

One of the main aims of the European Union (EU) is to be an ethical actor and, as stated as early as 1950 in the Robert Schuman declaration, to contribute to the economic and social progress of the African continent. This article analyses the impact of EU policies related to fisheries on the economic and social conditions of fishers' communities in Africa. It shows how EU policies contribute, and could contribute further if the EU applied its own principles, to development objectives. It answers the question: how do EU policies related to fisheries affect economic policies and the well-being of citizens in Africa, and how can these policies be characterised?

It argues that despite the EU's rhetoric on the importance of development and of poverty eradication, its policies in the field of fisheries follow a neo-liberal strategy, and are ethically problematic as they can drive up unemployment and poverty, harm health and education, ignore human trafficking, and undermine the position of women.

It is important to study the relation between the EU and Africa in the field of fisheries, as it has high political, economic and social relevance for not only European economies, but also, and especially, for African economies.ⁱ The EU is the biggest importer of fish in the world: its imports represented 36 per cent of total world imports, for a value of \$ 47 billion in 2012. Africa is an important market for Europe: in 2012, approximately eight per cent of the total fisheries imports of the EU came from Africa.ⁱⁱ Europe is by far Africa's first consumer of fish: in 2010, Africa exported \$ 3.9 billion worth of fish to Europe, \$ 900 million to Asia, \$ 120 million to North America, \$ 40 million to South America, \$ 47 million to Oceania.ⁱⁱⁱ

In order to understand the impact of the EU on economic development of fishers' communities in Africa, it is not enough to only analyse the impact of EU's Fisheries Partnership Agreements (FPAs) and of EU fisheries subsidies for European fishing fleets, as it is usually done in the literature: it is also important to consider the impact of EU trade agreements, and EU development aid policies. To evaluate whether the EU is an ethical actor in its policies related to fisheries, concepts developed by the philosopher Thomas Pogge can be drawn upon: the EU has both 'positive duties' – which it seeks to fulfil by giving aid and promoting development – and the 'negative duty' which is to do no harm.^{iv} I demonstrate that the EU has problems complying with both types of duties. In order to evaluate

whether the EU really promotes sustainable development in its current policies related to fisheries, I consider the relevance of the concept of neo-liberalism from liberal and radical political economy perspectives. I show that, in accordance with neo-liberalism as understood by radical political economists, EU policies protect the interests of European fishing fleets, and incorporate very few measures which would contribute to the economic development of fishers' communities.

This article is unusual in that it analyses the impact of the EU on the economies of African states in an Africa-wide context.^v In particular, the article focuses on West Africa and Lake Victoria in Central Africa. West Africa is a relevant case to study, as most EU fisheries agreements are with states in this region, and as fish exports represent one third of West Africa's total agricultural exports.^{vi} Lake Victoria, and in particular Uganda, is also an important case, as Uganda is the biggest exporter of fish on Lake Victoria and the biggest state in terms of inland water capture in Africa.^{vii} It concentrates on literature which shows the benefit of, and especially problems with fish trade for the economic development of African states and fishers' communities. Secondary sources on EU policies related to fisheries (both trade and aid) and local conditions of fishers are used together for the first time. Primary sources are based on official EU documents, on publications by research institutes and NGOs, on local newspaper articles, and on interviews the author conducted with both EU and NGO officials in Entebbe, Uganda and Brussels, Belgium.

This article on EU policies related to fisheries contributes to the literature on the limits of the EU's development agenda, on the EU as an agenda-setter for politics of states and organisations outside of the EU (in particular in Africa), and on the EU as an ethical actor.^{viii} It also helps understand the importance of incorporating development aims in the EU's policy. Few studies have examined EU fisheries from an international relations perspective. Over the last decade, some articles have appeared on the impact of fisheries policies at the 'micro-level', that is, on livelihoods, poverty and food security of local fisheries communities outside Europe, but no article has analysed the impact of all EU policies related to fisheries on the economic development of fisheries in Africa.^{ix}

The first part of the article shows the strong commitment of the EU to promote the social and economic development of African economies, and to incorporate development aims in its trade

policies. The second part shows that political economists have observed both positive and negative impacts of neo-liberal trade policies. The third part shows that EU policies related to fisheries can raise ethical problems because of their impact on the economy and the social structures in African states. As the idea of reducing extreme poverty 'is nothing but an empty incantation as long as the policies that generate poverty are not analysed and denounced and alternatives proposed,' the conclusion offers suggestions on policies which would enable the EU to take on both its negative and positive duties.^x

Ethical aims of EU and policies related to fisheries

The EU's official aim is to promote development and democracy in its aid and trade policies. The commitment of the EU to sustainable development was first introduced in 1997 in the Treaty of Amsterdam.^{xi} In 2003, the European Security Strategy stated that poverty, disease, malnutrition and hunger were concerns for European leaders. In 2005, the EU clearly established that its aim was poverty eradication and sustainable development.^{xii} Article 21 of the Lisbon Treaty declares that one of the objectives of the EU is to 'foster the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty,' and article 208 states that 'the Union shall take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries.'^{xiii} In 2012, the EU issued the 'Agenda for Change,' which puts the emphasis on improving governance and social protections in developing nations.^{xiv} As a result, all EU trade policies, including the fisheries policy, are supposed to diffuse liberal norms *and* reduce poverty, both in and outside Europe.

