



*Pour une Pêche Ecologique  
génératrice de Progrès social*  
[promoconsult\\_pechecops@yahoo.fr](mailto:promoconsult_pechecops@yahoo.fr)

**CFFA**

*Coalition for Fair Fisheries  
Arrangements*  
[cffa.cape@tiscali.be](mailto:cffa.cape@tiscali.be)

# Mauritania EU Fisheries Partnership Agreement: What impacts on fisheries sustainable development in Mauritania?<sup>1</sup>

*August 2006*

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*On 24 July 2006, it was announced that a fisheries agreement had been reached between Mauritania and the European Union. The agreement, entering into force on 1 August 2006, will have duration of six years. In exchange, the EU will grant financial compensation of 86 million euros per year. An additional amount will be coming from ship owners' contributions and is estimated at 22 million euros, in the event that all fishing possibilities are utilised.*

*This document discusses a series of issues aimed at determining what impacts the agreement will have on sustainable fisheries development in Mauritania. It includes a comparison between the outcome of the Mauritania-EU partnership negotiations and the expectations set out by Mauritania's small-scale fishermen, recognised by all parties as key players in the development of sustainable fisheries in Mauritania.*

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<sup>1</sup> This document is based on the French text of the EU-Mauritania fisheries agreement, and has been translated from French into English. The English text of the agreement, not available at the time of writing may therefore differ from text quoted here.

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## **1. Building a fair partnership: a real challenge**

**Mauritania** is ranked amongst the least developed countries (Laces). Its GDP in 2001 stood at 275 euros/inhabitant, and 46% of the population is living below the poverty line. Fisheries represents 41% of export revenues. In a context where more than 25% of Mauritians are unemployed, fisheries, notably small-scale fishing and fish processing activities, are seen by public authorities as an answer to the need for jobs and the creation of added value.

While Mauritania is rich in a wide variety of fish resources, some stocks are either heavily overexploited (e.g. octopus) or fully exploited (e.g. coastal shrimp). For pelagic species (tuna and small pelagics), where distribution is regional, a precautionary approach is recommended for determining the level of fishing effort, given the uncertainty about stock levels.

**The European Union** today representing 25 countries, is the fourth largest fisheries power in the world and the main market for fish products. The GDP in 2004 was 21,000 euros/inhabitant. The growing interest of European consumers for fish, combined with fish stocks depletion in European waters, has led to the current situation where approximately 60% of fish products consumed in Europe are coming from outside the EU.

The EU has a large industrial fleet operating outside Community waters, particularly through fisheries agreements. A current issue faced by the EU fleet is the increasing cost of fuel, which is making some fleets unprofitable. This is the case with trawlers, where today fuel represents more than 20% of their operating costs.

## 2. Issues concerning the access of European fleets to Mauritanian resources

### 2.1. Access to cephalopods

One of the key fishery resources in Mauritania is the cephalopod, notably octopus. In 2004, the *Société Mauritanienne de Commercialisation du Poisson* (SMCP – The Mauritanian Fish Trading Company), which is responsible for marketing all frozen demersal fish and cephalopods landed by the national fleet, exported almost 40,000 tons of fish for a total value of 119 million euros. Octopus itself accounted for 51.2% of the total tonnage exported with a value of almost 98 million euros, equating to 82% of the total turnover of the SMCP.

On the EU side, access to Mauritanian octopus is also very important. In 2004, European cephalopod trawlers accounted for 33% of the turnover achieved under fisheries agreements (compared to 38% for small pelagics fishing and 16% for shrimp fishing).

In the early 1990s, when small-scale octopus fishing was undergoing rapid expansion, there was a massive influx of boats of Chinese origin as part of a fleet renewal programme undertaken. This was despite warnings from the National Centre of Oceanographic Research and Fisheries (CNROP<sup>2</sup>) and the FAO about the level of stocks and the fact that they could not sustain such pressure. Today, the majority of the 125 boats making up the national industrial fleet are these boats of Chinese origin. The arrival of

cephalopod trawlers from the EU between 1994 and 1996 therefore had the effect of accelerating the collapse of stocks and profitability.

Today, the IMROP working group, that brings together top level international experts on Mauritanian fisheries every four years, estimates that there is an excessive capacity of 31% in the octopus fishery, which is the cause of a 20% loss in production.

An examination of the access proposed under the new EU-Mauritania agreement shows that 43 licences for octopus fishing are planned for European trawlers.

If a comparison is made with the previous agreement, the latest figures available show that, during the first quarter of 2005, only 46 licences for octopus fishing had been used out of the 55 initially provided for in the previous agreement, as a result of the poor level of resources.

