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Delegations will please find attached a CD-ROM with the declassified version of the above evaluation report.[1]

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COVER NOTE

From :	European Commission
To :	General Secretariat of the Council
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DÉVELOPPEMENT

MEGAPESCA Lda

CONTRAT CADRE FISH/2006/20

SPECIFIC CONVENTION N°27: EX-POST EVALUATION OF THE CURRENT PROTOCOL TO THE FISHERIES PARTNERSHIP AGREEMENT BETWEEN THE EUROPEAN UNION AND GUINEA BISSAU AND ANALYSIS OF THE IMPACT OF THE FUTURE PROTOCOL ON SUSTAINABILITY

Final Report

September 2010

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PROCESSUS ENGINEERING - CONSULTING - TECHNICAL ASSISTANCE

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Average exchange rates used (source: InforEuro)

Year	Euro	USD	CFA Franc
2006	1	1.25	655.957
2007	1	1.37	655.957
2008	1	1.48	655.957
2009	1	1.39	655.957
2010	1	1.33	655.957

Abbreviations and Acronyms

ACP	African, Caribbean and Pacific States (Lomé Convention IV)
AECID	Spanish Development Agency
AFD	French Development Agency
AFR	Artisanal Fisheries Regulation
AfDB	African Development Bank
AGPAO	Support for Fisheries Management in West Africa
AIS	Automatic Identification System
ANP	National Popular Assembly
APGB	Administração dos Portos da Guiné Bissau
AU	African Union
BCEAO	Banque Centrale des Etats de l'Afrique de l'Ouest
BOAD	Banque Ouest Africaine De Developpement
CCAMLR	Commission for the Conservation of Antarctic Marine Living Resources
CCLME	Canary Current Large Marine Ecosystem
CECAF	Fishery Committee for the Eastern Central Atlantic (=COPACE en Français)
CEFOPE	Centre for Fisheries Training
CEMAC	Communauté Economique et Monétaire de l'Afrique Centrale
CET	Common external tariff
CFP	Common Fisheries Policy
CIPA	Centre for Fisheres adn Aquacukture Research
CNFC	China National Fishery Corporation
CNHSB	Centre National des Sciences Halieutiques de Boussoura
COMHAFAT	Conférence Ministérielle sur la Coopération entre les Etats Africaines Riverains de l'Océan Atlantique
CONAPEMAC	Marine Fisheries National Cooperation of the Peoples Republic of China
COREP	Regional Fisheries Committee for the Gulf of Guinea
CPLP	Community of Portuguese Speaking Countries
CPUE	Catch per Unit Effort
CSRP	Sub-Regional Fisheries Commission
CZM	Coastal Zone Management
DENARP	National Poverty Reduction Strategy Paper
DEU	Delegation of the Euopean Union
DGP	Direcção Geral das Pescas
DGIS	Netherlands support
DGPI	Directorate General of Industrial Fisheries
DG SANCO	Directorate General for Health and Consumer Affairs, European Commission
EBA	Everything But Arms
EC	European Commission
ECCAS	Economic Community of Central African States
ECF	Extended Credit Facility
ECOWAS	Economic Community Of West African States
ECPA	Emergency and Post-Conflict Assistance
EDF	European Development Fund
EEZ	European Economic Zone
EIB	European Investment Bank
EIU	Economist Intelligence Unit
ENRP	Estratégia Nacional de Redução da Probreza
EPA	Economic Partnership Agreement
EPADP	West Africa EPA Development Programme
EPCA	Emergency Post-Conflict Support Programme
ETLS	ECOWAS Trade Liberalization Scheme
EU	European Union
EUR	Euro
FADs	Fish aggregating devices
FAO	Food and Agriculture Organization

FIBA	United Nations Food and Agriculture Organization Fisheries Department.
FISCAP	Fisheries Monitoring and Control Instution
FMP	Fisheries management plan
FOC	Flags of Convenience
FPA	Fisheries Partnership Agreement
GDP	Gross Domestic Product
GEF	Global Environment Facility
GRT	Gross Registered tonnage
GSP	Generalised System of Preferences
GTZ	German International cooperation Agency
HACCP	Hazard Analysis and Critical Control Points
HIPC	Heavily Indebted Poor Countries
IBAP	Instituto da Biodiversidade e das Áreas Protegidas
ICCAT	International Commission for the Conservations of Atlantic Tunas
IEO	Instituto Español de Oceanografía
IFAD	International Fund for Agricultural Development
ILO	International Labour Organisation
IMF	International Monetary Fund
IMO	International Maritime Organisation
IMROP	Institute for Oceanographic Research and Fisheries
IT	Information Technology
IUCN	International Union for Conservation of Nature
IUU	Illegal, unreported and unregulated
JICA	Japenses International Cooperation Agency
LDC	Least Developed Countries
LJFL	Lower-jaw fork length
MARPOL	Marine Pollution
MAVA	Luc Hoffmann Foundation
MCS	Monitoring Control and Surveillance
MDGs	Millennium development goals
MDRI	Multilateral Debt Relief Initiative
MFN	Most Favourd Nation
MoU	Memorandum of Understanding
MPA	Marine Protected Area
MSc	Master of Science
MSY	Maximum Sustainable Yield
NAO	National Authorising Officer
NAUTA	Spanish Regional Program of Development of the Fishery Sector in Africa
NGO	Non Governmental Organisation
NIP	National indicative Programme
ODA	Overseas Development Administration (UK)
OFCF	Overseas Fishery Cooperation Foundation of Japan
OGE	General State Budget
P&L	Pole and Line
PAPED	West Africa EPA Development Programme
PALOPs.	Países De Língua Oficial Portuguesa (Countries having their official language as Portuguese)
PRCM	Programme Régional de Conservation de la zone Côtière
PRAO	Projet Regional des Peches en Afrique de l ' Ouest
PRGF	Poverty reduction and growth facility
PRS	Social Renovation Party
PRSP	Poverty Reduction Strategy Paper
RAO	Regional Authorising Officer
RFB	Regional Fisheries Body
RFMOs	Regional Fisheries Management Organisations
RIP	Regional Indicative Programme
SCRS	Standing Committee on Research and Statistics (ICCAT)
SOLAS	Convention for the Safety of Life at Sea

SLL	Surface Long Liner
SRFC	Sub-Regional Fisheries Commission
STCW	International Convention on Standards of Training, Certification, and Watchkeeping for Seafarers
STECF	Scientific, Technical and Economic Committee for Fisheries
TAC	Total Allowable Catch
TBT	Technical Barriers to Trade
TED	Turtle Exclusion Device
TDCA	Trade Development and Cooperation Agreement
UCOS	United States Marine Corps
UEMOA	Union Economique et Monétaire Ouest Africaine
IUCN	International Union for Conservation of Nature
UN	United Nations
UNDP	UN Development Programme
USAID	United States Agency for International Development
USD	United States Dollars
VA	Value Added
VMS	Vessel Monitoring System
WTO	World Trade Organisation
WWF	World Wildlife Fund

EXECUTIVE SUMMARY

1. This report sets out the findings of an evaluation of the current Fisheries Partnership Agreement between the European Union and the Republic of Guinea Bissau,. The study was commissioned by the Directorate General for Maritime Affairs and Fisheries of the European Commission and conducted by a consortium comprising Oceanic Développement (France) and Megapesca Lda (Portugal). The mission comprised a review of documentation associated with the first protocol and activities conducted under it, and meetings with key stakeholders, including representatives of the Government of Guinea Bissau and its fishery sector during a field mission to Guinea Bissau conducted in August 2010.

2. Guinea Bissau is a tropical West African country with limited natural resources. The population of the country is estimated at 1.4 million, about a quarter of which resides in the capital Bissau, with the rest in rural areas. Guinea Bissau is one of the least developed countries. About two-thirds of households live below the poverty line; the literacy rate is low. The country would qualify for debt relief as a highly indebted developing country, but so far has not been able to implement adequate reforms to the satisfaction of the IMF. A National Poverty Reduction Strategy Paper (DENARP) is in place. The economy is largely agricultural, with a high dependency on the export of a single crop, cashew, which earned USD 94 million in 2008. Investment has shrunk over the years. It is one of the most difficult places to do business (ranking 181 out of 183 countries in the World Bank annual survey). Potentially beneficial trade with the EU in fishery products is prevented due to non-compliance with EU sanitary measures.

3. The country is highly dependent on donor support, which provided 31% of national income in 2008. The EU is the major donor, providing about one third of the international donor assistance (of about EUR 100 million) in 2008. Other important donors are the World Bank, Spain and Portugal. Government revenues in 2008 were just EUR 76 million, about a third of which is budgetary support from donors, principally the EU.

4. As with other ACP states, Guinea Bissau's development cooperation strategy with the EU is set out in a National Indicative Programme. The programme under the 10th EDF was adopted by the parties for the period 2008 to 2013 and is designed to support the DENARP, and the achievement of the Millennium Development Goals (MDGs). The NIP allocates EUR 53 million to two focal sectors conflict prevention and water and energy. Additional direct budgetary support amounts to €32 million during the period 2008 to 2011, the main purpose of which is to achieve macro-economic stability. Guinea Bissau is also a beneficiary of interventions supported under the 10th EDF Regional Indicative Programme for Africa. The total EDF allocation to the RIP is EUR 597 million. Guinea Bissau has elected to participate with the UEMOA Group in negotiations with the EU to replace the tariff preferences currently offered unilaterally by the EU to ACP countries, with Economic Partnership Agreements.

5. The broad continental shelf, fed by numerous rivers, along with seasonal oceanic upwelling provides Guinea Bissau with an extraordinarily rich fishery resource, in both coastal and oceanic species. Commercial stocks include demersal fish species, small pelagic fish, migratory large pelagic fish, shrimp (both deep- and shallow-water species) and cephalopods (cuttlefish and octopus). Around 10-12,000 artisanal fishermen many of them of foreign, origin operate in the coastal regions. Subsistence fishing is carried out by many more in all coastal or riverine areas. Catches from the artisanal sector have recently been estimated to be in the range of 30-50,000 tonnes/year, much higher than previously thought, and food dependency on fisheries is probably extremely high given the lack of alternative sources of animal protein.

6. Overall, during 2007 to 2008 about 124 industrial fishing vessels each year have operated in the Guinea Bissau zone. All undertake freezing onboard. This is a significant reduction in the numbers of vessels licensed to operate in 2003 (190) and 2004 (172). The vessels operate under different regimes. Most national operators have re-flagged to countries which meet EU sanitary requirements, to maintain access to EU markets. IUU fishing in Guinea Bissau waters is a traditional problem. During 2008 and 2009, Guinea Bissau authorities apprehended 58 vessels for fisheries offences, 11 of which were fishing without a license, and 7 were fishing in prohibited zones.

7. In addition to the EU, Guinea Bissau has bilateral fisheries agreements with Senegal and China, both of which were renewed in 2010. Overall, there appears have to have been a

significant effort to harmonise access arrangements between agreements, and to make them more transparent, compared to the situation in 2004.

8. Since it was signed in 2007, an annual average of 62 EU vessels has operated under the Fisheries Partnership Agreement. This 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), One Irish trawl vessel drew a fishing licence in 2008 and 2009, operating outside the partnership agreement. A number of EU operators of non-EU flagged vessels also access the EEZ under other arrangements (private charter, or under the Agreement with Senegal).

9. The production from the overall industrial fishery (including that of the EU) was estimated at 53,000 tonnes in 2008. Overall, about half of the production is small pelagic fish, such as mackerel, horse mackerel and sardinellas. About 40% is demersal fish, represented by a large number of species, including breams, sweetlips, croakers, catfishes and soles. Cephalopods account for about 5% of the catch, mainly in the form of cuttlefish and octopus. Tuna species account for 5% and shrimp and crabs account for just 2%. In general, industrial operators tranship their catches or land outside the country (e.g. Dakar or Canary Islands). Economic benefits from the industrial fishery to Guinea Bissau are mostly limited to compensation, access and observer fees, and some crew employment in the demersal fisheries. There is only one operational processing establishment.

10. Fisheries administration, management and development fall under the responsibility of the Ministry of Fisheries and its Directorates, along with two autonomous bodies; FISCAP responsible for fisheries monitoring control and surveillance, and CIPA responsible for fisheries research and sanitary controls. A fisheries development strategy has been drafted with EDF support, but has not been adopted. FISCAP operates an observer corps with 100% coverage of licensed vessels, and operates a number of fast small patrol vessels. It has proven capacity to apprehend non-compliant vessels but there are outstanding gaps in the control system. An adequate and modern framework Fisheries Law was drafted with EU support in 2005, but has not been approved. Sanitary controls have been strengthened (with significant technical assistance and other inputs from the EDF SFP project), but until now compliance with EU sanitary rules remains elusive.

11. Despite these limitations, and an unstable political environment, during the last four years there have been notable improvements in fisheries monitoring control and surveillance capacity and strengthened participation of Guinea Bissau with regional fisheries bodies such as CSRP (although Guinea Bissau is not yet a member of ICCAT). International donor support has been important in this process (the EU, Spain and Japan are the main partners in fisheries), but budgetary support from the Fishery Partnership Agreement with the EU has also played an important part.

12. The current protocol under the Fisheries Partnership Agreement between the EU and the Republic of Guinea Bissau covers the period 16 June 2007 to 15 June 2011. 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. It includes annual fishing possibilities for up to 4400 GRT of freezer finfish and cephalopod trawlers, 4400 GRT of freezer shrimp trawlers, 14 pole and line tuna vessels and 23 tuna purse seiners or surface longliners. The EU financial contribution available is EUR 7,000,000 per year. This contribution includes an amount of 2,450,000 EUR (35% of the total) granted by the Community towards the promotion of sustainable and responsible fishing in Guinea Bissau waters. A further contribution of EUR 500,000 is specifically dedicated to the introduction of improved sanitary control system.

13. During the period 2007-2009, the rate of available licences drawn was 45% for the freezer finfish and cephalopod opportunities, 36% for shrimp, 76% for tuna pole and line and 83% for tuna purse seiners (no surface longline licences were drawn). The utilisation of demersal fishing opportunities was highly variable (range in annual utilisation rates from 17 to 65%). 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. About 95% of the value generated 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% of the agreement value, and Greece and Italy with only two licences drawn, and no catches, have not obtained any benefits. The Agreement is estimated to support the employment onboard of 470 EU nationals.

14. 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 30.2 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 by mainly the Mauritanian and Greenland FPAs).

15. For the European Union, the Agreement has had a modestly positive cost:benefit ratio of 2.2 (annual cost to the Commission plus the EU fleet of EUR 6.6 million, compared to an annual benefit of 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. Given this level of financial support, the associated financial contribution paid by the EU (with a nominal total of EUR 7.5 million per year) may be regarded as too high, representing poor value for the EU tax-payer. The Community pays a substantial amount per year for unused fishing opportunities. 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 be considered that a certain degree of over-payment is inevitable with fixed fishing opportunities set at a level to accommodate the maximum desired rate of annual utilisation.

16. The main impact of the Agreement on Guinea Bissau has been that the Government Revenue Account has been credited with a financial amount averaging EUR 5.5 million/year plus licence and observer fees from vessel operators, of about EUR 1 million per year. Transfers from the Community were less than provided for in the Agreement due to the delayed implementation of agreed policy support measures by Guinea Bissau Government. The sector programme has fallen at least one year behind schedule.

17. These financial contributions have provided an annual average of about 7.3% of the state budget of Guinea Bissau. This revenue has helped Guinea Bissau to maintain macro-economic and political stability during the period. The sectoral support element has contributed some 88% of budgeted fisheries expenditure (the balance being made of restitutions of fines, observer and licence fees). There are no landings, nor transhipments, and only limited vessel visits. Other economic benefits are limited to the employment of some 148 Guinea Bissau crew onboard the EU vessels, creating some value added benefits averaging about EUR 1.2 million/year, in the form of remitted earnings. Overall, including the financial contribution, the total benefits to Guinea Bissau are estimated to be in the region of EUR 7.8 million/year. With a national GDP of EUR 575 million in 2008 the Agreement contributed 0.96% of the GDP. This may be compared with the budgetary support from the EDF which contributed some EUR 20.95 million in 2009. The FPA has provided about one quarter of the EU's transfers to this country, and has therefore made an important contribution to economic stability.

18. None of the tuna catches by EU vessels under the FPA account for more than 1% of the total exploitation of the species concerned. Yellowfin and skipjack bigeye tuna tunas are considered by ICCAT to be exploited within sustainable limits. However the assessment for bigeye tuna 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. However, since the FPA only accounts for an estimated 0.15% of effort this risk may be regarded as minimal, and the FPA should be regarded as sustainable in terms of impacts on tuna stocks.

19. However, the Agreement accounts for almost 100% of deepwater shrimp catch, 75% of other shrimp, 50-70% of the cephalopods and about 10% of the industrial demersal fish catches. Aggregate CPUE data for crustaceans, which consist mostly of shallow-water and deep-water shrimp, indicate a relatively stable (or even improving) conditions, due to a strong decrease in vessel numbers. For fish and cephalopods, there are conflicting trends in the available data. Whilst the overall situation appears to be stable, there is insufficient quantity and quality of data to perform accurate species based stock assessments, and there is a risk of unsustainable levels of exploitation on some species.

20. CIPA produces an annual management plan for industrial fisheries. Fishing opportunities offered by Guinea Bissau have not exceeded those specified by the management plan. However the methodology has a number of important limitations and unstated assumptions. In addition, analyses do not take into account of the substantial catches from small scale fisheries, nor do they take account of discarding. The main priority is to to build and validate species-specific CPUE time series for important target species in order to further elucidate the status of stocks.

21. There are also 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 particular (and at least 60%). The possible effects of bycatch and discarding on relatively sensitive species such as sharks and rays are not known. The recent European Union Action Plan for the Conservation and Management of Sharks (2009) refers to shark catches by the EU demersal fleet in third countries. There are finite risks that the Agreement may not be sustainable in relation to these resources, and therefore not in line with the principle of responsible fisheries. More efforts are needed to improve the available information and to assess these impacts with a view to better risk management.

22. Most of the fishing operations conducted under the Agreement comply with the management recommendations of ICCAT and the fisheries management regulations of Guinea Bissau. Observers have been mobilised on all EU trawl vessels. During the period there have been only 2 arrests of EU vessels for non-compliances with technical fisheries measures (there have been more for unlawful refuelling). However, there are concerns regarding non-compliance with reporting conditions imposed on EU vessels in terms of entry and exit reporting, and submission of catch reports by vessels which need to be addressed

23. Within the Agreement, the partnership approach and the associated financial contribution have provided the means for the implementation of an agreed matrix of support measures in support of a sustainable fisheries policy. A Joint Committee was created by the parties and has held two meetings. The creation by the Commission of a new monitoring position based in Dakar, with regular monitoring missions and dialogue, has helped to keep track of disbursement progress and to ensure timely corrective actions when problems have arisen. However, the Scientific Committee only met in September 2010, which is a serious omission, especially given the doubts regarding the validity of the fisheries management recommendations and the risks to sustainability. Otherwise the parties to the Agreement have successfully implemented the partnership approach.

24. The implementation process has been impaired by the political and financial instability of Government, and by the structural difficulties of the fisheries administration. Transparency, reporting and monitoring conditions are also insufficient, which has limited the depth of the evaluation in terms of assessment of outputs and impacts. Despite these limitations it is clear that important progress has been made on agreed strategic objectives, most notably in relation to strengthened fisheries monitoring control and surveillance, and sanitary inspection capacity. Guinea Bissau's participation in regional fisheries bodies (especially 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, so that the programme has only partially achieved its objectives within the time frame established by the parties.

25. Although many areas remain to be addressed, the contribution of the Agreement to these achievements should not be underestimated by the Parties. The proposed appointment in 2010 of EDF technical assistance to the Ministry of Fisheries to help with implementation of a partnership approach should help to accelerate the programme in the remaining period of the protocol (and is a measure which could be usefully considered for other FPAs in which the third country partner has weak implementation capacity).

26. The Fisheries Partnership Agreement has provided access to fishing opportunities for EU fleet segments from fishery dependent areas, created employment, and provided for additional

supplies to the EU market. Although there are reservations regarding the sustainability of some of some of the opportunities exploited, the Agreement has proved to be highly relevant to the fisheries policy to the Common Fisheries Policy of the EU. The Agreement accounts for about one quarter of all transfers from the EU to Guinea Bissau, and the Agreement therefore provides an important supplementary pillar of support. The Agreement has started to deliver important developmental outcomes in terms of reduced IUU fishing, as well as the prospects of increased trade in fishery products and is therefore coherent with the EU's national and regional development approaches. Its support for fisheries MCS means that the Agreement is coherent with the EU's approach to reducing IUU fishing. There are specific synergies with a number of EDF regional development programmes (ACP Fish II, SFP and the forthcoming regional MCS programme implemented by CSRP). The role of regional cooperation is common in several of the themes considered in the EU's integrated maritime policy (especially in relation to good environmental status, economic growth across borders, connectivity and trade relations and maritime governance of marine waters). The EU has just launched a discussion on the applications of this policy to the Atlantic region, where the EU-Guinea Bissau Fisheries Partnership Agreement has relevance to a regionally integrated approach to all of these strategic elements.

27. For Guinea Bissau, the Agreement has delivered financial means for implementation of important measures to support economic development and sustainability of the sector. It has had a particular impact (along with some well focused donor support) on reducing IUU fishing and bringing the sector closer to meeting EU sanitary conditions for trade in fishery products, both important conditions for development of a national, onshore, fisheries sector. The FPA provides an important vehicle for sustaining the development agenda during periods of economic and budgetary instability. The Agreement has also allowed the EU and the Guinea Bissau Authorities to maintain a policy dialogue, with a view to promoting responsible fishing. As a conclusion, it appears that it is strongly in the interest of both parties to conclude a new protocol that would prolong this partnership between Guinea Bissau and the European Union..

RESUME EXECUTIF

SUMÁRIO EXECUTIVO

1. Este relatório apresenta os resultados de uma avaliação do actual Acordo de Parceria no domínio das Pescas (APP) entre a União Europeia e a República da Guiné-Bissau. O estudo foi encomendado pela Direcção-Geral dos Assuntos Marítimos e das Pescas da Comissão Europeia e conduzido por um consórcio constituído pela Oceanic Développement (França) e Megapesca Lda (Portugal). A missão incluiu uma revisão da documentação associada ao primeiro protocolo e actividades realizadas ao abrigo do mesmo e reuniões com os principais interessados, incluindo representantes do Governo da Guiné-Bissau e do sector das pescas, durante uma missão à Guiné-Bissau realizado em Agosto de 2010.

2. Guiné-Bissau é um país tropical situado no oeste africano com recursos naturais limitados. A população do país é estimado em 1,4 milhões, dos quais cerca de um quarto reside na capital de Bissau e o restante nas áreas rurais. Guiné-Bissau é classificado como um dos países menos desenvolvidos, onde cerca de dois terços das famílias vivem abaixo do limiar da pobreza e a taxa de alfabetização é baixa. O país qualifica actualmente para o alívio da dívida, sendo um país em desenvolvimento altamente endividado, mas não foi até agora capaz de implementar as reformas indicadas para poder satisfazer o FMI. Existe um Documento de Estratégia Nacional para a Redução da Pobreza (DENARP), adoptado em 2006. A economia é essencialmente agrícola com uma elevada dependência da exportação de uma única cultura, o caju, que rendeu 94 milhões de dólares em 2008. A situação económica do país é caracterizada pelo desinvestimento em anos recentes. É considerado um dos lugares mais difíceis para fazer negócios (classificado em 181 entre 183 países no censo anual do Banco Mundial). Devido a incumprimento com as medidas sanitárias da UE, não é possível tirar os potencias benéficos do comércio de produtos da pesca com a UE.

3. O país é altamente dependente do apoio da cooperação internacional, contribuindo 31% da renda nacional em 2008. A UE é o principal parceiro, contribuindo cerca de um terço dos apoios internacionais (de cerca de 100 milhões de euros) em 2008. O Banco Mundial, a Espanha e Portugal são outros parceiros importantes. As receitas públicas em 2008 somavam apenas 76 milhões de euros, do qual cerca de um terço são contribuições dos parceiros internacionais ao orçamento do Estado, principalmente da UE.

4. Tal como acontece com outros países ACP, a estratégia da UE para a cooperação com a Guiné-Bissau é definida no Programa Indicativo Nacional (PIN). Este Programa foi aprovada pelas partes para o período 2008-2013 no âmbito do 10º programa FED e foi concebido para apoiar o DENARP e a realização dos Objectivos de Desenvolvimento do Milénio (ODM). O PIN atribui 53 milhões de euros a dois sectores focais; a) prevenção de conflitos e b) água e energia. Com o objectivo principal de conseguir a estabilidade macro-económica são atribuídas montantes adicionais no valor de 32 milhões de euros para apoio orçamental directo durante o período de 2008 a 2011. Guiné-Bissau é também um beneficiário das intervenções apoiadas no âmbito do Programa Indicativo Regional (PIR) do 10º programa FED para a África. A dotação total do FED para o PIR é de 597 milhões de euros. Guiné-Bissau decidiu participar com o grupo UEMOA nas negociações com a UE para substituir as preferências tarifárias actualmente em vigor, oferecidas unilateralmente pela UE aos países ACP, pelo Acordo de Parceria Económica.

5. Guiné-Bissau é dotada de uma plataforma continental ampla, alimentada por inúmeros rios, o que juntamente com o afloramento sazonal das correntes oceânicas contribui para a riqueza em recursos haliêuticos, tanto em espécies costeiras e oceânicas. Este recursos incluem peixes demersais, pequenos pelágicos, grandes peixes migratórios, camarão (também camarão de profundidade) e cefalópodes (lulas e polvos). Cerca de 4000 pescadores artesanais, muitos deles estrangeiros de origem, desenvolvem a sua actividade nas regiões costeiras. A pesca de subsistência é realizada por muitos mais ao longo da costa ou em zonas fluviais. As capturas do sector artesanal foram recentemente estimadas entre 30.000 e 50.000 toneladas / ano, muito mais elevada do que se pensava anteriormente, e a dependência alimentar em produtos da pesca é provavelmente extremamente elevado devido à falta de fontes alternativas de proteína animal.

6. Durante o período de 2007 a 2008, um total de cerca de 124 embarcações de pesca industrial operavam na zona da Guiné-Bissau. Todas estas embarcações têm capacidade de congelamento a bordo. Esta é uma redução significativa no número de navios licenciadas para

a actividade de pesca comparado com o ano de 2003 (190) e 2004 (172). Os navios operam sob diferentes regimes. A maioria dos armadores nacionais mudaram de bandeira dos navios para bandeiras de países, que cumprem os requisitos sanitários da UE, mantendo assim o acesso aos mercados da UE. A pesca ilegal, não declarada e não regulamentada (INN) em águas da Guiné-Bissau é um problema já de longa data. Durante os anos de 2008 e 2009, as autoridades da Guiné-Bissau apreenderam 58 embarcações por infracções relacionadas com a pesca, das quais 11 eram de pesca sem licença e 7 por operações de pesca em zonas proibidas.

7. Além do acordo com a UE, a Guiné-Bissau tem acordos de pescas com o Senegal e a China National Fisheries Corporation (CNFC), ambos os quais foram renovados em 2010. Globalmente, parece haver um esforço significativo para harmonizar os acordos de acesso e de forma transparente, comparando com a situação vigente em 2004.

8. Desde que foi o assinado em 2007 o Acordo de Parceria com a EU, este acordo possibilitou as operações de uma média anual de 68 navios da UE (15 arrastões de peixes/cefalópodes, 23 arrastões de camarão, 11 navios de linha e linha, e 19 navios de cerco). Um navio irlandês de arrasto obteve uma licença de pesca em 2008 e 2009, operando fora do acordo com a UE. Vários armadores da UE a operar navios sob bandeiras de outros países terceiros conseguiram acesso aos pesqueiros da Guineá-Bissau sob outras modalidades (afretamento ou ao abrigo do acordo com a Senegal).

9. A produção total da pesca industrial foi estimada em 53 mil toneladas em 2008 (incluindo a frota da UE). Globalmente, cerca de metade da produção é de pequenos peixes pelágicos, tais como a cavala, carapau e sardinella. Cerca de 40% da produção é constituída por peixes demersais, incluindo um número elevado de espécies tais como os pargos, corvinas, bagres e linguados. Os cefalópodes constituem cerca de 5% das capturas, principalmente na forma de choco e polvo. As várias espécies de atum representam 5% da produção e os camarões e caranguejos representam apenas 2%. Em geral, os armadores industriais transbordam ou desembarcam as suas capturas fora do país (por exemplo em Dakar ou nas Ilhas Canárias). Os benefícios económicos da pesca industrial na Guiné-Bissau são limitados a uma compensação, as taxas de licenças e de observador, e o emprego de alguns tripulantes na pesca demersal. Existe apenas um estabelecimento de processamento de pescado operacional.

10. A administração, gestão e desenvolvimento das pescas é da competência e responsabilidade do Ministério das Pescas e as seus serviços, em articulação com dois organismos autónomos; a FISCAP que é responsável pela fiscalização das pescas e o CIPA que é responsável pela investigação das pescas e o controle sanitário. Uma estratégia para o desenvolvimento das pescas foi elaborada com o apoio do FED, mas ainda não foi aprovada. A FISCAP opera um corpo de observadores com uma cobertura de 100% dos navios autorizados a pescar e opera também um número de navios de patrulha rápida, demonstrando a capacidade para apreender navios que estejam a operar em não-conformidade com a lei das pescas. No entanto, existem ainda lacunas no sistema de fiscalização das pescas. Com o apoio da UE foi elaborado um quadro legislativo para as pescas em 2005, considerando a necessidade de revisar e modernizar a vigente lei das pescas, mas este ainda não foi aprovado. Os controles sanitários foram reforçadas (com assistência técnica e outros apoios significativos do projecto SFP-FED), mas não foi até agora possível atingir a conformidade com as regras sanitárias da UE.

