

March 2012



منظمة الأغذية  
والزراعة  
للأمم المتحدة

联合国  
粮食及  
农业组织

Food  
and  
Agriculture  
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of  
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Organisation  
des  
Nations  
Unies  
pour  
l'alimentation  
et  
l'agriculture

Продовольственная и  
сельскохозяйственная  
организация  
Объединенных  
Наций

Organización  
de las  
Naciones  
Unidas  
para la  
Agricultura  
y la  
Alimentación

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## FISHERY COMMITTEE FOR THE EASTERN CENTRAL ATLANTIC

### Twentieth Session

Rabat, Morocco 14 – 16 March 2012

### CECAF PERFORMANCE REVIEW

#### SUMMARY

*The importance of conducting performance reviews of Regional Fisheries Management Organizations (RFMOs), as well as Regional Fishery Bodies (RFBs), with a view to strengthen regional governance, modernize mandates and adopt improved approaches to management has been emphasized by the Committee of Fisheries, as well as by the FAO Conference, since 2007. With the overall aim, therefore, of improving the effectiveness of The Fishery Committee for the Eastern Central Atlantic (CECAF), an independent review of its performance was conducted, during 2011, through interviews with key stakeholders and desk study. The main conclusions and recommendations are as follows:*

- 1) *CECAF should expand its area of competence to formally include the Angolan coast. Fisheries resources present on the northern part of the Angolan coast have already been included in the analyses and recommendations done by the Committee. The inclusion of Angola in CECAF area of competence would thus just formalize a “de facto” situation.*
- 2) *CECAF should restrict its area of competence to the Economic Exclusive Zone of its members. The exclusion of the area beyond national jurisdiction from CECAF mandate is justified by the different nature of the present legal regime applied to the high seas and to the EEZ, in regard of the exploitation and conservation of living marine resources. The present statutes of CECAF, as an FAO Article VI body, do not allow it to have enforcement (regulatory) powers, which are essential for the management of high-seas stocks.*
- 3) *Efforts to identify discrete stocks of marine species exploited under CECAF mandate should be strengthened and the management measures should have a comprehensive regional or sub-regional scope.*
- 4) *CECAF inactive members should be identified and requested to either participate more actively in the activities of the Committee or else to formally withdraw from it. The lack of participation or interest by many CECAF members in the work of the Committee jeopardizes its credibility and compromises its legality.*
- 5) *The infrastructure, as well as human and financial resources, available to CECAF Secretariat should be reinforced, and, at least, the CECAF Secretary should deal exclusively with CECAF issues.*
- 6) *CECAF should seek alternatives to secure more extra-budgetary resources to supplement the resources made available to it under the FAO Regular Programme Budget, including through self-financing by its members. This should be achieved, nevertheless, in a pragmatic, gradual and well-planned manner, taking full account of the different socio-economic realities faced by the different members.*
- 7) *A more structured coordination between CECAF and other Regional Fisheries Bodies*

- (ATLAFCO, SRFC, FCWC, and COREP), as well as the major ongoing field projects (e.g. the EAF- Nansen Project, Guinea Current Large Marine Ecosystem Project- GCLME, and the Canary Current Large Marine Ecosystem Project-CCLME), active in the same geographical area, is urgent in order to clarify individual roles, to avoid duplication of efforts and undesirable competition, to prevent the waste of resources and to maximize synergies and cooperation. To this aim, CECAF should organize a joint meeting with all stakeholders, including RFBs and Field Projects, to develop strategies for a more structured and formal cooperation, including through the drafting of specific Memoranda of Understandings (MOU).
- 8) CECAF Statutes and Rules of Procedure should be revised and modernized, in order to incorporate the modern concepts of fisheries management, reflected in international fisheries instruments.
  - 9) Although the collection of fishery and biological data is under the responsibility of CECAF members at a national level, the Committee should try to enhance and facilitate efforts to improve data collection, analysis and sharing through the adoption of standardized formats, development of methodologies adapted to the reality of the artisanal fisheries sector, establishment of long-term sampling programs and implementation of more effective mechanisms for data sharing and processing.
  - 10) A mechanism to follow-up the research activities conducted by member countries between meetings in relation to what has been planned should be implemented. Without a follow-up mechanism, it is difficult to assess the progress achieved in the past and consequently to adequately plan future activities.
  - 11) CECAF should start to gather information on fishing capacity in the region, since this kind of information is essential for an adequate planning of fisheries management.
  - 12) The periodicity of CECAF SSC meetings, if possible, should be made annual, but, at least, should be kept biennial, avoiding longer periods which make the monitoring of the status of the stocks extremely difficult. The data available are normally one year old, at least, due to the difficulties associated to the time-consuming process of collection and preparation of the statistical information to be used in the assessments. This fact, associated to the long time elapsed between assessments, renders the management recommendations, in many instances, outdated and, therefore, much less effective or even useless.
  - 13) Efforts should be developed to improve the data available on the biology of the main species, so that more sophisticated models could be eventually applied, including estimation of the uncertainty associated to the assessments. The lack of variance and uncertainty indicators in the assessments weakens the capacity to formulate adequate management advice. The biological reference points used and the format to present management advice should also be better standardized.
  - 14) CECAF should adopt a mechanism to monitor the extent of implementation, by member countries, of the management measures adopted by the Committee.
  - 15) Environmental, social and economic concerns should be taken more into account in the formulation of CECAF management advice.
  - 16) CECAF should incorporate the ecosystem approach to fisheries in its management efforts, in a more comprehensive manner.
  - 17) CECAF should develop clear guidelines/framework for the incorporation of the precautionary approach in the formulation of management advice.
  - 18) CECAF should have a more proactive role in the coordination of MCS measures and capacity building initiatives in the region.
  - 19) CECAF Secretariat should improve its communication with members, particularly between meetings.
  - 20) All documents used during the Committee Meetings and the Meetings of the Scientific Sub-Committee should be posted in the homepage of the Committee in FAO website.

## 1. INTRODUCTION

### 1.1 The Performance Review

#### 1.1.1 The background

1. At the Twenty-seventh Session of the Committee on Fisheries, held in 2007, COFI members emphasized the importance of conducting performance reviews of Regional Fisheries Management Organizations (RFMOs) and Regional Fishery Bodies (RFBs). Several members stressed the need to develop common criteria for the evaluation of core functions and obligations, while recognizing that flexibility was needed for each RFMO or RFB to decide independently upon the methodology, criteria and frequency of reviews<sup>1</sup>.

2. At its Twenty-eighth Session, held in March, 2009, many members of COFI referred to the performance reviews being undertaken by Regional Fisheries Management Organizations and Arrangements (RFMO/As) and urged those organizations that had already undertaken such reviews to adopt and implement recommendations, if they had not done so already, so as to strengthen regional governance, modernize mandates and adopt improved approaches to management. Many members also encouraged RFMO/As that had not undertaken reviews to do so<sup>2</sup>.

3. The Immediate Plan of Action (IPA) for FAO's renewal (2009-11), based on the Independent External Evaluation (IEE) and adopted by the FAO Conference, during its Thirty-fifth (Special) Session, held in November 2008, emphasized the importance of strengthening FAO statutory bodies<sup>3</sup>, so that they can enjoy more financial and administrative authority within the framework of FAO and a greater degree of self-funding by their Members. The IPA Action Matrix in regard to "Statutory Bodies, Conventions, Treaties, Codex, etc." reads as follows (IPA 2.69):

*Undertake a review with a view to making any necessary changes to enable those statutory bodies which wish to do so to exercise financial authority to mobilize additional funding from their members, while remaining within the framework of FAO and maintaining a reporting relationship with it*<sup>3</sup>.

4. In the same document, the Action Matrix on "Resource Mobilization and Management Strategy" reads (IPA 3.17):

*Review treaties, conventions, agreements and similar bodies and instruments established under Articles VI, XIV and XV of the FAO Constitution, with a view to their developing a greater degree of self-funding from their members (see also 2.69). Present report to Council*

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<sup>1</sup> Report of the Twenty-seventh session of the Committee on Fisheries. Rome, 5-9 March, 2007. *FAO Fisheries Report*. No. 830. Rome, FAO. 2007. Para.86

<sup>2</sup> Report of the Twenty-eighth session of the Committee on Fisheries. Rome, 2-6 March 2009. *FAO Fisheries and Aquaculture Report*. No. 902. Rome, FAO. 2009. Para.15.

<sup>3</sup> Statutory bodies include a large number of committees and commissions established under Articles VI and XIV of the FAO Constitution, dealing for most part with technical and scientific matters. As a general rule, bodies established under Article VI are part of FAO. They do not have a 'life of their own'. Article XIV bodies, on the other hand, are said to be more independent. For example, Article XIV Bodies may adopt regulatory measures relating to fisheries management directly binding upon the Members of the concerned body and may have an autonomous budget.

*and reports to the parties to the agreements*". The IPA 3.17 further calls for the review to be undertaken between 2010 and 2012.

5. In its report to the One Hundred and Thirty-sixth session of the FAO Council, held in June 2009, the Programme Committee of FAO underlined the importance of reviews being undertaken as foreseen in the IPA (action 2.69), aimed at addressing issues regarding the autonomy of statutory bodies, with particular reference to Article XIV bodies, placed under the framework of FAO and their relationship with the Organization.<sup>4</sup> A preliminary review of statutory bodies had been considered by the Committee on Constitutional and Legal Matters (CCLM) of FAO at its Eighty-eighth Session, in September 2009. The preliminary review identified how some of the bodies, currently operating under the framework of FAO as Article XIV bodies, or which could be established under this framework, could be entrusted with additional administrative and financial autonomy<sup>5</sup>. In particular, the CCLM document identified areas where relaxation or adjustment of existing procedures could be envisaged, subject to further review by the concerned statutory bodies<sup>6</sup>.

6. In its report to the One Hundred and Thirty-ninth session of the FAO Council, held in May 2010, the Programme Committee requested the FAO Secretariat to provide, for its following session, in October 2010, a comprehensive list of statutory bodies covered by the review (mostly Article XIV bodies) and a discussion paper highlighting the key issues, impacts, and guidance sought from the Programme Committee on this matter<sup>7</sup>.

7. In its report to the One Hundred and Fortieth session of the FAO Council, from 29 November to 3 December 2010, the Programme Committee noted that, as a result of a review of the matter by CCLM and the Council, the FAO Secretariat would initiate a process of consultation with the membership of Article XIV bodies on relevant issues regarding their relationship with FAO, including possible adjustments to existing procedures. This consultation process would be carried out on the basis of the review by CCLM, and would be supplemented by a questionnaire<sup>8</sup>.

8. Although latest developments concern primarily bodies created by convention or agreement under Article XIV of the FAO Constitution, FAO statutory bodies established under article VI of the Constitution, such as The Fishery Committee for the Eastern Central Atlantic (CECAF), are also undertaking independent reviews with the overall aim to improving their effectiveness. To this end, it could be envisaged that some of the observations stemming from the above mentioned CCLM review and consultation would be extended to bodies established under Article VI.

### 1.1.2 The Terms of Reference

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<sup>4</sup> <ftp://ftp.fao.org/unfao/bodies/council/c1136/k4879E.doc>.

<sup>5</sup> <ftp://ftp.fao.org/docrep/fao/meeting/017/k5829e.pdf>

<sup>6</sup> Statutory bodies include a large number of committees and commissions established under Articles VI and XIV of the FAO Constitution, dealing for most part with technical and scientific matters. As a general rule, bodies established under Article VI are part of FAO. They do not have a 'life of their own'. Article XIV bodies, on the other hand, are said to be more independent. For example, Article XIV Bodies may adopt regulatory measures relating to fisheries management directly binding upon the Members of the concerned body and may have an autonomous budget.

