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COMMISSION STAFF WORKING DOCUMENT

EVALUATION

**of the Protocol to the Sustainable Fisheries Partnership Agreement concluded between
the European Union and Guinea-Bissau**

Introduction

The EU's Common Fisheries Policy (CFP)¹ establishes a legal framework for EU fishing activities outside the European waters. Sustainable Fisheries Partnership Agreements (SFPAs) concluded between the European Union and a number of third countries are a key instrument for Ocean governance. Through SFPAs, access is provided to the EU external fleet in the Exclusive Economic Zone (EEZ) of third countries in a regulated and transparent environment². Furthermore, the SFPAs ensure that fishing activities are sustainable and provide long-term management of the resources while contributing economic, social and employment benefits, including food supply.

The new CFP establishes mandatory evaluation requirements for SFPAs and their implementing Protocols in view of informing decisions regarding negotiating directives for their renewal. In this way, the EU can be sure, among other things, that the fishing opportunities it negotiates in the framework of SFPAs are in line with the objectives of the CFP, using best available scientific advice to identify surplus stocks, providing value for money, and not competing with local fleets.

This Staff Working Document (SWD) presents the results of an evaluation carried out by an independent consultant³ covering the first 18 months of application of the on-going Protocol to the SFPA concluded between the EU and Guinea-Bissau and a forward-looking evaluation for a possible renewal of the Protocol.

Background to the initiative

The EU concludes SFPAs with third countries to allow the EU fleet to fish surplus resources in their EEZ in a legally regulated environment in exchange for a financial contribution. This contribution consists of two distinct components: a contribution for access to the partner country's fisheries resources and another one to promote the sustainable development of the partner country's fisheries sector ('sectoral support'). The EU public contribution is complemented by contributions paid by the EU vessel-owners. Each SFPA is an exclusive agreement: once in place, EU vessels can only fish under this SFPA and cannot enter into private agreements with the partner country. The SFPA ensures a level playing field as it establishes minimum standards for the sustainable management of fisheries resources and includes provisions prohibiting the granting of more favourable conditions to other foreign fleets. SFPAs are rendered operational through implementing Protocols. The implementation of the SFPA and its Protocols is monitored by a Joint Committee composed of representatives from both parties.

The EU and Guinea-Bissau have a long history in the area of fisheries⁴. The SFPA currently in force was concluded on 16 June 2007⁵. The current 3-year Protocol⁶ (baseline) is

¹ [Regulation \(EU\) 1380/2013 of 11 December 2013 on the Common Fisheries Policy](#) (OJ L354, 28.12.2013, p. 22)

² http://ec.europa.eu/fisheries/cfp/international/agreements_en

³ COFREPECHE, MRAG, NFDS et POSEIDON, 2016. Évaluation rétrospective et prospective du protocole de l'accord de partenariat dans le secteur de la pêche entre l'Union européenne et la République de Guinée-Bissau. Contrat cadre MARE/2011/01 - Lot 3, contrat spécifique n°17. Bruxelles, 231 p.:

https://ec.europa.eu/fisheries/report-protocol-to-the-Fisheries-partnership-Agreement-between-EU-Guinea-Bissau-2016_en

⁴ The first fisheries agreement with Guinea-Bissau ran from 27 June 1980 to 26 June 2007: [Council Regulation \(EEC\) No 2213/80 of 27 June 1980](#) (OJ L226, 29.08.1980, p. 33)

⁵ [Council Decision 2007/854/EC of 4 December 2007 on conclusion](#) (OJ L342, 27.12.2007, p. 1)

applicable from 24 November 2014. It will expire on 23 November 2017. It is the third Protocol to the SFPA and follows a period of interruption from 16 June 2002 to 23 November 2014 due to the suspension of relations by the EU because of a military coup in Guinea-Bissau.

Although most SFPAs concern highly migratory species only, the SFPA with Guinea-Bissau is a so-called 'multi-species' agreement, allowing EU vessels to fish for a variety of species, including not just tunas and tuna-like species, but also high value demersal species such as shrimps, cephalopods and fin-fish. Hence, the Protocol provides fishing opportunities for 4 categories of EU vessels from 5 Member States (Spain, France, Portugal, Italy and Greece): cephalopod and finfish trawlers for a maximum annual capacity of 3 500 GRT⁷ (Category 1); shrimp trawlers for a maximum annual capacity of 3 700 GRT (Category 2); pole-and-liners for up to 12 vessels (Category 3); and tuna seiners and surface long-liners for up to 28 vessels (Category 4). The annual EU public financial contribution to Guinea-Bissau amounts to 9.2 million EUR out of which 6.2 million EUR for access to the resource and 3 million EUR are earmarked for sectoral support.