11. Apesar destas limitações e um ambiente político instável, houve uma melhoria notável no controlo e fiscalização das pescas durante os últimos quatro anos, incluindo o reforço da participação da Guiné-Bissau em Organizações Regionais de Pesca tais como a CSRP (apesar de a Guiné-Bissau ainda não ser membro de ICCAT). Os apoios de parceiros internacionais tem sido importante neste processo (a UE, a Espanha e o Japão são os principais parceiros no sector das pescas), mas o apoio orçamental através do Acordo de Parceria com a União Europeia tem desempenhado também um papel importante.

12. O actual protocolo do Acordo de Parceria entre a UE e a República da Guiné-Bissau abrange o período de 16 de Junho de 2007 a 15 de Junho de 2011. Este acordo prevê possibilidades de pesca para os navios de pesca da União Europeia nas águas da Guiné-Bissau fora da zona costeira de 12 milhas, e incluindo a Zona Marítima Conjunta gerido pela Senegal e Guiné-Bissau em parceria. O Protocolo inclui possibilidades de pesca, anualmente,

até 4400 toneladas de arqueação bruta para arrastões congeladores de peixes / cefalópodes, até 4400 toneladas de arqueação bruta para arrastões congeladores de camarão, até 14 navios de vara e linha (para o atum) e até 23 navios atuneiros de cerco e palangreiros de superfície. A contribuição financeira da UE é de 7.000.000 euros por ano. Esta contribuição inclui um montante de 2.450.00 euros (35% do total), concedido pela UE para a promoção da pesca sustentável nas águas da Guiné-Bissau, mais uma contribuição de 500.000 euros com o objectivo específico de melhorar o sistema de controle sanitário.

13. Durante o período de 2007 a 2009, a taxa de utilização das licenças disponíveis foi de 45% para a pesca de arrasto de peixes / cefalópodes, 36% para o camarão, 76% para vara e linha e 83% para o cerco (as possibilidades de pesca para o palangre de superfície não foram utilizadas). A utilização das possibilidades de pesca demersal foi muito variável (as taxas de utilização anual variou entre 17 e 65%). A média anual das capturas no âmbito do acordo foram de 7.628 toneladas, com um valor de 32,1 milhões de euros e um valor acrescentado estimado em 14,5 milhões de euros / ano. Em relação à frota da UE, cerca de 95% do valor criado está ligado às possibilidades de pesca para peixes demersais / cefalópodes (47%) e camarão (48%), e 5% é proveniente da pesca do atum. Globalmente, os armadores de navios espanhóis beneficiaram em 84% do valor acrescentado e os armadores portugueses em 13%. Armadores franceses beneficiaram 2% do valor do acordo. Armadores da Grécia e Itália, com apenas duas licenças emitidas e sem capturas alguma, não obtiveram qualquer benefício. Estima-se que o acordo contribui para a criação de 470 empregos a bordo dos navios para cidadãos da UE.

14. A actividades de pesca dentro do acordo com a Guiné-Bissau representam 7,4% do volume total de negócios da frota da UE no âmbito dos acordos de parcerias no domínio das pescas (APP), e de 0,8% do volume negócios do total da frota da UE. No que se refere à pesca de demersais, o acordo proporciona uma receita média de 32,1 milhões de euros, equivalente a 14,4% do valor total da pesca de demersais no âmbito de APPs. Em relação à pesca de camarão e cefálopodes, o acordo representa aproximadamente um quarto das receitas em águas de países terceiros (o saldo é proveniente maioritariamente dos APPs com a Mauritânia e a Gronelândia).

15. Para a União Europeia, o acordo resultou numa razão custo:benefício ligeiramente positiva de 2,2 (um custo anual de 6,6 milhões de euros para a Comissão Europeia e a frota da UE, comparado com um benefício anual de 14,5 milhões de euros). O custo médio por tonelada das capturas efectuadas foi de 866 euros / tonelada para a UE, representando cerca de 21% do preço do peixe à primeira venda. Portanto, a contribuição financeira paga pela Comissão Europeia (um valor nominal de 7,5 milhões de euros por ano) pode ser considerada demasiada elevada, representando pouco valor obtido na perspectiva do contribuinte da UE. A UE paga um montante substancial por ano para possibilidades de pesca que não são utilizadas. Nesta perspectiva, o acordo não pode ser considerada como um método eficaz em termos financeiros para atingir os objectivos políticos durante o período abrangido pela avaliação. No entanto, deve-se considerar que um certo grau de desperdício é inevitável, uma vez que as possibilidades de pesca são fixadas a um nível para acomodar o máximo desejado em termos de utilização anual.

16. O maior impacto do acordo para a Guiné-Bissau tem sido a receita de um montante financeiro de 5,5 milhões de euros por ano, em termos médios, e cerca de 1 milhão de euros por ano em taxas de licenças e de observador, proveniente dos armadores. As transferências da Comissão Europeia foram menos do que o previsto no acordo devido ao atraso na aplicação das medidas de apoio ao sector aprovadas pelo Governo da Guiné-Bissau O programa de apoio ao sector sofreu um atraso de pelo menos um ano como consequência.

17. A contribuição financeira do acordo representou uma média anual de cerca de 7,3% do orçamento do Estado da Guiné-Bissau. Esta receita tem ajudado a Guiné-Bissau a manter estabilidade macro-económica e política durante o período. O apoio sectorial contribuiu com cerca de 88% da despesa orçamentada para o sector das pescas (o saldo é constituído por receitas através de coimas aplicadas, taxas de licença e de observador). Os navios da UE não desembarcam nem transbordam no porto de Bissau e o número de visitas ao porto é limitado. Os benefícios económicos são limitados ao emprego de cerca de 148 tripulantes guineenses a bordo de navios da UE, criando benefícios em cerca de 1,2 milhões de euros / ano na forma de salários. Em termos globais, e incluindo a contribuição financeira, estima-se que os benefícios totais para a Guiné-Bissau sejam na ordem de 7,8 milhões de euros / ano. Com um PIB nacional de 575 milhões de euros em 2008, o acordo contribuiu com 0,96% do PIB. Isto pode

ser comparado com o apoio orçamental no âmbito do FED, o que contribuiu com cerca de 20,95 milhões de euros em 2009. Portanto, o APP contribuiu com cerca de um quarto das transferências da UE para este país, desempenhando um papel importante para manter a estabilidade económica.

18. As capturas de atum por navios da UE no âmbito do APP nunca ultrapassaram 1% da exploração total das espécies em causa. A ICCAT considera que a albacora e o gaiado são explorados dentro de limites sustentáveis. No entanto, a avaliação do patudo está sujeita a um certo grau de incerteza relacionado com o nível de capturas INN. Existe uma probabilidade de que as capturas INN estão a contribuir para um esforço de pesca insustentável dirigido ao patudo. No entanto, uma vez que o APP representa apenas cerca de 0,3% do esforço, este risco pode ser considerada como mínimo e o APP deve ser considerado como sustentável em termos de impactos sobre as populações das principais espécies de atum.

19. Por outro lado, a pesca dentro do APP constitui quase 100% das capturas de camarão de profundidade (gamba), 75% dos outros camarões, 50-70% dos cefalópodes e cerca de 10% das capturas de peixes demersais. Os dados agregados de captura-por-unidade-de-esforço (CPUE) para o grupo de crustáceos, constituído maioritariamente por camarão e camarão de profundidade, indicam um rendimento relativamente estável (ou até melhorias), provavelmente devido a uma forte diminuição do número de navios a operar. Para os cefalópodes, os dados disponíveis indicam tendências contraditórias. Embora a situação geral de exploração parece ser estável, existe uma falta de dados fiáveis para poder proceder à avaliação das espécies-alvo e existe um risco de níveis insustentáveis de exploração para algumas espécies.

20. O CIPA produz anualmente um plano de gestão da pesca industrial. As actividades de pesca nas águas da Guiné-Bissau não ultrapassam os limites especificados no plano de gestão. No entanto, a metodologia utilizada parece ter algumas limitações importantes e os pressupostos não são claramente identificados. Além disso, as análises não levam em conta as capturas significativas da pesca artesanal e não consideram os possíveis impactos das rejeições. A primeira prioridade seria de construir e validar séries temporais de dados de CPUE para espécies-alvo de forma a poder indicar o estado de exploração dos recursos.

21. Existem também preocupações sobre os impactos no ecossistema da pesca exercida no âmbito do APP. Estudos indicam um aumento dos níveis de rejeições de gaiado de tamanhos pequenos, e continuam as preocupações relacionadas com as rejeições de espécies não-comerciais na pesca de arrasto e possíveis interações com as populações de tartaruga. Os níveis de rejeições nas pescas da Guiné-Bissau são desconhecidos, uma vez que os observadores não recolhem esta informação, mas é provável que seja considerável na pesca de arrasto para o camarão em particular (pelo menos 60%). Os possíveis efeitos dos níveis elevados de capturas acessórias e as rejeições de espécies sensíveis, tais como os tubarões e raias, não são conhecidos. No recente Plano de Acção para a Conservação e Gestão dos Tubarões da UE (2009) refere-se à capturas de tubarões pela frota demersal da UE em países terceiros. Existem riscos, ainda por determinar, que o acordo pode não ser sustentável em relação a esses recursos e, portanto, pode não estar em consonância com o princípio de uma pesca responsável. São necessários mais esforços para melhorar a informação disponível e avaliar estes impactos, com vista a uma melhor gestão de risco.

22. As operações de pesca realizadas no âmbito do acordo cumprem de forma geral com as recomendações da ICCAT e os regulamentos das pescas da Guiné-Bissau. A cobertura dos navios de arrasto da UE pelo programa de observadores foi total. Durante o período houve apenas duas detenções de navios comunitários por incumprimento com as medidas técnicas definidas nos regulamentos das pescas (houve mais infracções em relação ao reabastecimento com combustível). No entanto, é preocupante o incumprimento das condições impostas aos navios da UE, nomeadamente as faltas de relatórios de entrada e saída na ZEE e as faltas na apresentação de relatórios de capturas efectuadas, que precisam ser abordadas.

23. No contexto do acordo, a abordagem de parceria e a contribuição financeira associada proporcionaram os meios para a implementação de um programa de medidas de apoio em prol de uma política de pesca sustentável. A Comissão Mista foi criada pelas partes e já realizou duas reuniões. A criação de um cargo de monitorização do acordo, baseado em Dakar, com missões de acompanhamento regulares e de diálogo, tem contribuído para acompanhar o progresso nas transferências financeiras e assegurar acções correctivas em tempo oportuno, quando os problemas surgiram. No entanto, o Comité Científico só se reuniu em Setembro de

2010, o que é uma omissão grave, especialmente tendo em conta as dúvidas quanto à validade das recomendações para a gestão das pescas e os riscos para a sustentabilidade. Noutros aspectos as partes do acordo têm implementado com sucesso a abordagem de parceria.

24. O processo de implementação foi prejudicada pela instabilidade política e financeira do Governo, e por dificuldades estruturais da administração das pescas. A transparência, comunicação e monitorização das condições também são insuficientes, o que limita a avaliação em termos de de resultados e impactos. Apesar destas limitações é claro que um importante progresso foi feito em relação aos objectivos estratégicos definidos no contexto do acordo, principalmente em relação ao reforço na capacidade de fiscalização das pescas e o controle sanitário. A participação de Guiné-Bissau em organizações regionais das pescas (especialmente CSRP) também foi reforçado e foram tomadas medidas positivas para a elaboração de nova legislação, reforço do sistema de estatísticas das pescas e gestão de recursos. No entanto, em grande parte devido a eventos fora do controle da administração das pescas, o desembolso de financiamentos foi muito mais lento do que o previsto e isto atrasou a execução, de modo que os objectivos definidos foram apenas parcialmente alcançados dentro do prazo estabelecido pelas partes.

25. Embora falta ainda reforçar muitas áreas, as contribuições do acordo para atingir os objectivos não devem ser subestimadas pelas partes. A proposta nomeação de assistência técnica pela FED, em 2010, ao Ministério das Pescas para apoiar a implementação da abordagem de parceria deve ajudar a acelerar o programa de apoios no período restante do protocolo (e é uma medida que poderia ser considerada útil para os APPs em outros países terceiros com fraca capacidade de execução).

26. O Acordo de Parceria tem proporcionado o acesso às oportunidades de pesca para determinados segmentos da frota da UE, originários de zonas dependentes da pesca na UE, criou empregos e proporcionou produtos adicionais ao mercado da UE. Embora haja reservas quanto à sustentabilidade de algumas das possibilidades de pesca, o acordo mostrou-se altamente relevante para a Política Comum das Pescas da União Europeia. O acordo contribuiu com cerca de um quarto de todas as transferências da UE para a Guiné-Bissau e funciona, portanto, como um importante pilar complementar de apoio. O acordo começou a produzir resultados importantes em termos de redução da pesca INN e criou a perspectiva de um aumento do comércio de produtos da pesca, resultados que são coerentes com as estratégias definidas com a UE a nível regional e nacional. O apoio à fiscalização das pescas significa que o acordo também é coerente com a abordagem da UE para a redução da pesca INN. Existem sinergias específicas com vários programas de desenvolvimento regional do FED (ACP Fish II, SFP e o próximo programa regional de MCS a ser implementado pelo CSRP). O papel da cooperação regional é identificado em vários dos temas abrangidos pela Política Marítima Integrada da UE (especialmente em relação aos assuntos ambientais, crescimento económico através de fronteiras, a conectividade e as relações comerciais, e da governação marítima). A UE acaba de lançar um debate sobre as aplicações desta política para a região do Atlântico, onde o Acordo de Parceria entre a UE e Guiné-Bissau tem relevância para uma abordagem integrada a nível regional, considerando todos estes elementos estratégicos.

27. Para a Guiné-Bissau, o acordo contribuiu meios financeiros para a implementação de importantes medidas de apoio ao desenvolvimento económico e a sustentabilidade do sector. O acordo teve um impacto significativo (junto com algum apoio dirigido de outros parceiros) na redução da pesca INN e avanços importantes na reunião de condições sanitárias para o comércio de produtos da pesca com a UE; duas condições importantes para o desenvolvimento do sector nacional e criação de condições em terra para tirar melhor proveito da produção das pescas. O APP serviu como instrumento importante para manter na agenda a política de desenvolvimento durante os períodos de instabilidade económica e orçamental. O acordo também permitiu a UE e as autoridades da Guiné-Bissau sustentar o diálogo político, tendo em vista a promoção de uma pesca responsável. Em conclusão, parece ser fortemente no interesse de ambas as partes a celebração de um novo protocolo que iria prolongar esta parceria entre a Guiné Bissau e a União Europeia.

INTRODUCTION

In 2007, the EU and the Republic of Guinea Bissau concluded a bilateral Fisheries Partnership Agreement, providing fishing possibilities for tuna, demersal fish species and cephalopods, and crustaceans, for EU vessels fishing in Guinea Bissau waters. The current 4-year protocol setting out fishing possibilities and payments covers the period 16 June 2007 to 15 June 2011.

This Agreement provides fishing possibilities beyond the 12 mile coastal zone, including the Guinea Bissau-Senegal Joint Management Area. It includes annual fishing possibilities for up to 4400 GRT of freezer shrimp trawlers, 4400 GRT of freezer finfish and cephalopod trawlers, 23 tuna purse seiners or surface longliners, and 14 pole and line tuna vessels. It is important to note that the fishing possibilities for tuna vessels in the current protocol are substantially reduced with respect to the previous protocol, which provided possibilities for 70 vessels in total. Although the protocol allows a 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, plus a specific contribution of EUR 500,000 dedicated to the introduction of an improved sanitary control system for fishery product exports.

The Fisheries Partnership Agreement with Guinea Bissau is part of a network of fishery agreements with other ACP coastal States in the Eastern Atlantic Ocean, which include Gabon, Cape Verde, Cote d'Ivoire and São Tome[1].

The purpose of this evaluation study is to provide the European Commission with the data and technical analyses needed to prepare the negotiation of a new protocol of the Fisheries Partnership Agreement (FPA) between the Community and Guinea Bissau. This study can also evaluate the agreement in the context of Community fisheries development and maritime policies.

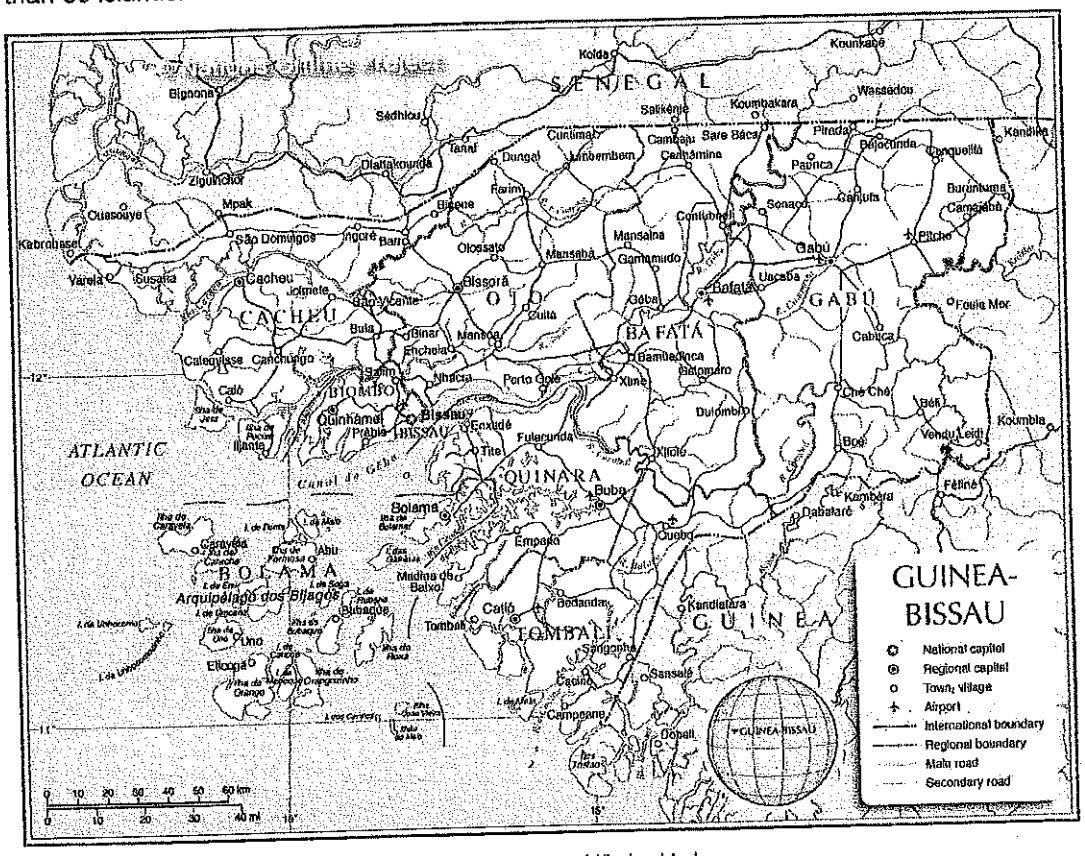
This final report presents information collected from various sources, including the European Commission, EU member states and the professional associations of EU ship owners concerned with the availability and utilisation of fishing possibilities. It also includes the findings of a mission to Guinea Bissau that took place between 12th and 21st August 2010, during which discussions were held with Guinea Bissau stakeholders to the Agreement including public authorities, private sector and NGOs. A list of persons met and consulted during the study is provided in Annex 1.

[1] An Agreement with Guinea Conakry was denounced by the European Council in November 2009

1 GENERAL BACKGROUND

1.1 Geography

Guinea Bissau is a tropical West African country having Senegal as the neighbouring country to the North and the Republic of Guinea to the South. The coast line is interrupted by many estuaries and rivers. In the West the EEZ is extended by the archipelago of Bijagos with more than 80 islands.



Source: Nations Online : http://www.nationsonline.org/oneworld/index.html

Figure 1: Map of Guinea Bissau

1.2 Population

The population of the country is estimated at 1.4 million, about a quarter of which reside in the capital Bissau. However, the majority of the population lives a rural existence. The country has a wide ethnic composition with several languages spoken, although Portuguese and criolo together form the lingua franca. About45% of the population are Muslim, mainly speaking Fula and Mandinka, concentrated in the North and northeast. About 50% follow animist or traditional beliefs and 5% are Christians.

1.3 Recent political developments

After independence the country enjoyed only a brief period of stable constitutional rule (1974-1980). In late 1980, the first government was overthrown in a relatively bloodless coup led by Prime Minister and former armed forces commander João Bernardo "Nino" Vieira, who would rule this country for 19 years from 1980 to 1999. In 1984 a new single-party National Popular Assembly (ANP) was reconstituted. Under this system, the president presided over the Council of State and served as head of state and government. The president was also commander in chief of the armed forces.

In 1998-99 a power struggle between the President and the military escalated quickly into a much broader armed conflict concentrated in the capital Bissau. In addition to the death of several thousand people and the displacement of many others, this civil war caused widespread damage to the housing stock, basic infrastructure, government buildings and equipment and the virtual annihilation of the industrial sector.

Political instability continued after the civil war. President Vieira was ousted by a military coup in May 1999. In February 2000 an interim government turned over power to the founder of the Social Renovation Party (PRS) Kumba Yala, following two rounds of transparent presidential elections. Despite the elections in 2000, democracy did not take root in the succeeding 3 years. President Yala neither vetoed nor promulgated the new constitution that was approved by the National Assembly in April 2001. On November 14, 2002, the President dismissed the government of Prime Minister Alamara Nhasse, dissolved the National Assembly, and called for legislative elections. These were postponed several times, and on September 14, 2003 the army intervened, led by Chief of Defence General Seabra. President Yala announced his resignation and was placed under house arrest. The government was dissolved and a 25-member Committee for Restoration of Democracy and Constitutional Order was established. On September 28, under pressure exerted by ECOWAS, the Charter of Political Transition was accepted and the nomination of businessman Henrique Rosa for the presidency was carried by consensus.

The transitional government immediately undertook measures to re-establish the normal functioning of democratic institutions. In March 2004, Guinea-Bissau held legislative elections which international observers deemed acceptably free and fair. On May 9, 2004, Carlos Gomes Junior became Prime Minister. In October 2004, an army mutiny over unpaid salaries ended with the signing of an accord between the government and the army mutineers. Sufficient stability was restored for presidential elections, with the second round held on 25th July 2005. The EU, the African Union, the United States and the African Union sent observers to the poll, which passed peacefully, resulting in victory for Nino Viera. A period of relative calm ensued, but during this period the country became a major staging post for smuggling Colombian cocaine to Europe. In 2007, the prime minister Aristides Gomes resigned after the three main parties signed up to a "stability pact" and carried a no-confidence vote against him. The pact fell apart after a year, and key parties withdrew from the national unity government (after representatives are sacked from senior financial posts). In 2008 the head of the Navy was suspended and put under house arrest and the level of unrest in the army in creased, with rumours of coups and plots. In November President Vieira survived an attack by dissident soldiers, and recruited a 400-strong presidential bodyguard. On 1 March 2009 the Armed Forces Chief of Staff Na Wai was killed in attack on armed forces headquarters. The next day President Viera was assassinated at his residence, possibly by soldiers in retaliation for the killing of the Chief of Staff.

Presidential elections were held and Rachide Sambu-balde Malam Bacai Sanhá was sworn in as president on September 8, 2009. Since this time, the military, or factions within it, has continued to be a de-stabilising influence. On April 1, 2010 army officers captured the Prime Minister and the Army Chief of Staff. The Prime Minister was later released, but the Chief of Staff is still held, and a new incumbent has been nominated to this post. The international community has condemned the ongoing interference of the military in civilian government and the failure to uphold the rule of law..

1.4 Economic situation of Guinea Bissau

1.4.1 Macro-economic situation and outlook

After many years of conflict and political instability, Guinea-Bissau remains a fragile country in perpetual crisis, and one of the poorest in the world (ranked 172 out of 177, according to the UNDP's human development index). Poverty is widespread, with about two-thirds of households living below the poverty line and the literacy rate continues to be low.

The civil war in 1998/99 is estimated to have destroyed two thirds of the economy. After a recovery in 1999 and 2000, the economy has stagnated again in the period 2001-03. Average

economic growth picked up to 3.4% by the end of 2005, but deteriorated sharply in 2006 due to problems in marketing of the country's cashew crop. In 2007 growth was just 2.7% due to late rains and consequently lower rice production, but rose to 3.1% in 2008. GDP in 2008, was therefore about FCFA377 billion (about EUR 575 million).

The basic macro economic and financial indicators are shown in Table 1.

Major issues are continuing instability in the government, poor infrastructure and a very high degree of dependence on one export – cashew. The government remains heavily indebted with external debt amounting to more than $670 million as of the end of 2006, debt service falling due in 2007 amounted to 84% of budgetary revenues and 130% of tax revenues not counting arrears from previous periods.

According to IMF despite the difficult external environment and its political challenges, in 2009 Guinea-Bissau made progress in stabilizing its economy through the Emergency Post-Conflict Assistance (EPCA) supported program. Real GDP growth reached 3%, driven by a favourable cashew harvest and a pick-up in construction activity; inflation slowed, and the budget was stabilized.

The low tax base and the high fixed expenditures, make public financial management rigid and leave almost no room for much needed social and development expenditures. Despite recent improvements in revenue and expenditure management, the financing of the budget continues to rely heavily on external budget support from donors.

Growth is expected to increase to 3.4% and 4% respectively in 2010 and 2011, as a result of increased agricultural production and donor support. The major downside risk is the ongoing political instability described above. For the mid-term, inflation is expected to remain within the Central Bank of West African States boundary of 3%, up from a negative rate in 2009.

Table 1: Selected Economic and Financial Indicators, 2008–12

	2008	2009	2010	2011	2012
	Estimated		Projected		
	(Annual%age change, unless otherwise indicated)				
Real GDP at market prices	3.5	3	3.5	4.3	4.5
External sector					
Exports, f.o.b.	61.7	-9.6	13.6	7.5	10.6
Imports, f.o.b.	38.1	-2.7	9.2	9.2	6.3
Export volume	17	25.9	4.3	5	5.1
Import volume	5.6	17.4	3.3	7.7	5
Government finances					
Domestic revenue (excluding grants)	30	2.3	21.5	3.3	7.4
Total expenditure	9.2	11.4	12.8	0.1	5.7
Current primary expenditure	3.7	0.8	13.2	2.3	5.3
Capital expenditure	13.8	40.7	12.5	6.5	6.5
Investments	(million EUR. unless otherwise indicated)				
Gross investment	72.9	97.0	104.1	110.9	118.9
Of which: government investment	37.6	58.4	63.8	68.0	72.5
	0.0	0.0	0.0	0.0	0.0
Government finances	0.0	0.0	0.0	0.0	0.0
Budgetary revenue	52.6	54.2	65.8	68.0	72.5
Total domestic primary expenditure	71.1	71.1	90.7	93.2	97.9
Domestic primary balance	-18.5	-17.5	-24.9	-25.2	-25.4
Overall balance (commitment basis)	0.0	0.0	0.0	0.0	0.0
Including grants	-22.0	10.8	-20.4	-8.2	-8.0
Excluding grants	-68.8	-81.3	-86.8	-85.0	-88.4
Current account balance (including official current transfers)	115.7	78.3	-72.8	-15.6	4.3
Overall balance of payments	-97.7	-152.4	-5.149.8	4.1	8.7
Nominal stock of external arrears, end of period	2,247.6	2,408.1	592.5	631.1	672.7

Source: IMF, Public Information Notice (PIN) No. 10/56, May 11, 2010

The country remains largely dependent on the agricultural sector (about 60% of GDP, see Table 2), with a small domestic market and a narrow export base vulnerable to shocks. Agriculture is by far the most important sector, accounting for about 60% of the total. Commerce is next in importance at about 16% while industry (which includes utilities) amounts to a maximum of 9%, only slightly more than public administration.

Table 2: Real Gross Domestic Product by Sector, 2003-06

	2003	2004	2005	2006
	(% of GDP)			
Agriculture, fishing	61.2	59.9	60.3	59.6
Industry (including water and electricity)	9.0	8.9	8.7	9.0
Construction	3.0	3.0	3.0	3.1
Commerce, restaurants, and hotels	16.0	16.6	16.8	16.8
Transport	2.7	2.8	2.7	2.7
Banks, insurance, and other services	0.4	0.4	0.4	0.4
Public administration	7.8	8.4	8.2	8.3
GDP at factor cost	100	100	100	100

Source: Ministry of Finance and IMF estimates

(Constant 1986 prices)

Cashews are the biggest cash crop, bringing in 95% of export revenues. All cashew nut production is exported to Indian enterprises which shell, process and package the nuts. Generally, the nuts of Guinea Bissau are considered to have the highest yield in West Africa and the country is now the world's sixth largest producer of cashews. The vast majority of the cashew crop is produced by small farmers but they gain little added value.

Production and trade in forest products have been halted while implementation of reforestation policies occurs. Fishery resources are significant, but have not been effectively managed and have not delivered their development potential. Fish exports and fisheries access agreement contribute significantly to the balance of payments and they are a major source of government revenues. Between 1987 and 2003, fishery product exports fell from 17% to 0.5% of the total value of the country's exports. Licensing of foreign flagged vessels fishing in Guinea Bissau waters but landing their catch in other countries has accounted for over 50% of government revenues in the recent past. More recently in 2006, government revenue from fishing licenses and from compensations fell from US$ 19.1 million in 2003 to US$ 14.4 million. Even so, it represents a singinificant shae of the government's total revenue.

