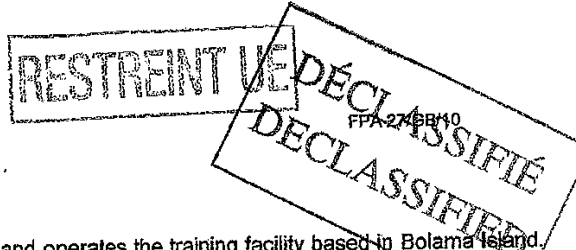


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3.1.3 CEFOPE

Fisheries Training Centre is under the DGP, and operates the training facility based in Bolama Island. CEFOPE has its origins in the Artisanal Fisheries Development Project (AfDB). It offers training which includes mechanical maintenance, boatbuilding, fish handling and fishing gear technology, safety at sea, and navigation. Levels of activities in recent years are considered to be almost nil due to lack of operational budgets. However the centre has potential to be operationalised in the future using FPA funds. Its internal regulation has not yet been promulgated.

3.2 Other Ministries/Institutions

3.2.1 Institute for Biodiversity and Protected Areas (IBAP)

IBAP is under the Ministry of Agriculture and is responsible for conservation, including establishing and managing marine protected areas. IBAP has largely been funded by GEF grant projects, which have allowed it to establish six national parks with marine protected areas. An important aspect of the work carried out by IBAP park personnel is to sensitise and provide information to local populations on the sustainable use of resources in the park areas. IBAP has very limited capacity for patrol operations at sea with only one small operational vessel. Park guards have inspector powers (apprehension and application of fines), but the normal approach is to carry out inspection operations in collaboration with FISCAP. The objective of this effort is to curb illegal artisanal settlements and illegal fishing in a limited number of MPAs of the Biosphere Reserve. FISCAP supports major operations with their patrol vessels, but there have been disagreements over who has the rights to fines collected from the offenders apprehended. A new headquarters for IBAP is currently being constructed in Bissau with funds provided from Spain, but IBAP is currently facing a transition period of identifying a long-term financial solution for its operations as GEF funding is coming to an end.

3.2.2 Capitanía dos Portos / Direcção da Marinha Mercante

The Capitanía do Porto, which falls under the Ministry of Transport is the competent authority for the management of ports and vessel movements, and maritime safety. Nominally the Capitanía is responsible for monitoring conditions of transshipment (mainly therefore concerning Chinese vessels). Since this often takes place at sea (permitted within the terms of the CNFC agreement, at least until specific zones are notified) this means transshipment events are not usually supervised.

The Directorate of the Merchant Marine is also under the Ministry of Transport and responsible for vessel crew conditions, training a supply of seamen. Ratification of various IMO conventions is in course (i.e. SOLAS, MARPOL, STCW, SAR), needing only the approval of Presidency for deposit of instrument. There is little collaboration with FISCAP and there is general dissatisfaction about the lack of consultation and collaborations in matters pertaining to the safety and security issues. The US Coast Guard is due to visit in late 2010 to discuss possible cooperation.

3.2.3 Guarda Nacional

One potentially very important development is the creation of a "Guarda Nacional", involving Coast Guard/Navy, Harbour Authority, Police, FISCAP, and Maritime Transport. This is reportedly approved by the Council of Ministers and will be placed under Ministry of Interior (not the Ministry of Defence). There are still many issues to resolve, including the role of FISCAP i.e. change of statute, restructuring, future role, means and capacity. The EU programme for reform of defence and security forces (which was closed in mid-2010) contributed towards the planning of this development.

3.3 Fisheries Legislation

3.3.1 Existing legislation

The existing legal framework for the fisheries sector comprises three main instruments, with no change since the last review mission in 2004:

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- The Fisheries Law (Law-Decree 6-A/2000) defines the general principles for the management and conservation of fishing resources, governs the access to the resources and provides for monitoring, control and surveillance of the fishing activity (FL);
- The Fisheries Regulation (Decree 4/96) establishes the general principles governing the national fisheries resources policy, including licensing procedures, setting the conditions of access for national and foreign fishing vessels, and conservation measures (FR);
- The Artisanal Fisheries Regulation (Decree 13/97) defines specific rules for artisanal fishing based in the specific needs of the sector (AFR).

3.3.2 Proposed revisions

The law is out of date and new legislation has been drafted, including a revised Decreto Lei das Pescas, and subsidiary legislation concerning as follows:

- o Regulamento de Inspeção do Pescado
- o Regulamento da Pesca artesanal
- o Regulation on Industrial Fisheries

The main fisheries law was adopted by the Council of Ministers in 2008, but there has been a substantial delay in presenting it for approval of the National Assembly. Whilst some aspects of the legislation are de facto applied, this is *ultra vires* and could not sustain legal challenge. There is an urgent need to ratify these legal instruments, to enable effective implementation of important strategic measures.

To a significant extent, the draft law incorporates many of the recommendations made by an EU supported technical assistance mission in 2005³⁷. In particular the draft has adopted recommendations regarding

- o general provisions, including the section on definitions;
- o management plans, their contents and compatibility with the remaining social and economic development plans of the country, consultation and dissemination;
- o the general regime for licensing and the management reasons for suspension;
- o fishing activities drawn in line with international law as recommended including the prohibition of pollution and protection of marine species.
- o organisation of fisheries MCS

However there are some outstanding issues of concern:

- o lack of specification of criteria to be used for fixing the penalties in accordance with the nature of the infraction
- o some important issues not strongly addressed (fisheries observers and registry of vessels)

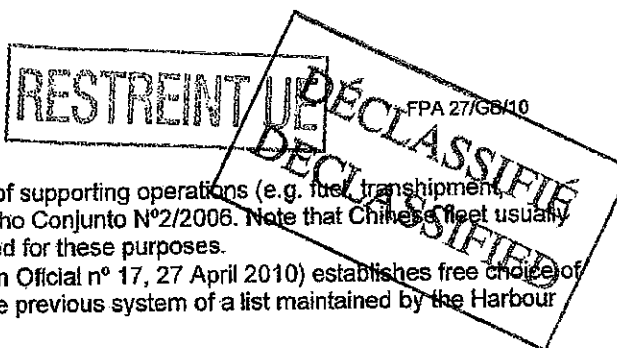
Nevertheless, the draft law represents a significant step forward in fisheries governance. Its adoption should be a high priority for all stakeholders in the Guinea Bissau fishery.

3.3.3 Fines for infractions

The current law The Fisheries Law (Law-Decree 6-A/2000) sets out fines as follows:

- Art. 54: serious infractions (min. USD 150.000 to max. USD 1 million); note that this also applies to failure to report information (i.e. catch, activity in EEZ) but it is not applied (for example in the case of EU vessels)
- Art. 56: other infractions may incur a fine up to the double of the annual license fee
- Art. 58: lack of cooperation by Captain; fine up to 10% of the annual license fee

³⁷ Specific Agreement No 13: Guinea Bissau "Short term Technical Assistance concerning the Recommendations for strengthening of the fisheries law and draft regulations with proposed changes to national legislation", PROJECT FISH / 2003 / 02, Final Report, July 2005



- Prior notification and authorisation of supporting operations (e.g. fuel transshipment, provisioning) is specified in Despacho Conjunto N°2/2006. Note that Chinese fleet usually have a number of vessels authorised for these purposes.
- Note that Decreto n°4/2010 (Boletim Oficial n° 17, 27 April 2010) establishes free choice of crew by operators, discontinuing the previous system of a list maintained by the Harbour Authority / Syndicate.

The new draft law proposes a range of fines depending on serious (there are three classes of offence). These fines range from EUR 15,245 to EUR 381,100 for the most serious infractions. This is a substantial reduction in range compared to what is in the current Law. Currently, fishing vessel operators (including EU operators) complain that fines are excessive in relation to the nature of the offences committed.

4 INTERNATIONAL DIMENSION OF THE GUINEA BISSAU FISHERIES SECTOR

4.1 Fisheries access agreements

As a consequence of lack of access to the EU market due to non-compliance with sanitary regulations Guinea Bissau only flags only 3 or 4 of the vessels licensed to fish in the trawl sector. Since Guinea Bissau fleet does not have the capacity to exploit to the full extent the fishery resources within its EEZ, the Government has offered the opportunity to exploit the stocks to other coastal states. This applies to the tuna and small pelagic resources, and the majority of the trawl vessels. There is a formal fisheries access agreement in place with the EU and an agreement with the China National Fisheries Corporation, which govern the conditions of access of vessels from EU Member States and China respectively. An Agreement with Senegal which allows reciprocal access is also operational. Guinea Bissau also offers fishing opportunities on a private basis to other third country vessels.

4.1.1 European Union – Fisheries Partnership Agreement

The Fisheries Partnership Agreement between the EU and the Republic of Guinea Bissau was concluded in 2007, and provided fishing possibilities for EU vessels fishing in Guinea Bissau waters in return for a financial contribution from the Community. The current 4-year protocol setting out fishing possibilities and payments covers the period 16 June 2007 to 15 June 2011. The Agreement and the first protocol were initialled by the parties on 23 May 2007 and formally adopted by the Community in Council Regulation (EC) No 241/2008 of 17 March 2008 on the conclusion of the Fisheries Partnership Agreement between the European Union and the Republic of Guinea-Bissau.

This Agreement provides fishing possibilities for EU vessels fishing in the waters of the Guinea Bissau beyond the 12 mile coastal zone, including the Guinea Bissau-Senegal Joint Management Area up to the azimuth of 288°. It includes annual fishing possibilities for up to 4400 GRT of freezer shrimp trawlers, 4400GRT of freezer finfish and cephalopod trawlers, 23 tuna purse seiners or surface longliners, and 14 pole and line tuna vessels. In relation to tuna and large pelagic fishing opportunities, it is based on a nominal catch tonnage of 2,350 tonnes of tuna.

It is important to note that the fishing possibilities in the current protocol are substantially reduced with respect to the previous protocol, which provided possibilities for 70 vessels in total. Although the protocol considers a possible review of the number of fishing licences, the fishing possibilities have remained unchanged throughout.

The EU financial contribution amounts to EUR 7,000,000 per year. This contribution includes an amount of EUR 2,450,000 (35% of the total) granted by the Community towards the promotion of sustainable and responsible fishing in Guinea Bissau waters. An additional specific contribution of EUR 500,000 is dedicated to the introduction of an improved sanitary control system. In total, EUR 2,950,000 are destined for the fisheries sector.

The Agreement also establishes a framework for establishing partnership between the two parties with a view to defining a fisheries policy in Guinea Bissau and identifying the appropriate means to implement it, according to the EU policy to Fisheries Partnership Agreements aiming to strengthen the

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conditions to achieve sustainable fisheries. The EU's contribution of 2,958,000 will be allocated to the implementation of this sectoral fisheries policy.

Between 2006 and 2009 inclusive, an average of 67.3 EU vessels per year drew licences to fish under the EU Guinea Bissau Fisheries Partnership Agreement. These comprised 19 purse seine vessels and an average of 10.7 pole and line vessels. An average 14.7 vessels/year drew licences for category 1 (fish/cephalopod trawl) and 23 vessels for shrimp trawls (corresponding to 4963 GRT and 1591 GRT respectively). A more detailed description and evaluation of the activities of the EU vessels operating under the EU-Guinea Bissau FPA is provided in Section 4.

Federpesca agreement

A bi-lateral fisheries agreement with an Italian producer organisation FEDERPESCA fleet was renounced by Guinea Bissau, as a condition of signature of the FPA by the EU. However, about 4 or 5 of its vessels continue to operate in Guinea Bissau under the Senegalese flag, under private charter arrangements. Although the legal status of these vessels has been normalised (in that EU flagged vessels no longer operate outside the Fisheries Partnership Agreement in breach of the exclusivity condition) this change has had no impact on the nature or extent of activity.

4.1.2 Comparison of access conditions for vessels operating under the various bilateral agreements

In comparing the access conditions, the following points are evident:

- o EC licences combine fish and cephalopod opportunities, whereas the CNFC & Senegal agreement's considers them separately.
- o The average of the CNFC licence fees is 14% higher per GRT/year than the EU fees.
- o The average of Senegal demersal fees is 21% lower per GRT/year than the EU fees, but the access fee for the Senegalese pole and line vessels is nearly 5 times greater
- o Chinese/Senegalese fleets do not have large vessels; the defacto crew conditions may be considered equivalent.
- o Observer fees are on average 7.5 times higher for the Chinese and Senegalese operators
- o Bycatch specifications and limits for CNFC vessels are the same as EU for shrimp and cephalopod bycatches. However they are more stringent for CNFC vessels in that there are limits to retained catches of demersal fish (no requirements in the FPA).
- o Bycatch specifications for products retained on board are generally much stricter for Senegalese vessels than for CNFC/EU vessels.
- o Minimum mesh sizes for the CNFC/Senegalese shrimp vessels are 50 mm (cf. 40 mm for EU vessels). Otherwise mesh limits are the same
- o Transhipment rules appear to be more stringent in relation to EU vessels; however, few EU vessels tranship in GB ports and CNFC/Senegalese arrangements are in any case subject to individual approval

Overall, the access conditions appear to discriminate in favour of Senegalese demersal vessels and EU pole and line vessels. However Senegalese demersal vessels are subject to stricter bycatch limits (although this may not have any material effect). The EU has significantly more favourable observer fees and a smaller mesh sizes for shrimp trawls. Otherwise, where there are differences in access conditions for vessel operators, these may be considered to be *de minimis*. Overall, there appears have to have been a significant effort to harmonise access arrangements, and to make them transparent, compared to the situation in 2004. The main differences between the Agreements, is expressed in the policy of Guinea Bissau towards the bilateral compensation arrangements, which are significantly more favourable to Senegal.

However, foreign vessels other than the EU's may also gain access to the EEZ through charter via national joint venture partner. Guinea Bissau has regularly offered such opportunities in the demersal fish and cephalopod sectors including in 2010.

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4.2 Participation of Guinea Bissau in regional fisheries bodies

There are several relevant international agreements, arrangements and schemes applicable to the fisheries in the tropical eastern Atlantic.

4.2.1 ICCAT

It is important to point out that Guinea Bissau is not a contracting party to the International Commission for the Conservation of Atlantic Tunas, but that the EU is. ICCAT is an inter-governmental fishery organization responsible for the conservation of tunas and tuna-like species in the Atlantic Ocean and its adjacent seas. ICCAT compiles fishery statistics from its members and from all entities fishing for these species in the Atlantic Ocean, coordinates research, including stock assessment on behalf of its members, develops scientific-based management advice, provides a mechanism for Contracting Parties to agree on management measures and produces relevant publications.

The Standing Committee on Research and Statistics (SCRS) on which each member of the Commission may be represented is responsible for developing and recommending to the Commission all policy and procedures for the collection, compilation, analysis and dissemination of fishery statistics. It is the task of SCRS to ensure that the Commission has available at all times the most complete and current statistics concerning fishing activities in the Convention area as well as biological information on the stocks that are fished. The SCRS also coordinates various national research activities, develops plans for special international cooperative research programs, carries out stock assessments and advises the Commission on the need for specific conservation and management measures. When ICCAT adopts this advice it becomes obligatory for contracting parties.

ICCAT therefore provides the management advice with regard to the fisheries covered by both the EU-Guinea Bissau Fisheries Partnership Agreement and the Guinea Bissau-Senegal Agreement. As contracting parties to the ICCAT Conventions, the EU and Senegal as primary users of the resource in the Guinea Bissau EEZ are obliged to adopt the management advice promulgated by this body in relation to highly migratory species. However, Guinea Bissau may lawfully offer these resources to other countries (for example under charter arrangements), and if these parties are not ICCAT members there is no obligation to follow management advice, risking unsustainable fishery practices.

4.2.2 CSRP

The Sub-Regional Fisheries Commission (referred to here as CSRP, under its French acronym *Commission Sous-Régionale des Pêches*) is an International Organisation, linked to, but independent from, FAO. Created in 1985, the CSRP now has 7 Member States: Cape Verde, Gambia, Guinea, Guinea-Bissau, Mauritania, Senegal and Sierra Leone. The CSRP is an advisory body only. Guinea Bissau has been a member of the CSRP since its formation in 1985.

The permanent secretariat is in charge of implementing decisions made by the Ministerial Conference. Its director is the Permanent Secretary named for a period of 4 years, renewable one time only. The core budget of the permanent secretariat originates from contribution from the Member States, with additional external funding provided by donors on a project basis. The headquarters of the Permanent Secretariat are in Dakar.

The Coordinating Committee is the technical and consultative body in charge of monitoring the implementation of the Ministers. The Ministerial Conference is the main decision-making body. It is composed by the Ministers in charge of fisheries of each Member State. The presidency of the conference changes every two years. The Conference meets at least every two years as well to define the work programme of the organisation and to vote the core budget available to the permanent secretariat. It is customary for CSRP to organise an extraordinary meeting every other year to monitor progresses and budget uptake. The current presidency is exercised by Cap Verde. Gambia will take over end of 2010 after the regular meeting of Ministers scheduled to take place next October 2010.

The general objectives of the CSRP as per its founding act are:

- To harmonise common policies for conservation and exploitation of fisheries resources in the sub-region
- The adoption of common strategies in international fora

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- To develop sub-regional cooperation for fisheries monitoring, control and surveillance
- To develop Member State capacity for fisheries research in the sub-region

A significant restructuring of the CSRP was undertaken during the period 2008-2010, which has strengthened the institutional capacity of the organisation to fulfil its mandate and ensure its ability to be an effective partner to donors.

The CSRP core budget is funded by annual fees paid by Member States. CSRP has suffered from non-payment of fees. Whilst Senegal and Mauritania have usually paid their fees, Sierra Leone has not paid for several years. Guinea Bissau was several years in arrears until 2009. Total current arrears are estimated at still over US\$ 1 million. In addition, CSRP is currently implementing programmes on behalf of a number of multi-lateral and bilateral donors. Its capacity to act as an effective partner is greatly increased by the institutional reforms, and it is currently implementing programmes supported by GTZ, Netherlands and African development bank. The World Bank (PRAO project) and the EU Funded MCS programme are of particular importance,

The European Union is one of the donors supporting the CSRP, with a programme to "Strengthening regional cooperation for the monitoring control and surveillance of fisheries activities within the zone of the Sub Regional Fisheries Commission (CSRP)". The programme is supported by the 9th Regional EDF for West Africa. The Financing Agreement was signed between the Commission on the 13 December 2006 and the UEMOA on the 21 June 2007. The project duration foreseen was originally four years. Programme value is EUR 7.29 million, of which EUR 5 million is to be contributed by the EU.

The overall objective of the programme is to "contribute to the economic and social development of the Member States of the CSRP through a rational exploitation of their marine resources". The specific objective is the "reduction of IUU fishing practices within the EEZs of the Member States of CSRP".

The expected results are:

- o Strengthening the institutional capacities of CSRP for management and coordination in the area of MCS of fisheries activities
- o Effective use of the sub-regional structures for the MCS of fisheries activities for the implementation of coordinated aerial and marine operations by UCOS
- o The creation of conditions for the perpetuation and assumption of financial responsibility for the activities of fisheries MCS at the level of the CSRP

The project will support the implementation of several MCS campaigns in the EEZs of the Member States, as well as capacity building for the MCS department of the CSRP.

A more detailed treatment of the CSRP is provided in Annex 2 of this report

4.2.3 COMHAFAT

The Ministerial Conference on Fisheries Cooperation among African States Bordering the Atlantic Ocean³⁹ held its first meeting in Rabat on 30 March to 1 April 1989. It brought together for the first time on the African continent 22 states located on the Atlantic coast from Morocco to Namibia at the level of Ministers responsible for fisheries. Guinea Bissau has been a member of the conference since the beginning.

The Member States have adopted and signed a Regional Convention on Fisheries Cooperation among African States Bordering the Atlantic Ocean which entered into force in July 1995. The Conference Objectives are:

³⁹ Also known as the African Atlantic Fisheries Conference

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- o To promote active cooperation and structured planning and development of fisheries in the region;
- o Develop national economic sectors on the basis of direct and induced effects resulting from exploitation of fisheries resources;
- o Develop, coordinate and harmonize their efforts and their capacity to maintain, operate, develop and market their fishery resources;
- o Strengthening solidarity with African States and landlocked and geographically disadvantaged countries in the region.

COMHAFAT has struggled to make an impact since it has not had an established headquarters, or a regular income. However an Agreement was made in October 2009 with the Government of Morocco to set up the secretariat in Rabat. At the same time COMHAFAT signed a MoU with the Japanese Overseas Fisheries Cooperation Foundation (OFCF) which includes an agreement that Japan will provide a fund of US\$ 890,000 to be implemented by OFCF to support development projects for the sustainable use of fisheries resources in African countries bordering the Atlantic. The establishment of a new headquarters and linkage to a funded development programme are expected to give a new impetus to the COMHAFAT as a regional fisheries development body.

4.3 Compliance with conditions for international trade

4.3.1 Sanitary conditions for trade in fishery products

The Competent Authority responsible for sanitary controls in the fishery sector is the Centro de Investigação Pesqueira Aplicada (CIPA) under the Ministry of Fisheries. Until the present, Guinea Bissau has not been able to comply with the EU fish hygiene requirements set out in the Regulations (EC) 853/2004, (EC) No 854/2004 and (EC) No 882/2004. As a result Guinea Bissau is not listed in the Annex II to Commission Decision 2006/766 as regards the list of third countries and territories from which imports of fishery products for human consumption are permitted, and is therefore not authorised to supply fishery products to the European Union.

The development of sanitary controls is been supported by the FPA. A specific amount of EUR 500,00/year is allocated under the terms of the current protocol. The first payment was transferred in August 2008, but no funds could be transferred to CIPA due to a locking of the Treasury FPA joint signature account, associated with a dispute between the Ministries of Fisheries and Finance (see section 6.8.3 for more details). Disbursement from this source for strengthened sanitary controls was therefore held up until the account was unlocked in late 2009. As a result only a limited level of activity has been undertaken, although this includes the funding of some additional technical assistance, commissioning the construction of a new laboratory facility, and recruitment of new staff (including the transfer of 3 veterinarians from the Ministry of Agriculture). The slow pace of development of the sanitary controls during the period 2008 to 2009 is one of the main impacts of delays caused by the financial and administrative problems experience with disbursements under the FPA.

In the meanwhile the EDF funded "Strengthening Fishery Product Health Conditions in ACP countries" has assisted the CA with development and implementation of action plan, drafting of new framework laws and technical regulations, strengthening inspection capacity, and upgrading laboratories, necessary to comply with the EU Sanitary requirements. In the absence of FPA funds, the SFP programme has been instrumental in strengthening the capacity of CIPA in this respect. More details of these interventions, valued at EUR 285,000 since 2007 are given in section 4.4.

In the meanwhile, despite the improvements in capacity, there is still no legislation covering this area, and approval of the legislation is a crucial first step. The expectation is that the newly drafted legislation will be approved by the Assembly in 2010. In addition, it is likely to take several years to develop an accredited laboratory capacity. CIPA plans therefore make interim arrangements for transmission of samples and analysis by another accredited laboratory in the region (for example in Senegal). When these arrangements are finalised, CIPA will submit a completed pre-mission questionnaire to the Food and Veterinary Office of DG SANCO. The plan is to request listing of Guinea Bissau, in the first instance for frozen seas crustacean products only.

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Given that the SFP programme will close in 2010, the CIPA has also been discussing with other donors the possibility of technical support for the continuation of the development of capacity in this area. Possibilities are the World Bank PRAO Programme and the AECID (Spanish Technical Cooperation).

One direct consequence of the lack, until now, of compliance with the sanitary conditions is the loss of access to the EU market for products from Guinea Bissau flagged freezer vessels. The consequence of this has been the re-flagging of a number of vessels to other African countries (e.g. to Angola and Senegal) which are subsequently operated in Guinea Bissau under charter arrangements. This is the only means by which access to the EU markets can be maintained. Obtaining the EU sanitary compliance is seen as a high priority in Guinea Bissau, and a critical condition for the development of an export-led onshore fishery sector.

4.3.2 IUU Catch certification

As from 1st January 2010 Council Regulation 1005/2008 requires *inter alia* that all imports of fisheries products into the Community must be accompanied by a catch certificate (Art. 12). Through this instrument the competent authorities of the flag state country of the vessel catching the fish must certify that the catches concerned have been made in accordance with applicable laws, regulations and international conservation and management measures. The regulation requires that the catch certificate shall be validated by a competent authority of the flag state of the catching vessel.

