

MINUTES OF THE 2ND ANNUAL COORDINATION MEETING LDAC - ATLAFCO/COMHAFAT

**Secretariat General for Fisheries of Spain
Madrid, 31 January 2018**





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1. Welcome: Meeting opened by the Secretary General for Fisheries of the Spanish Government

The Secretary General for Fisheries of the Ministry of Agriculture, Fisheries, Food and Environment, Mr. Alberto Lopez-Asenjo, welcomes all participants and attendees, declaring the 2nd annual coordination meeting between LDAC and ATLAFCO-COMHAFAT open.

2. Approval of agenda and report from previous meeting

The meeting agenda is approved on the understanding of being flexible in the presentations of topics depending on the availability of the speakers.

3. Update by the European Fisheries Control Agency and by the European Commission regarding their activity in terms of regional governance and fight against IUU fishing in Atlantic Africa.

3.1. Presentation of the work of the European Fisheries Control Agency (EFCA) and its role in the PESCAO project.

The EFCA presentation can be accessed at the following link:

<http://ldac.chil.me/attachment/324cf00a-f040-4c79-9022-9ea6521e85f1>

The Executive Director of the Agency, Pascal Savouret, and the Head of Unit of Coast Guards and International Waters, Pedro Galache, briefly present the EFCA work lines on the African Atlantic Façade, placing emphasis on their role in the 5-year PESCAO project financed by EU DG DEVCO, which will officially start in April 2018. EFCA's role consists of actions to prevent and respond to IUU fishing in the Gulf of Guinea.

The priorities listed were:

- Cooperation with African Coastal States to review and harmonise the national legislation to adapt it to European and international requirements on the fight against illegal, unreported and unregulated (IUU) fishing;



- Coordination at sub-regional level (through SRFC as project partner) of the inspection means and improvement of the monitoring, control and surveillance (MCS) tools in dialogue with the competent authorities of the flag states of the vessels and the respective units of the European Commission.

Debate among participants

The General Secretary of COMHAFAT, Mr. Abdelahoued Benabbou, expresses his interest in this project and regrets that, due to administrative reasons and project requirements, his organisation has not been able to aim to participate in it as full partner. However, he expresses his organisation's support to the actions relating to the fight against IUU fishing. He recalls that COMHAFAT has signed a Memorandum of Understanding with the three sub-regional organisations of Atlantic Africa (CSRP, CPCO and COREP), in order to have complete geographic coverage.

The representative of the Presidency-in-Office of COMHAFAT, technical advisor of the Ministry of Fishery Resources of the Ivory Coast, Mr. Konan Angaman, talks about another presentation on the PESCAO given in Nigeria at a meeting of the CPCO, emphasising the importance of coherence in sectoral policies in already existing actions within the framework of sectoral support of sustainable fisheries agreements that the EU has with African coastal countries in the area.

3.2. Contribution of the European Commission to regional governance and the fight against illegal fishing in the Atlantic Ocean.

The Head of Unit of EU Fishing and Trade Agreements, Mr. Philippe Rambaud, explains the complexities that the European Commission faces when coordinating actions at a bilateral and multilateral level. He recalls that the PESCAO project is led jointly by DG MARE and DG DEVCO, with the aim of promoting international governance and development cooperation as well as favouring a regional approach given the universal nature of the scourge of illegal fishing.

Ivan Lopez, LDAC Chair, places emphasis on the importance for the LDAC of having COMHAFAT as a strategic partner in the region to work in this area. He recalls the importance of the work already started in the regional observer-at-sea programmes and of a regional harmonised port control approach. In his opinion, the LDAC must carry out a key job of providing technical assistance and facilitating dialogue between the African States and the EU for the success of these actions.



4. Vision of COMHAFAT: work priorities and key issues

Full presentation available at the following link:

<http://ldac.chil.me/attachment/071a3f60-044d-4dcb-8430-84250192d16d>

The Executive Secretary of COMHAFAT, Mr. Abdelahoued Benabbou, recalls that COMHAFAT is a Conference comprising Fisheries Ministers and Directors of the 22 countries of the African Atlantic Façade, from Morocco to Namibia, and the only one that addresses issues strictly related to fisheries management and ocean sustainability.