There is thus a decrease from 46 licences to 43 licences, i.e. a reduction of 6.5%. It is difficult to imagine how this modest reduction could lead to a 30% decrease in the European fishing effort on octopus, as officially announced.

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<sup>2</sup> CNROP is today known as IMROP – Mauritanian Institute of Oceanographic Research and Fisheries

## **Small-scale fishing, the key player in sustainable development**

The key player in sustainable fisheries development in Mauritania, particularly octopus, is the artisanal fishing sector. Small-scale octopus fishing uses lines of plastic pots, which is a selective method where juvenile individuals, or gravid females, can be released without harming them. Such selective fishing results in an extremely high quality product, with the price obtained on international markets being far higher than that obtained for products from trawler fishing.

However, Mauritanian small-scale octopus fishing, which saw an unprecedented boom in the early 1990s – producing 9,000 tons in 1992 – soon found itself facing increasingly strong competition from industrial octopus fishing operations, both national (boats of Chinese origin) and European. This intense competition has not surprisingly led to the overexploitation of octopus as observed by scientists since 1998.

Nevertheless, despite the numerous obstacles encountered along the way, Mauritanian small-scale fisheries has made remarkable progress. The figures from 2004 speak for themselves:

- 80,000 tons of fish landed, 8,000 being octopus;
- Supply of more than 80% of factory raw material;
- Annual foreign currency turnover of 70 to 80 million euros;
- Local added value representing almost 90% of the turnover;
- 30,000 of the 35,000 jobs in the entire sector;
- Meets the total needs of the country for fish proteins (between 12 to 15,000 tonnes).

What is more, it generates the highest resource rent of all the sectors, providing significant revenues to the national treasury from license fees and taxes, and contributing considerably, both directly and indirectly, to poverty reduction.

**The impact on the ecosystem** of cephalopod trawlers is also significant. Because of the poor selectivity of this fishing gear, trawling for octopus takes a 60% by-catch, made up notably of juveniles of other species. In the new agreement, the minimum recommended mesh size for octopus trawls is 70mm. Moreover, a large number of juvenile octopus are caught, which is a sign that stocks are over-exploited.

On that issue, and based on the scientific advice of CECAF (*Committee for the Eastern Central Atlantic Fisheries*), a regulation was adopted by the EU in 2006, relating to the minimum size of octopus coming from the CECAF zone, which includes Mauritania. The regulatory minimum weight for eviscerated octopus fished in this zone must be 450 gr.

## **Comments**

*A long-term solution to the octopus crisis involves maintaining catching capacities at a level that correspond to the potential of the stocks.*

*Generally, a firm policy on fishing effort must be adopted, which should be constantly adapted according to the potential of fish stocks, by aiming for the maximum economic benefit, taking into account fisheries development plans and respecting priority access to resources for the national fleet, notably small-scale and coastal fishing. The current and future possibilities for expanding small-scale fishing must be borne in mind when addressing the issue of priority access to the resource as stipulated in fishery development plans; this also implies that the determination of the surplus to be provided to foreign vessels takes account of these factors.*

*The 1982 United Nations Convention on the Law of the Sea stipulates that a coastal country must grant only the surplus resources not fished by the national fleet. In the case of Mauritanian octopus, which is overexploited, there is no surplus resource to offer European fleets.*

*Conserving octopus stocks for the benefit of national fleets, notably for the small-scale fleet which uses passive and selective fishing equipment, as is demanded by small-scale fishermen from the National Fisheries Federation, is central to development and to combat poverty in Mauritania.*

*It is therefore worrying that the text of the new Mauritania-EU fisheries partnership agreement stipulates that the parties undertake to promote responsible fishing in Mauritanian fishing zones based on the principle of non-discrimination between the different fleets present there. In reality, this claim can be interpreted as calling into question articles 61 and 62 of the UNCLOS, according to which foreign fleets such as the EU have access only to surplus stocks that Mauritania's national fleets cannot fully exploit.*

*The financial support for “restructuring the Mauritanian industrial fleet” which is included in the wording of the agreement and which should see Mauritania's cephalopod trawlers converted for pelagic fishing, thereby reducing the fishing effort, is complete fantasy. A recent study commissioned by the Mauritanian government, concluded that in practice such a conversion was technically and economically impossible.*

*Finally, and even if it is a nonsense to rely on technical measures to ensure the sustainable exploitation of octopus stocks while there is an excessive fishing capacity, questions can be raised about the coherence between the minimal weight adopted by the EU for octopus coming from the CECAF area, and technical measures stipulated in the agreement, such as the mesh size, fixed at 70 mm<sup>3</sup>.*

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<sup>3</sup>A study conducted in 2002 by the Portuguese Research Institute IPIMAR, shows that with a mesh size of 70 mm, the octopus fished is about 370 gr, live weight, which is far below the 450grs, gutted, proposed by the new EU regulation.