The acceptance of catch certificates by the importing member state is conditional to the notification from Guinea Bissau of the public authorities empowered to attest the veracity of the information contained in catch certificates and to carry out verifications of such certificates (Article 20). In June 2010 the notification to the Commission from Guinea Bissau was still pending.

Considering Port State Controls and the capacity for IUU certification, the Guinea Bissau authorities are aware of the requirements and the need to increase MCS capacity in this respect. However at present this is not considered to be a priority, given the ongoing difficulties in achieving equivalence with EU sanitary requirements. The expectation is that the IUU certification system can be established relatively easily as there are prospects of trade with the EU. The new port being built in Alto Bandim is also expected to create better conditions for control, along with strengthened fisheries MCS capacity.

4.4 Donor support matrix for the fisheries sector

4.4.1 Donor support budgets

A number of donors are active in the fishery sector, as shown in Table 19:

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Table 19: Multi and bilateral donors active in Guinea Bissau fisheries during 2009

Name of project	Area of intervention	Duration years	Start date	Donor	Value (€million)	Beneficiaries
Fishery sector support project	Port infrastructure institutional strengthening, training	n/a	2005	AfDB	5.0	SEP/PASP
Construction of Complex for Small Fisheries in Tombali Region	Small scale fisheries infrastructure, community development	4	2010	JICA	7.9	DGP (PA)
Co-management in the Rias do Sul	Costal zone improvement and community management	n/a	2010	IUCN	1.6	CIPA
Shark conservation	Conservation of shark stocks	n/a	2004	CSRP/FIBA	0.05	CIPA
Ilhas Uork Marine Protected Area	MPA establishment and management	4	2010	PRCM		IBAP/NGO Tinguena
Management of Coastal Zone Biodiversity	CZM, biodiversity, institutional strengthening of IBAP	4	2005	EU/IUCN		CIPA/IBAP

Source: SEP, 2009, consultant estimates

4.4.2 Spanish Development Agency (AECID)

A Spanish-Guinea Bissau Joint Commission on Cooperation For Development 2007/09 BISSAU met in 2007 July to establish the framework for a bilateral cooperation programme. This covers a number of matters, including fisheries.

Until now, most of the collaboration in the field of fisheries has been in the form of Guinea Bissau's participation in regional programmes. A specific collaboration agreement was signed in 2010 between AECID and Guinea Bissau in the field of fisheries and aquaculture. The expectation is for a more formalised approach to fisheries cooperation.

AECID undertook to support Guinea Bissau within NAUTA, in its regional Program of Development of the fishery sector in Africa, within which support was given to the Fishery Training Centre at Bolama (for training of small scale fishers). The Ministry of Fisheries will be supported to improve capacity for management of fishery resources and formulation of fishing policies. AECID also undertook to consider the possibility of supporting research on fishery resources, as well as sanitary inspection. Cooperation will be extended to the strengthened inspection in collaboration with the Xunta of Galicia.

Guinea Bissau has benefited from several Nauta activities (Table 20). Note that the funds used for the various activities in Table 20 have benefited participants from several countries.

In 2010 the INTERMARES training vessel (supported by Government of Spain through the ILO) undertook a mission to Guinea Bissau, undertaking 15 days training under the "Cooperative Programme for Training in Marine Fisheries and Aquaculture programme". This provides training courses in general fisheries management fishing gear technology, safety at sea, hygiene and quality control.

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Activity	Beneficiaries	Period	Funds (EUR)
Training and equipment in fisheries control/VMS	Guinea Bissau, Cape Verde, STP	2006-2008	144,871
Promoting fisheries associations	Angola, Cape Verde, Guinea Bissau, Mozambique, STP	2006-2009	340,314
Definition of fisheries operational plan in STP	STP	2009	14,990
IUU workshops	Guinea Conakry, Senegal, Morocco, Cape Verde, STP, Guinea Bissau	2008-2009	78,566

4.4.3 EDF regional programmes

The 9th EDF supports an important regional fisheries project. This is "Strengthening regional cooperation for the monitoring control and surveillance (MCS) of fisheries activities within the zone of the Sub Regional Fisheries Commission (CSRP)". The Project will reinforce and harmonize the Monitoring, Control and Surveillance systems (MCS) in the region, covered by the CSRP. The total amount of the project is 7.2 M € (EC contribution: 5 M €). Activities were suspending pending a full audit of the CSRP and subsequent restructuring, and are now expected to start before the end of 2010.

Another proposed project "Support for Fisheries Management in West Africa (AGPAO)" and was to be implemented by the CSRP, with the aims of harmonizing fisheries policies of the Member states of the CSRP (with a budget of EUR 5 million). The Commission is currently considering whether to proceed with this project.

Guinea Bissau is also a beneficiary of the activities of two all-ACP projects. The Strengthening Fisheries Products Health Conditions programme is financed under the 8th EDF and provides support to ACP third countries to meet the requirements of the SPS measures for international trade in fishery products. The project assists ACP countries to establish sanitary controls in line with EU regulations 852/2004, 853/2004 and 854/2004. The SFP programme is due to close in November 2010 (more details of the interventions in Guinea Bissau are provided below).

Guinea Bissau is also a potential beneficiary from the "Strengthening Fisheries Management in ACP countries" programme which is funded under the 9th EDF (EUR 30 million over 5 years). This Programme, which became operational in June 2009, is primarily designed to improve fisheries management in ACP countries and to reinforce regional cooperation for the management of shared stocks and the fight against IUU fishing.

4.4.4 EDF Strengthening of sanitary conditions for fishery products

The EU-ACP Strengthening fishery product health Conditions (SFP) programme³⁹ has supported the Competent Authority of Guinea Bissau to develop the capacity for improved control of sanitary conditions in the fishery sector.

³⁹ The SFP Programme started on 30 November 2002 for a period of five years. On 19 September 2007, the European Commission approved its extension until 30 November 2010. The beneficiaries are the Group of African, Caribbean and Pacific States (ACP) and the UK and Netherlands OCTs. The project is implemented through four modules concerning 1. Strengthening national health control capacity. 2. Strengthening existing testing laboratories and supporting technical institutes 3. Improving the level of industry compliance with sanitary conditions for export. 4. Improving the handling practices and infrastructure for small-scale fisheries.

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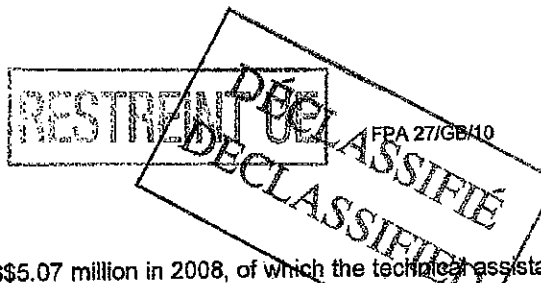
The interventions supported were as follows:

Table 21: SFP interventions in Guinea Bissau

Module	Title	Date(s)	Value (EUR)	Description
1	Mission for evaluation of the needs and support to the Competent Authority of Guinea Bissau	March/ April 2007	c.35,000	Review of current status of sanitary controls, preparation of action plan for strengthened controls; preparation of ToRs for follow up missions
1	Updating of legislation and implementation of operating procedures relating to the inspection and certification of fishery product exports - Guinea-Bissau	August to October 2009	c.40,000	Ref: CA044GNB Drafting of new technical legislation on fish hygiene conditions Drafting of Operation Fish Inspection Manual Operational Field training in fish inspection and use of checklists
1	Further support to the Guinea Bissau Competent Authority in regard to environmental and residue monitoring and implementation of the inspections programme.	August 2010 (ongoing)	c. 40,000	CA052 GNB Development of monitoring plan and drafting of manual Implementation of inspection plan Training of inspectors
1	Equipment for inspection of fishery products, and IT equipment	2010	30,151	Computers, inspection and sampling equipment for inspectors
1	Vehicles	2010	51,185	2 cars and 2 motorcycles for CIPA
2	Laboratory equipment and reagents	2010	88,376	Equipment and reagents for testing of fishery products

Source: SFP Coordination Unit, 2010

The estimated total value of SFP interventions since 2007 is EUR 285,000, of which about EUR 170,000 is in the form of equipment and material support, and the balance technical assistance. An additional technical assistance mission was undertaken by the SFP consultant under a direct contract with the CIPA, employing the FPA funds. The tasks addressed by the technical assistance and training are complex, in terms of preparation of legislation compliant with the EU food safety regulations, training of staff in food safety hazards, controls and hygiene inspections, design of monitoring and inspection programmes, risk assessment and strategic and technical development of laboratory capacity. The SFP programme has therefore been instrumental in providing the technical support and training required to develop an effective control system. A review of the SFP mission reports indicates that good progress has been made towards establishing an EU compliant system of controls. However there is still some way to go, particularly in relation to finalising construction and accreditation of the testing laboratory. In the meanwhile CIPA is seeking to develop linkages with other accredited laboratories in the region (e.g. Senegal) for the transmission of samples for testing.



4.4.5 JICA

Total JICA Grant aid to Guinea Bissau was US\$5.07 million in 2008, of which the technical assistance component was US\$ 0.75 million. Until 2009, there appears to have been virtually no activity in the fishery sector. In 2009, JICA undertook a project identification mission for sector support to the fishery sector. The mission proposed an artisanal fishery development project in the Cacine sector, in the Tombali region, the most southerly and remote coastal region of the country.

The grant (total EUR 7.9 million) for the project "Construction of Complex for Small Fisheries in Tombali Region" was approved by JICA in June 2010, and is expected to start in late 2010 or 2011.

Project activities includes development of infrastructure for processing, landing site and pier for artisanal vessels, ice plant, workshop, administration building, construction. Planned capacity is 100 tonnes/year with a focus on small pelagics. The project also includes community support programme, health centre, primary school and creche, water and electricity supplies.

5 MARITIME AND FISHERIES POLICY FRAMEWORK

5.1 Maritime Policy

Guinea Bissau does not have a formal maritime policy framework, but maritime security is an important element of Guinea Bissau's approach to this area. It is generally recognised that improved security is a precondition for economic development. However, the Navy has no resources, no vessels and no capacity to project forces and control the maritime border..

Policy is therefore to implement a National Security sector reform strategy aimed at downsizing/restructuring the Armed Forces and security forces. To this end the EU's security sector reform mission in Guinea-Bissau was implemented from June 2008 to May 2010. The intervention of the armed forces in civilian government 2010 has cast doubt on capacity to proceed with improvements in maritime (and terrestrial) security. The US coastguard will undertake a mission to Guinea Bissau in 2010, with a view to strengthening maritime security partnerships.

In terms of non-military aspects, policy is to accede to and ratify outstanding international conventions regarding maritime security, and to build capacity of the institutions concerned with compliance. In terms of marine transport, as described in Section 1.4.7, the Port of Bissau is badly in need of refurbishment and upgrading of level of services if it is to remain competitive within the region. Improvements in road transport and harbours in Dakar and Gambia provide realistic alternative routes for international trade. The port is managed by the government entity of Administração dos Portos da Guiné Bissau [APGB]. However it is the stated intention of the government to privatize direct management of all operational services.

5.2 Fisheries Policy

Although the contribution of fisheries is recognised in the national PRSP, until now there has been no clearly enunciated fisheries policy. The Fisheries Partnership Agreement with the EU has established a matrix of policy support measures which has served to guide public investments and disbursement of FPA. In the meanwhile the Ministry of Fisheries has sought to prepare a more strategic approach to fisheries development. In 2003 a joint FAO/World Bank Project proposed a fisheries strategy. In 2008, the draft strategy was further developed and updated with the support an EDF funded Project "Management of Biodiversity and the Coastal Zone"⁴⁰. The output was in the form of a draft Fisheries Development Strategic Plan, which sets out the objectives and a series of measures.

In this plan the sectoral objective is to increase the contribution of the fisheries sector to the development of the national economy and well-being on the basis of an economically and

⁴⁰ Ministério Das Pescas Projecto De Gestão Da Biodiversidade E Da Zona Costeira Da Guiné-Bissau Bureau De Coordenação Da Componente Pescas, Plano Estratégico de Desenvolvimento das Pescas Documento de Trabalho, Setembro 2008.

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environmentally sustainable exploitation of its marine fishery resources. The three main axes comprise:

- o a fisheries administration dedicated to the development of policies and implementation of strategies for development, to the regulation of the sector, to the promotion of an environment favourable to investment and to fair regulation
- o gradually integrating the industrial offshore fishery into the national economy through a modification of the fishing license regime
- o strengthening the contribution of artisanal fisheries to the social and economic development of the country, through the increased well-being of the fishery dependent populations and an increased contribution to food security, against the background of respect for a sustainable environment

Until now, whilst adopted internally by the Ministry as a working document, the plan has not been validated through a process of stakeholder consultation. A national fisheries conference has been planned to present the plan, but has been delayed several times. The Ministry is currently planning for this conference to be held in 2011. The notable feature of the policy is that it aims to integrate the industrial fishery into the national economy.

6 EX-POST EVALUATION OF THE FISHERIES PARTNERSHIP AGREEMENT

6.1 Utility of the fishing possibilities

A brief description of the EU Guinea Bissau Fisheries Partnership Agreement was provided in section 4.1.1. The current Protocol provides annual fishing opportunities which are allocated to Member States as set out in Table 22, and in accordance with Council Regulation (EC) No 241/2008 of 17 March 2008 on the conclusion of the Fisheries Partnership Agreement between the European Union and the Republic of Guinea-Bissau.

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Table 22: Allocation of fishing possibilities to EU Member States under the FPA

Type of vessel	Member State	Fishing opportunities
Finfish/ cephalopods (Category 1)	Spain	3,143 GRT
	Italy	786 GRT
	Greece	471 GRT
	TOTAL	4,400 GRT
Shrimp fishing (Category 2)	Spain	1,421 GRT
	Italy	1,776 GRT
	Greece	137 GRT
	Portugal	1,066 GRT
	TOTAL	4,400 GRT
Pole and line vessels (Category 3)	Spain	10 vessels
	France	4 vessels
	Total	14 vessels
Tuna seiners and surface longliners (Category 4)	Spain	10 vessels
	France	9 vessels
	Portugal	4 vessels
	Total	23 vessels

Table 23 shows the licences drawn by EU vessels operating under the Agreement for the period 2007 to 2009. The average rates of utilisation were 45% for category vessels (shrimp opportunities), 36% for cephalopods, 78% for pole and line vessels and 83% for purse seine/surface longliners. Note that licences are drawn for calendar years except for the period 16 June to 31 December 2007, which accounts for the relatively lower utilisation rates during this period, especially the demersal trawl vessels.

Table 23: Licences drawn and utilisation of fishing opportunities under the FPA 2007 to 2009

Fleet segment	Fishing opportunities		16.06.2007-31.12.2007			2008*			2009*			2010*			Mean licences utilised 2007-2009		
	Country	Vessels/ GRT	Transfer	Licences utilised	%	Transfer	Licences utilised	%	Transfer	Licences utilised	%	Transfer	Licences utilised	%	Total	%	
1. Fish/cephalopod trawl	Spain	3,143		1,512	48	-155	2,794	94	-65	1,468	47	-39	941	30	1,925	61	
	Italy	786		0	0		0	0		0	0		153	19	0	0	
	Portugal	0				155	77	50	65	38	59	39	39	100	58	0	0
	Greece	471		0	0		0	0		0	0		36	8	0	0	
TOTAL	4,400			1,512	34		2,871	65		1,507	34		1,169	27	1,963	45	
2. Shrimp trawl	Spain	1,421		526	37		1,228	86	519	1,796	126	500	1,335	69	1,183	83	
	Portugal	1,066		237	22		404	38		582	55	-500	304	54	408	38	
	Greece	137		0	0		0	0		0	0		0	0	0	0	
	Italy	1,776		0	0		0	0	-519	0	0		357	20	0	0	
TOTAL	4,400			763	17		1,632	37		2,378	64		1,996	45	1,591	36	
3. Tuna Pole and line	Spain	10		5	50		8	80		8	80		7	70	7	70	
	France	4		4	100		4	100		3	75		1	25	4	92	
	TOTAL	14		9	64		12	86		11	79		8	57	11	76	
4. Tuna Seiners/SLL	Spain	10		10	100	3	13	130	5	15	150	3	13	100	13	127	
	France	9		5	56		7	78	-2	7	78	1	10	100	6	79	
	Portugal	4		0	0	-3	0	0	-3	0	0	-4	0	0	0	0	
	TOTAL	23		15	65		20	87		22	96		23	100	19	82	

* Licensing year starts on the 1st January and ends 31st December
Source DG MARE

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The agreement covers a wide range of different fleet interests.

An overall 45% of the fish and cephalopod trawl opportunities (Category 1) were used over the 3 year period 2007 to 2009. All of these were taken up by the Spanish operators (using 61% of the tonnage available). Italian and Greek operators did not draw any licences in this period (but a licence was drawn for one vessel from each country in 2010). Although Portugal has no opportunities allocated under the regulation, it did receive transfer licences from Spain (155 GRT in 2008, and 65 GRT in 2009) which allowed one Portuguese operator to enter the fishery in each of these years.

In relation to Category 2 (shrimp opportunities), the overall utilisation is much less (at 36% during the period 2007 to 2009 inclusive). However, this masks very significant variations in utilisation, with Spanish vessels using some 83% of the opportunities available and Portuguese vessels drawing 38% of the tonnage available. Greek and Italian vessels did not draw any licence under the Agreement until 2010 (with two licences taken in each category). Their effective utilisation during the period 2007 to 2009 is zero.

In relation to the Category 3 licences (pole and line vessels). The overall utilisation was 78% during the period 2007 to 2009. French vessels drew all their licences in 2007 and 2008, 3 out of 4 in 2009. However, three of the French pole and line vessels (operating out of Dakar) were withdrawn at the end of 2009, and utilisation by this segment is therefore much lower in 2010 (only one vessel remaining). Spanish vessels used an average of 70% of the opportunities.

The Category 4 licences are well used by Spanish and French purse seiners, with an average of 83% uptake. The EU surface long line segment (which includes Portuguese vessels) has little interest in the Guinea Bissau EEZ; it is viewed as a high risk environment. In recent years the Portuguese licences in this segment were transferred to Spanish interests. In fact the Spanish fleet has on average required 27% more fishing opportunities than have been provided. The increase in interest over the course of the Agreement from this fleet segment is attributed to the movement of vessels into the Atlantic due to the elevated risk of piracy in the Indian Ocean, as evidenced by the seizure by Somali pirates of the Spanish tuna vessel *Atakrana* in October 2009. In fact, the Spanish stakeholders have stated that they would like to increase the number of licences available to them by at least 3. In 2009 two licences were transferred from France to Spain, to meet the higher demand in this year. However in 2010, France used all of its licences, and also received a transfer from Portugal, and French operators are not expected to cede any licenses in the future⁴¹.

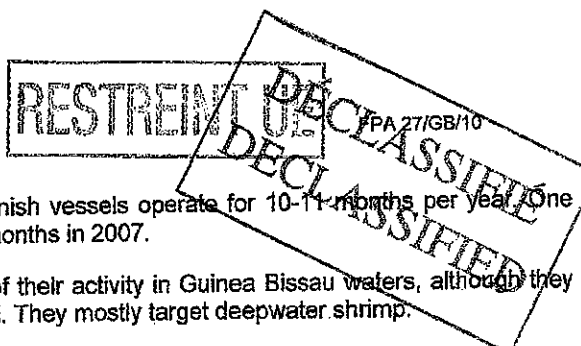
Overall it appears that the demersal trawl opportunities are only effectively utilised by the Spanish vessels (which tend to focus the majority of their activities in the Guinea Bissau zone). The Portuguese shrimp trawl segment uses up to about half of the opportunities available, and Greek and Italian interests are only occasional users of these demersal opportunities. It is also notable, that in the Protocol, the latter opportunities are provided on the basis of GTR per year (i.e. for a full year of operation). However the protocol allows for licences to be drawn for 3 month or 6 month periods. An inspection of the licence data indicates that many licences in both Categories 1 and 2 are indeed drawn for shorter periods, to match the operational demands of the fleet segments (which also operates in other West African waters). The tuna opportunities are generally well utilised (compared to the demersal trawl opportunities) although in 2010 this is impacted by the withdrawal of 3 out of 4 French pole and line vessels. The category 4 licences are also well used by French and Spanish purse seiners. There is no demand for these licences from the EU surface longline fleet.

6.2 EU fleets involved

6.2.1 Demersal trawl vessels

An annual average of 14.7 EU fish/cephalopod trawlers and 23 shrimp trawlers have fished in the GB EEZ during the course of the Protocol. These comprised an average of 32 Spanish and (on average) 5

⁴¹ Personal communication, Juan Pablo Rodríguez, ANABAC



or 6 Portuguese vessels. Portuguese and Spanish vessels operate for 10-11 months per year. One Greek vessel also drew a shrimp licence for 3 months in 2007.

The 5 or 6 Portuguese vessels conduct most of their activity in Guinea Bissau waters, although they may also fish in Mauritania, Conakry or Senegal. They mostly target deepwater shrimp.

An average of 18 Spanish shrimp trawlers maintain about 50-60% of their activity in Guinea Bissau waters, targeting other areas such as Senegal and Conakry as part of the routine fishing pattern. Their main targets are the deepwater rose shrimps (*Parapenaeus longirostris*) and the striped red shrimp (*Aristeus varidensis*). About 14 Spanish flagged cephalopod trawlers operate between Guinea Bissau and Mauritania. They operate from their base in Las Palmas. They target cuttlefish and octopus, but hake is an important by-catch, accounting for 45% of the landings. On average they operate in the Guinea Bissau EEZ for about 60% of the time, the balance being in Senegal, Mauritania or Conakry. These EU Trawlers visit Dakar or Las Palmas every 1.5 - 2 months for landings or transshipment of catch, and to take on fuel, food and water supply. Repairs are undertaken at the home base (Huelva or Vigo in the case of Spanish vessels, and Aveiro in the case of Portugal).

Greek and Italian vessels are allocated both Category 1 (fish/cephalopod) and Category 2 (shrimp) opportunities. One Greek trawler took up a shrimp opportunity (but apparently did not use it) and no Italian vessels have drawn licences. A number of Italian vessels re-flagged to Senegal in 2007 (as a result of the condition placed by the Commission on Guinea Bissau to renounce their Agreement with the Italian operation Federpesca). They continue to operate under private licences in Guinea Bissau. This segment appears to be active for about 6 months per year, operating only during periods of greater catch rate, and otherwise remaining in port in Dakar.

All products are frozen and packed on board. Cephalopod and fish are packed in 20 kg boxes and transhipped for further processing, usually in Dakar or Vigo. Shrimp are frozen in final packaging (1.5 to 2 kg packs). Destinations for products from the trawlers are mainly the Iberian market, although some may be also sold to Japan.

Note that in the case of EU vessels, the fact of drawing licenses does not necessarily imply actual fishing activity in Guinea Bissau waters. Licences may also be drawn for a part year, according to the fishing strategy preferred by the vessel operator.

6.2.2 Tuna vessels

The Guinea Bissau zone is of interest to European purse seine, baitboat and in principle to surface longline operators, since they pursue the fishing of these migratory resources in international and national waters in the Eastern Tropical Atlantic Ocean. However, surface longliners have not used the joint purse seine/surface longline opportunities, and this review therefore focuses mostly on the tuna fishing possibilities.

The peak of European fishing effort in the purse seine fishery was in the early 1990s with about 70 purse seiners. There was a subsequent movement of vessels from the Atlantic to the Indian Ocean and the number of purse seiners from the European and associated fleets⁴² fell to 44 vessels in 2001 and to 24 vessels in 2006. Since then however the number of purse seiners has increased to 36 as vessels have moved back from the Indian Ocean to the Atlantic. At the same time the efficiencies of these fleets have been increasing, particularly as the vessels which had been operating in the Indian Ocean tend to be newer and with greater fishing power. These trends are shown in Figure 17.

