



# Regional and International Fisheries Management and Governance in West Africa

## **USAID/COMFISH Plus Project**

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Cover Photo: Artisanal fishing vessels at Hann landing site, Senegal

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#### Acronym

**AIS:** Automatic Identification System

**ATLAFCO:** Ministerial Conference on Fisheries Cooperation among African States

Bordering the Atlantic Ocean

**AU:** African Union

**CAADP:** Comprehensive Africa Agriculture Development Program

**CCLME:** Canary Current Large Marine Ecosystem

**CECAF:** Committee for the Eastern Central Atlantic Fisheries

**COMFISH:** Collaborative Management for a Sustainable Fisheries Future in

Senegal

**ECOWAS:** Economic Community of West African States

**EEZ:** Exclusive Economic Zone

**EU:** European Union

**FAO:** Food and Agricultural Organization

**FCWC:** Fisheries Committee for the West Central Gulf of Guinea

**FIMS:** Fisheries Information and Management System

**FPA:** Fishing Partnership Agreements **FSA:** UN Fish Stocks Agreement

**GGLME:** Gulf of Guinea Large Marine Ecosystem

**ICCAT:** International Commission for the Conservation of the Atlantic Tunas

**IMO:** International Maritime Organization

**IOC:** Intergovernmental Oceanographic Commission

**IODE:** International Oceanographic Data and Information Exchange

**ISA:** International Seabed Authority

**IUU:** Illegal, Unreported, and Unregulated fishing

IWC: International Whaling CommissionJICA: Japan International Cooperation Agency

**MESA:** Monitoring for Environment and Security in Africa

NEPAD: New Partnership for Africa's Development NFDS: Nordenfjeldske Development Services NODCs: National Oceanographic Data Centers

NORAD: Norwegian Agency for Development Cooperation ODINAFRICA: Ocean Data and Information Network for Africa

PSMA: Port State Measures Agreement RCE: Regional Centers of Excellence RFBs: Regional Fisheries Bodies RFC: Regional Fisheries Commissions

**RFMOs:** Regional Fisheries Management Organizations **SFMP:** Sustainable Fisheries Management Project

**SIF:** Stop Illegal Fishing

**SRFC:** Sub-Regional Fisheries Commission

TMT: Trygg Mat Tracking UCC: University of Cape Coast

**UN:** United Nations

**UNCED:** United Nations Conference on Environment and Development

**UNCLOS:** United Nations Convention on the Law of the Sea

**UNESCO:** United Nations Educational, Scientific, and Cultural Organization

**USAID:** United States Agency for International Development

**WARFP:** West Africa Regional Fisheries Program

**WATF:** West African Task Force

#### I. INTRODUCTION

Fish do not recognize national boundaries and in particular pelagic fish stocks tend to migrate across national EEZ boundaries and the high seas. As fish migrate so do fishermen who follow stocks along their migratory paths. It is not meaningful for countries to manage migratory fish stocks in isolation. Rather, to be successful, fisheries management must be conducted at a regional level. There are close to 50 Regional Fisheries Bodies (RFBs) operating worldwide to manage migratory fish stocks and the fishermen who follow them. The legal provisions of the RFBs are based on the UN Fish Stocks Agreement (FSA), which complements and strengthens a number of provisions of the 1982 Convention on the Law of the Sea (UNCLOS).

There are multiple RFBs in the West Africa region with multiple purposes and mandates. The goal of this paper is to map out the West Africa RFBs and explain their functions as well as how they are linked to each other. The paper will present an overview of the institutional landscape, and the roles and responsibilities of regional fisheries management organizations. The target audience for this report is government and non-government stakeholders interested in understanding West Africa regional fisheries management frameworks and agreements. This report focuses on RFBs, and also describes bilateral fisheries management agreements and projects that currently exist in West Africa.