<sup>7</sup> <http://www.fao.org/docrep/meeting/018/k7985e.pdf>

<sup>8</sup> <http://www.fao.org/docrep/meeting/020/k9398e.pdf>

9. Under the overall supervision of the Director, Policy and Economics Division (FIP), the Senior Evaluation Officer, OEDD - Office of Evaluation, and the Fishery and Aquaculture Officer (FIPI), and in close collaboration with the Senior Fishery Officer in the Regional Office for Africa (RAF) and Headquarter technical officers, an independent external expert was hired to conduct a technical performance review of the Fishery Committee for the Eastern Central Atlantic (*CECAF*) through interviews with key stakeholders and desk study, aimed at identifying necessary actions to improve the effectiveness and impact of the Committee. The interviews should address (inter alia):

- ✓ the relevance of activities of the Committee to the needs of its members;
- ✓ the degree of ownership of the Committee by its members;
- ✓ the degree of cooperation/overlap (if any) of the mandate and activities of the Committee with those of other regional institutions;
- ✓ the impact/sustainability of activities;
- ✓ the decision-making processes and practices;
- ✓ the structure and management of the Secretariat and distribution of tasks between the Secretariat and members;
- ✓ the degree of involvement of non-governmental stakeholders in the processes;
- ✓ financial options for resourcing the bodies.

10. The Expert had not been previously involved with CECAF work, but he did have expertise in fisheries management and policy, including specific experience with RFMO reviews and evaluations. He was required to communicate the report and recommendations of the technical performance review to the Secretariat of CECAF, which should then distribute the report and recommendations to the members of the Committee. The report was required to be concise and succinct and not be over 30 pages in length, excluding annexes. The CECAF Secretariat was responsible to provide logistic support and to collaborate with the Expert, providing him with assistance as deemed necessary.

### **1.1.3 Methodology of the Performance Review**

11. Interviews were first done with FAO officers, in Rome, from February 15 – 17, 2011<sup>9</sup>.

12. From March 25 to 29, 2011, the expert visited the CECAF headquarters in the FAO Regional Office for Africa, where he had the opportunity to interview the CECAF Secretary, Mr. Alhaji Jallow, and Ms. Merete Tandstad, Fisheries Resource Officer, from FAO/FIRF, who has been directly involved with the work of CECAF, particularly of its Scientific Sub-Committee and associated working groups, for several years. In order to carry out the interviews with CECAF stakeholders, a questionnaire was developed on the basis of the objectives of the Committee, as laid down in its statutes, and of the Terms of Reference of the Performance Review. The questionnaire was then sent to all CECAF members, as well as to other main stakeholders, with a deadline of August 31 2011. All responses received were then compiled and analysed to prepare the present report. All responses were kept confidential.

## **1.2 The Committee**

### **1.2.1 Background and brief history of CECAF**

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<sup>9</sup> The following officers were interviewed: Mr. Jean-François Pulvenis, FIP Director; Mr. Kevern Cochrane, FIR Director; Mr. Antonio Tavares Pinho, LEGA Chief (constitutional matters); Mr. Luca Garibaldi, Fishery Statistician, FIPS; Ms. Tullia Aiazzi, OEDD (Senior Evaluation Officer); and Mr. Marc Taconet, Senior Fishery Information officer, FIPS.

13. The Fishery Committee for the Eastern Central Atlantic (CECAF) was established under Article VI (2) of the FAO Constitution, in June 1967, by Resolution 1/48 of the FAO Council, approved at its Forty-eighth session, held in Rome. Its establishment had been recommended to the Council by the Committee on Fisheries, in its Second session, held in April of the same year. CECAF replaced the Regional Fisheries Commission for Western Africa, which mandate included both continental and maritime fisheries and had been inactive for several years. The southern limit of the Committee was set at the mouth of the Congo River and, therefore, Angola, then a Portuguese colony, was not included<sup>10</sup>. After the independence of Angola, in 1975, the extension of CECAF southern limit was considered by the Committee but did not materialize. Although Angola did join the Committee in 2006, the CECAF geographical area of competence has not yet been revised to recognize this fact, probably for reasons of consistency in terms of FAO statistical areas. Besides, Angola is also a member of the Benguela Current Commission, and the resources found on the northern shelf and shared with Congo and Gabon (i.e. tropical species) are already being considered by CECAF.

14. The Statutes of CECAF were promulgated by the Director-General of FAO on September 19, 1967. In 1972, CECAF created: a) the Sub-Committee on Management of Resources within the Limits of National Jurisdiction, with exclusive membership to the coastal States in the region, b) the Working Party on Resource Evaluation, c) the Working Party on Fishery Statistics, and d) the Sub-Committee on Fishery Development. In 1992, during the Twelfth meeting of the Committee, several amendments to its terms of reference and mandate were endorsed, among which were the new objectives of developing marine brackish water aquaculture and the improvement of related processing and marketing activities. These changes were subsequently approved by the FAO Council, in its One Hundred and Second session, held later in the same year. In 1998, during CECAF's Fourteenth session, and following the directives of the Committee on Fisheries (COFI) stemming from its Twenty-second session<sup>11</sup>, held in March 1997, and of the Twenty-ninth Session of the FAO Conference<sup>12</sup>, held in November 1997, the Committee abolished its four subsidiary bodies and agreed to have a simpler structure consisting only of the Committee and a Scientific Sub-Committee (SSC). At the same meeting the Committee elaborated and approved the Terms of Reference of the SSC, and also agreed to progressively work towards upgrading the body to a Commission level under Article XIV of the FAO framework.

15. During its first meeting, in 2000, the SSC, after extensive deliberations, proposed to establish three Working Groups: (a) Working Group for Small Pelagics; (b) Working Group for Demersal Species; and (c) Working Group for Artisanal Fisheries. Later, the Working groups for small pelagics and for demersal species were subdivided in 2 sub-groups each, the

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<sup>10</sup> According to [Pinho, A. T. \(Le Comité des pêches de la FAO et son action. Annuaire du Droit de la Mer, Tome III, 1998, 31 p\)](#), the decision to establish CECAF as an Article VI(2) body was primarily taken in order to prevent Portugal, which at that time still had several colonies in western Africa<sup>10</sup>, from becoming a member.

<sup>11</sup> During its Twenty-second session, COFI agreed that FAO RFBs should be reviewed and evaluated in depth by their members on a case-by-case basis, taking full account of regional and membership differences in determining what measures might be taken to facilitate the strengthening of each body, as appropriate.

<sup>12</sup> During its Twenty-ninth session, the FAO Conference adopted Resolution 13/97, in which it recognized the importance of moving towards increased self-financing for Statutory Bodies that have regional focus, and encouraged regional commissions established under Article VI of the Constitution to seek more extra-budgetary resources to supplement the resources made available to them under the FAO Regular Programme budget.

northern sub-group covering the area from Morocco to the southern border of Senegal, and the southern sub-group covering the area from Guinea Bissau to Angola<sup>13</sup>, and including the islands states.

16. In 2001, CECAF held a Technical Consultation on its future, which concluded that the Committee should concentrate on a few key areas with a regional and sub-regional focus and that these priorities should be duly reflected in the Terms of Reference, with new changes being thus proposed. Among them, the exclusion from the main objectives of the Committee of marine brackish water aquaculture and processing and marketing activities, which had been inserted in 1992. With this change, its purpose was then reduced again to “promote the sustainable utilization of the living marine resources of the area, by the proper management and development of the fisheries and fishing operations”. The Technical Consultation could not come to a consensus, however, on the pertinence of, and process for, moving the Committee from an Article VI body to an Article XIV Commission. During its Sixteenth Session, held in 2002, CECAF endorsed the proposed changes to its Terms of Reference, which were then approved by the Council, in its One Hundred and Twenty-fourth session, in 2003. In the same meeting, the Committee also decided to remain an Article VI body (see Section 1.2.7).

17. Since its inception, in 1967, CECAF has had nineteen sessions and played a significant role in the management and development of fisheries in the eastern central Atlantic, becoming the main regional reference in scientific research and capacity building, in areas such as the collection of fisheries data, biological and population studies of the most important species, and stock assessments. Overall the Committee has provided a unique forum for dialogue, coordination and exchange of experiences and information between Member Countries.

### **1.2.2 CECAF objective and mandate**

18. According to its statutes, last revised in 2003, the purpose of the Committee is “to promote the sustainable utilization of the living marine resources of its area of competence (see Section 1.2.3), by the proper management and development of the fisheries and fishing operations”. As a body created under Article VI(2), of the FAO constitution, CECAF has only an advisory nature. In fact, even its advisory capacity, under a strict reading of the FAO constitution, would be rather limited, since the statutory objective of bodies created under Article VI(2) is only “to study and report on matters pertaining to the purpose of the Organization”. This is a significant, and quite often overlooked, difference from bodies created under Article VI(1), which have a much clearer advisory and coordination role, as defined by their statutory objective: “to advise on the formulation and implementation of policy and to coordinate the implementation of policy”. In spite of this, CECAF has, throughout its history, not only studied the fisheries and the fished stocks in its area of competence, but it has, as well, formulated and recommended specific management measures to be implemented by its members, with the purpose of promoting the sustainable utilization of the living marine resources, in conformity with its Terms of Reference.

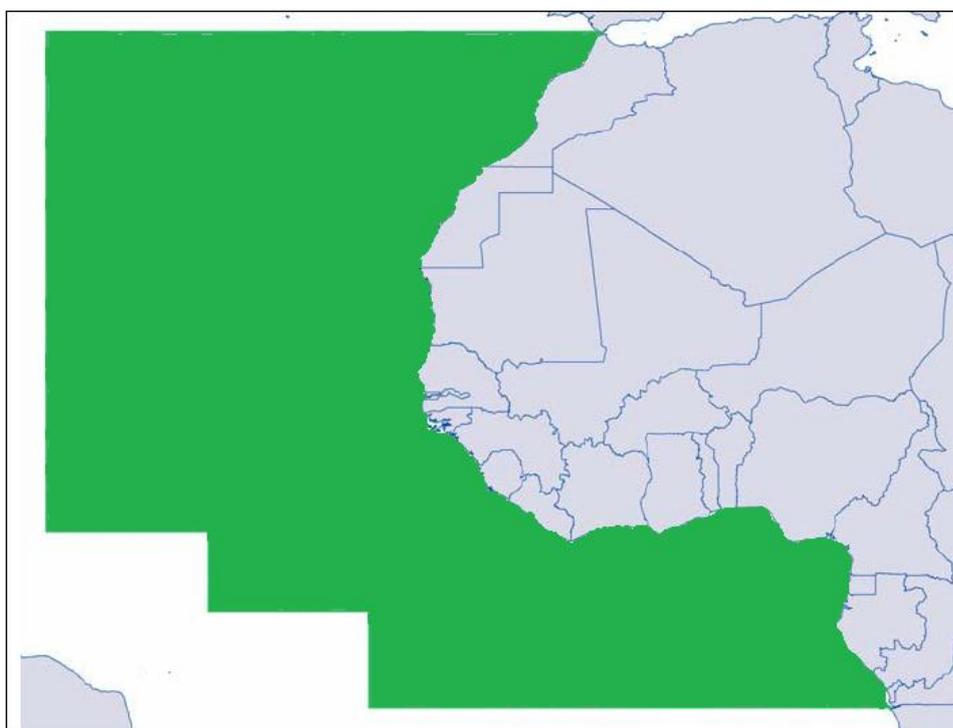
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<sup>13</sup> In spite of the fact that Angolan coast is not included in the area of competence of the Committee, the CECAF Scientific Sub-Committee and its Working Groups’ meetings also cover Angolan fishery resources from the northern part of its marine coast with more a tropical affinities, and which are often shared with the countries to the north.

