2016 negotiations: GOREZ, Beatrice, "Issues of the new EU-Mauritania fishing agreement protocol: small pelagics, bycatch and sectoral support," CFFA website, 24 March 2016. Available at: <https://www.cffacape.org/publications-blog/2016/03/24/2016-3-24-issues-of-the-new-eu-mauritania-fishing-agreement-protocol-small-pelagics-bycatch-and-sectoral-support?rq=small%20pelagics>

¹⁶ See articles 3.3.3 and 3.3.7 of Annex 2 of the protocol.

¹⁷ CFFA-CAOPA, "Investment and transparency in EU-Africa fisheries relations: what about joint ventures?" CFFA Position Paper, 20 July 2020. Available at: <https://www.cffacape.org/publications-blog/q2nriapbiy782wqmauibptr43x1ku>

4. Regional aspects

A. SHARED STOCKS: ENCOURAGING REGIONAL MANAGEMENT

A staple food for the region, the depletion of the round sardinella stock, including by a growing fishmeal/fishoil production industry,¹⁸ is leading to a food security crisis and is endangering the jobs throughout the artisanal fish value chain of several neighbouring countries such as The Gambia and Senegal. The EU should ensure it takes this regional dimension into account in its negotiations with Mauritania.¹⁹

The creation of a regional fisheries management organisation (RFMO) that would cover these small pelagics and other species, such as demersal, shared by Morocco, Mauritania, Senegal, Gambia and Guinea Bissau, is therefore pressing. And while efforts have been and are also being made to establish an organisation, such as the recent study for a new RFMO by ATLAFCO,²⁰ this matter needs a clear political push. Renewed efforts by the EU to help establish such RFMO will be an important element for promoting sustainable fisheries in the region.

The negotiations with Mauritania are an opportunity to encourage a dialogue between Mauritania and Senegal to set catch limits, establish a system of allocation of access, improve joint research and scientific advice. Indeed, even though both countries have ratified the Convention on the Minimum Conditions for Access of the SRFC, which calls for this concerted management of shared stocks,²¹ no specific steps have been taken.

B. TUNA: DEVELOPING LOCAL FISHERIES AT ICCAT LEVEL

Even though Mauritanian artisanal fisheries do not target offshore tunas, recently, they have caught up to 1,600 tonnes of juvenile tunas per year. Local organisations believe there are opportunities to develop artisanal tuna fisheries in the years to come.

The EU should encourage reflection at regional level for the development of an artisanal tuna fishery, and encourage the deposit by Mauritania and Senegal, at ICCAT level,²² of sustainable development plans for such a fishery.

¹⁸ STANDING, Andre, "European industries must disinvest in West Africa's booming fishmeal and fish oil sector," CFFA website, 10 December 2019. Available at: <https://www.cffacape.org/publications-blog/european-industries-must-disinvest-in-west-africas-booming-fishmeal-and-fish-oil-sector?rq=European%20industries>

¹⁹ CORTEN, Ad, *Ibid.*

²⁰ See "New effort for a regional management of small pelagics in West Africa?" CFFA website, 9 October 2020. Available at: <https://www.cffacape.org/news-blog/new-effort-for-a-regional-management-of-small-pelagics-in-west-africa>

²¹ See CSRP-SRFC, « Convention relative à la détermination des conditions minimales d'accès et d'exploitation des ressources halieutiques à l'intérieur des zones maritimes sous juridiction des états membres de la Commission sous-régionale des pêches », June 2012. Available at :

http://spscrp.org/spscrp/sites/default/files/csrp/documents/csrp2012/csrp-CMA_version_originale_juin_2012_fr.pdf

²² CFFA and its African partner CAOPA have been advocating in tuna RFMOs like the IOTC to establish allocation of access systems that prioritise those fishers who fish most sustainably and bring the most social and economic benefits to coastal developing countries members of these RFMOs. See the joint position with recommendations: CAOPA/CFFA, "The challenge for setting up access allocation system in IOTC: eliminating overcapacity whilst ensuring the rights of developing states," Information papers, 4th IOTC Technical Committee Meeting on Allocation Criteria, Seychelles, February 2018. Available at: <https://www.iotc.org/documents/caopa-cffa-paper-challenge-setting-access-allocation-system-iotc>

5. Summary of the recommendations

Technical conditions
Zero access to octopus for the EU fleet The EU should maintain the <i>acquis</i> from the last protocol and ensure that this resource is reserved to ensure the development of local artisanal fisheries.
Continuation of the zoning from the previous protocol This prevents the overexploitation of small pelagic and demersal species and protects the Banc d'Arguin and the resources that local artisanal fishers catch.
Sustainable management of small pelagic and demersal species The lack of regional management, including robust scientific data, means that a surplus to which EU fleets could have access is impossible to identify. If decisive steps are not put in place for regional management, the EU should not access these resources.
Surveillance The EU should ensure that the means of surveillance are sufficient for the effective implementation of the zoning.
Scientific observers in mixed SFPAs The EU should condition the renewal of small pelagic vessels' licences to the embarkment of an observer, given the state of the stocks.
Continuation of small pelagic landings Provided that a sustainable management of small pelagics is guaranteed, and that the EU agrees with Mauritania on an access to small pelagics for its fleet, the EU should make sure that these landings continue.
Linking training and embarking on board for Mauritanian sailors The EU should make sure that this boarding is linked to a training.
Transparency
Mauritania transparency commitments The EU should make the publication of information of other private and public agreements by Mauritania a condition for the renewal of a protocol.
EU transparency

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The EU should publish the minutes of Joint Scientific Committees and Joint Committees. The EU should also publish the annual reports regarding the implementation of sectoral support funds.

Implementation unit of the sectoral support

The EU should ensure a closer follow-up of the processes as stipulated in the protocol, to guarantee the participation of beneficiaries.

Joint ventures

The EU should take the opportunity of the negotiations to start a public dialogue to develop a framework for joint industrial fishing to ensure that the investments are less opaque and that they are ecologically and socially sustainable.

Regional aspects

Shared stocks

There is an urgency for regional management of shared stocks. The EU should ensure it takes this regional dimension into account in its negotiations with Mauritania.

Regional Fisheries Management Organisation

The EU should support the establishment of an RFMO to promote sustainable fisheries in the region.

Tuna

The EU should encourage reflection at regional level for the development of an artisanal tuna fishery.

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