Fisheries have been regulated by European institutions since 1957. At the time, the Common Fisheries Policy (CFP) was part of the agricultural policy. The first council regulations for fisheries date from October 1970, and they established a set of rules for managing European fishing fleets and for conserving fish stocks. In 1983, the CFP was agreed as a full package, and it has been revised every decade. Sustainable development is one of the aims of the EU's fisheries policy. In 2002, the Council signed a regulation on the conservation and sustainable exploitation of fisheries resources.^{xv}

The first major reform of the CFP in regard to development considerations for Africa occurred in 2014. Its aim was to bring fish stocks back to sustainable levels, put an end to wasteful fishing practices, and create new opportunities for jobs and growth in coastal areas. In terms of relations with states in Africa, the EU wants to contribute to sustainable fishing (and have a positive environmental and socio-economic impact on fish stocks in African states), and fight against illegal, unregulated and unreported (IUU) fishing by improving the monitoring of the activities of EU vessels.^{xvi} The article highlights the difficulties the EU faces to apply ethical aims to its policies related to fisheries. In order to fully understand the impact of EU policies on the well-being of fishers in African states, we now turn to two different theoretical perspectives on the impact of trade on local communities.

Neoliberalism: pure liberal and radical political economy perspectives

The EU advocates both sustainable development and the desire to eradicate poverty, but it is also in favour of free trade or neo-liberalism, as stated in the EU's 2020 Strategy, and in the EU's maritime security strategy, which aims to guarantee freedom of navigation and protect citizens and marine resources: traditional trade barriers have to be reduced significantly, and fisheries markets must become more open. This section shows that neoliberal purists and radical political economists have a different understanding of the impact of such a neo-liberal policy: the former argue that the African economy is likely to benefit from trade agreements with the EU, whereas the latter believe that complete free-trade is impossible, as governments always control trade, and that neo-liberalism has a negative impact on developing states. This section then examines the literature on the impact of EU policies related to fisheries, which reflects these two political economic perspectives.

Neoliberalism has two distinct 'faces'.^{xvii} First, neoliberal purists argue that the market should operate with maximum deregulation or free trade, and privatisation which 'calls into question the existence of national state property.' For them, developing economies stand to gain the most through trade liberalisation, as the 'invisible hand' of the market should exert benign pressures on economies in all states in the world.^{xviii} For neoliberal purists, liberalisation means creating jobs, markets, goods and prosperity.^{xix} It is held to be 'the most effective poverty reduction strategy the world has ever

seen.^{xx} These researchers suggest that the 'trickle down' concept can be applied to trade between developed and developing states: trade should improve the livelihoods of the poor.^{xxi}

Second, for proponents of radical political economy perspectives, such as historical materialism and dependency theory, neoliberalism means that there is some kind of state intervention in so-called 'free trade': a neoliberal state can provide 'a vast array of subsidies and tax breaks to corporations.'^{xxii} They regard neoliberalism as projects which aim at increasing the competitiveness of some states at the expense of others – in our case that of the EU at the expense of African states.^{xxiii} In practice, 'strong' or multinational companies damage local economies.^{xxiv} In the long term, European neoliberal policies are likely to increase the rich-poor divide between Europe and Africa, and to deepen exploitation of communities in the developing world.^{xxv}

Neo-liberal purists show that fisheries markets have become more open, and that traditional trade barriers have been reduced significantly. They argue that fish exports create growth for developing countries.^{xxvi} Through economic growth, jobs are created, and substantial improvements are made in educational levels in fishing communities.^{xxvii}

However, a number of authors who question the existence of a 'trickle down' effect, have argued that the international fish trade can harm states' economies.^{xxviii} Researchers have observed different types of impact: depletion of fish, exploitation of governments in Africa by Europe through unequal fishing agreements, loss of local employment opportunities, food insecurity, child malnutrition in fishing communities, and increasing inequality.^{xxix}

These two different theoretical perspectives are crucial to understanding that the EU's policies in terms of trade and aid can be both positive and negative for the well-being of local communities. We will now analyse the impact of all types of EU policies related to fisheries. We show that the EU, which can be indirectly responsible for harming the well-being of local communities, should concentrate on contributing to the needs of these communities.

Advantages and drawbacks of EU policies related to fisheries for local economies and social structures

In order to understand the impact of EU policies related to fisheries on local economies and social structures, five policies need to be examined: 1) FPAs; 2) subsidies for European fishing fleets; 3) EU regulations on illegal fishing; 4) EU trade agreements (including standards for fish trade); and 5) EU development aid policies. Each of these policies can have a positive impact on local economies, but they also create important problems for the well-being of fishers' communities.