Regional Fisheries Bodies can be categorized into three groups:

Regional Fisheries Management Organizations (RFMOs), which are responsible for the management of highly migratory species in specific regions. RFMOs are inter-governmental organizations with competence under international laws to adopt legally binding conservation and management measures related to fisheries of member countries' EEZ and areas beyond national jurisdiction. The RFMOs can be divided into the tuna RFMOs and the RFMOs managing other species. RFMOs usually have Commissions that make decisions and subordinate scientific bodies that provide scientific advice to the Commissions.

Advisory Bodies, such as Regional Fisheries Commissions (RFC)

Scientific Bodies, such as FAO's working groups

#### II. THE CONTEXT FOR REGIONAL FISHERIES MANAGEMENT

West Africa includes the Canary Current Large Marine Ecosystem (CCLME) and the Gulf of Guinea Large Marine Ecosystem (GCLME), which are enriched by seasonal upwellings and support some of the most productive fishing grounds in the world. Fisheries are a central element in the socio-economic fabric of coastal communities in West Africa. The fisheries sector is critical to economic development and food security. As shown in Figure 1, fisheries contribute significantly to rural economies in West Africa. Approximately 3.2 million people are employed in fishery-related activities and production from capture fisheries varied between 1.8 and 2.1 million tons in recent years (FAO, 2016). Fishing is largely artisanal, providing vital nourishment for poor communities who get more than 50% of their animal protein intake from fish.

Country	Tons	Percent
Guinea Bissau	6,550	0.3%
Liberia	12,500	0.7%
Togo	16,497	0.9%
Benin	37,747	2.0%
Gambia	56,630	2.9%
Cote d'Ivoire	73,800	3.8%
Guinea K	100,115	5.2%
Sierra Leone	204,358	10.6%
Ghana	256,185	13.3%
Nigeria	372,457	19.4%
Mauritania	388,776	20.2%
Senegal	396,124	20.6%

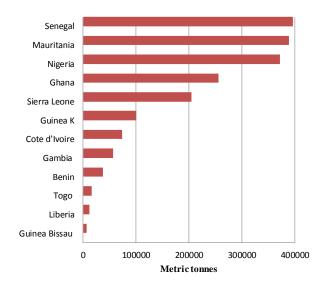


Figure 1: Annual fish landings and percent share by country in West Africa (2015)

It is not just local fishermen who exploit the marine resources of West Africa. There is a growing industrial fishery (both legal and illegal) that is largely driven by countries of the European Union (EU) and China (Figure 2). The EU has legal access to fisheries resources in West Africa through special Fishing Partnership Agreements (FPA). As of 2016, the European Union had signed seven active FPAs with countries of West Africa, out of which five were specific to highly migratory species.

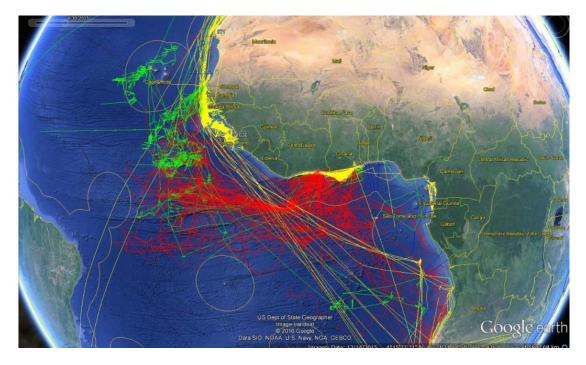


Figure 2: Map depicting automatic identification system (AIS) tracks from fishing vessels in West Africa (source: Google Landsat Image 2016)

(Red = seiners; Green = longlines; Yellow = trawlers)

Through private joint ventures (called second-generation agreements) whose terms and conditions are often obscure and hidden from public eyes (Dyhia et al., 2015) Chinese and EU-owned fleets are able to negotiate fishing access in West Africa. They do this by flagging their industrial vessels to the host country. The total annual catch realized by the EU and China in West Africa is estimated to be between 1.6 million and 2.3 million tons (Dyhia et al., 2015).

