

Empty Oceans: EU Policy and Illegal Fishing in Ghana



by Daniele Fattibene

The COVID-19 crisis has demonstrated, once again, how dramatically broken the global food system is. The world has already witnessed a dramatic increase in malnourishment (with 132 million people at risk of malnutrition by the end of the year),¹ and several reports have highlighted the links between the current pandemic, harmful farming techniques and illegal trafficking of species at risk.²

Against this backdrop, illegal, unreported and unregulated (IUU)

fishing³ has become a huge global problem. The sector is worth over 10 billion euro worldwide, accounts for almost one fifth of global catches⁴ and carries far reaching consequences at the economic, social and environmental levels.

Reshaping our food habits through better policies is crucial to fight against climate change and avoid negative spill-over effects on third states. This is the case of Ghana that deeply relies on fish exports and where unsustainable practices such as *saiko* are threatening biodiversity. *Saiko* describes the illegal

¹ Food and Agriculture Organization (FAO) et al., *The State of Food Security and Nutrition in the World 2020. Transforming Food Systems for Affordable Healthy Diets*, Rome, FAO, 2020, p. 3, <https://doi.org/10.4060/ca9692en>.

² See, for example, Isabella Pratesi (ed.), *The Loss of Nature and the Rise of Pandemics. Protecting Human and Planetary Health*, Rome, WWF Italia, March 2020, <https://wwf.panda.org/?361716>.

³ Unreported fishing stands for fishing that does not abide by international and national laws and regulations. Unregulated fishing regards those vessels operating with no nationality.

⁴ European Commission, *Tackling Illegal, Unreported and Unregulated (IUU) Fishing*, 21 April 2015, <https://europa.eu/!yV97VC>.

Daniele Fattibene is Research Fellow at the Istituto Affari Internazionali. This IAI Commentary is part of a project entitled "The African Century: People, Agriculture and the Environment". The project was realised with the support of the Policy Planning Unit of the Italian Ministry of Foreign Affairs and International Cooperation pursuant to art. 23-bis of Presidential Decree 18/1967. The views expressed in this report are solely those of the author and do not necessarily reflect the views of the Italian Ministry of Foreign Affairs and International Cooperation.

trans-shipment of frozen fish from industrial trawlers to special canoes offshore. In the past years industrial trawlers have started to illegally catch juvenile fish, thereby affecting the everyday life and food security of a number of communities.

Importing countries like EU states bear a strong responsibility to promote healthier and more ecologically sustainable fisheries. The Union has one of the largest fishing fleets in the world, and is the biggest trader of fishery and aquaculture products at the global level, with imports peaking at 26.5 billion euro in 2018,⁵ up from 16 billion in 2007.⁶

Every year, Ghana exports up to 3,500 tonnes of cuttlefish, octopus and squid to the EU, particularly France, Italy, Portugal and Spain, worth around 10 million euro.⁷ This means that EU and its member states can play a strong role in promoting more sustainable fisheries in Ghana,⁸ increasing the transparency of the food chain, monitoring trade

⁵ European Market Observatory for Fisheries and Aquaculture (EUMOFA), *The EU Fish Market. 2019 Edition*, June 2020, https://www.eumofa.eu/documents/20178/314856/EN_The+EU+fish+market_2019.pdf.

⁶ European Commission, *Information Note: EC Regulation 1005/2008 to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing*, 15 February 2013, p. 2, https://ec.europa.eu/fisheries/sites/fisheries/files/docs/body/information_note01_en.pdf.

⁷ European Justice Foundation (EJF), *Warning to EU over Imports from Vessels Fishing Illegally in Ghana*, 20 July 2020, <https://ejfoundation.org/news-media/warning-to-eu-over-imports-from-vessels-fishing-illegally-in-ghana>.

⁸ Riccardo Venturi, Lorenzo Colantoni and Daniele Fattibene, *Ghanagri*, Rome, Peliti Associati, 2020, p. 123, <https://www.iai.it/en/node/11812>.

diversions and ensuring responsible sourcing from farm to fork.

Fisheries are crucially important for Ghana's economy and society, but they are tremendously exposed to the illegal practice of *saiko*, which has pushed the country to the verge of an almost irreversible environmental catastrophe. The reckless exploitation of resources has not only caused severe environmental damage but risks becoming a threat multiplier for several other forms of insecurity, from food insecurity to economic insecurity.