Evaluation questions

The mandate for the evaluation required that the evaluators examine Guinea-Bissau's fisheries sector and policy, including its coastal and marine environments, ecosystems, the state of the fisheries resources in its waters, as well as the EU fleet's fishing activities in Guinea-Bissau. From this, conclusions were drawn about the performance of the Protocol in terms of its effectiveness, efficiency, economy, relevance, coherence, added value and acceptability. The detailed questions and answers provided by the independent consultants appear in section 7 of their report.

In relation to the evaluation for a possible renewal of the Protocol, the evaluation mandate required the evaluators to perform the following:

- a problem analysis and an assessment of the needs to be met in the short and long-term for the EU, Guinea-Bissau, the vessel-owners and civil society;
- examine the expected objectives of the SFPA for the various stakeholders and to identify, assess and compare the options available to deliver these objectives, in particular the options of renewing or not renewing the Protocol, as well as the risks associated with these options and possible countermeasures;
- assess the added value and cost-effectiveness of a new Protocol, its complementarity and coherence with other interventions; and
- draw lessons from the past and formulate recommendations for an improved future Protocol, including future monitoring and evaluation arrangements.

Method

An independent ex-post and ex-ante evaluation of the Protocol was commissioned from external consultants in December 2015. The evaluation work was carried out from January to

⁶ [Council Decision 2014/782/EU of 16 October 2014 on signature and provisional application](#) (OJ L328, 13.11.2014, p. 1) and text of the [Protocol](#) (OJ L328, 13.11.2014, p. 3); [Council Decision \(EU\) 2015/1987 of 5 October 2015 on conclusion](#) (OJ L290, 6.11.2015, p. 1).

⁷ GRT = Gross Registered Tonnage. GRT represents a ship's total internal volume. GRT was replaced by *gross tonnage* (GT) in 1994 under the International Convention on Tonnage Measurement of Ships of 1969 but is used in the 2014-2017 Protocol because at the time it was negotiated, Guinea-Bissau's legislation was expressed in GRT.

October 2016 in accordance with the agreed terms of reference, and included a field mission to Guinea-Bissau. The final evaluation report was submitted on 21 November 2016 and has been made public⁸. Detailed information about the evaluation process, consultation of stakeholders and methodology used are provided in Annexes 1, 2 and 3 respectively. Although the analysis and findings presented in the evaluation are generally robust, the following limitations should be highlighted:

- Due to the lead-up time needed to complete the procedures linked to a renewal of the Protocol, the evaluation provides final data for 2015 but only provisional data for the second year of application of the Protocol, i.e. 2016;
- The assessments of the state and potential of the stocks of demersal and small pelagic species are affected by the unavailability of updated analysis and recommendations from the competent regional fisheries organisation, the Fishery Committee for the Eastern Central Atlantic (CECAF), and the currently limited amount of reliable fisheries statistics in Guinea-Bissau. This limitation has been addressed through the work of the Joint Scientific Committee, which has provided qualitative information to evaluate the stocks.

Implementation state of play (results)

During the period of application of the Protocol, there have been several changes of government in Guinea-Bissau, reflecting the chronic political instability in the country. In addition, the fisheries administration was reorganised and became the Ministry for Fisheries in June 2016.

Guinea-Bissau's fishing zone is frequented by EU cephalopod/finfish and shrimp trawlers (respectively 12 and 10 vessels in 2015). These vessels have a strong connection to the area, where they spend most of the year operating from the port of Dakar (Senegal). The utilisation rate of fishing opportunities for cephalopod/finfish trawlers (see figure 1), which are the main fisheries of the EU fleet, was 70% in 2015 with a clear upward trend for 2016 (85%). For shrimp trawlers, the 2015 utilisation rate was 32% with a provisional downward trend for 2016 (17%). The EU's tuna vessels also operate in Guinea-Bissau's fishing zone, which forms part of the EU's regional network of SFPAs along the coast of West Africa, as they follow the migratory path of tuna and tuna-like species. The utilisation rate of fishing opportunities for pole-and-liners and purse seiners is high and stable, while non-existent for long-liners, the latter focusing their activity on the high seas and traditional fishing areas (e.g. Cape Verde and further South for swordfish).