#### III. FISHERIES MANAGEMENT FRAMEWORKS IN WEST AFRICA

Despite the enormous importance and value of fisheries in West Africa, fish resources are suffering the combined effects of heavy exploitation and environmental degradation. This problem is widely recognized and there are multiple African programs that aim to improve fisheries. For example, the Comprehensive Africa Agriculture Development Program (CAADP), which is a program of the African Union<sup>1</sup>, has made fisheries an integral part of its economic development strategy for safety and security in Africa. As an African-led and African-owned process, the CAADP addresses policies and capacity issues across the agricultural sector in the African continent. It recognizes that marine resources form the foundation for food security and livelihood in Africa and maintains that regional cooperation is vital for fisheries management and conservation.

The management frameworks of West Africa's fisheries are challenging due to the migratory nature of numerous shared fish stocks and the lack of capacity and resources dedicated to fisheries research and management. These countries comply with international laws relative to sustainable use of fish stocks through several cooperative programs, often funded by foreign donors with interest in access to the resources through bilateral agreements.

Despite these challenges, efforts are being made to improve the functioning and performance of national and regional management institutions in West Africa. Examples of noticeable progress exist in Morocco, Mauritania and Senegal relying on local institutions through comanagement and participatory frameworks in fisheries management.

In Senegal, the fishing sector is vital to the coastal economy and one that generates a significant source of employment and food for local communities. The recent national fisheries management policies and co-management through the "Conventions Locales" and the crack down on illegal fishing by the foreign commercial fleet lead to major benefits, including significant increases in fish landings and revenues.

<sup>&</sup>lt;sup>1</sup> CAADP is part of the New Partnership for Africa's Development (NEPAD), which in turn is a program of the African Union (AU).

Table 1 below outlines the multiple international and regional conventions and bodies that are involved in fisheries management in West Africa. The regional conventions and bodies are explained in more detail in the subsequent sections.

Table 1: International and regional fisheries conventions and management bodies in West Africa

International Conventions	United Nations Convention on Law of the Sea (UNCLOS) and Convention on Fishing and Conservation of Living Resources of the High Seas
	<ul> <li>IWC (International Whaling Commission)</li> <li>IMO (International Maritime Organization)</li> <li>ISA (International Seabed Authority)</li> </ul>
	RAMSAR Convention on Wetlands, Resolution IX.4 (2005)
	Abidjan Convention
	Port State Measures Agreement (PSMA)
Regional Fisheries Bodies	Sub-regional Fisheries Commission (SRFC), Fisheries Committee for the West Central Gulf of Guinea (FCWC)
Regional Fisheries	International Commission for the Conservation of the Atlantic
Management Organizations	Tunas (ICCAT)
Advisory Bodies	Committee for the Eastern Central Atlantic Fisheries (CECAF)
Scientific Bodies	CECAF, Economic Community of West African States (ECOWAS), Monitoring for Environment and Security in Africa (MESA)

## 3.1 International Agreements and Conventions

This sector outlines the international agreements and conventions related to fisheries in West Africa. Although each country is responsible for the management of its own waters, national legislation must be consistent with international and regional instruments where there are shared resources. Similarly, national laws must be consistent with agreements made formally as members of an organization, or decisions accepted as a cooperating non-member. International legislation and agreements must be implemented through national fisheries management legislation. In addition, voluntary instruments are often adopted through special projects and local initiatives.

#### 3.1.1 United Nations Convention on the Law of the Sea (UNCLOS) (1982)

UNCLOS defines the rights and responsibilities of nations with respect to their use of the world's oceans. The Convention established guidelines for businesses, the environment, and the management of marine natural resources. The Convention was drafted in 1982 and came into force in 1994. As of June 2016, 167 countries, including all countries of West Africa and

the European Union, have joined in the Convention. The United States has not yet ratified the convention.

At its inception, UNCLOS established a goal to achieve worldwide fisheries sustainability by 2015. The UN has no direct operational role in the implementation of the Convention, although the Secretary General of the United Nations receives instruments of ratification and accession and the UN provides support for intergovernmental meetings. Other organizations, including the International Maritime Organization, the International Whaling Commission, and the International Seabed Authority (ISA) are part of the implementation of UNCLOS.