## 2.2. Access to shrimp

In 2004, in the framework of the last agreement, the EU owned 37 of the 70 shrimp trawlers operating in Mauritanian waters. This fleet catches mainly coastal and deep-sea shrimp, with landings in the region of 4,000 tons/year. Coastal shrimp was recognised as being fully exploited in 2004.

In terms of sustainable development, the impact on the ecosystem of shrimp trawl fishing is a concern. Recent figures show that shrimp catches represent only 16% of total catches.

The by-catch rate of shrimp trawlers is in the region of 85%, despite the fact that Mauritanian legislation allows a maximum by-catch of 35%. National and European shrimp trawlers throw the vast majority of this by-catch back into the sea.

The new agreement stipulates that the two parties will carry out technical tests with a view to defining selectivity mechanisms, notably: selectivity grids for trawl nets and the use of selective equipment, other than trawl nets.

### **Comments**

*It is important that the fisheries agreement provides an opportunity for a joint review of the use of trawl nets and other non-selective fishing methods like the use of monofilament in Mauritania's coastal zone.*

*The lack of selectivity of shrimp trawlers has a particularly damaging impact on other stocks and on the biodiversity. Furthermore, the rates of by-catch quoted create uncertainty about the stock assessments of species making up these by-catches, thereby putting management efforts at risk.*

*The measures proposed in the new agreement to study the possible implementation of more selective methods will not resolve the pressing problem of the lack of selectivity with trawl nets used for shrimp fishing in Mauritania's coastal zone.*

*The position of Mauritania's small-scale fishermen, and shared by their Senegalese and Guinean colleagues, is very clear on this issue: "The use of non-selective equipment and equipment that has a negative impact on the environment should be banned".*

## 2.3. Access to small pelagics

Between 60 and 70 boats fishing small pelagics are operating in the Mauritanian EEZ with Russian, Ukrainian or European flags. There are also boats using flags of convenience.

No Mauritanian boat whatsoever is taking part in this fishery. Nevertheless, given the migratory nature of these species, it is important to take into account the regional aspect of the fishery, where certain interactions may be possible between this fleet and the Senegalese artisanal small pelagic fishery (based in Joal, M'bour, Saint Louis in Senegal as well as Ndiago in Mauritania). In total, between 500,000 and 600,000 tons are caught each year in Mauritania's EEZ, these being primarily horse mackerel and round sardinella.

Given the natural variability of small pelagic stocks and the difficulties in

assessing stocks as a result of this, scientists (IMROP and FAO working groups) recommend freezing the fishing effort at the 2002 level.

The new agreement restricts the number of European boats authorised to fish simultaneously to 22. It is important to note that while this number is an increase on the last agreement (where the number was 15), it now covers the fleets of new EU members such as Lithuania, which in the past were already present in the area, but not under the fisheries agreement. The total catch permitted is limited to 440,000 tons per year.

The by-catch of the European fleet of freezer trawlers is only 3% of the catch, however given their large catch size, this represents 20,000 tons of by-catch made up of hake, sea bream etc.

### **Comments**

*Given the natural variability of these stocks and the amount of the fishing effort deployed through the European fleet, it is vital that permanent scientific monitoring be carried out, and that the agreement allows a rapid response to be made to scientific recommendations on the need to reduce fishing effort. It is also important to have better documentation of the regional small-scale fishing effort on stocks of small pelagics, as well as on the possible interaction between the industrial and small-scale fleets, given the importance of small-scale catches for food security, notably in Senegal where sardinella is the "fish of the poor".*

*A positive feature of the agreement is the exclusivity provision, which stipulates that all boats flying a European flag must fish within the framework of the agreement, and must do so under the terms of the agreement. In the previous agreement, some "super-trawlers", often seen as monsters, such as the Atlantic Dawn, were in fact fishing outside the agreement with much less restrictive conditions in terms of observers on board, fishing zones etc.*

*As with the other types of trawl nets, the problem of by-catch remains a major problem and the terms of the agreement provide no significant answer to this.*

### 3. Financial compensation

The financial compensation is fixed at 86 million euros per year, a similar amount to that of the previous agreement. Out of this amount, a total of 10 million euros per year will be allocated as financial support for implementation of the Mauritanian fisheries policy. Contributions from ship owners are to be added to that, and will potentially reach 22 million euros per year if all fishing possibilities are used. It should be noted that EU boats landing or transshipping in Mauritania will benefit from a reduction in the licence fee by as much as 25% for the period during which the landing or transshipment takes place.