Figure 1 – Utilisation per fishing category

Category	2011-2012	2015	2016 (provisional)
1 - cephalopod / finfish trawlers	42%	70%	85%
2 - shrimp trawlers	36%	32%	17%
3 - pole-and-liners	57%	66,7%	66,7%
4 - purse seiners / surface long-liners	100%	75%	78,6%

As regards catches (see figure 2), the cephalopod/finfish trawlers caught 14 985 tonnes in 2015 (mainly hake and horse mackerel) while the shrimp trawlers caught 1 507 tonnes

⁸ https://ec.europa.eu/fisheries/report-protocol-to-the-Fisheries-partnership-Agreement-between-EU-Guinea-Bissau-2016_en

(mainly pink shrimp). Catches by the cephalopod/finfish trawlers account for 82% of total catches in 2015, which is a significant increase compared to the 2007-2012 period, and provisional data shows a further increase in catches in 2016. The increases in the cephalopod/finfish fisheries are due to the fact that the Protocol with Guinea-Bissau is currently the only one in the region which provides fishing opportunities for the EU's cephalopod trawlers. Due to a lack of infrastructure, catches made by EU trawlers are not landed in Guinea-Bissau, nor processed or marketed there. Similarly, the tuna vessels tend to land their catches in Dakar where they have long-standing ties with canneries.

Figure 2 – Catches per fishing category (in tonnes)

Category	2007-2012 (average)	2013-2014*	2015	2016 (provisional)
1 - cephalopod / finfish trawlers	3 215,4	0,0	14 985,8	15 666,2
2 - shrimp trawlers	1 470,6	0,0	1 507	477,7
3 - pole-and-liners	841,9	0,0	1 370	285,7
4 - purse seiners / surface long-liners	1 487,5	0,0	824,4	1 997,1

* No fishing due to an interruption between the 2011-2012 and 2014-2017 Protocols

The Joint Committee and the Joint Scientific Committee met once per year, as required by the Protocol. Some difficulties have been identified in relation to the implementation of some technical and administrative aspects of the Protocol, such as provisions concerning the issuing of fishing authorisations, the transmission of catch reports, and the embarkation of Bissau-Guinean seamen. These are in the course of being addressed.

As regards sectoral support, the multiannual programming approved by the first Joint Committee in January 2015 allocates the available funding (9 million EUR for 3 years) to the following 5 strategic priorities:

- 1) Reinforcing control and surveillance of the EEZ (56%);
- 2) Promoting an environment favourable to the development of the sector (29%);
- 3) Improving the sustainable management of fisheries resources (9%);
- 4) Promoting artisanal fisheries (3%); and
- 5) Improving the sanitary quality of fisheries products (3%).

Despite some delays, mainly due to the limited absorption capacity of the fisheries administration, the first instalment of sectoral support has been implemented to a satisfactory level (above 70%) although the Treasury's decision in December 2015 to retain part of this instalment is causing delays in implementation which will have a knock-on effect on the disbursement of the remaining instalments. The main results achieved so far are the acquisition of a patrol vessel, the renovation of surveillance stations and the payment of contributions to the *BioGuiné Foundation* and regional fisheries bodies. There have also been delays in the implementation under the previous two Protocols although the sectoral support of the 2011-2012 Protocol has been closed and the implementation of the last instalment of the 2007-2011 Protocol is almost complete.

Answers to the evaluation questions

The Protocol is considered to be **effective**. It promotes the sustainable exploitation of surplus resources in Guinea-Bissau's EEZ although the current stock status of demersal species and

cephalopods needs to be monitored closely. If necessary, non-discriminatory management measures applicable to all fleets concerned should be taken. It is also considered that the number of fishing authorisations granted to EU vessels (except for tuna long-liners and to a lesser extent for shrimp trawlers) was generally in line with the EU fleet's expectations and that EU catches have been commensurate with the effort deployed, notably for high value demersal species, shrimp and black hake. Although the Protocol has contributed to supplying the EU market with fisheries products, the lack of appropriate infrastructure for landing catches in Guinea-Bissau has prevented any supply to the local market. In terms of generating employment, the absence of landings in Guinea-Bissau means that few jobs are created in the country, with the exception of the Bissau-Guinean seamen embarked by EU trawlers. In 2015, the Protocol contributed to sustaining around 737 jobs, out of which 497 were direct employment (41% for the EU, 18% for Guinea-Bissau and 41% for other ACP countries). The Protocol provisions concerning the number of Bissau-Guinean seamen to be embarked by EU vessels have been respected. The protocol has also contributed to improving the surveillance of Guinea-Bissau's EEZ. The EU fleet's activities are monitored by satellite through the Vessel Monitoring System and observers are deployed on board all EU trawlers. Moreover, sectoral support has supported the activities of Guinea-Bissau's fisheries inspection authority (FISCAP). The 3-year duration of the Protocol is considered too short in view of the time needed to prepare and negotiate its renewal.

