



**REPORT FOR THE REGIONAL WORKSHOP ON CAPACITY BUILDING IN THE FIGHT  
AGAINST ILLEGAL FISHING IN THE REGION OF THE FISHERIES COMMITTEE FOR  
THE WEST CENTRAL GULF OF GUINEA  
(FCWC)**



**From 28 to 31 July 2014, LOME TOGO.**



From 28 to 31 July 2014, was held in Lomé, Togo, the regional workshop for capacity building in the fight against illegal fishing, organized by the Fisheries Committee for the West Central Gulf of Guinea (FCWC). Thirty participants including the appointed representatives of the six Member States of FCWC as well as regional and international experts attended the workshop. The attendance list is attached as **Annex 1**

## A- OPENING CEREMONY

Due to the fact that the day of July 28, 2014 was holiday in Togo – it marks the festival of Eid, the official opening ceremony of the workshop was held on Tuesday, July 29, 2014, the second day of the workshop.

Under the chairmanship of His Excellency, **Colonel Ouro-Koura AGADAZI** the ceremony was marked by the presence of Mr. Pengyir Nemorius, PAF/NEPAD Programme Coordinator in Ghana and Mr. Seraphin DEDI Nadje, Secretary General of FCWC.

Mr. **Domtani ALI**, Director of Fisheries and Aquaculture of Togo first took the floor to welcome the participants, thank them for their presence and also point out that the presence of the Minister of Agriculture, Livestock and Fisheries of Togo at the ceremony demonstrates its commitment to the fishing industry and regional cooperation.

In his opening remarks, **Seraphin DEDI NADJE**, the Secretary General of FCWC wished everyone a happy Eid and thanked the Minister of Agriculture, Livestock and Fisheries of Togo for his effective presence in the workshop reflecting the commitment of Togo to fisheries cooperation in FCWC space and beyond. Then he recalled the terms and conditions for the holding of the workshop, including the material, organizational and financial support provided respectively by the Governments of Ghana, Togo and the NEPAD Agency.

Mr. Dedi then pointed out the context in which is held the workshop marked on the one hand by the increase in IUU fishing in the sub-region, on the other hand by the measures taken internationally including by the European Union and FAO to combat IUU fishing. These measures may jeopardize export opportunities for FCWC countries if in return they do not take action to fight this scourge. The holding of this workshop focused on capacity building for inspection of ships in port and at sea, the sharing of political and legal instruments against IUU fishing is the will of FCWC to rise to IUU fishing challenge.

Finally, he also stressed the profile of participants whose common characteristic is membership in Administrations involved in monitoring, control and surveillance (MCS) of fisheries and specifically in the fight against IUU fishing in FCWC countries. This particular profile of participants increases the need for information and analysis sharing to improve the fight against IUU fishing in the FCWC region. And he hoped that the exchange of experiences would be made on a free and participatory basis during the workshop.

The Minister of Agriculture, Livestock and Fisheries then took the floor to welcome the participants and wish them a pleasant stay in Togo. He commended Ghana and NEPAD for their support for the meeting. He underlined the unwavering will of Togo to fight IUU fishing, related crime and traffic and piracy. This political will is supported at the highest level by the Head of State. He also hoped that this regional workshop organized by FCWC would provide adequate answers to this scourge.

The Minister of Agriculture, Livestock and Fisheries also lamented that the FCWC countries did not make full use of their fisheries resources due to damage caused by IUU fishing. The staggering income loss is estimated to be more than \$ 2 billion per year excluding costs for food security and livelihoods of the people. He also stressed the maritime insecurity in the Gulf of Guinea leading IMO to classify this maritime region among the most dangerous in Africa. His belief is that in addition to the efforts of each country, it is necessary to enhance cooperation between countries in the sub region to overcome this scourge.

For its part, Togo, with the support of technical and financial partners has already taken strong action in this direction, including: i) the reshaping of the legal framework for fisheries and the code of Shipping to take better account of the fight against IUU fishing; iii) the establishment of an inter-ministerial committee to fight IUU fishing; iii) the implementation of some strong measures such as suspending the granting of fishing licenses to foreign vessels, the cancellation of all Togolese-flagged vessels involved in IUU fishing, the suspension of the registration of foreign fishing vessels, inspection of fishing vessels that frequent the Port of Lomé for repairs or refits at the "OTAM" shipyard, Inspection of ships before the grant or renewal of fishing authorizations.