EU Fisheries Partnership Agreements

EU Commission officials maintain that FPAs promote development: 'the greatest virtue of FPAs is that they help improve fisheries governance in waters of developing countries.'^{xxx} In practice, radical political economists have described them as promoting free trade while establishing quotas and subsidies.^{xxxi} They nevertheless do now aim to promote sustainable development.

Until 2004, EU agreements were clearly detrimental to Africa. EU fisheries agreements were characterized as 'fish, pay and go' agreements. At the time, the EU was not even concerned with its 'positive duty', which implicates a duty of assistance in order to reduce poverty.^{xxxii} It was instead only interested in its own trade benefits, and disregarded the development aspect of its trade. In today's FPAs, the EU purchases access to fish resources – when there are surplus stocks – in the 200-mile exclusive economic zones of developing states, and in exchange, it provides financial and technical support for the sustainable development of their fisheries. The EU encourages African states to control the fishing activities of European and other vessels.^{xxxiii} All FPAs include a Vessel Monitoring System Protocol in order to make sure vessels are fishing in approved fishing areas.

FPAs can either be tuna agreements or multi-species accords. They seem to be beneficial to the EU: in 2009, tuna and multi-species agreements provided the EU respectively with € 4.6 and € 1.3 of added value for € 1 invested.^{xxxiv} In 2016, the EU has bilateral agreements for fishing tuna with Cape Verde, Comoros, Côte d'Ivoire, Gabon, Liberia, Madagascar, Mauritius, São Tomé and Príncipe,

Senegal and Seychelles. Gambia and Mozambique have not renewed their tuna agreement with the EU. The EU has two multi-species FPAs, with Guinea-Bissau and Mauritania. In the past, Equatorial Guinea, Morocco and Guinea used to have multi-species accords.^{xxxv} This means that over half of African biggest exporters of fish do not have FPAs with the EU: these include Morocco, Namibia, South Africa, Tunisia, Tanzania, and Nigeria.

The impact of fish trade on the economy of states in Africa is considered positive in some states such as Cape Verde, Senegal and the Seychelles in terms of earnings from exports and impact on fishers.^{xxxvi} Funds given by the EU contributed to general state reserves and budgets.^{xxxvii} An EU official mentioned that the EU gave safety material to the Comoros and São Tomé and Príncipe.^{xxxviii} It replaced some fishers' ships in Mauritius.

However, there are four problems with EU FPAs. First, they can benefit the EU more than African states. For instance, one independent report on the agreement with São Tomé and Príncipe to the European Commission stated: 'the Agreement ... benefits the EU considerably more than São Tomé and Príncipe, with only 6% of the value-added generated falling to the partner country[and] there has been no benefit in terms of institutional development.'^{xxxix}

Second, there have also been some problems with EU funding. This funding can have no or extremely limited impact on the economy of local fisheries communities – this was the case for São Tomé and Príncipe, Mauritania and Morocco.^{xl} The EU has been criticised for failing to fulfill its financial aid commitments towards the development of more sustainable fisheries. This was the case in Madagascar.^{xli} Another problem with EU funding is that it can be misused, because the EU does not require the recipient states to make the allocation of funding public. For instance in Guinea Bissau, patrol vessels purchased with FPA funds were allegedly used for drugs trafficking.^{xlii} Some governments choose to invest EU funds in non-coastal areas.^{xliii} A Swedish research institute found 'few signs that the EU money benefits the fisheries sector, at least not small-scale fisheries'.^{xliv}

Third, FPAs can lead to the depletion of fish if there is a lack of management and control of vessels. Large and mechanised vessels can be dangerous to the environment, as they can decimate

fish resources. According to the Food and Agricultural Organisation, these vessels can lead to overcapacity, and Pamela Mace has said that overcapacity is the single most important factor threatening the long-term viability of exploited fish stocks.^{xlv} However, it is possible to prevent overexploitation, and there can be a sustainable exploitation of fish through management and enforcement.^{xlvi} The idea is to establish a Maximum Sustainable Yield (MSY), that is, a largest catch that can be taken from a fish stock over an indefinite period without harming it. EU states and the EU subscribed to the MSY objective almost thirty years ago in the 1982 UN Convention on the Law of the Seas.^{xlvii} But catch limits for tuna only started to be in place for the eastern Atlantic and Mediterranean management unit in 2007.^{xlviii} In West Africa, overfishing occurred in Congo, Guinea Bissau, Mauritania, and Senegal.^{xlix} According to the OECD, the EU ‘completely ignored figures on safe catch levels from the national Mauritanian fisheries research body.’^l However, in 2013, the EU agreed to end decades of overfishing.^{li} Since the 2014 reform, the EU has reduced its capacity to fish in West Africa. Today, the tuna stock is no longer at risk of collapse, but the extent to which the species has recovered is uncertain.^{lii}

Fourth, foreign companies do not necessarily create employment in coastal areas. Multinational corporations make low usage of local processing facilities.^{liii} As a result, poor people lose their employment in the traditional fish industry, and can no longer own their ships.^{liv} In an ironic twist, some fishers earn more from transporting migrants to European coasts than from fishing.^{lv} Some Senegalese fishers have even migrated to Europe.^{lvi}

