



ACP-EU fishing agreements: Accord or discord? 'Keep to the spirit' appeal by Joint Fisheries Committee

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Are the fishing agreements concluded between a number of ACP countries and the European Union being respected? According to some ACP parliamentarians, both the spirit and the letter of these agreements are frequently violated. Specifically, they say that catch conditions are not always complied with. As for the 'spirit' of the accords, namely their development cooperation objectives, the deputies take the view that little trace can be found in practice of the preliminary declarations made in the preambles to the agreements.

A report submitted by the Mauritanian parliamentarian, Sid Ahmed Ould Habott, to his colleagues on the recently formed Joint Fisheries Monitoring Committee, raises a number of issues of concern. This Committee was set up following the recommendation contained in a resolution of the most recent Joint Assembly held in Brussels on 4-7 October 1995. The move was a tangible response to the deeply felt unease of a number of ACP parliamentarians who are anxious to highlight, if not perhaps the flagrant violation of the accords, 'at least their quasi-fraudulent interpretation on the part of fishermen spurred on solely by the lure of profit'. These are the actual words used by a member of parliament from Mauritius. The signs are that ACP countries and others (such as Morocco, for example) are increasingly reluctant to grant fishing rights without the guarantee of substantial benefits for their economies. There is even the temptation in some quarters to terminate the accords if they are not given a major overhaul, particularly in terms of the protection of fish stocks and effects on the development of the people concerned.

In defence of the European Union, some officials refer discreetly to the fact that the agreements which are the subject of criticism were concluded in response to the concerns of the authorities in the countries in question. Their particular interest, at the time the accords were made, was in receiving direct financial compensation from the European Union in return for access rights to their fishing grounds. When asked about this matter, more than a year ago, one Commission official in Brussels involved in the fisheries sector was even more outspoken. 'It isn't fair to lecture us about the situation today. It simply reflects what was agreed at the time the accords were entered into'.

But the fact remains that a number of ACP parliamentarians, confident that they are representing the wishes of their electors, have come out against what they see as the inadequacy of the fishing agreements given the actual situation and needs of their countries and citizens. They would like to see the accords renegotiated, consolidated and even made globally applicable within the framework of development cooperation. They view such an approach as being in the best interests, not only of their own countries, but also of a proper development policy. They point out that it is in the context of such a policy that Europe is generally viewed by the people of the ACP countries.

To give a broad summary of the situation, Mr Ould Habott's report contains more than twenty points of criticism. These pertain to the management of fish stocks, the gathering of information and statistics on the impact of fishing activities, the shortcomings of research and information activities available to ACP countries which are signatories to the accords, inadequate monitoring of catch conditions, poor use of finance and technical-assistance programmes, and violation of both domestic and international legislation in the fisheries field. If the law were being applied in the strict sense, any one of these breaches should have resulted in court proceedings against the offending state. But this appears not to be part of the philosophy underpinning the EU's relationships with countries from the South. These are still viewed, at least in theory, as 'partnerships', and hence, as something more like a 'gentlemen's agreements'.

Given the scale and seriousness of the problems that have been identified, a number of ACP politicians and, it must be said, some of their European counterparts, are now questioning the economic, social and ecological feasibility of the agreements. The Europeans, of course, are also anxious to defend Community fishermen. Without denouncing the accords in so many words, members of the Monitoring Committee are calling for a complete re-evaluation. One key concern is that they should take proper account of the ecological constraints. This is something that cannot be avoided given that the environmental balance is so fragile. There is also a desire to ensure that the agreements have a genuine, positive and quantifiable impact on the economies of the countries in question. The latter objective applies particularly to local fishermen, whose activities are largely non-industrial, and to the local communities who only take enough from the sea to satisfy their basic food requirements.

Made up of twelve members (including the Vice-President of the European Parliament, Mrs Nicole Péry), the Committee is presided over by Mr Ould Habott on behalf of the ACP countries, Mr Morris, on behalf of EP, and a representative from the Commission. It was created against the particularly tense background of the denunciation of the fishing agreement between Morocco and the European Union. The renegotiation of this agreement is likely to be difficult and it will inevitably have consequences on the future form of agreements made with the ACP countries. It is worth recalling here that Mauritania also

took action, having imposed a moratorium on catches. The purpose of this was to provide a 'biological rest', allowing time for the renewal of those fish species most under threat.

The parties involved clearly have different and sometimes competing interests but what seems to be emerging is a view that the old style agreements should come to an end. Their only effect was to provide funds in return for fishing access with the money, at best, being swallowed up by the recipient state's budget. On the ACP side, more and more people are demanding access to markets and technologies in return for access to resources, with the proviso that the latter must be approached responsibly and be subject to scientific monitoring, governed by strict procedures and an international code.

For the Europeans, these demands should be seen in the context of the more far-reaching approach of EU development cooperation, particularly through better use of the instruments available under the Lomé Convention, and more specifically the National Indicative Programmes. What this amounts to is telling the ACP countries that they, too, are responsible for the content and the form of these accords.

In Mr Habott's view, 'it is the future that is important.' He stresses: 'We want these fishing agreements to be a development tool for our peoples, beginning with the implementation of a balanced and mutually profitable partnership but with absolute respect for the ecological balance which is of concern to everyone.' This, he says 'involves reasonable exploitation of resources to ensure that species are protected, the collection of reliable data on the impact of fishing activities, both in terms of the sea and economically speaking (food, employment, income for local fishermen), and the development of local catch capabilities and even industrial processing installations.'

He continues: 'The ACP countries must be able to manage this vital economic sector more efficiently. Among the provisions to be adopted, we would suggest more decisive regional cooperation in monitoring and research, through, for example, the creation of regional training centres and the setting-up of research and development programmes for conservation.'

'Nowadays, it is no longer possible to continue in the same direction as before. We must firstly ensure that the agreements we have signed are genuinely being complied with. To that end, as parliamentarians and therefore representatives of our electors, transparency must be paramount. For example ships' logs must be kept correctly, and scientific monitors must be able to board ships''.

'Globally speaking, the adapted agreements must take account of non-industrial fishing and ancillary activities, which are vital to populations as a whole and to village communities.' He lays particular stress on 'economic activities carried on by women who play a central role in our countries.'

Mr Habott concludes: 'At a purely commercial level, we are actively seeking partnerships to promote development within our countries. These could be created with the support of the Centre for the Development of Industry (CDI) and/or the Technical Centre for Agricultural and Rural Cooperation (CTA), as well as with assistance from the European Investment Bank. We have capabilities in this field and we intend to put them to good use. We also support worldwide efforts, based on international

agreements, to regulate the management of fish stocks and conserve the marine environment.'

Although, it is clear that the mere establishment of a Monitoring Committee cannot meet all the challenges which the ACP countries and, above all, their populations, are faced with, to entrust management of fish stocks only to European fishermen (together with the Russians, Japanese and Koreans) is suicidal both economically and ecologically speaking. Assuming that the Committee can increase awareness among the general public in both Europe and the ACP countries, and amongst political leaders, then the initiative deserves to be welcomed.