COMHAFAT plays a relevant role as coordinator of proposals and he highlights its value as a body that technically prepares meetings of international organisations such as the United Nations, FAO, CITES or RMFOs such as ICCAT. Its mission is to facilitate the coordination of common positions by the African coastal states and coordinate or ensure their attendance and active participation to increase their importance and influence in these bodies.

However, he recalls that, unlike the African Union, the African Coastal States maintain their sovereignty. COMHAFAT also defends the improvement of transparency in fisheries management and the elimination of harmful subsidies to fisheries. Regarding the effectiveness of fisheries agreements in improving the living conditions of local communities of the Coastal States and of the country, he points out that it will be important to define a common strategy or methodology to assess their effectiveness, managing to maintain an adequate equilibrium between the increase of the supply and the internal consumption of fish, improving the income of the fishing communities and reinforcing the structural capacity, and the monitoring, control and surveillance (MCS) means.

The project advisor and manager of the COMHAFAT Secretariat, Mr. Abdennaji Laamrich, gives a summary of the main activities in the Good governance and fight against IUU fishing area during the last half of 2017. Three major work lines were developed in the following areas:

- The regional observer-at-sea programme.
- The regional harmonised port control programme.
- Think Tank on Maritime Piracy in the Atlantic Ocean.

The ultimate aim of the regional control and inspection programmes at sea and in ports is to improve fisheries management and control, as well as the working conditions of crew, observers, inspectors and fisheries administrations personnel, as well as to improve training and technical skills, and investment in key port, logistic, and monitoring, control and surveillance infrastructures. He also talks about improving the working conditions of women in fisheries and increasing their incomes.



The following recommendations arise:

- Update and harmonisation of the regional legal provisions on MCS.
- National mechanisms for inter-agency cooperation.
- Training of inspectors and observers at sea and in ports.
- Support to operational inspection procedures.
- Procedures to prosecute offenders.

The General Secretary of COMHAFAT, Mr. Benabbou, clarifies that the proposal is not to create a new programme, but to pool and jointly apply existing control mechanisms at sub-regional level, coordinated by COMHAFAT. This will require a legal and administrative harmonisation process, both with the Coastal States and with the sub-regional fisheries organisations of the region. He announces the launch of a study in 2018 for the development of a computer platform or database to exchange sectoral information.

5. LDAC Vision: work priorities and key issues

The presentation is available for consultation at the following link:

<http://ldac.chil.me/attachment/86fdf328-9b83-462f-8617-4f4748e6b707>

The General Secretary of LDAC, Mr. Alexandre Rodriguez, spells out the work priorities of the current financial year of LDAC, identifying the topics with respect to which collaboration areas have been established with COMHAFAT and announcing the calendar for upcoming meetings for 2018.

Debate among participants

The Commission representative, Mr. Rambaud, recalls that, on paper, the African coastal states with fisheries agreements and in whose EEZ European vessels operate, must exchange information on their national regulations in terms of fishing control and management. He places emphasis on the problems of private agreements, and the control and transparency of authorisations for fishing in countries where there is no SFPA. He states that the authorities of the Coastal States and of the Flag States should be responsible and offer sustainable fishing guarantees at all times.

The First Vice-chair of LDAC and representative of the NGOs, Ms. Béatrice Gorez, expresses her support to the proposal of harmonising and updating the national legislations and making fisheries management in African coastal states more transparent. She mentions the Fisheries Transparency Initiative (FITI) as an



example of progress in this field in countries such as the Republic of Guinea, Mauritania or Senegal.

These countries have promised to implement, within 1 or 2 years, some minimum public information standards in terms of number and type of fishing licences and to publish their public and private fisheries agreements with the non-European foreign industrial fleet in annual reports.

Likewise, Ms. Gorez defends the role of the sustainable fisheries agreement as useful instruments for development cooperation and sustainability, emphasising the importance of placing women as key economic players, enhancing their importance in the field of the fisheries value chain (extraction, processing-transformation and marketing), quantifying their contribution to the economic and social fabric of coastal communities in African countries. In this sense, sectoral support is very important to reinforce skills and infrastructures, better training, etc.