Management of the amount contributing to implementation of the Mauritanian fisheries sector policy is the responsibility of Mauritania and is to be based on the jointly identified objectives to be reached by the two parties. The two parties agree to focus on a series of interventions, including:

- support for the controlled development<sup>4</sup> of small-scale and coastal fishing; implementation of a modernisation programme for the small-scale fleet with the aim of ensuring compliance with health and safety standards, including the eventual replacement of wooden pirogues with pirogues made of more suitable material and also containing storage equipment;

- programmes designed to improve understanding of fishery matters;
- support for managing the fishing effort;
- the development of infrastructures, notably at ports, such as the redevelopment of Nouadhibou port;
- the implementation of support and investment programmes aimed at improving maritime surveillance: creation of docking pontoons at ports for Surveillance and IMROP; implementation of a training programme for surveillance techniques and technology, notably those of VMS etc.

The terms of the agreement also stipulate that *the European Community and Mauritania, through the Joint Committee, shall agree on the annual and long-term directions guiding the implementation of the priorities of the Mauritanian fisheries policy aimed at establishing sustainable and responsible fisheries.*

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<sup>4</sup> Développement *maîtrisé*, in the original version of the agreement, in French



## **Comments**

*There has been no increase in financial compensation. It is also probable that only part of the 22 millions euros expected from ship owners will be paid, based as it is on theoretical estimations of the tonnage of the vessels that might take up licences. In the former protocol for example, out of the 14 million expected, only 10 million was received.*

*The text of the agreement refers to “aid for the controlled artisanal fisheries development”, something that has been included in fisheries sector strategies since 1998. In terms of management, this is normal, as any uncontrolled development of capacities represents a danger for fish stocks.*

*Yet the conclusion could be drawn that it is mainly the small-scale sector that threatens stocks and that therefore it should be “controlled”, taking here the meaning of “restrict”. It should be noted that this is the interpretation that has been applied in the past; a freeze on the capacities of small-scale fishing for octopus has been in place since 1998, while that of European cephalopod fishing has in fact increased by 30% since the agreement signed in 2001.*

*It should be born in mind that pot fishing, the technique used in small-scale fishing, results in less than 20% of the octopus fishing mortality, while the trawl net causes irreparable damage to the marine ecosystem. Similarly, with less than 5% of the catch, small-scale line fishing cannot be considered as the main cause of overexploited demersal stocks.*

*The fact that the EU is in direct competition with this artisanal fishery, and that through the management of the financial compensation, it is now a player in the decision taking process on Mauritania’s fisheries policies, could represent a danger for the small-scale sector. Given the depleted state of resources, there is a fear that the EU may wish to restrict – “control” as stipulated in the terms of the agreement – the development of Mauritanian small-scale fisheries in order to guarantee its own access to overexploited resources.*

*The relevance of the proposed financial package is also open to question. Nearly all of the projects cited in the proposed areas of intervention in the agreement, have already received backing. Some have indeed already been carried out (e.g. Fish market in Nouakchott financed by Japan) or are currently underway (bringing factories and small-scale and coastal fisheries in line with EU sanitary standards, financed by the European Union and the French Development Agency-AFD).*

## 4. Support to fisheries research

The terms of the agreement mention several aspects that will have an impact on the capacities and the quality of fisheries research in Mauritania.

Therefore, during the period of the Agreement, the EU and Mauritania will cooperate in order to monitor the evolving state of resources in Mauritanian fishing zones. To do so, an independent Joint Scientific Committee has been set up, which could be open to other scientists, provided that they are invited by both parties. The operation of the Joint Scientific Committee, which is to meet at least once per year, will be defined through mutual agreement before the present Agreement comes into force.... The two parties, based on results of the work of the Joint Scientific

*Committee and in the light of the most up-to-date scientific advice available, shall consult with each other within the Joint Committee...in order to adopt, where necessary and through mutual agreement, measures aimed at the sustainable management of fishing resources.*

Furthermore, for data gathering purposes, all European vessels holding licences in Mauritanian fishing zones shall take a Mauritanian scientific observer on board.

Finally, part of the financial compensation will fund programmes aimed at improving understanding on fishery related matters.