The Minister of Agriculture, Livestock and Fisheries has finally welcomed the initiatives of FCWC and its partners in the fight against IUU fishing and expressed his hope in this capacity building workshop to score decisive points in the fight against IUU fishing.

## **B- ORGANISATION OF WORK**

The Secretary General of FCWC then informed the participants of the conduct expected of the workshop. To this end, he proposed the appointment of the Chair. In this regard, it was proposed a Co-Presidency, chaired by Ghana Directorate of Fisheries and Togo Department of Fisheries. The participants agreed on that proposal and then they completed the installation of the Chairman of the session who was Mr. Samuel QUAATEY of Ghana. It was followed by the presentation of the participants.

## **C- COURSE OF WORK**

Following the adoption of the agenda in **Annex 2**, the workshop took place in the form of a series of presentations from national delegates, the Secretariat of FCWC and the various consultants in connection with the theme of inspection of vessels, gear and fishing products and the visit the fishing port of Lomé followed by discussions after each session. The following are the presentations and outcomes of the sessions:

### **i) Presentation of the background, objectives and expected results**

The Secretary General of FCWC then spoke to recall the context, objectives and expected outcomes of the workshop. He especially emphasized the topical character of the fight against IUU fishing, reinforced by the need for implementation of the catch certification scheme (SCC) of the European Union (EU) under Regulation (EC) 1005/2008. This implementation required a preparation phase of the countries of the sub-region, followed in 2012 by an evaluation conducted by the EC which has identified serious deficiencies in the implementation of the catch certification scheme notably in Togo, Ghana and Côte d'Ivoire.

He also recalled that the Ministerial Conference of FCWC adopted the Regional Action Plan of FCWC on illegal, unreported and unregulated fishing in the maritime zones of the FCWC member countries (RAP-IUU). On this occasion, the Ministers instructed the

General Secretariat of FCWC to "take all necessary measures for the implementation of the Regional Action Plan."

As part of the implementation of this mandate, the first meeting of the "Working Group of FCWC on the fight against illegal, unreported and unregulated fishing" held in Accra in April 2010 recommended the Member States to sign the Agreement on measures remaining the privilege of the port State to prevent, deter and eliminate illegal, unreported and unregulated fishing. This agreement is a legally binding international instrument adopted by the FAO Conference on November 22, 2009, for Contracting States to apply a system of control and inspection of foreign ships that want access to their ports, in order to fight IUU fishing.

The holding of this workshop is to enable the capacity of administrations of member countries of FCWC for control and inspection of fishing vessels, at the same time to provide an opportunity for representatives of these governments to exchange experience, to get to know and establish links for cooperation in the fight against IUU fishing.

Moreover, the composition of delegations of countries marked by the presence of different fisheries administrations involved in the control and inspection of fishing vessels, augurs better prospects for collaboration necessary to achieve effective results against IUU fishing.

The Secretary General of FCWC insisted on one of the objectives of this meeting which is to develop a regional framework for cooperation against IUU fishing, requiring among other things the creation of a database of fishing vessels operating in the sub-region and more generally, the establishment of mechanisms for exchanging information.

Following the intervention of the Secretary General of FCWC, the Chairman of the session noted the efforts already made by FCWC, including the adoption of the RAP-IUU of FCWC which is an achievement, as well as the development of national action plans in some member countries. The operationalization of the register of fishing vessels, however, still remains a major challenge.

## **ii) State of play in fighting IUU fishing in the Member States of FCWC**

According to the work agenda, the delegates made the state of play in fighting IUU fishing in each country:

The rapporteur of **Benin** has focused on:

- the operation by Benin in 2007 of a national plan of action against the IUU fishing
- the issue of fishing authorizations to tuna fishing vessels to control the activity of these vessels which in the recent past were strongly involved in the IUU fishing.
- the acquisition of naval assets to strengthen the control of fishing vessels at sea
- the prospects for updating the fishing legal framework to better fight IUU fishing
- the orientation towards strengthening the capacity of agents involved in the control and inspection of fishing vessels