The **efficiency** of the Protocol is average, mainly because of the observed cost-benefit ratio: for 1 EUR invested by the EU, 2.02 EUR is generated as total added value but only 0.84 EUR of this returns to the EU. In terms of the distribution of the total added value, 42% goes to the EU, 38% to ACP countries and 20% to Guinea-Bissau. On the other hand, the total financial compensation received by Guinea-Bissau under the Protocol (10.5 million EUR including financial compensation for access, vessel-owners' fees and sectoral support) makes a significant contribution to the public finances of Guinea-Bissau, especially compared to its agreements with other foreign fleets. The effective cost of access (excluding sectoral support) in 2015 was 415 EUR/t, of which 345 EUR/t came from the EU budget and 71 EUR/t from fees paid by the EU vessel-owners. The Protocol is therefore advantageous for the ship-owners but at a relatively high cost for the EU. Although sectoral support focuses on a more limited number of actions compared with previous protocols in order to improve absorption of the available funding, the diverse nature of the programmed actions (purchase of surveillance equipment, training, inspection service running costs, etc.) and the limited capacity of Guinea-Bissau's fisheries administration have hampered implementation. The fisheries attaché based in the EU Delegation in Dakar carries out regular visits to Guinea-Bissau to monitor progress and provide technical assistance with a view to accelerating implementation.

In terms of **economy**, the financial contribution for access is crucial for the good functioning of the State. The sectoral support contribution is also very important in meeting the considerable needs of the fisheries administration in particular as regards the monitoring, control and surveillance of fishing activities. Despite this support, recurring problems linked to the use of sectoral support, such as delays and modifications to the actions agreed beforehand, prevent the full and timely attainment of the desired results in terms of improving the quality of fisheries management. For example, the fisheries administration's decision to purchase two patrol vessels instead of one vessel as foreseen in the programming has meant that less funding was available for other priorities. Similarly, the Treasury's decision in December 2015 to withhold part of the first sectoral support instalment has delayed implementation of that funding by over a year notably as regards the construction of buildings for the fisheries inspection service and the scientific institute.

Overall, the evaluation considers that the Protocol is **relevant** and meets the needs of different fleet segments with the exception of the long-liners. The Protocol ensures continuity of access for the EU tuna vessels and demersal trawlers to the resources they target along the coast of West Africa. It is particularly important for cephalopod trawlers as it is the only Protocol in the region currently offering fishing opportunities for cephalopods. The management rules of the competent regional fisheries management organisations apply to its implementation, notably those of the International Commission for the Conservation of Atlantic Tunas (ICCAT) as regards tuna stocks and of the CECAF for demersal and pelagic stocks. Although the latest CECAF recommendations for demersal species are outdated, the work of the Joint Scientific Committee has allowed identifying potential difficulties with the state of some demersal stocks. The advice provided by the Scientific Committee of these organisations along with the work of the Joint Scientific Committee enable the consideration and identification of which stocks a surplus is available for utilisation under the Agreement (see Annex 3 for a detailed description of the methodology used and scientific analysis performed). Sectoral support has contributed to the improvement of Guinea Bissau's institutional capacity for the management of fisheries resources for example through support for sanitary certification, scientific campaigns and data management, contributions to the *BioGuiné Foundation* and regional fisheries bodies, as well as support for the fight against illegal, unreported and unregulated fishing (IUU) fishing including the purchase of a patrol vessel, the renovation of surveillance stations and the training of inspectors.

The Protocol is **coherent** with the CFP although the contribution from ship-owners should be increased, in line with the 2013 CFP Reform, which required the rebalancing of the cost of access between the ship-owners and the EU budget. It also complies with the latest ICCAT recommendations and resolutions on the exploitation of tuna resources. As the latest CECAF advice is outdated, the Joint Scientific Committee has and will continue to undertake in-depth reviews of the latest information available so that the advice regarding the demersal and pelagic stocks are brought up to date. The Protocol is also coherent with the EU development policy and with Guinea-Bissau's fisheries management objectives. Although catch reporting and the transmission of catch declarations by trawlers needs to be improved, the Protocol's provisions are generally well respected and any difficulties are usually addressed in the Joint Committee. Sectoral support is implemented in complementarity with EU development aid and synergies with contributions from other donors, which were limited in the past, are being improved. For example, on the occasion of the September 2016 Joint Committee, information on programmed sectoral support actions was shared with representatives of the World Bank's West Africa Regional Fisheries Program (WARFP). This resulted in the identification of a potential overlap concerning funding for surveillance missions which was therefore removed from the sectoral support programming and an agreement to examine the need to fund scientific campaigns and surveillance missions with sectoral support after the WARFP is wound up at the end of June 2017.