The EU purse seine fleet in the Atlantic is comprised mainly of vessels under Spanish and French flags. An average of 20 vessels have been operating in the period from 2006 to 2008, where Spanish purse seiners have increased from 11 to 16 in the period while French vessel numbers have been constant at 7. These vessels have taken catches of roughly 60,000 tonnes on average during this period (Spain: 39,000 tonnes; France: 21,000 tonnes), accounting for 37% of total catches of the

⁴² This concerns vessels under flags of third countries, which are presumed by ICCAT to have EU interests in the ownership or operation

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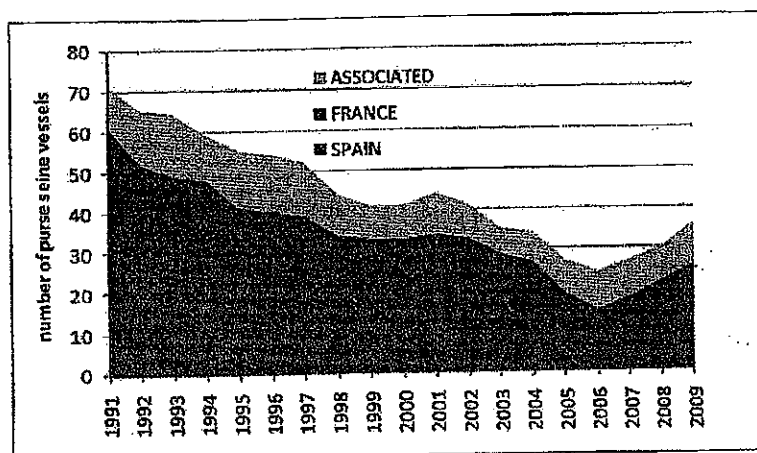
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industrial purse seine fishery in the Atlantic. Many of the vessels draw licences to fish in the Guinea Bissau zone (23 vessels in 2010). A number of EU owned vessels operate under flags of nations in the region (eg. Cape Verde).

The European longline fleet also targets large pelagic species throughout the Atlantic. Retained catches are in the order of 16,000 tonnes per year of swordfish (from both northern and southern stocks) and 43,000 tonnes of sharks, consisting primarily of blue shark and shortfin mako shark. The Atlantic fleet is dominated by Spanish and Portuguese vessels (and a few UK flagged vessels). The vessels operate in the three Oceans and it is more difficult to obtain a reliable estimate of vessel numbers. It appears that about 60-70 EU vessels are presently operating in the Atlantic. However none of these have taken licenses in the Guinea Bissau zone under the FPA.

EU baitboat vessels operating in the ICCAT area account for an average annual catch, during 2006 – 2008, of about 38,000 tonnes. The vessels are from Spain, Portugal and France. Some of these fleets operate in European waters for part or all their catches (i.e. Madeira, Canary Islands). Only about 10 European baitboat vessels operate in African waters making use of FPAs with an annual catch in order of 10,000 tonnes of tuna. Other baitboat fleets operate under the Senegal and Ghana flags and some of these vessels are European owned or operated. The Guinea Bissau zone is an important fishing ground for this fleet, supported by the inclusion of access to live bait in the zone (they need to be supported by an accessible fishery and infrastructure for live bait). The Guinea Bissau fishery is regarded as one of the more valuable fishing grounds for this fleet, due to the large size of fish caught during the period November to January (similar to Cape Verde).



Source: ICCAT

Figure 17: Trend in number of purse seine vessels from European and associated fleets operating in the eastern Atlantic during 1991-2009.

6.3 Catches made under the Agreement

The declared catches made under the Agreement during the period 2007-2009 are shown in Table 25 along with estimates of catch value. Overall the Agreement has generated an average catch of 7628 tonnes/ year of fishery products by EU vessels. About 63% of the catch volume was accounted for by Category 1 (fish/cephalopod trawl), 20% Category 2 (for shrimp trawl), 3% for tuna pole and line and 14% by tuna purse seine vessels. Note that fishing in 2007 was for just over 6 months only but that this period coincided with the main trawling season. Also it should be noted that some catch data is missing from the Table in respect of 2008 and 2009 catches. The data, therefore, under-represents the annual volume of catches.

No reference tonnage is set by the Protocol for tuna species. On the basis of the fishing opportunities available, the potential catch is 280 tonnes for the tuna pole and line vessels and 2350 tonnes for the purse seiners. Mean annual catches of 314 tonnes and 1,635 tonnes respectively represent 112% and 70% of these volumes. A number of vessels in both sectors have generated catches in excess of the original licence fee and have therefore made additional payments for excess catches. The excess catches, which averaged 633 tonnes of tuna/year are shown in Table 24.

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DÉCLASSIFIÉ
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	Country	Category/Fleet segment	Reference catch	No. of vessels	Excess tonnes	Fee tonne	Payment Euros
2007	France	4.PS/SLL	90	3	231	35	8,084
2008	France	3.P&L	20	2	22	25	541
	France	4.PS/SLL	20	4	820	35	28,701
2009	Spain	3.P&L	20	7	625	25	15,618
	France	3.P&L	20	1	201	25	5,036
TOTAL				17	1,899		57,980
Average/year				5.7	633		19,327

A comparison of the trawl catch data for EU vessels operating under the Agreement supplied by the Commission (after verification by the Member States) and the data published by CIPA indicates that the catches published by CIPA are consistently higher. CIPA data (where it is available) is derived from observer records from trawling activities, and can therefore be regarded as valid. CIPA data does not include catches made under the pelagic fish licences issued to EU vessels (i.e. category 3 and 4 licences) since Guinea Bissau does not deploy observers in these fleet segments. Table 25 shows the comparison and indicates that on average, in 2007 and 2008, EU vessels appeared to under-declare catches by a factor of about 11%. However, the pattern of the discrepancy is not consistent.

In 2007, the main anomalies were in the Spanish fleet (both fish/cephalopod and shrimp fleet segments). The Portuguese shrimp vessel declarations coincided with the CIPA data. In 2008, the main anomalies were non-declaration of catch by the Portuguese fish/cephalopod trawlers and c.900 tonne discrepancy in the declared catch of the Spanish fish/cephalopod trawlers. Discrepancies in the declared shrimp catches were relatively much lower. Overall, the main problem appears to be with the Spanish fish/cephalopod trawl segment.

Because it provides the only complete data set, the official catch data provided by the Commission is used to assess the impacts of the Agreement (even where CIPA is the only available source of data, such as the Portuguese fish/cephalopod trawlers in 2008)

Table 25: Comparison of catches declared by EU vessels and recorded by observers

Licence class	2007		2008		Overall	
	EC data	GB data	EC data	GB data	EC data	GB data
Cat 1 Fish/Cephalopod	5,830.0	6,111.5	5,026.0	6,066.8	10,856.0	12,178.3
Cat 2 Shrimp	928.5	1,202.7	1,432.3	1,411.8	2,360.8	2,614.5
TOTAL	6,758.5	7,314.2	6,458.3	7,478.6	13,216.8	14,792.8
Av. EU data Under declaration	7.6%		13.6%		10.7%	

Sources: EU catch data – European Commission; Guinea Bissau data CIPA <http://cipabissau.org/estatistica.html>

6.4 Financial impact of the Agreement

6.4.1 Prices of target species

Trawl vessels

Trawl vessels catch a range of species and retain on board the higher value ones. Category 1 (fish/cephalopod trawlers) and Category 2 vessels (shrimp trawlers) can catch the same species, albeit in different proportions due to the different gears and fishing strategies employed. The main difference is that EU shrimp vessels also target the deepwater shrimp, which are not caught at all by the fish/cephalopod vessels. Tables 26 and 27 show the catch composition, (based on 2004 data), and the unit prices used by the consultants to estimate the overall value of the catch. As can be seen the shrimp trawl vessels generate catches with unit values significantly higher (range EUR 8.16 to EUR 12.12/kg) than the fish/cephalopod vessels (range EUR 3.01 to EUR 3.25/kg). Note also that the assumed price for EUR 2/kg for finfish is based on a nominal ex vessel prices landed into Guinea Bissau, whereas some of this catch is higher value demersal products such as sole which are retained for the EU market. Note that Eurostat data for fish prices in 2009 was not available at the time of writing, and these prices are assumed to be an average of 2007 and 2008.

Table 26: Average annual price of the target species of fish/cephalopod trawl vessels

Species	Catch composition %	Av price (EUR/kg)			Data source
		2007	2008	2009	
<i>Parapenaeus longirostris</i>	0	15.90	8.61	12.26	EUROSTAT
Other shrimp	2	8.80	10.40	9.60	EUROSTAT
Cuttlefish	9	3.51	3.81	3.66	EUROSTAT
Octopus	41	3.81	4.25	4.03	EUROSTAT
Finfish	48	2.00	2.00	2.00	assumed €2/kg "Africa mix"
Overall		3.01	3.25	3.13	

Based on catch composition in 2004

Table 27: Average annual price of the target species of shrimp trawl vessels (Category 2)

Species	Catch composition %	Av price (EUR/kg)			Data source
		2007	2008	2009	
<i>Parapenaeus longirostris</i>	60	15.90	8.61	12.26	EUROSTAT
Other shrimp	25	8.80	10.40	9.60	EUROSTAT
Cuttlefish	4	3.51	3.81	3.66	EUROSTAT
Octopus	1	3.81	4.25	4.03	EUROSTAT
Finfish	10	2.00	2.00	2.00	assumed €2/kg "Africa mix"
Overall		12.12	8.16	10.14	

*Based on catch composition in 2004

Pole and line vessels

When they operate in Cape Verde and Guinea Bissau zones, the EU pole and line vessels operating out of Dakar as far as possible target larger sizes of yellowfin and bigeye tunas, destined for sale in fresh state on the EU market, which therefore obtain higher prices. These two species respectively

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account for some 60% and 15% of the catches in these zones. The balance of the catches are of smaller sizes of skipjack, yellowfin and bigeye tunas, destined for cannery supply, and therefore of lower prices. The overall catch composition and prices obtained are shown in Table 28.

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Table 28: Average annual price of the target species of pole and line vessels

Species	Catch composition %	Average price ex vessel		
		EUR / kg		
		2007	2008	2009
Yellowfin > 30 kg	60	2.40	2.40	2.40
Bigeye > 30 kg	15	2.55	2.55	2.55
Yellowfin < 12 kg	12	1.70	1.40	1.06
Skipjack < 12 kg	10	1.03	1.02	0.77
Bigeye < 12 kg	3	1.70	1.40	1.06
Average		2.17	2.13	2.06

Sources: ICCAT; interviews with stakeholders

Purse seine

The following table shows the average annual prices obtained by the EU purse seiners over the last five years (in EUR per kg) for the three main target species. Skipjack prices increased significantly in late 2007 following a relatively flat and stable trend throughout 2006. Over the first half of 2008 skipjack prices took a further sharp upturn due to poor world supply condition. Prices relaxed during the second half of 2008, and frozen skipjack sold in early 2009 for less than EUR 900 / tonne in Bangkok. Yellowfin and bigeye prices peaked in 2007. Prices then decreased over 2008. The reduction in demand due to the financial crisis at the end of 2008 tended to further ease tuna prices, and in 2009 prices fell to 2006 levels.

In 2009, fear of fishing restrictions in major catching areas combined with concerns over piracy in the Indian Ocean fishery, squeezed global supplies for the canning industry. The result was that tuna prices have since continued to be volatile.

The average price is estimated assuming that EU vessels (both purse seine and pole and line vessels) in the Eastern Atlantic attain an average catch composition of 49% yellowfin, 41% skipjack and 9% bigeye tunas (based on French and Spanish catch returns to ICCAT in 2007) and that the bigeye prices are the same as yellowfin.

Table 29: Average annual price of tuna species.

Species	Catch composition%	Average price EUR/kg		
		2007	2008	2009
Yellowfin	49	1.70	1.40	1.06
Skipjack	41	1.03	1.02	0.77
Bigeye	9	1.70	1.40	1.06
Average		1.41	1.23	0.93

Source: Professional associations

6.4.2 Financial impact on the EU fleet

Based on the above prices and the declared catches the estimated revenues generated by EU vessels fishing under the Agreement during the period 2007 to 2009 inclusive are shown in Table 30. Note that data for 2007 is given for the period, from 16 June to 31 December 2007 only.

The Agreement has delivered catches with estimated values of EUR 30.9 million in 2007, EUR 31.5 million in 2008 and EUR 33.9 million in 2009. Total catch value over the period was EUR 96.3 million, with an annual average of about EUR 32.1 million. Note that 95% of the value of the Agreement to the EU fleet is in the form of the demersal trawl fishing opportunities and 5% due to the tuna opportunities. The shares attributable to category 1 and 2 are more or less the same.

Overall some 84% of the revenues from the Agreement were derived by the Spanish fleet (81% from demersal fishing and 3% from tuna opportunities). Benefits to Portugal in terms of shrimp trawl catches are about 13% of the total. About 2% is derived by French purse seine vessels. During the period 2007 to 2009 no benefits were derived Italy and Greece, although this may change in 2010 since licences drawn by these fleets are apparently being utilised.

Table 30: Volume and values of catches made under the EU-Guinea Bissau FPA

Fleet segment	2007*				2008				2009				Mean 2007 to 2009		
	Catch tonnes	Av. price €/kg	Catch Value €	Catch tonnes	Av. price	Catch Value €	Catch tonnes	Av. price €/kg	Catch Value €	Catch tonnes	Av. price €/kg	Catch Value €	Catch tonnes	Av. price €/kg	Catch Value €
1. Fish/cephalopod trawl	Spain	5830.0	3.01	17,571,680	5026.0	3.25	16,351,517	3503.0	3.13	10,977,392	4786.3	3.13	14,966,863		
	Portugal	0.0	3.01	-	n/a		n/a								
	Italy	0.0	3.01	-	0.0	3.25	-	0.0	3.13	-	0.0	-	0.0		
	Greece	0.0	3.01	-	0.0	3.25	-	0.0	3.13	-	0.0	-	0.0		
	Sub-total	5830.0	3.01	17,571,680	5026.0	3.25	16,351,517	3503.0	3.13	10,977,392	4786.3	3.13	14,966,863		
2. Shrimp trawl	Spain	634.4	12.12	7,688,376	1001.7	8.16	8,174,618	1677.9	10.14	17,013,332	1104.7	9.92	10,988,775		
	Portugal	294.1	12.12	3,564,051	430.6	8.16	3,514,084	585.2	10.14	5,933,752	436.6	9.93	4,337,296		
	Greece	0.0	12.12	-	0.0	8.16	-	0.0	10.14	-	0.0	-	0.0		
	Italy	0.0	12.12	-	0.0	8.16	-	0.0	10.14	-	0.0	-	0.0		
Sub-total	928.5	12.12	11,252,427	1432.3	8.16	11,688,702	2263.1	10.14	22,947,084	1541.3	9.92	15,296,071			
3. Tuna Pole and line	France	24.9	2.17	54,060	62.6	2.13	133,424	n/a	2.06	-	43.7	1.43	62,495		
	Spain	111.6	2.17	242,596	429.6	2.13	914,967	n/a	2.06	-	270.6	1.43	385,854		
	Sub-total	136.4	2.17	296,656	492.2	2.13	1,048,391			-	314.3	1.43	448,349		
4. Tuna Seiners/SLL	France	501.0	1.41	705,530	1180.0	1.23	1,451,863	n/a	0.93	-	840.5	0.86	719,064		
	Spain	773.7	1.41	1,089,545	816.6	1.23	1,004,607	n/a	0.93	-	795.1	0.88	698,051		
	Sub-total	1274.6	1.41	1,795,076	1996.6	1.23	2,456,270			-	1635.6	0.87	1,417,115		
TOTAL	8169.6	3.78	30,916,838	8947.1	3.53	31,644,880	5766.1	5.88	33,924,476	7627.6	4.24	32,128,398			

n/a = data not available at the time of writing

* 6 months only

Source: European Commission and Consultants estimates

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A recent overall evaluation of Fisheries Partnership Agreements⁴³ estimated the total turnover of EU fleets using fishing possibilities negotiated under all fishing agreements to be EUR 413 million per year on average over the 2004-2007 period (representing 6% of the turnover of the entire Community fleet). The turnover generated by the fleets fishing under the agreement with Guinea Bissau represents about 7.4% share of the total turnover of the EU fleets under fishing agreements and about 0.8% of the entire EU fishing fleet.

With regard to the demersal fisheries, the Agreement delivers revenues averaging EUR 32.1 million, which is 14.4% of the value of all demersal fishing under all FPAs. This also represents approximately one quarter of the revenues of the distant water shrimp and cephalopod fleets (the balance being contributed by mainly by the Mauritania and Greenland FPAs). With regard to the tuna segment, the annual revenues of the EU tuna fleet operating in the East Atlantic were estimated to be EUR 115 million. Here, the EU-Guinea Bissau FPA accounts for about 1.6% of the turnover of this fleet segment.

6.4.3 Financial impact on Guinea Bissau

The finances received by Guinea Bissau under the current fishing agreement include:

- Payments by the European Union into the Government Revenue Account with the Central Bank of Guinea Bissau. This has consisted of two types of payment.
- Financial compensation paid by the Community for the fishing opportunities received, corresponding to EUR 4.55 million/year, (65% of the contribution of EUR 7.0 million).
- The payment of EUR 2.95 million per year corresponding to the development of sustainable fisheries (sectoral support measures), comprising to 35% of the contribution of EUR 7.0 million (i.e. EUR 2.45 million) plus the specific amount of EUR 0.5 million in relation to development of sanitary controls as per Article 2.6 of the protocol. Payment of both of these elements maybe suspended by the Community where implementation of measures is not in accordance with agreed programmes (in relation to sanitary elements this power is provided in Article 3.5, and in relation to sectoral fisheries policy, in Article 9.8). One payment was made in August 2008, and the second payment was transferred in July 2010.

Payments by vessel operators

- The licence fees paid by the European ship-owners. Category 1 and category 2 vessels pay on the basis of the size of vessels (Fish/cephalopod trawlers pay EUR 229/GRT/year and shrimp trawlers pay 307/GRT/year). Each pole and line vessel pays an advance EUR 500/year (with an allowance of 20 tonnes of catch) and each purse seiner has to pay an advance of EUR 3,150 (equivalent to the fees due for 90 tonnes of catch); The tuna vessels pay an additional fee for any catches in excess of the standard amounts (EUR 35/tonne for purse seiners and EUR 20 for pole and line vessels). The additional catches and corresponding fees paid were shown in Table 24.

The payment of the second tranche for sectoral support was delayed by the Commission because of a significant delay in the implementation of the sectoral policy support⁴⁴ and some irregularities in the transfer of funds. These included a freezing of the account by the country's central financial authority. After significant efforts by both parties, these matters were eventually resolved by the Government of Guinea Bissau. As a result of this delay Guinea Bissau has received only one payment of this element of the contribution during the evaluation period 2007 to 2009. The second payment in July 2010 is not included in the financial calculations presented here.

⁴³ Overall Evaluation of Fisheries Partnership Agreements. Study contract n°17 under Framework Contract FISH/2006/20. Published March 2009, restricted circulation.

⁴⁴ but not halted; a payment of a balance outstanding from the 9th Protocol of the previous Fisheries Agreement, of EUR 782,525 also in August 2008, enabled (for example) fisheries MCS activities to be maintained.

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In summary, and on the basis of actual utilisation of fishing possibilities and catches in the Guinea Bissau EEZ during the first three years of the agreement, the Government Revenue Account has been credited with a total financial amount varying between EUR 5.2 million and EUR 8.8 million with an average of EUR 6.6 million. Table 31 shows the breakdown of these sums. The high annual variation is due to the payment of the financial element in respect of the fishery sectoral support in 2008 only. Overall about 84% of the revenue is contributed by the Community, and the balance from the EU fleet operators. Note that the contribution from the fleet operators includes an average of just over EUR 1 million in licence fees, plus about EUR 25,000/year in excess catch fees from the EU tuna operators.

The administration of the payments of licence fees is supported by the DEU in Bissau, which confirms payments of the correct fees by vessel EU operators and transmits the information to the Ministry of Fisheries for the issue of the licences. Fleet operators have complained of delays in the issue of the licences, which at times is probably inevitable given the chain of communication involved. Furthermore additional payments can only be processed once the catch declarations have been verified by the relevant Member state institution, which may be more than one year later.

Based on previous experience with the 9th Protocol, and the weak implementation capacity of the Guinea Bissau authorities, the European Commission decided to increase the internal administrative capacity to follow the implementation of the Agreement. In 2007 a Commission staff member was recruited (based in the DEU Dakar) to support the management of the EU's FPAs in West Africa. The Guinea Bissau Agreement has occupied about 75% of his workload, with a significant amount of the effort spent following the disbursement of the funds.

Whilst the transfer of the financial contribution from the Community to the Treasury account has proceeded smoothly, its subsequent management and disbursement to fisheries institutions has suffered from significant irregularities. Despite the introduction of a dual signature account for disbursement of the sectoral support, the account was locked (and not available to the Ministry of Fisheries) for an estimated period of one year from 26 September 2008. During this period (which coincided with a period of great political instability, including the assassination of the president) some of the funds appear to have been misappropriated. At the insistence of the Commission and the Ministry of Fisheries, these were eventually replaced by the Treasury, and the situation finally normalised by September 2009. This had a significant impact on some aspects of the implementation of the matrix of policy support measures, elements of which were therefore subject to significant delays (as described in Section 6.8).

Despite these difficulties and their impact on the timely transfer of the full financial contribution, the majority of the financial income has been received by the Government of Guinea Bissau, and it has been of great significance to the revenue account and national budget. Overall the average annual amount of EUR 6.6 million received from the Agreement has contributed about 8.7% of the general state budget of EUR 75.6 million.

Table 31: Summary of financial receipts by Guinea Bissau

	Category/ Segment	Protocol	2007	2008	2009	Average
1. Fish & Cephalopod Trawl	Fee €/t/year (inc. €12 observer fee)		241	241	241	241
	Annual Licence		364,423	691,848	363,177	473,150
	Short licence supplement	0,64%	2,319	4,403	2,311	3,011
	Total licence fees		366,742	696,251	365,488	476,161
2. Shrimp trawl	Fee €/t/year		319	319	319	319
	Annual Licence		243,394	520,614	758,566	507,525
	Short licence supplement	1,12%	2,717	5,811	8,467	5,665
	Total licence fees		246,110	526,425	767,033	513,189
3. Tuna P&L	Fee (vessel/year)	500	500	500	500	500
	Annual Licence	7000	4,500	6,000	5,500	5,333
	Excess catch fees		-	541	20,654	7,065
	Total licence fees		4,500	6,541	26,154	12,398
4. Tuna PS&SLL	Fee (vessel/year)	3150	3,150	3,150	3,150	3,150
	Annual Licence	72450	47,250	63,000	69,300	59,850
	Excess catch fees		-	28,701	-	9,567
	Total licence fees		47,250	91,701	69,300	69,417
EC Fleet	Annual Licence fees total		659,567	1,281,463	1,196,543	1,045,858
	Excess catch/supplements		5,036	39,455	31,431	25,307
	Total received from vessel operators		664,603	1,320,918	1,227,975	1,071,165
	EC Financial Compensation		4,550,000	4,550,000	4,550,000	4,550,000
	Policy support contribution		-	2,950,000	-	983,833
	Agreement value to GB €		5,214,603	8,820,918	5,777,975	6,604,499

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6.4.4 Financial impact on the European Commission

During the period 2007 to 2009 the actual EU contribution under the Guinea Bissau Fisheries partnership agreement represented an expenditure of about EUR 5.5 million per year (somewhat less than the budgeted EUR 7 million due to the delayed implementation of the fishery sector support programme). This represents about 3.2% of the EUR 170 million budgeted annually by the EU for payments of all fishing agreements contributions and about 0.6% of the total budget of DG MARE (EUR 900 million annually). The agreement has therefore only a small impact on the Community fisheries budget.

6.5 Economic impact of the Agreement

6.5.1 Methodology and assumptions

The economic impacts of the agreement are expressed in terms of the added value generated, both in terms of the activities of the EU fleet, and any economic activities linked to Guinea Bissau. To estimate the added value it was assumed that the EU profit, wages and taxes generated by EU vessels was 45% of the revenues⁴⁵, and that the Guinea Bissau crew annual wage is EUR 8,400/annum, including taxes and social security.

⁴⁵ Ratio estimated in recent evaluations of fishing agreements adjusted to take into account increase in fuel prices (48% in 2006 adjusted to 45% in 2008).