1.4.2 Economic development policy

Medium term strategy

In the medium term the government is committed to pursue an economic program for 2010-12 to help the country move towards fiscal and debt sustainability, as well as achieve stronger economic growth and poverty alleviation. The programme focuses on strengthening public finances; modernizing the public administration and rebuilding technical and policy implementation capacity; increasing access to social services and basic infrastructure; and removing impediments for private sector development.

Its macro-economic objectives are to:

- Raise real GDP growth to 4½% by program end;
- Contain inflation below 3% per year, in line with UEMOA targets;
- Keep the primary budget deficit below 4% of GDP annually through 2012;
- Gradually narrow the external current account deficit (excluding official transfers).

To achieve these objectives, the government program sets out the following policy priorities:

- Strengthen public finances, in PFM and other areas, with a view to containing the fiscal deficit and supporting macro stability;
- Normalize the government's relations with domestic banks and the private sector by addressing the large stock of domestic arrears;
- Modernize the public administration to create space for priority spending and raise the quality of public services through a medium-term civil service reform and security sector reform program;
- Promote good governance and increasing and transparency.
- Promote job creation by removing impediments to private sector development and strengthen the provision of financial services;
- Improve access to social services and step up efforts to alleviate poverty via government investments in infrastructure for power, roads, and the port;
- Move toward debt sustainability, particularly by helping the country achieve the HIPC/MDRI completion point.

Over the medium-term, the pick-up in growth is to be driven by sustained cashew production; expanded and diversified agriculture (including rice); increased activity in cashew nut processing and industrial fishing, and steady rebuilding of public infrastructure, especially roads, electricity, and water. Supported by the exchange rate peg of the CFLA Franc, inflation is expected to remain subdued, in line with global food and fuel prices.

The program, to be supported by the IMF under the Extended Credit Facility (ECF), is consistent with the country's Poverty Reduction Strategy. Satisfactory performance under the program could also pave the way for Guinea-Bissau to reach its completion point and thus benefit from debt relief under the enhanced Heavily Indebted Poor Countries (HIPC) Initiative and Multilateral Debt Relief Initiative (MDRI). It also seeks to promote job creation by removing impediments to private sector development and to enhance the provision of financial services.

It is of primary importance that the job of formulating and implementing economic policy be put on a more stable and long term basis The extreme instability in Guinea-Bissau's government has meant that cabinet ministers and lower officials change on an annual or even more frequent basis. This situation makes long term planning and sustained implementation virtually impossible and the formulation of coherent policy equally difficult.

Poverty reduction strategy

With the support of multilateral agencies, the government developed and approved the final version of the Documento de Estratégia Nacional para a Reduçao da Pobreza (DENARP), equivalent to a poverty reduction strategy paper (PRSP), which was issued in 2006. The document is currently under revision. However the situation today is largely unchanged and the DENARP is still an accurate statement of the government's intentions.

In general terms, the strategy endorses four pillars of action:

- The first pillar aims to strengthen governance, modernize public administration and ensure macro- economic stability. The measures provided for under this pillar are: (i) pursuance of improvements in budgetary management; (ii) strengthening macro-economic management; (iii) public administration reform; (iv) capacity building; (v)

promotion of efficient, transparent, accessible and independent justice and strengthening of the National People's Assembly (ANP); (vi) promotion of rural development and social cohesion; (vii) demobilization, redeployment and improvement of the living conditions in barracks; and (viii) the transformation of the security and defence forces into agents for pacification and consolidation of the rule of law.

- The second pillar aims to promote economic growth and employment creation. The measures envisaged under this are: (i) improvement of the business and investment climate; (ii) activation of the productive sectors of the economy and promotion of diversification and competitiveness of the economy; (iii) rehabilitation of the energy sector; (iv) development of road infrastructure; (v) development of overland and waterways infrastructure; and (vi) supporting the sectors of air transport, weather forecasting and communications.

- The third pillar focuses on an increase of access to social services and basic infrastructure. The measures under this strategic domain are: (i) increased access to primary, secondary and third cycle education; (ii) guarantee of quality basic education; (iii) improvement in the offer and quality of health services; (iv) fight against HIV/AIDS, tuberculosis, malaria and other diseases; (v) improvement in the situation of mothers and children; (vi) improved access to drinkable water and sanitation; and (vii) improvement in housing conditions.

- The fourth pillar aims at improving the living conditions of vulnerable groups. The measures envisaged in this strategic domain are: (i) improvement in the social protection conditions for vulnerable groups; (ii) promoting income-generating activities; (iii) promoting centres for addressing problems of illiteracy among women; and (iv) promoting sports and regenerating residential living spaces.

The Government, through targeted reforms outlined in the DENARP, plans to develop the country's human capital, to accelerate progress on achieving the MDGs by improving health and education services and to include vulnerable populations in the country's economic and social development. These reforms include:

- Improving the education system
- Improving the health system
- Promotion of professional training and employment for youth
- Addressing the problems of the vulnerable groups

To reduce poverty and consolidate peace, Guinea-Bissau will clearly need ongoing financial and technical support for social sector development. Given the country's current financial difficulties, most of this support can only come from development partners who are currently the largest providers of most public investment.

1.4.3 Government Revenues and Expenditure

The evolution of national budgeted revenue and expenditures improved over the period 2003 to 2008 as shown in Table 3. Guinea-Bissau's capacity to raise finance is severely hampered by political instability and the low capacity of the tax administration. Small gains made during peace times are practically undone during times of conflict. As a result, over the past decade, growth in the Guinea-Bissau's government revenues has been unstable, and in some years revenue has actually fallen. The Government remains substantially dependent on international aid.

Table 3: Key Revenue Sources and Expenditures 2003-2008

		2003	2004	2005	2006	2007	2008
		Millions of Euros					
Budgetary revenue		43.8	74.7	57.7	71.6	76.4	75.6
	Current Revenues incl. Tax	31.3	37.4	42.7	47.5	39.9	50.5
	Other Revenues	0.0	0.0	0.0	0.0	0.0	0.0
	Grants	12.5	37.4	15.0	24.1	36.5	25.0
Total expenditure and net lending		**62.5**	**107.3**	**79.0**	**79.6**	**83.0**	**75.1**
	Current expenditures	42.4	64.1	60.0	61.1	62.7	70.1
	- Wages and Salaries	16.0	24.6	30.5	28.8	30.1	30.7
	- Expenditure on Goods and Services	16.0	6.9	14.4	16.9	12.1	13.8
	- Transfers	9.6	7.6	9.3	12.7	14.4	16.6
	- Other	0.0	11.7	3.5	2.2	3.9	6.3
	- Interest Payment on Debt	0.8	13.3	2.3	0.5	2.3	2.7
	Capital expenditures	13.1	43.2	18.9	17.2	18.3	2.6
	Other expenditures	1.5	0.0	0.2	1.4	2.1	2.4
	Loans	5.5	0.0	0.0	0.0	0.0	0.0
Overall balance		-18.8	-32.6	-21.3	-8.0	-6.6	0.5

Source: Ministry of Finance, Guinea Bissau

The tax administration capacity remains poor and its complexity encourages the growth of the informal economy. The alternitive agriculture sector and the large number of people working in the informal sector hinder revenue collection. The Finance Ministry reports that only 22 000 people paid income tax in 2008. Non-compliance is also a result of outdated and incomplete taxation laws, and there is pressure for reform. Poor tax administration and the large informal sector have led to an over-reliance on indirect taxes collected at customs which, over the past decade, have accounted for 85% of all tax revenues. Tax revenues as a percentage of GDP remain low at about 10%.

Since 2008, an International Monetary Fund (IMF)-supported Emergency and Post-Conflict Assistance Program (EPCA) has supported efforts to strengthen public financial management, revenue mobilization and expenditure controls. Reforms agreed under the ECPA and implemented in 2009 include an audit of domestic arrears. These arrears include salaries, commercial and West African Development Bank (BOAD) arrears, and private sector arrears. At the end of 2009, domestic arrears accounted for 45% of GDP. Under a 2009 programme, the government will clear the arrears over five years from 2010. Other reforms included the establishment of a legal framework for UEMOA budget classification and an integrated management system for public accounts. The new management system aims to integrate budget preparation, execution and accounting and improving expenditure monitoring.

The 2010 budget law foresees a significant increase in revenues, due to the reintroduction of import tariffs. Expenditure is set to increase, in line with a revised poverty reduction strategy and a much bigger effort will be put into social sectors (health and education), agriculture and infrastructure. Fiscal discipline, in line with the framework defined with the IMF, and increased ODA should lead to a mid-term reduction in fiscal imbalances.

1.4.4 External trade

Tables 4, 5 and 6 show the recent trade performance of Guinea Bissau. The value of imports consistently exceeds the value of exports (imports are 72% higher than exports), contributing to a large trade deficit. Food (particularly rice and flour) and fuel products, represent on average respectively 38.6 and 21.2% of total merchandise imports over the 2003-2007 period despite more than 90% of population working in agriculture.

Table 4: External trade in goods

	1988	1998	2007	2008
	(US$ millions)			
Total exports (fob)	16	26	73	94
Cashew nuts	9	24	72	91
Fish and shrimp	1	1	..	..
Manufactures	..	..	..	..
Total imports (cif)	66	63	116	162
Food	15	17	29	43
Fuel and energy	4	6	20	34
Capital goods	11	26	21	24
Export price index (2000 = 100)	68	61	90	112
Import price index (2000 = 100)	61	73	150	184
Terms of trade (2000 = 100)	111	84	60	61

Source: World Bank

On the export side, Table 4 also shows the importance of cashew nuts, with no other export item amounting to even 1% of the value of this crop. Fishery resources within the EEZ are largely utilised by foreign operators (with access by either bilateral agreement or private charter arrangements). Next in importance are petroleum products. Non-registered trade is nearly a third of the total.

Cashew nuts, represented between 88 and 99% of total export revenue between 1999 and 2007, according to IMF sources. Guinea-Bissau is the African country with the highest export concentration. The bulk of cashew nuts exports go to India (between 95 and 99% in the most recent years, according to the Customs administration) where the raw nuts are further processed for local consumption and re-exported to East Asia and developed countries' markets.

Fish exports do not show up in the official export statistics. Industrial vessels have no incentive to adopt the Guinea Bissau flag since fishery products from this origin do not meet the requirements of the EU food safety regulations. Foreign revenues from fishing appear in the balance of payment under a subcategory of transfers, entitled "fishing rights".

Table 5: Merchandise exports f.o.b. 2000-06

	2000	2001	2002	2003	2004	2005	2006 (prel)
	(Millions of EUR)						
Total merchandise exports	66.77	56.18	57.02	55.54	61.63	71.68	49.20
Agricultural products	65.27	54.49	52.13	50.63	59.51	68.08	45.36
- Groundnuts	0.00	0.00	0.00	0.00	0.16	0.08	0.08
- Cotton	0.54	1.46	1.70	0.80	0.08	0.00	0.00
- Cashew nuts	64.30	53.03	50.32	49.73	59.19	67.92	45.20
- Other	0.32	0.00	0.00	0.00	0.08	0.08	0.08
Fish products	0.22	0.90	0.11	0.18	0.24	0.72	0.80
- Fish	0.00	0.00	0.11	0.09	0.16	0.48	0.56
- Shrimp	0.11	0.90	0.00	0.09	0.08	0.24	0.24
- Other	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Wood products	0.43	0.45	0.96	0.80	0.16	0.16	0.16
- Swan wood	0.11	0.00	0.64	0.54	0.16	0.16	0.16
- Logs	0.32	0.45	0.32	0.27	0.00	0.00	0.00
- Other	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Miscellaneous	0.86	0.22	3.83	4.02	1.71	2.72	2.88
Unit prices	(EUR per metric ton)						
Groundnuts	845.16	846.07	696.81	764.29	739.84	615.20	663.20
Cotton	63.44	53.93	48.94	56.25	50.41	44.00	46.40
Cashew nuts	878.49	674.16	580.85	518.75	586.18	597.60	490.40
Fish	486.02	595.51	687.23	580.36	563.41	595.20	859.20
Shrimp	3,256.99	3,480.90	3,320.21	2,950.00	2,686.18	2,643.20	3,815.20
Swan wood	306.45	317.98	290.43	253.57	263.41	262.40	273.60
Logs	194.62	177.53	155.32	130.36	141.46	145.60	149.60

The pattern of international trade partners in imports and exports is shown in Table 6.

Table 6: Direction of Trade 2000-06 (% of total)

	2000	2001	2002	2003	2004	2005	2006
Exports							
Industrial Countries	4.2	3.8	9.8	13	27.4	4.3	2.8
- France	0.7	0	0.2	0.3	0	0	0
- Netherlands	0.1	0	0	0.2	0.4	0.3	0
- Portugal	1.1	1.8	2.9	2.6	0.8	1.1	1
- Spain	0	0	0.3	0.1	0	0	0
- United States	0.4	0	0	2.6	22.2	0.2	0.3
Other	1.9	2	6.3	7.4	4	2.7	1.5
Africa	1.5	2.4	4.5	19.1	15	21.4	18.4
- Cape Verde	0	0	0.1	0.1	0.1	0.1	0.1
- Gambia. The	0.1	0.1	0.1	0.2	0.1	0.2	0.2
- Guinea	0.2	0.5	0.8	1.9	0.2	0.3	0.3
- Nigeria	0.7	0.4	2.5	15.7	13.2	19	17.3
- Senegal	0	0	0	0.9	1.1	1.5	0
- Other	0.5	1.4	1.1	0.3	0.2	0.4	0.6
Asia	48	77	61.7	62.5	54.1	69.7	74.7
- China	0	0	0	0.1	0	0.2	0
- Thailand	0.2	31.2	23.8	0	0.2	0	0
- India	45	44.5	36.1	62.3	52.2	67.4	72.7
- Other	2.9	1.2	1.8	0	1.6	2.1	2
Other	46.2	16.9	23.9	5.3	3.5	4.5	4.1
Imports							
Industrial Countries	47.2	41.6	46	36.6	32.3	45.1	43.3
- France	3.6	2.6	2.5	2.7	2.2	2.5	2.9
- Germany	1.5	1.7	2.7	0.7	0.6	0.5	0.9
- Italy	2	2.1	3.4	8	3.7	20.4	12.2
- Netherlands	3.1	3.4	3.6	2.9	.4	3	3.5
- Portugal	26.8	20.7	20.9	13.3	13.8	12.7	17.6
- Spain	1.2	1.8	2.5	4.04	2.3	1.2	1.6
- Sweden	0.2	0.4	0.2	0	0.9	0.3	0.5
- United Kingdom	1.8	2.2	1.8	0.9	0.8	0.3	0.7
Other	12	22	15	30	38	14	17

Source: IMF Article IV Statistical Annex, November 2007

Guinea-Bissau's integration into the UEMOA economic and monetary zone has brought about some changes in the origin of imported goods. Imports from the EU fell from 57% during the period 1990-1992 to an average of 46.5% during 2004-2006, according to IMF data. This trend is mostly due to a fall of imports from Portugal, from an average of 30% during 1990-92 to about 16.4% during 2004-2006.

During the same period, imports from Senegal have increased steadily and have gradually overtaken Portugal as the most important source of imports. Imports from China are on the rise, but according to the IMF, they are still below 5% during 2004-2006. It is surprising that almost no import flows seem to have developed in recent years with India (less than 1% of imports), although this country receives between 90 and 95% of Guinea-Bissau's exports,

Informal trade flows are important in Guinea-Bissau as in most African countries. By definition, it is very difficult to obtain estimates. For cashew nuts, some reports give an estimate of 30% for informal exports, mainly through Senegal and The Gambia, where exporters seek to take advantage of lower port costs at Banjul and Ziguinchor compared to Bissau, with better roads and comparable distances.

The government has long taken a negative view of such shipments, since they avoid paying the required export tax. While the ECOWAS free trade area allows for duty free importation of goods originating in member countries, it does not remove the obligation to pay export taxes. Reports in 2008 stated that the government was actively seeking to close the northern border to cashew shipments. In 2010, as measure to stimulate trade, the Ministry of Economy has established a working group to investigate the creation of a free-trade zone.

1.4.5 Investment environment

The business climate is not encouraging. In the 2010 edition of Doing Business (published by the World Bank), out of 183 countries, Guinea Bissau was ranked 181st (beating only DR Congo and Central African Republic). On most measures its ranking fell compared to 2009, and in starting a business it ranked bottom.

The Government has sought to improve the situation by revising the Investment Code in September 2008. The revised 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. However, until now there has been no progress in de-regulation. The vast cash flows involved in the trafficking of narcotics have ensured that well intentioned anti-corruption measures have so-far had nil apparent effect until now (with Guinea Bissau ranked 162 out of 180 countries in terms of level of corruption as perceived by business operators).

These findings are borne out by anecdotal evidence from European fisheries operators who have investigated the possibility of investment in Guinea Bissau. Not only is the business environment onerous (corruption, lack of power supply, weak infrastructure, high costs etc) but the ongoing non-compliant sanitary conditions and lack of access to the EU market for fishery products of Guinea Bissau origin continues to be a significant barrier to any investments which aim to exploit the fishery potential of the country.

1.4.6 Poverty and Employment

Guinea-Bissau is one of the poorest countries in the world, with incomes of more than two thirds of the population falling below US$ 2/day and more than 21% below US$ 1/day. Nearly two-thirds of the population was living in poverty in 2002 and the majority of people believe that their poverty situation has worsened since then. This is confirmed by World Bank simulations of changes in poverty after 2002 as related to growth in GDP per capita. These simulations suggest that the number of those in poverty may have increased from 66% in early 2002 to 72%% by the end of 2005.

The majority of the extremely poor live in rural areas; almost three-quarters of the poorest third of Guineans earn their primary income from agriculture (including fisheries) and almost all of the remainder list agriculture as their second most important source of income.

IMF estimates that active population in Guinea Bissau is about 600.000 people from which 80% (480,000 people) work in agriculture and only 4% in public administration. Unemployment is high everywhere, particularly amongst the young. The latest unemployment rates of young people aged between 15 and 24 for 2006 are 47% in Bissau and 19% in rural areas.

Small scale fishing by the population of Guinea-Bissau has traditionally been a marginal activity—mainly to complement agricultural activities, or as a means of subsistence often used to supplement consumption and incomes (particularly important in times of poor rice harvests and during the dry season). However, a more professional level of artisanal fishing is also practiced by coastal communities comprising resident immigrant fishers, many from Senegal. More information on fisheries employment is provided in section 2.5.1.

1.4.7 Port and maritime transport

The Port of Bissau, the country's only international port, is responsible for 85% of exports and more than 90% of imports. Established in 1964 the port is managed by the government entity of Administração dos Portos da Guiné Bissau (APGB). The APGB acts as a landlord authority managing regulatory and infrastructural areas.

The port is handling four times its capacity of container traffic. It is poorly managed and has an estimated double the number of workers required, nearly all poorly trained. The port is in a general state of decay. The main physical problems with the port of Bissau stem from neglect over many years. These can be summarized as insufficient capacity, inadequate container equipment, insufficient depth of port and approaches, and lack of navigational aids. In 2006 the port was cleaned up with the assistance of the Spanish government and the Port of Las Palmas (11 of the 14 boats that had sunk in the area were removed at a cost of US$ 256,000). However, at the present time it has been 36 years since the port was dredged with the result that the water depth has been reduced to 3-4 meters. This limits the size of the ships that can enter to 20,000 tons. At the current rate of silting, the port will soon be inaccessible to most freighters, cutting off the country from direct access to international maritime trade.

The inefficient port services increases the cost of all goods, and significantly reduces competitiveness of country's international trading position. The port of Bissau is therefore in need of rehabilitation.

In 2008 the World Bank's private sector rehabilitation and development project addressed this need this by supporting APGB in undertaking:

- diagnosis to assess the feasibility of a public-private partnership for the port and options to be considered
- staffing analysis;
- 5 years financial and operational analysis
- evaluation of value and condition of existing infrastructure and equipment, investment plan, tariff proposals, new stevedores remunerations, budget, etc.

A two-phase 10 year master plan was prepared aiming to restructure the Guinea Bissau Ports Authority, including policy, regulations and legal framework. Access roads to the port were paved using resources of the port authority. This is essential for adequate traffic flow, particularly for the peak periods during the cashew harvest. In 2008 work was in progress to demolish some old warehouses in order to make way for additional areas in which to store containers. However, until now there have been no positive steps regarding implementation of meaningful institutional reform.

In the meanwhile Bauxite Angola signed an agreement with the government in May 2009 to build and manage a second deep-water port at Buba. When completed in 2011, Buba will become an important trade hub for Senegal, Mali and Guinea-Conakry. Bauxite Angola is

also financing 110 kilometres (km) of railway from the mines to Buba port. A fishing port is planned to open in Bandim in 2011 that will also help to diversify rural revenues away from an overdependence on cashew.

The implementation in 1998-2000 of the Common External Tariff in the francophone West African Economic and Monetary Union (UEMOA) entailed significant declines in trade taxes in the region. Furthermore new bridges and upgrading of roads linking Guinea-Bissau to ports in Senegal and The Gambia have been completed. Port costs are significantly less in these countries. Table 7 shows that handling charge in Banjul are EUR84/tonne less than Bissau. Unless these trends are reversed, at least until new ports are developed, Guinea Bissau is likely to become a coastal country which depends on other countries for access to the sea.

Table 7: Comparison of West African Port Costs

	20 ft Container EUR / ton	Average Freight Cost EUR	Port Cost EUR	Tax EUR	Total EUR
Guinea-Bissau	68 - 86	77.3	41.0	59.4	177.7
Nigeria	32 - 36	34.2	28.8	0.0	62.9
Ivory Coast	40 - 50	45.0	28.8	22.3	96.4
Benin	40 - 43	41.4	23.7	0.0	65.1
Ghana	32 - 36	34.2	18.0	0.0	52.2
Senegal (Zig)	68 - 86	70.1	25.9	0.0	96.4
Senegal (Gambia)	68 - 86	70.1	48.9	0.0	119.4
Gambia	68 - 86	70.1	15.1	7.6	92.8

Source: African Cashew Alliance
2009 EUR – USD Conversion Rate used

1.4.8 Food Supply

Although the country boasts good soil and growing conditions, agricultural output has been poor and food shortages frequent, owing largely to a lack of inputs and expertise and weakened infrastructure. Erratic weather – from insufficient rainfall to flooding to bush fires – has also been a factor. Most smallholder farmers in Guinea-Bissau do not produce enough rice to feed their families throughout the year, and rural populations need to buy imported rice to supplement their own production. The food security situation in Guinea Bissau is highly sensitive to changes in rural incomes, and therefore, given the export dependency on cashew, on prices and demand for this crop.

In 2010, according to the FAO Global Information and Early Warning System, the food supply situation had improved significantly, due to increased cereal production (up 4% in 2009), falls in inflation in 2009 thanks to lower food prices, and improved marketing (with increased exports) of cashew, the main source of cash income for rural households. According to FAO, per capita fish consumption is just 2.1 kg/year, based on a supply of about 2,400 tonnes. However, this could be a significant under-estimation. A survey in 2010 estimated production from artisanal fisheries to be 20,118 tonnes in 2009, which would suggest a more realistic per capita consumption of 14.8 kg/year. Whilst rice, maize and millet contribute some 83% of the average 40.7g of protein consumed per day in 2004, fish is therefore likely to have contributed almost all of the animal protein in the diet. Catches from the small scale fishery, supplemented by landed bycatch from the industrial fishery, should therefore be considered to provide a critical contribution to the food security of the country.

The World Bank and the FAO with c. EUR 3 million from the EU Food Facility has launched a two-year project in May 2009 to help reduce the burden of high food prices on its people. The objective is for 25, 000 vulnerable farming families to receive seeds, fertilisers, tools and training to increase their output during 2009 and 2010. Funds will also go towards the rehabilitation of the country's agricultural infrastructure, including rice fields and market garden plots.

1.5 Membership of regional bodies

Guinea-Bissau is a member or several regional and multilateral arrangements. These include the West African Economic and Monetary Union (UEMOA), Economic Community of West African States, (ECOWAS) WTO, and the Community of Portuguese-Speaking Countries (CPLP)

In 1997, Guinea-Bissau joined the West African Economic and Monetary Union (UEMOA) created in 1994 among 7 West African member countries of the Franc zone (Benin, Burkina, Côte d'Ivoire, Mali, Niger, Senegal and Togo). Entry into UEMOA also entailed adoption of the CFA Franc, a common currency linked to the Euro (to the French Franc before introduction of the Euro in 2002) at a fixed exchange rate of 656 CFAF/ Euro. UEMOA implements a free-trade scheme among member countries for goods which satisfy its rules of origin in addition to a 4-band common external tariff (CET).

Guinea-Bissau is also a founding member of the Economic Community of West African States, or ECOWAS, created in 1975 among 15 West African countries. Among the first objectives to be achieved, the treaty mandated the elimination of tariff and non-tariff barriers among member states and the establishment of a CET and commercial policy towards non-members. Subsequent aspirations include a common market and a single currency. Progress towards achieving the more limited trade integration objectives has been slow, in part because of diverging economic interests among the 15 member countries. But preparation and decision-making, and above all implementation of decisions, have sped up in recent years, with the adoption of an ECOWAS Trade Liberalization Scheme (ETLS) on intra-regional trade A CET has been under preparation for several years and the lengthy process received additional impetus from the ongoing EPA negotiations as ECOWAS was intent on concluding an EPA as a formal customs union.

Guinea-Bissau is a WTO member, but has not yet undergone a Trade Policy Review. WTO Negotiation strategy maintains the solidarity with other ECOWAS member states, the LDC group, the African Union (AU) and the ACP states.

Guinea Bissau is member of the Community of Portuguese-Speaking Countries (CPLP) which was established in 1996 as a multilateral forum for the strengthening of mutual friendship and co-operation among its members.

In the fisheries sector Guinea Bissau is also member of several regional institutions including the Sub-Regional Fisheries Commission, (CSRP), and Ministerial Conference on Fisheries Cooperation among African States Bordering the Atlantic Ocean (COMHAFAT) .

These are described in more detail in Section 4.

1.6 Relations with international donors

With political instability and weak government, Guinea Bissau is highly dependent on external assistance. Net assistance has increased significantly, from USD 81 million in 2006 to 132 million in 2008, accounting for 31% of the Gross National Income. Major donors are the EU (accounting for some 38% of the donor support), the World Bank, and the African Development Bank. The main bilateral donors are Portugal, Spain and France. Figure 2 shows the overall breakdown of support from the international community.

Given the perilous state of public finances, donor support for the state budget has increased. The United Nations Development Programme (UNDP) has been working to help the

government to establish a common framework for budget support. External partner programs are broadly aligned with the National Poverty Reduction Strategy.

The country reached the decision point under the Heavily Indebted Poor Countries (HIPC) Initiative in 2000, but never got to completion because of government failure to meet reform targets. The re-establishment of relations with the IMF gives hope that the HIPC process will be resumed in 2011. Despite the concessional nature of most of its debt, Guinea- Bissau is in debt distress, with an external debt level of 227% of GDP at end-2009 in nominal terms. Some 49% of the debt is multilateral and 51% bilateral and (marginally) commercial. The burden of recurrent interest payments is largely carried by the budgetary support from donors.

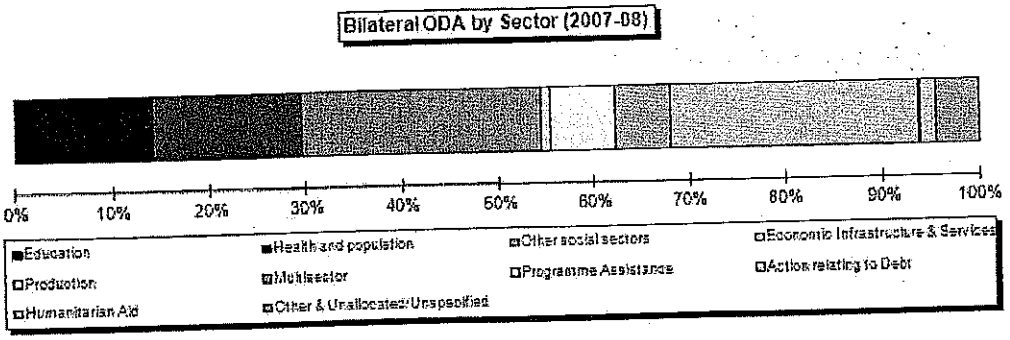
Co-operation is growing with other developing nations. China's presence has increased in recent years, with infrastructure building in exchange for raw materials. In September 2009 new agreements were signed with China, involving aid worth USD 8.2 million. Angola's presence is also increasing, in terms of assistance for infrastructure development and business, mainly due to the countries' common colonial past and language.

Guinea-Bissau

Receipts	2006	2007	2008
Net ODA (USD million)	81	122	132
Bilateral share (gross ODA)	49%	36%	40%
Net ODA / GNI	26.3%	32.7%	31.2%
Net Private flows (USD million)	- 3	- 20	- 15

For reference	2006	2007	2008
Population (million)	1.5	1.5	1.6
GNI per capita (Atlas USD)	210	220	250

Top Ten Donors of gross ODA (2007-08 average)	(USD m)
1 EC	47
2 IDA	22
3 Portugal	17
4 Spain	14
5 AfDF	5
6 France	4
7 UNDP	4
8 United States	3
9 Japan	3
10 IFAD	2



Sources: OECD, World Bank. www.oecd.org/dac/stats

Figure 2: Matrix of overseas development assistance delivered to Guinea Bissau, 2006 to 2008.