The rapporteur of the **Côte d'Ivoire** highlighted his country's efforts to develop and strengthen the capabilities of a control and inspection service at the Port of Abidjan, Ivory

Coast, the hub of tuna deals in Africa West. The Department of Animal and Fishery Resources (MIRAH) consequently has planned within the framework of 2013-2018 matrix of actions a series of activities whose success depends on the capacity building of the staff committed to the tasks of vessels control and inspection. It is also planned to: i) equip the fishing vessels control and inspection services; ii) develop procedure manual; iii) train inspectors; iv) implement the establishment of an operational VMS monitoring. It is also noted that the national Navy has recently received a ship named Emergence. A protocol is being signed between the Navy and the Department of Aquaculture and Fisheries (DAP) in order to ensure maritime surveillance over the period (2014-2016). The rapporteur of the Ivory Coast also informed the workshop of the MoU with the NGO Environmental Justice Foundation "EJF" which regularly provides support to the Directorate of Fisheries, especially the positions of fishing vessels operating in the EEZ through a system that integrates AIS and other positioning softwares.

The rapporteur of **Ghana** highlighted some institutional arrangements put in place and activities contributing to the fight against IUU fishing. They are:

- the obligation of equipping systematically the industrial fishing vessels flying the flag of Ghana with the VMS systems, including trawlers
- the control of the Ghanaian vessels operating outside the EEZ of the country in order to be sure that these vessels have fishing authorization for fishing in the waters of third countries
- the acquisitions patrol boats which perform regularly control at sea,
- the system set up to verify the traceability of the fishing products intended to export,
- the unannounced inspections on the artisanal fishing sites to suppress and punish the use and possession of fishing gear not complying with regulations

The rapporteur of **Liberia** pointed out the mandate of the Bureau National of Fisheries (BNF) for monitoring, control and surveillance of fisheries in relation to other institutions (Liberian Coast Guard, Liberia Maritime Authority; Liberian National Police; Ministry of Justice; National Port Authority, Bureau of immigrations and naturalization).

He then described the organizational structure of MCS device developed by BNF and the Liberian Coast Guard as well as joint training that both institutions have taught observers and inspectors in the field of fisheries MCS. He referred to the naval equipment acquired by the Liberian Coast Guard to monitor their EEZs. This organization also has a Centre for monitoring and control of fishing activities (Fisheries Monitoring Center) which is responsible for implementing the existing VMS and AIS systems. The representative of Liberia mentioned the regulatory actions concerning the characteristics of fishing gear and the procedures for fishing vessels monitoring at sea and dockside, the support received from NOAA to build the capacity of observers at sea. He also presented the national and international legal framework governing the operation and management of fisheries resources in Liberia. He finally presented the balance sheet of the dissuasive fines imposed on those involved in IUU fishing.

The rapporteur of **Nigeria** stressed that MCS of fishing activities at sea is a federal responsibility. MCS Department was created in 1989. Regarding IUU fishing, he listed its negative impacts on many levels (biological, food, biological, economic). Recent initiatives in the fight against IUU fishing were: i) the revision of laws and regulations in order to

consider, in particular, the growing importance of this phenomenon, ii) the capacity building sessions of actors under the fight against IUU fishing, iii) the creation of mandatory landing ports, iv) the fight against transshipments, v) the use of patrol vessels to increase controls at sea, vi) the implementation of a Catch Certification Scheme etc.

**Togo's** rapporteur highlighted some key actions in the fight against IUU fishing in Togo, including:

- the implementation of the project "Capacity building of Togolese administrations in the matter the fishing vessels control and inspection" for a period of eleven (11) days from 14 to 24 May 2013 ;
- The training in fishing policing in Conakry, Guinea from 23 to 27 September 2013 financed by the project ASECMAR "Support to the Reform in Maritime Security Sector in the Gulf of Guinea"
- Participation in the regional capacity building workshop on participatory monitoring within the framework of the ACP program Fish2 from 9 to 13 September 2013 in Ouagadougou, Burkina Faso

He also recalled the following measures to fight IUU fishing:

- Suspension of license grant to foreign fishing vessels;
- Cancellation of all vessels flying Togolese flag Involved in IUU fishing;
- Suspension of the registration of foreign fishing vessels;
- Inspection of the fishing vessels which cast anchor in the Port of Lomé for repairs or careenage in the "OTAM" shipyard
- Ship inspection before granting or renewing fishing licenses;

After the presentations of the reports of country representatives, questions and comments were raised through discussions.