### 1.2.3 Area of competence

19. The geographical area of competence of the Committee (Fig. 1) is defined as all waters of the Atlantic bounded by a line drawn as follows: from a point on the high water mark on the African Coast at Cape Spartel (Lat. 35°47'N, Long. 5°55'W) following the high water mark along the African Coast to a point at Pontal da Moita Seca (Lat. 6°07'S, Long. 12°16'E) along a rhumb line in a north-westerly direction to a point on 6° South latitude and 12° east longitude, thence due west along 6° South latitude to 20° west longitude, thence due north to the Equator, thence due west to 30° west longitude, thence due north to 5° north latitude, thence due west to 40° west longitude, thence due north to 36° north latitude, thence due east to 6° west longitude, thence along a rhumb line in a south easterly direction to the original point at Cape Spartel. Except for a few minor details, this area coincides with FAO Statistical Area 34.

20. Following Angola independence, in 1975, during its fifth session, held in 1977, CECAF recommended a southward extension of its area of competence, in order to facilitate the participation of Angola and Namibia. Although that recommendation was endorsed by COFI, in its Twelfth Session, held in 1978, the Council, in its Seventy-fourth session, decided to defer its decision on the matter to a later opportunity, since those two countries had not yet given an indication that they were in favor of such an extension. In spite of the fact that Angola joined CECAF in 2006 and that the Scientific Sub-Committee and its Working Groups also cover Angolan fishery resources from the northern part of its marine coast, the issue of extending the southern boundary of CECAF area of competence has not been revisited as yet (see Section 1.2.1).



**Figure 1- Geographic area of competence of the Fishery Committee for the Eastern Central Atlantic (CECAF).**

21. Although the CECAF area of competence does include a broad region in the high seas (in fact, its largest part), almost all CECAF activities have been restricted to the areas under national jurisdiction of the member States. This particular issue has been discussed, on a few

occasions, by both the SSC as well as by the Committee. During the Third Session of the SSC, for instance, there was a specific item of the agenda addressing this point: Review of information on the status of fish stocks in the high seas area of the eastern central Atlantic Ocean and the legal and institutional arrangements for the CECAF region. On that occasion, the SSC considered three possible legal options to deal with the high seas stocks: a) the immediate establishment of a commission for the management of high seas resources other than tunas (which are already managed by ICCAT - the International Commission for the Conservation of Atlantic Tunas); b) the monitoring of high seas resources within the framework of CECAF; and c) the adoption of an agreement alongside CECAF to provide a stronger legal basis for reporting of catches and the taking of possible management measures in the future. In the end, the SSC decided that the state of high seas stocks other than tunas, as well as any fisheries on those resources, should be monitored within the framework of CECAF. One of the drivers for this decision was economic, since fisheries in the high seas within CECAF area (except tunas) were not well developed and the prospects were analysed as not too promising. The SSC hence decided to keep the status quo, in order to avoid a diffusion of efforts for the deep-sea (Tandstad M., pers. com.).

**Recommendation 1:** CECAF should expand its area of competence to formally include the Angolan coast.

**Rationale:** In 2006, Angola became a member of CECAF. Fisheries resources present on the northern part of the Angolan coast with focus on those shared with the CECAF countries to the north have already been included in the analyses done by the Scientific Sub-Committee and in the recommendations addressed to the Committee. The inclusion of Angola in CECAF area of competence, therefore, would just formalize a presently “de facto” situation.

**Recommendation 2:** CECAF should restrict its area of competence to the Economic Exclusive Zone of its members.

**Rationale:** The exclusion of the area beyond national jurisdiction from CECAF mandate is justified by the radically different nature of the present legal regime applied to the high seas and to the EEZ, in regard of the exploitation and conservation of living marine resources, a situation completely different from the time when CECAF was founded, back in 1967. It was precisely because of this fact that during the more recent 2004 negotiations to establish a Regional Fisheries Body in the southwestern Indian Ocean<sup>14</sup>, the States participating in the Intergovernmental Consultation decided that two organizations should be created: the SWIOFC (Southwest Indian Ocean Fisheries Commission), dealing with coastal areas, and SIOFA (Southern Indian Ocean Fisheries Agreement), to cover exclusively the fishery resources in the High Seas. The present statutes of CECAF, as an Article

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<sup>14</sup> Report of the Third Intergovernmental Consultation on the Establishment of a Southwest Indian Ocean Fisheries Commission. Nairobi, Kenya, 27- 30 January 2004:

23. The Consultation considered the options presented and agreed that there should be separate coastal and high seas instruments with linkage between the two. For waters subject to the sovereign rights and management powers of coastal States, the Consultation agreed that a body should be set up for the management and development of coastal fisheries which would have advisory powers only. The Consultation also agreed that this body should be under Article VI of the FAO constitution.
24. For the high seas, the consultation agreed that there should be a separate instrument with the power to take binding decisions on conservation and management measures. This instrument should not be an FAO body.

VI, FAO body, do not allow it to have enforcement (regulatory) powers, which are essential for the management of high-seas stocks. By restricting its mandate to the EEZ of member States, CECAF not only would have its actual focus formally institutionalized, but would also open the way for another RFMO, with an appropriate institutional and legal framework, to be created in the area. One possible alternative would be for SIOFO to expand its area of competence to the north. Notwithstanding, this is evidently a decision that pertains only to SIOFO members. Finally, it is important to recall that during the Twenty-second session of COFI, the need to strengthen FAO Regional Fisheries Bodies was examined and one of the measures proposed to enhance their effectiveness was exactly a possible reduction of their area of competence (FAO, 1997)<sup>15</sup>.

#### 1.2.4 Species and fisheries covered

22. Under its terms of reference, the Fishery Committee for the Eastern Central Atlantic (CECAF) covers all living marine resources within its area of competence, as well as the fisheries catching them. Based on the past two meetings of the Scientific Sub-Committee, there are currently about 90 species/stocks being assessed/monitored, in some degree, by CECAF, including around 10 pelagics/ north, 15 pelagics/ south, 25 demersals/ north and 40 demersals/ south. About two thirds of these stocks are shared by two or more countries, and although significant improvements have been achieved with regard to stock identification of several species (e.g. octopus, sardines, hakes, etc.), there is still a lot of work to be done on this subject. With further progress in this field, it is very likely that some of the stock units currently adopted by the working groups may change. Nevertheless, even in the case of stocks confined to the EEZ of a single country, many fishing vessels and even artisanal canoes are highly mobile, fishing off the coasts of different countries throughout the year, an aspect that renders the independent management of separate stocks highly difficult.

**Recommendation 3:** Efforts to identify discrete stocks of marine species exploited under CECAF mandate should be strengthened and the management measures should have a comprehensive regional or sub-regional scope.

**Rationale:** The proper management of any fishery depends directly on an adequate delimitation of the geographical distribution of the exploited stocks. The effectiveness of the measures adopted, in turn, depends on an adequate geographical coverage of the fishery, particularly when it is carried out by more than one country or includes more than one stock of a given species.

#### 1.2.5 Membership

23. CECAF presently has 34 members, including 22 coastal States, 11 non-coastal States, and a regional economic integration organization (the European Union). The Coastal States are: Angola, Benin, Cameroon, Cape Verde, Congo, Congo Democratic Republic, Côte d'Ivoire, Equatorial Guinea, Gabon, Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mauritania, Morocco, Nigeria, Sao Tome and Principe, Senegal, Sierra Leone, Spain and Togo; and the non-coastal States are: Cuba, France, Greece, Italy, Japan, Korea Republic, Netherlands, Norway, Poland, Romania and the United States of America.

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<sup>15</sup> Strengthening FAO Regional Fishery Bodies, Committee on Fisheries, Twenty-second Session, Rome, Italy, 17-20 march 1997

24. One of the problems CECAF has faced along its history has been the relatively low attendance of its members in the meetings of both the Committee as well as of the Scientific Sub-Committee. During the last 5 sessions of the Committee (Fifteenth to Nineteenth), held during the past 10 years, the attendance by members varied from 13 (38%) (Sixteenth and Eighteenth Sessions; 2002 and 2006) to 24 (70.5%) (Seventeenth Session; 2004), and in 4 out of 5 occasions the CECAF meeting was held without observing its rule IV.6, which establishes that a majority of the members (18) shall constitute a quorum. In the case of the Scientific Sub-Committee, in the past 5 sessions, held from 2000 (First) to 2007 (Fifth), these figures have ranged from 15 (45%), in the first, to 21 (62%), in the third. Of CECAF's 34 members, 6 (18%) did not attend any meeting of either the Committee or the Scientific Sub-Committee in the past 10 years. It seems clear, therefore, that, for whatever reasons, these absent States have lost their interest in the work of the Committee and should, thus, be requested to either participate more actively or formally withdraw from it, since their systematic absence jeopardizes the credibility of the Committee, including by compromising the legality of its decisions, due to the lack of the required quorum. This problem has been addressed by CECAF on a number of occasions. During its Sixteenth Session, for instance, held in 2002, the Committee recognized the fact that the performance of CECAF could be affected or negatively influenced by a number of inactive Members and recommended therefore that the FAO Director-General request Members of CECAF to re-examine their situation and perhaps either participate more effectively in the work of the Committee, or else formally withdraw from it. Unfortunately, this motion does not seem to have materialized.

**Recommendation 4:** Inactive members should be identified and requested to either participate more actively in the activities of the Committee or else to formally withdraw from it.

**Rationale:** The lack of participation or interest by many CECAF members in the work of the Committee jeopardizes its credibility and compromises its legality.

### **1.2.6 Institutional structure**

25. CECAF's principal body is the Committee itself, which is comprised of its 34 members and meets normally every 2 years. In 1998, the Committee established a Scientific Sub-Committee (SSC), which, in its turn, created 3 Working Groups: (a) Working Group for Small Pelagics; (b) Working Group for Demersal Species; and (c) Working Group for Artisanal Fisheries. The Working Groups for small pelagics and demersals were later subdivided into 2 subgroups each, covering, respectively, the northern region, from Morocco to Senegal, and the southern region, from Guinea Bissau to Angola. The main function of the SSC is to study the stocks, to assess their status and, on the basis of the results achieved, to provide fisheries management advice to the Committee.

26. The work of the Committee and of the SSC is supported by the Secretariat, which is comprised of the Executive Secretary, helped by one staff member only. It does not have its own premises, being housed in the FAO Regional Office for Africa, in Accra, Ghana. Although this might not be necessarily negative, since it might facilitate coordination with FAO HQ, the Executive Secretary, as part of the FAO staff, does have several other attributions besides those related to CECAF. The limitations of the CECAF Secretariat in terms of personnel and infrastructure, therefore, seem to have inevitable negative consequences in terms of its efficiency.

**Recommendation 5:** The human and infrastructure available to CECAF Secretariat should be reinforced, and, at least, the CECAF Secretary should deal exclusively with CECAF issues.

**Rationale:** The present limitations faced by the CECAF Secretariat, in terms of personnel and infrastructure, have negatively impacted the work of the Committee.

### 1.2.7 CECAF relationship with FAO

27. As a FAO statutory body established under Article VI(2) of the FAO Constitution, CECAF is part of the Organization and therefore dependent on it for its work. The CECAF Secretary is appointed by the Director General of FAO and responds administratively to him. All reports and recommendations stemming from the Committee meetings shall be transmitted to the Director-General, its activities need to be included in the Programme of Work and Budget of the Organization and any decision adopted by it, which might have political or financial implications, shall be submitted to the FAO Council and Conference. Finally, an analysis of the work done by CECAF shall also be presented annually by the Director-General to the FAO Conference (FAO, 2007)<sup>16</sup>.