In a nutshell, African states can be better off without EU agreements: when foreign ships are refused access to coastal areas in Africa, and African states have the capacity to exploit the surplus of fish, local coastal economies thrive. For instance in Namibia and Mozambique, fisheries management improved with the absence of fisheries agreements with the EU.^{lvii} In Senegal in 2012, the government cancelled 29 fishing authorisations (for Russian, Asian and European vessels), and ‘less than two months after the departure of the foreign trawlers, an increase in daily catch has been observed in all fishing areas of Senegal’ and in Kafountine city, ‘production has returned to its highest level in two years.’^{lviii} The Food and Agriculture Organisation stated in 2014 that African states could

earn 3.3 billion dollars more per year if they fished their own waters themselves instead of issuing licences to foreign fleets.^{lix} South Africa, which is one of the biggest exporters of fish in Africa, does not have an agreement with the EU. A South African official said: 'it is one thing to exchange preferences for trade in fish and quite another to grant direct access to resources.'^{lx} However, local fleets can also overexploit fish stocks. Some West African fishers are conducting illegal, unreported and unregulated (IUU) fishing, including the underreporting of Gross Tonnage. This means that such fishers not only pay lower license fees than they should to states where they operate, but also that they have access to fishing areas reserved for artisanal fishermen who are then forced to fish away from the coast.^{lxi} African states and the EU have to encourage the creation and implementation of laws on sustainable exploitation of fish for both European and local fleets.

Subsidies to European vessels

EU subsidies contribute to the enhanced capacity of European vessels. The EU fisheries budget has been on an upward trend since the creation of the CFP. EU support to its fishing industry was € 3.7 billion in 2000-06, then € 4.3 billion in 2007-13, and € 6.4 billion in 2014-20. The 2014-20 fund is known as the European Maritime and Fisheries Fund.

There are two problems with EU subsidies. First, they have far exceeded the value of development assistance to the fishing sector provided by DG Development.^{lxii} Second, they aggravate the problem of over-exploitation of fish stocks.^{lxiii}

EU regulations on illegal fishing

The EU has regulations to combat illegal fishing. Regulation could contribute to development, as illegal fishing distorts global markets, presents a major loss of income to coastal countries and communities, and destroys delicate habitats of fish.^{lxiv} However, these regulations put pressure on African states. The EU makes these states responsible for dealing with controls, but it provides limited financial and technical resources for their enforcement. By doing so, in cases where states do not

have the financial resources to focus on controls, the EU is not abiding by its 'negative responsibility' to do no harm.

Illegal fishing occurs, for instance, when trawlers from Europe, and also Russia, China, Japan and Korea operate off the coasts of West and East Africa with navigation lights out, falsify catch declarations contravening quotas, or use illegal or environmentally unsustainable fishing gear.^{lxv} Illegal fishing is possible because ships' captains bribe government officials so they certify that their catches conform to the rules, and because developing states are unable to monitor and police coastal areas.^{lxvi}

The EU created a regulation to prevent the import of IUU fish and fish products into the EU, which was implemented in 2012.^{lxvii} Fish coming into the EU must have a validated catch certificate to show that the fish has been caught legally. Another regulation established an EU IUU vessel list.^{lxviii} Following the implementation of the regulations, the EU banned the import of fish from Guinea, as it refused to cooperate on the regulation on IUU fish. The EU also threatened Ghana in 2013 with trade sanctions, if they did not prevent their respective vessels from operating illegally in West Africa. As a result, Ghana has established a dedicated ministry.^{lxix}

The problem with these regulations is that, as stated by the Food and Agriculture Organisation, developing states 'bear the brunt of this IUU fishing'.^{lxx} The Marine Resources Assessment Group reported that many coastal states do not yet have the required Vessel Monitoring System for the protocols to be implemented, and that some states still rely on vessels themselves to report their catches.^{lxxi} Experts reported that the EU should 'acknowledge the vulnerability of developing countries and the difficulties that they will face in implementing the requirements of the IUU regulation.'^{lxxii} The EU does not seem to see this as a problem: a high level official at the Commission said in 2008 that 'ultimately, African governments must protect and manage their own resources.'^{lxxiii}

EU trade agreements

Trade in fish between the EU and African states is regulated by the EU through Economic Partnership Agreements. As advocated by neoliberal purists, exports from African states are eligible for duty-free access to the EU under the Everything But Arms scheme.