An international Convention on Fishing and Conservation of Living Resources of the High Seas has been enacted within the framework of UNCLOS. The Convention was designed to address overfishing, overcapacity, and illegal unreported and unregulated fishing (IUU).

#### 3.1.2 <u>United Nations Conference on Environment and Development (UNCED)</u>

In 1989, the United Nations General Assembly signed an integrated international strategy to halt and reverse the negative impact of human behavior on the physical environment and promote sustainable economic development in all countries. Among the soft and hard law instruments produced earlier at an Earth Summit was a blueprint known as "Agenda 21." Within Agenda 21, a special chapter (17) was dedicated to deal with protection of the oceans, the seas, and coastal areas, and the rational use and development of marine living resources. It called for new approaches that should be integrated, precautionary and anticipatory. Following the UNCED, a series of conventions, which the West African states are party to, were enacted through FAO:

- The **1993 FAO Agreement** to promote compliance with international conservation and management measures by fishing vessels on the high seas (a.k.a. the Compliance Agreement).
- The UN Fish Stock Agreement related to the conservation and management of straddling fish stocks and highly migratory fish stocks
- The **1995 FAO Code of Conduct for Responsible Fishing** to promote best fisheries and management practices. This is a soft law instrument that covers fishing activities within and beyond national jurisdictions. Under the Code, FAO has initiated several Action Plans on seabirds, sharks, fishing capacity and IUU fishing.
- The FAO Strategy for Improving Information on Status and Trends of Capture Fisheries. In 2003 and after recognizing the importance of fisheries data collection, FAO released a strategy to address the need of better data for sound policymaking and responsible fisheries management.
- FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries (2015).
- The **FAO Port State Measures Agreement** was registered by the UN Secretariat on January 26 2017. The objective of the PSMA is to ensure the long-term conservation and sustainable use of living marine resources by enhancing traceability of fish product and regional law enforcement to combat IUU fishing.

#### 3.1.3 The Abidjan Convention

The Abidjan Convention was established in 1984 to protect, conserve, and develop the West, Central, and Southern African parts of the Atlantic Ocean and its resources for the benefit and wellbeing of the people. It covers the area from Mauritania to South Africa and provides an overarching legal framework for all marine programs in West, Central and Southern Africa.

The Convention was inactive from 1990 to 2002. However, in recent years, member states have revitalized its agenda, focusing on maritime pollution and marine protected areas. Three recently enacted initiatives are:

- 1 Action plan to prevent maritime pollution incidents (protocol now in effect).
- **2** Protocol concerning the protection and development of the marine environment from land-based sources (2012).
- **3** Protocol that sets monitoring and management standards for mangroves in West Africa.

The Convention lists the sources of pollution that require control, including ship dumping, land-based activities and exploitation of the seabed. It also focuses on environmental management issues of coastal lagoons, wetlands and estuaries (e.g. hypoxic events and algal blooms).

Countries in the Abidjan Convention area are: Angola, Benin, Cameroon, Cape Verde, Congo, DRC, Cote d'Ivoire, Equatorial Guinea, Gabon, The Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mauritania, Namibia, Nigeria, Sao Tome e Principe, Senegal, Sierra Leone, South Africa and Togo.

#### 3.1.4 Economic Community of West African States (ECOWAS)

ECOWAS was established in 1975 and has 15 member states with a mandate to promote economic integration in all sectors, including fisheries and aquaculture. ECOWAS operates an implementing center in Ghana for the monitoring of coastal and marine resources management in West Africa. The center coordinates activities that utilize earth observation data from satellite to help manage fisheries resources and provide early warning information on ocean conditions for the benefit of the artisanal fisheries. The center is one of the six Regional Centers of Excellence (RCE) which implement the Pan-African project on Monitoring for Environment and Security in Africa (MESA). In West Africa, the University of Ghana is the Regional Implementation Center for MESA. Covering 14 countries in West Africa, the MESA project works to enhance coastal monitoring and provide satellite information to relevant agencies. The contracting authority of MESA is the African Union Commission.