Table 32: Estimated value added impacts of the EU-Guinea Bissau FPA

Segment	Country	Annual average		Catch		EC Impacts		GB Impacts	
		No. vessels	Av. value €/kg	tonnes	Value (€)	Added value*	Added value		
1. Fish/Cephalopod Trawl	Spain	14.0	3.13	4,786.3	14,966,863	6,735,088	411,600		
	Portugal	0.7	3.13	-	-	-	19,600		
	Sub-total	14.7		4,786.3	14,966,863.0	6,735,088.3	431,200		
2. Shrimp trawl	Spain	18.0	9.92	1,104.7	10,958,775	4,931,449	529,200		
	Portugal	4.7	9.92	436.6	4,337,296	1,951,783	137,200		
	Greece	0.3		-	-	-	9,800		
Sub-total	23.0		1,541.3	15,296,071.1	6,883,232.0	676,200			
3. P&L	Spain	5.6	1.43	270.6	386,941	173,674	94,080		
	France	2.4	1.43	43.7	62,408	28,083	40,320		
	Sub-total	8.0		314.3	448,349.0	201,757.0	134,400		
4. PS/SLL	Spain	10.2	0.87	795.1	688,908	310,008	-		
	France	5.8	0.87	840.5	728,208	327,693	-		
	Sub-total	16.0		1,636	1,417,115	637,702	-		
TOTAL		61.7	3.881	8,277.6	32,128,398.3	14,457,779.2	1,241,800		

* Assumes Value Added = 45% of revenues

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Based on these assumptions, the economic impacts of the Agreement are shown in Table 32.

6.5.2 Impact on the European Union

As shown in Table 32, and assuming a gross value added of approximately to 45% of turn over, the average value added generated is estimated to be about EUR 14.5 million/year, of which 47% accrues to the fish/cephalopod trawlers, 48% to the shrimp trawlers, and 5% to the tuna segment (all in line with catch value).

This does not account for the downstream value added generated by the processing of the catch, which can be significant in the case of purse seine catches (which is processed in canneries, with benefits mainly to Cote d'Ivoire, Spain and France i.e. where the catch from EU purse seiners are landed or transhipped to directly, or indirectly in the form of loins produced in ACP countries). Downstream value added in the shrimp and cephalopod sectors is less concentrated, with most products subject to break-bulk rather than transformational processes.

6.5.3 Economic impact on Guinea Bissau

The main direct economic impact of the Agreement on Guinea Bissau is in the form of the financial income generated, comprising the financial contribution from the EU which has averaged about EUR 5.5 million per year and licence fees from vessel operators, of about EUR 1 million per year. However there is some employment of Guinea Bissau crew onboard the EU vessels, creating some value added benefits in the form of remitted earnings. The jobs in the trawl sector are considered to be closely linked to the Agreement, or at least to the activity of the EU vessels in the EEZ. The employment benefits are estimated to have averaged about EUR 1.2 million/year (with an assumption of an average crew wage of EUR 700/month). Overall, including the financial contribution, the total benefits to Guinea Bissau are estimated to be in the region of EUR 7.8 million/year.

There are no landings of fishery products and transshipment events from EU vessels are rare. Most of the catches by EU trawlers in the Guinea Bissau zone are discharged in Dakar or the Canary Islands. Observers are taken on board, but the cost to the Guinea Bissau authorities far exceeds the contribution from vessel owners as set out in the Protocol (€12/GRT/year), which corresponds to €150/month for a typical 150 GRT trawler. This is insufficient remuneration for an experienced observer.

With a GDP of EUR 575 million in 2008 the Agreement contributed 0.96% of the GDP. With the nominal value of EUR 7.5 million/year, the EU-Guinea Bissau Fisheries Partnership Agreement was expected to have contributed about 10% of government revenues in 2008. Actual average contribution was slightly lower (EUR 6.6 million, corresponding to 8.7%) due to the delays in disbursement of the specific amount in support of implementation of a sectoral fisheries policy. This may be compared with the EU budgetary support from the EDF which contributes some EUR 20.95 million in 2009. The FPA has provided about one quarter of the EU's support for this country, and makes an important contribution to its economic stability.

6.6 Impact on Employment

Data availability in this area is rather poor and assumptions regarding numbers employed are based on anecdotal data gathered during interviews with EU stakeholders and during the field mission in Guinea Bissau. The crew composition in the EU fleet segments operating under the Agreement is shown in Table 33.

Trawl vessels carry an average crew of 16, of which on average, 6 are EU and 3.5 Guinea Bissau nationals. The pole and line vessels have a crew of 15, of which 2 are from the EU and 2 from Guinea Bissau. EU purse seiners have a crew of 22, of which 8 are from the EU on average, but none from Guinea Bissau. Remaining crew (neither EU nor Guinea Bissau nationals) derive from other ACP third countries.

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Table 33: Crew composition and employment in EU fleet segments

Vessel segment	Nationality of crew	Nos. employed/vessel
Categories 1&2 (Trawl)	EC	6
	GB	3.5
	other	6.5
Category 3 (Pole and line)	EC	2
	GB	2
	other	11
Category 4 (Purse seine)	EC	8
	GB	0
	other	16

Source: EU fleet stakeholder interview, 2010

Estimated numbers employed from each party to the Agreement, based on numbers of vessels operating, are shown in Table 34.

Table 34: Estimated employment on vessels licensed under the EU-Guinea Bissau FPA

Segment	Country	Annual average	EC Impacts	GB Impacts
		No. vessels	Employment	Employment
1. Fish/Cephalopod Trawl	Spain	14.0	84.0	49.0
	Portugal	0.7	4.0	2.3
	Sub-total	14.7	88.0	51.3
2. Shrimp trawl	Spain	18.0	108.0	63.0
	Portugal	4.7	28.0	16.3
	Greece	0.3	2.0	1.2
	Sub-total	23.0	138.0	80.5
3. P&L	Spain	5.6	11.2	11.2
	France	2.4	4.8	4.8
	Sub-total	8.0	16.0	16.0
4. PS/SLL	Spain	10.2	81.6	-
	France	5.8	46.4	-
	Sub-total	16.0	128.0	-
TOTAL		61.7	370.0	147.8

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6.6.1 Employment impacts on the EU

About 370 EU nationals were employed onboard the EU vessels which have drawn licences under the Agreement during the period (averaging about 62 vessels/year). This accounts for about 11% of the total EU nationals employed on EU vessels operating under Fisheries Partnership Agreements⁴⁶ and a small share of total EU employment in the catching sector (estimated to be about 190,000). The purse seine segment accounts for the largest number (128) and the pole and line the smallest (16). However not all of these jobs are wholly dependent on the Agreement. The tuna vessels in particular follow a migratory resource and may only spend a fraction of their time in the Guinea Bissau zone. However the demersal trawl segment, and particular the shrimp vessels (category 2 licences) can be regarded as wholly dependent on the access provided by the Fisheries Partnership Agreement (without which the vessels would not be viable).

6.6.2 Employment impacts on Guinea Bissau

Table 38 indicates that some 148 jobs for nationals of Guinea Bissau are linked to vessels drawing licences under the Agreement. About 132 of these are in the demersal trawl segments and therefore can be regarded as strongly dependent on the Agreement. If the access provided by the Agreement were to terminate, many of these jobs would be likely to be lost. The Agreement is clearly an important factor in the recruitment of the crew, and helps to sustain a pool of skilled labour which brings significant income to the partner country.

6.7 Impact on fishery resources and the environment

To assess the impact of the Agreement on target stocks Table 35 shows the estimated quantity of the different species caught under the Agreement (based on average catch compositions) in proportion to the consultants' estimates of the overall catches from the stocks of which they form part.

Note that some of the species are oceanic. Each tuna species is considered to form a single stock throughout the Atlantic Ocean (except for skipjack tuna where a stock is assumed for the Eastern Atlantic). Table 35 shows that none of the tuna catches by EU vessels under the FPA account for more than 1% of the total exploitation of the species concerned. Taking into account the status of the stocks exploited, yellowfin and skipjack tunas are considered to be exploited within sustainable limits and the Agreement has no negative impacts on these fisheries. Catches of bigeye tuna are thought to be within sustainable limits, but this is subject to a degree of uncertainty due to concerns regarding undeclared catches. There is a finite probability that IUU catches are contributing to an unsustainable fishing effort on this species. There is therefore a risk that the FPA may have a small negative impact on sustainability. However, since the FPA only accounts for an estimated 0.15% of effort, and catches are within the MSY, this risk may be regarded as minimal, and the FPA should also be regarded as sustainable in terms of impacts on bigeye tuna stocks.

However, for some of demersal species, the Agreement contributes a significant amount of the fishing effort on the target species. In the case of deepwater shrimp, the Agreement accounts for almost 100% of the exploitation⁴⁷, reflecting the Guinea Bissau policy of offering these opportunities to the EU fleet.

In relation to the main targets of the European demersal trawl fisheries, (shrimp and octopus), there is considerable uncertainty about the state of the stocks. Aggregate CPUE data for crustaceans, which consist mostly of shallow-water and deep-water shrimp, indicate a relatively stable condition. Depending on the data used, there may even be some signs of improving conditions due to a decrease in fishing pressure in recent years (i.e. strong decrease in vessel numbers). For cephalopods this is not so clear because of conflicting trends in the available data. When taking into account the inherent variability in both survey and CPUE data, as well as natural variability in the abundance of such short-lived species, the situation for cephalopods appears also to be stable but

⁴⁶ Same source as above

⁴⁷ one Spanish owned, Belize flagged vessels also has occasional catches from this stock

should be monitored more closely. The main priority is to build and validate species-specific CPUE time series for important target species in order to further elucidate the status of stocks.

There are also some concerns regarding the wider ecosystem impacts of the fisheries contained within the Agreement. There are reports of increasing levels of discards of undersized skipjack tunas, ongoing concerns with regard to the demersal trawl segments regarding discards of non-commercial species and interactions with turtle populations. Data on discarding in Guinea Bissau fisheries is not available, as observers do not collect this, but it is expected to be substantial amongst shrimp trawlers in particular⁴⁸ (i.e. at least 60%). The possible effects of bycatch, and discarding, on relatively sensitive species such as sharks and rays is not known. Although the recent European Union Action Plan for the Conservation and Management of Sharks (2009) focuses on pelagic sharks when referring to external waters, it does also refer to shark catches by the EU demersal fleet in third countries. More efforts are needed to improve the available information and to assess these impacts.

Table 35: Impact of estimated catches from the FPA on overall catches from target stocks

Species	Catch in tonnes		% impact
	EC fleet in GB Zone	Total from stock (all fleets/zones)	
Yellowfin tuna (<i>Thunnus albacares</i>)	1,029	107,859	1.0
Skipjack tuna (<i>Katsuwonis pelamis</i>)	711	149,000	0.5
Bigeye tuna (<i>Thunnus obesus</i>)	210	6,9821	0.3
<i>Parapenaeus longirostris</i>	925	924	100.0
Other Penaeid shrimp	481	641	75.0
Cuttlefish (<i>Sepia</i> spp)	492	1,043	47.2
Octopus (<i>Octopus</i> spp)	1,978	2,637	78.0
Demersal Finfish (Various)	2,452	20,877*	11.7

* excludes domestic artisanal fishery

Source: European Commission. ICCAT/CIPA Guinea Bissau

6.8 Impact on food security

In relation to migratory species which may be caught both within and outside the EEZ, the Agreement cannot be considered to have any impact on availability of the resources for the domestic fishery.

In relation to the demersal fish species, the domestic fishery is pursued mainly by canoes operating close to shore (within the 12 mile limit excluded to industrial vessels). There is no evidence that EU vessels disrespect this limit (all of the zone infractions recorded in 2008 and 2009 were by vessels flagged by China and South Korea). However, given the extensive continental shelf, with trawlable areas extending beyond the 12 mile limit, many of the demersal fish stocks straddle this limit, and are targeted by both industrial operators and the artisanal fishery.

In particular the EU Category 1 vessels (Fish/cephalopod trawlers) include these stocks in their target species. The EU category 2 vessels (shrimp trawlers) have a bycatch of demersal fish when they

⁴⁸ It is assumed that discarding may be even higher in Guinea Bissau due to the nature of European fisheries practice; only a few of the species caught are target species of commercial value in the EU market and there is no incentive or conditions for retaining lower quality fish that could be sold in alternative markets.

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target shallow water shrimp species. In these two activities there is potential for the Agreement to impact on the stocks accessed by national fishers for domestic supply. When category 2 vessels target deepwater shrimp (in waters generally deeper than 250m) they have virtually no interaction with stock used for domestic supply.

Although the inshore stocks are managed separately, most species are likely to form a single stock, and the industrial demersal trawlers could have an impact on availability of resource for the artisanal fishery. There is no data on the status of specific species, but there is a risk of an impact. However, in this case, the EU Category 1 vessels account for less than 12% of the catches (caught as bycatch only).

6.9 Implementation of Fisheries Sector Policy

6.9.1 Matrix of Policy measures

The EU-Guinea Bissau Fisheries Partnership Agreement provides significant financial means for the implementation of a series of the fishery sector policy measures by the Government of Guinea Bissau. There are two elements to the support:

- o Under Article 3 of the protocol a specific contribution from the Community (of EUR 500,000/year) to help the fisheries sector achieve compliance with the health standards, (and where necessary towards Guinea Bissau's monitoring control and surveillance policy.
- o Under article 8.1 of the protocol a share of 35% of the financial contribution (i.e. EUR 2.45 million/year) shall be put towards defining and implementing a sectoral fisheries policy, with a view to introducing sustainable and responsible fisheries

In bilateral discussions held in the frame of the first meeting of the Joint Committee on 3 and 4 July 2008, the parties subsequently adopted a multi-annual programme of measures to apply these elements of the EU's financial contribution. The objectives of the measures were designed by the parties to be in line with Annex IV of the Protocol, which also established performance indicators. The main strategic axes of the matrix of support measures were as follows:

- 1. Strengthening the regulatory framework for fisheries**
 - 1.1 Updating of sectoral policy
 - 1.2 Improved legal framework
 - 1.3 Strengthening the institutional framework
- 2. Sustainable management and responsible fisheries**
 - 2.1 Improved fisheries management
 - 2.2 Reduced IUU fishing
- 3. Integration of fisheries in the national economy**
 - 3.1 Strengthened sanitary conditions for the development of the sector
 - 3.2 Creation of a favourable economic environment

6.9.2 Proposed budgetary allocations

The overall annual budget for the five fisheries institutions under the Ministry of Fisheries (FISCAP, CIPA, DSPA, DSPI, and CEFPE) proposed in 2009/2009 was EUR 4.2 million, 88% of which was to be funded by the FPA contribution (including a outstanding balance of EUR 782,655 from the targeted actions funds under the last protocol of the previous Fisheries Agreement, which the parties agreed should be allocated to fisheries control and surveillance).

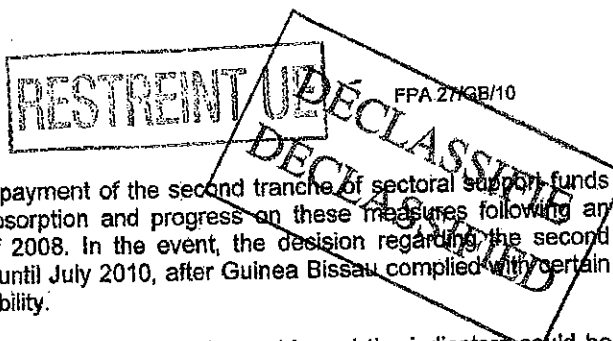
The FPA funds, and the associated activities, were therefore fully integrated within the budgetary planning with regard to implementation of fisheries policy within the Ministry of Fisheries. However, it was not until 2010 that the general state budget included the income and disbursements linked to the FPA. A breakdown of the budgeted allocations and FPA contribution is shown in Table 36.

Table 36: Proposed distribution of financial allocations from the FPA

Activity	Service	Allocations (€)			Budget (€)			Budget dependency	
		FPA contribution	Balance from FA*	Total from EU	Operational	Investment	Total		%
Control and surveillance	FISCAP	650,000	782,655	1,432,655	597,153	1,190,467	1,787,620		80
Artisanal fisheries	DSPA	625,000		625,000	49,927	601,173	651,100		96
Research and	CIPA research	475,000		475,000	202,458	272,991	475,449		100
Sanitary controls	CIPA Sanitary	500,000		500,000	80,339	435,180	515,519		97
Industrial fisheries	DSPI	550,000		550,000	70,923	511,471	582,394		94
Training	CEFOPE	150,000		150,000	69,872	150,000	219,872		68
TOTAL		2,950,000	782,655	3,732,655	1,070,672	3,161,282	4,231,954		88

* sum of EUR 782,655 residual from last protocol of previous Fisheries Agreement

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It was agreed between the parties that the payment of the second tranche of sectoral support funds would be subject to satisfactory rate of absorption and progress on these measures following an evaluation to be undertaken at the end of 2008. In the event, the decision regarding the second payment of sectoral support was not made until July 2010, after Guinea Bissau complied with certain conditions regarding reporting and accountability.

Monitoring arrangements were also set out. It was noted that the matrix and the indicators could be subject to variation during implementation, subject to the request of one of the parties. It was noted by the Commission that the monitoring indicators as set out in the matrix were not satisfactory. There was a need for development of more quantitative indicators (only FISCAP activities were initially presented with quantitative indicators of achievement). Despite an agreement that indicators would be reviewed, this has not been done and the mandatory framework has remained weak.

6.9.3 Disbursement of FPA funds

Of the financial contribution of EUR 7.5 million/year, a sum of EUR 4.55 million was to be paid directly to the Treasury of the Government of Guinea Bissau, and the balance of EUR 2.95 million was to be utilised for measures in support of fisheries policy. The disbursements were subject to an agreed procedure. The Community transfers these funds to a dedicated treasury account at the Central Bank, from which the funds are transferred to an account at the ECOBANK, with disbursements thereafter subject to the double signature of the Ministry of Finance and the Ministry of Fisheries. The European Commission was granted the rights to monitor the account movements. An inter-ministerial technical committee was constituted to consider written applications for disbursement (a dossier of proposed expenditures, with justifications, proformas etc) and on the basis of the documents reviewed, to authorise disbursements by joint signature of the Ministers. Copies of the minutes of the inter-ministerial technical committee were to be provided to the EU Delegation. Once these arrangements were in place the Commission transferred the EUR 2.95 million on the 27 August 2007.

Fisheries policy was not strongly developed, and there was no existing coherent programme of policy measures immediately available for funding. There was a delay whilst the Ministry of Fisheries prepared a matrix of policy measures and this was approved by the Joint Committee held in July 2008. However, by September 2008, problems were appearing in terms of delays in the disbursement. The Ministry of Fisheries complained of the complexity and slowness of the procedure which was holding up implementation activities. The Ministry of Finance for their part pointed out that some dossiers submitted were not sufficiently detailed to justify disbursement. These complaints are still made by the two Ministries. However despite this the first disbursements were processed in mid-September 2008. These allowed for EUR 684,000 to be transferred to DSPI and FISCAP (c.30% of the programmed budget of these entities).

On 26 September 2008, the dual signature account was frozen by ECOBANK, reportedly due to its use by the Ministry of Finance to guarantee other credit lines. Apart from two payments released in November 2008 (totalling the sum of EUR 246,000 in favour of CIPA and DSPA programmes, being their first transfers under the FPA) the freeze on movements lasted until late 2009.

It should be noted that in August 2007 an additional payment of EUR 782,525 was paid by the Commission (this being the balance of finance for targeted actions under the last protocol of the previous Fisheries Agreement). The disbursement of these FA funds, which was integrated within the programme of measures under the FPA approved by the Joint Committee, followed a different procedure (being paid into a different account subject to the double signature of the Ministry of Fisheries and the Delegation of the EU). The existence of these funds, which were not subject to the freeze on account movements, allowed some of the planned activities to be go ahead, even though the funds from the FPA were not available.

In the following period of implementation, the monitoring by the Commission identified a number of irregularities, in terms of lack of justification for some of the expenditures incurred by the DSPI and FISCAP. This relates to failure to adhere to procurement procedures, lack of justification for some expenses, and in some cases unsubstantiated claims.

At the Joint Committee meeting held in March 2010, there was no report by Guinea Bissau presented regarding the progress against the policy measures as set out in Annex 4 of the protocol. The Commission undertook to make second payment, subject to the conditions of:

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- o Request from Guinea Bissau be submitted to the Commission for Technical Assistance to support programming of FPA funds
- o FISCAP and CIPA elements of the programme will not be funded until complete information on progress received in relation to Annex IV of the protocol.
- o 2010 programming should be finalised
- o DSPA and DSPI funds only to be included on condition of reimbursement of ineligible/unjustified expenditure, receipt of justification of funds spent from the first tranche, and results of audit by the SEP

After the Commission was satisfied that these conditions had been met, the second payment was made of EUR 2.95 million in July 2010.

6.9.4 Monitoring framework

The consultants have reviewed the progress of implementation of the fishery sector support measures within the frame of the Fisheries Partnership Agreement. Evidence for the use of specific funds, as specified in the sector policy matrix, was obtained from reports of the periodic monitoring missions undertaken by the Commission in Guinea Bissau, from interviews with key stakeholders and from observations made during the field mission to Bissau in August 2010.

In general it was found difficult to assess progress against many of the indicators foreseen in the Annex IV of the protocol. This is because there has been virtually no investment in the development of the monitoring system, and little attention paid by the Guinea Bissau authorities to the gathering and presentation of indicator data, and especially in relation to quantitative data. Both parties have understood the need for a strengthened monitoring system for the implementation of the policy measures. This will form one of the main tasks of a new EDF supported technical assistance post, requested by the Government of Guinea Bissau, and supported by DG Development in 2010.

6.9.5 Progress on implementation of support measures

Strengthening the regulatory framework for fisheries

Updating of sectoral policy

A national fisheries conference with all sector stakeholders was due to be held in September 2007, but until now this has not been held, largely due to the lack of political stability.

The EU has also supported the Ministry of Fisheries in the preparation of a strategic development plan for the fishery sector. This was supported within the frame of the EDF funded project "Gestão Da Biodiversidade E Da Zona Costeira Da Guiné-Bissau", valued at EUR 1.5 million, 2005, 2010⁴⁹. As a result of these activities the Ministry of Fisheries published a draft strategic development plan in September 2008 (which drew on an earlier fisheries strategy study supported by the World Bank in 2003).

Pending the adoption of a formal fisheries policy, in the interim period, the development of a detailed programme of measures under the Agreement has formed the main expression of policy measures. In this respect the Agreement has promoted a more disciplined approach to the development of national fisheries strategy, albeit one which has not been validated by all sector stakeholders, and which is therefore not fully representative (for example in terms of policy towards the artisanal sector).

Improved legal framework

⁴⁹ Ministério Das Pescas Plano Estratégico de Desenvolvimento das Pescas Documento de Trabalho, Setembro 2008, Projecto De Gestão Da Biodiversidade E Da Zona Costeira Da Guiné-Bissau Bureau De Coordenação Da Componente Pescas

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The Council of Ministers adopted the revised version of the "General Law of Fisheries" and the "Regulation on Artisanal Fisheries" on 11th September 2008 (originally drafted with the support of technical assistance from the Commission "Strengthening Fisheries Monitoring, Control and Surveillance and Improving the fisheries legislation" supported by DG Fisheries in May 2005). A proposed new regulation on industrial fisheries is still to be drafted.

However the law is still awaiting approval of the National Assembly. The reason for the delays is largely due to differing and changing political and legislative priorities, against the background of political instability.

In the meanwhile, formally the outdated legal framework under the Fisheries Law (Law-Decree 6-A/2000) and the Fisheries Regulation (Decree 4/96) are still in force.

Note that the strengthening of the sanitary controls for fishery products is also dependent on the introduction of this legislation (Chapter VI deals with the sanitary inspection and control of fishery products, and provides the legal powers for the regulation of these issues. Regulations have been drafted (with the support of the SFP project – see Section 4.3.1) but cannot be enacted until the law is passed.

Strengthening the institutional framework

A new sanction regime (setting out the fines and treatment of offenders) is expressed by the draft law on fisheries. This describes three categories of offence, with different levels of gravity and penalties. The Law has not been passed by the National Assembly, and it has not therefore been officially brought into law.

FISCAP funding (and receipts from fines), and the CIPA budget were only included in the state budget (OGE) from 2010.

Twelve additional marine observers were trained to supplement the observer corps for the trawl fishery. A study tour to Dakar and Nouakchott was undertaken for FISCAP officials to investigate the feasibility of satellite VMS systems for Guinea Bissau.

Progress on the institutional framework for functional research and surveillance has been supported. CIPA has purchased additional vehicles and recruited additional staff in 2008. There are been a number of training exercises. The system for collection of data from artisanal fisheries was strengthened, with training of 25 fisheries enumerators. Five fisheries biologist have been recruited. Their salaries and expenses were paid, and they were supplied with some limited work materials. CIPA also has upgraded its facilities (computers/office and communication equipment). CIPA has also recruited new staff for sanitary controls, with the transfer of 3 veterinarians from the Ministry of Agriculture). However all the new staff remain on temporary contracts.