Some researchers have argued that the Ugandan economy has benefited from exporting fish to the EU. In the Great Lakes, the Nile perch has become a 'money-minter'.^{lxxiv} For some experts, fisheries in Lake Victoria have also generated a higher GDP, employment substantial foreign exchange, and a better quality of life of local communities.^{lxxv} Fish exports have also been positive for the economy in Namibia, as it earned rent from its fisheries by collecting quota fees.^{lxxvi}

However, the impact of fish exports has been negative in other African states. It had a negative impact in Ghana: on the economy because of the monopoly power of one multinational firm, and because of substantial informal cross-border trade; on artisanal fishers, because of the competition with industrial fishing for export; on fish workers with the closure of numerous firms when EU quality standards were imposed; and on fish consumers and resources.^{lxxvii} The EU might have also had a negative impact in Uganda, which exports its fish mainly to the EU. Only 15 out of its once over 20 fish factories were still operational in 2013, and this was because the factories were no longer competitive.^{lxxviii}

Another problem with EU trade agreements is that trade occurs with no overseeing of the impact on fisheries' resources. Depletion of fish and loss of diversity in terms of species richness is partly a result of exploitation by Europe. For instance, most of the fish coming from Lake Victoria has lost its diversity, and is exported to the EU (that is, to France, Belgium, the Netherlands and Spain).^{lxxix}

EU trade agreements include regulations on standards for fish trade. The EU has market access rules which limit the trade capacity of African states: fish has to be obtained by European or African vessels only, so African states which want to rent other foreign vessels to fish, are unable to do so. In addition, African states have to meet EU safety regulations, and these too are costly.^{lxxx} Here again, the EU is creating costs for African states, and it could help to cover them.

EU aid policy

EU aid and trade policies should be complementary. Similarly to what Dani Rodrik advocated for the world trading regime, if the EU really wants to be an ethical actor, it has to 'shift from a "market access" mindset to a "development" mindset.'^{lxxxix} EU aid policy is given both to African states and to Africa as a whole. This section analyses some of the EU programmes for Africa as a whole.

In the period 2007-13, the EU gave Africa only € 126 million to promote sustainable fisheries and aquaculture on the whole continent. In particular, in 2013, the EU decided to support the African Union's pan-African strategy for fisheries and aquaculture, which aims at enhancing the contribution of fisheries resources to food security and economic growth in Africa. It also gave € 15 million for 2014-15 to create an Atlantic Ocean Tuna Tagging Programme. Four other projects financed by the EU are currently under implementation in Western Africa: The West African Marine Ecoregion (WAMER) programme addresses governance and policies governing marine resources and poverty alleviation in the West African Eco region. The Fish trade project is run by WorldFish, the African Union and New Partnership for Africa's Development (NEPAD) – funding for this amounts to € 5 million over five years. It works to encourage intra-regional fish trade and improve food security in sub-Saharan Africa. The ADUPES project provides support to sustainable fisheries management in Senegal. The ECOFISH project aims at ensuring sustainable fisheries in Angola, Namibia and South Africa.

If the EU wants to comply with its duty to do no harm and contribute to the economic development of local communities in African states, these measures are far from sufficient. The EU overlooks many of the difficult local social and economic conditions under which its trade in fisheries takes place. It could address the problems faced by fishers' communities, such as health problems (malnutrition and HIV), lack of education, human trafficking, and gender discrimination, especially as some authors argue that there is a correlation between export and these problems.^{lxxxii} The following paragraphs analyse these points, with a focus on conditions of fishers from Lake Victoria.

There are possible links between exports of fish to Europe and health problems, such as malnutrition. Some authors would disagree. Béné's statistical analysis shows that, at the macro-economic level, fish trade does not seem to negatively affect food security in Sub-Saharan Africa.^{lxxxiii} Geheb et al. argue there is no direct linear relationship between Nile perch export and the high frequency of malnutrition among population around Lake Victoria.^{lxxxiv} However, fish, a major source of protein, is exported directly to Europe, and is not eaten by local communities in Africa.^{lxxxv} In 2000, one coastal town on Lake Victoria in Kenya, where 80 per cent of the Nile perch factories were located, had the highest percentage of population suffering from food deficiency and absolute poverty.^{lxxxvi} A study conducted in Western Kenya found that almost half of all children under five suffered from stunted growth as a result of fish deficit.^{lxxxvii} In Uganda, consumption of fruit, vegetables, and animal protein, including fish has been discouraged by high and rapidly rising costs as well as poor availability, especially in rural areas.^{lxxxviii} The skin, the head and the skeleton of the fish (known as 'fille') are sold to local populations around Lake Victoria, while the fillet is packed for export.^{lxxxix} There is a clear deficiency of fish in diets of people in Africa. In Europe in 2014, 22 kg of fish per person was consumed in a year compared to only 9 kg per person in Africa.^{xc} In addition, food insecurity and gendered vulnerability can fuel HIV/AIDS.^{xcii}

The education of children can also be compromised, as they are encouraged by their parents to work in the fishing industry rather than go to school. Although Eggert et al. argue that education has improved in the fishers' community in Tanzania, Westaway et al. highlight that there is a low educational attainment in Ugandan fishing communities, as very few children complete primary school and even fewer successfully transition to secondary school.^{xcii} A Ugandan newspaper also reported in 2013 that, due to lack of funding, 'Naku's [a woman selling 'fille' on a local market in Kampala] children dropped out of school and joined her': the education problem is linked to that of child labour.^{xciii}