The LDAC Chair, Mr. Lopez, coincides with Ms. Gorez's opinion, stating that an agreement must be reached regarding the definition of harmful subsidies to fishing at WTO level to all advance together in the same direction and not be subject to the disloyal competition of non-European foreign fleets.

The Commission representative, Mr. Rambaud, responds that a comprehensive approach must be adopted that will pool all the elements of the value chain to be able to distribute the benefits among all intervening parties. An example of proper use of sectoral aid is the Kingdom of Morocco, which shows clear improvements in the field of its port infrastructures, in means and training for maritime rescue, etc.

Likewise, he reiterates the position of the EU as leaders in the WTO of proposals to prohibit all harmful subsidies that may contribute to overfishing and overexploitation, although, for the moment, other contracting parties have not adequately monitored developed or developing countries that oppose this, as is the case of China or India. He recalls that the EU has the Generalised Scheme of Preferences (SGP+) with favourable trade duties with countries that submit themselves to International Law control instruments. He explains that the European Commission is still in favour of the "good" subsidies that help to improve scientific, technical and economic knowledge for the sustainable management of fisheries. To this end, it is essential for the African coastal states to develop specific and detailed management plans for each one of the fisheries concerned.

The Chair of LDAC Working Group 4 of Fisheries Agreements, Dr. Julio Moron, expresses his support to the harmonisation and validation process of the monitoring, inspection and control measures at regional level, explaining the



problems of the fleet of freezer tuna seiners, represented by OPAGAC, in their operational activities in waters of the EEZ of African coastal states.

He recalls that, within the framework of the fisheries agreement protocol, they have the obligation to stop at the ports of the countries of each EEZ that they pass through, for inspectors to embark and disembark, as well as to undergo controls that could be simplified enormously for this type of fleets that head towards highly migratory stocks and often carry out transits between waters of different countries.

The representative of the ANABAC seiner tuna fleet and member of LDAC, Mr. Juan Pablo Rodriguez, agrees with Mr. Moron and supports greater standardisation in the control operations for fishing vessels with valid fishing licences in place. He requests concentrating efforts above all on the surveillance and control of trans-shipments at high sea as they are operations that may be related to illegal fishing activities.

The Presidency of COMHAFAT, represented by Mr. Angaman, mentions that the development of a regional control programme at ports is very important for them, but that the implementation must take into account the different realities insofar as human and material capacities of the member states are concerned, to tackle this undertaking and not to impose Draconian measures to satisfy the requirements of the FAO Agreement on Port State Measures (PSM). Financing and the necessary resources to reinforce the operational and administrative capacities must be sought.

The First Vice-chair of LDAC, Ms. Gorez, warns that it is important to coordinate those projects and programmes with EU funds such as PESCAO to avoid duplicating actions and use public money more effectively.

ACTION: On the proposal of Ms. Gorez, the LDAC will draw up an opinion requesting the European Commission to carry out an internal analysis and assessment of all past and/or ongoing initiatives financed by the EU (DG DEVCO, DG MARE) within the scope of MCS, regional governance and fight against IUU fishing.

The expert in fisheries of the COMHAFAT Secretariat, Mr. Mohammed Sadiki, insists that, precisely, the global vision of COMHAFAT entails supporting and capitalising regional and sub-regional initiatives in these areas.

The Executive Secretary of COMHAFAT, Mr. Benabbou, ends his address announcing that a seminar on the validation of the study on a regional harmonised port control mechanism will be held in Rabat on the 12th and 13th of March. During the seminar, the results and recommendations from this study will be presented to all participating states, seeking their ratification and



adoption in order to continue working on a specific action plan. The European Commission (DG MARE and DG DEVCO) and members of LDAC will be invited.

Regarding the FAO PSMA Agreement, he informs that 10 African countries from the COMHAFAT have ratified it and are making progress in implementing it in their national legislations, and in the process of drawing up the list of ports assigned, inspection training protocols, etc.

ACTION: The action of distributing the feasibility study of the regional harmonised port control programme in the ATLAFCO-COMHAFAT area is agreed.