28. Partly because of its nature, since its foundation the activities carried out by CECAF have been financed either directly by FAO, such as the work done by the Secretariat, or by extra-budgetary funds provided by international agencies, which in recent years comprise countries/agencies such as SIDA (Swedish International Development Cooperation Agency), NORAD (Norwegian Agency for Development Cooperation), Spain and the Netherlands, inter alia, or by specific projects (e.g. EAF-Nansen Project and Canary Current Large Marine Ecosystem - CCLME Project). Even the participation of members in meetings has been historically largely covered by these means, with a few exceptions. The reasons for this apparent reluctance of CECAF members to take upon themselves the primary financial responsibility for their participation in the work of the committee may be found in a number of reasons, including the following (FAO, 2000)<sup>17</sup>:

- ✓ CECAF was originally established as a mechanism of development assistance. External financial support flowed from that fact and has now dried up given the new responsibilities focused more on fisheries management;
- ✓ Members (particularly policy-makers) do not have a feeling of ownership for the body. This may be related to the high rate of rotation of the staff within fisheries administrations in the region;
- ✓ Members recognize the economic values of fisheries resources but the real interests remain at national level. This is not unique to the CECAF region and it is possible that the on-going globalization of fisheries issues may change this perspective;
- ✓ CECAF has historically been dependent on FAO and hence has not developed innovative mechanisms to become effective:
  - CECAF is regarded and known as FAO property;

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<sup>16</sup> FAO. 2007. Seventy-first Session of the Executive Committee of the Asia-Pacific Fishery Commission (APFIC). FAO and its Regional Fishery Bodies. APFIC: ExCo/07/Inf.6.

<sup>17</sup> Fishery Committee for the Eastern Central Atlantic (CECAF), Fifteenth Session, Abuja, Nigeria 1-3 November 2000. Options for long-term institutional arrangements for fishery management in the eastern central Atlantic: Transforming CECAF from an Article VI to Article XIV body.

- Initiatives and work by FAO are appreciated and hardly challenged or questioned;
- Sessions are organized by FAO and follow-up of recommendations and decisions is supported by FAO and/or field projects. When this is not possible or available, results are low<sup>18</sup>.

29. The FAO policy towards its Regional Fisheries Bodies, however, has changed along time, particularly after 1997. At the Twenty Second session of COFI held in March that year, the Committee on Fisheries, taking into account the need to strengthen FAO regional fishery bodies and bearing in mind the financial and resource implications involved, was invited to consider the adoption of the following recommendation, among others (FAO, 1997)<sup>19</sup>:

- ✓ FAO should establish a mechanism/process for these bodies to meet a greater share of their operating costs with a view to ultimately becoming financially less dependent on the FAO regular budget, re-establishing Article VI bodies under new agreements adopted under Article XIV of the FAO Constitution, as appropriate, in order to have greater decision-making powers and capacity as well as greater administrative and financial autonomy.

30. The Committee agreed to the recommendation as a means of achieving enhanced fisheries management, while emphasizing the need for effective regional fishery organizations and arrangements in the framework of the Code of Conduct for Responsible Fisheries, if fish stocks were to be managed in a sustainable and responsible manner. It also agreed that FAO regional fishery bodies should be reviewed and evaluated in depth by their members, on a case by case basis, taking full account of regional and membership differences, in determining what measures might be taken to facilitate the strengthening of each body, as appropriate, and that a report of these reviews and evaluations should be presented to the Twenty-third session of COFI.

31. In June of the same year, the FAO Council, in reviewing the report of the Twenty-second COFI Meeting, stressed the need for effective regional fishery organizations and arrangements and agreed that FAO regional fishery bodies should be reviewed and evaluated by their respective members on a case by case basis, with a view to strengthening each body, as appropriate.

32. Then, in November 1997, during its Twenty-ninth session, the FAO Conference adopted Resolution 13/97 on the "Review of FAO Statutory Bodies". In its preamble, the Conference acknowledged the need to enhance the efficiency of the Organization and its governance in a time of "financial challenge" and the consequent necessity to eliminate Statutory Bodies that were obsolete, as well as to ensure more flexible task-oriented and time-bound working arrangements for those that remain. To this aim, it recognized the importance of moving towards increased self-financing for Statutory Bodies that have regional focus and of enhancing the responsiveness of those bodies to the needs of their Members. In the operative part of the resolution, the FAO Conference abolished several bodies as well as

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<sup>18</sup> Although in recent years, some countries have started to finance their own participation and even to contribute to the meetings, particularly in the northern part (Tandstad Merete, Fisheries Resource Officer, FAO/ FIRF; personal Communication).

<sup>19</sup> Strengthening FAO Regional Fishery Bodies, Committee on Fisheries, Twenty-second Session, Rome, Italy, 17-20 march 1997.

subsidiary bodies, such as, in the case of CECAF: the Sub-Committee on Management of Resources within Limits of National Jurisdiction, the Sub-Committee on Fishery Development, the Working Party on Resources Evaluation, and the Working Party on Fishery Statistics. It also encouraged regional commissions established under Article VI to seek more extra-budgetary resources to supplement those made available to them under FAO Regular Programme Budget, taking into account, nevertheless, the economic capacity of the regions concerned and of their Members.

33. Two years later, during the Twenty-third Session of COFI, as it had been agreed during the precedent session, a “progress report on the implementation of Conference Resolution 13/97” (FAO, 1999)<sup>20</sup> was presented to its members, describing the activities developed by FAO Regional Fisheries Bodies, in response to the aforementioned resolution. According to the cited report, the Fishery Committee for the Eastern Central Atlantic (CECAF), at its Fourteenth Session (Nouakchott, Mauritania, 6-9 September 1998), abolished its four Subsidiary Bodies, as requested by Resolution 13/97 and adopted a simpler structure, consisting of the Committee and a Scientific Sub-Committee (SSC). It opted, however, to maintain its status as a body under Article VI of the FAO Constitution, although it also agreed to progressively work towards the upgrading of the body to a Commission level under Article XIV. That commitment was reiterated during the subsequent CECAF Meeting (Fifteenth), when the Committee specifically requested the FAO Director-General to convene, as soon as possible, a Legal and Technical Consultation with a view to discussing and eventually adopting a draft agreement for the establishment of a regional fishery commission, under Article XIV. In spite of such a resolve, during the Sixteenth CECAF meeting the idea of moving from Article VI to Article XIV no longer seemed attractive to its members, who, in fact, decided otherwise. According to the report of the meeting (paragraph 38), “*the Committee felt that the status quo of the Committee should be maintained and, in particular, that it could continue to operate as an advisory body setup under Article VI, paragraph 2, of the FAO Constitution. In general, the Committee was of the view that a functional improvement in the work of the Committee, as well as increased support from its Members, should be sought actively, rather than by a change in its current status. In particular, as had been the case with the Legal and Technical Consultation, the Committee noted that the mere transformation of CECAF into a body established by agreement under Article XIV of the FAO Constitution would not, in itself, remove any of the constraints which the Committee had been facing*”. The identified constraints included, notably: a) lack of funding; b) complacent attitude and lack of commitment to CECAF of some Members; c) low participation and attendance at the sessions of the Committee and meetings of its subsidiary bodies; d) inadequate implementation of its recommendations; and e) inadequate collaboration between CECAF and other fishery bodies and arrangements in the region.

34. More recently, in September 2005, already in the context of FAO’s reform process, the Director-General of the FAO established an Inter-departmental Working Group (IDWG) on regional commissions to make suggestions for improvement, including strengthening, of the regional statutory bodies (FAO, 2007)<sup>21</sup>. Recommendations, endorsed by the Director-General, concerning Article VI commissions and Article XIV bodies (all bodies established under the FAO, not only fishery bodies) were as follows:

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<sup>20</sup> Committee on Fisheries, Twenty-third Session. Rome, Italy, 15-19 February 1999. Progress Report on the Implementation of Conference Resolution 13/97 (Review of FAO Statutory Bodies and the Strengthening of FAO Regional Fishery Bodies).

<sup>21</sup> FAO. 2007. Seventy-first Session of the Executive Committee of the Asia-Pacific Fishery Commission (APFIC). FAO and its Regional Fishery Bodies. APFIC: ExCo/07/Inf.6.

- ✓ To review the policies, mandates and statutes and consider whether there are alternative mechanisms;
- ✓ To ensure that the officers are fully involved in agenda setting, that bodies are meeting members' needs and that the highest regional priorities are being addressed;
- ✓ To ensure that secretariats are adequately funded and have full-time secretaries;
- ✓ To encourage members to participate at own expenses in sessions and encourage the soliciting of extra-budgetary funding;
- ✓ To encourage members to evaluate the strategic direction, goals, outcomes and overall performance of each commission or body;
- ✓ To enhance the participation of members in the work of commission and bodies, considering their capacity to participate.

35. The report of the IDWG reads that a decision to upgrade Article VI bodies or to create new Article VI bodies should be functionally based, taking into account the particular problems to be addressed by them (FAO, 2007).

36. In conclusion, although the desire and push from FAO for Article-VI Regional Fisheries Bodies to become more independent, including in terms of budget by self-funding from its members, seems to be meritorious, since it could, at least in principle, enhance the effectiveness of the Committee and increase the degree of ownership by its members, in practice it seems more a wishful thinking than a realistic approach. At least in the case of CECAF, the reality is that most of the work accomplished by the Committee so far would not have been possible if it were not for the resources allocated by FAO and international donors, including through field projects. At the present stage, even the Committee meetings would be very difficult to materialize if the participation of many of CECAF members were not to be covered by external sources. Incidentally, this is the reason why the Committee meeting that was supposed to have been held in 2010 was sphas not been held as yet. Therefore, although an increased participation of CECAF members in financing the work of the Committee is desirable, this will have to be achieved in a very pragmatic, gradual and well planned manner, and taking full account of the very diverse socio-economic realities faced by different CECAF members. This approach, by the way, is very much in line with Conference Resolution 13/97, which establishes, in its article 5, that regional commissions under Article VI of the FAO Constitution should seek more extra-budgetary resources to supplement the resources made available to them under the FAO Regular Programme Budget, but taking into account the economic capacity of the regions concerned and of their Members. Meanwhile, if FAO is indeed committed to the sustainable use of marine fisheries resources in western Africa, as envisaged in its constitution, it does not have a choice but to keep doing its best to support the work of the Committee, not only with its own budgetary resources, but also as a facilitator to attract extra-budgetary funds from international donors and field projects, in order to ensure CECAF can continue to operate in an effective manner.

**Recommendation 6:** CECAF should seek alternatives to secure more extra-budgetary resources to supplement the resources made available to it under the FAO Regular Programme Budget, including through self-financing by its members. This should be achieved, nevertheless, in a pragmatic, gradual and well-planned manner, taking full account of the different socio-economic realities faced by the different members.

**Rationale:** The present socio-economic situation of many, if not most, of CECAF members would not allow them to participate in the financing of the Committee in any significant manner. Although this avenue should be pursued, in order to enhance the effectiveness of the work carried out by the Committee and to raise the degree of ownership by its members, this needs to be achieved in a way that would not disturb or discontinue the work presently carried out by the Committee.

### **1.2.8 Relationship with other organizations in the area**

37. There are four other regional fisheries bodies with an area of competence which overlaps that of CECAF: ATLAFCO/COMHAFAT (The Ministerial Conference on Fisheries Cooperation among African States Bordering the Atlantic Ocean), SRFC/CSRP (Sub-regional Fisheries Commission), FCWC/CPCO (Fishery Committee for the West Central Gulf of Guinea), and COREP (Regional Fisheries Commission for the Gulf of Guinea). Their objectives are also, in general, very similar, consisting basically in policy harmonization (in fact, their main original motivation), as well as the promotion and strengthening of the regional or sub-regional cooperation in fisheries management and development. The main difference, relates to the technical work, including data gathering and stock assessment, which, to a large extent, is still being carried out only by CECAF, although some of those sub-regional bodies are increasingly becoming more involved with this kind of work, particularly through specific projects (e.g. SRFC/EU funded ISTAM<sup>22</sup> Project).