The **added value** of the Protocol is generally positive. All stakeholders benefit from the Protocol and in particular Guinea-Bissau. Without the Protocol, its Treasury would not have received the EU public contribution for access and the fisheries administration would not have benefited from sectoral support and scientific cooperation with the EU. In the absence of a Protocol, EU vessels would have had to operate in the fishing zones of other coastal states, which would have been particularly problematic for the cephalopod/finfish trawlers, or they would have been able to access Guinea-Bissau's fishing zone only if the SFPA had been denounced (exclusivity clause). In that case, the vessel-owners would have had to negotiate private arrangements that would have been less transparent than fishing authorizations issued under the SFPA and therefore more risky in terms of sustainability. Furthermore other ACP

countries also benefit from this SFPA, mostly through the employment of seamen from ACP countries and through landings taking place in the region. ACP countries capture 41% of the direct employment sustained by SFPA and as regards landings by EU vessels fishing under the SFPA, 75% of tuna catches are processed in ACP countries (mainly Senegal but also Côte d'Ivoire and Ghana) and 100% of demersal and shrimp catches (mainly Senegal but also Cape Verde).

The **acceptability** of the Protocol is good. With the exception of long-liners and to a lesser extent shrimp trawlers, the vessel-owners have taken up fishing authorizations since the start of the Protocol and this interest has not decreased (see Figure 1). Civil society in Guinea-Bissau is aware of the importance of fisheries for the country although it looks for greater transparency and consultation regarding the implementation of sectoral support. International civil society organisations consider that it should be more involved and there is a need for more transparency, in particular regarding sectoral support. Guinea-Bissau is generally satisfied with the Protocol because it creates value from a resource which the domestic sector is not able to capture due to the absence of landings and it demonstrates the country's good relations with the EU.

Forward-looking evaluation

In the preparation of the evaluation the civil society in Guinea Bissau was widely consulted, in addition to the administration of Guinea Bissau and the relevant EU stakeholders.

In terms of the **long and short-term needs** to be met, the EU and Guinea-Bissau share the need to ensure sustainable exploitation and management of fisheries resources in accordance with their national, regional and international obligations. Guinea-Bissau needs to safeguard the financial income from the SFPA, whilst attracting a bigger share of the added value generated and to reinforce the control of the vessels operating in its waters. As confirmed by civil society, the consumers of Guinea Bissau require fisheries resources to supply the domestic market, most of which is supplied by the national fishery. The EU needs to obtain fishing opportunities for its vessels, while respecting the CFP and the new EU legislative framework proposed by the Commission for the sustainable management of the EU's external fishing fleets⁹. For the cephalopod/finfish trawlers it is essential to secure continued access to Guinea-Bissau's fishing zone whereas the shrimp trawlers are less dependent on such access. The tuna vessels rely on the regional network of SFPAs to follow highly migratory species on their migratory path including through Guinea-Bissau. The EU market requires high quality fisheries products respecting EU sanitary standards. The EU civil society emphasises the need for transparency, sustainability, the respect for international labour standards, whereas Guinea-Bissau's civil society seeks greater transparency regarding the use of sectoral support and to bring more added value through landings.

Within the wider framework of the **objectives** of the external dimension of the CFP, the operational objectives of the SFPAs to be achieved include providing fishing opportunities to the EU fleet, contributing to the sustainable development of the fisheries sector in line with international standards, supplying the market with fisheries products and ensuring proper monitoring and control of fishing activities in accordance with international standards.

Two **options** were assessed: the conclusion of a new Protocol (option A) and the non-renewal of the Protocol (option B). A new Protocol would retain the main features of the current Protocol but taking into account lessons learned from the previous and current Protocols, such

⁹ COM(2016)636 of 10.12.2015

as, fishing opportunities based on actual utilisation, the state of the stocks (cephalopods in particular) and the activities of other fleets. The inclusion of fishing opportunities for tuna vessels would be possible only if Guinea-Bissau becomes a State Party to ICCAT in line with the provisions of the EU proposal regarding the management of external fleet. Prices would be adapted to the evolution of market prices, in particular for tuna, and the financial contribution by vessel-owners would have to be increased. The EU and Guinea-Bissau would continue and reinforce cooperation in the Joint Committee and the Joint Scientific Committee and in the fight against IUU fishing.