DGP officials undertook an experience placement in Morocco. DSPA used also FPA funds to refurbish one of four artisanal fisheries centres (dealing with licensing, support to fishers, data collection), pay salary arrears and purchase a vehicle and office/communication equipment. A new regulation on artisanal fisheries was drafted (but is awaiting the new law before promulgation). Annual membership fees to the CSRP have been paid (although with some delays) by DSPA during the period. A sum of EUR 198,200 in arrears to the CSRP was paid in 2009 (which incidentally has had a major impact on the CSRP operations). Guinea Bissau is therefore up to date in terms of meeting its international commitments. Representatives of Guinea Bissau have attended a number of meetings (although not all of these have been properly accounted for). The Minister of Fisheries and technical delegation also participated in a COMHAFAT in 2007.

There has been little development of the institutional capacity of DSPA. Documents supplied do not give a clear of the operations supported by the financial expenditure. Monitoring by the Commission has indicated that some of the expenditure did not appear to have adequate justification, and was made without following the public procurement procedures of the Government of Guinea Bissau.

CEFOPE office and computer facilities were improved, and a new internal regulation was drafted setting out the organisation structure and functions. This has not been adopted. CEFOPE also had salary arrears paid off. Otherwise there seems to have been little institutional development of the training capacity of this organisation, and no material outputs.

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Increasing the amount and quality of human resource available to the Ministry has in general been restricted by a government policy of a freeze on recruitment of new full time staff. Where new staff have been brought into the services, this has been on a contract basis, and therefore not in the longer term sustainable. Efforts will need to be made to ensure that advances in capacity are not lost and when FPA funding is lost. There is an urgent need to increase the integration of the resources of the Ministry of Fisheries within the state budgetary processes.

Sustainable management and responsible fisheries

Improved fisheries management

CIPA remains without a coherent research strategy, and does not publish an annual research plan or report. CIPA undertook two experimental fishing campaigns in late 2008, to identify stock available to artisanal fishers in the coastal zone. In addition, FPA funds allowed CIPA to participate in a scientific evaluation of demersal stocks supported also by the Spanish technical cooperation (with a value of EUR 350,000). The results of this contributed to the preparation of the fisheries management plan of 2010.

CIPA has also been able to publish data relating to licences issued, fishing effort and catches for 2007, 2008. Data for 2009 has been recently compiled. A valid statistical system for the industrial fishery is therefore in place. However, data sets for licences, catch, fishing effort etc are not well integrated. Until now, despite the efforts at upgrading artisanal data collection, there has been no formal publication of fishery statistics from this source. Recent efforts in the context of the PASP project have included two socio-economic frame surveys (in 2006 and 2009), which present invaluable information on artisanal fisheries. Other available sources of information were of limited value or outdated. More efforts are needed, particularly in terms of coverage both seasonally and spatially, but this is planned in connection with the recent disbursement of FPA-related funds.

Another important achievement is the development of a fisheries management plan, based on the results of the surveys and measures of fishing effort/capacity, which have been formally adopted in each year from 2007 to 2010.

Reduced IUU fishing

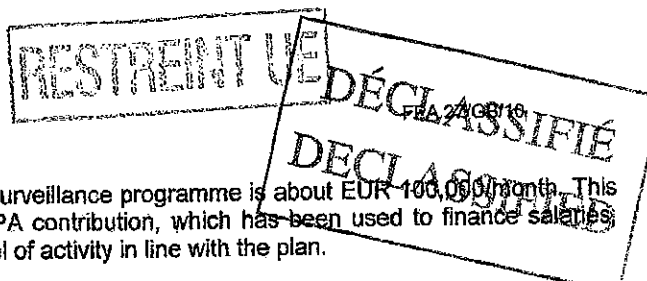
A significant effort has been undertaken to reduce illegal fishing in the Guinea Bissau zone, with a wide range of activities implemented by FISCAP.

New operational centres in Bubaque and Caravela have been built or upgraded using existing infrastructure, both of which are located in the Bijagos Archipelago. However, these are not yet operational due to delays in the transfer of funds. Funds have also been used for reinforcing the operational capacity of the base in Cacheu, where one of the larger patrol vessels (also called Cacheu) is based. The construction of MCS operational centres in Uite (Bijagos) and in Cacine (to cover southern Guinea Bissau waters) is pending.

In 2008, FISCAP purchased four vehicles, computers and office equipment, established internet and supplied communication equipment for its officers including radios and satellite telephones.

Activities in relation to satellite VMS have been limited. Some staff attended a study tour in Dakar and Nouakchott. Two staff attended a training course in Spain, supported by the Spanish Government.

FISCAP also employed residual funds from the previous Fisheries Agreement (EUR 782,000) to finance the repairs to the small patrol vessel and to purchase a new one (Baleia IV) valued at EUR 380,000. Part of these funds was considered to be in the form of an advance which was subsequently repaid out of fines received. However, the repayment did not pass through the dual signature account, but was used directly by FISCAP, for salaries and surveillance mission costs. In addition, FPA finance has allowed FISCAP to pay outstanding balances due to a Portuguese supplier (SEA RIB) for repairs, maintenance, new engines and equipment to the fleet of patrol vessels. FPA funds also supported the acquisition of two additional small patrol vessels (on leasing terms) from a Portuguese supplier. Upgraded navigation equipment was received and installed on patrol vessels.



The estimated cost of FISCAP's maritime surveillance programme is about EUR 100,000/month. This expenditure has been supported by the FPA contribution, which has been used to finance salaries, fuel and other inputs to keep up a good level of activity in line with the plan.

The FISCAP activities have yielded positive results, as shown in Table 15 in Section 2.5.1. Despite the concerns, it is clear that Guinea Bissau has been able to sustain a functional monitoring control and surveillance operation at sea, and that the FPA funds have been a major factor in this achievement. There is no information regarding the internal budget of FISCAP to demonstrate the use of these funds.

However FISCAP has not significantly strengthened its functions in other areas. Development and coordination of land based controls remains weak (for example port state controls over transshipment and coordination of findings with fishing licence and catch declarations).

Integration of fisheries in the national economy

Strengthened sanitary conditions for the development of the sector

The strategic importance of the strengthening of sanitary conditions to achieve market access is underlined by the allocation by the parties of EUR 500,000/year to this area, separately specified in the protocol to the FPA. Activities in this area have been complemented by the parallel support to CIPA, from the EDF Strengthening Fisheries Products Health Conditions project (SFP Programme) which has undertaken three technical assistance/training missions during the period, and has supplied inspection and laboratory equipment.

The FPA has allowed the recruitment of additional technical assistance (45 days of international consultancy) for training of CIPA inspection and laboratory staff. In fact this was the SFP consultant, and the funds were used to extend one of his SFP missions, taking advantage of his presence in the country at a cost of fees only. Some training on laboratory methods was also delivered by this consultant.

CIPA has also in this period, recruited additional staff (three veterinarians from the Ministry of Agriculture), paid salaries and purchased materials and equipment, using FPA funds. The FPA contribution also allowed the acquisition of a new site for a fishery products laboratory, near to the proposed new Bissau fishing port (at Alto Bandim). FPA funds have been used to prepare the plans for the laboratory and clear the site.

CIPA has adopted a new inspection manual (this was the primary activity objective in one of the missions supported by SFP). Equipment for inspectors (including inspection kits and two cars and two motorcycles) was supplied by SFP. A consignment of laboratory equipment donated by SFP is expected to be delivered in October 2010, although the laboratory is not expected to be ready until 2011 at the earliest. In the meanwhile, FPA funds will be used to purchase testing services from other accredited laboratories in the region e.g. Senegal. As soon as these arrangements are in place, CIPA plans to submit a request to DG SANCO for the listing of Guinea Bissau (for the export of frozen crustacean products).

Creation of a favourable economic environment

It is a stated objective to build or rehabilitate 5 support centres for artisanal fisheries. Due to the relatively lower priority given to artisanal fisheries (as opposed for example to FISCAP), progress has been limited due to the availability of funds.

In one location (Sidjá - Biombo) the existing infrastructure was utilised and upgraded at a total of XOF 136 million (FPA funds). The centre now consists of buildings for staff, community support building, ice plant (2.5 t/day) and refrigeration, and a power generator room with installed generators (2 x 100KW), as well as water supply for both the centre and the adjacent fishing village. Further improvements are needed in the form of an artisanal processing facility and a ramp for the landing purposes. However, due to the lack of funds this centre is currently not operational (no fuel for generators).

The centre in Bolamia is operational and provides the centre for the CEFOPE training activities. This centre has also received additional support (from Spanish technical cooperation AECID). In Bubaque, there is existing infrastructure that has been handed over to private management. The objective is to

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rehabilitate and/or upgrade other existing centres in Cacheu and Uracane. In all cases, the intention is to take advantage of existing infrastructure, which appears to have been built and funded by various donor initiatives in the past, but which are in chronic need of additional investment.

The parties in their early meetings decided that the support measures could include the counterpart finance contribution from Government of Guinea Bissau to the African Development Bank project "Construction of Port Infrastructures of Alto Bandim (industrial and artisanal fisheries)", which will provide landing site upgrade and cold chain facilities at a dedicated fishing quay, in the southern part of Bissau city, which will eventually provide for berthing of vessels of draft up to 9m, as well as provide a small scale fish landing site. Out of a total project budget of EUR 8.7 million, the counterpart finance anticipated over the course of the project was EUR 1.06 million. The new CIPA fish quality control laboratory will also be located at this site, as well as the proposed fish processing plant to be constructed under the agreement with CNFC. Although approved by the Joint Committee in 2008, these funds were not included within disbursement dossiers until the end of 2009, when about EUR 69,000 was invested. The delay was due to engineering problems requiring deeper foundations for the pier. The prospect of the balance of the 20% counterpart finance from the FPA was enough to convince AfDB to move ahead with the project. Works therefore started at the end of 2009. The FPA funds have also supported the upgrading of the fish market in Bissau, including the construction of covered sales area and improved hygiene facilities. However, this is regarded as only temporary solution, pending development of improved facilities at Alto Bandim.

A notable step towards improvement of the business environment has been the adoption of a revised Investment Code in September 2008. The code strengthened the rights of investors (including re-expression of equal rights for foreign investors), and introduced a tax credit for all investors, equal to 30% of the amount invested.

FAO has supported CIPA to investigate the potential for aquaculture development. Several potential sites have been identified, and 3 locations have been identified for pilot investments (one shrimp production unit and two for rice/tilapia).

Summary of progress with implementation of the policy matrix

A summary of the progress with implementation of policy sector matrix is shown in Table 37 which is based on Annex 4 of the protocol.

In summary, capacity has been increased for marine surveillance, but no other aspects of the fisheries MCS system have been strengthened. Marine surveillance activities have been sustained at a reasonable level throughout. Although the target number of inspections was not met, this appears to have resulted in lower levels of IUU fishing (with significant arrests of industrial and small scale vessels). Significant progress has been made in the development of sanitary controls, although some key improvements are still required to achieve compliance with EU requirements. There are some notable advances in fisheries research and data availability. These have allowed the development of a more realistic management plan for industrial fisheries (albeit with some questions regarding the validity of some assumptions made). Foreign access agreements have been standardised, and brought into the public domain, a welcome improvement in transparency. The Agreement has also helped Guinea Bissau to maintain its participation in important regional fisheries organisations.

Table 37: Summary of progress with implementation of fisheries policy

Strategic priorities and objectives	Indicators	Progress by August 2010
Improvement of health and hygiene conditions to develop the fisheries sector	Rules on minimum health and hygiene standards applicable to industrial vessels, canoes and fishing enterprises products drawn up/adopted by Parliament and implemented	Rules drawn up (SFP), but enabling legislation still awaiting approval by National Assembly
1.1. Preparations to obtain export approval	Competent authority in place	Competent Authority in place (CIPA) and capacity strengthened, Not ISO certified.
	Centro de Investigação Pesqueira Apiquada (CIPA) brought up to standards (ISO 9000)	Laboratory site purchased and design study completed. Interim arrangements for transmission of sample to Senegal investigated.
	Laboratory provided to carry out microbiological and chemical analyses	Monitoring plan designed and ready for implementation. (SFP)
	Shrimp monitoring and analysis plan (PNVAR 2008) adopted and incorporated into law	Inspectors and Ministry staff trained (SFP)
	Number of health inspectors trained	EU approval not obtained.
	Number of health workers and fisheries ministry staff trained in hygiene standards	Industrial vessels not refurbished (re-flagged to other states)
	Approval for export to EU obtained	No canoes upgraded/equipped with iceboxes.
1.2. Modernisation and upgrading health and hygiene of the industrial fleet and the small-scale fleet	Number of industrial vessels brought up to standards	Small scale/coastal fishing vessels not compliant with health standards
	Number of wooden canoes replaced with canoes made of more suitable materials (in absolute terms and as a percentage)	Construction of new fishing port (Alto Baidim) ongoing and expected to be completed in 2011 for both artisanal and industrial fishing purposes
	Number of canoes equipped with iceboxes	Ratification of SOLAS convention only awaiting presidents approval
	Increased number of unloading points	Wrecks removed in 2008
	Small-scale fishing vessels and coastal fishing vessels brought into compliance with health standards (number in absolute terms and as a percentage)	Inspection system in place, but not fully operationalised
1.3. Developing infrastructure, in particular port infrastructure	Refurbishment of Port of Bissau and extension of fishing port	Some inspections/training activities with industry e.g. HACCP
	Port of Bissau fish market for unloading catches from small-scale and industrial fishing developed and restored to standards	
	Port of Bissau brought up to international standards (ratification of SOLAS Convention)	
	Wrecks removed from port	
1.4. Promoting fishery products (health and plant-health conditions of the products landed and processed)	Inspection system for fishery products adapted and operational	
	Actors made aware of health and hygiene rules (number of training courses organised and number of people trained)	

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Strategic priorities and objectives	Indicators	Progress by August 2010
	<p>Analytical laboratory operational</p> <p>Number of sites developed for unloading and processing products from small-scale fishing</p> <p>Promoting technical and commercial partnerships with private operators overseas</p> <p>Eco-labelling system launched for Guinea-Bissau products</p>	<p>Laboratory site purchased and design study completed. Interim arrangements for transmission of sample to Senegal investigated.</p> <p>Upgrading of artisanal fishing centre at Biombi and training centre at Boama. Plans for upgrade of one site in place (Alto Badim) with AFD/B project. Plans in place for upgrade of centres at other locations</p> <p>No progress on eco-labelling scheme</p>
<p>2. Improving monitoring, control and surveillance of the fishing zone</p>	<p>Agreement adopted between the Ministry of Fisheries and of Defence on surveillance and control</p> <p>National monitoring, control and surveillance plan adopted and implemented</p>	<p>No formal agreement in place between services (but not considered relevant)</p> <p>National plan not formally in place.</p> <p>No annual report.</p>
<p>2.2. Strengthening monitoring, control and surveillance</p>	<p>Body of sworn independent inspectors operational (number of people recruited and trained) and corresponding budgetary allocation entered in the Finance Act</p> <p>Number of days of surveillance at sea: 250 days/year at the end of the period covered by the Protocol</p> <p>Number of inspections in port and at sea</p> <p>Number of aerial inspections</p> <p>Number of statistical bulletins published</p> <p>Radar coverage rate</p> <p>Rate of VMS coverage of the fleet as a whole</p> <p>Training programme adapted to surveillance techniques implemented (number of hours of training, number of technicians trained, etc.)</p>	<p>Inspectors operational and corps strengthened</p> <p>Surveillance 70 days/year at sea achieved in 2008</p> <p>386 inspections at sea undertaken (2008) Shore based controls (inspection of vessels/gears before fishing)</p> <p>No aerial surveillance/ inspections.</p> <p>No statistical bulletins published by FISCAP</p> <p>No radar coverage of EEZ</p> <p>No VMS system in place</p> <p>Training/study tours in surveillance in Morocco and Mauritania</p>
<p>2.3. Monitoring boarding of vessels Improving the transparency of the system of boarding, penalties and payments of fines</p>	<p>Rules on payment of fines improved and ban introduced on payment of fines other than financial</p> <p>Improvement of system for collection of fines</p> <p>Publication of annual statistics on fines collected</p> <p>Setting up a blacklist of vessels penalised</p> <p>Drawing up of and annual publication of statistics on fines</p> <p>FISCAP annual report published</p>	<p>New rules on fines prepared; awaiting approval of law by National Assembly</p> <p>Statistics on fines available (not published)</p> <p>List of arrested/penalised vessels available.</p> <p>No published annual report on fines</p> <p>No published annual report on FISCAP activities and infractions.</p>
<p>3. Improving fisheries management</p>		

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Strategic priorities and objectives	Indicators	Progress by August 2010
3.1. Managing shrimp and cephalopod fishing effort	<p>Maintaining in 2007 existing agreements with third countries and the European Union.</p> <p>No fishing opportunities shall be granted to chartering</p> <p>Definitive withdrawal from and formal termination of any agreement with European companies or associations/enterprises within thirty days of the entry into force of this Protocol</p> <p>Strengthen CIPA research capacities</p>	<p>Access Agreements with China and Senegal maintained and renewed (2010)</p> <p>Fishing opportunities granted to chartering (demersal fishing: 48 licences in 2007, 40 in 2008, and 46 in 2009)</p> <p>FEDERPECA Agreement renounced in 2007</p>
3.2. Modernisation and stepping up of fisheries research	<p>Annual trawling carried out</p> <p>Number of stocks evaluated</p> <p>Number of research programmes</p> <p>Number of recommendations issued and followed on the state of the main fisheries resources (in particular freezes on fishing and conservation measures for overfished stocks)</p> <p>Evaluation of annual fishing effort for species which are the subject of a development plan instrument to manage operational fishing effort (setting up a database, statistical monitoring instruments, networking the services responsible for fleet management, publication of statistical bulletins, etc.)</p>	<p>Appointment on contract of CIPA scientific staff research biologist (2 x MSc and 3 x licenciatura)</p> <p>Appointment and mobilisation of small scale fishery enumerators</p> <p>New observers trained and mobilised</p> <p>100% observer coverage on trawl vessels managed by FISCAP</p> <p>One trawl survey (supported also by Spanish technical assistance)</p> <p>Two artisanal surveys conducted</p> <p>Two socio economic surveys published 2007 and 2010 (AFDB)</p> <p>Inputs to elaboration of MPA plans with IBAP</p> <p>Aquaculture development study (with FAO)</p> <p>Management recommendations made (2007 to 2010 Fisheries management plan);</p> <p>Fishing capacity assessed for industrial fishery</p> <p>Partial fisheries database system in operation; Statistical bulletin (2007 and 2008) published on internet.</p> <p>Fisheries management plan published 2007 to 2010</p>
3.4. Controlled development of fisheries	<p>Adoption of annual management plan for industrial fishing before the start of the year concerned</p> <p>Adoption and implementation of development plan for over-exploited resources</p> <p>Vessel register kept in EEZ, including small-scale fishing</p> <p>Number of development plans drawn up, implemented and evaluated</p> <p>Administrative capacities strengthened</p>	<p>Management plans adopted by Executive Council for the Ministry of Fisheries</p> <p>Vessel register (licensed and national vessels) for industrial vessels, but not for canoes/pirogues</p> <p>No structural plans for fishing capacity management</p> <p>Administrative capacity remains weak, especially budgets and planning. TA support requested from EDF</p>
3.5. Improving the effectiveness of the technical services of the Ministry of Fisheries		

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Strategic priorities and objectives	Indicators	Progress by August 2010
and the Marine Economy and the services involved in managing the sector	Training and retraining programme drawn up and applied (number of agents trained, number of hours of training, etc.) Mechanisms for coordination, consultation and cooperation with partners Strengthened system of data collection and statistical monitoring of fisheries strengthened	Limited training undertaken, but no observable impact Coordination mechanisms weak (especially Ministry of Finance/armed forces/port authorities) Significant improvement in fisheries data availability
3.6. Developing the system for managing licences and monitoring vessels	Number of hours of training for technicians Number of technicians trained Networking of services and statistics	No training in fishing vessel licensing undertaken ICT investments made, but only limited improvements in internal networking and communications.

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However there has been no material progress in management of the artisanal fishery. Fisheries legislation has been developed but until now has not been formally adopted. Although some efforts have been made to strengthen the institutional capacity, these have been ad hoc measures poorly planned and executed, and with the exception of FISCAP and CIPA their overall impacts considered to be negligible.

The draft fisheries law (in Article 74) allows for the Ministry of Fisheries to determine by regulation, the repartition of fines received by the state. This is set at 30%, as agreed with the Ministry of Finance. Presently, and in accordance with the law on Finance, all revenues are paid to the Treasury and only thereafter are these remitted to the Ministry of Fisheries (into the Fundo de Gestão). This is the case with all licence fees, observer fees and fines applied. The system applied is in accordance with the draft Law on Fisheries and Law on Finance. However the Ministry of Fisheries has had difficulty obtaining these funds and reports that these "restitutions" are paid only after substantial delays, and not always in full. Furthermore it appears that these earmarked funds may also be lost in a future amendment to the Law on Finance⁶⁰. FISCAP funding (and receipts from fines) were only included in the state budget (OGE) from 2010.

An average of 3.4 arrests each month of industrial vessels in 2008 generated an estimated income of USD 255,000/month for the Treasury. Although in theory, FISCAP is self-financing (due to the lawful restitution of 30% of these fines) these funds have not been available in a timely manner to fund ongoing activities. FPA funds have been instrumental in sustaining the surveillance operations, and the Agreement has therefore made a very positive contribution to the reduction of IUU fishing in the Guinea Bissau EEZ. This is a very significant achievement and a vindication of the partnership approach adopted by the parties.

FISCAP was the only service of the Ministry of Fisheries which was able to continue implementing its planned measures during the 10 month period when the dual signature account was frozen, since it could draw on the funds from the previous FA, which were disbursed from a different account (subject to the control of the Ministry of Fisheries and the EU Delegation). The freezing of the double signature account without doubt has contributed to the weak implementation of the support measures by the other services (DSPA, DSPI and CEFOPE) during the course of this protocol. Significant progress in terms of sanitary control was largely due to additional support given to CIPA through the EDF SFP programme.

However, the freezing of the account is not the only factor. There have been recurring difficulties in most of the services concerned to develop and implement a technical and financial programme of measures to support fisheries policy. Overall, perhaps the most important limiting factor in the performance of the partnership approach is the chronic need for technical assistance to the Ministry of Fisheries, which is only now being addressed. Although significant improvements are evident (e.g. new generation of professionals in key positions, new approach to management and cooperation, transparency), there is a need for more capacity considering also other parallel initiatives. Overall, an initial phase plagued by high costs and less than desirable levels of governance has been succeeded by clear improvements. Until now it has not always been possible to attribute progress in relation to indicators exclusively to the FPA, since Guinea Bissau has also effectively employed donor interventions in several areas (especially in the case of sanitary controls).

As a result of the weak capacity to implement the programme of support measures, the European Commission (DG Development) has decided to support a technical assistance position for a period of 10 months (renewable twice) to support the Ministry of Fisheries and its institutions in the programming of the FPA funds. The position will report to the DEU in Bissau. A budget has been allocated, ToRs have been agreed and recruitment is in process, with a view to the appointment being made shortly. The objective is the improvement of and transparent implementation and monitoring of

⁶⁰ According to a Letter of Intent from the Ministry of Finance to the IMF date 11 March 2010 "All administrative revenues are now collected by the Treasury, but revenue sharing agreements ("restitutions") between the collecting ministries (including allocated revenue from fishing, mining, and forestry; and administrative revenue such as revenue from passport) and the Treasury have resulted in de facto earmarking of resources. The government will review the legal framework that regulates restitutions by March 2011 with a view to increase the share of non-earmarked revenues in the budget".

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the sectoral support under the FPA. The consultants expect that the development should greatly improve the programme implementation.

6.10 Implementation of the Partnership approach

The Fisheries Partnership Agreement signed between Guinea Bissau and the EU and its associated Protocol implements the partnership approach promoted by the Commission since the 2004 Council conclusion expressed in its communication COM (2002) 635. In short, the partnership approach means that the two parties agree on a multiannual programme with a view to defining and implementing a fishery policy promoting responsible fishing practices⁵¹. According to Article 8 of the Protocol, the Guinea Bissau Authorities undertake to allocate 35% of the financial contribution (i.e. EUR 2.45 million annually, plus EUR 500,000 for sanitary controls) with a view to implementing initiatives taken in the context of a sectoral fisheries policy drawn up by the Government of Guinea Bissau.