38. The fact that there are presently several other sub-regional fisheries bodies overlapping with CECAF was recognized in several responses to the questionnaire, together with the need of an organization with a broader geographical coverage, such as CECAF. The necessity of such a broader organization was justified by the trans-boundary distribution of several of the fish stocks exploited in the region, which spans not only throughout different countries, but also throughout the geographical area of competence of different sub-regional bodies.

39. Although the work and mandate of the sub-regional fisheries bodies and CECAF should be, in theory, complementary, cooperation between them has been generally deficient. In the responses to the questionnaire, the cooperation between CECAF and the other sub-regional fisheries management organizations active in the region was considered to be non-existent or very poor to good, but requiring improvements. Some respondents recognized, however, that CECAF did play an important role in the creation of the mentioned sub-regional institutions. A better coordination among these four organizations, however, was pointed out as essential to ensure the complementariness and synergy required for an efficient management of the fisheries resources in the region. Some respondents suggested that the sub-regional fisheries bodies could complement the work of CECAF, which has an exclusive advisory nature, by having more “enforcement” powers.

40. During the Twenty-second Session of the Committee on Fisheries, concern was expressed about the need to avoid duplication of effort where different regional fishery bodies were mandated to operate in the same geographical area. The Committee stressed that there should be close coordination among FAO and non-FAO regional fishery bodies and, as

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<sup>22</sup> ISTAM - Improve Scientific and Technical Advices for fisheries Management. The objective of the project was to “support national and sub-regional government institutions dealing with fisheries management in their efforts of planning systems for monitoring, data processing, resource evaluation and the dissemination of information on the status of fish resources”.

appropriate, with other organizations such as the World Bank and active fishery projects. In fact, recent international instruments have stressed the importance for RFBs to cooperate and collaborate or to establish partnership arrangements in fisheries management, but it is essential that such arrangements be governed by clear terms and procedures (FAO, 2000)<sup>23</sup>. The fact that some regional projects, such as GLCME, are also looking into the possibility of becoming an independent Commission, including a possible platform on fisheries, does raise the risk of further worsening the already complex situation stemming from the existing superposition and overlapping of functions.

41. It should be noted that the emergence of new sub-regional fisheries bodies in the same geographical area of competence of CECAF is also an aggravating factor to its already difficult financial situation. Until the middle eighties, CECAF was the sole Regional Fisheries Body operating in western Africa, with regard to marine fisheries. Then, in 1984 and 1985, COREP and SRFC were respectively founded (see Section 1.2.8). In 1991, ATLAFCO was established and, finally, more recently, in 2006, the FCWC was created.

42. Besides the evident problems related to potential overlapping competences and superposition of functions, the appearance of these new sub-regional fisheries bodies (COREP, SRFC and FCWC) created additional budgetary difficulties for CECAF, for 2 reasons:

- ✓ They began to compete with CECAF for resources made available by international donors, with the comparative advantages of being: a) more focused, both geographically and politically; b) smaller in dimension, both in terms of number of members and geographic coverage, requiring, therefore, smaller amounts of resources; c) established at a higher political level, which would tend to provide more visibility than the more “technical” work done by CECAF; and d) much more “owned” by their members, differently from CECAF that has always been seen as a FAO body.
- ✓ Because of the higher degree of ownership by the members of these sub-regional organizations, in terms of resource allocation, they would tend naturally to prioritize them instead of CECAF, including the bearing of costs to participate in meetings. Again, due to their much smaller geographical coverage, these costs would also tend to be much lower.

43. In the responses to the questionnaire, the existence of several other organizations in the region, both at regional (ATLAFCO, ICCAT, SEAFO, etc) and sub-regional (CSRP, CPCO, COREP) levels, which all require financial participation by members, was noted as an additional hindrance to CECAF members to contribute to an autonomous budget of the Committee.

44. Currently, there seems to be two possible scenarios for future developments in the cooperation between CECAF and the other RFBs active in the area:

- ✓ They may gradually substitute CECAF, by taking up the task of data analysis and stock assessments presently done by the Committee; or
- ✓ They may structure themselves in a complementary manner, so that CECAF can continue to be the main reference for the technical and scientific work done in the

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<sup>23</sup> FAO Fisheries Report No. 562 FIPL/R562(En). Report of the Twenty-second Session of the Committee on Fisheries. Rome, 17-20 March, 1997.

region, including the collection and analysis of statistical, biological and socioeconomic data and their dissemination, as well as the formulation of management recommendations for implementation by its members; while the sub-regional bodies (SRFC, FCWC, and COREP) would have a more prominent role of political coordination, harmonization and implementation of conservation and management measures, fostering cooperation in development of fisheries in waters under their jurisdiction, through actions not only confined to the management of fisheries resources as such, but spilling over to other areas, like MCS, seafood processing, trade, etc. ATLAFCO, in its turn, due to its much broader geographical coverage and more political nature, would have the role to coordinate the positions of the countries in the region in a higher political level.

45. The members of CECAF are, of course, the same members of these other bodies, so it is actually in their hands to decide on how they wish to proceed. Nevertheless, to advance in terms of having a more structured cooperation between CECAF and the other RFBs could be greatly advantageous for several reasons. In particular, because CECAF has a broader geographic coverage, it is much better positioned to promote the systematic collection and gathering of data, in a standardized manner, as well as to conduct the stock assessments needed to guide management, since several of them are present in the areas of competence of different sub-regional organizations, as already noted. According to FAO (2000)<sup>24</sup>, under this approach, CECAF could also act as a consultative forum, with the following functions, among others:

- (a) To keep under review the state of the fishery resources, and the status of the fishing industry in the region;
- (b) To identify gaps or possible areas on which all of the bodies and arrangements in the region might focus in order to strengthen their efficiency;
- (c) To discuss regional fisheries issues of interest to the countries in the region and to donor agencies;
- (d) To submit those regional issues that have global implications for consideration and action by the FAO Committee on Fisheries;
- (e) To monitor the progress in the implementation of the Code of Conduct for Responsible Fisheries and other relevant international instruments in the region;
- (f) To identify projects that have a high degree of overlapping and seek ways to reduce such overlapping.

46. This issue has been already discussed by the Committee, on a few occasions. During its Eighteenth meeting, held in 2006, the matter was addressed on the basis of a document entitled: *CCECAF/XVIII/2006/9 - The role of CECAF in a region with three fisheries management bodies*. On that instance, the Committee emphasized the need for closer collaboration between CECAF and the various fisheries bodies in order to facilitate the efficient utilization of the human and financial resources to conserve and manage the fisheries resources in the region. The Committee also reaffirmed the importance of the role of CECAF and the other sub-regional fisheries organizations that constitute necessary management tools to the services of the member states in their respective zones. The Committee reviewed

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<sup>24</sup> Fishery Committee for the Eastern Central Atlantic (CECAF), Fifteenth Session, Abuja, Nigeria 1-3 November 2000. Options for long-term institutional arrangements for fishery management in the eastern central Atlantic: Transforming CECAF from an Article VI to Article XIV body

various options to make its future actions more efficient, but the discussions were inconclusive.

47. Finally, it is important to recall that CECAF Terms of Reference do include, among its functions and responsibilities, “to promote liaison among and with competent institutions within the sea area served by the Committee and to propose and keep under review, working arrangements with other international organizations which have related objectives within that area”. Considering the fact that many of the fish stocks are shared by different countries and are exploited by migrant fishermen (up to 80% in some regions) as well, the sub-regional organizations (SRFC, FCWC, COREP) could play a much more active role in the coordination of fisheries management measures at a sub-regional level, than they have played so far, complementing thus the work of CECAF.

**Recommendation 7:** To organize, under the auspices of CECAF, a joint meeting with the four other RFBs that are active in the area (ATLAFCO, SRFC, FCWC, and COREP), as well as the major ongoing projects, such as the EAF-Nansen Project, Guinea Current Large Marine Ecosystem Project (GCLME) and the Canary Current Large Marine Ecosystem Project (CCLME), to develop strategies for a more structured and formal cooperation, including through the drafting of specific Memoranda of Understandings (MOU).

**Rationale:** A more structured coordination among the RFB and Field Projects active in the area is urgent in order to clarify individual roles, to avoid duplication of efforts and undesirable competition, to prevent the waste of resources and to maximize synergies and cooperation.

## **2. THE STATUTES OF CECAF AND ITS RELATION WITH OTHER INTERNATIONAL FISHERIES INSTRUMENTS AND INITIATIVES**

48. The Statutes of CECAF were promulgated in September 19, 1967. Since then, its terms of reference were modified twice, in 1992 and in 2003. In spite of the relatively recent revision of its Terms of Reference, less than 10 years ago, the statutes of CECAF are already greatly outdated and should be revised in order to incorporate modern concepts of fisheries management and governance, brought about by several legal instruments (including both soft and hard law), since the United Nations Convention on the Law of the Sea<sup>25</sup>.

49. The changes needed in its area of competence (Article 1) were already noted in Section 1.2.3. In terms of its membership (Article 2), it is necessary not only to revise the members, keeping only those with a real interest to participate in the work of the Committee, as discussed in Section 1.2.5, but also to create a mechanism of a semi-automatic revision of the membership status to prevent inactive members from jeopardizing the work of the Committee in the future, including by compromising the required quorum for running the meetings. After missing a certain number of sessions, for instance, the suspension of the membership status of a specific member could be automatically required to the FAO Director-

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<sup>25</sup> Notably, a) the 1993 FAO Compliance Agreement; b) the 1995 United Nations Fish Stocks Agreement; c) the 1995 FAO Code of Conduct for Responsible Fisheries and its International Plans of Action (IPOAs) for Reducing the Incidental Catch of Seabirds in Long-line Fishing (IPOA-Seabirds), for the Conservation and Management of Sharks (IPOA-Sharks), for the Management of Fishing Capacity (IPOA-Capacity) and to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU); d) 2009 FAO Agreement on Port State Measures; e) United Nations General Assembly (UNGA) Resolutions on Sustainable Fisheries; among others.

General and should take effect in a given deadline unless the absentee expresses its desire and commitment to participate actively in the work of the Committee, from that time on.

50. The CECAF objective, defined in its Terms of Reference, namely: “to promote the sustainable utilization of the living marine resources of its area of competence, by the proper management and development of the fisheries and fishing operations”, is reasonably updated, but the functions and responsibilities need to be modernized in order to incorporate:

- ✓ The need to use the best scientific information available as the basis for its management recommendations;
- ✓ The precautionary approach to fisheries<sup>26</sup>, which is presently totally missing in the statutes;
- ✓ The Ecosystem Approach to Fisheries (EAF), including the need to take into account the impact of fisheries on other species and on the marine ecosystems, and where necessary, develop conservation and management measures to minimize such impacts, taking due account of the need to preserve marine biological diversity (see also Section 3e).

51. In the entire CECAF statutes there is not a single mention of the word “ecosystem”, much less of the ecosystem approach to fisheries management, despite the fact that the last revision of its Terms of Reference was done in the early years of the past decade (2001-2002), at a time when this subject was very visible in the international arena, including through the landmark Conference on Responsible Fisheries in the Marine Ecosystem, held at Reykjavik, Iceland, in October 2001.

52. As a consequence of it being an Article VI FAO statutory body, CECAF statutes do not impose any obligation on its members, not even to participate in meetings or to provide data. This aspect, however, greatly weakens the capacity of the Committee and therefore, in spite of its advisory nature, if agreed by the members, some basic obligations, such as the participation in meetings and provision of data, could and should be incorporated in revised statutes.