1.7 Relations with the European Union

1.7.1 The EU-Guinea Bissau cooperation strategy

Like other ACP states, Guinea-Bissau is a signatory of the Cotonou Agreement with the EU. Guinea Bissau is therefore a beneficiary of the European Development Fund (EDF). The development assistance, policy and programme are described below.

Guinea Bissau is also one of the countries included in the special custom arrangement for the least developed countries (Article 11 of Regulation 732/2008/EC) and this qualifies for the GSP EBA (Everything But Arms) tariff preference regime. This qualifies many products, including fishery products wholly originating from Guinea Bissau, to enter the EU at preferential tariff rates. However, in the case of fishery products, Guinea Bissau has not been able to take advantage of this benefit for several years due to ongoing non-compliance with Community food safety rules.

1.7.2 Economic Partnership Agreement

The Cotonou Agreement recognised that within the WTO rules regarding tariff preferences, the trade relations between the ACP states and the EU would need to be renegotiated before the end of December 2007, replacing them with Economic Partnership Agreements. To satisfy WTO requirements, EPAs will be based on reciprocal (but asymmetrical) trade relationships. EPA negotiations take place within self-determined negotiating groups. Guinea Bissau elected to join the UEMOA regional group for the negotiation of a regional Economic Partnership with the EU.

Under the EPAs, the EU offers signatory states immediate tariff and quota free access to its market, while signatory states will grant duty free access to at least 80% of imports from the EU, to be implemented over an extended transition period of up to 15 years. Twenty% of imports from the EU can remain on the exclusion list (goods not be liberalized) even at the end of the transition period.

The *Union Economique et Monétaire Ouest Africaine*, comprising, Benin, Burkina Faso, Cote d'Ivoire, Guinea Bisau, Mail, Noger, Senegal and Togo (UEMOA) and the EU have since 2003 been engaged in the preparation and negotiation of the Economic Partnership Agreement (EPA). Current EPA negotiations focus on:

- strengthening regional integration;
- prioritising development and enhancing the region's development program;
- enhancing competitiveness (e.g. capacity-building for West African companies and exporters);
- strengthening the integrity of agricultural sector;
- alternative funding for net transitional and tax offsetting costs;
- inclusion of a regional list for sensitive West African products.

Negotiations towards a full regional EPA are continuing in 2010. A technical meeting was held between the parties in June 2010 in Ouagadougou, with a chief negotiators' meeting to follow later in the year. The main outstanding issues in the negotiations relate to the West African market access offer on trade in goods, Most Favoured Nation tariffs, rules of origin and the question of the Community levy.

In addition the West Africa regional groups (CEDEA/ECOWAS and UEMOA) have proposed an EPA development programme (EPADP/PAPED) to address the development needs arising from an EPA, which it aims to include in the EPA as an annex. The programme is aimed at supporting the West African region to draw full benefit from the opportunities offered by the EPA, and to reduce its negative effects. The EPA-DP focuses on the following five strategic aims:

- Diversification and increase of production capacities;
- Development of intra-regional trade and facilitation of access to the global market;
- Improvement and strengthening of trade-related national and regional infrastructures;
- Realisation of indispensable adjustments and consideration of other trade-related needs;

- EPA implementation and monitoring.

The PAPED was initially estimated by West Africa at EUR 9.5 billion over the next five years. On the 10th of May 2010, in the form of a Council Conclusion the EU ministers of development outlined their support, proposing an EU contribution of EUR 6.5 billion. Agritrade suggests that "*ECOWAS and UEMOA however do not seem completely satisfied by the EU's response*".

1.7.3 National Indicative programme for development cooperation

The National Indicative Programme, sets out the development cooperation strategy under the 10th EDF and was adopted by the parties for the period 2008 to 2013. It is substantially to support the DENARP, and the achievement of the Millennium Development Goals (MDGs) in Guinea Bissau. The NIP centres on two focal sectors and on direct budgetary support amounting to Euro 100 million of programmable aid.

- Focal sector 1: Conflict prevention in fragile States – Euro 27 million. The country's weaknesses remain the excessive size of its security forces and its administration, the inefficiency of its judicial system, and corruption. Reform in these areas is therefore a priority.

- Focal sector 2: Water and energy – Euro 26 million. Development in this sector has been identified as an essential prerequisite in order to promote economic and social development.

In addition the NIP allocates direct budgetary support of Euro 32 million during the period 2008 to 2011, the main purpose of which is to achieve macro-economic stability in order to further stabilise public finances. It will be accompanied by institutional support and is expected to evolve towards budgetary aid with more general objectives (to be reassessed on the occasion of the mid-term review). In 2009, this support accounted for Euro 20.95m, representing 16% of the budgeted income of the state budget.

1.7.4 Regional indicative programme

Guinea Bissau is also a beneficiary of interventions supported under the 10th EDF Regional Indicative Programme for Africa. The EU-Africa summit, held in December 2007 in Lisbon cemented new Africa-EU strategic partnership, marking a qualitative leap in relations between the two continents. Within this partnership its first action plan specifies concrete proposals for 2008-2010 structured along 8 Africa-EU strategic partnerships:

- Peace and security
- Democratic governance and human rights
- Trade. regional integration and infrastructure
- Millennium development goals (MDGs)
- Energy
- Climate change
- Migration. mobility and employment
- Science, information society and space.

Together with the political Lisbon Declaration these axes will guide EU-Africa dialogue and cooperation in the coming few years in line with the principles of African ownership, co-management and co-responsibility.

Note that one of the main stated objectives of the EU relations with Africa is to promote the achievement of the UN MDGs in Africa. This objective is strengthened and complemented by the specific objectives pursued within the Cotonou Agreement, the Trade Development and Cooperation Agreement (TDCA), the Euro-Mediterranean partnership and the European neighbourhood policy including the support to political reform and economic modernisation.

At the regional level, with regard to the EU's partnership with West Africa, the main priority for the 10th EDF 2008-2013 are detailed in the Regional Strategy Paper and the Regional Indicative Programme, approved by the EU and the West African States, represented by

ECOWAS and UEMOA in December 2008. The total EDF allocation to the RIP is EUR 597 million and the priorities are set in line with the ECOWAS and UEMOA objectives and comprise:

- Focal Sector I: Deepening regional integration, improving competitiveness and EPA (70% of total: EUR 418 million)
- Focal Sector II: Consolidation of good governance and regional stability (20% of total: EUR 119 million)
- Non-Focal Sector (other programmes) (10% of total: EUR 60 million)

Support for deeper regional integration (Focal Sector 1) includes strengthening regional food security, as well as support for EPA programmes for improved competitiveness which includes compliance with TBT and SPS measures. Focal sector 2 will include strengthened governance, especially at a regional level and improved policies and management in relation to human migration. The Non-focal areas cover a range of issues considered to be vital strategic interest. These include

- Environment (including environmental impact assessments and profiles. bio-security. climate
- Climate change the control of coastal erosion and cross-border areas
- Follow-up and management of the RIP including ad hoc technical assistance
- Support for non-state actors
- Continuation of programmes under way

The main elements with regard to trade are the deepening of regional integration, and enhancement of competitiveness linked to the EPA negotiations. This focal area is divided into the following components:

- Support for the implementation of reforms and adjustments related to the establishment of the UEMOA customs union and the common market (including the free movement of people and of capital) and the consolidation of macroeconomic stability. Actions related to the customs union include the implementation of the CET, trade facilitation and the modernisation of the customs administration;
- Support for implementation of the EPA including application of rules on sanitary and phytosanitary measures (SPS), technical barriers to trade (TBT), intellectual property, competition, public procurement, investment, and services. The competitiveness of the productive sector should be strengthened, food security should be increased at the regional level and the institutional capacities of regional organisations should be improved.

For the ECOWAS region funds available within the RIP for trade capacity building and regional integration amount to some 70% of the total regional indicative programme.

1.7.5 The European Investment Bank

The National Indicative Programme and the Country Strategy Document foresee that the EIB may contribute to the implementation of the programme though the financing of an investment facility and/or though its own resources within the rules of the 10th EDF under the ACP-EU partnership accords. The EU Infrastructure Trust Fund for Africa is a new co-financing instrument of the EU-Africa Partnership on Infrastructure. It brings together the resources of the EU, the Member States, the European Investment Bank (EIB) and European

Development Financing Institutions in the creation of an Infrastructure Trust Fund[2]. This is able to provide grants for:

- interest rate subsidies
- technical assistance including preparatory work for eligible projects such as environmental impact assessments, project supervision and targeted capacity building.
- direct grants for project components that have a substantial demonstrable social or environmental benefit
- initial stage funding of insurance premium necessary to ensure the launch of infrastructure projects.

Eligible investments are those in the energy, transport, water, IT and telecommunications sectors. The Trust has established a secretariat as an access point for and liaison with all Partnership stakeholders. EUR 5.6 billion has been allocated from the 10th European Development Fund (2008-2013). The EIB is responsible for the management of the fund. A number of marine infrastructure projects have already been financed, such as the Walvis Bay Container Terminal in Nambia and the Beira Corridor in Mozambique. Until now, no investments in Guinea Bissau have been made.

2 REGIONAL AND NATIONAL FISHERY RESOURCES

The EU Guinea Bissau Fisheries Partnership Agreement concerns fishing opportunities for both highly migratory species and for demersal species. The main target species concerned are:

Highly migratory pelagic species

- Two species of tuna caught by purse seiners and pole and line vessels (yellowfin tuna - *Thunnus albacares* and skipjack tuna - *Katsuwonus pelamis*) with a bycatch of juvenile bigeye tunas (*Thunnus obesus*)
- Swordfish (*Xiphias gladius*) and sharks (principally shortfin mako shark - *Isurus oxyrinchus* and blue shark - *Prionace glauca*) potentially caught by surface longline vessels[3].

Demersal species:

- Deepwater shrimp (principally *Parapenaeus longirostris)*
- Shallow water shrimp *(Penaeus spp).*
- Cephalopods such as the common octopus (*Octopus vulgaris*), and the common cuttlefish (*Sepia officinalis*),
- Demersal fish species such as breams (*Sparidae*), soles (*Solea* spp) grunts and sweetlips (*Haemulidae*), the sea catfishes (*Ariidae*), and croakers and drums (*Sciaenidae*).

[2] See http://www.eu-africa-infrastructure-tf.net/

[3] Note that since surface lonmgline opportunities within this agreement have not been taken up by EU vessesls, this review of fisheries resources has excluded the target species of this fleet segment (swordfish ad sharks.

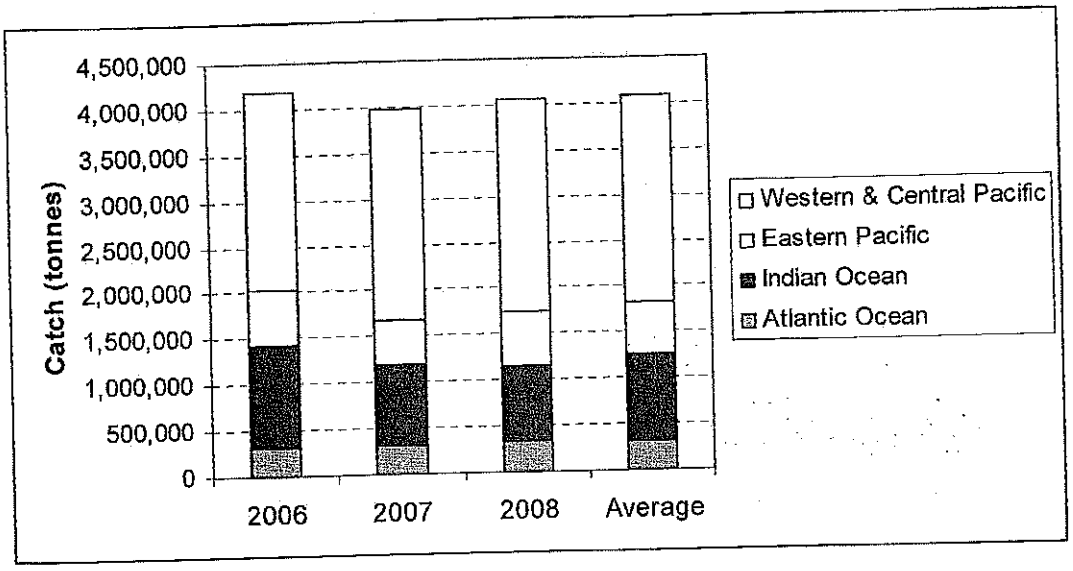
This section considers the dimensions and dynamics of these stocks, and the sustainability of the fishing effort applied to them.

2.1 Highly migratory species in the Eastern Tropical Atlantic

2.1.1 Overview

World catches of the three major tuna species (skipjack, yellowfin and bigeye), for all types of gears combined, totalled over 4 million tonnes on average over the 2006-2008 period (Figure 3). The Western and Central Pacific area is the main fishing ground for tunas, with 56% of world catches on average, ahead of the Indian Ocean (23%). the Eastern Pacific (14%) and the Atlantic Ocean (8%).

Considering the ICCAT Convention Area, in which the Guinea Bissau fishery falls, the total catch in migratory species in 2008 was estimated at 499,438 tonnes, which includes tuna species and billfishes. The ICCAT Convention Area spans a large proportion of the Atlantic Ocean where most of these catches are taken, while about 12% on average (2006-2008) are taken in the Mediterranean (also part of the ICCAT area). The major tuna species (skipjack, yellowfin and bigeye) accounted for almost 320,000 tonnes of the global total (61%).



Source: FAO

Figure 3 : Distribution of world catches of skipjack, yellowfin and bigeye 2006-2008

2.1.2 Status of stocks and management measures

Stock assessments of major tunas and associated species such as various billfish and sharks are carried out regularly (i.e. every 3-4 years) under the framework of the International Commission for the Conservation of Atlantic Tunas (ICCAT). This section describes the various stocks that are of particular relevance to the EU Guinea Bissau FPA, with a focus on the stocks that are exploited in the eastern tropical Atlantic. It considers their exploitation and biological status in terms of the sustainability of the fishery and describes the management advice provided by ICCAT.

The source of this information is the report of the ICCAT Standing Committee of Research and Statistics (SCRS) included in the Report for Biennial period 2008-09, Part II, published in

2010[4]. This publication includes the latest available results of stock assessments (see Table 4). The Scientific, Technical and Economic Committee for Fisheries (STECF) of the European Commission is also requested to review the available advice for 2010 on stocks of interest to the EU. This has also been taken into consideration in the following, where specific STECF comments or recommendations are given.

The European Union as a party to the ICCAT Convention is obliged to implement the ICCAT Recommendations, Resolutions and other Decisions. Reference is therefore also made to the implementing decisions adopted into EU law by the European Council and the European Commission.

Skipjack

Skipjack tuna is a gregarious species that is found in schools in the tropical and subtropical waters of the three oceans. Skipjack is the predominant species caught under FADs (fish aggregating devices/floating objects, which can be natural or artificial) where it is caught in association with juvenile yellowfin and bigeye tuna as well as with other species of epipelagic fauna. One of the characteristics of skipjack is that from the age of one it spawns opportunistically throughout the year and in vast sectors of the ocean. The increasing use of fish aggregation devices (FADs), since the early 1990s, has changed the species composition of free-swimming schools. It is noted that the free schools of mixed species were considerably more common prior to the introduction of FADs.

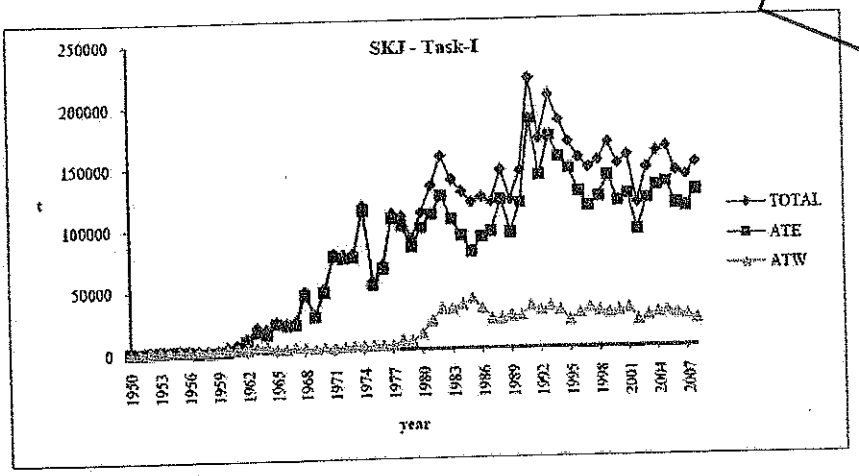
The total catches of this species obtained in 2008 in the entire Atlantic Ocean were close to 149,000 tonnes which represents the catch average of the last five years (Figure 4). At present the major fisheries are the purse seine fisheries, particularly those of Spain, Ghana, Panama, France and Netherlands Antilles, followed by the baitboat fisheries of Ghana, Spain, Portugal and France. The preliminary estimates of catches made in 2008 in the East Atlantic amounted to 127,000 tonnes representing an increase of 3% as compared to the average of 2003-2007. Most of the catches are taken off the coasts of Ghana and Cote d'Ivoire with much lower catches in the Guinea Bissau zone, as this area is in the northern limit of the purse seine fishery (Figure 6). Nominal purse seine effort decreased regularly since the mid-1990s but this has now started to increase again with the movement of EU purse seiners from the Indian to the Atlantic Ocean.

Traditional stock assessment models have been difficult to apply to skipjack because of their particular biological and fishery characteristics (i.e. continuous spawning, variation in growth by area, non-directed effort and weakly identified cohorts). Although the fisheries operating in the east have extended towards the west beyond 30°W longitude, assessment is based on the assumption of two distinct stock units, east and west, based on available scientific studies. European fisheries primarily exploit the eastern stock, which is the much larger stock.

Current catches (2008 provisional data) of eastern skipjack are about 127,000 tonnes, which is lower than the Maximum Sustainable Yield (MSY) level; range of 143,000 – 170,000 tonnes (see Figure 5). This indicates a moderate exploitation and the fishery can thus be considered as sustainable. There is currently no specific regulation in effect for skipjack tuna.

Although the ICCAT SCRS Committee makes no management recommendations in relation to skipjack, the advice is that catches should not be allowed to exceed MSY. Increasing harvests and fishing effort for skipjack could lead to involuntary consequences for other species that are harvested in combination with skipjack (particularly bigeye tuna in the purse seine fishery).

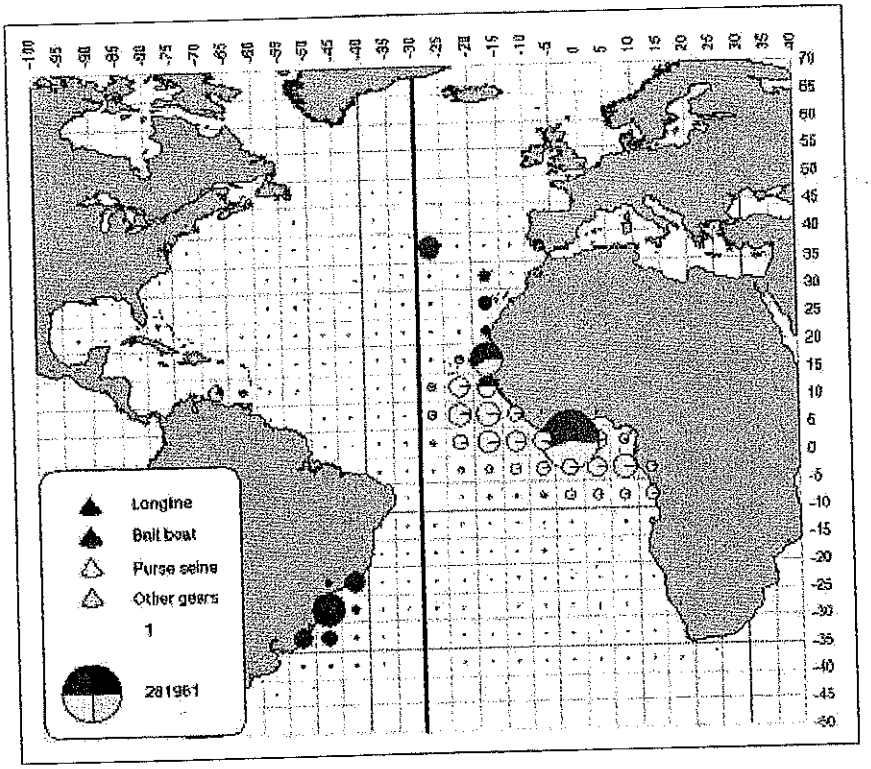
[4] Available at www.iccat.int



Source: ICCAT

Figure 4: Total catch (t) for skipjack in the Atlantic Ocean and by stocks (East and West) between 1950 and 2008.

The STECF comments on the ICCAT management measure of a season/area closure for surface fisheries (i.e. purse seine, baitboat) (Rec. 04-01), replacing the previous moratorium on the use of FADs over a larger area (see Table 4). This season/area closure was assessed by ICCAT and the conclusion was that it is less efficient in reducing the overall catches of small bigeye, the primary objective of the management measures, and has only a marginal effect on skipjack catches. STECF comments imply that a more effective measure should be found for protecting juvenile bigeye in the surface fisheries.



Source: ICCAT

Figure 5: Geographic distribution of skipjack catch by major gears during the period 2000-2007.

Yellowfin tuna

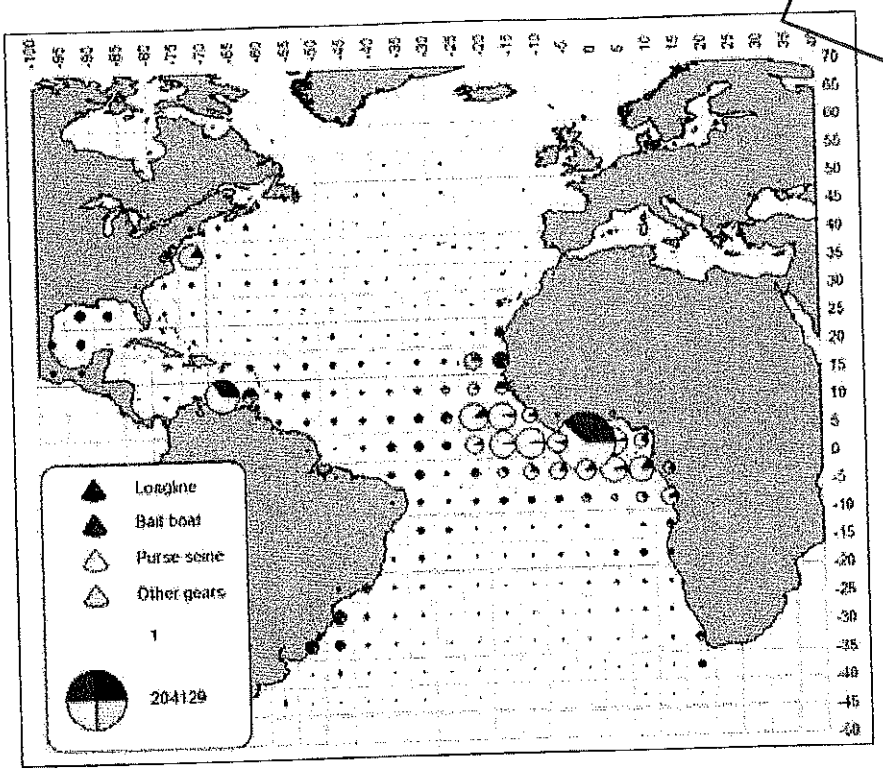
Yellowfin tuna is distributed mainly in tropical and subtropical oceanic waters. The sizes exploited range from 30 cm to 170 cm fork length (FL); maturity occurs at about 100 cm FL. Smaller fish (juveniles) form mixed schools with skipjack and juvenile bigeye, and are mainly limited to surface waters, while larger fish form schools in surface and sub-surface waters. The younger age classes of yellowfin tuna exhibit a strong association with FADs. The main spawning ground is the equatorial zone of the Gulf of Guinea, with spawning primarily occurring from January to April. Juveniles are generally found in coastal waters off Africa. In addition, spawning occurs in the Gulf of Mexico, and in the southeastern Caribbean Sea, although the relative importance of these spawning grounds is unknown. Although such separate spawning areas might imply separate stocks or substantial heterogeneity in the distribution of yellowfin tuna, a single stock for the entire Atlantic is assumed as a working hypothesis based on the available information, showing transatlantic migration from west to east and a continuous distribution based on CPUE data (Figure 6).

In contrast to the increasing catches of yellowfin tuna in other oceans worldwide, there has been a steady decline in overall Atlantic catches, with an overall decline of 45% since the peak catches of 193,500 tonnes in 1990 to 107,859 tonnes in 2006 (Figure 7). Recent trends have differed between the western and eastern Atlantic, with the catches in the west continuing to decline steeply with reductions of 40% in only two years since 2006. In the eastern Atlantic, on the other hand, catches have increased by 13% since 2006 mainly due to substantial increases in purse seine effort. Most of these catches are taken off the coasts of Ghana and Cote d'Ivoire, as shown in Figure 6. Note that the catches in the Guinea Bissau zone are relatively low.

The status of the yellowfin tuna stock has shown some improvement in recent years, which is not surprising in that fishing effort and subsequent catches have generally declined. The recent increase in effort in the Eastern Atlantic is still considered to be relatively moderate. The estimated maximum sustainable yield (MSY) range is 124,000 to 152,000 tonnes per year. As catches in 2008 were 107,859 tonnes (provisional data), well below the MSY, the level of exploitation is considered moderate and yellowfin tuna is considered to be exploited sustainably.

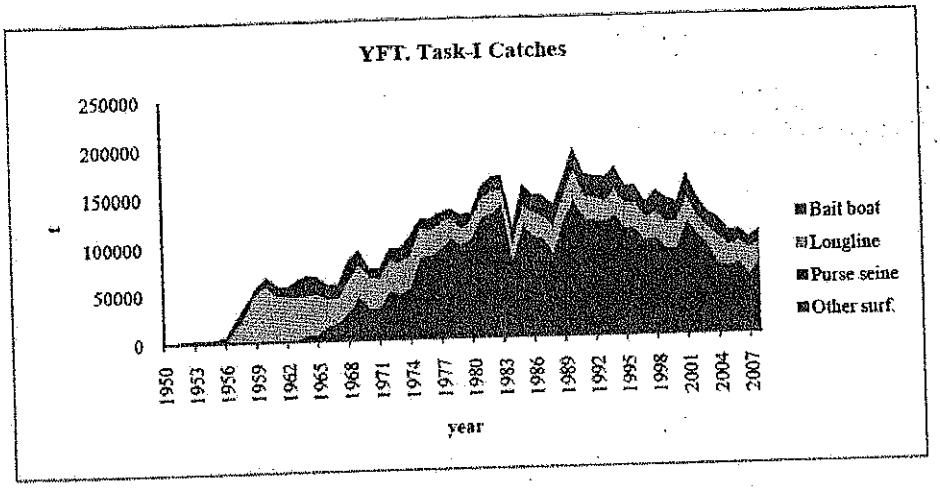
The formal management advice is contained in "Recommendation by ICCAT on Supplemental Regulatory Measures for the Management of Atlantic Yellowfin Tuna" of May 31, 1994. This states that "there be no increase in the level of effective fishing effort exerted on Atlantic yellowfin tuna, over the level observed in 1992". It also requires that all countries whose vessels currently exploit Atlantic yellowfin tuna, or may do so in the future, irrespective of whether or not such vessels fly a flag of the Contracting Parties to the ICCAT Convention, implement the measure.

The latest stock assessment in 2008 estimated that current effort level is well below this limit (about 25-30% in terms of fishing mortality up until 2006), but considering recent increases in vessels, this may no longer be the case. The SCRS Committee of ICCAT points out that there is about a 60% chance that stock biomass is not at the optimal target level, when taking into account uncertainty in the modelling exercises. The effect of the recent trend for movement of additional, newer vessels from the Indian Ocean into the Atlantic, with a corresponding increase in fishing mortality should therefore be monitored closely to avoid adverse impacts on stock status, a recommendation that is also endorsed by the STECF.