If no new Protocol is concluded but the SFPA remains in force (sub-option B1), the EU vessels would be obliged to leave Guinea-Bissau's fishing zone (exclusivity clause) and would have to secure fishing opportunities in other fishing zones. Guinea-Bissau would no longer receive any EU financial compensation. If no new Protocol is concluded and the SFPA is denounced (sub-option B2), the EU vessel-owners would be able to enter into private agreements with Guinea-Bissau to access its fisheries resources but they would no longer benefit from the stable legal framework offered by the SFPA thereby being possibly subject to the changes in Guinea-Bissau legislation without protection of the SFPA umbrella, and there could be risks in terms of the sustainability of fishing activities under private arrangements. In both cases, the absence of an EU financial contribution would put at risk the functioning of the fisheries administration in particular its capacity to fight against IUU fishing.

Conclusions

The Commission generally shares the findings, conclusions and recommendations presented in the external evaluation report and its conclusion that the renewal of the Protocol is the preferred option.

A new Protocol is of significant importance for Guinea-Bissau and would be pertinent for the EU vessels in view of the importance of the fishing zone in particular the cephalopod/finfish trawlers. Nevertheless, the evaluation proposes some adjustments to the fishing opportunities in light of past utilisation. Catch reporting by trawlers should be improved under a new Protocol and its cost should be rebalanced by increasing the contribution of the vessel-owners in line with the new CFP which is in the process of being implemented. In order to be able to include fishing opportunities for tuna in a new Protocol, Guinea-Bissau must become a State Party to the ICCAT.

The evaluation also makes some **recommendations for improving the implementation** of a possible future Protocol, such as extending its duration, enhancing scientific cooperation, proper reporting and monitoring of catches, and protecting demersal resources through (non-discriminatory) management measures if necessary. Regarding sectoral support, it is proposed to increase consultation and transparency on sectoral support programming, ensure better monitoring of the planned actions, make targeted investments to capture more added value, strengthen Guinea-Bissau's fisheries research capacity, and facilitate implementation through technical assistance.

The evaluation also considers it legitimate for Guinea-Bissau to wish to improve its share of the added value generated by the Protocol given the importance of its fishing zone for EU vessels. They suggest that Guinea-Bissau could seek to achieve this by increasing the financial contribution for access, by encouraging the employment of qualified national seamen and attracting more economic activity to Guinea-Bissau for example by introducing incentives to land although the latter will be possible only when the required infrastructure is

in place and if the processing operators and those providing related services (supplies, repairs) are competitive compared to others in the sub-region.

Regarding the increase of Guinea-Bissau's share of the added value generated by the Protocol, it should be noted that the possibility of adjusting the financial contribution for access under a future Protocol will depend on a range of factors including the type and quantity of fishing opportunities (themselves dependent on the state of the stocks), the market prices for the targeted species, the technical conditions applicable to the EU fleet. Similarly, the possibility of attracting more economic activity to Guinea-Bissau will depend to a large extent on the quality of the available infrastructure and services.

Annex 1 – Procedural information

Lead DG: Maritime Affairs and Fisheries (MARE)

Agenda Planning reference: 2016/MARE/106 - Evaluation of the protocol to the SFPA between the EU and Guinea-Bissau.

External expertise: An independent retrospective evaluation of the Protocol to the SFPA with Guinea-Bissau and forward-looking evaluation on a possible renewal of the Protocol was commissioned from external consultants. The final evaluation report was submitted on 21 November 2016 and has been made public.

Steering group: An Inter-service Steering Group was set up to supervise the evaluation. The Group was composed of representatives from the relevant Commission departments in particular DGs MARE, DEVCO, SANTE, ENV, SG as well as the EEAS. The Group met on 3 occasions (19 January, 23 June and 15 September 2016) and was consulted on the terms of reference, the deliverables submitted by the evaluators (inception, interim and final reports) and contributed to the quality assessment of the final evaluation report.

Guinea-Bissau was given the opportunity to comment on the draft final report but no comments were received.

Organisation and timing:

Step in the evaluation process	Timetable
Signature contract with external evaluators	16 December 2015
Kick-off meeting	19 January 2016
Submission of the inception report	1 February 2016
Submission of the draft interim report	7 June 2016
Meeting on the draft interim report	23 June 2016
Submission of the draft final report	12 September 2016
Meeting on the draft final report	15 September 2016
Submission of the final report	10 October 2016
Submission of the revised final report	21 November 2016
Publication of the final report	22 November 2016

Annex 2 – Stakeholder consultation

Method and approach

The legal and procedural requirements for the preparation of the renewal of fisheries Protocols entail a tight schedule which precludes open public consultations. In addition, the impact of SFPAs is relatively limited as they mainly concern a small number of stakeholders. For this reason, no open public consultation was carried out. Instead, targeted stakeholders with an interest in the SFPAs/Protocol were consulted as part of the evaluation, as follows:

- For the EU: Member States' fisheries administrations (France, Spain, Italy, Greece); Private operators based in the EU (vessel-owners, processing industry, etc.); Scientific institutes (IRD, IEO etc.); Civil society, in particular non-governmental organisations (CAPE, Greenpeace, ICSF).
- For Guinea-Bissau: the State Secretariat for Fisheries and the Maritime Economy (subsequently Ministry for Fisheries) and other services such as the fisheries inspection department (FISCAP), Institute for Biodiversity and Protected Areas (IBAP), Bissau Port Authority (APGB), the Maritime and Port Institute; the national scientific institute (CIPA, subsequently INIPO); Representative of the WARFP programme (World Bank); the Management and Cooperation Agency (AGC) set up by Guinea-Bissau and Senegal to administer the Joint Management Area; local civil society.

The consultation was conducted through individual or group interviews carried out by email, telephone and face-to-face meetings. Stakeholders were contacted several times to take into account any additional information collected.

Face-to-face meetings were the preferred means of communication with the main stakeholders (in particular private operators with a direct interest in the Protocol and/or present in Guinea-Bissau). A round table with civil society organisations was organised during a field mission to Bissau to gather their views and on this occasion special attention was also paid to the impact of sectoral support. The private and public stakeholders in the EU were mainly consulted by phone or email but also in person where possible.

The interviews were conducted on a semi-structured basis. This approach makes it possible to collect precise information on the basis of a standard survey with pre-defined topics whilst leaving sufficient flexibility for spontaneous interaction and exchanges of views in view of an assessing the acceptability and efficiency of the Protocol and the suitability of the options for its (non)renewal. Reports were drafted of each interview and shared between the evaluators.

In addition to the consultations organised by the evaluators, DG MARE also consulted the following stakeholders on the implementation of the Protocol and its possible renewal:

- Representatives of the EU fishing industry and NGOs in the framework of the meeting of the Long Distance Advisory Council (LDAC) on 25 October 2016. The Commission presented the main evaluation results and challenges for the renewal of the Protocol.
- Representatives of the Member States' fisheries administrations and industry through technical meetings in advance of Joint Committee meetings. The last such meeting took place on 9 September 2016. Another technical meeting will be organised before the

finalisation of the negotiation strategy so that the Commission can integrate the views expressed in its strategy.

- Guinea-Bissau's fisheries administration in the margins of the Joint Committee held in Bissau from 19 to 22 September 2016 and during the preparatory monitoring mission of the regional fisheries attaché to Bissau from 6 to 10 September 2016.

Views expressed by stakeholders

EU ship-owners: The EU ship-owners believe that the current Protocol is balanced and insist on the importance of concluding a new Protocol. The trawler owners raise the sometimes excessive time taken to complete the technical visit, the delays in the issuing of fishing authorisations and the lack of free choice concerning the Bissau-Guinean seamen they are required to embark in particular because some lack the necessary qualifications. They do not wish to see a further increase in the observer fee. The cephalopod/finfish trawler owners wish to maintain one combined category for cephalopods and finfish. The Italian and Greek ship-owners consider that their fishing opportunities in the cephalopod/finfish trawlers category are insufficient and should be increased. The shrimp trawler owners are satisfied with the available fishing opportunities. The purse seine vessel owners wish to maintain a regional network of SFPAs in order to allow them to follow the tuna and other highly migratory species as they pass through the EEZs of different coastal states and consider that the individual reference tonnage fixed in the current Protocol does not need to be adjusted. The pole-and-liners are satisfied with the current Protocol but would like to clarify the provisions concerning fishing with live bait. The owners of the long-liner vessel did not express an opinion.

Guinea-Bissau fisheries administration: Guinea-Bissau has expressed the intention to renew the Protocol but wishes to increase its share of the added value generated, in particular through a greater integration of EU economic operators into its national economy (e.g. joint ventures) and more activity in its ports through landings. It also aspires to reinforcing the control of the vessels operating in its waters and to increase the number of national seamen embarked by the EU trawlers. Guinea-Bissau also wishes to define the fishing opportunities on the basis of catches instead of the current system based on capacity. It also wishes to remove the fishing opportunities for long-liners in order to be able to offer these opportunities to other fleets and to include a 5% stamp duty on fishing authorisations.