53. There is no provision, as well, in CECAF statutes aimed at ensuring transparency and openness, as required by the international fisheries instruments and the Agreements of FAO and non-FAO bodies. The participation of observers is covered in Article 6, but the provision refers only to States, not to the participation of international organizations, which are covered by Article 7. The statutes only establish that they should be governed by the relevant provisions of FAO. There is no mention of organizations of civil society (non-governmental organizations), which is contrary to Resolution 13/97 of the FAO Conference, which explicitly requested Statutory Bodies to review their Rules of Procedures and working methods in order “to strengthen the involvement of civil-society partners” (Paragraph 9). Additionally, the rule of procedure IV.5 requires the meetings of the Committee to be held “in private”, by default, a practice that is not in line with modern requirements of transparency and openness.

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<sup>26</sup> Principle 15 of the Rio Declaration of the UN Conference on Environment and Development (Rio de Janeiro, 1992) states that “In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall be not used as a reason for postponing cost-effective measures to prevent environmental degradation.”

54. There is no procedure for dispute settlement in CECAF statutes or in its Rules of Procedure, a shortcoming which again is comprehensible due to its advisory nature. In case CECAF statutes, however, be revised, it would be advisable to examine the pertinence of including a clear system of dispute settlement, which could become particularly necessary in case new obligations on members be introduced.

55. Finally, although the special requirements and needs of developing States are amply recognized in all modern fisheries instruments, there is not a single mention of this subject in CECAF statutes, a fault that should be surely rectified in any future revision, particularly considering the fact that all coastal States in West Africa, the great majority of CECAF members, are included in this category.

**Recommendation 8:** CECAF Statutes and Rules of Procedure should be revised and modernized.

**Rationale:** CECAF Statutes and Rules of Procedure are outdated and need to be modernized in order to incorporate the modern concepts of fisheries management, reflected in international fisheries instruments.

### **3. THE IMPACT OF CECAF IN THE PROMOTION OF THE SUSTAINABLE UTILIZATION OF THE LIVING MARINE RESOURCES IN ITS AREA OF COMPETENCE, BY THE PROPER MANAGEMENT AND DEVELOPMENT OF THE LIVING MARINE RESOURCES**

#### **3.1 Data collection, analysis and sharing**

56. Any stock assessment can only be as good as the data upon which it is based. Deficient data result in weak assessments and consequently poor management advice. Although it is not easy to infer from the reports of the SSC, it seems clear that both the quality and the quantity of data available for the Assessment Working Groups have improved significantly along the history of CECAF. And much of this improvement seems to have been made possible by the efforts of the Committee, which, at the very least, has helped to provide member countries with the initiative and focus. The quality of biological information and stock identification, in particular, has increased through the past five SSC Meetings, allowing for the use of more analytical models in recent years. In spite of that, the stock assessments done by CECAF and the consequent management advice stemming from them, still suffer from a severe lack of basic information and poor quality of the data available.

57. Although the SSC meetings were praised in the responses to the questionnaire by the great harmony and synergy among members, the severe lack of catch and effort data, as well as of basic biological information on many species, essential for a proper assessment, was also pointed out as one of the great difficulties faced by the Committee.

58. All CECAF members are obliged to provide information on catch and fishing effort, including fleet size and vessel characteristics, by species and statistical divisions, for both artisanal and industrial sectors. Data from industrial fleets are obtained both from logbooks as well as from landings at Port. Several CECAF members, however, do not have a system in place to routinely collect statistical data on the fisheries and species caught, particularly in the case of the subsistence and artisanal sectors.

59. The great disparity in terms of capacity and infrastructure available for data collection and analysis among different CECAF members was highlighted in the responses to the questionnaire as one of the factors that hinders the implementation of CECAF recommendations and compromise the quality of the data available, particularly in the case of

the artisanal fishery. Differently from industrial vessels, which tend to unload their catches in few larger ports, the landing sites of small scale and artisanal boats are generally distributed over a broad geographical area, including, in many instances, very remote places, thus rendering the routine collection of fishery data extremely difficult. In several cases, therefore, the catch and effort statistics are not adequately broken down by species, besides being often based on occasional interviews, scattered along the year. In order to improve the quality of fisheries data from the artisanal sector in the region, FAO has implemented important programs, including the development of specific methodologies and software (ARTFISH), but the longstanding results have been quite irregular. In recent years, FAO have also provided support to countries in the conduct of frame surveys and harmonization of classifications, mostly in the FCWC region (Tandstad Merete, Personal Communication).

60. Another problem is the Illegal, Unreported and Unregulated (IUU) fishing occurring in the region, which is also extremely difficult to track and assess, despite some important initiatives in this regard, such as the so called “Las Palmas Survey”, which has tried to gather data from both fishing and cargo vessels landing and/or transshipping in this port. The accuracy and coverage of the results thus obtained, however, are uncertain, due to difficulties associated to the estimation of IUU catches, related to the access to freight manifestos of cargo vessels, the distinction between legal and illegal catches eventually being carried by these cargos and the allocation of catches to specific geographical origins (i.e. statistical divisions).

61. CECAF members are also required to collect biological information of the most important species exploited by them, including data on size structure, reproductive biology, feeding habits, age and growth. Observers on board of commercial vessels are often used not only to gather fishery data but also to collect biological samples. Another important source of information regularly utilized in the assessment of the stocks is the fishery independent surveys, done by research vessels, by means of scientific fishing (e.g. trawling surveys), as well as by acoustic methods, both by CECAF coastal countries themselves as well as by foreign countries, including CECAF members from other regions (e.g. R.V. Vizconde de Eza, from Spain, and R/V AtlantNIRO, from Russia) or through other arrangements (e.g. R.V. Dr. Fridtjof Nansen, from Norway, that through an agreement with FAO operates under the UN flag). In this regard, the acoustic surveys done by the research vessel R.V. Dr. Fridtjof Nansen in the region were highlighted by the respondents to the questionnaire as a very important source of high quality data for the assessment of the state of several stocks.

**Recommendation 9:** Although the collection of fishery and biological data is under the responsibility of CECAF members at a national level, CECAF should try to enhance and facilitate efforts to improve data collection, analysis and sharing through the adoption of standardized formats, development of methodologies adapted to the reality of the artisanal fisheries sector, establishment of long-term sampling programs and implementation of more effective mechanisms for data sharing and processing. In the case of IUU fishing, initiatives such as the Las Palmas Survey should be continued and enhanced.

**Rationale:** The quality of the management recommendations provided by CECAF depends on the accuracy of the stock assessments which is in turn dependent on the basic data provided by member countries, most of which do not possess the infrastructure, human and economic resources to maintain long-term sampling programs and data collection systems.

**Recommendation 10:** Although significant progress has been achieved in regard of stock identification including their geographical delimitation, efforts in this direction should be strengthened.

**Rationale:** The quality of the management recommendations provided by CECAF depends on an adequate identification of the relevant stock units.

### 3.2 Promotion and coordination of fisheries research

62. Throughout its history, CECAF has always played an important role in the region in regard of promotion and coordination of fisheries research. The identification of data gaps and the definition of activities to be carried out intersessionally, including recommendations for future research, are issues that have been systematically addressed in the meetings of the SSC working groups and subgroups (artisanal fisheries, small pelagics north, small pelagics south, demersal species north, demersal species south). Notwithstanding, a structured mechanism to follow-up on what has actually been done between meetings, (vis a vis the activities that were planned to be carried out intersessionally) does not seem to exist. The lack of a mechanism to allow the follow-up of the collection and analysis of data was considered in the responses to the questionnaire as one of the factors which compromised the quality of the data available and consequently hindered the implementation of CECAF recommendations.

63. During its meetings CECAF also review the activities carried out in the same region by other projects. Taking the last meeting of the SSC as an example (the Sixth, in 2011), the activities developed by the following projects were reported: *EAF-Nansen Programme*, *Guinea Current Large Marine Ecosystem (GCLME)*, *Canary Current Large Marine Ecosystem (CCLME)*, *Fisheries Resources Monitoring System (FIRMS)*, *FishCode/STF – Support Improvement of Fisheries Data Collection in the Region*, *SIDA Africa Programme*. The work done by the research institutions or scientific groups in CECAF member countries is also routinely reviewed. CECAF has, therefore, served as a very important forum for sharing information on fisheries-related activities being developed in the region, as well as a platform to enhance the coordination among different stakeholders.

64. The important role played by the Committee in the promotion and coordination of fisheries research in the region was recognized in the responses to the questionnaire. Many have highlighted the role CECAF has played as a platform for the coordination and development of field Projects, such as the Nansen Project “Strengthening the Knowledge Base for and Implementing an Ecosystem Approach to Marine Fisheries in Developing Countries”, including the surveys carried out by the N/R Dr. Fridtjof Nansen. The need, however, to further improve its efforts in this field was noted. The necessity of a better coordination was specifically identified with: the Economic Community of West African States (ECOWAS), West African Monetary and Economic Union (WAEMU/UEMOA - Union Economique et Monétaire Ouest Africaine) and with the African Network of Fisheries and Marine Science Research Institutes (RAFISMER). With regard to this last institution, during the Fifth meeting of the Scientific Sub-Committee, its President expressed a desire to create a partnership between RAFISMER and CECAF, which are involved in the same geographic area, to provide synergy and complementariness of activities conducted by the two bodies.

**Recommendation 11:** A mechanism to follow-up the research activities conducted by member countries between meetings in relation to what has been planned should be implemented.

**Rationale:** Without a follow-up mechanism, it is difficult to assess the progress achieved in the past and consequently to adequately plan future activities. Besides, a follow-

up mechanism would also help to enhance the implementation of the planned activities.

**Recommendation 12:** A more structured and formal cooperation among CECAF, the other RFBs active in the area (ATLAFCO, SRFC, FCWC, COREP), the major ongoing projects (EAF-Nansen, GLCME, CCLME, etc.), and Regional Economic Communities (ECOWAS, UEMOA), should be pursued to improve coordination (see recommendation 7, and respective rationale).

**Rationale:** A more structured coordination among the RFBs, Field Projects and Regional Economic Communities active in the area is urgent in order to clarify individual roles, to avoid duplication of efforts and undesirable competition, to prevent the waste of resources and to maximize synergies and cooperation.

### **3.3 Assessment of the fishing capacity, of the state of the fishery and of the condition of the exploited stocks**

65. CECAF does not seem to have devoted much attention to the assessment of fishing capacity in the region, although some information on the number of vessels involved in the different fisheries is sometimes provided in the report of the working groups. In the same context, a brief overview of the fisheries is usually given as well.

66. With regard to the condition of the exploited stocks, in CECAF, the actual stock assessments are done by the working groups/subgroups (small pelagics south, small pelagics north, demersal species south, demersal species north). Surplus Production Models have been historically the main methodology used, in most assessments. Initially, the surplus production models were applied to groups of species, evolving then, as data improved, to a species level, whenever possible. In recent years a, a dynamic version of the Schaefer production model (Biodyn, Punt and Hilborn, 1996) has been the main model applied. Other models applied include Jones length-based cohort analysis, yield per recruit, Integrated Catch Analysis (ICA) and Extended Survivors Analysis (XSA), as more biological and population data became available. As discussed in Section 3.1.a, however, the quality of the assessments is still constrained by the quality of the data provided.

67. An adequate monitoring of the condition of the stocks is further aggravated by the fact that the SSC meetings have been usually biannual (although the last meeting happened 4 years ago, in 2007). Despite the stocks are assessed at the WGs meetings, they need to be reviewed and discussed at the SSC. Besides, not all stocks are covered at every SSC meeting and the data available are normally one year old, at least, due to the difficulties associated to the time-consuming process of collection and preparation of the statistical information to be used in the assessments. Therefore, despite some WGs do meet in a more regular fashion (e.g. small pelagics north), many years may separate subsequent assessments of a given stock with very little, if any, follow-up between them. The lack of regularity and the long time elapsed between the scientific meetings held for the assessment of several stocks, particularly in CECAF southern area, were indicated in the responses to the questionnaire as two of the main problems faced by the SSC.