As any other type of local company, local companies which trade fish with companies in Europe can be involved in human trafficking.^{xciv} For instance, the newspaper New Vision in Uganda reported in 2008 that: 'some Asian businessmen [in the fishing industry in Uganda] lure workers from India and Pakistan, with promises of good pay. Upon arrival, however, they seize their passports and exploit

them shamelessly, forcing them to work long hours with little or no pay.^{xcv} In West Africa, Interpol notes that 'there is increasing evidence' of individuals trafficked for forced labour to work on legal or illegal fishing vessels, and that 'child trafficking...exists in the artisanal sector in Lake Volta, Ghana.'^{xcvi}

Women also face discrimination as a result of industrial fishing. Around Lake Victoria, some women profit from Nile perch exports, but many women, who represented the majority of traditional fishmongers, are marginalised by the industrialisation of the fishery, and excluded from its monetary benefits.^{xcvii} In order to address some of these problems, the EU is 'strengthening national and regional institutions for the sustainable management of fisheries on Lake Victoria, and infrastructure works to improve sanitary conditions in 17 fish landing sites in Uganda, Kenya and Tanzania', but this is clearly insufficient.^{xcviii}

Conclusion and policy recommendations

For the EU to claim to be an ethical actor in its policies related to fisheries, it has to fulfill positive duties such as foreign aid and trade policies which help development, and the negative duty to stop contributing to poverty.^{xcix}

As regards FPAs, the EU could establish limits on the number of European vessels present in African waters. In the long term, FPAs could be replaced with trade agreements with a clause on fisheries: where EU vessels are a threat to the well-being of local fishers, EU vessels would not be authorised to fish within another state's exclusive economic zone. This refusal of access would have to prevail for all foreign vessels.

In the field of fisheries subsidies to European vessels, it must reduce, and eventually eliminate them. The Director of the Fisheries Economics Research Unit at the University of British Columbia in Canada, Rashid Sumaila, said in 2002 that the EU should eliminate or redirect harmful subsidies.^c Further regulation to combat illegal fishing is needed. The EU should help African states to monitor

and sanction vessels which are damaging the environment, and acting illegally, particularly close to shore, and with illegal nets. The EU is for instance currently considering banning seafood products from Thailand if it does not regulate its illegal fishing industry and prevent the use of slave labour.

In terms of trade policy, the EU should contribute to restoring fish species. For instance in Uganda, fish quotas could be introduced for exporters, as this would help minimise competition on the lake. However, this policy is likely to encounter strong lobbying by fish processors and exporters.^{ci} The EU could also introduce further sustainable fisheries labels in the areas where fish is depleted. It could encourage the development of regional trade among African states.

Local knowledge and well-being must be protected.^{cii} The EU should increase its development aid, and should require the recipient state to disclose the way it uses EU funding. The EU should give small-scale fishers opportunities, entitlements and capabilities in order to improve their income and provide food security.^{ciii} These include: education, healthcare, status of women, sanitation, electricity, communication, infrastructure, transportation, credit, and development of fleet capacity.^{civ} For instance, the EU could include conditions in its trade agreements. It could recommend that fishers are paid as much as in manufacturing or retail trade. It could ask states to follow the example of Namibia, and require that fish workers get medical aid, pension cover, housing and free transport to work.^{cv} It could recommend that women have a say in resource management.^{cvi}

Finally, if the EU wants to be an ethical actor, it could encourage African states and local communities to have an appropriate negotiation capacity.^{cvii} Fishers' communities (both men and women, and both representatives of industrialised groups and small-scale fishers) should be present at negotiations on trade agreements, fisheries agreements, and aid policy. When the Commission made a report on a possible agreement with Liberia, Liberia was not consulted.^{cviii} African states should be encouraged to register the fisheries sector to the budget of the EU's development policy directed towards them. The EU could help fishers' communities financially to set up trade unions and transborder groups, as these communities lack resources in order to make their voices heard). The EU could ensure that trade unions protect fishers by mirroring the position of the United States in Vietnam. If the Trans-Pacific Partnership (TPP) trade agreement which was signed in 2016 is ratified,

the United States will incorporate labour law into its trade relations with Vietnam. The United States – Viet Nam Plan for the Enhancement of Trade and Labour Relations states that ‘Viet Nam shall ensure that its laws and regulations permit workers, without distinction, employed by an enterprise to form a grassroots labour union of their own choosing without prior authorisation.’^{cix} The voices of local communities in Africa should also be heard in all types of EU decisions, including in the security field, as security is linked to development. In 2014, the EU maritime security strategy focused mostly on EU interests, not on interests of third parties: it was decided by EU leaders without considering the views of African leaders or local communities.

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ⁱ Since the Lisbon Treaty, within the EU, EU states and the European Parliament co-decide on policies related to fisheries.

ⁱⁱ FAO, "State of World Fisheries," 50, 55.

ⁱⁱⁱ FAO, "FishStat," 74-5.