The issue on the ownership of data collected by the NGO EJF in Côte d'Ivoire was raised; the concern is that these data should be the country's possession. In Ghana, the generalization of using the VMS in the MCS was welcomed but it was observed that the VMS does not take into account the deployment of vessels outside the EEZ of the flag state, hence the need for additional monitoring. Overall, it was regretted the lack of information exchange between administrations of the FCWC countries, especially during the fishing authorization process or the use of port services by a foreign fishing vessel.

It was noted the low coverage of devices and activities against IUU fishing in the artisanal fisheries sector while the importance of the contributions of artisanal fisheries is recognized by all, as well as the offenses of which the actors are responsible.

The participants expressed great interest in these discussions on the need to pool resources to fight IUU fishing at the regional level by establishing such a regional center for fisheries MCS with adequate means. This center could for example steer the VMS regionally.

### **iii) Fisheries governance in Africa**

Mr. Per Erik Bergh representative of the NGO Stop Illegal Fishing gave two presentations: one on IUU fishing, its features, current trends and solutions and the other on fisheries governance and international legal instruments that govern them.

In his first statement, Mr Per Erik Bergh spoke of the seriousness of IUU fishing and stressed in this connection that INTERPOL associates this practice to criminal activities in the fisheries sector. He recalled the socio-economic benefits from the fishery to coastal countries and showed the threats posed by IUU fishing on those profits. Mr Per Erik Bergh argued that the motivations of IUU fishing are generally ignorance, need and greed and set out to demonstrate the difficulty of the fight against IUU fishing because of the high mobility of fleets. Besides this there are fraudulent practices and offenses committed by those in IUU fishing, including frequent changes of flag, bleaching fishery products, falsification of legal ship documents, double identity, disguising the marking and corruption of government officials in charge of MCS in some countries. For all these reasons, it is extremely difficult for a country to fight alone IUU fishing. Only cooperation among countries, including the exchange and sharing of information will help overcome this phenomenon. Conversely, Per Erik Bergh believes that lack of cooperation encourages this practice causing enormous harm to the countries concerned.

In the second presentation, the main instruments of fisheries policy including fisheries policy documents and laws and regulations have been introduced. He stressed the necessary links between both types of instruments and the objectives of each one. He then presented the international legal instruments by classifying them into two categories:

a) Binding legal instruments:

- the Convention on the Law of the Sea of 1982, which introduced a new legal regime of the oceans;
- the compliance agreement of 1993 to promote compliance by vessels on high Sea with international conservation and management measures and identify the responsibility of the flag state as far as fishing concerned;
- the Agreement on Straddling Fish Stocks and Highly Migratory Species of 1995 which applies to straddling fish stocks and highly migratory fish stocks in areas beyond national jurisdiction;
- the Port State Measures Agreement of 2009 aiming to deter the landing of catches from IUU fishing and to prevent their delivery in international markets.

b) Non-binding legal instruments:

This second category of instruments including the Code of conduct for Responsible Fisheries of 1995, the International Plan of Action to prevent, deter and eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU) of 2001 .

The presenter also recalled the regional instruments like the resolutions and recommendations of ICCAT, the Treaty of ECOWAS, the Banjul Declaration of 2010 on IUU fishing, the FCWC Regional Action Plan. Detailed presentations were then made regarding:

- the modalities of implementation of the EU-IUU Regulation on the catch certification for exports of fishery products to the EU
- the modalities of implementation of the Port State Measures Agreement

The discussions that followed the presentation revealed a consensus on the need for cooperation between countries in the sub region to effectively fight IUU fishing. Participants also stressed the importance and opportunity of the international agreements to actually enforce cooperation. The FAO Port State Measures Agreement was particularly mentioned as an important tool and participants feel that it is imperative that FCWC member countries ratify the agreement. The incorporation of the provisions of these agreements into national legislation is also considered crucial.

#### **iv) Presentation of FCWC regional agreements**

The ensuing session involved a presentation of the General Secretariat of FCWC focused on opportunities for cooperation within FCWC to fight IUU fishing.