68. Until recently, data formats were not standardized and the reference points and indicators used in the assessments varied among different Working Groups, as well as the criteria for determining the status of the stocks and the consequent management advice provided by them. This limitation, however, was recognized during the Fourth Meeting of the SSC (Paragraphs 28 and 29 of the meeting report) and the situation was much improved

during the Fifth meeting, held in 2007, including through the adoption of F0.1 and B0.1 as target reference points.

**Recommendation 11:** CECAF should start to gather information on fishing capacity in the region.

**Rationale:** Information on fishing capacity is essential for an adequate planning of fisheries management.

**Recommendation 12:** The periodicity of CECAF SSC meetings, if possible, should be made annual but, at least, should be kept biennial, avoiding longer periods which make the proper monitoring of the status of the stocks extremely difficult.

**Rationale:** The data available are normally one year old, at least, due to the difficulties associated to the time-consuming process of collection and preparation of the statistical information to be used in the assessments. This fact, associated to the long time elapsed between the conduct of the assessments in the working groups and the SSC review, renders the management recommendations, in many instances, outdated and, therefore, much less effective or even useless.

**Recommendation 13:** Efforts should be developed to improve the data available on the biology of the main species, so that more sophisticated models could be eventually applied, including estimation of the uncertainty associated to the assessments. Efforts should continue to develop and adapt assessment methodologies to the biological characteristics of the main species exploited. The biological reference points used and the format to present management advice should be better standardized.

**Rationale:** The lack of variance and uncertainty indicators in the assessments weakens the capacity to formulate adequate management advice. The different formats and reference points used to formulate and present management advice, make their implementation more difficult.

#### **3.4 Provision of fisheries management advice, based on the best scientific information available and taking due account of environmental, social and economic concerns/ stock status and evolution**

69. The management advice provided by CECAF is based on the assessments of the state of the stocks done by the Working groups and reviewed for approval by SSC, using, since 2005, F0.1 and B0.1 as target reference points, as discussed in the previous section (3.1.c). Due to the higher degree of difficulty to control total allowable catches (TAC) than to control fishing effort, the management advice provided by CECAF has been traditionally more based in the last, although both are used. Because of the intrinsic limitations of the data available, however, the advice provided is, in many instances, vague and imprecise, with no estimation of the uncertainty associated with the assessments or of the risk associated with different management options. Besides, according to several respondents to the questionnaire, the irregularity of the meetings of the Working Groups (with exceptions, e.g. small pelagics north) and of the Scientific Sub-Committee, together with the long time elapsed between sessions, associated with the poor quality of the data available, which are, in many instances, outdated, compromise the quality and timeliness of the scientific advice.

70. Furthermore, there was no standard table/format to facilitate comparison of the condition of the stocks over time and between working groups, making interpretation difficult. This situation was recognized by the SSC Meeting, in 2004, when a standard format of presentation of management advice, including comments and justification in the assessment tables, was proposed, and implemented in the following meeting.

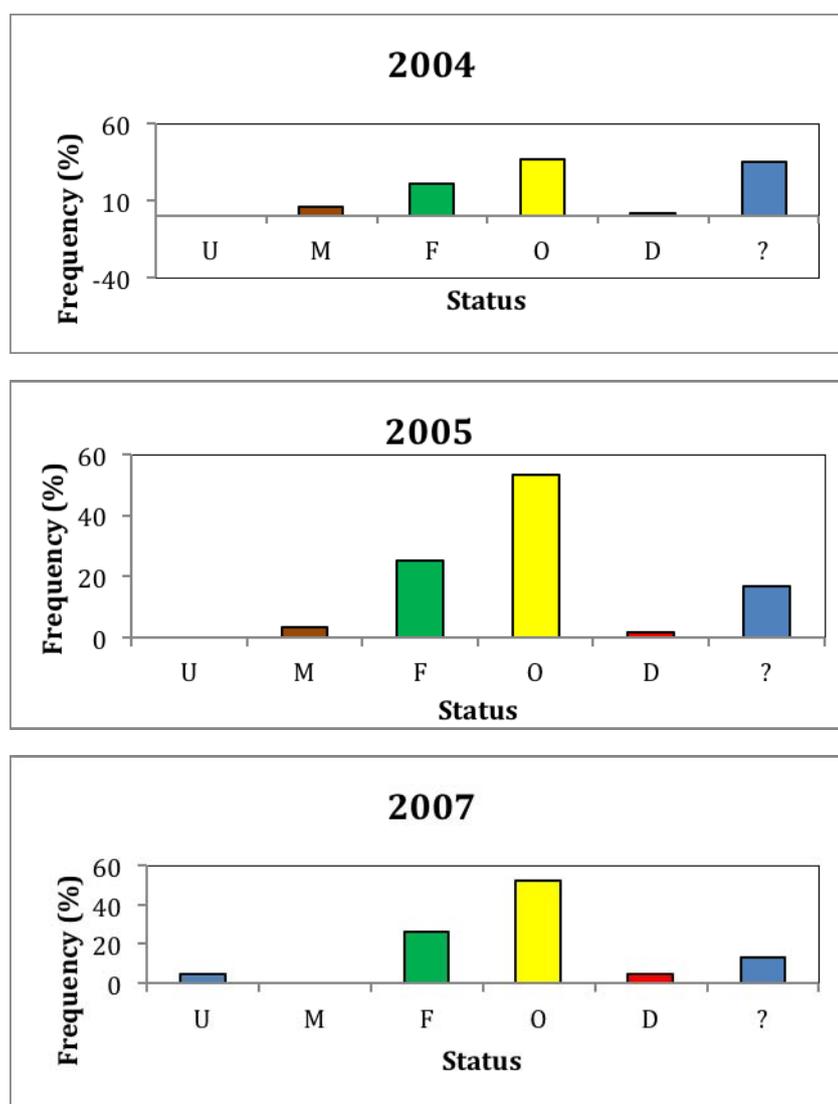
71. The main weakness of the management advice provided by CECAF, however, is the lack of a mechanism to assess to what extent the measures recommended were effectively adopted by member countries. In their responses to the questionnaire, the respondents warned that the scientific advice provided by CECAF was not properly observed by members, a fact aggravated by the inexistence of a follow-up mechanism to assess the degree of implementation. Without a feedback on what is actually happening, in terms of management measures being implemented in the field, the scientific advice becomes meaningless.

72. In the end, however, the effectiveness of any regional fisheries management body must be judged by the evolution of the condition of the stocks under its responsibility. In the case of CECAF, although the data are not strictly comparable, the percentage of stocks which were over-exploited or depleted (excluding those where the condition was not possible to assess) evolved from 59% (56% and 3%, respectively), in 2004, to 68.5% (63% and 5.5%), in 2007 (Fig. 2). This clearly shows that the management advice being provided by the Committee has not been effective in improving the overall condition of the exploited stocks, which, in fact, deteriorated significantly in only 3 years, despite the condition of some stocks did improve during this period.

73. According to the respondents to the questionnaire, among the main difficulties preventing the Committee to contribute in a more meaningful manner to the sustainable utilization of the living marine resources in the region are the absence of means by several members to collect and analyze fisheries data, the irregularity of meetings and stock assessments done by the WGs/ Scientific Sub-Committee, and the lack of implementation by members of the management recommendations proposed by the Committee. According to the responses, the degree of adherence to the recommendations and advice provided by CECAF has ranged from very little to very high (more than 90%), again reflecting the different levels of capacity and institutional maturity among members. In most cases, however, the actual implementation of the management measures recommended by the Committee seems to have been quite poor.

74. Although it is understandable that CECAF, as an advisory body, cannot enforce any of the recommended management measures, the member Countries should be at least obliged to report the extent to which the proposed measures were adopted internally, in a systematic and well-structured manner. The respondents to the questionnaire, however, recognized that, partly due to the efforts done by CECAF, there has been a noticeable rise in the degree of awareness by countries in the region of the need to improve their fisheries management regimes.

75. Finally, with regard to environmental, social and economic concerns, it is not clear from the reports of the Scientific Sub-Committee and the Committee meetings, how they have been taken into account by CECAF in the formulation of management advice, in any meaningful way. According to the responses to the questionnaire, environmental, social and economic concerns are almost completely ignored in CECAF work.



**Figure 2- Status of the stocks assessed by CECAF Scientific Sub-Committee, in 2004, 2005 and 2007 (U= underexploited; M= Moderately Exploited; F= Fully Exploited; O= Overexploited; D= Depleted; ?= Unknown).**

**Recommendation 14:** CECAF should adopt a mechanism to monitor the extent of implementation, by member countries, of the management measures adopted by the Committee.

**Rationale:** Without a proper mechanism to monitor the implementation by member countries of the management measures advised by CECAF, they become meaningless.

**Recommendation 15:** Environmental, social and economic concerns should be taken into account in the formulation of management advice.

**Rationale:** Environmental, social and economic aspects related to the fisheries in the region are essential components of the activity and, therefore, adequate management advice cannot be formulated without taking these aspects into proper account.

### 3.5 The Ecosystem Approach to Fisheries

76. The first time that the subject “Ecosystem Approach to Fisheries” was explicitly included in the agenda of a CECAF Meeting was in 2006. During the discussion on the subject, the Committee noted that, despite the information available, ecosystem approaches were not yet in much use in the region. Likewise, most of the respondents to the questionnaire expressed their view that the ecosystem approach to fisheries management was a rather new concept which was just beginning to be implemented by CECAF. Many recognized, however, that a significant effort remains to be done in order to introduce and popularize this principle in the work of the Committee as well as in the management regimes of members.

77. During the Fifth meeting of the Scientific Sub-Committee, held in 2007, the activities of the Project “Strengthening the Knowledge Base for and Implementing an Ecosystem Approach to Marine Fisheries in Developing Countries (EAF Nansen, GCP/INT/ 003/NOR)” carried out in 2007 and some preliminary plans for 2008 were presented, including a review of available international instruments relevant to EAF and case studies on the “Application of the ecosystem approach to fisheries in Africa”. The SSC was also informed that a Regional Workshop on Ecosystem Approaches for Fisheries (EAF) management combined with a Steering Committee meeting for the Gulf of Guinea had been also organized. In the same occasion, the FAO/Benguela Current Large Marine Ecosystem (BCLME) project on the feasibility of the implementation of EAF in the Benguela region, the Guinea Current Large Marine Ecosystem (GLCME) and the Canary Current Large marine Ecosystem (CCLME) Projects were also discussed. During the last meeting of CECAF (Nineteenth Session), held in 2008, the Committee noted the activities that were planned to be undertaken by the EAF-Nansen Project, funded by the Norwegian Agency for Development Cooperation (NORAD), in the region, and accepted the proposal that Regional EAF Task Groups, created in the framework of EAF Project for the North and South Zones of the CECAF area, should report on the activities of the project to the CECAF Scientific Sub-Committee. The implementation of EAF was also mentioned in conjunction with a document discussed during the meeting on the global emerging issues in fisheries development and management relevant to the region. This issue was also discussed at the Sixth SSC Session held in 2011 through the presentation of progress on the implementation of EAF in the CECAF region and the report of work of other projects/programmes in the region (EAF-Nansen Project and CCLME Project). These seem to be the only instances when the EAF was addressed by CECAF.

**Recommendation 16:** CECAF should incorporate the Ecosystem Approach to Fisheries in its management efforts, including by means of strengthening the linkage with the EAF-Nansen Project.