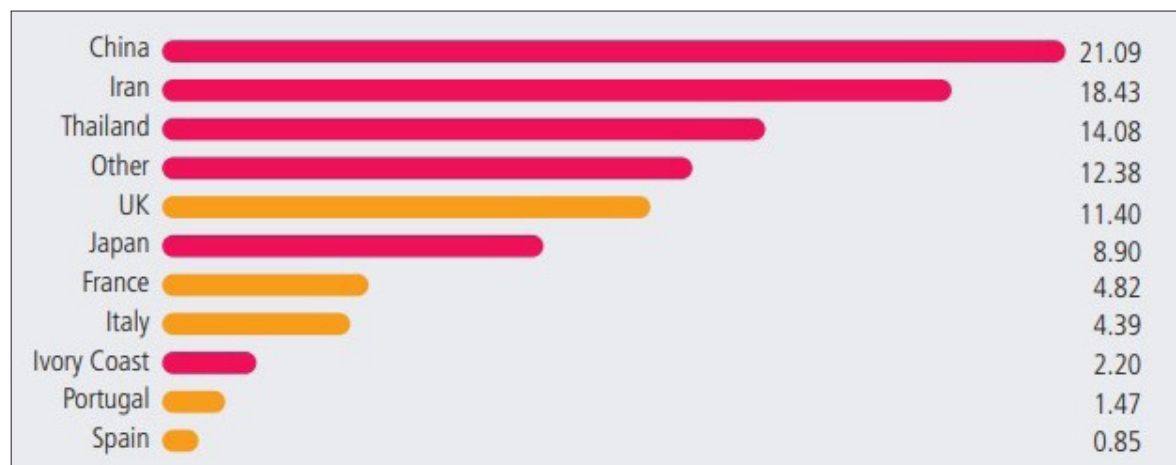
Fish constitutes the main source (60 per cent) of animal protein in Ghana, with a per capita consumption of 25 kg per year.⁹ In addition, the sector employs about 10 per cent of the population directly or indirectly and contributes up to 3 per cent of total GDP.

Overall, in 2016, Ghana produced 379,000 tonnes from marine fisheries and inland waters; and in 2017 they imported 357,000 tonnes. China is the biggest market for Ghanaian exports (10,914 tonnes of fishery products in 2017), followed by Iran (9,533 tonnes) and Thailand (7,285).¹⁰

⁹ Matilda Steiner-Asiedu et al., *Addressing Sustainable Development Goal 2: The Ghana Zero Hunger Strategic Review*, Accra, UN World Food Programme (WFP), July 2017, p. 30, <https://www.wfp.org/node/5499>.

¹⁰ EUMOFA, *Monthly Highlights, No. 8/2018* (October 2018), p. 26 and 29, <http://www.eumofa.eu/documents/20178/131001/MH+8+2018.pdf>.

Figure 1 | Ghana's export volume of fishery products by country of destination (%)



Source: Riccardo Venturi, Lorenzo Colantoni and Daniele Fattibene, *Ghanagri*, cit., p. 122.

After years of overexploitation, total catches fell by 37 per cent between 2000 and 2016, from 364,000 tonnes to 229,000 tonnes respectively, with significant losses experienced especially in the catch of pelagic species.¹¹ This has had important repercussions for the country's socio-economic balance. Recently it was estimated that more than 10,500 direct jobs have been lost in the fishing sector in Ghana since 2017, with very high social and economic consequences for those communities that rely on fish as their main livelihood.¹²

A recent report by the European Justice Foundation (EJF) has highlighted that approximately 100,000 metric tonnes of fish were traded illegally in Ghana through *saiko* in 2017, with an estimated value of 40–50 million US

dollars as fish sold at sea and between 52–81 million for fish sold at landing sites.¹³ In this context, official statistics report less than half of the fish landed in Ghana, but also that the combination of fish legally and illegally landed by trawlers in Ghana is nine times higher than figures reported in the National Fisheries Management Plan 2015–2019.¹⁴

What is even more striking is that a lack of fish has pushed some fishermen to use chemicals and explosives (i.e., dynamite) to catch more fish, causing further ecological damage as well as health issues for consumers.

¹¹ Ibid., p. 27.

¹² Fisheries Committee for the West Central Gulf of Guinea (FCWC), *Ghana: Fishing Declining under Akufo-Addo – Fisherman Alleges*, 28 February 2020, <https://fcwc-fish.org/?p=14819>.

¹³ EJF and Hen Mpoano, *Stolen at Sea. How Illegal 'Saiko' Fishing Is Fuelling the Collapse of Ghana's Fisheries*, 17 June 2019, p. 18, <https://ejfoundation.org/reports/stolen-at-sea-how-illegal-saiko-fishing-is-fuelling-the-collapse-of-ghanas-fisheries>.

¹⁴ Ghana's Ministry of Fisheries and Aquaculture Development, *Fisheries Management Plan of Ghana. A National Policy for the Management of the Marine Fisheries Sector 2015–2019*, 2015, <https://www.mofad.gov.gh/?p=569>.

Decreasing fish numbers impacts several aspects of ordinary life. The sector feeds more than 3 million people in Ghana. In addition, the reduced productivity – and thus attractiveness – of fisheries could increase internal mobility towards bigger cities and even become a “push factor” for external migration flows.