At the start of his presentation, the Secretary General of FCWC explained the objective grounds requiring this cooperation notably common membership of the same marine ecosystem countries in the area of CECAF involving a business continuity and similarity of problems to solve. This common reality required to harmonize the legal basis for the fight against IUU fishing and to develop an approach and regional cooperation in MCS. The Secretary General of FCWC takes the view that the conditions are met especially:

The commitment and political will manifested by: i) the settlement agreement of FCWC which assigns to the organization the mission to strengthen regional cooperation in the fight against IUU fishing; ii) the development through the Regional Action Plan of FCWC on illegal, unreported and unregulated (RAP-IUU) of an operational tool, approved by the Conference of Ministers; iii) the adoption by the Conference of Ministers of a Convention on minimum terms and conditions of access, legal document also endorsed by the Conference of Ministers; iv) the agreement on the sharing of information between member countries. In this respect, the current existence of a functional and effective website for FCWC is intended to be an essential support for the sharing of information.

The discussions that followed the presentation reinforced the arguments for enhanced regional cooperation. One of the key ideas used by the participants is the need to establish a regional monitoring center as far as MCS concerned.

#### **v) Methodology, organization and inspection of fishing vessels and gear: the case of Cameroon**

The presenter first highlighted the fact that for good governance in fisheries sector, there is the need for consistency between the regulatory framework at national and international level and scope of government policy. He reviewed the various international legal instruments. Dr. MEKE SOUNG also provided definitions of the regulatory framework and the various texts which govern in particular **orders, laws, decrees, decisions and circulars** or memoranda. These aspects are illustrated by the presenter through the case of the regulatory framework of Cameroon

The presentation prompted the following comments and observations:

- the importance and relevance to have an adequate legal framework prior to inspection missions;
- the need to have some flexibility in the operation of technical management measures such as mesh size and catch; for certain cases, the use of orders in place of decrees is therefore more adequate in terms of regulations;

- the optimal level of fines for offenses but it is aware that too high levels of fines result in the perverse effect of encouraging pressure on the administration for no execution of sentences;
- obstacles to the normal functioning of VMS in the sub region are voluntarily created by the ship personnel or because of acts of sabotage by pirates

**vi) Basic knowledge of inspectors on the technique and methodology for fishing vessels monitoring**

As a preliminary point, Dr. SOUNG Meke stressed the need for a regulatory framework that governs fisheries inspection. Fulfilling a fisheries policing function also requires certain legal requirements, including the swearing in of inspectors. Formal requirements are also to be observed including wearing uniforms to mark the authority and differentiate the inspector.

Diversity but also complementarity of the monitoring means (VMS, aircraft, patrol boats, etc.) is also seen as a guarantee of performance for fisheries inspection.

The presentation was structured as follows:

- Presentation and composition of the team and the equipment of inspectors
- General methodology for ashore inspection
- Detailed methodology for vessels inspection
- Inspection records (inspection reports)

After the presentation the representatives of the countries shared their mutual practices as for fishing vessels inspection

**vii) Basis of Fishery Products Inspection.**

Dr. Ibrahima Niamadio who made presentations on various sub-themes moderated this theme relating to :

- Key identification of species: especially were discussed definitions relating to systematic and taxonomy, the concept of biological species, the means of identification of fish species
- The estimation and catch certification
- A presentation of ICCAT. Dr Niamadio reviewed the mandate of ICCAT, its organizational structure and the content of its activity report: he notably given information on membership, mission and goals aimed by ICCAT, the monitored species and the systematic of these species, the catch statistics.
- A presentation of CITES: The presenter clarified the purpose of this organization which is to make sure that international trade in wild animals and plants does not threaten their survival. CITES also regulates trade through the inclusion of species in 3 appendices: Appendix 1: Endangered species; Appendix 2: Vulnerable species; Appendix 3: Species listed. For each appendix, the presenter specified the species concerned and risks associated with non-protection.

Discussions highlighted the importance of knowing how to identify the species in order to complete successfully an inspection of ship. Participants also raised the need for improved methods for estimating catches in artisanal fisheries because their reliability is

problematic for various reasons (low coverage of the collection device, severe lack of agents appointed to collect, etc.). The need was expressed to equip administrations with a guide for monitored species identification by ICCAT and CITES. The Secretary General of FCWC said that even though the organization is not a member of CITES and ICCAT, it facilitate the implementation of measures enacted by these organizations

### **viii) Visit to the fishing Port of Lomé**

The visit to the fishing Port of Lomé focused on two main issues, namely:

- The characteristics of artisanal fishing boats and gears as well as the identification of the species landed.