Guinea-Bissau civil society: The civil society organisations in Guinea-Bissau consider that the programming and implementation of sectoral support lacks transparency and has no economic impact on the country's fisheries sector as it focuses too much on supporting the fisheries administration. They wish to be consulted on and involved in its programming and implementation. More generally, civil society wishes to be informed on the actions undertaken by the fisheries administration with the financial contribution received in the framework of the SFPAs (both access and sectoral support). They highlight the lack of supply of fisheries products to the national market and stress the need to encourage foreign vessels (EU vessels in particular) to land a larger share of their catches in Guinea-Bissau. They stress the need for training and investments in infrastructure and equipment to make Guinea-Bissau's fisheries sector more attractive for foreign vessels.

EU civil society: The views expressed by EU-based civil society organisations are not specific to the SFPAs with Guinea-Bissau but concern all the SFPAs concluded by the EU in particular with ACP countries. They stress the importance of transparency of access conditions and use of sectoral support, non-discriminatory access rights at a fair price which minimise the

environmental impact of fishing activities and sustainable fisheries governance and the fight against IUU fishing. EU civil society recognises that SFPAs are an example to be followed, in particular in comparison with the fisheries agreements concluded with other foreign fleets such as the Chinese or Russian fleets which lack transparency. As regards the SFPA with Guinea-Bissau, they recognise the financial importance of the agreement for the country but criticise the decision taken in 2014 to activate the current Protocol, negotiated in 2012 but suspended because of the military coup, without taking into account the (often illegal) fishing activities taking place in Guinea-Bissau's waters in the meantime. The social partners wish to clarify the social clause governing the employment conditions of the national seamen and ensure it fully complies with the international standards set by the International Labour Organisation.

Annex 3 – Methods and analytical models used in preparing the evaluation

Results of previous evaluations

The results of previous evaluations were taken into account, in particular:

- The ex-post evaluation of the 2007-2011 Protocol to the SFPAs with Guinea-Bissau and analysis of the impact of the new Protocol envisaged at that time (2011-2012), completed in 2010; and
- The review of tuna fisheries in the East Atlantic Ocean, completed in 2013. The review provides a regional analysis of tuna resources and the situation of the tuna sector in West-Africa.

Economic analysis

A harmonised methodology has been developed for the economic analysis of the EU tuna fleets involved in fishing activities governed by Regional Fisheries Management Organisations or SFPAs. The methodology has been adapted to the specific situation of Guinea-Bissau and developed further in order to cover also the demersal fleet which operates according to an economic model which is very different from that of the tuna fleet (Chapter 6 and Annex G to the final evaluation report). The cost structure used in the economic analysis is the structure that is used for the Data Collection Framework and the data used corresponds to the data submitted by the EU Member States.

Science

The analysis of the scientific advice concerning the state of the stocks and management recommendations focuses on the potential and the state of the stocks of highly migratory species (tunas and sharks) as well the pelagic and demersal species affected by the activities of the EU fishing vessels (cephalopods, shrimp and fish) with an emphasis on Guinea-Bissau's EEZ. The evaluators did not perform stock assessments as such but reviewed the latest available scientific advice about the state of the stocks and the most recent management measures taken by the International Commission for the Conservation of Atlantic Tunas (ICCAT/CICTA) as regards tuna stocks and of the Fishery Committee for the Eastern Central Atlantic (CECAF/COPACE) for demersal and pelagic stocks.

The latest available CECAF advice and recommendations concerning demersal species dates from 2011 (based on 2009) and is considered outdated. Moreover, the most recent scientific campaigns did not follow a standardised methodology and detailed fishery statistics are not available. Nevertheless, the work of the Joint Scientific Committee provides important information concerning the state of these stocks and the evaluation therefore focuses on the analysis, conclusions and recommendations of the Committee, as described in the report of its 5th meeting (10-12 May 2016).

The evaluators compiled information concerning the global or species-specific (if available) potential as regards species of commercial interest and examined the relevance of the data as well as any potential bias. The work of regional fisheries bodies such as the Sub-Regional Fisheries Commission (SRFC/CSRP) and the Ministerial Conference on Fisheries Cooperation among African States bordering the Atlantic Ocean (ATLAFCO/COMHAFAT) has also been examined.

Data on catches and fishing authorisations

The catch data for EU vessels used in the evaluation has been extracted from the European Commission's Aggregated Catch Reporting Database which is updated by the Member States. The information concerning the fishing authorisations granted by Guinea-Bissau to EU vessels has been extracted from the Commission's Fishing Authorisations database and cross-checked against Guinea-Bissau's data. For both catches and fishing authorisations, 2015 data is final whereas 2016 data is provisional. Data concerning the activities of the other fleets operating in Guinea-Bissau (catches, fishing effort) is that used by the Joint Scientific Committee.