# 3.2 Regional Fisheries Management Organizations and Regional Commissions

RFMOs are international organizations formed by countries with fishing interests in defined maritime jurisdictions. Some manage all the fish stocks found in a specific area, while others focus on particular highly-migratory species, such as tuna. While some RFMOs have a purely advisory role, most have management powers to set catch and fishing effort limits, technical measures, and control obligations. RFMOs include the following:

#### 3.2.1 <u>International Commission for the Conservation of Atlantic Tunas (ICCAT)</u>

The ICCAT is responsible for the conservation of highly migratory species (tunas and tunalike species) in the Atlantic Ocean, including the marine waters of West Africa. The organization was established by an international convention signed in 1966 (Rio de Janeiro, Brazil). All countries of West Africa are active members of ICCAT. Ghana and Morocco were the first African countries to join ICCAT in 1968 while Liberia and Guinea Bissau joined the Commission in 2014 and 2016, respectively. ICCAT is the only fisheries organization that studies and manages highly migratory species. It has established a mechanism to enforce catch, quotas, and area-wide fisheries closures for selected species.

#### 3.2.2 Committee for the Eastern Central Atlantic Fisheries (CECAF)

CECAF was established in 1967 under United Nations resolution 1/48. It was adopted by FAO and has many African members ranging from Cape Spartel (Morocco) in the north, to the Congo River in the south. The United States and the European Union are also members since they have fisheries interests and conduct research in the area. A committee composed of all CECAF member states meets every two years to discuss and issue recommendations on fisheries science and management. Each country has one vote and decisions are made by a majority voting system.

### 3.2.3 <u>Ministerial Conference on Fisheries Cooperation Among African States</u> <u>Bordering the Atlantic Ocean (ATLAFCO)</u>

Founded in 1989, ATLAFCO is an intergovernmental Organization of 22 countries from Morocco to Namibia. The Constituent Convention of ATLAFCO is "the Regional Convention on Fisheries Cooperation among African States bordering the Atlantic Ocean". The Conference, which fixed areas and modalities of regional fisheries cooperation among Member States, does the following:

- Promote cooperation in fisheries management and development;
- Develop, coordinate and harmonize member states' efforts and capacities to preserve, exploit, develop and commercialize fisheries resources;
- Strengthen solidarity with landlocked African states and geographically disadvantaged countries in the region. With the exception of Mauritania and Togo

(participating but non-contracting party), all countries of West Africa are official members of the Ministerial Conference.

#### 3.2.4 Sub-Regional Fisheries Commission (SRFC)

The SRFC is an inter-governmental fisheries cooperation organization. It has 7 member States: Cabo Verde, The Gambia, Guinea, Guinea-Bissau, Mauritania, Senegal and Sierra Leone. The SRFC's purpose is to ensure harmonization of national policies of member states on the preservation, conservation and exploitation of fisheries resources, and to strengthen cooperation in the following areas:

- Ensuring harmonization and consistency of national fisheries policies.
- Fostering sub-regional cooperation for monitoring, control and surveillance of fisheries zones, including providing institutional, legal and operational support to eliminate IUU fishing.
- Strengthening human capacity to undertake fisheries research and management.
- Reinforcing the scientific and technical information system.
- Ensuring adoption of joint strategies by international bodies.

#### 3.2.5 Fisheries Committee for the West Central Gulf of Guinea (FCWC)

The FCWC was established in 2007 by FAO to facilitate cooperation in fisheries management between member countries (Liberia, Côte d'Ivoire, Ghana, Togo, Benin and Nigeria). The Committee's activities concern the management of all marine fisheries within the FCWC legal jurisdiction. The management responsibilities and authorities remain with member states through reporting arrangements of the Ministerial Conference of the FCWC. The Committee is engaged in enhancing national capacity for efficient and cost effective monitoring and control programs to combat IUU fishing. The Committee is responsible for promoting the development of joint research and harmonizing legislation and regulation pertaining to shared fisheries resources.