It should be noted that the description of the characteristics of canoes and gear was made with the participation of fishermen and officers from the Fisheries Department of Togo on the site. An FAO species identification guide has also been used.

- Practical conduct of a fishing vessel inspection

A visit on board a fishing vessel allowed to practice inspection procedures and modalities; notably: i) introduction to the master of the vessel; ii) documents, licenses and records on board; iii) Vessel position from the GPS; iv) inspection of gears through the gauge; v) filling the inspection sheet. Participants can learn some lessons from the practical exercise, notably weaknesses in the implementation of knowledge: lack of authority over the crew, no photos or movies, no information collected on the ship before the inspection. It must also be pointed out certain deficiencies during visits that have failed to put into practice all the knowledge (lack of fish in the hold, inadequate inspection tools)

Summaries of the comments, photos and lessons learned by topic during the visit are attached as **Appendix 3.**

### **ix) Contribution of participatory monitoring to the fight against IUU fishing in artisanal fisheries**

Following the synthesis and discussion, Mr. Alioune SY, consultant, gave a presentation on the theme "Contribution of participatory monitoring to the fight against IUU fishing in artisanal fisheries." The rationale for this theme is the fact that in many countries of West Africa, the importance of the contributions of artisanal fisheries to supply the fishing industries and export is obvious. In some countries (Senegal, Benin for shrimp), there is a dominant artisanal fisheries inputs, hence the need to put the focus now on how to fight IUU fishing in the artisanal fisheries by building on participatory surveillance. The consultant presented the state of art on the subject from work done in the framework of the ACP FISH II Programme.

The ensuing discussions have recognized the relevance of the issue and were illustrated by the examples of frequent transshipments of boats to canoes at sea. Registration of fishing vessels and introduction of a fishing licensing system for artisanal fishermen have also been considered as a first step in the fight against IUU fishing in the artisanal fisheries.

### **x) Case studies of vessels engaged in IUU fishing in EEZ in Africa**

This presentation by Mr. Per Erik Berg and Mark Ssenakula of SIF has focused on studies of actual cases of vessels engaged in IUU fishing in the EEZ of an African country. This is the SIF experience of cooperation in the Indian Ocean with 7 countries. However, the detection of these cases and the accumulation of physical evidence could not be achieved through the collaboration of several countries. These case studies caused presenters to state some implications of the fight against IUU fishing, notably:

- The need of strong political will;
- The need for fast communication system between cooperating countries
- The need to improve regulatory frameworks
- The improvement of collaboration and exchange of information between cooperating countries
- The need to fight corruption.

In conclusion Mr. Per Erik Bergh reminded the workshop the excellent relations and collaborations maintained between SIF and FCWC. And this collaboration should further be consolidated through a pilot project of 3 years to fight against IUU fishing and that could start in 2014.

The workshop thanks SIF for this support to FCWC and States through their representatives at the meeting expressed their support to the initiative for success.

## **D- RECOMMENDATIONS AND OUTLOOK**

The final session of the workshop was devoted to the synthesis of the recommendations of the workshop:

1. Establishment of an operational regional center for fishing MCS
2. Consider a FCWC mission in Eastern Africa to learn from the experience of Fish I-Africa and at CSRP Banjul to learn experience from monitoring center (AIS) to explore the extension
3. Harmonization of legal provisions and instruments for fisheries management to facilitate fishing inspections
4. Registration of fishing vessels and the establishment of a fishing authorization system for artisanal fishermen
5. Need to support the sharing of information between Member States of the sub-region on official basis.

In terms of perspective, the roadmap adopted by the workshop is attached as **Appendix 4:**

## **E- END OF THE SESSION**

The Director of Fisheries and Aquaculture of Togo, on behalf of the Minister of Agriculture, Livestock and Fisheries, closed the workshop for capacity building. He thanked the participants for their active involvement in this workshop and reiterated the commitment of all Togolese authorities to accompany FCWC in carrying out its mandate.