Source: ICCAT

Figure 6: Geographic distribution of yellowfin catch by major gears during the period 2000-2007



Source: ICCAT

Figure 7: Estimated annual catch (tonnes) of Atlantic yellowfin tuna by fishing gear. 1950-2007

Bigeye

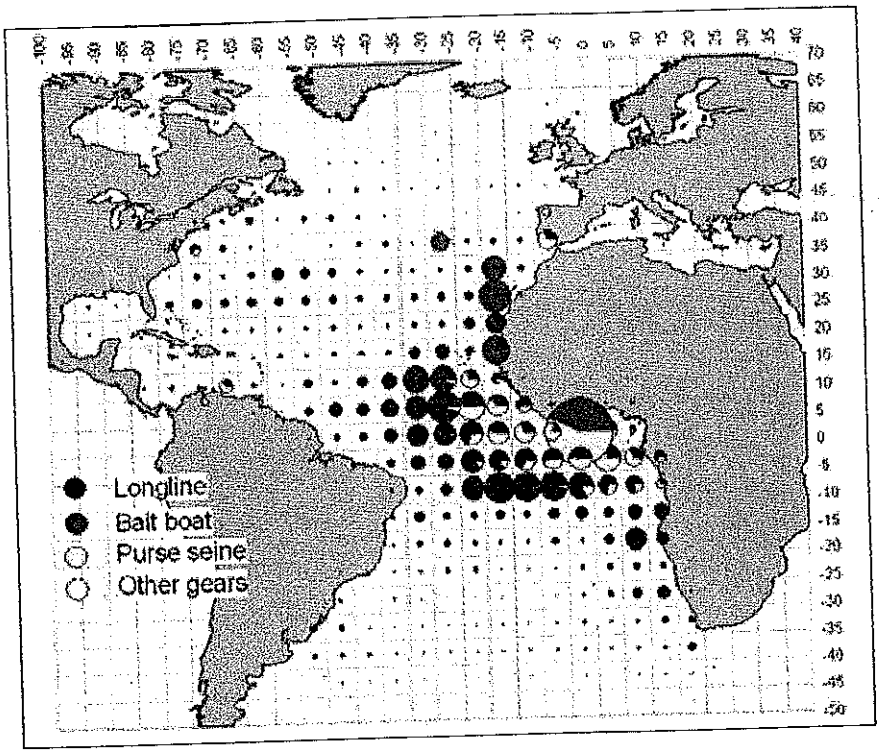
Bigeye tuna are distributed throughout the Atlantic Ocean between 50°N and 45°S, but not in the Mediterranean Sea. This species swims at deeper depths than other tropical tuna species and exhibits extensive vertical movements. Spawning takes place in tropical waters when the environment is favourable and juvenile fish tend to diffuse from nursery areas in tropical waters into temperate waters as they grow larger. Catch information from surface gears indicate that the Gulf of Guinea is a major nursery ground for this species. Young fish form

schools mostly mixed with other tunas such as yellowfin and skipjack. These schools are often associated with drifting objects, whale sharks and sea-mounts. This association appears to weaken as the bigeye grows larger. A single Atlantic-wide stock is assumed for the purpose of stock assessment.

The stock has been exploited by three major gears (longline, baitboat and purse seine fisheries) and by many countries throughout its range of distribution. The size of fish caught varies among fisheries; medium to large for the longline fishery, small to large for the directed baitboat fishery and small for other baitboat and for purse seine fisheries. The main purse seine fisheries are off the coasts of Ghana and Cote d'Ivoire. Only relatively small catches are reported for the ICCAT square in which Guinea Bissau is located (Figure 8).

Figure 9 shows the catch trends for this species. After the historic high catch in 1994 (132,000 tonnes) all major fisheries for this species exhibited a decline of catch. Bigeye catches declined to 65,873 tonnes in 2006 and provisional estimate for 2008 is 69,821 tonnes These reductions in catch are related to declines in fishing fleet size (purse seine and longline) as well as decline in CPUE (longline and baitboat). However, in 2007 and 2008 an increase in the number of tropical purse seiners has been observed and this trend continued in 2009.

Bigeye tuna is of commercial interest for longliners supplying the Asian sashimi market. Since the early 1980s it has been the target of illegal, unreported and unregulated (IUU) longliners flying flags of convenience. IUU longline catches of this species were estimated at 25,000 tonnes in 1998 but have since declined reflecting improved reporting and reductions in the number of IUU boats flying flags of convenience. Nevertheless, the SCRS Committee of ICCAT continues to remain concerned that IUU bigeye catches may continue to be significantly under-estimated.

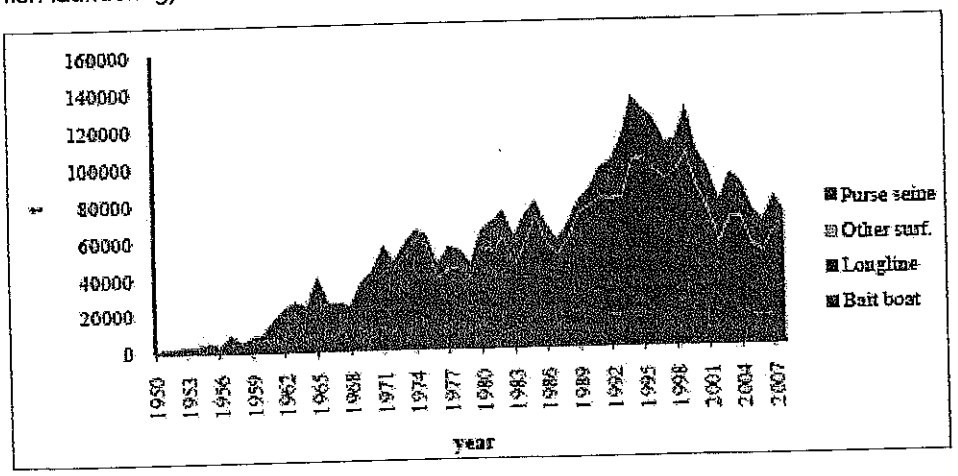


Source: ICCAT

Figure 8: Geographic distribution of bigeye catch by major gears during the period 2000-2006

The stock assessment of bigeye tuna indicates that the stock declined rapidly during the 1990s due to the large catches taken in that period. Recently stock size appears to have

stabilized. Catches in 2008 (provisional data) were about 70,000 tonnes, which is within the estimated sustainable range for MSY of 68,000 to 99,000 tonnes (Figure 9). This implies that the bigeye stock is exploited sustainably. However the SCRS Committee points out that this is conditional on the veracity of the reported and estimated history of catch for bigeye in the Atlantic. There is concern that unreported catches from the Atlantic might have been, and continue to be, poorly estimated. However, available statistical data collection mechanisms are insufficient to fully investigate this possibility (due to for example undeclared landings and fish laundering).



Source: ICCAT

Figure 9: Estimated annual catch (t) of bigeye tuna by fishing gear (1950-2007)

There are several management measures in place in order to limit the fishing mortality of bigeye tuna. There are limits on the number of fishing vessels that may carry out a directed fishery for bigeye, where the upper limit is the average number of vessels in 1991/1992 larger than 24m LOA (Rec. 98-03). In the case of bigeye, this refers to longline fleets primarily but there are also limitations on total allowable catch as well as on the number of purse seiners allowed to operate by some distant-water fishing nations (Rec. 04-01; Rec. 09-01).

Furthermore, there is a specific seasonal/area closure that applies to the surface fishery, including purse seiners and baitboats, during November (Rec. 04-01). This seasonal/area closure is much smaller in time and surface compared to a previous moratorium which was in effect during the period 1999 to 2005 (Rec. 99-01). Thus the current regulation is considered to be less effective in reducing the catches of juvenile bigeye (i.e. the main objective of the regulation), but on the other hand, the decreases in the associated catches of skipjack and yellowfin tuna are not as large. As current catches appear to be below the maximum sustainable yield (MSY), such a reduced effectiveness does not appear to be of concern, but the bigeye situation should be monitored carefully, considering recent increases in purse seine effort as well as the extent of IUU fishing. It is important to note that this seasonal/area closure does not affect the Guinea Bissau area which is further to the north.

2.1.3 Ecosystem considerations (migratory species)

ICCAT is becoming increasingly concerned regarding the impact of fishing on the environment. The Working Group on the Future of ICCAT is taking into consideration the amendment of the ICCAT Convention by including the ecosystem considerations such as for example by-catch impacts. Discussions are ongoing to identify a range of goals for the Convention area ecosystem components: the need for models which incorporate best knowledge of ecosystem dynamics and account for the identified goals; to identify critical data gaps and ecological processes; and guide research and data collection needed for testing and implementation of ecosystem-based fisheries management.

The following summarises some recent research efforts and findings relevant to Guinea Bissau fisheries.

Discards

Discards are generally considered a waste of fish resources and inconsistent with responsible fisheries. Various UN resolutions and international instruments on fisheries make reference to monitoring bycatch and discards, and reviewing the impact of bycatch and discards on the sustainable use of living resources.

The most comprehensive review of discards in fisheries for tuna and highly migratory species was undertaken by an FAO study in 2005[5]. This presented estimates of discard rates (defined as% of total catch discarded) for several important types of fisheries undertaken in the Guinea Bissau zone.

Baitboat (or Pole-and-line) have an average discard rate of 0.1%, can thus be considered a very clean fishery. Purse seine operators report a discard rate of 4.85% (4.1% for the Atlantic) consisting of undersized target species, non-commercial tunas, sharks, rainbow runner, dolphinfish, triggerfish, billfish and mantas. A recent study of by-catch and discards presented new estimations of discards as well as characteristics for several species groups for the European purse seine tuna fishery operating in the Atlantic Ocean for the period 2003-2007. This was carried out in the context of the French and Spanish observer programs. Mean annual total tuna discards and by-catch were estimated to be about 6,000 tonnes, corresponding to a mean annual value of 76.3 tonnes per 1,000 tonnes of tuna landed. Tuna discards represents 83% (63.5 tonnes/1,000 tonnes) of the total amount, followed by finfishes (10%; 7.8 tonnes/1,000 tonnes), billfishes (4%; 3.2 tonnes/1,000 tonnes) and sharks (1%; 0.9 tonnes/1,000 tonnes). The rather high level of tuna discards appears to be due to a significant increase in the proportion of small skipjack (so-called "*faux poisson*") in the catch. In 2009, French observers estimated the proportion of small fish (average size 37 cm FL) to be 235 tonnes/1,000 tonnes of skipjack landed.

Sharks

There are no industrial surface longline fisheries licensed by Guinea Bissau, but there may be some IUU fishing targeting these species. A targeted fishery for shark may also be carried out by Senegalese fishermen deploying long-lines and gillnets. ICCAT has considered the impacts of by-catches of shark species, since these species generally exhibit low productivity and even low by-catches may have a detrimental effect. The quality and quantity of data has been improving to the point where Ecological Risk Assessments (ERA) have been carried out for eleven priority species of sharks (including blue shark and shortfin mako) caught in ICCAT fisheries. The results demonstrated that most Atlantic pelagic sharks have exceptionally limited biological productivity and, as such, can be overfished even at very low levels of fishing mortality. Specifically, the analyses indicated that bigeye threshers, longfin makos and shortfin makos have the highest vulnerability (and lowest biological productivity) of the shark species examined (with bigeye thresher being substantially less productive than the other species). All species considered in the ERA, particularly smooth hammerhead, longfin mako, bigeye thresher and crocodile sharks are in need of improved biological data to evaluate their biological productivity more accurately and thus specific research projects should be supported to that end.

Several measures have therefore been adopted by ICCAT for the conservation of sharks caught in association with ICCAT managed fisheries. This includes obligations and recommendations related to catch reporting, biological data collection, research efforts, prohibiting shark-finning, and identifying blue shark and shortfin mako shark as priority species for stock assessment (Rec. 04-10, 05-05, 06-10). Rec. 07-05 identifies porbeagle (*Lamna nasus*) for the purposes of data collection and stock assessment as well as the need to reduce fishing mortality. Rec. 09-07 prohibits the sale of bigeye thresher sharks (*Alopias superciliosus*) thus limiting any directed fishery and the requirement to release unharmed any

[5] Kelleher, K. 2005. Discards in the world's marine fisheries. An update. FAO Fisheries Technical Paper. No. 470. 131p.

incidentally caught individuals (when practicable) as well as the specification of thresher sharks (*Alopias spp.*) for data collection purposes.

A related effort is the recent European Union Action Plan for the Conservation and Management of Sharks (2009)[6], which has three specific objectives: a) to broaden the knowledge both on shark fisheries and shark species and their role in the ecosystem, b) to ensure that directed fisheries for shark are sustainable and that by-catches of shark resulting from other fisheries are properly regulated, and c) to encourage a coherent approach between the internal and external Community policy for sharks.

It should also be noted that a Sub-regional Plan of Action for sharks was formulated in 2001 by a number of African countries including Cape Verde, Gambia, Guinea, Guinea Bissau, Mauritania, São Tomé and Principe and Senegal[7]. A project has been supporting its implementation (2004-2011), hosted by the Sub-Regional Fisheries Commission (CSRP) for West Africa, with funding from Dutch Cooperation and the Luc Hoffmann Foundation (MAVA). Implementation of the Sub-Regional Action Plan appears to be weak which is also linked to inadequate funding.

Seabirds

The seabird assessments conducted indicate that ICCAT fisheries have measurable impacts on populations of seabirds in the Convention area, including some species of seabirds that are threatened with extinction. There are various species, primarily albatrosses (*Phoebetria* spp.), shearwaters (*Puffinus* spp.) and petrels (*Pterodroma* spp.), which are threatened according to IUCN criteria and susceptible to by-catch from ICCAT fisheries because of their behaviour[8]. Assessments conducted indicate that minimizing seabird mortality in the ICCAT fisheries would result in improvement in future seabird population status. Lessons from ICCAT areas where seabird by-catch was formerly high but has been reduced show clearly that there is no single measure that can sufficiently reduce seabird by-catch. It is important to employ, simultaneously, a suite of measures. There are concerns particularly in relation to the southern hemisphere (south of 20°S).

The main gears concerned are surface longlines, which may be practiced by IUU vessels in the Guinea Bissau zone. However ICCAT's Sub-Committee on Ecosystems has not been able to demonstrate evidence that there are significant seabird interactions with Contracting Parties' national pelagic longline fisheries. Preliminary estimates indicate by-catches of below 10,000 seabirds per year over a study period of three years; 2003-2005[9]. However, as a precautionary measure, it has advised that Contracting Parties should use tori lines[10] in combination with at least one other effective bycatch mitigation measure throughout the Convention area (adopted in ICCAT Rec. 07-07 for areas south of 20°S). These measures should be applied until such time that more information becomes available on the impacts of by-catch levels on seabird populations.

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[6] Communication From The Commission To The European Parliament And The Council, On a European Community Action Plan for the Conservation and Management of Sharks, COM(2009) 40 final, Commission Of The European Communities, Brussels, 5.2.2009

[7] IUCN 2002. Report on Implementation of the International Plan of Action for Sharks (IPOA – Sharks): paper submitted for discussion at the 18th. CITES Animals Committee meeting, Costa Rica, 8-12 April, 2002. IUCN Species Survival Commissions Shark Specialist Group (SSG) and TRAFFIC

[8] Report of the 2007 Inter-sessional meeting of the sub-committee on ecosystem. ICCAT SCRS/2007/010

[9] Klaer, N.L., Black, A., Howgate, E. 2009. Preliminary estimates of total seabird by-catch by ICCAT fisheries in recent years. SCRS/2008/031

[10] A tori line is a bird-scaring device towed behind the vessel, usually attached from a high point at the stern and consisting of a backbone from which streamers hang down at regular intervals.

A recent effort in this context is the consultation paper presented by the European Commission on an "EU Action Plan for Reducing Incidental Catches of Seabirds in Fishing Gears". This was under consultation until 9 August 2010[11]. Following the example set by CCAMLR in reducing incidental catches of seabirds in the southern seas, a series of relatively simple techniques are proposed as "best practices" which are not expected to entail significant investments or impacts on catch rates.

Turtles

Another matter of growing concern is the numbers of turtles being caught in longline fisheries and the impact this might have on their populations worldwide. All species of marine turtles are protected reptiles and are considered to be endangered or threatened. Depending on geographic region, the two species most commonly caught in longlines are loggerhead turtles (*Caretta caretta*) and leatherback turtles (*Dermochelys coriacea*). In the Atlantic most work has been carried out in the western North Atlantic but efforts in the eastern Atlantic appear to have been limited although studies indicate that high catch rates of turtles are observed (about 1 individual per 1,000 hooks set according to Carranza et al. 2006[12]). However considering that the Guinea Bissau zone is not an area of particularly intensive fishing effort by longline, this is not considered to be a serious threat (unlike the situation with demersal trawl fisheries).

Bycatches of turtles in the purse seine fishery are very low (i.e. about 0.1 tonnes estimated from 7 observer trips) but as these species are generally threatened it is a matter for concern. However, it is standard practice to release the turtles back to sea if they are still alive[13]. No study could be found on possible turtle bycatches in the baitboat fisheries, including EU, but this is expected to be negligible due to the nature of the fishery.

Marine mammals

There is only limited information on marine mammal bycatch, particularly in the eastern tropical Atlantic. Considering recent studies on the bycatch of industrial tuna fisheries (i.e. purse seine and pelagic longline) in the area, catches of marine mammals are not specified at all[14] [15].

2.2 Demersal and pelagic species in the Guinea Bissau Zone

Guinea Bissau waters are rich in fisheries resources, this is related to the presence of an extensive continental shelf with shallow depths, seasonal upwelling and significant river flow, all of which contribute to nutrient enrichment of waters and a relatively high productivity. There are also suitable bottom conditions for trawling extending to significant distances from the shore. The 12 nautical mile territorial zone exclusive to the small-scale fisheries extends well into this area due to the forward base points selected in the Bijágos Islands.

[11] http://ec.europa.eu/fisheries/partners/consultations/seabirds/index_en.htm

[12] Carranza, A., Domingo, A., Estrades, A. 2006. Pelagic longlines : a threat to sea turtles in the equatorial eastern Atlantic. Biological Conservation vol. 131, n° 1, 52-57

[13] Chassot, E., Amande, M.J., Chavance, P., Planet, R., Dedo, R.G. 2009. Some preliminary results on tuna discards and bycatch in the French purse seine fishery of the Eastern Atlantic Ocean. ICCAT SCRS/2008/117

[14] Chassot, E., Amande, M.J., Chavance, P., Planet, R., Dedo, R.G. 2009. Some preliminary results on tuna discards and bycatch in the French purse seine fishery of the Eastern Atlantic Ocean. ICCAT SCRS/2008/117

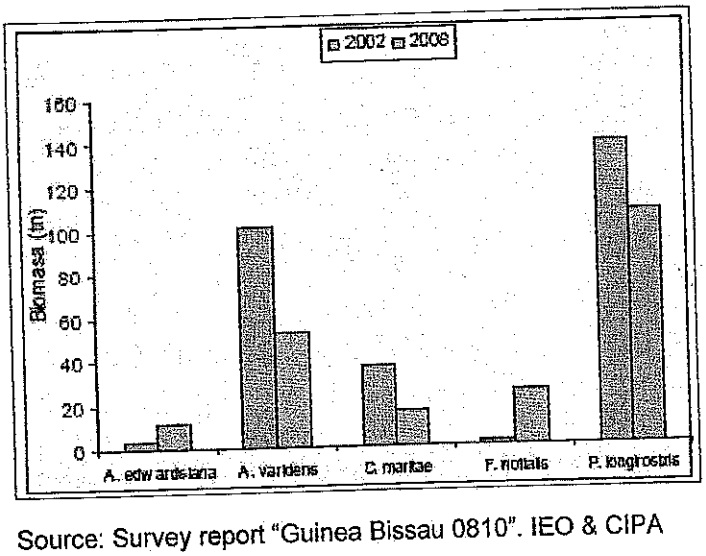
[15] Scientific estimations of bycatch landed by the Spanish surface longline fleet targeting swordfish in the Atlantic Ocean. ICCAT SCRS/2008/045

2.2.1 Shrimp

Crustaceans represent perhaps the most important commercial group in the fisheries of Guinea Bissau. These include deep-water shrimp, *Parapenaeus longirostris* and *Aristeus varidens*, which are found in depths ranging from 100 – 500m, and the shallow-water shrimps, *Penaeus notialis, Parapenaeopsis atlantica*, and *Penaeus monodon*, which are targeted in waters of 0 – 100m. Other species of commercial importance are the deep-sea crab *Geryon maritae* (found exclusively at a depth beyond 200m) and the royal spiny lobster *Panulirus regius* (found exclusively at a depth less than 50m).

In 2009 the total catch of crustaceans was an estimated 3,520 tonnes, consisting of 1,036 tonnes of *Parapenaeus longirostris* and 545 tonnes of *Penaeus notialis,* the rest being made up of crab catches. There is high uncertainty about the level of exploitation for these two main target species (see Table 8). CIPA has estimated a maximum sustainable yield of 3,393 tonnes, based on the results of recent demersal surveys (2004, 2006, 2008), but this concerns all crustacean species conbined. One major complicating factor is that surveys have not been successful in providing reliable estimates of crustacean biomass, the shallow-water shrimp species in particular.

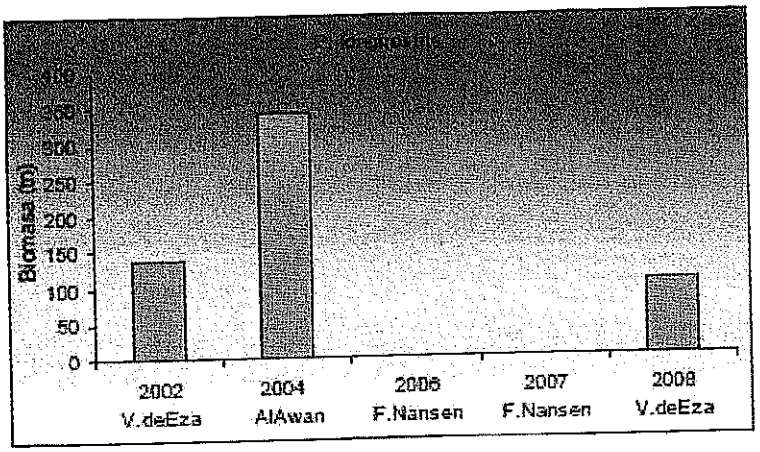
The latest survey in 2008 estimated a *Parapenaeus longirostris* biomass of only about 100 tonnes (Figure 10). Note however that there appears to be a trend for decreasing biomass in relative terms.



Source: Survey report "Guinea Bissau 0810". IEO & CIPA

Figure 10: Estimated biomass of major crustaceans from the Vizconde de Eza surveys in 2002 and 2008.

Figures 10 and 11 show that successive surveys during the last decade have estimated rather low biomass of deep-water shrimp, *P. longirostris*, which does not correspond at observed catches of about 1,000 tonnes/year. In the case of shallow-water shrimp, *P. notialis*, survey biomass estimates are even lower, a major part of the stock area is not covered by surveys (i.e. shallow and coastal areas). Another reason appears to be the gear type and configuration of survey vessels, which are not efficient at catching these species of shrimp, even if they conduct the survey in the correct zone.



Source: Survey report "Guinea Bissau 0810". IEO & CIPA

Figure 11: Comparison of biomass estimates of deep-water shrimp, P. longirostris, from recent surveys carried out in Guinea Bissau.

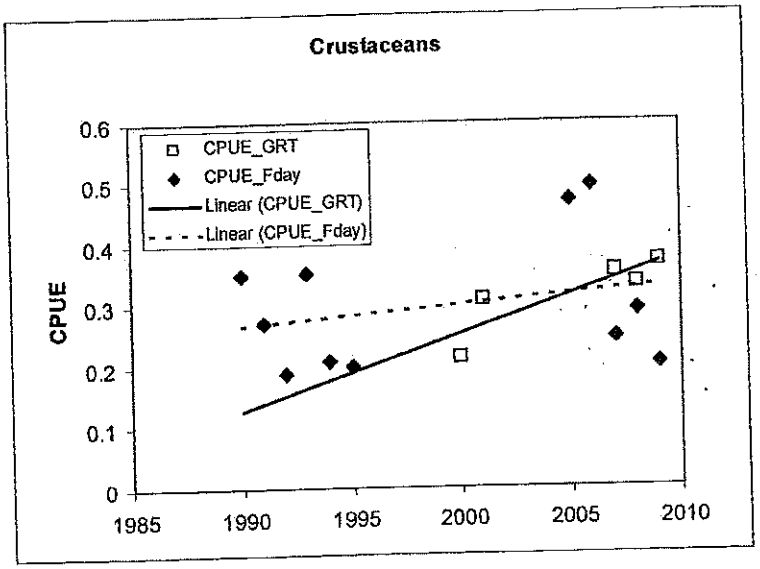
Considering these methodological difficulties, it can be useful to take advantage of catch and effort data available from the fishery. Catch-per-unit-effort (CPUE) can be used as an approximate abundance index and can be used in conjunction with survey data to determine whether trends in the data are consistent. Fishing effort data in terms of number of fishing days is available for several years, and provides a suitable measure of fishing effort in trawl fisheries (as shown in Table 8). An alternative effort measure was used for comparative purposes, which was effective GRT (the GRT of licensed vessels adjusted to account for time period of operation). This is not an ideal indicator of effort as it does not take into account whether vessels were actually operating, but it is the approach used in the CIPA 2010 management plan and can be considered an alternative when fishing effort data is lacking or inconsistent.

It is interesting to note these two alternative CPUE measures (shown in Figure 12) show either stable or increasing trends, albeit highly variable. This suggests relatively stable exploitation or improving catch rates due to lower fishing pressure. Note that there has been a decrease in the number of vessels (i.e. expressed as number of standard licensed vessels). The problem here is that all crustacean species are conbined, so that possible decreasing CPUE for major target species is masked. It is clearly a priority for CIPA to make advantage of available data to investigate this for specific target species.

Table 8: Crustacean catch and effort data

Year	Catch (t)	Vessels	GRT eff	F_days	CPUE_GRT	CPUE_Fday
1990	5,134			14,673		0.350
1991	4,403			16,215		0.272
1992	3,302			17,428		0.189
1993	4,436			12,595		0.352
1994	2,745			13,182		0.208
1995	2,944			14,791		0.199
1996	3,099					
1997	2,314					
2000	2,393	50	11,153		0.215	
2001	3,379	49	10,949		0.309	
2002		46	9,935			
2003		58	14,052			
2004		51	10,880			
2005	5,484			11,675		0.470
2006	4,327			8,759		0.494
2007	1,835	29	5,187	7,476	0.354	0.245
2008	1,241	24	3,728	4,293	0.333	0.289
2009	1,705	30	4,633	8,471	0.368	0.201

Source: CIPA & DSPI; note that GRT eff was corrected for 2009



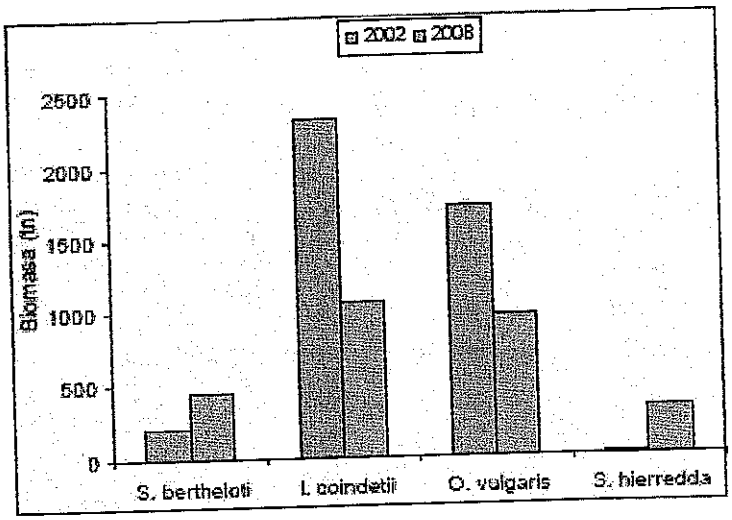
Source:Consultants estimates based on CIDA data

Figure 12: Plot of CPUE data for crustaceans

2.2.2 Cephalopods

The main targets of the cephalopod fishery are common octopus (*Octopus vulgaris*), and cuttlefish(*Sepia sp..*), which are caught in demersal trawl fisheries. In 2009, estimated catches were 4,385 tonnes of octopus and 955 tonnes of cuttlefish.

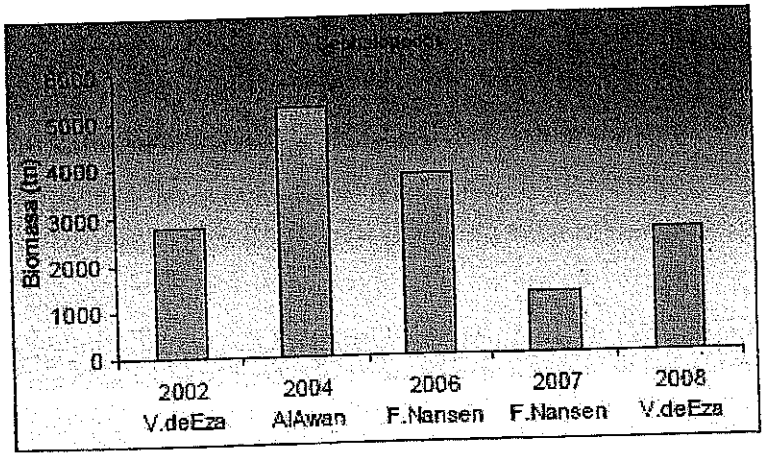
CIPA has estimated a maximum sustainable yield of 5,516 tonnes, based on the results of recent demersal surveys (2004, 2006, 2008), but again this concerns all cephalopod species conbined. This would appear to indicate sustainable exploitation but the results of the Spanish survey in 2008 appear to show strong relative decreases in biomass over the period 2002 to 2008 (Figure 13).



Source: Survey report "Guinea Bissau 0810". IEO & CIPA

Figure 13: Comparison of biomass estimates of main cephalopod species from the Vizconde de Eza surveys in 2002 and 2008.

When considering all surveys carried out during the last decade, estimates of cephalopod biomass appear to show a high degree of inherent variability, which would also be expected from such short-lived species (Figure 14).



Source: Survey report "Guinea Bissau 0810". IEO & CIPA

Figure 14: Comparison of cephalopod biomass estimates from recent surveys carried out in Guinea Bissau.