**Rationale:** The ecosystem approach to fisheries (EAF), although not always well understood, has become one of the key concepts of modern fisheries management. EAF promotes a holistic and participatory approach to fisheries management addressing ecological, as well as socio-economic and institutional aspects and has been considered as essential to minimize the impact of fisheries on other species and on the marine ecosystem.

### 3.6 The application of the precautionary approach in the provision of management advice

78. So far, the precautionary approach seems to have been integrated into the work of CECAF in a very loose manner, despite some responses to the questionnaire, which have argued that the precautionary approach is taken reasonably into account in the formulation of scientific advice by the Scientific Sub-Committee. In 2002, for instance, the small pelagics

working group suggested the adoption of a precautionary approach, by not increasing the combined catch of small pelagics above the average level attained during the past five years (1997-2001), a recommendation reiterated in 2004. Other examples of this kind may be found in meeting reports, and although the management advice improved significantly during the past 5 meetings of the SSC, particularly in the fifth, when a more “standardized” format for the presentation of assessment results was agreed and target biological reference points (B0.1 and F0.1) began to be applied, presently there is no clear guidelines or framework formally adopted by the Committee in order to ensure the incorporation of the Precautionary Approach in its management regime.

**Recommendation 17:** Clear guidelines/framework for the incorporation of the precautionary approach in the formulation of management advice should be developed and formally adopted by CECAF.

**Rationale:** The precautionary approach has become one of the key concepts of modern fisheries management, being essential to prevent the overexploitation of the stocks.

### **3.7 Provision of advice on Monitoring, Control and Surveillance, especially with regard to issues of sub-regional and regional nature, including the promotion of new instruments, such as the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing**

79. Although CECAF has given attention to Monitoring, Control and Surveillance (MCS) since 1980, very little concrete action has been taken by the Committee, despite the growing relevance of the issue in recent years, particularly in conjunction with the International Plan of Action to deter, prevent and eliminate Illegal, Unreported and Unregulated fishing (IPOA-IUU). According to the responses received to the questionnaire, the IUU fishing in the region was mentioned as an important factor, contributing to the overexploitation of fisheries resources and requiring thus a better coordination among CECAF members on MCS measures. The respondents to the questionnaire recognized, likewise, that very little has been done by CECAF in this regard, so far, although some advice has been given by the Committee to its members on this important issue. According to the responses received, there has been very little coordination, both at regional as well as at sub-regional levels, of MCS activities and, therefore, CECAF should strengthen its outreach and coordination efforts to promote the application of MCS, in particular of the measures contained in the recently adopted FAO Port State Measures Agreement, to prevent, deter and eliminate IUU fishing activities.

80. In 2002, during the Sixteenth Session of the Committee, there was a specific item in the agenda devoted to the issue (Strengthening Monitoring, Control and Surveillance in the region), but it consisted much more of a reporting of actions taken by different members, including by other Regional Fisheries Bodies (e.g. a workshop organized by the Sub-regional Fisheries Commission - SRFC on Vessel Monitoring Systems - VMS), than an actual initiative to coordinate MCS efforts. During the Seventeenth meeting of the Committee, in 2004, instead of using CECAF as a platform to coordinate MCS measures to combat IUU fishing, several members requested FAO to coordinate MCS activities in the region and sub-regions to assist countries to combat better IUU fishing in CECAF area. Finally, during the Eighteenth meeting, several members expressed a strong desire for sub-regional and regional cooperation to combat IUU fishing in the CECAF region, but, again, little concrete action to coordinate efforts has been put forward, with few exceptions<sup>27</sup>. Coordination on this matter is

<sup>27</sup> e.g. the project “Strengthening Regional Cooperation for the Monitoring, Control and Surveillance (MCS) of fishing activities in the Sub Regional Fisheries Commission zone”, funded by the EU.

further hindered by the strong difference in MCS capabilities by different member countries in the region. While the most advanced ones have a well-developed system in place, others do not have even a basic set of regulations to control their fisheries, much less a meaningful MCS system. This unbalanced situation hinders the adoption of common policies in the region, which are particularly important for shared stocks (ISTAM, 2009).

**Recommendation 18:** CECAF should have a much more proactive role in the coordination of MCS measures in the region.

**Rationale:** An adequate MCS system is crucial to ensure an adequate implementation of management measures recommended by the Committee and to deter, prevent and eliminate illegal, unreported and unregulated fishing.

### **3.8 Capacity building**

81. CECAF actions related to capacity building seem to have been scanty. This is reflected in the views expressed by the respondents to the questionnaire who considered the capacity- building efforts conducted by CECAF as mostly insufficient or much reduced. The need to reinforce and intensify CECAF efforts in this field was particularly emphasized, in light of the very limited capacity available in some of the countries in the region. Notwithstanding, the long history of data collection and stock assessments conducted by CECAF did have a significant impact in terms of capacity building, reflected in the training of national researchers and scientists involved in CECAF work, an aspect duly recognized by the respondents to the questionnaire. In spite of that, CECAF should have a more proactive role in the coordination of capacity building initiatives in the region. Most of the initiatives carried out in western Africa, such as training workshops, have been done under the auspices and funding of independent donors and field projects (NORAD, SIDA, etc.), although many of them have been triggered by CECAF recommendations.

**Recommendation 19:** CECAF should have a more proactive role in the coordination of capacity building initiatives in the region.

**Rationale:** Capacity building is greatly needed in the region, in order to enhance the capabilities of member countries in the various areas related to fisheries management, from the collection and analysis of data through assessment and management decisions to MCS.

## **4. THE RELEVANCE OF CECAF ACTIVITIES TO THE NEEDS OF ITS MEMBERS**

82. In the responses to the questionnaire, the relevance of CECAF activities to the needs of its members was assessed as relatively good, but varying markedly depending on the member or sub-region. Naturally, the activities of the Committee were considered more relevant to those members who have a more limited capacity to conduct research and to assess the condition of the stocks they exploit. The relevant role played by CECAF as a conveyor of financial resources and capacity building efforts provided and conducted by field projects was also recognized.

## **5. THE DEGREE OF OWNERSHIP OF THE COMMITTEE BY ITS MEMBERS AND THE LEVEL OF THEIR COMMITMENT**

83. The responses received to this question ranged from very low to very good, reflecting again the different socio-economic realities of CECAF members and consequently their different perceptions with regard to their commitment to and their sense of ownership of the Committee. The low attendance of many members in the meetings of both the Committee as well as of the Scientific Sub-Committee, however, is a clear symptom of a very low sense of ownership and commitment by several countries. As noted in Section 1.2.5, almost one fifth of CECAF members have not attended any meeting of the organization for the past 10 years. Those members should be requested to either participate more actively in the activities of the Committee or else to formally withdraw from it (see Recommendation 4).

84. According to some of the respondents, the degree of ownership could be enhanced if member countries were to contribute financially with the Committee, even if in a voluntary basis. Others cautioned, however, that this would not be possible at present for many CECAF members. The possibility of some degree of participation by members in the budget of the organization, to be established in a phased manner, however, should be evaluated by the Committee (see Recommendation 6).

85. Another means to enhance the sense of ownership could be perhaps an improved communication between the Secretariat and CECAF members, particularly between meetings, a deficiency that has been pointed out in many responses to the questionnaire.

**Recommendation 20:** CECAF Secretariat should improve its communication with members, particularly between meetings. This could be linked to the follow-up mechanism mentioned in Recommendation 11.

**Rationale:** With a better communication, the sense of ownership and commitment by members would likely increase.

## **6. CECAF DECISION-MAKING PROCESS AND PRACTICES**

### **6.1 Decision-making process**

86. According to the responses received, CECAF decision-making process and practices were considered, in general, sufficiently inclusive and transparent, although, according to some, they could be improved by a more fluent process of consultation and coordination with members and with other Regional Fisheries Bodies active in the region (see Recommendation 7).

87. The need for a higher degree of continuity in the activities conducted by CECAF, and of regularity in its meetings, was also noted (see Recommendation 12). In conjunction with this, the need of a follow-up mechanism that allows the Committee to assess the degree of implementation by members of the recommendations adopted in previous meetings was emphasized (see Recommendations 11 and 20). Even though CECAF, due to its advisory nature, can't impose sanctions, this measure was deemed as crucial to enhance the degree of implementation by member countries, as well as to improve coordination and planning of fisheries management in the region.

## 6.2 Transparency

88. FAO Resolution 13/97 requested all Statutory Bodies to examine how their Rules of Procedures and working methods could be streamlined to facilitate positive interaction among participants at meetings, to promote a task-orientation and to strengthen the involvement of civil-society partners. It also requested the Secretariat to prepare information notes to facilitate review by the Council, of modalities for greater civil society involvement. Despite the need to update CECAF Rules of Procedures, as already noted in Section 2 (see Recommendation 8), CECAF Meetings seem to have been sufficiently open and transparent.

89. In terms of documentation, however, although the reports of most of the sessions of the Committee and of the Scientific Sub-Committee are available in FAO website, the documents used during those meetings and referred to in the reports are not, making it very difficult for the general public to have access to the information used to guide the discussions during these events. This practice should be revised and all documents used or referred to during meetings should be made available in the Homepage of the Committee in FAO website, which, incidentally, needs to be urgently updated.

**Recommendation 21:** All documents used during the Committee Meetings and the Meetings of the Scientific Sub-Committee should be posted in the homepage of the Committee in FAO website.

**Rationale:** The easy and free accessibility to all documentation in which CECAF decisions are based is essential to ensure transparency.

## 7. THE CECAF SECRETARIAT

90. The CECAF members who responded the questionnaire, considered the work of CECAF Secretariat good and compatible with the means and resources available to it. According to some respondents, however, there is a need to improve communication between the Secretariat and CECAF members, particularly between meetings (see Recommendation 20). The need to improve communication and coordination with other regional fisheries bodies in the region was also noted (see Recommendation 11). The structure and management of the Secretariat, however, could be improved if more resources were made available, while the distribution of tasks was considered adequate. The need to ensure the regularity of meetings and, if possible, increase their frequency, was, however, highlighted (see Recommendation 12). The Secretariat should be praised, however, by the outstanding work it has done so far with the very limited resources available.

**Recommendation 22:** The infrastructure, human and financial resources available to the Secretariat should be reinforced, either through FAO formal channels or alternatively, if possible, by means of direct contributions from member countries, with the caveats noted in Sections 1.2.7 and 8.

**Rationale:** As highlighted by many respondents to the questionnaire, the scarcity of human and financial resources available to CECAF Secretariat is undoubtedly one of its main limitations to discharge the many tasks attributed to it, in a proper manner.

## 8. OPTIONS FOR CECAF FINANCING

91. This issue has already been discussed in a detailed manner under Section 1.2.7 and, to a less degree, in Section 5. CECAF has fundamentally three potential sources of financing: 1) FAO budget; 2) extra-budgetary resources provided by donors or by field projects; and 3) regular contribution by member countries. Up to now, CECAF has survived solely from the

first two alternatives. Although almost all of the respondents to the questionnaire expressed the view that it would be very positive for CECAF to have a more autonomous budget based on the contribution of member countries, some cautioned, however, that this would be, at least presently, a utopia, since many members most likely would not be able to honour their contribution. The existence of several other organizations in the region, both at regional (ATLAFCO, ICCAT, SEAFO, etc.) and sub-regional (SRFC, FCWC, COREP) levels, which already require financial participation by members, was noted as an additional hindrance to CECAF members to contribute further to an autonomous budget of the Committee.

92. It should be noted, therefore, as already pointed out in Section 1.2.7, that FAO does not have a choice but to keep doing its best to support the work of the Committee, not only with its own budgetary resources, but also as a facilitator to attract extra-budgetary funds from international donors and field projects, in order to ensure CECAF can continue to operate in an effective manner.