6. Progress Report: Results of the Think Tank on Piracy in the Atlantic (18-19 September 2017)

The main recommendations of the event were to:

- Identify and address the existing lagoons in the internal national legislations to adapt them to the fight against piracy at sea.
- Advance towards the harmonisation of the legal and institutional framework of African Coastal States of the Atlantic Façade.
- Favour coordination of the monitoring, control and surveillance means to combat maritime piracy.
- Promote the close collaboration among all countries, the exchange of good practices and learning from experiences in other seas such as the Indian Ocean (example: *Atalanta* Operation).
- Foster the participation of stakeholders and players involved, including representatives from the maritime economic sectors and civil society organisations.
- Provide financing to operational campaigns to carry out strategic plans to combat piracy at sea.
- Involve regional (COMHAFAT) and sub-regional fisheries (CSRP, CPCO, COREP) organisations; and transnational economic organisations (e.g., AU-IBAR, ECOWAS).

The LDAC Chair, Mr. Lopez, mentions the recent incidents in States such as Sao Tomé or Liberia with armed boardings on board European vessels, coordinated by a conservation NGO (*Sea Shepherd*) in contravention of international safety regulations at sea and protocols of the fisheries agreements in force. He indicated that the LDAC had already taken a stance against these actions by sending an opinion to the fisheries agreement unit of the DG MARE for them to take action.



Mr. Rambaud answers that the Commission has already intervened in the matter and has included this issue within the monitoring of agreements with Coastal States concerned in the Mixed Meetings.

Mr. Benabbou undertakes to pass the message to COMHAFAT member countries them to take into consideration the concern of European operators with regards to this situation and adopt, where fitting, the appropriate measures.

The Representative of the General Secretariat for Fisheries of Spain, Ms. Carmen Asencio, explains that, during the follow-up meeting for the renewal of the agreement with Sao Tomé, the interpretation of the protocol regarding on board inspections was addressed, and the boarding of the Spanish longliner BAZ in September 2017 was analysed, faced with the hypothetical discrepancy of the protocol with a national legislation on administrative authorisations.

ACTION: The LDAC Secretariat will send the COMHAFAT Secretariat the correspondence exchanged with the European Commission on this matter to be able to use it for information purposes in their communications with African coastal states. The LDAC and COMHAFAT will monitor this question and will inform the parties of any new aspects that might arise.

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ANNEX I. LIST OF PARTICIPANTS

ATLAFCO-COMHAFAT Delegation

1. Mr. Angaman KONAN, Technical Advisor of the Ministry of Animal Resources and Fisheries, Ivory Coast.
2. Ms. Sonah CAMARA, Chief of Staff of the Ministry of Fisheries, Aquaculture and Maritime Economy; Republic of Guinea (*last-minute absence due to visa problems*).

ATLAFCO-COMHAFAT Secretariat

3. Mr. Abdelouahed BENABBOU, Executive Secretary of COMHAFAT
4. Mr. Abdennaji LAAMRICH, Technical Advisor and Programme Manager
5. Mr. Mohammed SADIKI, Expert in Fisheries

LDAC Delegation

6. Mr. Iván LÓPEZ VAN DER VEEN, Chair of General Assembly and ExCom
7. Ms. Béatrice GOREZ, First Vice-Chair of G.A. / ExCom
8. Mr. Juan Manuel LIRIA, Second Vice-Chair of G.A./ExCom
9. Mr. Julio MORÓN, Chair of WG4 (Fisheries Agreements)
10. Mr. Javier GARAT, Member of ExCom
11. Mr. Juan Pablo RODRÍGUEZ-SAHAGÚN, Member of LDAC.

LDAC Secretariat

12. Mr. Alexandre RODRÍGUEZ, Secretary General LDAC
13. Ms. Manuela IGLESIAS, LDAC

European Union Agencies and Institutions

14. Christian RAMBAUD, Head of Unit of Fisheries and Trade Agreements, DG MARE, European Commission
15. Pascal SAVOURET, Executive Director, European Fisheries Control Agency
16. Pedro GALACHE, Head of Unit of Coast Guards and International Programmes. European Fisheries Control Agency

Spanish Administration – Secretary General of Maritime Fisheries MAPAMA

17. Alberto LÓPEZ-ASENJO, Secretary General
18. Ramón DE LA FIGUERA, Assistant Director General Regional Fisheries Organisations
19. Carmen ASECIO, SGP.
20. Manuel PABLOS, SGP.