The multi-annual programme was drawn up by the Guinea Bissau authorities, during the first year of the Protocol and discussed and agreed at the first meeting of the Joint Committee held in July 2008, more than a year after the entry into force (compared to the 4 months foreseen in Article 9).

A review of the budgetary documentation "Orçamento Geral Do Estado" for 2010 (the only year which was available to consultants) indicates that the allocations of funds derived from the EU-Guinea Bissau FPA have been expressed in the state budget allocations to the Ministry of Fisheries. No state budget data is available for 2007, 2008 or 2009, but it is reported that fisheries revenues and expenditure were not expressed.

The allocations linked to the implementation of the measures correspond to the first payment of EUR 2.95 million in 2009. A second payment was paid in July 2010. The budgetary support received from the FPA has been a crucial source of funding in securing the functioning of fisheries administration in Guinea Bissau. After many years of stasis, the Partnership Agreement has therefore enabled the re-launching of effective fisheries MCS activity. It has also made a significant contribution to progress towards meeting EU sanitary conditions for market access and establishing a new framework for fisheries management.

According to the Agreement, Article 10, the Joint Committee should meet at least once/year annually to assess progress, among other matters in relation to the commonly agreed annual and multiannual programming of activities in the context of promoting responsible fishing. The formal and informal relations between the parties are summarised in Table 38. During the course of the Agreement, since mid-2007, two Joint Committees have been held (July 2008 and March 2010). Although this is not inline with the Agreement, there have been regular contacts between the parties through the regular monitoring activities, which have essentially ensured that effective communication on key matters, despite the political instability.

In 2007 The European Commission appointed a Chargé de Mission for Fisheries Partnership Agreements, based in the EU Delegation in Dakar. He is responsible for monitoring the implementation of the Agreements with Cape Verde, Guinea Bissau and Côte d'Ivoire. A significant proportion of the time of this official (c.75%) is spent on monitoring the procedures and validity of disbursements under the EU-Guinea Bissau FPA. This has been a most useful appointment and regular monitoring missions have ensured a high degree of rigour and discipline in the budgetary process and have also allowed discrepancies to be identified and corrected in a timely manner.

⁵¹ Based on experience from other fisheries partnership agreements, this includes measures related to fight against IUU fishing, support for scientific research and reduction of the impacts of fishing on the environment. The partnership includes also strengthening of sanitary control of fisheries products exported and promotion of European investment in the partner country and other developmental activities

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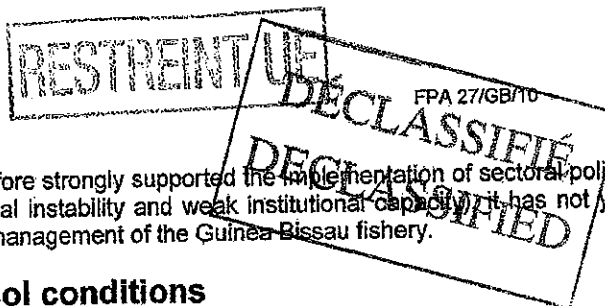
DÉCLASSIFIÉ
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Activity	Dates	Main activities
Technical mission	9-13 July 2007	Discuss and agree financial arrangements Launch policy matrix and initial steps for Joint Committee
Joint Committee	3-4 July 2008	Agreed arrangements for financial transfer, matrix of sectoral support measures, monitoring arrangements
Monitoring mission	15-18 September 2008	Monitoring of payments and transfers. Update of the progress with implementation.
Monitoring mission	13-16 October 2008	Monitoring of payments and transfers. Update of the progress with implementation.
Monitoring mission	10-12 December 2008	Monitoring of payments and transfers. Update of the progress with implementation.
Monitoring mission	1-6 February 2009	Monitoring of payments and transfers. Update of the progress with implementation.
Monitoring mission	6-8 April 2009	Monitoring of payments and transfers. Update of the progress with implementation.
Monitoring mission	6-12 December 2009	Monitoring of payments and transfers. Update of the progress with implementation.
Joint Committee	11-12 March 2010	Review of implementation of the agreement; utilisation, catches, control and surveillance. Review of sectoral policy support, budgets and unjustified expenditures; programming of 2010/2011 actions
Monitoring mission	19-21 March 2010	Monitoring of payments and transfers. Update of the progress with implementation.

The monitoring missions conducted were able to confirm that funds were transferred to the implementing authorities, largely in line with disbursement dossiers approved jointly by the Ministries of Fisheries and Finance. Implementation of the matrix of policy support measures was slow, however, against the background of extreme political instability of the country, the implementation of the partnership approach, although less than ideal, should be regarded as a significant achievement with profound benefits for the country.

Whilst there are serious concerns regarding the rate of implementation of the plan as written, it is clear that the parties have engaged in a fishery policy dialogue which has resulted in the development and proposal of a coherent set of policy measures for application by the Government of Guinea Bissau, accompanied by the allocation of funds required for implementation.

There was no meeting of the Joint Scientific Committee foreseen under the Agreement until September 2010. This delay has potentially serious consequences due to the inconsistencies between fisheries management plans expressed in the Protocol (Annex III), and those adopted by the Government of Guinea Bissau based on the recommendations of CIPA. Insufficient attention has been focused on the development of management recommendations for sustainable fisheries. There is a priority need to improve the quality of scientific advice to the parties and to establish a common approach to fisheries management plans.



Whilst the partnership approach has therefore strongly supported the implementation of sectoral policy measures (within the constraints of political instability and weak institutional capacity) it has not yet delivered its goal of sustainable fisheries management of the Guinea-Bissau fishery.

6.11 Compliance with Protocol conditions

The Protocol to the Agreements establishes a range of conditions on the parties and the fishing vessel operators which use the fishing opportunities granted in the Guinea Bissau EEZ. This section provides a brief review of the extent of compliance with these conditions.

6.11.1 Emission of licences

EC fleet operators complain about delays in the emission of licences. In some cases the licence has arrived only after the beginning of the fishing season, resulting in unwanted additional costs. The licence procedure is lengthy, involving communication between the Member State Ministry, the Commission in Brussels, the EU Delegation in Bissau and the Guinea Bissau Ministry of Fisheries. The Joint Committee has sought to review the procedure, but has so far not been able to introduce any improvements.

6.11.2 Embarking seaman

The Protocol requires that the fleet of EU trawl vessels operating under the Agreement shall undertake to employ from 3 to 6 Guinea Bissau fishermen (depending on the size of vessel). There are no specific numbers set for tuna vessels, but there is a general non-specific requirements that all vessels shall endeavour to take on board additional fishermen. Most of the EU vessels are less than 250 GRT capacity, and with an average of 3.5 employed per vessel (Table 37) this suggests that the employment level in the EU fleet is compliant with the Protocol.

6.11.3 Observers and observer fees

There is a corps of about 100 observers. There is 100% coverage of the trawl sector with observers nominated by FISCAP. There has been no progress in embarking regional observers on tuna vessels.

There are no reported problems with the mobilisation of observers on EU trawl vessels. As these vessels have to go through an inspection before commencing activity and on an annual basis, usually these inspections serve as an opportunity for seamen and observers to board. Change of crew/observer may also take place at sea or using other ports (Dakar). However, the observer fees expressed in the Protocol (EUR12/GRT/year) are insufficient to cover the salary and social costs (EUR 420/month). The balance of the fees is supported by the budget of the Ministry of Fisheries. It should be noted that observer fees under Guinea Bissau's other bilateral Agreements are EUR 9,100/vessel/year.

6.11.4 Compliance with fisheries regulations

Most EU vessel operators use agents located in Bissau to liaise with Guinea Bissau authorities. EU trawl vessels have complied with technical inspection requirements, with annual port inspections before start of fishing from FISCAP, Capitania do Porto, and most recently CIPA for sanitary conditions.

FISCAP has boarded EU vessels regularly during routine patrols at seas. No procedural problems have been reported. EU vessels only rarely, if ever, tranship in Guinea Bissau waters and there have been no infractions with regard to this activity. There is no satellite VMS in place and therefore no issues have arisen. There have been no problems encountered with EU vessels in relation to fishing zone compliance.

FISCAP operates 18 hr/radio coverage. A reported 70-80% of EU vessels do not comply with the requirement to submit radio reports on entry to the EEZ and departure from it. Especially in relation to tuna vessels which do not carry observers, this means that no catch data is obtained until the community catch reports are received via the flag Member State and the Commission. Catch declarations from vessels are validated by the Member state institutions. Disaggregated catch data only becomes available to the Guinea Bissau authorities after this validation process, which can be up to 2 years after the fishing period concerned. This makes historical cross checking of submission of

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catch records, bycatch declarations and managing of excess catch payments more difficult. Until now no actions have been taken against EU vessels for non-compliance with these provisions, but they are nevertheless regarded as non-compliances, and could in future result in, at least, refusal to issue a licence to vessels, if not additional sanctions.

It is claimed by Guinea Bissau authorities that the bycatch limits for the fish/cephalopod and the shrimp trawl fisheries are regularly exceeded. However without disaggregated catch data on a vessel by vessel basis, it is not possible to assess this claim.

However six clear infractions made by EU vessels were detected in 2008 and 2009 (five Spanish vessels and one Portuguese). Two of these were for use of a double cod-end. Three were for unauthorised refuelling at sea (according to Guinea Bissau law vessels should refuel in port unless they have specific authorisation). One vessel was also arrested for unauthorised "conexa". It is not clear if this refers to unauthorised refuelling or acting as a mother ship receiving fishery caught by pirogues.

The level of fines applied in these cases has been in the range US\$100,000 to 250,000. This is considered by vessel operators to be excessive in relation to the nature of the offences. The existing law does allow for lower fines to be applied for less serious offences, and this approach was applied in at least one case. The current administration recognises that the application of article (Art. 54 of the FL) concerning serious offences, in the past, may not have always been appropriate. Efforts are being made for a more cautious approach to the levy of fines, but that this has to be in strict accordance with the law.

6.11.5 Compliance with fisheries management plan (Annex III)

Annex III of the Protocol contains an agreed fisheries management plan for Guinea Bissau, expressed in terms of the GRT/year for 2007, with regard to different fleet segments. It commits the Guinea Bissau authorities to:

- o reduce fishing effort in the shrimp and cephalopod categories (unless scientific advice is favourable)
- o maintain existing fishing agreements with third countries, but to reduce fishing opportunities to the level utilised in 2007 and
- o to cease the granting of fishing opportunities to chartered vessels (implied for shrimp and cephalopod categories)

A comparison of this plan was made with the Fisheries Management Plans produced by CIPA and which have been adopted and applied by the Government of Guinea Bissau. As noted in Section 2.3 the consultants consider that the development of these management plans incorporates a number of assumptions of doubtful validity. These result in a more optimistic estimation of sustainable fishing effort than is scientifically justifiable. On the basis of these estimations, the Guinea Bissau authorities have assumed that the favourable scientific advice permits fishing effort to be maintained. The first condition may be considered to be complied with, albeit on the basis of questionable assumptions.

With regard to reduction of fishing opportunities, the CNFC Agreement, renegotiated in 2010 has reduced fishing opportunities for shrimp from 2790 GRT/yr to 398 GRT/yr, but has increased fishing opportunities for cephalopods from 1194 GRT/yr to 2340 GRT/year. It could be argued that the second condition has not been complied with (especially since the opportunities offered in this segment in 2010 exceed the level specified in the 2010 Fisheries Management Plan adopted by Guinea Bissau).

With regard to the third condition, the issue of fishing licences to charter vessels has continued, with 40 licences issued in 2007, 23 in 2008 and 46 in 2009.

It appears that Guinea Bissau has not complied with at least two of the conditions set out in the fisheries management plan in Annex III of the Protocol. In these respects the fisheries management plan, as expressed in the Protocol appears not to have been followed by the Guinea Bissau authorities.

Whilst actual utilisation of fishing opportunities in Guinea Bissau has always fallen well below the limits set by the fisheries management plan, there is a need to ensure that protocol commitments are harmonised with the biological advice issued by the CIPA, and that this advice is based on sound

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scientific principles. The Joint Scientific Committee met for the first time in September 2010, and this issue should be addressed as a priority, to avoid such inconsistencies in the future.

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6.12 Lessons learnt from the ex-post evaluation

6.12.1 Guinea Bissau Objectives

The EU-Guinea Bissau Fisheries Partnership Agreement is a large and complex instrument which has significant impacts on both parties. For Guinea Bissau it provides a means of generating foreign exchange and budgetary income from fishery resources which the country does not have capacity to exploit. This income has accounted for some 7-8% of the state budget, and complements the budgetary support from the EU which provides another 25-30%. The Agreement has contributed significantly towards macro-economic stability. Furthermore part of the income is applied exclusively to fisheries policy measures, contributing on paper 88% of the budget of the fisheries administration (but in reality much more). This has allowed Guinea Bissau to re-commence effective fisheries surveillance and control activities. The Agreement has allowed Guinea Bissau to take significant steps towards building a sanitary control system, which is needed to establish access to the EU market. However, despite the allocation of a nominal EUR 500,000/annum to this area, until now Guinea Bissau has not been able to implement these controls, and some of the progress is largely due to parallel donor support in this area. In terms of the objective of increasing national participation in the fishery the Agreement has not been successful in establishing improved conditions for investment, and the national economic benefits which are derived from the Agreement remain limited to recruitment of crew members onboard EU vessels.

The Agreement has provided a sound model for the management of fisheries access by Guinea Bissau. Allocations are now made in conformity with a management plan based on scientific principles (albeit with some concerns regarding methodology). Along with improved controls this means that for the first time in several years, there is evidence of a significant improvement in the sustainability of the industrial fisheries of Guinea Bissau, in line with fishery objectives set out in the draft fisheries strategy. This is a considerable achievement which can be attributed in large part to the Fisheries Partnership Agreement. There are however several aspects of the Agreement and its implementation where sustainability and responsible fishing could be improved, such as the observer programme, reporting of activities and catches, bycatch and discard reduction to name a few. Whilst the Agreement has therefore been of benefit to Guinea Bissau, the political instability and the weakened implementation capacity have undermined progress and significantly reduced the efficiency of those measures which have been implemented.

6.12.2 Community objectives

The investment of the Community in a Fisheries Partnership Agreement with Guinea Bissau was expected to contribute to the following objectives, which are common with all other fisheries partnership agreements concluded by the Community:

- a) safeguarding employment in the regions of the Community dependent on fishing;
- b) securing the continued existence and competitiveness of the Community's fisheries sector;
- c) developing through partnership the fisheries resource management and control capacities of third countries to ensure sustainable fishing and promoting the economic development of the fisheries sector in those countries by improving the scientific and technical evaluation of the fisheries concerned, monitoring and control of fishing activities, health conditions and the business environment in the sector;
- d) ensuring adequate supply for the Community market.

The demersal opportunities were effectively utilised by certain segments of the EU shrimp and cephalopod/fish fleet (mainly Spanish). The tuna opportunities have been generally well utilised (more so since several purse seine vessels have relocated and taken up the fishing opportunities presented to reduce their exposure to piracy risk in Indian Ocean fisheries). Concerning objective a) the agreement with Guinea Bissau has therefore made a contribution to maintaining employment in the EU fleet.

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The Agreement has provided an important source of revenues to certain segments of the EU shrimp and cephalopod trawl fleets and the EU tuna fleet in the Eastern Tropical Atlantic. The tuna resource targeted is highly migratory and its movements are largely driven by oceanographic conditions. Fishing vessels must be able to follow the resources wherever it is present i.e. in the high seas as well as in the waters under jurisdiction of Coastal States, and therefore have an access to all key EEZs. The Agreement has therefore been an effective instrument to secure the regional presence of the EU fleet and contributed towards its competitiveness (Objective b). However, the recent overall evaluation study of all Community fishing agreements demonstrated that the Community fleet using fishing possibilities negotiated under all fishing agreements represents only a small percentage of all Community fleet outputs (in terms of production, turnover, value-added, employment and supply to the market).

As described above the Agreement has been a major factor in the development of strengthened fisheries management and fisheries MCS, including supporting the participation in regional for a. There is clear evidence of improved sustainability of the fisheries within the Guinea Bissau EEZ sector as a result of the Agreement (Objective c). However, progress is limited in terms of creation of fisheries investment, mainly due to the ongoing lack of stability and chronically weak capacity of the Guinea Bissau authorities. The main barrier to fisheries investment, lack of sanitary compliance, remains in place. These factors continue to prevent Guinea Bissau from realising all of the potential benefits from the Partnership.

Catches made under the Agreement have averaged 7,628 tonnes /year (valued at EUR 32.1 million). According to Eurostat EU fish consumption in 2006 was nominally 10.8 million tonnes (production of 6.9 million and net imports of 3.9 million tonnes). This means that the EU Guinea Bissau FPA has contributed less than 0.1% of the total supplies to market. The Agreement has therefore made only a negligible contribution to overall supplies to the EU market. The average cost paid by Community funds for the catches made was EUR 866/tonne, representing some 21% of the ex vessel price of the fish. It could be argued that this is a relatively high cost and that the Agreement has not been cost effective way of ensuring supplies to the Community market (Objective d).

Overall, for the Community, the Agreement had a positive cost:benefit ratio of 2.2 (with an annual cost to the Commission and the EU fleet of EUR 6.6 million compared to an annual benefit of EUR 14.5 million). This ratio indicates that the Agreement has been only a moderately efficient means of achieving the economic benefits derived from the Agreement. Most fishing agreements concluded by the European Union in other part of the world (which are mainly tuna agreements) have highly positive financial returns (the benchmark is that EUR 1 invested typically generates EUR 4 to EUR 5 value added).

Note also, that this result also masks the impacts of recent trends. There is an increase in interest in the Agreement in 2010, from the EU tuna segment. However, at the same time, in recent years some trawl opportunities have not been well used. These factors should be taken into account in the allocation of fishing opportunities under a new protocol with Guinea Bissau, requiring that financial compensation be revised to preserve value for money from the Community budget.

Access conditions between different foreign fleets differed up to 2010, when there was a significant harmonisation of the Agreements signed by Guinea Bissau with Senegal and Chinese operators. These bring the access conditions of the vessel operators more into line with the FPA. There are no significant discriminatory provisions in comparison with the Fisheries Partnership Agreement with the Community. Further steps to removing some of the remaining differences (in items such as licence fees, observer fees, bycatch limits and mesh sizes) should be harmonised when the parties negotiate a new Protocol in the future.

The partnership component of this fisheries agreement has been implemented and a policy matrix is guiding the implementation of measures supported by funds from the Agreement. With two Joint Committee meetings and 75% of the time of a Charge de Mission based in Dakar allocated to the Agreement, there has been a constant active dialogue between the parties. However, this has tended to focus on procedural and disbursement issues (which have occupied the agenda) rather than matters of policy and implementation. The proposed appointment of a technical assistant to support the implementation of the policy matrix is considered by the consultants to represent a major step forward and is expected to significantly address this concern.

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7 CONCLUSIONS AND RECOMMENDATIONS

7.1 Conclusion

7.1.1 Relevance

The EU-Guinea Bissau FPA is one of six in the West African region (the remaining being between the EU and respectively Cape Verde, Cote d'Ivoire, Gabon, Mauritania and São Tomé and Príncipe). The Agreement provides complementary opportunities for EU operators in both demersal (shrimp and cephalopod trawl vessels, which also employ the Mauritania FPA) and tuna operators (who employ all of these FPAs). The Agreement has therefore contributed to the regional activity in the Eastern Tropical Atlantic of the EU fleet. The Agreement has allowed EU vessels to have secure access to fishing opportunities in the waters of Guinea Bissau. It is therefore relevant to the Common Fisheries Policy of securing fishing opportunities for EU vessel operators as a means of maintaining employment in fisheries dependent regions of the Community. The Agreement supports integration of the partner country within regional fisheries and maritime bodies (such as CSRP) which the Community also supports, or participates in. *The Agreement is therefore to be considered to be relevant to the policy needs of the European Union.*

At the same time the Agreement has allowed Guinea Bissau to derive economic benefit from the fishery resources which it does not have the capacity to exploit. The financial income generated from this resource is extremely valuable, having provided about 10% of annual government revenues. The contribution also provides an important source of funding for the implementation of sustainable fisheries policy, for which no other alternative sources of funding exist. The FPA has provided a model for the renegotiation of other agreements between Guinea Bissau and other third parties. *The Agreement is therefore considered to be highly relevant to the needs of the Guinea Bissau government.*

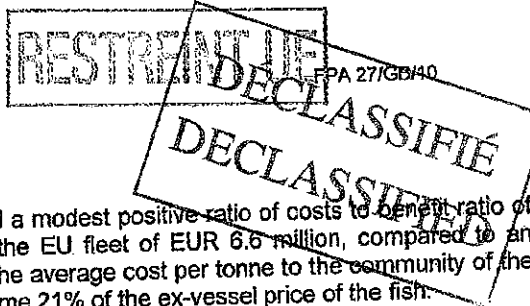
7.1.2 Effectiveness

The Fisheries Partnership Agreement with Guinea Bissau has supported the deployment of an annual average of about 68 EU vessels (15 fish/cephalopod trawlers, 23 shrimp vessels, 11 pole and line vessels and 19 purse seiners) in the Guinea Bissau zone, with an overall rate of available licences drawn of 45%, 36%, 76% and 83% respectively. The average annual catches under the Agreement were 7,628 tonnes valued at EUR 32.1 million with a value added generated estimated at EUR 14.5 million/year, accruing to the EU and ACP countries, plus some benefits to downstream processing of catch in Cote d'Ivoire, Spain and France. The Agreement is estimated to support the employment onboard of 470 EU nationals. This accounts for about 24% of the total EU nationals employed on EU vessels operating under Fisheries Partnership Agreements.

About 95% of the value generated by the Agreement to the EU fleet is in the form of the demersal fishing opportunities for fish/cephalopods (47%) and shrimp (48%), and 5% is due to the tuna opportunities. Overall 84% of the value added is derived by Spanish vessel operators, and 13% by Portuguese. France gains 2-3% of the agreement value, and Greece and Italy essentially obtain nil benefits. The Agreement is therefore effective only in respect of a narrow group of fleet operators.

Fishing under the agreement with Guinea Bissau represents about 7.4% share of the total turnover of the EU fleets under fishery partnership agreements, and 0.8% of the turnover of the EU fishing fleet. With regard to the demersal fisheries, the Agreement delivers revenues averaging EUR 32.1 million, which is 14.4% of the value of all demersal fishing under all FPAs. It also represents approximately one quarter of the revenues of the distant water shrimp and cephalopod fleets (the balance being contributed mainly by the Mauritania and Greenland FPAs) along with private access arrangements in Guinea Conakry and Senegal.

Although the Agreement cannot be considered effective for some fleet segments (since Portuguese and Spanish surface long line operators, and Greek and Italian demersal trawl interests appear to express little interest in the Agreement), for the most part it *may be considered to have been an effective measure*, supporting the Community fisheries objectives of deployment of EU vessels, generating employment for EU and third country nationals and generating supplies for the Community market in line with demand.



7.1.3 Efficiency

Overall, for the Community, the Agreement has had a modest positive ratio of costs to benefit ratio of 2.2 (with an annual cost to the Commission and the EU fleet of EUR 6.6 million, compared to an annual benefit estimated to be EUR 14.5 million). The average cost per tonne to the community of the catches made was EUR 866/tonne, representing some 21% of the ex-vessel price of the fish.

The utilisation by the EU vessels of the fishing opportunities provided by the Agreement was highly variable, with demersal opportunities in particular being poorly utilised in some years. The associated financial contribution paid by the EU (with a nominal total of EUR 7.5 million per year) may therefore be regarded as too high, representing poor value for the EU tax-payer. The Community pays on average, more than EUR 2 million per year for unused fishing opportunities. This element of the financial expenditure delivers no economic benefits to the EU fleet and in this respect the Agreement **cannot be regarded as a cost efficient method of achieving the policy objectives during the period covered by the evaluation.**

However, it should also be considered that the operational characteristics of the EU demersal fleet segments means that they have irregular fishing patterns which gives rise to utilisation rates which vary from year to year (with a range of annual utilisation rates from 17 to 65%). A certain degree of over-payment is therefore inevitable with fixed fishing opportunities set at a level to accommodate the maximum desired rate of annual utilisation. To a certain extent, a level of over-payment and inefficiency is a feature of the inclusion of these opportunities in the protocol.

7.1.4 Sustainability

As far as can be ascertained the fishing operations conducted under the Agreement in respect of tuna species comply with the management recommendations of ICCAT. Furthermore, since the catches under the agreement only contribute a very small percentage of the total catches from the stocks (maximum 1% in the case of yellowfin tuna), the impacts can be regarded as insignificant.