^{iv} Pogge, *World Poverty*.

^v The article focuses mainly on capture fisheries, and to a lesser extent on aquaculture, and it does not focus on seafood products, because in Africa, fishers represent half of all people engaged in the sector, 42 percent are processors, and seven percent work in aquaculture (FAO, "State of World Fisheries," 14).

^{vi} Virdin, "Governance".

^{vii} FAO, "State of World Fisheries," 18.

^{viii} The influence and limits of the EU as an aid actor, and as an agenda-setter for politics in states and organisations outside the EU have been studied by Carbone, "Rethinking ACP-EU relations" and Goldthaus and Sitter, "Soft Power." Some researchers have shown how the EU's developmental trade agenda is increasingly subordinated to commercial imperatives, and others have analysed the impact of EU Economic and Partnership Agreements (Flint, *Trade, Poverty*; Langan, *The Moral Economy*; Siles-Brügge, "EU trade and development policy"; Stevens, "Economic Partnership Agreements"). For literature on the EU as an ethical actor, see: Smith and Light, *Ethics and foreign policy*; Manners, "Normative Power Europe"; and Hyde-Price, "A Tragic Actor." For literature on the EU and Africa, see: Adebajo, *The EU and Africa*; and Gegout, *Why Europe Intervenes in Africa*.

^{ix} Neiland, "Contribution," 2. For literature on the EU's Common Fisheries Policy, and on the influence of the EU on international fisheries' law and management, see for instance: Franchino and Rahming, "Biased Ministers"; Lequesne, *The Politics of Fisheries*; Daw and Gray, "Fisheries Science"; Khalilian et al., "Designed for Failure"; and Belschner, "Not So Green." One article by Bretherton and Vogler ("The European Union") analysed motives for the lack of EU effectiveness in terms of sustainable development. The motives were: the lack of vertical coherence between EU states and institutions, and of horizontal coherence between development policies and the CFP.

^x Amin, "The Millenium Development Goals," 1.

^{xi} Bretherton and Vogler, "The European Union," 403.

^{xii} European Union, "The European Consensus."

^{xiii} European Union, "Consolidated Version."

^{xiv} European Union, "Council Conclusions."

^{xv} European Union, "Council Regulation 2371/2002."

^{xvi} This is in accordance with article 25 of the UN Fish Stocks Agreement (United Nations, "UN Fish").

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- ^{xvii} Gamble, "Two Faces," 21-2.
- ^{xviii} Smith, *The Wealth of Nations*, 23-42.
- ^{xix} Friedman, *Capitalism and Freedom*.
- ^{xx} Di Tella and Macculloch, "Why Doesn't Capitalism Flow," 286.
- ^{xxi} Aghion and Bolton, "A Theory."
- ^{xxii} Harvey, *A Brief History*, 16.
- ^{xxiii} Morton, "Reflections."
- ^{xxiv} Gilpin, *Global Political Economy*, 201.
- ^{xxv} Ruccio, *Development and Globalization*, 188-213; Bieler, "The EU, Global Europe", 172, 179.
- ^{xxvi} Schmidt, "Globalisation."
- ^{xxvii} Eggert et al., "Trade and Resources."
- ^{xxviii} Joensson and Kamali, "Fishing for Development."
- ^{xxix} Fulgencio, "Globalization"; Alder and Sumaila, "Western Africa"; Abila and Jansen, "From Local," 24; Kent, "Fisheries"; Shively and Hao, "A Review."
- ^{xxx} European Union, "Green Paper," 23.
- ^{xxxi} Langan, "Normative Power"; Siles-Brugge, *Constructing European Union*, 4.
- ^{xxxii} Pogge, *World Poverty*, 138.
- ^{xxxiii} Carneiro, "They Come." Fishing rights outside EU waters are obtained in three ways: (a) in accordance with FPAs, (b) by bilateral agreement between the EU and individual third countries, or (c) under access rights granted by Regional Fisheries Management Organisations. There are no figures available on the use made of these three different ways (ECDPM, "Fishing," 14).
- ^{xxxiv} Oceanic Development, "Convention Specificque 26," 86. This data is uncertain (interview, Brussels, 30 April 2015).
- ^{xxxv} Interviews with EU officials, Brussels, 27 June 2013 and 22 April 2015. The FPA with Morocco was renewed in 2015, and it included Western Sahara, despite the opposition of the former EU Commissioner for Fisheries, Maria Damanaki. However, the European Court of Justice annulled in December 2015 the FPA with Morocco since it includes the territory of Western Sahara.
- ^{xxxvi} Kurien, "Responsible Fish Trade," 95-98; Stilwell et al. "Sustainable Development"; Oceanic Development, Convention Specificque 28: v, and Convention Specificque 33: viii.
- ^{xxxvii} Neiland, "Contribution of Fish Trade," 15. In most FPAs, two-thirds of the funds allocated by the EU are paid into a state's general budget, and one-third is earmarked for the state's specific allocation for fisheries.
- ^{xxxviii} interview, 24 April 2015.