### Comments

*Generally, funding for research programmes is positive, even if the research does depend to a high degree on the level of access to be granted by Mauritania to its resources, which is not desirable in the long run.*

*The requirement to take observers on board is designed to improve the quality of the data collected, which is indispensable if the research is to prove operationally useful for both players and decision takers. Nevertheless, it is necessary that observer programmes be scientifically supervised, and that it is organised and financed, such that the data collected by observers meets the needs of scientists in charge of carrying out stock assessments. This scientific supervision did not take place in previous agreements...*

*Another positive feature is the fact that the Joint Scientific Committee has to meet once per year and is open to scientists from other countries. In the previous agreement, the operational aspect of the Joint Scientific Committee was far from satisfactory. Meetings were too few and far between, and were called at the last minute; opinions were only partially, if at all, taken into account by the Joint Committee.*

*There is also a problem with the fact that, on the European side, until now the scientists have only come from those member countries with boats fishing under agreement with Mauritania. While it is clear that these scientists often have the latest data available, the recommendations they make can be influenced by pressure from their national industry, as has been seen in the past; a case in point being the case of the recommendations from the Joint Scientific Committee concerning octopus.*

## 5. Support for surveillance, fight against IUU fishing

The terms of the agreement also mention several aspects concerning surveillance and the fight against IUU fishing (Illegal, Unreported and Unregulated): *the contracting parties, concerned about ensuring the effectiveness of measures for the development and preservation of fishing resources, shall develop administrative cooperation aimed at ensuring that their vessels comply with the provisions of the present Agreement and the regulations on maritime fisheries in Mauritania, in respect of the matters concerning each party. Furthermore, with a view to preventing and combating illegal fishing activities in Mauritania's fishing zones..., the two parties agree to engage in the regular exchange of information on these activities.*

There are also innovations in the measures applicable to European boats, where *following a request from the Surveillance authorities, the captain*

### **Comments**

*There can only be praise for the intentions of the two parties in wanting to strengthen surveillance and to combat illegal fishing activities. The desire to exchange information on illegal activities observed on both sides deserves special mention. This is particularly important given the proximity of the port of Las Palmas (Canary Islands), which serves as an entry port for fish coming from illegal activities throughout the West African zone.*

*As regards boats fishing under the agreement, recent years have seen numerous problems connected with the arrest of European boats accused of false catch declarations and large catches of juveniles, notably octopus. Better administrative cooperation and the provision stipulating that "following a request from the Surveillance authorities, the captain must bring his or her vessel into Nouadhibou port" are among the measures designed to improve the situation.*

*must bring his or her vessel into Nouadhibou port.*

*All fishing vessels fishing under this agreement will be monitored by satellite when in the Mauritanian EEZ, and subsequent position reports shall be sent directly by the Control Centre of the Flag State to the Surveillance Department (FMC) within a maximum period of one hour, with data including identification of the vessel, the position, the course and the speed.*

Finally, part of the financial compensation will fund the implementation of support and investment programmes aimed at improving maritime surveillance: creation of docking pontoons at ports, suitable for Surveillance and IMROP, implementation of a training programme that takes into account surveillance techniques and technology, notably those of VMS, etc.

## 6. Transparency and participation

A Joint Committee made up of the two parties is responsible for overseeing the application of the present Agreement. The Joint Committee will also carry out the following tasks:

- supervising the execution, interpretation and correct working of the Agreement's application; as well as resolving disagreements;
- ensuring follow-up and evaluating the implementation and contribution of the Partnership Agreement to the implementation of Mauritania's fisheries sector policy;
- ensuring that the required liaison takes place for questions of common interest in relation to fisheries;
- serving as a forum for the amicable settlement of disputes that could arise from the interpretation or application of the Agreement;
- reassessing, where necessary, the level of fishing possibilities and consequently the financial compensation;
- any other task that the parties mutually agree to carry out, including in relation to the battle against illegal fishing and to administrative cooperation;
- establishing the practical methods for administrative cooperation;
- monitoring and assessing the state of cooperation between the business operators, and where necessary proposing ways and means to promote it.

The Joint Committee is to meet once per year, alternatively in Mauritania and in the Community, under the Chair of the party hosting the meeting. It is to meet in an extraordinary session following the request of one of the parties.

### **Comments**

*The main problem voiced by Mauritanian fishermen in relation to the last agreement, was the lack of transparency, "both in the choice of priority actions to be supported by the financial compensation and the use of the amounts.... For the fisheries partnerships, conditions for total transparency need to be put in place, both in the development of plans for using the financial compensation and the way these amounts are then distributed".*

*In order to improve the transparency and participation of those involved, it is important that the Joint Committee include representatives from the Mauritanian fisheries sector, notably the small-scale sector, as well as representative from Mauritania's civil society organisations concerned about the sustainable development of fisheries in Mauritania.*

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