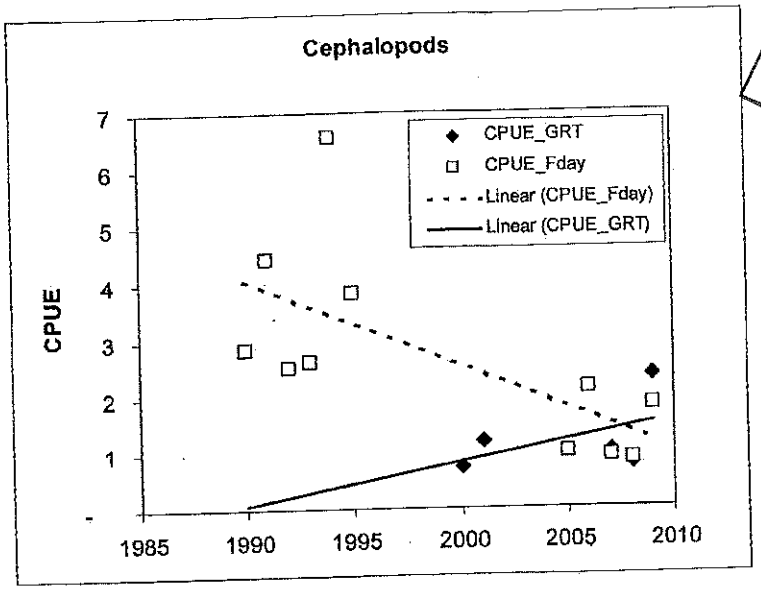
The consultants applied the same approach as before for calculating CPUE as a complementary indicator of abundance. The results are shown in (Table 9), using fishing

effort in number of fishing days and effective GRT (the GRT of licensed vessels adjusted to account for time period; pro rata temporis). The results show conflicting trends expressed graphically in (Figure 15). The more appropriate measure of fishing effort expressed in fishing days shows a clear downward trend, but this may be a sampling artefact due to a change in measuring/recording of fishing effort (note that points in the early 1990s cluster together as well as those in recent years). Fishing effort has not been measured consistently over time (or has not been published), which creates problems in building consistent time series of data. It is clearly a priority for CIPA to revise and validate statistical data on catch and effort, as this would provide the basis for carrying out formal stock assessments (including CPUE trends) of key stocks.

Table 9: Cephalapod catch and effort data

Year	Catch (t)	No. Eff	GRT eff	Fdays	CPUE_GRT	CPUE_Fday
1990	13,115			4,628		2.834
1991	10,154			2,285		4.444
1992	5,034			2,000		2.517
1993	6,414			2,458		2.610
1994	6,478			987		6.563
1995	7,773			2,031		3.827
1996	4,488					
1997	4,920					
2000	2,630	15	3,542		0.742	
2001	2,306	10	1,928		1.196	
2002		17	4,220			
2003		20	5,077			
2004		18	4,514			
2005	3,875			3,910		0.991
2006	7,337			3,455		2.124
2007	5,365	22	5,277	5,881	1.017	0.912
2008	3,364	19	4,262	3,899	0.789	0.863
2009	8,089	15	3,452	4,471	2.343	1.809

Source: CIPA & DSPI; note that GRT effort was corrected for 2009.



Source: Consultants estimates based on CIPA data

Figure 15: Plot of cephalopod CPUE

2.2.3 Demersal fish

Catches of demersal fish are characterised by being rich in the number of species caught, which is typical of tropical trawl fisheries. The main demersal fish families of commercial importance are the seabreams (*Sparidae*), grunts and sweetlips (*Haemulidae*), sea catfishes (*Ariidae*), croakers and drums (*Sciaenidae*), and various flatfishes. Hakes (*Merluciidae*) and threadfins (*Polynemidae*) are also important but are less abundant. The breams have replaced the grunts and sweetlips as the most abundant group, with respect to the findings, while all other groups have retained their rank.

Catches of demersal fish by the industrial trawl fisheries were about 27,000 tonnes in 2009. Estimates of potential exploitable fish biomass range from 77,000 to 160,000 tonnes, according to the CIPA 2010 management plan, based recent survey estimates (2004, 2006, and 2008). Note that these biomass estimates are inherently variable (Table 10). This implies that the level of exploitation appears to be low, but one major issue is that catch estimates do not take into account discards which are known to be high in tropical trawl fisheries, for shrimp trawling in particular. This is further aggravated by current bycatch limits in the shrimp trawl fishery (50% fish or cephalopods allowed to be retained onboard by shrimp trawlers), effectively forcing fishermen to discard. Also, some species may be over-exploited but this may be masked when considering aggregated data (i.e. the 2008 Spanish survey identified strong relative decreased in hake biomass).

Overall, the demersal bony fish represent approximately 80% of the demersal biomass (based on the Al-Awam 2004 survey). The cartilaginous fishes (rays and sharks) account for about 11% of demersal biomass, giving a total of 89% for fish. Numerous demersal sharks and rays have been recorded in surveys and an estimated potential catch of 5,000 tonnes has been estimated (Al-Awam survey in 2004). However, CIPA statistics tend to show very low retained catches of sharks and rays.

A 1993 CIPA study revealed that Ornagozinho Island in the Bijagos group was the centre of a shark fishery, and the major caught species were reported as *Carcharinus signatus, Carcharinus limbatus* and *Rhinobatus rhinobatus*. Other pelagic *carcharinid* and *lamnid* sharks are known to roam Guinea Bissau waters, such as Thresher, Blue and Mako sharks, equally valued for their meat and fins.

Table 10: Compilation of Guinea Bissau surveys and estimates of total biomass

Year	Survey	No. Hauls	Biomass ('000 t)
1963	La Rafale	21	247
1964	La Rafale	18	273
1981	Fridtjof Nansen	17	448
1986	Fridtjof Nansen	29	337
1988	Noruega	31	266
1989	Noruega	83	45
1990	Noruega	98	351
1991	Noruega	30	95
1992	Nansen	43	66
1995	Capricórnio	77	20
1995	N'Diago	137	126
2002	Vizconde de Eza	66	165
2004	Al-Awam	105	479
2006	Fridtjof Nansen	17	47
2007	Fridtjof Nansen	19	18
2006	G. Lansana Conte?	n/a	161*
2008	Vizconde de Eza	98	149

Source: SIAP EDF Project; CIPA * estimated

Pelagic shark species abound in Guinea Bissau waters and pelagic sharks are reportedly subject to a targeted fishery carried out by mostly Senegalese fishermen deploying long-lines and gillnets. The most valued species is the Bignose shark (*Carcharinus altimus*), whose fins fetch the highest prices on Asian markets.

2.2.4 Small pelagics

There are several important species of small pelagic fishes in Guinea Bissau waters. Most of the commercially important small pelagic species are from the *clupeid, carangid* and *scombrid* families. They migrate widely on long-shore routes, straddling the waters of a large number of West African countries, ranging from Morocco in the north, down to Liberia in the south. The species of main importance are *Decapterus rhonchus* (Carapau), *Scomber japonicus* (Cavala), *Sardinella* spp. and *Caranx senegallus* (Sareia). Bonga shad (*Ethmalosa fimbriata*) is very important representing a catch of at least 11,000 tonnes a year, taken mostly by artisanal fisheries both national and foreign. The false scad (Carapau) and sardinellas represent about 80% of the overall recorded pelagic catch taken by the industrial fishery. It is thought that important stocks of juveniles of these species, as well as adult stages of anchovies, are associated with the shallow waters of the extensive Guinean shelf.

Biomass estimates of small pelagics vary greatly, but these species are commonly regarded as under-exploited.

2.2.5 Ecosystem considerations (demersal fisheries)

The following summarises some recent research efforts and findings relevant to Guinea Bissau fisheries on the possible effects of fishing on the ecosystem.

Discards

A comprehensive review in 2005 of discards in fisheries presented estimates of discard rates (defined as% of total catch discarded) for various types of demersal fisheries[16].

In shrimp and fish trawl fisheries, the study estimated a weighted average discard rate of 62.3% and 9.6% in these types of fisheries, respectively. Considering shrimp trawl, the sources of data concern tropical fisheries in the US, Indonesia, Ecuador, and Venezuela but the same level of discarding is expected to take place in West African shrimp fisheries. There is a specific study on discarding in the fishery for deep-water shrimp, *P. longirostris*, in Portugal which estimates a discard rate of 70%. Applying these discard rates in the Guinea Bissau fisheries would imply a conservative estimate of discarding in the range of 25,000 to 50,000 tonnes.

Sharks

At the regional level, ICCAT is increasingly involved in the assessment of impacts of shark by-catches, since these species generally exhibit low productivity and even low by-catches may have a detrimental effect. The focus is on pelagic species that are caught in association with ICCAT fisheries (i.e. longline primarily). Several measures have been adopted by ICCAT, including obligations and recommendations related to catch reporting, biological data collection, research efforts, and prohibiting shark-finning. It should be noted that the EU is a contracting party to ICCAT but Guinea Bissau is not.

The main focus of the European Union Action Plan for the Conservation and Management of Sharks (2009)[17] is pelagic sharks when considering EU fishing activity in external waters. However, this Plan refers also to the catches of sharks in demersal fisheries carried out by EU fleets in third countries (estimating total annual catches of about 2,300 tonnes), but it appears to ignore the possible effects of high discarding rates in shrimp trawl fisheries. More efforts are needed in terms of data collection, also from the EU side, to assess the possible effects of discarding on demersal sharks and rays.

It should also be noted that a Sub-regional Plan of Action for sharks formulated in 2001 by a number of African countries including Cape Verde, Gambia, Guinea, Guinea Bissau, Mauritania, São Tomé and Principe and Senegal[18]. The catch of sharks and rays is prohibited in the marine protected areas of Guinea Bissau, according to the 2010 FMP. On the other hand, shark-finning is not mentioned, which implies that this activity may be carried out without any problem outside MPAs.

Seabirds

Incidental catches of seabirds is a problem that has been identified in some fisheries (e.g. longline) and in specific areas (mostly higher latitudes). As the Guinea Bissau fishing grounds

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[16] Kelleher, K. 2005. Discards in the world's marine fisheries. An update. FAO Fisheries Technical Paper. No. 470. 131p.

[17] Communication From The Commission To The European Parliament And The Council, On a European Community Action Plan for the Conservation and Management of Sharks, COM(2009) 40 final, Commission Of The European Communities, Brussels, 5.2.2009

[18] IUCN 2002. Report on Implementation of the International Plan of Action for Sharks (IPOA – Sharks): paper submitted for discussion at the 18th. CITES Animals Committee meeting, Costa Rica, 8-12 April, 2002. IUCN Species Survival Commissions Shark Specialist Group (SSG) and TRAFFIC

are not considered to be particularly good for longline fishing, (for tuna and associated species), this is not expected to be an issue or relevant in the Guinea Bissau context although some artisanal activity may be taking place.

Turtles

The main species of sea turtles found in the Eastern Central Atlantic Ocean are all present in Guinea Bissau waters. Four of these species reproduce in Guinea Bissau, in the Bijagós Archipelago in particular, which are as follows:

- Green Turtle (*Chelonia mydas*) - **Endangered**[19]
- Hawksbill Turtle (*Eretmochelys imbricata)* - **Critically Endangered**
- Olive Ridley (*Lepidochelys olivacea*) - **Endangered**
- Loggerhead Turtle (*Caretta caretta*) – not nesting in Guinea Bissau - **Endangered**
- Leatherback Turtle (*Dermochelys coriacea*) - **Critically Endangered**

These turtles are all endangered species according to 2003 IUCN Red List of Threatened Species. Guinea Bissau (Poilão Island) is the most important green turtle breeding site in the West Africa and one of the most important in the Atlantic. The largest identified nesting site for green turtles (*Chelonia midas*) in West and Central Africa is situated on Poilão island.

Globally, the greatest concern in relation to incidental catches of turtles concerns longline fisheries, but as there limited longline activity this impact is expected to be negligible in Guinea Bissau.

In Guinea Bissau, incidental by-catches of turtles in trawl fisheries is probably the primary concern. There is limited information on this, but a study estimated that around 300 sea turtles would have been accidentally caught by industrial trawlers in 1997, of which approximately 10% might have died before being released back to sea[20]. There are no regulations providing for the mandatory fitting and use of turtle exclusion devices (TEDs). However it does appear that most of the turtles caught accidentally are returned live to the sea. Moreover, the observer programme has a relatively high coverage of trawl fishing activities (around 100%), which is also an important incentive to release turtle by-catch alive.

The targeting or retention on board of turtles within the Marine Protected Areas is prohibited by the 2010 Fisheries Management Plan and the Fisheries Law. Fishers catching these species are obliged to return the animals to the water alive, and report the catch to the competent authorities. There is a need to extend these requirements to all of the national fisheries.

Unsustainable cutting of mangroves for fish processing

Mangroves are a characteristic forest biotope in tropical river estuaries and tidal zones. The mangroves of Guinea Bissau comprise 6 species, of which *Avicennia germinans, Rhizophora mangle, Rhizophora racemosa* and *Rhizophora harrisonii* are the most common. They provide fuel wood for cooking, and for smoke-drying of much of the artisanal catch of fisheries. It is thought that over 20% of the national cover has disappeared over the last 20 or 30 years, but there are no reliable data available. Uncontrolled harvesting of mangrove stands leads to inland intrusion of salt water, loss of reproductive and juvenile habitats of marine species, and has already led to the documented erosion and complete disappearance of at least one island in the atoll.

[19] Note that : a taxon is "critically endangered" when it is facing an extremely high risk of extinction in the wild,. as defined by reduction of at least 80% over the last 10 years (or three generations). A taxon is "endangered" when it is not critically endangered but is facing a very high risk of extinction in the wild, as defined by reduction of at least 50% over the last 10 years (or three generations).

[20] Based on interviews of observers (Broderick and Catry 1998).

Of growing concern is the establishment of camps21 in the Bijagós Islands by foreign fishermen, primarily from Senegal and Guinea Conakry22. These people are known for their fishing skills and it is estimated that they account for about 80-90% of artisanal fisheries production in Guinea Bissau (artisanal catch estimates range from 20,000 to 50,000 tonnes). A major proportion of this production is exported in smoked/dried form, thus putting considerable pressure on mangrove forests which are used for fuel wood.

Marine mammals

There is only limited information on marine mammal by-catch, particularly in the eastern tropical Atlantic. However, anecdotal information tends to indicate that this is normally a problem in local artisanal fisheries where various marine mammals may be targeted or used opportunistically. This is for example the case for Atlantic Humpback dolphins (*Sousa teuszii*), bottlenose dolphin (*Tursiops truncates*), harbour porpoise (*Phocoena phocoena*) and long- and shortbeaked common dolphins.

The targeting or retention on board of dolphins within the Marine Protected Areas is prohibited by the 2010 Fisheries Management Plan and by the Fisheries Law. Fishers catching these species are obliged to return the animals to the water alive, and to report the catch to the competent authorities. There is a clear need to extend these requirements to all of the national fisheries.

The Ilhéu do Poilão is also home to one of the largest West African Manatee (*Trichechus senegalensis*) populations in West Africa. Although the populations of this species have declined due to targeted hunting in the past, no specific fisheries interactions are reported.

2.3 Fisheries management measures

2.3.1 Evolution of Fisheries Management Plans

The Fisheries Management plan sets out the approach to ensuring sustainable fisheries. It determines the quantum of fishing opportunities available for allocation to the different fleets utilising the resource, and sets the technical access conditions. Guinea Bissau has no capacity to control and enforce TACs and quotas and the trawl fishery is managed by limits on licensed capacity (using GRT/year *pro rata temporis)* as the primary variable for limiting access.

With at least four different interest groups using the fishery (national plus three international access agreements), it is important to have a robust management plan as a foundation for the access conditions, thus avoiding differences between agreements. This has largely been achieved by bringing them all into line with the plan (see section 4.1 which compares the different Agreements).

The first fisheries management plan (FMP) for Guinea Bissau was developed under the USAID funded TIPS project, in 1995 and 1996. This was adopted in 1996 and was the basis for management during successive years. Table 12 shows the evolution of the fisheries management plans applied by Guinea Bissau from 2000 to the present.

The FMP stipulates total allowable catches, total number of vessels, and total weight of GRT to operate in the various types of fisheries, but Table 12 shows that these limits are not always respected in the implementation.

[21] Some of this are large communities the size of small towns with an organised structure and a system of self-rule, usually in the form of chiefs or elders. Guinea Bissau authorities sometimes have problems in imposing Guinean rules and regulations.

[22] Including also ramasseur fishermen, also known as pesca conexa in Guinea Bissau; i.e. mother ship with a number of pirogues sent out to fish.

The planned limits were exceeded for cephalopods every year from 2007 – 2010 (in terms of licenses issued).

The FMP was substantially revised in 2005, which led to substantial increases in allowed fishing capacity (in terms of GRT) for most types of fisheries, resulting in an overall increase to 51,000 GRT (from 25,229 GRT in 1996). It is important to note that GRT limits and vessel numbers were also defined for tuna fisheries in these FMPs. Tuna fishing opportunities also increased from 30,000 GRT in 1996 to 49,000 GRT in 2005, corresponding to 52 and 85 tuna vessels respectively (purse seiners, longliners and baitboat all combined).

Due to concerns regarding the state of shrimp and cephalopod stocks at the time, a revision of GRT limits contained in the FMP was agreed in connection with the negotiation of the first protocol of the new Fisheries Partnership Agreement, which applied from 2007. Reductions concerning the total fishing capacity allowed in the crustacean and cephalopod fisheries were agreed and stipulated in the Annex III of the protocol. This involved reductions of capacity limits of 27 and 30% for crustaceans and cephalopod fisheries respectively, along with increases in demersal and pelagic fisheries. Overall, the agreed FMP resulted in an increase from 51,000 to 54,600 GRT (and maintained capacity limits for tuna). This agreed FMP was to be implemented in 2007 but it is important to state that the obligation for capacity limit reductions was conditioned on the availability of scientific advice, implying that this would not be necessary if scientific information could justify that there was no need for this.

The FMP formally adopted by the Government of Guinea Bissau in 2007 did not reflect these reductions in shrimp and cephalopod fishing opportunities as set out in Annex III of the FPA protocol. Instead the plan retained the same capacity limits as were specified in the 2005 FMP, with some adjustments to vessel numbers allowed. Scientific surveys had been carried out in 2004 and 2006 and were presumably the main justification for retaining the 2005 opportunities. These surveys, which were carried out in collaboration with IMROP-Mauritania and CNHSB-Conakry respectively, resulted in relatively high biomass estimates including for target species (as shown in Table 10). The 2007 FMP formed the basis for management of the fisheries in successive years (2008 and 2009) with minor modifications (i.e. slight increase in capacity limits for demersal fish trawlers).

2.3.2 The 2010 fisheries management plan

Recently adopted, the 2010 FMP uses the results of surveys as the basis for estimating biomass and corresponding total allowable catches (TACs), which are then converted to GRT or fishing capacity limits. Table 11 presents a summary of the approach used for demersal categories, which involves the following steps:

- Estimate total biomass for commercial categories
- Calculate TAC on the following basis: exploitable potential is a proportion of total biomass defined as 50% for fish; 65% for crustaceans, and 70% for cephalopods
- Calculate the average from available TAC estimates
- Calculate an effort indicator based on GRT; factor the GRT of vessels based on the number of licensed months (CPUE_GRT)
- Calculate a GRT limit corresponding to the defined TAC (TAC / CPUE_GRT)

Also included in the table is an alternative calculation carried out by the consultants for comparative purposes, using 2008 as the reference year for the calculation of CPUE.

The limits on the numbers of vessels expressed in the FMPs over the years are shown in Table 12. In the 2010 FMP there is no explanation of the procedure for the calculation of the number of vessels based on the GRT limits. This is related to at least one major inconsistency in the specification of 73 vessels allowed in the shrimp fishery in 2010. This is almost a doubling of the number of vessels, from 39 in 2007.

The methodology used is a pragmatic approach making use of readily available data, but it is important to state the assumptions made in order to assess the reliability of the estimates.

TACs are also specified in the FMP for small pelagics (100,000 tonnes) and tuna (5,000 tonnes), but the justification for this is not provided. The number of vessels is defined for each

type of fishery. In the 2010 FMP vessel numbers and GRT are no longer specified for the tuna fisheries (although no explanation is given for this change).

Other aspects of the 2010 FMP consider the technical measures aimed at reducing catches of juveniles and excessive levels of bycatch. These include definition of mesh size, fishing zones and gears, including the prohibition of certain fishing gears and the catch of specific species. It also proposes to ban the practice of "ramasseur" fishermen (pesca conexa) by not issuing any licenses for this activity.

The 2010 FMP proposes revised limits on bycatch with the objective of reducing bycatch. These are:

- Shrimp trawlers: a maximum of 15% cephalopods and 70% fish as bycatch
- Cephalopod trawlers: a maximum of 45% fish and 5% crustaceans as bycatch
- Fish trawlers: a maximum of 10% cephalopods and 5% crustaceans as bycatch

Particularly in the case of shrimp trawlers, this is a substantial increase from 50% to 70% allowed bycatch of fish, which should result in reduced discards.

At present there are no closed seasons in the fishery. However a possible closed season is being considered for the shrimp and cephalopod trawl fishery. This could impact on EU fleet operators who use a combination of Mauritanian and Guinea Bissau fishing grounds, active in the latter when the former are subject to seasonal closure.

Table 11: Methodology for estimating TACs and corresponding GRT limits

Year	Source	Variable	Fish	Crustaceans	Cephalopods	Comment
Biomass estimates and calculation of potential						
2004	IMROP & CIPA	Biomass	154,000	4,462	7,571	Al-Awam survey
		TAC 2004	77,000	2,900	5,300	factors applied; see text
2006	CNSHB & CIPA	Biomass	321,850	5,615	8,229	G. Lansana Conte survey
		TAC 2006	160,925	3,650	5,760	factors applied; see text
2008	IEO & CIPA	Biomass	237,788	5,585	7,841	Vizconde de Eza survey
		TAC 2008	118,894	3,630	5,489	factors applied; see text
Mean		TAC 2010	118,940	3,393	5,516	
Calculation of fishing capacity limits						
Not specified	CIPA	CPUE_GRT	6.400	0.330	1.980	using GRT as effort indicator
Not specified	CIPA	GRT Limit	18,577	10,999	2,772	TAC / CPUE_GRT
Ref year 2008	consultants	CPUE_GRT	5.398	0.333	0.789	using GRT as effort indicator
Ref year 2008	consultants	GRT Limit	22,034	10,190	6,992	TAC / CPUE_GRT
Ref year 2010	CIPA FMP	GRT Limit	10,000	10,999	6,061	adopted limits

Source: CIPA

2.3.3 Assessment of the 2010 FMP

The consultants have reviewed the methodology applied by CIPA for the preparation of their scientific recommendations for fisheries management. This has raised a number of important issues with regard to the validity and reliability of the scientific advice. This is especially important since the plans based on this scientific advice are considered to have primacy over the management plan agreed within the frame of the Protocol to the FPA.

The 2010 FMP used the results of recent fisheries surveys (i.e. 2004, 2006 and 2008) as the basis for estimating biomass and corresponding total allowable catches (TACs), which are then converted to GRT or fishing capacity limits. The methodology used is a pragmatic approach making use of readily available data, but there are a number of assumptions that need to be stated and/or explained in order to assess the reliability of the estimates.

On the estimation of total biomass from surveys, there appears to be confusion between the use of total estimated biomass and biomass of commercially important species. Also, the results of the different surveys are not directly comparable as these involved different vessel/gear configurations.

The setting of TACs is based on the assumption that "sustainable" exploitable potential is a proportion of total biomass defined as 50% for fish; 65% for crustaceans, and 70% for cephalopods. This is difficult to assess but it appears to be reasonable when considering that these are tropical and/or short-lived species. More refined methods for setting these "rules-of-thumb" are available based on empirical data and should be investigated and documented. Note however that species-specific issues are ignored and based on a "bulk" of biomass. Another aspect of the approach used implies that biomass estimates from surveys can be used as absolute values, but this should be avoided. It is wiser to use survey results as relative abundance indicators but the problem here is that survey methodology should be constant over time (including vessel/gear configuration).

It is not advisable to estimate TACs on the basis of biomass estimates over a number of years. Surveys are not directly comparable as mentioned above but also in the case of short-lived species, it is important not to average out the variability, possibly leading to overly optimistic or pessimistic estimates of biomass.

Considering the catch per unit effort CPUE, this is considered an essential variable which can provide indications on relative abundance. It is used in conjunction with fishery-independent data (e.g. surveys) in order to determine whether data trends are consistent. Fishing effort may be expressed in terms of GRT, or in terms of other measures (e.g. fishing days, fishing hours, number of hauls). CIPA has available data from observer records on the number of fishing days on trawl fishing effort, but has chosen not to use this in their calculations, relying only on the cruder licensed GRT measure of effort. The problem with the use of GRT as an effort indicator is that it is based on licensed vessels and not necessarily operating vessels, which could seriously bias the observed trends, for example by masking a decline in actual catches by operating vessels. The approach could therefore introduce significant errors into the estimation of sustainable GRT limits[23]. This has particular bearing in this case because of the conflicting trends observed in CPUE data for cephalopods (see resources in section 2.2). The use of either 2008 or 2009 as the reference year for the calculation of CPUE has a strong effect on the calculation of GRT limit[24].

Finally, whilst the estimation of GRT limits by CIPA is straightforward (within the methodological limits set out above), there is a question with regard to the way in which these

[23] the consultants estimate that this can be by a factor as much as 2 in the case of the fishing capacity limit for cephalopods

[24] Note that some errors were identified and corrected in CIPA data concerning effective GRT in 2009 which also had an important effect on CPUE.

GRT limits were adjusted in the FMP. There are some substantial differences between the calculated GRT limits and the final recommended limits, and the reason for this is not clear. For example in the management plan, the recommended GRT limit for cephalopods is roughly double the calculated value (a recommendation of 2,772 GRT/year becomes 6,061 GRT/year in the plan). The GRT for demersal fish is halved (18,577 GRT/year becomes 10,000 GRT/year). Only in the case of crustaceans is the recommended limit (10,999 GRT/year) equal the calculated value (GRT). It is not clear how these calculated values were adjusted and transformed to the recommended GRT limits in the FMP. There is a lack of transparency in the way in which scientific advice is being prepared and applied.

2.3.4 Future management plans

The creation of a Joint Scientific Committee in the context of the FPA provides an opportunity for collaboration between Guinean and European scientists on the various issues raised above. Many of these issues are generally applicable and many countries struggle with the same objective. Building up a consistent time series of fishery dependent and independent data is a long painstaking process involving considerable efforts and financial means.

To ensure a more sustainable Agreement in future it is important to build up and validate a consistent time series of catch and effort data, making use of CIPA data and taking into account specific target species. Survey results are useful and important but as the results are inherently variable and the methodology used tends to change for each survey. This is especially the case when a country relies on collaboration with third parties to undertake the survey. In these circumstances more reliance should be placed on reliable fisheries statistics. Guinea Bissau is missing the opportunity to improve validity and reliability of fisheries management recommendations provided by its functional and effective observer coverage of the trawl fishery. There are a number of useful statistical tools for application in the field of stock assessment, adopting Bayesian methods and empirical approaches, which make it feasible to carry out assessments even in data-poor situations[25].

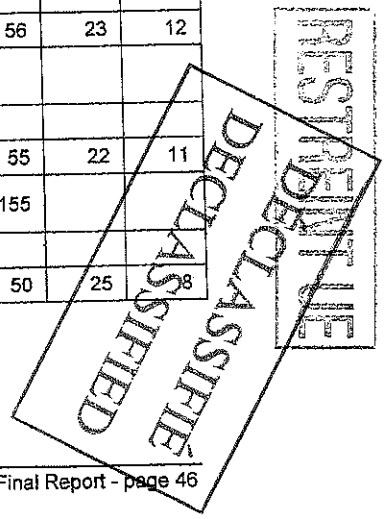
Some other issues that require further efforts or study from the management point of view include:

- Continue efforts of collecting fisheries statistics including both artisanal and industrial fisheries
- Collect data on discarding and bycatch in order to assess possible effects on sensitive species such as sharks and rays, turtles, etc.
- Identification of sensitive fishing grounds for specific resources such as deep-water or shallow-water shrimp and define specific mesh sizes for specific areas;
- Define the reproductive cycle of main target shrimp species and investigate the need for seasonal closures
- Investigation of the potential use of fish excluding devices in the shrimp fisheries in general

[25] An introduction to this field is given in FAO 2006; Stock assessment for fishery management. FAO Fish. Tech. Pap. No. 487, Rome, FAO, 261p.

