

# WFD 2020 statement

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## How the EU can support sustainable African artisanal fisheries

Brussels, 20 November 2020

In this declaration on the occasion of World Fisheries Day, CFFA calls on the European Union to integrate the FAO Guidelines for Securing Sustainable Small-scale fisheries into all its policies that have an impact on this sector, particularly in the *Blue Economy* and *Farm to Fork* strategies and in its external action.

### World Fisheries Day statement

CFFA welcomes the organisation of World Fisheries Day around the world, in the context of the COVID-19 crisis, and recalls that fishing activities are strongly impacted<sup>12</sup> and that we must work collectively to achieve sustainable solutions and measures for the sector, particularly in view of the International Year of Artisanal Fisheries and Aquaculture 2022 (IYAFA);

The implementation of the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries (SSF) is a major issue in fisheries law and recognised by the United Nations General Assembly in its latest annual resolution on sustainable fisheries in December 2019;<sup>3</sup>

We commend the work of FAO and civil society organizations around the world on these Guidelines, including the publication by FAO of a legislative guide<sup>4</sup> to assist

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<sup>1</sup> "Amidst COVID-19 crisis, African artisanal fisheries are more than ever essential to feed the population", CFFA website, 1 April 2020. Available at: <https://www.cffacape.org/publications-blog/amidst-covid-19-crisis-african-artisanal-fisheries-are-more-than-ever-essential-to-feed-the-population-lymc6>

<sup>2</sup> See also the addendum on the impacts of the COVID-19 crisis on the sector to the FAO report on the State of World Fisheries and Aquaculture (SOFIA 2020). Available at: <http://www.fao.org/documents/card/en/c/ca9349en>

<sup>3</sup> UNGA, "Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments", A/RES/74/18, 10 December 2019. Available at: <https://undocs.org/en/A/RES/74/18>

<sup>4</sup> FAO, "Legislating for Sustainable Small-Scale Fisheries – A guide and considerations for implementing aspects of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food

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authorities and stakeholders in the implementation of the Guidelines. This is also in line with the Implementation Guide on Mechanisms for Women and Gender Equality in Small-scale Fisheries;<sup>5</sup>

We recognise the efforts made by the European Union in its partnerships to contribute to fisheries governance and the development of the artisanal fisheries sector in third countries, both in the external dimension of the CFP and in its development and cooperation projects;

We also welcome the integration of the implementation of the SSF Guidelines into the political priorities of the European Union, notably in Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of the external fishing fleets;<sup>6</sup>

Furthermore, we are alarmed at the stocks situation and the exploitation of small pelagics in West Africa. Indeed, the problem is now more acute, particularly because of the anarchic exploitation of these small pelagics for fishmeal<sup>7</sup> in the region. The use of fresh fish for the production of fishmeal, particularly sardinella, a staple food for the people of the region, is a major concern for artisanal fishing communities. Despite the lack of detailed data, studies indicate that the sardinella stock is currently severely overfished. This threatens both direct and indirect food security;

We recall that the International Tribunal for the Law of the Sea in its Advisory Opinion No. 21<sup>8</sup> rendered on 2 April 2015 following the request of the SRFC, reiterates the obligation of cooperation between States for the management of shared stocks;<sup>9</sup>

It therefore seems to us that the creation of a regional fisheries management organisation (RFMO) that would cover shared stocks, particularly small pelagic species shared by Morocco, Mauritania, Senegal, Gambia and Guinea Bissau, is becoming increasingly urgent. Several studies and initiatives in this sense have been proposed in the past, which would have involved the granting of management competences to existing organisations, such as the SRFC or CECAF, but they have not been successful so far due to a lack of political will;

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Security and Poverty Eradication in national legislation," Rome 2020. Available at:

<http://www.fao.org/3/cb0885en/CB0885EN.pdf>

<sup>5</sup> BISWAS, Nilanjana, "Towards gender-equitable small-scale fisheries governance and development - A handbook. In support of the implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication," FAO, Rome 2017. Available at: <http://www.fao.org/3/a-i7419e.pdf>

<sup>6</sup> "In 2014, all members of the FAO, including the Union and its developing country partners, unanimously adopted the Voluntary Guidelines on Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication. Point 5.7 of those Guidelines highlights that small-scale fisheries should be given due consideration before agreements on resource access are entered into with third countries and third parties. Those Guidelines call for the adoption of measures for the long-term conservation and sustainable use of fisheries resources and for the securing of the ecological foundation for food production, underlining the importance of environmental standards for fishing activities outside Union waters that include an ecosystem-based approach to fisheries management together with the precautionary approach." See preamble § 5 of the "REGULATION (EU) 2017/2403 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 12 December 2017 on the sustainable management of external fishing fleets, and repealing Council Regulation (EC) No 1006/2008," L 347/81, Official Journal of the European Union, 28 December 2017. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32017R2403&from=EN>

<sup>7</sup> 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.cffape.org/publications-blog/european-industries-must-disinvest-in-west-africas-booming-fishmeal-and-fish-oil-sector?rq=booming>

<sup>8</sup> ITLOS-TIDM, "Case No 21: Request for an advisory opinion submitted by the Sub-Regional Fisheries Commission (SRFC)". Available at: <https://www.itlos.org/en/cases/list-of-cases/case-no-21/>

<sup>9</sup> PANOSSIAN, Anaïd, "Rights and responsibilities of flag states and coastal states in West Africa - CFFA comments on ITLOS Advisory opinion about SRFC request," CFFA website, 9 June 2015. Available at: <https://www.cffape.org/publications-blog/2015/06/09/2015-6-9-rights-and-responsibilities-of-flag-states-and-coastal-states-in-west-africa-cffa-comments-on-itlos-advisory-opinion-about-srhc-request?rq=panossian>

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Thus, we welcome the work launched in 2020 within COMHAFAT for the creation of an RFMO<sup>10</sup> in the West African zone focused on the management of shared stocks and encourage this initiative;<sup>11</sup>

Therefore, we recommend:

- That the European Union **systematically integrates the contribution to the implementation of the FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries into its external action**, both within the framework of its development cooperation policy and its Common Fisheries Policy in its external dimension.
- More specifically, that the European Commission, as it has done through SMEFF, **integrate the implementation of the SSF Guidelines into its basic CFP regulation as well as into all other policies that have an impact on artisanal fisheries, such as the Blue Economy Strategy, or the "Farm to fork" Strategy (F2F).**
- That **the consideration, and implementation, of the SSF Guidelines be integrated as a specific objective of the Sustainable Fisheries Partnership Agreements (SFPAs)**, particularly as the guidelines are rooted in a human rights approach.
- And finally, that the EU **encourages and supports the draft convention for an RFMO dedicated to the management of shared stocks in West Africa**, being itself involved in the exploitation of these species.

The perspective of the year 2022 dedicated to artisanal fisheries is an opportunity to encourage the implementation of the FAO Guidelines to ensure that this sector fully integrates the strategic priorities for the development of fisheries in developing countries and that it is fairly integrated into the legal frameworks.

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Brussels, 20 November 2020

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<sup>10</sup> 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>

<sup>11</sup> We recently sent a joint letter with the PRCM and CAOPA to the High Representative of the European Union in this regard. See PHILIPPE, Joëlle, "An urgent need for a regional management fisheries organization in West Africa", CFFA website, 18 November 2020. Available at: <https://www.cffacape.org/news-blog/an-urgent-need-for-a-regional-management-fisheries-organization-in-west-africa>