Law enforcement is crucial to combat illegal fishing activities. Even though Ghana has several laws that prohibit *saiko* and envisage high fines (up to 1 million US dollars) for trawlers catching juvenile fish or using prohibited fishing gear, there is very low enforcement of these provisions.

Moreover, although the national law does not allow foreign trawlers to fish in Ghanaian waters, the EJF report states that up to 90 per cent of industrial trawlers practicing illegal fishing are linked to Chinese beneficial owners.¹⁵ There have been multiple cases in which trawl vessels authorised to export to the EU were involved in illegal activities, by routing products via China and then imported to the EU as products of Chinese origin.¹⁶

The EU can thus play a crucial role in helping to end *saiko* and promote a more sustainable management of fisheries in Ghana. EU regulation is based on the so-called “IUU Regulation”¹⁷ that aims

to prevent, deter and eliminate the trade of IUU-caught products in the EU through a multi-layered procedure.

The EU already issued a yellow card warning to Ghana in 2013, and this proved essential to boost domestic actions to improve the governance of the fisheries sector and in combating IUU. Through the West Africa Regional Fisheries Programme, the country has put in place legislative measures as well as international collaboration and resources to manage and regulate the fishing sector, that were crucial for the EU to lift the warning in 2015.

However, the EJF report shows that warning mechanisms are not enough and need stronger policy tools to ensure more sustainable and transparent sourcing. A new mandatory EU human rights and environmental due diligence legislation, such as the one proposed by Commissioner for Justice Didier Reynders for 2021,¹⁸ would be crucial to push all actors in the agri-food sector to set up mechanisms to effectively screen and monitor their food supply chains.

Achieving more transparent, environmentally sustainable and just sourcing would be in line with the goals set in the recent Farm to Fork Strategy.¹⁹

¹⁵ EJF and Hen Mpoano, *Stolen at Sea*, cit., p. 8.

¹⁶ EJF, *Warning to EU over Imports from Vessels Fishing Illegally in Ghana*, cit.

¹⁷ Council of the European Union, *Council Regulation (EC) No 1005/2008 of 29 September 2008 Establishing a Community System to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing...*,

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32008R1005>.

¹⁸ ResponsibleBusinessConductWorkingGroup (RBC WG), *European Commission Promises Mandatory Due Diligence Legislation in 2021*, 30 April 2020, <https://responsiblebusinessconduct.eu/wp/?p=380>.

¹⁹ European Commission website: *Farm to Fork Strategy – For a Fair, Healthy and Environmentally-friendly Food System*, https://ec.europa.eu/food/farm2fork_en.

The strategy calls for strengthening measures to prevent illegal fish products from entering the EU market, as well as a stronger traceability system to combat overfishing, while spurring ocean governance, marine cooperation and coastal management.

Hence, the strategy has huge potential to produce positive spill-over effects both for domestic and foreign food supply chains, but will need to translate into concrete and tangible action over the next years. This is crucial also to implement the targets of the European Green Deal.

Recent studies show that products derived from marine fisheries and destined for human consumption produce relatively low greenhouse gas emissions (GHG) emissions (around 179 million tonnes of CO₂-equivalent GHGs or 4 per cent of global food production). Yet, these emissions grew by 28 per cent between 1990 and 2011, due to increased harvests from fuel-intensive crustacean fisheries.²⁰ Hence, sustainable fisheries can be the driver for a radical transformation of the way food is produced, stored, transported, distributed, consumed and treated, in line with the UN Sustainable Development Goals Agenda 2030.

Finally, the EU should boost its efforts to strengthen regional and multilateral cooperation to support Ghanaian authorities, as well as all countries in the Guinea Gulf, in ending *saiko* and

to fully implement the 2017 Strategy to Combat Illegal Transshipment at Sea.²¹ The EU should in particular work to strengthen regional cooperation among all countries that are part of the Fisheries Committee for the West Central Gulf of Guinea (FCWC), for instance by continuing to support those projects that aim to improve national and regional monitoring, control and surveillance activities.²²

Ghana's fisheries are approaching a crossroads and current warning mechanisms are not sufficient to preserve biodiversity and the livelihoods of local communities. We need stronger transparency in our food chains, as well as a new concerted global and regional effort to preserve the planet's resources and give food back the value it deserves.

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²⁰ Robert W.R. Parker et al., "Fuel Use and Greenhouse Gas Emissions of World Fisheries", in *Nature Climate Change*, Vol. 8, No. 4 (April 2018), p. , 333-337, <https://www.nature.com/articles/s41558-018-0117-x>.

²¹ FCWC, *Strategy to Combat Illegal Transshipment at Sea*, December 2017, <https://fcwc-fish.org/?p=330>.

²² FCWC, *Improved Regional Fisheries Governance in Western Africa*, 2019, <https://fcwc-fish.org/?p=201>.

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Via dei Montecatini, 17 - I-00186 Rome, Italy

T +39 06 3224360

iai@iai.it

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