Table 12: Evolution of fisheries management measures in the Guinea Bissau EEZ

Year	Comment	Effective GRT (pro rata temporis)							No. Vessels (standardised no. of vessels; full-time equivalents						
		Crustaceans	Cephalopods	Demersal Fish	Pelagic Fish	Sub-total	Tuna	Total	Crustaceans	Cephalopods	Demersal Fish	Pelagic Fish	Total	Tuna PS	Tuna BB
1996/1997	adopted mgt plan	10,200	2,776	6,253	6,000	25,229	30,000	55,229	40	11	25	20	96	52 (tot)	
														39	36
2000	utilised	11,153	3,542	3,475	10,768	28,938	18,871	47,809	49.5	15.0	14.5	5.0	84		
2001	utilised	10,949	1,928	583	5,694	19,154	25,786	44,940	49.3	10.0	2.0	3.3	65		
2002	utilised	9,935	4,220	2,377	6,643	23,175	31,460	54,635	46.3	17.3	9.3	3.5	76	29	14
2003	utilised	14,052	5,077	2,690	8,541	30,361	30,216	60,577	58.3	19.8	11.0	4.5	94	30	16
2004	utilised	10,880	4,514	2,179	9,490	27,064	29,980	57,044	51.3	18.3	7.8	5.0	82	28	16
2005/2006	adopted mgt plan	11,000	8,000	12,000	20,000	51,000	49,000	100,000	39	25	56	11	131	85 (tot)	
2007	agreed in FPA protocol	8,000	5,600	18,000	23,000	54,600	49,000	103,600						23	14
2007	adopted mgt plan	11,000	8,000	12,000	20,000	51,000	49,000	100,000	39	32	18	5	94		
	allocated	10,014	8,433	7,398	61,000	86,845	61,000	147,845							
	utilised	5,187	5,277	1,884	7,403	19,751	10,114	29,866	29.3	21.8	6.5	4.0	62	8	10
2008	adopted mgt plan	11,000	7,000	13,000	20,000	51,000	49,000	100,000							
	allocated	10,014	8,433	7,398	61,000	86,845	61,000	147,845							
	utilised	3,728	4,262	3,265	6,643	17,898	29,277	47,176	23.5	18.5	10.8	3.5	56	23	12
2009	adopted mgt plan	11,000	7,000	13,000	20,000	51,000	49,000	100,000							
	allocated	10,014	8,433	7,398	61,000	86,845	61,000	147,845							
	utilised	2,860	2,145	1,408	6,643	13,056	26,305	39,361	29.6	14.5	7.3	4.0	55	22	11
2010	adopted mgt plan	10,999	6,061	10,000	15,625	42,685	na		73	24	33	25	155		
	allocated	8,619	7,536	7,866	14,667	38,688	na								
	utilised	2,863	3,306	3,891	6,643	16,703	na		18.5	14.3	13.5	3.5	50	25	8



2.3.5 Implementation of the management plans

In recent years the capacity limits as set out in the annual FMPs have been respected with regard to shrimp and demersal fish trawling. However this is not the case for cephalopods, where the authorities have consistently issued licences in excess of the GRT limits set by the plan. It appears that the limits are adjusted to compensate for lower rates of utilisation, with a view to maximising revenues. This appears to be the reason why very high capacity limits have been set in the case of pelagic fish and tuna.

Overall, it is important to note that actual utilisation of fishing possibilities has always been within the limits specified in the FMP, including for the critical crustacean and cephalopod categories. In fact actual utilisation shows that the number of licensed vessels has decreased substantially over time. Whilst there are some doubts regarding i) methodology for scientific advice ii) the setting of GRT limits in line with plans and iii) issuing of some licences in excess of limits set out in the plan, none of these fisheries management weakness are likely to have impacted negatively on the sustainability of the fishery. It is important to bear in mind that the most important targets of the fisheries (i.e. shrimp and octopus) are short-lived species, which are also subject to environmental effects, resulting in variable abundance (e.g. recruitment processes, growth, reproduction, etc).

2.4 Summary of stock status and management recommendations

Table 13 overleaf gives a summary of the preceding sections, describing the stock status, catch data and management recommendations for each of the species subject to the EU-Guinea Bissau FPA.

Table 13: Summary of current status of relevant stocks and management measures in place

Stock	Estimated MSY tonnes	Current Yield [26] tonnes	Management measures in place / comments
Highly migratory species			
Yellowfin tuna	124,000 - 152,500 (ICCAT 2008)	107,859 in 2008 (exploited sustainably)	- Effective fishing effort not to exceed 1992 level (Rec. 93-04); according to stock assessment results this level, measured in fishing mortality, may have now been reached due to movement of vessels into the Atlantic from the Indian Ocean - Season/area closure of surface fishing in 0° - 5°N. 10° - 20°W. effective from 2005 (Rec. 04-01); measure intended to protect bigeye juveniles primarily (see bigeye)
Bigeye tuna	68,000 – 99,000 (ICCAT 2007)	69,821 in 2008 (fully exploited)	- TAC of 85.000 tonnes in 2010 (Rec. 09-01); EU: 31,200t (for ESP, FRA, PRT); Council Reg. EC 23/2010 - Limits on numbers of fishing vessels less than the average of 1991 and 1992 (larger than 24m LOA and specific to GRT) - Specific limits on number of longline boats; China (45). Chinese Taipei (98 + 7 in 2010 & 2011). Philippines (8 + 2 in 2010 & 2011); Specific limits on number of purse seine boasts for Panama (3) - No purse seine and baitboat fishing during November in the area encompassed by 0° - 5°N. 10° - 20°W - (Rec. 98-03, 04-01, 06-01, 08-01, 09-01) (Council Reg. EC 520/2007)
Skipjack tuna (eastern stock)	143,000 - 170,000 (ICCAT 2008)	127,000 in 2008 (exploited sustainably)	- Season/area closure of surface fishing in 0° - 5°N. 10° - 20°W. effective from 2005 (Rec. 04-01); measure intended to protect bigeye juveniles primarily;
Coastal demersal resources			
Shallow waters (0 – 50 m)	20,000 - 50,000 [27]	20,000 – 50,000	- Consists of a wide variety of demersal resources that are accessible to artisanal vessels only (within the 12 nm baseline; licensing requirements), but in many cases these are the same stocks as exploited by industrial fisheries. Estimates are uncertain due to highly variable nature of the fisheries and lack of control on foreign artisanal vessels. Some species may be exploited sustainably while others may not be.
Demersal fish	77,000 – 160,000 [28]	≈ 27,000	- Exploited by industrial fisheries (outside 12 nm baseline). Mesh sizes, bycatch limits and total fishing capacity defined (in GRT). Overall exploitation level appears to be low but some of the concerned species may be exploited unsustainably. Note that catch estimates do not include discards.
Cephalopods	5,516 [29]	5,339	- Exploited by industrial fisheries (outside 12 nm baseline). Mesh sizes, bycatch limits and total fishing capacity defined (in GRT). Catches dominated by octopus and cuttlefish. - CPUE data shows conflicting trends and survey data indicates a relative decrease in biomass. Data not available on species-specific trends.

[26] Provisional 2008 data in the case of tuna (ICCAT). For other resources, provisional 2009 data provided by CIPA

[27] Based on recent socio-economic surveys including review of previous estimates: a) Enquête sur les aspects socio-économiques de la pêche artisanale en Guinée Bissau, 2006 & 2009, Javier Macías González, Projet d'appui au secteur de la pêche (PASP)

[28] Based on recent surveys carried out during the period 2002 – 2008 and referred in the CIPA 2010 management plan.

[29] Based on recent surveys carried out during the period 2002 – 2008 and referred in the CIPA 2010 management plan.

Stock	Estimated MSY tonnes	Current Yield [29] tonnes	Management measures in place / comments
Shrimp	3,393 [30]	3,520	- Exploited by industrial fisheries (outside 12 nm baseline). Mesh sizes, bycatch limits and total fishing capacity defined (in GRT). Catch estimates include crab as well as various shrimp species (*Penaeus notialis, Parapenaeus longirostris, Aristeus varidens, etc.)* - MSY is an aggregate of various species and does not specify important target species.
	1,000 – 5,000 [31]	545	- Shallow-water shrimp concerns *Penaeus notialis* primarily. There is considerable uncertainty on the estimate of MSY. - CPUE data appear to indicate a stable level of exploitation, but this concerns aggregated data.
	400 – 1,500 [32]	1036	- Deep-water shrimp concerns *Parapenaeus longirostris*, also known as "gamba". There is considerable uncertainty on the estimate of MSY. - CPUE data appear to indicate a stable level of exploitation, but survey data (2008) show a relative decrease in biomass.
Total Demersal Resources	106,000 – 219,000	54,000 – 84,000	- Note that catch estimates do not include discards which could be in the order of 25-50,000 tonnes (see section on discards)
Coastal pelagic resources			
Mullets and Bonga shad (0 – 50m)	100,000 [33]	12,000 – 35,000	- Consists of pelagic resources that are accessible to artisanal vessels only (within the 12 nm baseline; licensing requirements). Catch estimates are uncertain due to highly variable nature of the fisheries and lack of control on foreign artisanal vessels. However, exploitation level appears to be low.
Small pelagics	25,000 - 250,000 [34]	41, 299	- Exploited by chartered industrial vessels primarily (limits on fishing capacity in GRT are defined). Catches consist of Sardinellas, Scads, and Horse mackerel primarily. Exploitation level appears to be low but important to note that abundance appears to be highly variable, considering the results of acoustic surveys over the years.
Total Coastal Resources	231,000 – 456,000	108,000 – 161,000	

[30] Based on recent surveys carried out during the period 2002 – 2008 and referred in the CIPA 2010 management plan.

[31] A) CECAF 1979 Les resources halieutiques de l'Atlantique Centre-Est. Primiere Partie: Les Ressources du Golfe de Guinee de l'Angola a la Mauritania; J.P. Troadec and S. Garcia (eds), FAO Fisheries Tech. Pap. Nº 186, FAO, Rome, 167p.; B) Jumpe, RJT 2007. Avaliação de recrusos haliêuticos na Guiné-Bissau. Tese para obtenção do grau de Mestre. Fac. Ciências, Universidade de Lisboa, Portugal

[32] a) CECAF 1997. Groupe de travail ad hoc sur les merlu et les crevettes profondes, M. Lamboeuf (ed), COPACE/PACE/Ser No. 97/62, Rome, FAO, 90p ; b)Jumpe, RJT 2007. Avaliação de recrusos haliêuticos na Guiné-Bissau. Tese para obtenção do grau de Mestre. Fac. Ciências, Universidade de Lisboa, Portugal

[33] Based on A) Longhurst 1983. Benthic-Pelagic Coupling and Export of Organic Carbon from a Tropical Atlantic Continental Shelf-Sierra Leone. Estuarine, Coastal and Shelf Science, 17: 261-185; B) Amorim, P., Duarte, G., Guerra, M., Morato, T., and Stobberup, K.A. 2004. Preliminary Ecopath Model of the Guinea Bissau continental shelf ecosystem. Modèle Ecopath du plateau continental de la Guinée-Bissau. In: M.L. Palomares and D. Pauly (eds), "West African Marine Ecosystems: models and fisheries impacts"; Univ. British Columbia, Fisheries Centre Research Reports 12(7).

[34] Based on successive Firdtjof Nansen surveys; A) Saetersdal, G., Bianchi, G., and Strømme, T. 1999. The Dr. Fridtjof Nansen Programme 1975-1993. Investigations of fishery resources in developing regions. History of the programme and review of results. FAO Fish. Tech. Papers, nº 391, Rome Fao, 434p. B) Surveys of the fish resources of the Western Gulf of Guinea (Benin, Togo, Ghana, Côte d'Ivoire). Survey of the pelagic and demersal resources 19 May - 7 June 2006. NORAD - FAO project GCP/INT/730/NOR; C) Surveys of the fish resources of the Western Gulf of Guinea (Guinea Bissau, Guinea, Sierra Leone and Liberia). Survey of the pelagic and demersal resources 5-29 May 2007. NORAD - FAO project GCP/INT/730/NOR

2.5 Guinea Bissau fisheries

2.5.1 Fishing fleet

Guinea Bissau fisheries comprise artisanal fishing operating in near-coastal waters, and industrial fishing outside the 12 mile zone.

Artisanal fleet segment

Artisanal fisheries in Guinea Bissau are concentrated in the rivers and estuaries along the coast, particularly in the Bijagós Archipelago and the Cacheu River. Most of the artisanal vessels are canoes made from hollowed trunks. Assessing the size of the artisanal fleet in Guinea Bissau is difficult due to the lack of recent data.

A socio-economic survey of artisanal fisheries carried out in 2009 in the context of the PASP project indicated that out of a total of 1,495 fishing vessels, 75% were of the simple canoe type (made out of tree trunk) and 40% of this simple type of canoe were to be found in the southern regions (Tomabli and Quinara). The Senegalese type of pirogue, (much larger and called *nhomincas*), operate predominantly in the north (Cacheu and Varela) and in the islands (Bubaque and Uracane). Most of the camps established by foreign fishermen are located in Cacine and Caravela, predominantly by fishermen from Guinea Conakry and Sierra Leone (using another type of pirogue called salam). The total number of large artisanal vessels (nhominca and salam) totalled 215.

About 14% of interviewed fishermen (3930 owners and fishermen using fishing vessels) were foreigners, mostly from Senegal, Guinea Conakry and Sierra Leone. The population dependent on each fisherman was estimated to be 9 persons, leading to a total dependent population estimated at 20,000. Only 12.4% of the pirogues are motorised (mostly with engines less than 15HP). Most of the motorised vessels are found in specific sites such as Varela, Bissau, Caio and Bubaque. These figures should be used as conservative estimates as there is substantial variability during the year, where many fishermen are only active during a part of the year and may not own or operate a fishing vessel.

Artisanal fishing operations target the bonga shad (*Ethmalosa fimbriata*), high value demersal fish, barracuda and mullet. The gears deployed include drift and bottom set-nets, hook and line, long-lines and small seines. Most of the domestic small scale fishing takes place in inshore waters that are inaccessible to industrial vessels, but this does not appear to be the case for foreign artisanal fisheries which venture to the extent of the 12 mile zone and sometimes beyond. In contrast to domestic fishermen, foreign artisanal fishermen are known to be efficient, most likely accounting for a substantial proportion of total artisanal catches in Guinea Bissau (reportedly around 70-80%).

Industrial fisheries

Given the high productivity of its waters, the extensive fishable area of its continental shelf, and various fisheries access regimes in place, significant numbers of industrial fishing vessels are present in the Guinea Bissau EEZ. Industrial fishing is pursued outside the 12 mile limit reserved for artisanal fisheries.

The level of licensed industrial fishing capacity is shown in Table 14 which summarises vessel numbers and gross tonnage by gear type, effectively licensed in the industrial fisheries for 2007, 2008 and 2009. Note that the 2009 presented data covers licences issued only up to the end of February 2009 and is therefore incomplete.

Overall, during 2007 to 2008 about 124 industrial fishing vessels each year have operated in the Guinea Bissau zone. All undertake freezing onboard. Of these about 50 have been fish/cephalopod trawlers, about 35-40 shrimp trawlers, 5 midwater trawlers targeting small pelagic fish, and tuna, up to 23 purse seiners and up to 14 pole and line vessels both targeting tunas. It is important to note that this is a significant reduction in the numbers of vessels licensed to operate in 2003 (190) and 2004 (172). It appears to suggest a reduction in fishing effort since this time of about 30 to 35% (although this could easily have been compensated for by improvements in efficiency). Either way, it suggests that the fishery is likely to be more profitable than it was in the period 2000-2005. Note that 4 vessels

are licensed as mother ships (pesca conexa). Most of these are Korean vessels working in conjunction with canoes operated by (mainly Senegalese fishermen). They receive fish and process/freeze onboard.

The nations and entities present in Guinea Bissau in 2005 include a Chinese fishing fleet averaging 17 vessels, operating under a bi-lateral fisheries agreement (signatory CNFC, the China National Fishery Corporation of the Peoples Republic of China). Chinese vessels operate only in the cephalopod and inshore shrimp segments, but retain higher value demersal fish catches onboard.

The EU fleet operates under a bi-lateral Fisheries Partnership Agreement. This provides access for about 15 to 20 fish/cephalopod trawlers and about 20 shrimp trawlers, along with a fleet of tuna vessels sector (about 30 vessels, mainly purse seine, but with some pole and line). One Irish trawl vessel (MV Menorca AY-777) drew a fishing licence in 2008 and 2009, operating outside the partnership agreement.

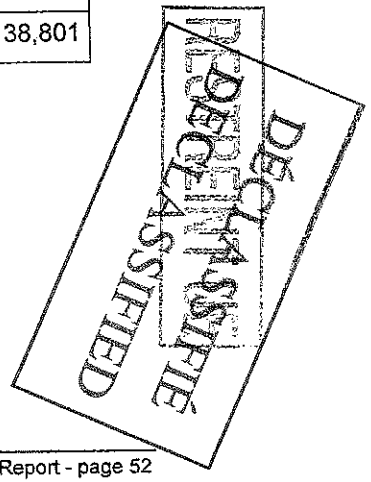
In addition there are about 4 Senegalese vessels (with Italian interests) operate in the shrimp trawl, and 3 or 4 Senegalese pole and line vessels also occasionally operating.

The remaining vessels operate mainly in the fish/cephalopod segment, with number varying from year, but accounting for up to 35 vessels per year (although this includes several mid-water trawlers targeting small pelagic fish). Some are flagged under the Guinea Bissau flag (about 4 or 5), but the majority (up to 52 vessels in 2008) are foreign vessels operating in joint venture arrangements with national interests. This segment includes vessels which are beneficially owned by Korean interest groups, and others operating under a wide range of flags (Mauritania, Togo, Belize, Panama), including some which may be considered to be flags of convenience.

Table 14: No.s of industrial fishing vessels licensed by type of activity

		Fish/Cephalopod			Shrimp			Pelagic			Tuna			Fishing vessels			Average 2007 - 2009
		2007	2008	2009*	2007	2008	2009*	2007	2008	2009*	2007	2008	2009*	2007	2008	2009*	
EU	No. vessels	14	19	4	19	20	16	0	0	0	24	35	31	57	74	51	61
	GRT	2,693	2,878	458	1,534	1,769	1,058	0			9,006	29,174	26,266	13,233	33,821	27,782	24,945
CNFC	No. vessels	7	6	6	14	9	9	0	0	0	0	0	0	21	15	15	17
	GRT	1,343	1,155	1,155	2,442	1,752	1,752	0			0	0	0	3,785	2,907	2,907	3,200
Senegal	No. vessels	1	0	0	0	4	0	0	0	0	3	2	1	4	6	1	4
	GRT	48	0	0	0	135	0	0			151	103	40	198	238	40	159
National	No. vessels	0	3	2	4	0	0	0	0	0	0	0	0	4	3	2	3
	GRT	0	218	175	930	0	0	0			0	0	0	930	218	175	441
Charter	No. vessels	28	21	17	2	1	2	5	4	4	2	0	0	37	26	23	29
	GRT	3,078	3,277	1,765	281	72	50	7,403	6,643	6,643	958	0	0	11,720	9,992	8,458	10,057
TOTAL	No. vessels	50	49	29	39	34	27	5	4	4	29	37	32	123	124	92	113
	GRT	7,162	7,528	3,553	5,187	3,728	2,860	7,403	6,643	6,643	10,114	29,277	26,306	29,866	47,176	39,362	38,801

*Note that 2009 data is for January-February only



Unlicensed and IUU fleet segment

IUU fishing incidence in the sub-region covered by the CSRP (Commission Sous-régionale des Pêches/Sub-Regional Fisheries Commission) is known to be very high, with the highest incidence in the three southern countries (Sierra Leone, Guinea and Guinea Bissau). IUU vessels have in the past taken advantage of the weaknesses in fisheries MCS, civil conflicts and the incapacity of these governments to maintain an effective, deterrent fisheries surveillance presence at sea.

An overwhelming body of anecdotal evidence and solid regional surveillance data points to the fact many vessels operate without licences, or if they do have licences, operate in breach of conditions regarding zone restrictions, or technical limitations (such as mesh size and bycatch conditions). Table 15 indicates the overall level of IUU fishing detected in the Guinea Bissau zone, which includes infractions by licensed fishing vessels, as well as by unauthorised supply/service vessels. Overall, the data shows that out of 58 infractions detected 13 were for fishing without licence. The level of unlicensed fishing detected in 2008 is therefore about 10% if licensed vessels.

Table 15: List of fisheries infractions detected during 2008 and 2009 by FISCAP

Type of infraction (Industrial vessels)	No. of infractions
Unauthorised refuelling	3
Unauthorised supply of fuel*	7
Leaving port without permission	1
Absence of observer	3
Use of double sac	16
Unauthorised mesh size	7
Fishing in prohibited zone	7
Expired licence	2
No licence	11
Suspicion	1
TOTAL	**58**

* supply vessels (including one EU flagged vessel) Source; FISCAP; Ministry of Fisheries, 2010

It is not only industrial vessels which are engaged in IUU fishing. The artisanal fisheries of neighbouring countries are also substantially involved, with 162 pirogues arrested by FISCAP in 2009. Guinea is the main offender, but Senegalese fishers also are engaged in unlicensed fishing. It is notable that many of the Senegalese canoes operate in conjunction with ramasseurs (factory vessels which receive fish from them). In 2009, 80 Senegalese canoes (and 450 crew) working with two Senegalese flagged Korean factory vessels were arrested[35]. This resulted in a diplomatic crisis between the two countries, which ended with a fine of EUR 275,000 (for the factory vessels) and EUR 46,000 for the pirogues.

[35] http://www.dailymotion.com/video/xaxfne_guineebissau-vampirisme-de-la-peche_news

2.5.2 Catches

Artisanal fishery

Estimates of artisanal production vary greatly, ranging from around 20,000 to 50,000 tonnes[36]. It is however important to point out that the latest socio-economic surveys in 2006 and 2009 provide conservative estimates of production (about 20,000 tonnes annually). This is because seasonal variability is not considered to have been adequately covered and fishing activity carried out without fishing vessels was not considered.

Roughly half of the production is constituted by small pelagics (Bonga shad primarily). Various demersals constitute about 40% of the catch and less than 1% is made up of large pelagics. An important finding is that the catches of crustaceans and molluscs is almost negligible, which is of relevance to possible impacts of artisanal fisheries on industrial shrimp fisheries.

Industrial fisheries

Declared catches in the industrial fishery in 2008 were just over 53,000 tonnes. Table 16 shows the breakdown of the catch by the fleet segment and type of licence issued). Overall, just half of the production is small pelagic fish, such as mackerel, horse mackerel and sardinellas. About 40% is demersal fish, represented by a large number of species, including breams, sweetlips, croakers, catfishes and soles. Cephalopods account for about 5% of the catch, mainly in the form of cuttlefish and octopus. Shrimp and crabs account for just 2%.

There are essentially two shrimp fisheries targeted by industrial vessels. The deepwater fisher takes place off the continental shelf, targeting deepwater shrimp at depths up to 600m (principally the rose shrimp or gamba (*Parapenaeus longirostris*) and the striped red shrimp or gamba listada (*Aristeus varidens*). The shallow water shrimp fishery targets other penaeid shrimps found much closer to the shore targeting white shrimp (*P.notialis*), tiger shrimp (*P.monodon*) and langostino (*P.trisulcatus*). Spanish and Portuguese vessels target the deep-water shrimp species, which achieve high prices in international markets. Senegalese shrimp vessels, as well as those operating under the Chinese agreement and national/charter vessels prefer to target shallow water shrimp species, with cephalopod and fish as an important by-catch.

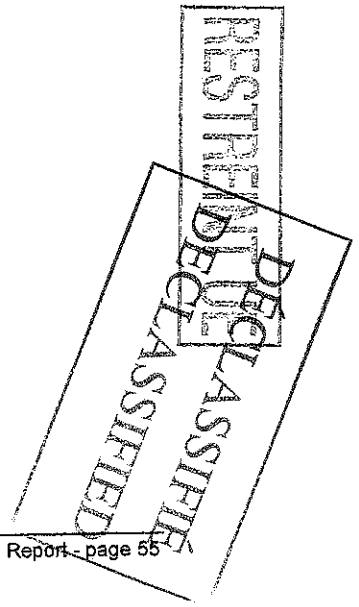
The tuna fishery, which is undertaken mainly offshore, accounted for catches of about 2800 tonnes in 2008.

One the features of the catch profile shown by type of licence in Table 16 is that the demersal fisheries for fish, shrimp and cephalopods are not well targeted. Demersal fish comprise the largest proportion of the catch retained onboard in vessels operating with shrimp and cephalopod licences. With shrimp trawl licences, shrimp only accounts for some 31% of retained catches; in the case of cephalopod licences target species accounts for only 22%. In both fisheries, demersal fish account for almost all of the retained bycatch. The impact of the industrial fisheries for shrimp and cephalopods on non-target demersal fish resources is an important factor to be considered in the sustainability of the fishery.

[36] Enquête sur les aspects socio-économiques de la pêche artisanale en Guinée Bissau, 2006 & 2009, Javier Macías González, Projet d'appui au secteur de la pêche (PASP)

Table 16: Guinea Bissau declared industrial fishery catches, by class of licence 2008

Class of product	Catches by class of licence issued (kg)						
	Shrimp	**Cephalopod**	**Demersal**	**Pelagic fish**	**Conexa**	**Total**	**%**
Cephalopod	49,758	2,309,987	116,629	-	-	2,476,374	5
Demersal fish	2,296,113	7,404,257	6,291,885	3,248,493	2,613,420	21,854,168	41
Shrimp/crustacea	1,148,949	49,200	10,989	-	-	1,209,138	2
Small Pelagic fish	17,120	801,948	32,465	24,060,617	60	24,912,210	47
Tunas	185,876	136,443	48,160	2,422,862	-	2,793,341	5
Total	3,697,816	10,701,835	6,500,128	29,731,972	2,613,480	53,245,231	100



2.5.3 Shore-based Infrastructure

A new fisheries port is under construction at in Alto Bandim (on the southern part of Bissau city), with grant and loan finance via the African Development Bank. The project area is 35,000 m2 and new quayside will provide a depth of 5-9m at the end of quay, which will allow mooring of industrial trawl vessels. No funding has been identified for all supporting equipment required, for example fuel depot, which will be an essential service required to attract vessels.

A smaller jetty at Alto Bandim serves the semi-industrial Project financed until now by the Chinese (Project de Pesca Semi-industrial) and the artisanal fisheries. The site is operated by Chinguimar, a Government joint venture with the CNFC. This site includes cold storage facilities (300t capacity) 4 containers (30t capacity each), and 2 flake ice-making facilities (25 tonnes/day). The facilities have fallen into disrepair. The Government of Guinea Bissau is not satisfied with operation and is in the process of considering nationalisation.

There is only one operating fish processing plant in Guinea Bissau, owned by the Afripeche Company, located in Bissau. It has a cold store (1,000 tonnes in two chambers), and a freezing capacity (being extended with a new freezer tunnel to 5 tonnes/day). It has an ice machine with production capacity of 30 tonnes per day. The plant receives about 3-4 tonnes/day from artisanal fishermen (Senegalase) working under contract (mainly bicuda, linguado, bica, sinapa, bagre) and 150 tonnes/ month of small pelagics (sardinella and horse mackerel on a seasonal basis) from 4 chartered vessels targeting these species. Sales are national and regional markets. The plant is in reasonable condition, and has been upgraded to meet EU sanitary requirements (with some technical inputs from CIPA).

A processing plant in Cacheu is not functioning (except for ice production) and is for sale. It is considered feasible to put it into operation with minor investments, this would have a potential production capacity of about 50 tonnes/day.

3 FISHERIES AND MARITIME INSTITUTIONS

3.1 Ministry of Fisheries

The Ministry of Fisheries and Maritime Economy was founded in 1989. The Minister has a seat in the Council of Ministers. The organisation structure of is shown in Figure 16. The Ministry comprises a General Directorate for Fisheries (DGP) with three service departments (industrial fishing and artisanal fishing, which deal with licensing issues, as well as a service for training). Furthermore, there is CIPA (Centre for Applied Fisheries Research) and FISCAP (Commission on Fisheries Surveillance, responsible for MCS activities), which are both autonomous services under the Ministry of Fisheries. Only CIPA has an updated and functional internal regulation, while that of FISCAP is out of date. Donor funded projects are implemented by the Directorate General for Fisheries. There are several regional fisheries offices, headed by regional fisheries representatives. These liaison offices are mostly tasked to deal with vessel and licence issues in the artisanal sector.