The West Africa Task Force (WATF) is a regional working group formed in 2015 enabling FCWC member states to act together to combat IUU fishing and crimes associated with fishing activities. The WATF is supported by the Secretariat of FCWC, Trygg Mat Tracking (TMT), the Norwegian consultancy firm NFDS and the Pan-African working group Stop Illegal Fishing (SIF). It is funded by NORAD, the Norwegian international development agency.

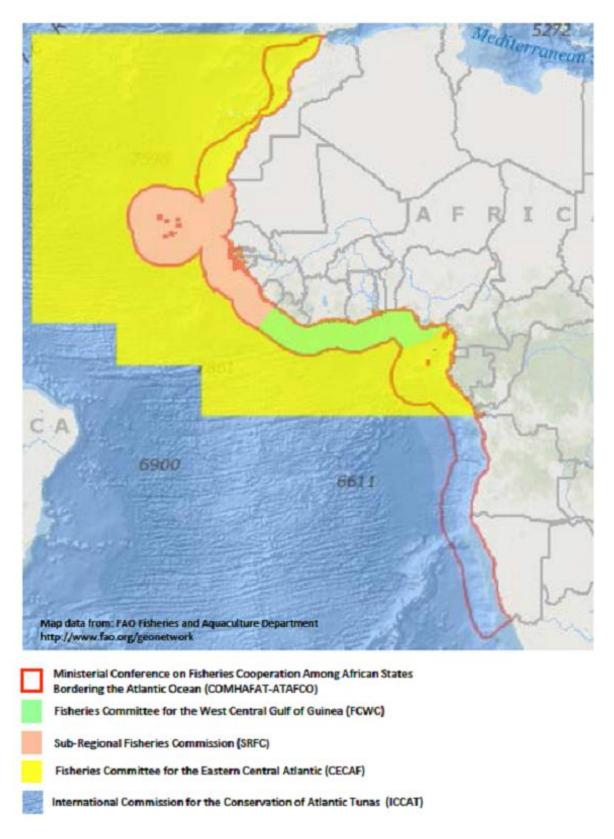


Figure 3: Regional Fisheries Organization in West, Central and South Africa (source FAO)

# IV. SELECTED PROJECTS WORKING ON FISHERIES MANAGEMENT IN WEST AFRICA

- West Africa Regional Fisheries Program (WARFP). WARFP is funded by the World Bank and is present in nine West Africa countries from Mauritania to Ghana. The project began in 2009 and is coordinated through the Sub-Regional Fisheries Commission. The total investment is \$150 million over 5 years, with a second phase ending in 2017 for some countries and in 2019 for others. WARFP focuses on fisheries governance reform, reducing IUU fishing, and aquaculture development. In Senegal, the WARFP mission is to strengthen Senegal's capacity in the areas of good fisheries governance, the fight against illegal fishing (IUU fishing) and increased value added of fisheries products.
- The project "Towards Regional Policies of Small Pelagics in Northwest Africa" commonly called the "Small Pelagics Project" is implemented by the **Sub-Regional Fisheries Commission** (SRFC) since 2007. It aims to strengthen the instruments of sub-regional cooperation and coordination for the management of shared stocks between countries under major influence of the Canary Current upwelling system: Gambia, Morocco, Mauritania and Senegal.
- The FAO (United Nations Food and Agriculture Organization) supports the implementation of the **CCLME** (Canary Current Large Marine Ecosystem) project on small pelagics.
- African Solidarity Trust Fund. This is a regional project for six West African countries to promote youth development through sustainable aquaculture and fisheries. The total investment is \$4 million over 5 years.
- **Fisheries Information and Management System (FIMS).** This is a regional project funded by FAO to upgrade fisheries data collection systems in West Africa. The project is coordinated by the FCWC in collaboration with the USAID/Sustainable Fisheries Management Project (SFMP). The project consists of implementing mobile application technologies to collect fisheries data, upgrade data entry programs (ArtFish) and build the capacity of fisheries officers responsible for small-scale fisheries research and management.
- EAF-Nansen Project: Strengthening the Knowledge Base for and Implementing an Ecosystem Approach to Marine Fisheries. Funded by FAO, the Institute of Marine Research of Norway, and NORAD, the project aims to support the implementation of ecosystem-based fisheries management in West Africa, including Morocco. The project assists countries with monitoring fish abundance and distribution through research surveys conducted by the Research Vessel Fridtjof Nansen
- The Ocean Data and Information Network for Africa (ODINAFRICA) is a project of the International Oceanographic Data and Information Exchange program (IODE) of the Intergovernmental Oceanographic Commission of UNESCO (IOC).