With regard to the fisheries from fish, cephalopods and shrimp, the Agreement contributes to a significant level of exploitation (75-100% in the case of shrimp, 50-80% in the case of cephalopods but only about 10% in the case of demersal fish). The Agreement therefore has potential to impact on these resources if they are not managed sustainably. In the most recent years of the protocol, actual fishing effort applied to demersal resources from all sources appears to be within sustainable limits as established by a national fisheries management plan.

However, there are severe doubts regarding the scientific validity and reliability of the plan, which suggests that there is a risk that some of the fisheries activities undertaken by EU vessels are not sustainable. There is an urgent need to address these methodological concerns, and to address the possible ecosystem impacts of fishing by EU vessels (determine impacts of bycatch and discards). There is an urgent need for the Joint scientific committee to accelerate its work, to ensure that at least risks attached to fisheries management decisions are quantified and known at the time they are taken. Until such a revision is implemented, it is not possible to state definitively on this matter. There are also some concerns regarding the wider ecosystem impacts of the fisheries contained within the Agreement, especially negative interactions of trawling in terms of turtle and shark populations and discarding of unwanted bycatch, and especially so in the shrimp fisheries.

EC vessels have largely complied with fisheries rules aimed at maintaining sustainability. Specifically only two offences regarding mesh size and gear types have been detected during the course of the protocol. However, it is clear that reporting conditions are not often complied (although catches are reported to Member States, so the vessels cannot be regarded as IUU). However the omission does reduce data quantity and quality available to fisheries scientists and needs to be addressed.

The Agreement, through its support for the development of policy framework for sustainable fisheries in Guinea Bissau, has contributed to significant improvements in the areas of fisheries controls and regional integration. There are notable achievements in detecting and arresting of IUU vessels (both industrial and artisanal sectors). The Agreement has also supported Guinea Bissau's active participation in regional fisheries management bodies (COMHAFAT and CSRP, but has not yet enabled Guinea Bissau to become a member of ICCAT). Whilst there is no direct evidence that these

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measures have resulted in a reduced level of IUU fishing, the steps are very much in the right direction and positive impacts can reasonably be assumed.

Therefore subject to the reservations regarding sustainability of the shrimp/cephalopod opportunities and compliance by the EU vessels with reporting requirements specified in the Protocol, **the Agreement may be considered to have had a significant positive impact on the sustainability of fisheries in the Guinea Bissau EEZ.** It may be considered fully in line with the principles of responsible fisheries.

7.1.5 Partnership element

A mutually agreed policy matrix is guiding the implementation of measures supported by funds from the Agreement. The implementation process has been impaired by the political and financial instability of the Government and by a lack of capacity by the fisheries administration, although this latter aspect is improving. Furthermore the budgetary allocations by the Government of Guinea Bissau to specific measures within the fisheries area have not been fully transparent, at least during the initial phase of the protocol period. Despite these constraints, as a result of the support, it is clear that important progress has been made on agreed strategic objectives, most notably in relation to strengthened fisheries monitoring control and surveillance, data collection for statistical purposes, research and sanitary inspection capacity. Guinea Bissau's participation in regional fisheries bodies (COMHAFAT and CSRP) has also been strengthened, and there have been positive steps in drafting of new legislation, fisheries statistics and resource management. However, in large part due to events out the control of the fisheries administration, disbursement has been much slower than anticipated, and this has delayed implementation. **Whilst the partnership component of this fisheries agreement has been implemented, the programme has only partially achieved its objectives within the time frame established by the parties.**

Although the parties have only held two joint committee meetings during the course of the Protocol, they have been able to maintain an effective dialogue through the medium of the Charge de Mission appointed to monitor the agreement from his base in the EU Delegation in Dakar. This appointment has allowed serious problems to be identified and corrected by the parties, taking action in a timely manner including appropriate political intervention. Although the close monitoring has been time consuming and costly from an administrative point of view, it has been implemented effectively and efficiently and has thus prevented the Agreement from being critically undermined. There are strong arguments in favour of retaining this approach for the future.

The parties have only recently, in 2010, defined the terms of reference for the Joint Scientific Committee, which will consider fisheries management recommendations. Given the concerns identified by this study regarding the validity of the fisheries management plans promulgated by the Ministry of Fisheries, this is considered to represent a significant failure of the parties, with associated risk that unsustainable fishing effort may be applied to the Guinea Bissau stocks. There is an urgent need to ensure that methodological questions regarding the scientific advice for fisheries management measures are clarified.

Institutional weaknesses have limited progress in areas of the policy matrix but the adoption of relevant fisheries legislation is expected in the near future and various positive developments have taken place, including training of inspectors and enumerators, recruitment of technical staff, upgrading of fisheries research, significant increase in sanitary control capacity, securing fisheries data collection, and development of infrastructure, i.e. most importantly concerning MCS decentralised operational centres. Although, as noted above, there are various positive steps taken the Agreement has so far failed to promote the development of the national fishery sector, in line with national policy. This remains the highest priority for the future.

Furthermore, the European Union is a development partner of Guinea Bissau participating in national and regional indicative programmes which allocate European Development Fund resources to the partner country. Although the National Indicative Programme does not address needs of the fisheries, from late 2010 for a period of up to 30 months EDF funds will support the delivery of technical assistance to the Ministry of Fisheries for the programming of the support measures using FPA funds. This is a welcome strengthening of coherence between the expression Community's development and fisheries policies in Guinea Bissau. It will help Guinea Bissau to derive greater benefits from the FPA approach and should help the Agreement to become more sustainable in the longer term. It should

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also help to strengthen Guinea Bissau's participation in regional EDF projects, in particular the Fisheries MCS Programme to be launched and implemented through CSRP also in late 2010.

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7.1.6 Compliance with the Protocol

The Agreement provides access to a number of multi-species fisheries by several different fleet segments from different EU countries; it also reflects the model of resource management applied by Guinea Bissau, using fishing effort limits and technical measures.

Given the complexity of the fisheries management measures applied, the level of compliance with fisheries regulations by EU vessels has been good, with only two fisheries related infractions noted during the course of the Protocol (although there were four more related to refuelling operations). There is concern that reporting conditions imposed on EU vessels (entry and exit reporting, and submission of catch reports) are not always met. This could also be considered in terms of a more rigorous approach by Member States to compliance with the Protocol conditions, as required in Council Regulation (EC) No 1006/2008 of 29 September 2008 concerning authorisations for fishing activities of Community fishing vessels outside Community waters and the access of third country vessels to Community waters. There are concerns expressed regarding compliance with bycatch limits but no evidence of non-compliance.

The observer programme functions well for trawl fisheries, although the financial provisions in the protocol are insufficient. No observers have been deployed in tuna fisheries. Development of a regional observer corps under CSRP is a priority which will help to resolve this issue. Crew from Guinea Bissau are employed onboard trawl vessels in compliance with requirements in the Protocol.

The Guinea Bissau authorities undertook to implement a fisheries management plan which is expressed in the Protocol Annex III. It appears that Guinea Bissau has not complied with at least two of the conditions set out in this fisheries management plan (in relation to reduction of fishing opportunities and cessation of issue of licences to charter vessels). Instead Guinea Bissau has followed the national plans developed on annual basis by CIPA scientists. In these respects the fisheries management plan, as expressed in the Protocol appears not to have been followed. Whilst actual utilisation of fishing opportunities in Guinea Bissau has always fallen well below the limits set by the fisheries management plan, there is a need to ensure that protocol commitments are harmonised with the biological advice issued by the CIPA and formally adopted, and that this advice is based on sound scientific principles. The Joint Scientific Committee met for the first time in September 2010, and this issue should be addressed as a priority, to avoid such inconsistencies in the future.

7.1.7 Conclusion to the Ex-post evaluation

Despite these concerns, the Fisheries Partnership Agreement has proved to be highly relevant to the needs of Guinea Bissau, both in terms of major contribution of macroeconomic and budgetary stability, and in terms of national fisheries policy (since it provides financial means for implementation of important measures). The Agreement is also highly relevant to the Common Fisheries Policy (since it provides access to important and valuable fishing opportunities for EU vessels, supporting their regional presence in West Africa) with the associated Community benefits. The Agreement is the fourth largest of the Fisheries Partnership Agreements concluded by the EU with third countries (after Mauritania, Morocco and Greenland) and provides important access for several highly dependent fleet segments, particular Spanish and Portuguese shrimp and cephalopod segments, and French and Spanish pole and line vessels.

The Agreement has allowed the EU to maintain a policy dialogue with the Guinea Bissau Authorities, with a view to promoting responsible fishing, and this appears to be having significant impacts in terms of reduced IUU fishing, maintaining the observer programme for trawl fleets operational, reinforcing fisheries research capacity, and securing the data collection system. Significant progress in the capacity for sanitary control, although receiving important additional assistance from the EDF SFP programme, should also be included in this context and may in the short term lead to initiating exports of shrimp to the EU market. In conclusion, although there are concerns regarding the efficiency of the Agreement and the rate of implementation of the partnership component, it has proved overall to be an effective tool for furthering the mutual policy objectives of the parties.

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7.2 Recommendations

7.2.1 Interest in continuation of the current agreement

From the perspective of the European shrimp and cephalopod trawl operators, there is a critical strategic interest to keep access to the EEZ of Guinea Bissau as a significant and integral part of their business activities. However, the main interest is from Spanish, Portuguese, and French operators. Opportunities available for Greek and Italian interests have hardly been used. There may be some interest from the Irish trawl sector. The Agreement complements similar agreements in Mauritania and Morocco, which are used by many of the same vessels as part of a regional fishing campaigns.

For tuna vessels (purse seiners and pole and line vessels), the agreement provides a component within a network of sub-regional access agreements. The availability of access to the EEZ of Guinea Bissau can prove useful when fish concentrates in this region. This Agreement is complementary to the FPAs which the EU has concluded with Cabo Verde and Cote d'Ivoire, since it provides a degree of continuity of fishing opportunities for migratory resources in West African waters. The pole and line fleet has reduced in size in 2009, but remaining operators depend on Guinea Bissau for some of the higher value portions of their annual catches. Interest from purse seiners has increased in the Eastern Tropical Atlantic in 2009 since the threat of piracy in the Indian Ocean has led to a decrease in fishing opportunities in this region. There is no interest at present from the EU surface longline fleet, which in recent years has preferred to operate further outside the Guinea Bissau zone.

From the perspective of the European Union, there is also an interest in maintaining the Agreement with Guinea Bissau:

- The European Union is the most important development partner of Guinea Bissau, investing considerable EDF funds in budgetary support and various projects to help maintain economic and political stability of this vulnerable country. The Fisheries Partnership Agreement is a significant and integral element of the relationship, accounting for maybe one quarter of the total value of EU support. In 2010 the EU, via the EDF, is investing additional funds to help make the partnership element of the agreement operate more efficiently. The partnership has started to deliver meaningful gains in national and regional fisheries governance, reduced IUU fishing and international trade. Withdrawal of the Community from the Agreement would be likely to have severe negative impacts on European bilateral and regional interests.
- In December 2007, at the EU-Africa summit, the European Union adopted a new strategic partnership with Africa, with two of the axes being "trade, regional integration and infrastructure" and "achievement of the millennium development goals (MDGs)". The partnership approach to the Fisheries Agreement emphasises the support for the implementation of a sectoral policy for sustainable fisheries. The Community has invested additional funds (in the form of technical assistance and monitoring) to ensure that such a policy is properly designed and formulated in Guinea Bissau. The interest of the EU is to ensure that bilateral relations with ACP third countries are coherent with the regional policy and the FPA with Guinea Bissau presents one of the important instruments by which this can be achieved.
- This priority is taken up by two regional EDF programmes: "ACP Fish II" allocates substantial funding aimed at supporting regional integration of fishery management and promoting responsible fishing practices (robust scientific advice, fight against IUU fishing etc). The CSRP MCS Project due to start in late 2010 will support regional MCS missions in CSRP member States (including Guinea Bissau). The Fisheries Partnership Agreement with Guinea Bissau by supporting strengthening of fisheries management functions and MCS means ensures that Guinea Bissau is able to participate effectively in these initiatives.
- Similarly the support measures implemented under the FPA directly complement the implementation by Guinea Bissau of EU Regulation 1005/2008 on measures to eliminate IUU fishing which requires third countries to implement various measures in relation to their fleets which supply the European market. Until now this has not been a priority, but it will become so if Guinea Bissau is able to comply with the sanitary conditions for export of fishery products to the EU market.

- The Green Paper on the reform of the Common Fisheries Policy⁵² emphasises that regional forms of cooperation should be explored as a means of better achieving sustainability beyond EU waters. With EU support significant steps have been taken towards strengthening the CSRP, which has emerged with significantly improved governance and functionality. It will be further supported by regional EDF projects. Guinea Bissau is an active participant along with two other FPA partners in the region (Cabo Verde and Mauritania). The FPA promotes and supports Guinea Bissau's participation in the regional activities of the CSRP, and therefore is coherent with the future reform of the CFP.
- The strengthening of CSRP, with three members with current FPA's suggests there may be an opportunity for the European Union to conclude a regional partnership agreement with the CSRP in line with the ideas promoted in the Green Paper. At minimum it could cover support for the membership of the organisation, but could be extended to cover implementation activities (MCS, observer corps and joint management of stocks). The Community therefore has an interest to maintain its current relationships with Guinea Bissau as well as with other countries in the region to prepare for such a possibility.
- The European Commission is reflecting on the expression of the application of the Integrated Maritime Policy to the Atlantic Ocean Region⁵³. The role of regional cooperation is common in several of the themes considered (especially in relation to good environmental status, economic growth across borders, connectivity and trade relations and maritime governance of marine waters). The EU-Guinea Bissau Fisheries Partnership Agreement has relevance to all of these strategic elements, and therefore is coherent with a regionally integrated approach to the EU Maritime Policy.

The Authorities of Guinea Bissau also have an interest to conclude a new Fisheries Partnership Agreement with the EU:

- During the course of the agreement the FPA provided a financial contribution equal to about 10% of the Government revenue, and Guinea Bissau depends on this to maintain macro-economic and political stability. The contribution also supports Government expenditure in fisheries, where it has contributed at least 88% of the budget expenditure. The contribution is likely to be greater in future as Government removes guaranteed budgetary restitutions to the Ministry of Fisheries (in terms of licence and observer fees etc).
- Guinea Bissau is a member of the re-structured regional fisheries body CSRP. With improved governance and significant donor support CSRP is likely to become a driving force in strengthening regional fisheries management. Continuation of the FPA can help to support Guinea Bissau's participation in this body, as well as strengthening implementation of its own fisheries policy measures in line with regional initiatives.
- The Guinea Bissau fisheries administration has problems securing national budgeted funds to support the implementation of its fishery sector policies, which depend almost exclusively on the FPA income. A renewal of the protocol to the Fisheries Partnership Agreement with the EU will help to secure complementary national funding over several years for implementation of the policy measures which would be more difficult, if not impossible, without the Agreement.
- Until now there has been no significant development of an export-oriented fish processing industry in Guinea Bissau. However the prospect of future compliance with the EU's sanitary conditions set out in EU regulations 852/2004, 853/2004, and 854/2004 provides the potential

⁵² COM(2009) 163 adopted by the Commission on 22.4.2009

⁵³ There is a public consultation until 15/10/2010 and the Commission has published a "Non-Paper on the EU and the Atlantic Ocean", European Commission, Directorate-General For Maritime Affairs And Fisheries http://ec.europa.eu/fisheries/partners/consultations/atlantic_ocean/non_paper_en.pdf

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for such a development in the short term. In this respect the notable progress in recent years has largely been due to EDF assistance and the application of FPA funds in a complementary manner. In the absence of the SFP Project (ending in 2010) and without ongoing budgetary support using FPA funds, the prospect of development of an onshore and national fishery sector is significantly less likely.

- In the medium term, Guinea Bissau is expected to remain dependent on exports of cashew nuts. However, alternative income sources are required to make rural and coastal livelihoods more sustainable. Fisheries development policy should therefore be maintained, and the FPA provides an important means for supporting the development agenda.

The FPA brings positive benefits to the Government of Guinea Bissau, but the weak implementation capacity of the fisheries administration has resulted in these being way below the potential, although positive developments are apparent in the current administration. The importance of a coherent approach to the fisheries and development partnerships with Guinea Bissau cannot be over-emphasised. The proposed technical assistance support from the EDF for implementation of support measures using FPA funds is a positive development (and a recommended model for consideration in relation to other FPAs with third country partners with limited implementation capacity). Regional EDF programmes (SFP, ACP Fish II, GSRP-MCS) have all had, or are likely to have a major impact on fisheries governance, economic development and trade.

In conclusion the FPA has become an integral element of the EU's development partnership within the region. It appears that it is in the interest of both of parties to prolong the partnership between Guinea Bissau and the European Union. The parties are therefore recommended to renew the Agreement for a further period.

7.2.2 What duration?

The current protocol under the Fisheries Partnership Agreement with Guinea Bissau ends its 4 year term on 15 June 2011. The parties may wish to consider concluding a new protocol for a minimum of a similar term. A longer Agreement could be concluded providing that it contains measures which permit a flexible adjustment of fishing opportunities. The establishment of a functional Joint Scientific Committee in 2010 provides the opportunity for the parties to agree on annual fisheries management plans, which should determine exploitation level.

7.2.3 What access conditions should be applied?

Guinea Bissau has pursued an active policy of harmonising access conditions between different fleet segments, in particular CNFC, Senegal and national operators (including charter vessels). In most cases, these are now substantially aligned with the conditions expressed in the current FPA protocol. Therefore several of the main conditions listed in the Annex to the current protocol should remain the same, in particular the procedural conditions for the issue of licences, the exclusion of EU vessels from the 12 mile inshore zone of Guinea Bissau, bycatch limits, and the employment of nationals onboard EU vessels.

However there are a number of matters where there will be a need for adjustments, as follows:

- Mesh size for shrimp nets should be harmonised in line with the fisheries management plan (currently 50 mm, up from 40 mm at present)
- EC operators in the shrimp sector find the bycatch limits to be restrictive; on the other hand the Guinea Bissau operators complain of non-compliance. To reduce discarding it is in the interests of both parties to investigate alternative ways of address this issue. The Joint Scientific Committee should be asked to review the approach, including assessing the validity of bycatch limits as a control measure within the frame of the Fisheries Management Plan.
- The level of fines imposed for offences has been a source of friction between EU vessel operators and the Guinea Bissau authorities. The adoption of the draft marine fisheries law should receive high priority, given its revision of the penalty system and level of fines. In the meanwhile there is a need to agree on a schedule of fines, which are more proportionate to the offences committed, whilst within the current law.

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- o Note that the CIPA is considering the introduction of a biological recovery period in respect of shrimp. This is feasible, but could potentially have a significant impact on the EU shrimp vessel segment, if such seasons overlap with closed seasons announced by Mauritania. The proposed measure should be reviewed by the Joint Scientific Committee, and its impacts assessed in the light of regional fishing patterns, before it is introduced.
- o Reporting arrangements by EU vessels have not always been complied with, and there is a need to strengthen sanctions against vessels which do not report entry and exit to the Guinea Bissau zone, and which do not submit catch reports on exit. In the meanwhile, the Commission is recommended to request Member States to communicate the satellite VMS alerts regarding entry/exit of an EU vessel into the Guinea Bissau EEZ. These can be communicated to the Guinea Bissau authorities to allow a cross-check with radio reports received and appropriate sanctions to be applied for non-compliance. Such an approach would be entirely coherent with the Community's recent measures to counter IUU fishing. Catch reporting should be extended to cover ecosystem impacts (discards and sensitives fauna).

7.2.4 Activities of the Joint Scientific Committee

Now that the Committee has been formed and had its first meeting, there is a need to accelerate the programme of work. It is recommended that the priority tasks of this Committee should be to:

- o Review the FISCAP (and CIPA) observer programme and the resulting data with the primary goal of constructing a consistent and reliable time series of CPUE data by type of fishery and by target species. Compare these CPUE data with alternative data sources such as from EU fleets, and assess their reliability.
- o Review the methodology applied by CIPA for the estimation of TACs and provide guidance on alternative approaches, making use of available fisheries statistics, in particular, in conjunction with survey data.
- o Review the annual fisheries management plan developed by CIPA based on the above referred points. This should consider the possibility of using effort and/or fishing capacity, or a reliable indicator thereof, for the management of Guinea Bissau fisheries. Technical measures such as specified limits on retained bycatches, mesh sizes and other possible measures (e.g. closed seasons for shrimp, bycatch reduction devices, etc.) should also be reviewed, based on the available information.

7.2.5 Revised policy support measures

For a new protocol, it is recommended that the programme of policy support measures be revised to account for changing priorities and the delays in implementation.

The consultants consider that the technical assistance position with the Ministry of Fisheries will provide a valuable opportunity to use FPA resources to strengthen implementation capacity of the Ministry services. The priority for this position is to assist with the revision of the matrix, in line with the draft fisheries strategy. It is also recommended that greater priority be attached to the approval by the National Assembly of the Fisheries Law, and extending of the range of fisheries MCS activities, as well as a maintaining the momentum with the development of the sanitary inspection system. Greater attention should also be paid to the strengthening of the monitoring framework.

Another priority should be to advise on recruitment and training of staff in areas such as budgetary planning, project design, logical framework approach to interventions, monitoring and evaluation methodologies, human resource management etc.. Lack of skills in these areas has impaired the capacity of the Guinea Bissau to benefit from the partnership approach under this Agreement. There is a need for a coherent and comprehensive plan for strengthening the fisheries institutions, with a focus on human resource development. The Ministry of Fisheries, with the support for the TA to be recruited, is recommended to develop such a plan for implementation under the FPA as a priority.

Finally, it should be noted that according to the planned expenditure budgets some 25% of the FPA contribution was to be allocated to operational costs (i.e. current expenditures) whereas about 75%

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should be allocated to investment. The consultants have not undertaken a detailed audit of the expenditures, but it appears that significantly more than 25% of the resources applied have been used to sustain the operational costs of the Ministry (salaries, expenses, fees for international organisations, and in particular, inputs for surveillance missions being the major items) and only relatively few of the resources applied to investment in the institutional and physical infrastructure (such as laboratories, communication, vessels). Whilst this has been expedient (the Ministry relies on the FPA for at least 88% of its budget) it is not strictly in line with the partnership approach, in which the additional contribution from the Community is considered to form an investment in the third country concerned. It is recommended that this imbalance should be addressed with a re-programming of the policy matrix to be undertaken concurrently with the introduction of any future Protocol under the Agreement.

7.2.6 Regional Fisheries Integration

It is in the interests of the EU and Guinea Bissau for the latter party to deepen the regional integration of its fishery sector by participating in relevant fisheries organisations. As a major provider of tuna fishing opportunities to regional fleets, Guinea Bissau should consider becoming a contracting party of ICCAT. The parties may wish to consider that a future FPA should include measures to address this need.

Furthermore this study has indicated that there may be a potential that future Protocols negotiated by the Community with the four CSRP Member States which have FPAs with the EU, could include provision for direct transfer to CSRP of an element of the financial contribution allocated to the policy support measures. The proposed adoption by the CSRP Council of Ministers of a strategic plan with budgeted policy measures would allow the direct allocation of FPA finance by the European Commission to a budgetary support programme in favour of the CSRP (within the frame of a Regional FPA).

The amount of payment could at first be equivalent to the membership fees (in the case of Guinea Bissau, this is about EUR 50,000/year), but it could be increased in line with Members wishes to support CSRP measures. This may require the condition that proportionate contributions are made by CSRP members who do not have FPAs. Separate FPA elements could also, if CSRP and Member States agreed, be linked to the CSRP counterpart financé of the MCS missions to be implemented under the EDF MCS programme, thus ensuring a good level of coherence between fisheries and development policies in pursuit of their common interest in reducing IUU fishing.

In addition, the adoption of this model would reduce the reliance of CSRP on donor funding, solve, or at least reduce, the problem of arrears in payment of membership fees and contribute, at least partially, to its longer term sustainability. It would also ensure some external monitoring of progress as a condition of the budgetary support and thus further strengthen governance of the CSRP. The prospect of a regional FPA has already been considered by the CSRP Council of Ministers, and they have asked their executive secretary to investigate the possibility. There seem to be considerable synergies across development, fisheries and maritime policy agendas to be gained from such an arrangement, and the European Commission, along with FPA partners Governments in the region, is recommended to investigate this prospect in more detail.