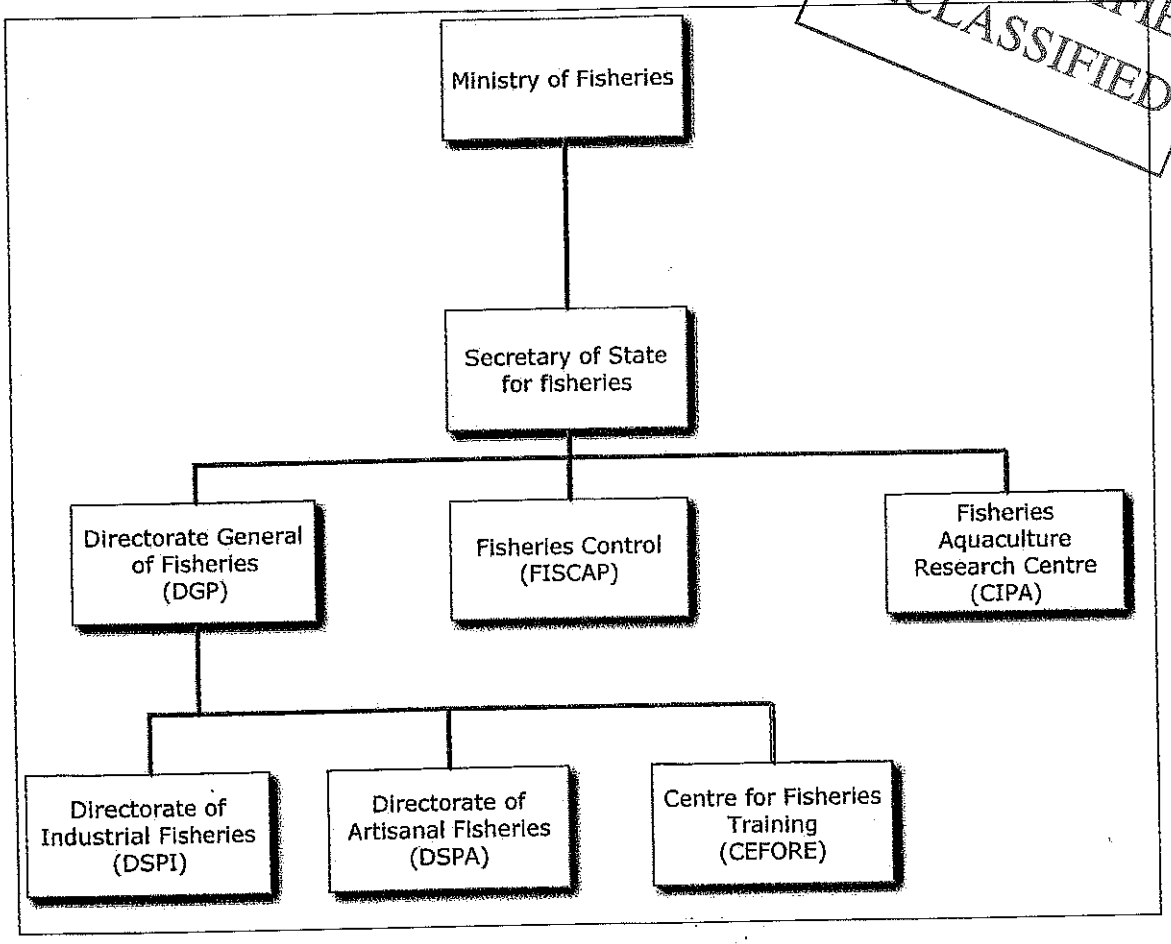


Figure 16: Organisational structure of the Ministry of Fisheries

3.1.1 FISCAP

FISCAP is responsible for fisheries monitoring control and surveillance activities. There are 35 fisheries inspectors distributed among 6 operational centres (including Bissau). FISCAP currently owns a reported 15 patrol vessels. The main assets are the Portuguese-built sister ships Cacheu and Cacine, and the smaller Ilha de Caio, and 7 de Junho (a recreational fishing boat turned patrol boat). Cacheu and Cacine are the only vessels with deep-sea patrol capability, but in recent years have not been fully operational. These larger vessels need a full maintenance overhaul. However since 2007, FISCAP has also taken delivery of a number of fast patrol craft (10m, 500HP rigid inflatable) at a cost of about US$ 200,000. Some have been purchased outright; others are supplied on leasing terms. The marine patrol means available in May 2010 are shown in Table 17.

Table 17: Operational Table Patrol craft available to FISCAP, May 2010

Vessel name	Length (m)	Motor/Power	Autonomy (days)	Base
Cacheu	20	3 X 300	5	Cacheu
Cacine	20	3 x 300	5	Bissau
Caio	14	2 x 450	4	Bissau
Baleia 1	10.2		1	Cacheu
Baleia 2	10.2		1	Bissau
Baleia 3	12	2 x 400HP	1	Bissau
Baleia 5	10.2	2 x 200HP	2	Bissau
Baleia 6	9	2 x 200HP	1	Caravela
São Barçal	10	200HP	1	Bubaque
Bissiadur	10	20HP	1	Cacine

This investment has enabled FISCAP to implement a substantial level of patrols (at a rate of about 60/year and 180 days at sea in 2008 to 2010). However autonomy is limited to 1 or 2 days. Table 18 shows the level of activities undertaken. The programme has been very successful in apprehending vessels engaged in illegal fishing (both industrial and artisanal). On average each month during the period FISCAP has arrested 2.5 industrial vessel and about 10 pirogues (mainly from Guinea Conakry, Senegalese and in one case, from Mali). Whilst fast marine patrols of some of the trawlable areas have been effective, there is no capacity to project controls to the limit of the EEZ.

Table 18: Estimated level of maritime surveillance activities by FISCAP

Surveillance activity	2007	2008	2009	2010*
No. of missions	n/a	63	60	27
No. of days at seas	n/a	189	180	48
No. of industrial vessels inspected	n/a	108	114	77
No. of pirogues inspected	n/a	338	806	118
No. of industrial vessels arrested	27	30	28	13.
No. of pirogues arrested	0	54	162	56

** January to July, Source FISCAP*

The level of cooperation with the Navy is almost zero, and in fact the Navy and FISCAP do not agree on responsibilities for fisheries patrols. The Navy reportedly has fewer functional assets than FISCAP. In recent years FISCAP has organised marine patrols without consultation with the Navy. Maintaining the vessels in operational conditions is a constant struggle in terms of finance and technical capacity for maintenance and repairs.

Shore based means of controls are limited. There is limited supervision of transhipment. FISCAP maintains a radio control room, which is operational 18 hours/day. There is no aircraft available for maritime surveillance and only preliminary steps have been taken towards development of satellite

VMS systems. Previously, there were no functional decentralised MCS bases, and operational means were concentrated in Bissau, located some 60 nm behind the baseline. This is however in the process of changing with the construction / re-modelling of new operational centres in Bubaque and Caravela, which are in the Bijágos Archipelago but these are not expected to be fully operational until 2011 because of budget delays. The next tranche of FPA funds is expected to contribute to its equipping and staffing. These funds will also contribute to reinforce 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 (Bijagós) and in Cacine (to cover southern Guinea Bissau waters) is pending.

FISCAP operates the observer programme (transferred from CIPA in 2007, reflecting the enforcement, rather than scientific role of observers). The observer corps is about 100 strong, and new observers were recruited and trained in 2008 and 2009. There is now 100% observer coverage of trawler vessels. However the observer programme is under-funded and is not self financing. Until 2010, there was no provision within the state budget for FISCAP, and the observer programme, but this was finally included in 2010. FISCAP does not publish an annual programme or annual report.

3.1.2 CIPA

CIPA, the Centro de Investigação de Pesca, is the Directorate of the Ministry of the Fisheries responsible for fisheries research and for provision of management advice to the Government. CIPA was also nominated by the Ministry of Fisheries as the Competent Authority responsible for sanitary controls. CIPA also provides advice to IBAP regarding MPAs. However, pending approval of the new fisheries law, CIPAs formal role is not defined in law.

In terms of fisheries research until 2007 data gathering has been mostly dependent on observers in the industrial fisheries. Since 2007 CIPA has undergone a significant increase in technical capacity with the recruitment of five fisheries biologists (two with MSc degrees), data enumerators and veterinary staff to allow it to fulfil these functions. CIPA has sought to recruit a team of artisanal fisheries enumerators, carry out census surveys on artisanal fisheries and socio-economic and develop its database of industrial fisheries activities. It also participates in fisheries research cruises, necessarily in collaboration with external organisations. However many qualified staff remain in temporary contracts. Regional consultants (from Mauritania) have been recruited to help develop data and statistical systems. With FAO support the MV Fridtjof Nansen carried out pelagic acoustic and demersal surveys on 2006 and 2007 (an update is needed); the Spanish government funded a survey in 2008. Only in 2010 did CIPA receive any formal allocation of funds under the OGE, and it has been almost fully dependent on the FPA support for its operations. Most of the staff have been recruited on temporary contracts only.

However, there is still no clearly expressed national fisheries research plan and there are outstanding technical weaknesses to be addressed. CIPA lacks adequate database software and specialised technical skills in statistics and data treatment, particularly in the case of artisanal fisheries. There is a need for improved skills in terms of stock assessment methodologies and approaches. Despite these limitations, CIPA has been able to produce fisheries management recommendations regularly (e.g. Fisheries Management Plan 2010) in recent years. The 2010 plan only covers the industrial fisheries, but there are plans in 2011 to extend the plan to include artisanal fisheries. The national team will be reinforced by experts from the region (i.e. Mauritania) and the recent creation of a Joint Scientific Committee in the context of the FPA is expected to provide guidance. CIPA's recommendations have helped the Government approach the harmonisation of the fisheries agreements with third countries.

With regard to sanitary controls, CIPA has built up the system from a low base. It has built up the Department of technology, processing and quality control, which is responsible for sanitary inspection functions. It has recruited three veterinary inspectors from the Ministry of Agriculture. With SFP assistance it has prepared an inspection manual, and trained staff in fish inspection, as well as drafting a technical regulation for the official controls (pending approval of the primary fisheries law). In addition the SFP has supplied inspection equipment and has supported the development of an annual monitoring plan. FPA funds have allowed the acquisition of a site for testing laboratory (EUR 318,000); and for a design study. SFP is supplying some equipment and the World Bank PRAO project will also be requested to supply additional requirements. This is unlikely to be commissioned before 2012 at the earliest, and in the meanwhile CIPA is seeking to send samples to Dakar for analysis.

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 Capitania 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 Capitania is responsible for monitoring conditions of transhipment (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 transhipment 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, re-structuring, 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:

- 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 Decreito Lei das Pescas, and subsidiary legislation concerning as follows:

- Regulamento de Inspecção do Pescado
- Regulamento da Pesca artisanal
- 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 2005[37]. In particular the draft has adopted recommendations regarding

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

However there are some outstanding issues of concern:

- lack of specification of criteria to be used for fixing the penalties in accordance with the nature of the infraction
- 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, transhipment, 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 classed of offence). These fines range from EUR 15,245 to EUR381,100 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 268°. 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

conditions to achieve sustainable fisheries. The EU's contribution of 2,950,000 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 1963 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:

- EC licences combine fish and cephalopod opportunities, whereas the CNFC & Senegal agreement's considers them separately.
- The average of the CNFC licence fees is 14% higher per GRT/year than the EU fees.
- 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
- Chinese/Senegalese fleets do not have large vessels; the defacto crew conditions may be considered equivalent.
- Observer fees are on average 7.5 times higher for the Chinese and Senegalese operators
- 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).
- Bycatch specifications for products retained on board are generally much stricter for Senegalese vessels than for CNFC/EU vessels.
- Minimum mesh sizes for the CNFC/Senegalese shrimp vessels are 50 mm (cf. 40 mm for EU vessels). Otherwise mesh limits are the same
- 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.

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

- 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:

- Strengthening the institutional capacities of CSRP for management and coordination in the area of MCS of fisheries activities
- Effective use of the sub-regional structures for the MCS of fisheries activities for the implementation of coordinated aerial and marine operations by UCOS
- 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 Ocean[38] 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:

[38] Also known as the African Atlantic Fisheries Conference

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

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:

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 Tiniguena
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.

Table 20: Activities financed by Spanish Technical Cooperation

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) programme[39] 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.

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 someway 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, Septembro 2008.

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

- 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
- gradually integrating the industrial offshore fishery into the national economy through a modification of the fishing license regime
- strengthening the contribution of artisanal fisheries to the social and economic development of the country, through the increased of 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.

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 23shows 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**	
	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
		4,400		**763**	**17**		**1,632**	**37**		**2,378**	**54**		**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**	76
	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**	83

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

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 Alakrana 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 it licences, and also received a transfer from Portugal, and French operators are not expected to cede any licenses in the future[41].

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 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 Rodriguez, 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 varidens*). 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 transhipment 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 fleets[42] 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.

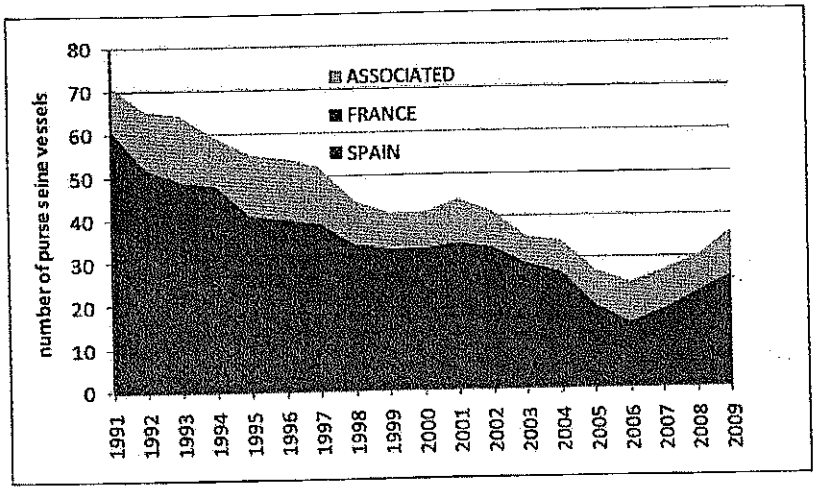
The EU purse seine fleet in the Atlantic is comprised mainly of vessels under Spanish and French flags. An average of 20 vessels have been operating in the period from 2006 to 2008, where Spanish purse seiners have increased from 11 to 16 in the period while French vessel numbers have been constant at 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

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.

Table 24: Catches of tuna in excess of licence fees paid

	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	
Parapenaeus longirostris	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	
Parapenaeus longirostris	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

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.

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

		2007*			2008			2009			Mean 2007 to 2009		
Fleet segment	**Country**	**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 €**
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			0.0		-
	Italy	0.0	3.01	-	0.0	3.25	-	0.0	3.13	-	0.0		-
	Greece	0.0	3.01	-	0.0	3.25	-	0.0	3.13	-	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	10.958.775
	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	0.00	-
	Italy	0.0	12.12	-	0.0	8.16	-	0.0	10.14	-	0.0	0.00	-
	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	1,451,663	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**	**30,915,838**	**8947.1**	**3.53**	**31,544,880**	**5766.1**	**5.88**	**33,924,476**	**7627.6**	**4.24**	**32,128,398**

* 6 months only

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

Source: European Commission and Consultants estimates

A recent overall evaluation of Fisheries Partnership Agreements[43] estimated the total turnover of EU fleets using fishing possibilities negotiated under all fishing agreements to be EUR 443 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 support[44] and some irregularities in the tranfer 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 EUR782,525 also in August 2008, enabled (for example) fisheries MCS activities to be maintained.

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 transits 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.

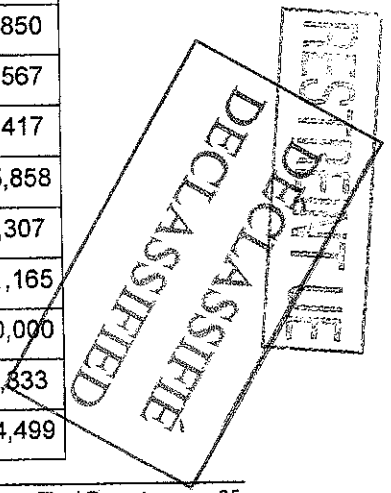
Based on previous experience with the 9th Protocol, and the weak implementation capacity of the Guinea Bissau authorities, the European Commission decided to increase the internal administrative capacity to follow the implementation of the Agreement. In 2007 a Commission staff member was recruited (based 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		983,333
	Agreement value to GB €		5,214,603	8,820,918	5,777,975	6,604,499



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

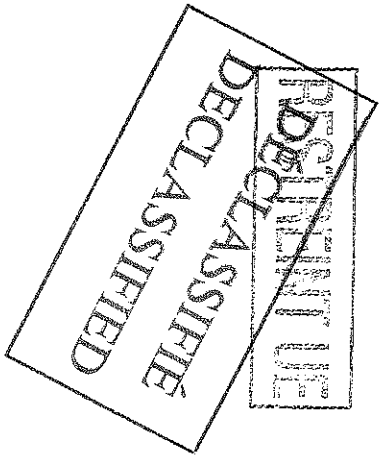
The economic impacts of the agreement are expressed in terms of the added value generated, both in terms of the activities of the EU fleet, and any economic activities linked to Guinea Bissau. To estimate the added value it was assumed that the EU profit, wages and taxes generated by EU vessels was 45% 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

		Annual average		Catch		EC Impacts	GB Impacts
Segment	**Country**	**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	385,941	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*



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 transhipment 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 it 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.

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

		Annual average	EC Impacts	GB Impacts
Segment	**Country**	**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**

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 Agreements[46] 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 exploitation[47], 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 particular[48] (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 (*Thunnus albacares*)	1,029	107,859	1.0
Skipjack tuna (*Katsuwonis pelamis*)	711	149,000	0.5
Bigeye tuna (*Thunnus obesus*)	210	6,9821	0.3
Parapenaeus longirostris	925	924	100.0
Other Penaeid shrimp	481	641	75.0
Cuttlefish (*Sepia* spp)	492	1,043	47.2
Octopus (*Octopus* 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.

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:

- Under Article 3 of the protocol s 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.
- 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

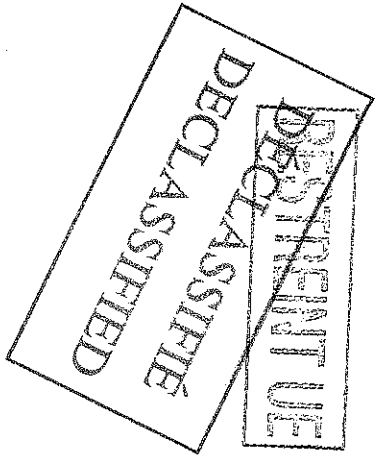
The overall annual budget for the five fisheries institutions under the Ministry of Fisheries (FISCAP, CIPA, DSPA, DSPI, and CEFOPE) proposed in 2009/2009 was EUR 4.2 million, 88% of which was to be funded by the FPA contribution (including a outstanding balance of EUR 782,655 from the targeted actions 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

		Allocations (€)			Budget (€)			Budget dependency
Activity	**Service**	**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*



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:

- Request from Guinea Bissau be submitted to the Commission for Technical Assistance to support programming of FPA funds
- 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.
- 2010 programming should be finalised
- 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, 2010)[49]. 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, Septembro 2008, Projecto De Gestão Da Biodiversidade E Da Zona Costeira Da Guiné-Bissau Bureau De Coordenação Da Componente Pescas

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 DSPI 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 DSPI. 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.

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 if 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 Bijágos 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 (Bijagós) 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 transhipment 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 Bolama 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

rehabilitate and/or upgrade other existing centres in Cacheu and Uracane. In all cases, the intention is 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).

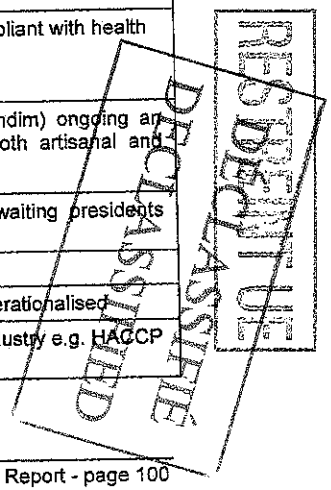
Summary of progress with implementation of the policy matrix

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.

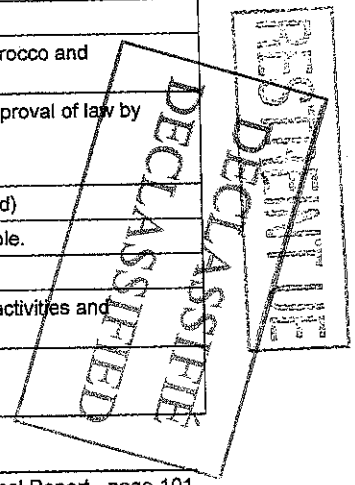
In summary, capacity has been increased for marine surveillance, but no other aspects of the fisheries MCS system have been strengthened. Marine surveillance activities have been sustained at a reasonable level throughout. Although the target number of inspections was not met, this appears to have resulted 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

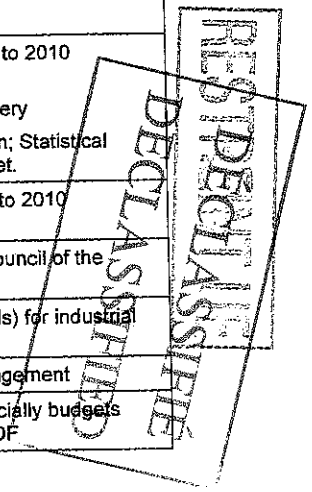
Strategic priorities and objectives	Indicators	Progress by August 2010
Improvement of health and hygiene conditions to develop the fisheries sector		
1.1. Preparations to obtain export approval	Rules on minimum health and hygiene standards applicable to industrial vessels, canoes and fishing enterprises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



Strategic priorities and objectives	Indicators	Progress by August 2010
	Analytical laboratory operational	Laboratory site purchased and design study completed. Interim arrangements for transmission of sample to Senegal investigated.
	Number of sites developed for unloading and processing products from small-scale fishing Promoting technical and commercial partnerships with private operators overseas	Upgrading of artisanal fishing centre at Biombi and training centre at Boama. Plans for upgrade of one site in place (Alto Badim) with AfDB project. Plans in place for upgrade of centres at other locations
	Eco-labelling system launched for Guinea-Bissau products	No progress on eco-labelling scheme
2. Improving monitoring, control and surveillance of the fishing zone		
2.1. Improved legal framework	Agreement adopted between the Ministry of Fisheries and of Defence on surveillance and control	No formal agreement in place between services (but not considered relevant)
	National monitoring, control and surveillance plan adopted and implemented	National plan not formally in place. No annual report.
2.2. Strengthening monitoring, control and surveillance	Body of sworn independent inspectors operational (number of people recruited and trained) and corresponding budgetary allocation entered in the Finance Act	Inspectors operational and corps strengthened
	Number of days of surveillance at sea: 250 days/year at the end of the period covered by the Protocol	Surveillance 70 days /year at sea achieved in 2008
	Number of inspections in port and at sea	366 inspections at sea undertaken (2008) Shore based controls (inspection of vessels/gears before fishing)
	Number of aerial inspections	No aerial surveillance/ inspections.
	Number of statistical bulletins published	No statistical bulletins published by FISCAP
	Radar coverage rate	No radar coverage of EEZ
	Rate of VMS coverage of the fleet as a whole	No VMS system in place
	Training programme adapted to surveillance techniques implemented (number of hours of training, number of technicians trained, etc.)	Training/study tours in surveillance in Morocco and Mauritania
2.3. Monitoring boarding of vessels Improving the transparency of the system of boarding, penalties and payments of fines	Rules on payment of fines improved and ban introduced on payment of fines other than financial Improvement of system for collection of fines	New rules on fines prepared; awaiting approval of law by National Assembly
	Publication of annual statistics on fines collected	Statistics on fines available (not published)
	Setting up a blacklist of vessels penalised	List of arrested/penalised vessels available.
	Drawing up of and annual publication of statistics on fines	No published annual report on fines
	FISCAP annual report published	No published annual report on FISCAP activities and infractions
3. Improving fisheries management		



Strategic priorities and objectives	Indicators	Progress by August 2010
3.1. Managing shrimp and cephalopod fishing effort	Maintaining in 2007 existing agreements with third countries and the European Union.	Access Agreements with China and Senegal maintained and renewed (2010)
	No fishing opportunities shall be granted to chartering	Fishing opportunities granted to chartering (demersal fishing: 48 licences in 2007, 40 in 2008, and 46 in 2009)
	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	FEDERPESCA Agreement renounced in 2007
3.2. Modernisation and stepping up of fisheries research	Strengthen CIPA research capacities	Appointment on contract of CIPA scientific staff research biologist (2 x MSc and 3 x licenciatura) Appointment and mobilisation of small scale fishery enumerators New observers trained and mobilised 100% observer coverage on trawl vessels managed by FISCAP
3.3. Improving information on fishery resources	Annual trawling carried out	One trawl survey (supported also by Spanish technical assistance)
	Number of stocks evaluated	Two artisanal surveys conducted
	Number of research programmes	Two socio economic surveys published 2007 and 2010 (AfDB)
	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)	Inputs to elaboration of MPA plans with IBAP Aquaculture development study (with FAO)
	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.)	Management recommendations made (2007 to 2010 Fisheries management plan); Fishing capacity assessed for industrial fishery Partial fisheries database system in operation; Statistical bulletin (2007 and 2008) published on internet.
3.4. Controlled development of fisheries	Adoption of annual management plan for industrial fishing before the start of the year concerned	Fisheries management plan published 2007 to 2010
	Adoption and implementation of development plan for over-exploited resources	Management plans adopted by Executive Council of the Ministry of Fisheries
	Vessel register kept in EEZ, including small-scale fishing	Vessel register (licensed and national vessels) for industrial vessels, but not for canoes/pirogues
	Number of development plans drawn up, implemented and evaluated	No structural plans for fishing capacity management
3.5. Improving the effectiveness of the technical services of the Ministry of Fisheries	Administrative capacities strengthened	Administrative capacity remains weak, especially budgets and planning. TA support requested from EDF



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.)	Limited training undertaken, but no observable impact
	Mechanisms for coordination, consultation and cooperation with partners	Coordination mechanisms weak (especially Ministry of Finance/armed forces/port authorities)
	Strengthened system of data collection and statistical monitoring of fisheries strengthened	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	No training in fishing vessel licensing undertaken
	Networking of services and statistics	ICT investments made, but only limited improvements in internal networking and communications.

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 impact is 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 Finance[50]. 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 been made shortly. The objective is the improvement of and transparent implementation and monitoring of

[50] 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".

the sectoral support under the FPA. The consultants expect that this 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 practices[51]. 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 has 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

Table 38: Meetings between the parties to the FPA

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 Ginea 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

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:

- reduce fishing effort in the shrimp and cephalopod categories (unless scientific advice is favourable)
- maintain existing fishing agreements with third countries, but to reduce fishing opportunities to the level utilised in 2007and
- 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

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.

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 to 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.

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.

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 is does not have the capacity 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% respectivly. 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 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 (determin 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

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

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.

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.

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 lead 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 Fishery Policy[52] 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 Region[53]. 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

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, CSRP-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 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.

- 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.

- 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 exist 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:

- 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.

- Review the metholodology 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.

- 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 Minstry 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%

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 inline 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 finance 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.

ANNEX 1: SUB-REGIONAL FISHERIES COMMISSION (CSRP)

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:

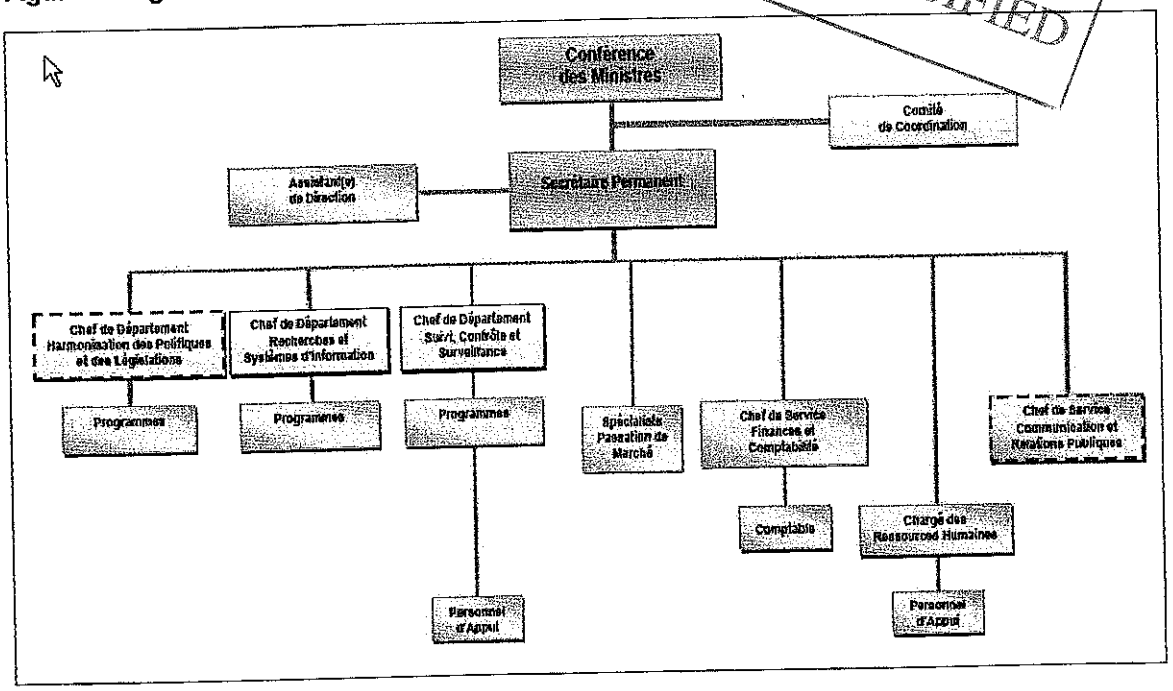
- Restructuring of the financial and administrative services including a separation of accounting services and procurement services
- Creation of three new departments: harmonisation of policies and legislation; research and information systems, monitoring control and surveillance.
- Creation of a service 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 adviser[54]. 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 polices 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

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

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

project with a budget as high as € 42 million between 2010 and 2014[55]. 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.

[55] 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 CSRP

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

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:

- Strengthening the institutional capacities of CSRP for management and coordination in the area of MCS of fisheries activities
- Effective use of the sub-regional structures for the MCS of fisheries activities for the implementation of coordinated aerial and marine operations by UCOS
- 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:

- CSRP be subject to an organisation, financial and administrative audit (as described above)
- CSRP member states paid arrears of membership fees and adopted a protocol with the EU setting out the commitments to maintain these payments.
- 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.

Table 2: Budget structure for the EDF Regional MCS Programme for the CSRP

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**
CSRP/UCOS budget from Member States	1,138,000
Operational costs for joint surveillance missions	1,155,000
Total CSRP member States	**2,292,279**
TOTAL	**7,292, 279**

Financial sustainability of CSRP

The core budget of CSRP 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 CSRP 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 CSRP 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 CSRP in recent years has always managed to pay staff salaries). The situation in mid-2006, at which time the CSRP budget was in owed US$ 1.35 million is shown below in Table 4.

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 in Contributions at 16.06.2006	Surplus in Contributions at 16.06.2006
Cape Verde	154.305,00	59.368,00		213.673,00	
Gambia	167.113,00	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 dived 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$

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.

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:

- 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.
- 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.
- 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 (an also in Morocco, which would need to participate).
- 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).
- 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)
- 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 resolution[56] 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.

"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.