ODINAFRICA brings together more than 40 marine related institutions from twenty-five countries in Africa<sup>2</sup> to address the challenges faced in accessing data and information for coastal management. The network is supported by UNESCO and Belgium. The focus of the current phase of the project is strengthening the Pan-African network of National Oceanographic Data Centers (NODCs), and marine related institutions, as a sustained mechanism for application of data, information and products in marine and coastal management in Africa.

- USAID/Senegal COMFISH (2011-2016) and COMFISH Plus (2017-2018) Projects USAID/COMFISH (Collaborative Management for a Sustainable Fisheries Future in Senegal) and COMFISH Plus Projects are led by the University of Rhode Island in collaboration with local partners. The 20 to 30-year goal of both projects is for Senegal's fisheries to be free from overfishing and to 1) provide Senegal with a durable source of high quality protein; 2) contribute to improve the quality of life in artisanal fishing communities; and 3) maintain the capacity of coastal and marine ecosystems to produce goods and services useful to and desired by the Senegalese.
- USAID/Ghana/Sustainable Fisheries Management Project (USAID/SFMP). The SFMP is a \$24 million fisheries food security project funded by USAID/Ghana and implemented by the University of Rhode Island. The goal of SFMP is to rebuild targeted marine fisheries stocks through the adoption of sustainable fishing practices, combat IUU fishing, and reduce exploitation to end overfishing. The five-year project ends in September 2019.
- USAID/Ghana/Capacity Building Program for Fisheries and Coastal Management Project. The USAID Ghana-funded \$5 million project is implemented by the University of Cape Coast (UCC). The aim of the project is to improve upon the infrastructure of the University of Cape Coast for research and education. In addition the project establishes a Center for Coastal Management to provide scholarship opportunities for students to pursue graduate degrees in Ghana and abroad. The project also offers short-term courses to fisheries management practitioners in the field of marine fisheries and coastal management.
- **Japan International Cooperation Agency (JICA).** In Ghana, the agency is funding the expansion of port capacity in Sekondi to meet the demand for fish processing capacity.
- European Union Fisheries Improvement Project. The project is focused on IUU fishing and fisheries governance in the West Africa Marine Ecoregion (GO-WAMER). It aims at improving fisheries governance in seven countries Mauritania, Senegal, The Gambia, Guinea-Bissau, Guinea, Sierra Leone and Cape-Verde.In Senegal, activities include combatting IUU fishing, and development and implementation of small pelagic management plans (Ethmalosa and Sardinella).

<sup>&</sup>lt;sup>2</sup> Angola, Benin, Cameroon, Comoros, Republic of Congo, Côte d'Ivoire, DR Congo, Egypt, Gabon, Ghana, Guinea, Kenya, Madagascar, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Nigeria, Senegal, Seychelles, South Africa, United Republic of Tanzania, Togo, Tunisia.

• Greenpeace Africa. The Oceans Campaign, one of Greenpeace's major campaigns in Africa, seeks to protect the oceans from illegal, unreported and unregulated fishing and pollution, as well as ensuring that any fisheries produce is consumed fairly and sustainably for key stakeholders who rely on the Oceans for their source of livelihood and protein. The primary area of focus is Senegal.

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