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ANNEX 1: SUB-REGIONAL FISHERIES COMMISSION (CSRP)

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Introduction

The Sub-Regional Fisheries Commission (referred to here as CSRP, under its French acronym *Commission Sous-Régionale des Pêches*) is an International Organisation, linked to, but independent from, FAO. Created in 1985, the CSRP has 7 Member States: Cape Verde, Gambia, Guinea, Guinea-Bissau, Mauritania, Senegal and Sierra Leone. The CSRP is an advisory body only.

Constitution

The permanent secretariat is in charge of implementing decisions made by the Ministerial Conference. Its director is the Permanent Secretary named for a period of 4 years, renewable one time only. The core budget of the permanent secretariat originates from contribution from the Member States, with additional external funding provided by donors on a project basis. The headquarters of the Permanent Secretariat are in Dakar.

The Coordinating Committee is the technical and consultative body in charge of monitoring the implementation of the Ministers. The Ministerial Conference is the main decision-making body. It is composed by the Ministers in charge of fisheries of each Member State. The presidency of the conference changes every two years. The Conference meets at least every two years as well to define the work programme of the organisation and to vote the core budget available to the permanent secretariat. It is customary for CSRP to organise an extraordinary meeting every other year to monitor progresses and budget uptake. The current presidency is exercised by Cap Verde. Gambia will take over end of 2010 after the regular meeting of Ministers scheduled to take place next October 2010.

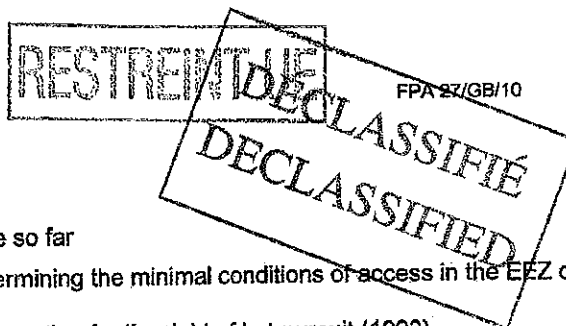
Objectives and strategy

The general objectives of the CSRP as per its founding act are:

- To harmonise common policies for conservation and exploitation of fisheries resources in the sub-region
- The adoption of common strategies in international fora
- To develop sub-regional cooperation for fisheries monitoring, control and surveillance
- To develop Member State capacity for fisheries research in the sub-region.

In 2001, the Ministerial Conference adopted a 2002-2010 strategic action plan for CSRP. The plan is developed around 5 main axes of intervention, summarised below:

1. Fisheries management: concerted action plans for fisheries management in particular for shared fisheries, improved management of fishing capacities in the region, implementation of a common framework for regulation of access and allocation of fishing rights on shared fisheries, definition of a concerted framework for negotiation of fishing agreements, management of fragile ecosystems and species
2. Research: improved research on shared species including regular assessment of the status of these stocks and definition of a TAC, coordinate research strategies of Member States
3. MCS: strengthen UCOS capacities, create and maintain a register of fishing vessels active in the region, organise joint control operations, generalise observers onboard fishing vessels
4. Information on fisheries: promote the creation and the diffusion of a regional fisheries information system, ensure fisheries data are collected on a regular basis
5. Institutional and legal aspects: adapt legal frameworks of the Member States to take into consideration international hard and soft laws, harmonise Member States legislation on access, technical measures, attribution of flag, chartering, strengthen cooperation with Member States and international management organisations.



Activities and achievements

The main achievements of the CSRP include so far

- The conclusion of a Convention determining the minimal conditions of access in the EEZ of the Member States (1993)
- The Convention of sub-regional cooperation for the right of hot-pursuit (1993)
- A Protocol defining the modalities of coordination of surveillance activities of Member States in application of the convention above (1993) with further negotiations of bilateral application protocols
- Adoption of rules on the marking of fishing vessels and the status of observers onboard the vessels
- The successful coordination of two successive MCS projects funded by Lux Development. This project led to the creation in 1995 of a coordination unit for implementation of regional MCS activities in Gambia (UCOS). After the end of the project in 2003, the UCOS unit was integrated to CSRP as a decentralised unit.

The main recent achievements of CSRP consist in the adoption by all Member States of a national adaptation of a Sub-Regional plan of action to manage shark populations, on the model of the International Plan of Action promoted by FAO.

Restructuring of CSRP in 2007

In 2006, the EU earmarked Regional EDF funding for two large projects of € 5 million each to be coordinated by CSRP. One of these projects concerned strengthening of operational MCS capacities on the model of the projects funded by Lux Development until 2002. The other project (AGPAO) was addressed the strengthening of fisheries management capacities of the Member States.

EDF funding was subject to several conditions. One of the most important was related to the governance of the CSRP. It had been clear to donors that the CSRP had only limited capacity for implementation of donor funded projects, and lacked the capacity to absorb assistance itself. This was widely recognised by several key interested donors as a constraint on the development of regional approaches to fisheries management. The EU supported the realisation of an administrative and financial external audit of CSRP by independent auditors. The audit was realised over 2007 under EU funding. It found several important areas of dysfunction, especially in relation to organisation structure and functions, financial accounting systems, and procurement procedures. Overall it recognised a lack of sufficiently skilled human resources to fulfil its mandate. The audit recommendations were presented during the 2007 extraordinary meeting of the Minister Conference in Dakar, who endorsed most of them. Following this conference the CSRP implemented in 2008 an important structural reform of the Permanent Secretariat including:

- Restructuring of the financial and administrative services including a separation of accounting services and procurement services
- Creation of three new departments: harmonisation of policies and legislation; research and information systems, monitoring control and surveillance.
- Creation of a service in charge of human resources
- Creation of a service in charge of communication and public relations

This restructuring was supported by GTZ (German Technical Cooperation) which had been providing assistance to CSRP for institutional capacity building since 2004, including the services of a fulltime technical adviser⁵⁴. The work involved the definition of specific policies, and the implementation of a new structure. The technical functions were divided into three departments: harmonisation of policies and legislation b) fisheries research and information systems and c) surveillance. Separate support functions were also defined; finance, procurement, human resources and communication. The new

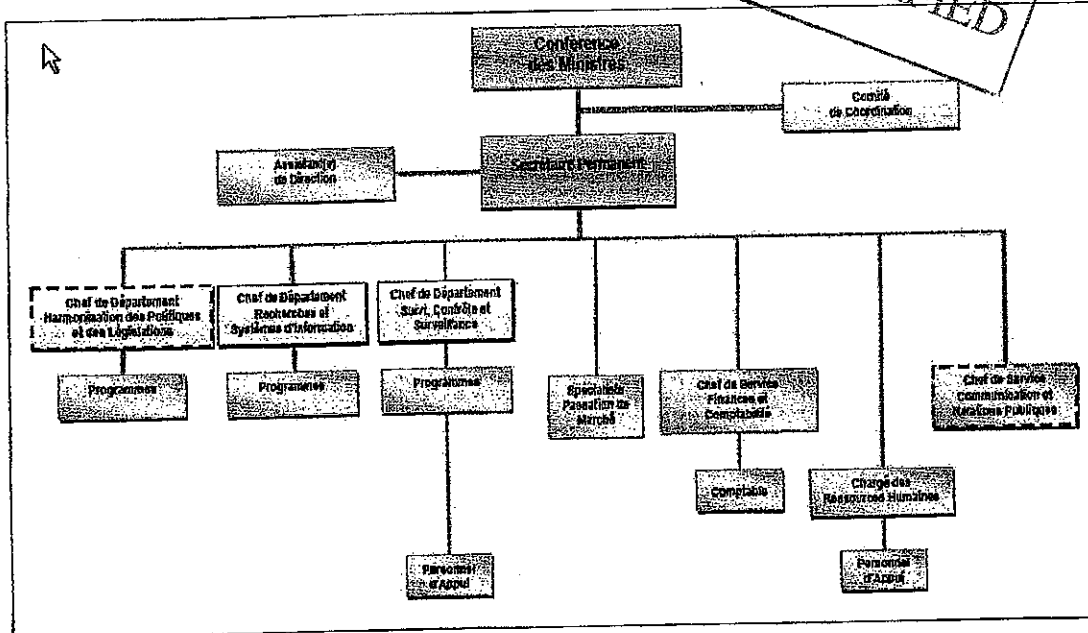
⁵⁴ The GTZ assistance, implemented by GOPA, has recently been extended until mid-2012

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structure and staffing plan was adopted by the Conference of Ministers in their 2009 meeting. The resulting organisation structure is shown in Figure 1.

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Figure 1: Organisation structure of the CSRP, 2009



Source; CSRP <http://www.csrpsp.org>

A new manual of administrative procedures was adopted (now also approved by the World Bank and partly by the AFD – Assistance de France). Importantly, salaries were aligned to the UN scale and brought up to international levels. Six new senior staff were recruited in 2009 an early 2010 to head the new technical and administrative departments. Two of these positions are provisionally funded by the World Bank and the AFD. The total number of permanent senior staff which was only 5 in 2005, increased to 10 in 2009. All senior posts, with the exception of the MCS Director, are now filled.

The new structure and improved governance and capacity has paved the way for the re-engagement of donors. A number of projects have been launched, and the EDF intervention is also due to start in 2010 See below for a description of the donor projects in which the CSRP is an Implementation partner). As a result the senior full time staff are supplemented by, at present, 7 expatriates who are assigned on specific donor funded projects.

Current activities

The current activities of CSRP follow the lines drawn by the 2002-2010 strategic work plan. Since 2007, considerable external International donor assistance has been secured to support the development of the various actions detailed in the strategic plan. The interest of Donors in CSRP is rather new and can be related to the structural reforms started in 2007.

The following table shows the main project identified coordinated by CSRP with indications on the correspondence with the CSRP strategic plan. EU Member States aid include German support (GTZ) to institutional strengthening of CSRP, Netherlands support (DGIS) for research and management of shared small pelagic stocks and French support (AFD) to co-management strategies and integration of MPAs in fisheries management. Other major donors includes the World Bank through the PRAO

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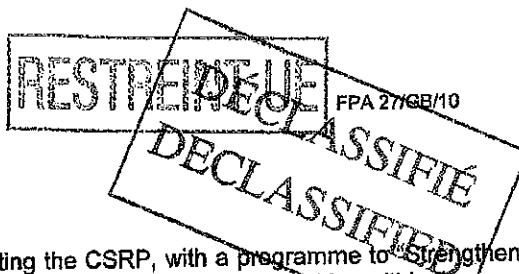
project with a budget as high as € 42 million between 2010 and 2014⁵⁶. This project focuses on improvement of fisheries management capacities, including MCS operations. The PRCM (*Programme Régional de Conservation de la zone Côtière*) is a joint initiative of international NGOs (IUCN, WWF, FIBA) supported by own funds or funds granted by other international foundations and governments. Current activities of PRCM with CSRP include support to the preparation and the implementation of a sub-regional plan of action to preserve sharks and support to fisheries management (regulation of access, consideration of fisheries in the poverty reduction strategies). The Spanish cooperation (AECID) and the Dutch cooperation (DGIS) are financial contributors to this programme. As shown in the table, there is a degree of overlap in some of these projects.

⁵⁶ The budget supporting PRAO is a loan from the World Bank to the States concerned, contrary to other external support which are grants

Table 1: Summary of current and planned donor interventions implemented by CSSRP

	Main Donor Project title	Ongoing projects							Earmarked			
		GTZ Institutional support	PRCM PSRA Sharks	PRCM RECARGAO	NL Small Pelagic	AFD Co-management & AMP	WB PRAO	EU MCS	GEF OCLME	2010	2010	2008
Axis of Strategic Plan	Year start	2006	2008	2008	2007	2008	2010	2010	2010	2010	2008	
	Duration (months)	60	48	48	42	60	12	48	60	60	60	
	Year end	2010	2011	2011	2010	2013	2014	2014	2012	2014	2012	
	Amount (ME)	3.6	1.2	2.0	0.9	5.0	42.3	5.00	12.00	5.00	12.00	
Fisheries management	Fisheries management		X	X	X	X	X	X				
	Fishing agreements		X	X	X	X	X	X				X
	Ecosystem protection		X	X	X	X	X	X				X
	Other		X	X	X	X	X	X				X
Research	Research on common fisheries		X	X	X	X	X	X				X
	Research on shared stocks		X	X	X	X	X	X				X
	Research on ecosystems		X	X	X	X	X	X				X
	Other		X	X	X	X	X	X				X
MCS	UCOS capacity	X								X	X	
	Regional fishing vessel register	X								X	X	
	National MCS capacities									X	X	
	Conventions on regional cooperation									X	X	
Information on fisheries	MCS artisanal fisheries		X	X	X	X	X	X		X	X	X
	Sub-regional structure capacity		X	X	X	X	X	X		X	X	X
	Harmonisation and sharing of data		X	X	X	X	X	X		X	X	X
	CSRP Institutional framework	X										
Institutional and legal aspects	Fisheries legislation		X	X	X	X	X	X		X	X	X
	Cooperation with other institutions	X	X	X	X	X	X	X		X	X	X
	Other		X	X	X	X	X	X		X	X	X

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EDF support for the CSRP

The European Union is one of the donors supporting the CSRP, with a programme to "strengthening regional cooperation for the monitoring control and surveillance of fisheries activities within the zone of the Sub Regional Fisheries Commission (CSRP)". The programme is supported by the 9th Regional EDF for West Africa. The Financing Agreement was signed between the Commission on the 13 December 2006 and the UEMOA on the 21 June 2007. The project duration foreseen was originally four years. Programme value is EUR 7.29 million, of which EUR 5 million is to be contributed by the EU.

The overall objective of the programme is to *"contribute to the economic and social development of the Member States of the CSRP through a rational exploitation of their marine resources"*. The specific objective is the *"reduction of IUU fishing practices within the EEZs of the Member States of CSRP"*.

The expected results are:

- o Strengthening the institutional capacities of CSRP for management and coordination in the area of MCS of fisheries activities
- o Effective use of the sub-regional structures for the MCS of fisheries activities for the implementation of coordinated aerial and marine operations by UCOS
- o The creation of conditions for the perpetuation and assumption of financial responsibility for the activities of fisheries MCS at the level of the CSRP

The project will support the implementation of several MCS campaigns in the EEZs of the Member States, as well as capacity building for the MCS department of the CSRP and UCOS. The activities will be coordinated by a technical assistance service contract, with two full time technical assistants to be based in the CSRP for three years, along with some short term inputs. Sixteen MCS missions are planned and will be implemented by UCOS in Gambia, which will establish contracts with appropriate providers of the maritime and aerial services, in collaboration with the services of the Member States. These missions will be subject to a protocol between the CSRP and the EU Delegation in Dakar, which will release the funds in tranches subject to satisfactory progress and reporting on disbursements. The project will be managed by Steering Committee, co-chaired by the EU delegation in Dakar and the Permanent Secretary of the CSRP, and comprising representatives of UCOS, UEMOA and the technical assistance project Team Leader. The budget structure of the programme is shown in the Table below.

Preconditions were established in the Financing Agreement, the key ones being that:

- o CSRP be subject to an organisation, financial and administrative audit (as described above)
- o CSRP member states paid arrears of membership fees and adopted a protocol with the EU setting out the commitments to maintain these payments.
- o CSRP undertake to cooperate fully in the implementation of surveillance activities and prosecution of infractions detected

The project was originally planned to start in 2009. However launch was delayed by the Commission until the above conditions were in place. The original launch of the service contract for the technical assistance programme was cancelled. It was re-launched in 2010, and is currently subject to tender (EuropeAid/127090/C/SER/SN). However, due to the EDF rules, the project must be completed by end of 2013, and the implementation period has therefore been reduced to three years (with a corresponding reduction in the number of surveillance missions). The contract is expected to be signed and activities launched before the end of 2010.

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Budget Item	Amount (EUR)
Training, missions, study tours, communications	1,900,00
MCS surveillance operations via UCOS	2,320,000
Technical assistance	980,000
Audits and evaluations	400,000
Contingencies	300,000
Total EDF	5,000,000
CSR/UCOS budget from Member States	1,138,000
Operational costs for joint surveillance missions	1,155,000
Total CSR member States	2,292,279
TOTAL	7,292, 279

Financial sustainability of CSR

The core budget of CSR is voted by the Ministerial Conference. This budget covers the salaries of permanent staff, running expenses, as well as specific project expenses. In 2006, the core budget of CSR was USD 594,000. The core budget is paid by the Member States, with the three largest countries (Mauritania, Senegal and Guinea) supporting 20% each, and the four smallest countries (Cape Verde, Gambia, Guinea Bissau and Sierra Leone) supporting 10% each. The breakdown is shown in Table 3:

Table 3: Budgeted income of the CSR in 2006

Member State	%	Amount USD
Cape Verde	10	59.368,00
Gambia	10	59.368,00
Guinea	20	118.736,00
Guinea Bissau	10	59.368,00
Mauritania	20	118.736,00
Senegal	20	118.736,00
Sierra Leone	10	59.368,00
TOTAL	100	593.680,00

However, the income has not always been available, since several Member States have regularly failed to pay their annual fees on time (although CSR in recent years has always managed to pay staff salaries). The situation in mid-2006, at which time the CSR budget was in owed US\$ 1.35 million is shown below in Table 4.

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Table 4: Member State arrears in annual fees due to CSRP, 2006

Member State	Amount in arrears on 31.12.2005	Amount of Contributions due for 2006	Amount of Contributions to paid in 2006	Arrears Contributions at 16.06.2006	Surplus Contributions at 16.06.2006
Cape Verde	154.305,00	59.368,00		213.673,00	
Gambia	187.113,00	59.368,00		226.181,00	
Guinea	229.679,00	118.736,00		348.415,00	
Guinea Bissau	245.162,00	59.368,00		304.530,00	
Mauritania	126.183,00	118.736,00	345.869,00	0,00	100.950,00
Senegal	29.787,00	118.736,00		148.523,00	
Sierra Leone	51.358,00	59.368,00		110.726,00	
TOTAL	1.003.587,00	593.680,00	345.869,00	1.352.048,00	100.950,00

Total current arrears are estimated at still over US\$ 1 million. Whilst Senegal and Mauritania have usually paid their fees, Sierra Leone has not paid for several years. Guinea Bissau was several years in arrears until 2009. Cabo Verde (current president) is paid up at present.

Where Members have a Fisheries Partnership Agreement with the EU there is potential for the associated agreed matrix of policy support measures to include the payment of membership fees of international fisheries organisations. This provides an improved likelihood that fees will eventually be paid. Both the Cape Verde and Guinea Bissau FPAs foresee the payment of membership fees for CSRP as a policy measure supported by the Agreement. In fact, FPA funds allowed Guinea Bissau to pay arrears of EUR 198,500 to CSRP in 2009, which had a major impact on its operational effectiveness in that year.

In future CSRP income will also be supplemented by an agreement by the World Bank and the Member, which states that 2% of the loan finance disbursed under the PRAO project, (which benefits CSRP Members Cape Verde, Senegal and Sierra Leone) may be remitted to the CSRP. With a total project cost (for four countries including Liberia) of US\$ 46.3 million, this potentially provides an estimated income for CSRP of about US\$ 140,000 per year between 2010 and 2014.

The CSRP budget is supplemented by International Donor Assistance, in respect of specific projects. This income helps to support CSRP in two ways. Firstly as an implementing body there is an element of the project budget which contributes to overheads and management costs. This may be in the region of a financial payment (8-15% depending on the financing agreement) or, where donor rules do not allow the payment of a management fee, the support is provided in kind (for example operation of vehicles, supply of generator and fuel have both been used). Either way, the effect is to support the fixed overhead costs of the CSRP.

Secondly, the aims of the project may be in line with the work of CSRP, in terms of improved regional fisheries management. In such cases (which are not necessarily all cases) the project funds contribute, in effect, the implementation budget for the CSRP. Until now however, no donor has sought to provide direct budgetary support for implementation activities, although with the improved governance in place this could presumably provide an option for the future.

It is not possible to separate donor budgets for projects implemented by CSRP into management and implementation components. The contribution of all donors approximated on an annual basis (total donor budget divided by the duration of the project) indicates that the total external grants to CSRP is about EUR 3.6 million per year (excluding the PRAO project). If the loan financed World Bank PRAO project disbursements are included (since they are programmed via CSRP), the annual budget will be in the region of EUR 13.8 million between 2010 and 2014. Assuming the core budget of CSRP is US\$

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500,000 per year (based on the 2007 figure), the grants provided by external donors represent 90% (without PRAO) or 97% (with PRAO) of the total budget of CSRP.

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Future strategic direction of CSRP

The restructuring exercise which began with the 2007 audit is now regarded as completed. The CSRP is now about to finalise the preparation of a new strategic action plan for the 2011-2015 period (with support of GTZ). The plan was prepared in 2009 and 2010 and discussed internally in validation workshops. The plan contains statements of objectives results and activities, along with monitoring indicators and an indicative budget. The idea is that donors can elect to support different elements of the plan, so that the CSRP development is driven by the strategic analysis, rather than the different donor agendas, as expressed through their choice of projects. Whilst this does not address the excessive reliance on donor funds, it does provide a means of ensuring that donor projects are more coherent with the objectives of the organisation.

The overall strategic objective is that CSRP should become a "regional institution of reference and innovation in the fisheries sector". The draft plan, which has not been published, is now ready to be put before the Council of Ministers for approval. Some of the principles which are taken into account in the plan are:

- o There is an awareness of the different nature of the economics of fisheries between the groups of Northern and southern members which has suggested the need for a more nuanced and sub-regional approach.
- o There is a need for strengthened linkages to stakeholders through the formation of national consultative committees, and of sub-regional consultative working groups for the management of fish stocks.
- o There is a wish to evolve from the purely consultative role to one with a stronger management role, this turning CSRP into a RFMO, to include some elements of fisheries policy. Some of the resources which could be considered as candidates for joint management are the northern stocks of small pelagics, found in the zones of Gambia, Mauritania, Senegal (and also in Morocco, which would need to participate).
- o There is a need to promote the participation of other key ministries (environment, commerce, finances, defence, transport) in the CSRP process (the organisation of a summit attended by Head of States is proposed).
- o There is a need to revise the convention on minimal conditions of access, especially to take into consideration access conditions for artisanal vessels (which has caused some disputes in the region)
- o There is a need to strengthen national registers of fishing vessels, and create a sub-regional register, and establish broad principles of information sharing

Longer term sustainability of CSRP

Whilst it is clear that donor projects have helped to secure CSRP activities for the next five years, there are concerns regarding the volatility of this source of funds beyond the life of the current projects. It is clear that longer term sustainability is not assured by the present model of funding. Furthermore, whilst the income is useful, when CSRP responds to the needs of donors because it needs to generate income, it risks losing its focus on core functions linked to its strategic objective.

The apparent wish in the revision of the CSRP convention to raise its status to that of regional fisheries management organisation is of interest. The Council of Ministers in 2007 passed a resolution⁵⁶ that the CSRP should seek

⁵⁶ Sub-Regional Fisheries Commission (SRFC), Report of the Eleventh Extraordinary Session of the Conference of the Ministers of the SRFC, 26 - 27 October 2007, Hotel Novotel, Dakar, Republic of Senegal.

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"to engage in a dialogue between Member States with the aim to initiate a process which eventually would establish mechanisms for the joint negotiating of common aspects of fisheries agreements between member states of the SRFC and the European Union, while taking into account the specificities of each Member State".

In the event this was not done and there is no sign that the four CSRP Member States which have entered into FPAs would be willing to cede sovereignty over their fishery resources, which would be a pre-condition for negotiation of a common access agreement. However, there may be a potential that future Protocols negotiated by the Community with these four countries, include provision for direct transfer to CSRP of an element of the financial contribution allocated to the policy support measures. The proposed adoption by the Council of Ministers of a strategic plan with budgeted policy measures is a catalytic event which would allow the direct allocation of FPA finance by the European Commission to a budgetary support programme in favour of the CSRP (within the frame of a Regional FPA). The amount of payment could at first be equivalent to the membership fees, but it could be increased in line with Members wishes to support CSRP measures (perhaps with conditions that proportionate contributions are made by CSRP members who do not have FPAs). Separate FPA elements could also, if CSRP and Member States agreed, be linked to the CSRP counterpart finance of the MCS missions to be implemented under the EDF MCS programme, thus ensuring a good level of coherence fisheries and development policies have a common interest in reducing IUU fishing.

In addition, the adoption of this model would reduce the reliance of CSRP on donor funding, solve the problem of arrears in payment of membership fees and contribute, at least partially, to its longer term sustainability. It would also ensure some external monitoring of progress as a condition of the budgetary support and thus further strengthen governance of the CSRP.