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- xxxix Oceanic Development, "MEGAPESCA," 2-3.
- xi Oceanic Development, "Project Fish/2003/02," 3; "Convention Specifique 30," 5; Convention Specifique 26," 95.
- xii Le Manach et al., "Who gets what."
- xiii ECDPM, "Fishing," 23-4.
- xiiii Kaczynski and Fluharty, "European policies," 77; Nagel and Gray, "Is the EU's Fisheries."
- xiv Naturskyddsforeningen, "To Draw," 6.
- xv Pamela Mace cited in Ward et al., "Measuring and assessing," 1.
- xvi MRAG, "Towards sustainable fisheries."
- xvii European Union, "CFP Reform."
- xviii European Union, "Regulation No 500/2012."
- xix Kurien, "Responsible Fish Trade," 95-8; Witbooi, "The Infusion," 674.
- ¹ cited in Bretherton and Vogler, "The European Union," 413.
- ⁱⁱ Financial Times, "EU agrees."
- ⁱⁱⁱ Fish2Fork, "Atlantic Bluefin tuna."
- ⁱⁱⁱⁱ Kaczynski and Fluharty, "European Policies," 90; Alder and Sumaila, "Western Africa."
- ^{liv} Negative consequences of Europe's exploitation of fish from Lake Victoria were illustrated in the film *Darwin's Nightmare* in 2004. However, Molony et al. ("Darwin's Nightmare," 60) criticised this film for not observing the positive impact of globalisation on fishers' communities.
- ^{lv} Bretherton and Vogler, "The European Union," 413.
- ^{lvi} Nyamnjoh, "We Get Nothing."
- ^{lvii} MRAG, "Comparative Study," 139.
- ^{lviii} Greenpeace, "Senegalese Fishermen."
- ^{lix} Africa Progress Panel, "Africa."
- ^{lx} Business Day, "South Africa."
- ^{lxi} Wanko, "For the future."
- ^{lxii} Bretherton and Vogler, "The European Union," 414.
- ^{lxiii} EU state aid is another type of subsidy which can be in contradiction with the EU's CFP, and which can be problematic for the economic development of African states. Greenpeace ("Greenpeace Submission," 6) argues that France gave funds from the French overseas state aid scheme to three vessels which were 'neither built in a French overseas territory, nor are operating or landing their catches in the French overseas territories, nor in fact are they employing staff from the overseas territories.'
- ^{lxiv} WWF, "Fishing Problems."

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- ^{lxv} African Business, “Plundering Africa.”
- ^{lxvi} Nagel and Gray, “Is the EU.”
- ^{lxvii} European Union, “Council Regulation 1005/2008.”
- ^{lxviii} European Union, “Council Regulation 468/210.”
- ^{lxix} Copeland, “West Africa.”
- ^{lxx} FAO, “State of World,” 17.
- ^{lxxi} MRAG, “Estimation.”
- ^{lxxii} Tsamenyi et al., “Fairer Fishing,” xii.
- ^{lxxiii} New York Times, “Europe Takes Africa’s Fish.”
- ^{lxxiv} Ponte, “Bans, Tests”; New Vision, “Uncontrolled Fish.”
- ^{lxxv} Odongkara et al., “The Contribution.”
- ^{lxxvi} Kurien, 2004, “Responsible Fish,” 95-8.
- ^{lxxvii} Ibid.
- ^{lxxviii} New Vision, “Save Lake Victoria.”
- ^{lxxix} Johnson, “Climate Change,” 31.
- ^{lxxx} Bretherton and Vogler, “The European Union,” 414.
- ^{lxxxi} Rodrik, “The Global Governance,” 45.
- ^{lxxxii} This is true for trade relations with other international actors, but unlike the EU, they have not pledged to incorporate development aims in their trade relations.
- ^{lxxxiii} Béné, “Global Change.”
- ^{lxxxiv} Geheb et al., “Nile Perch.”
- ^{lxxxv} Fulgencio, “Globalisation,” 438.
- ^{lxxxvi} Béné, “Global Change.”
- ^{lxxxvii} Bloss et al., “Prevalence.”
- ^{lxxxviii} Shively and Hao, “A Review,” 7.
- ^{lxxxix} Interview in Entebbe, Uganda, 20 August 2010.
- ^{xc} FAO, “State of World,” 84.
- ^{xci} Githinji, “Food and Nutrition”; Kabahenda and Hüsken, “A review.”
- ^{xcii} Eggert et al., “Trade and Resources”; Westaway et al., “Educational Attainment.”
- ^{xciii} New Vision, “Uncontrolled Fish”; Food and Agriculture Organisation, “State of World,” 45.
- ^{xciv} International Organization for Migration, “Diverse Human Trafficking.”
- ^{xcv} New Vision, “Asians Being Enslaved.”

^{xcvi} Interpol, “Study,” 28.

^{xcvii} Onyango and Jentoft, “Climbing the Hill.”

^{xcviii} Lawrence and Lwanga, “Impact,” 7.

^{xcix} Singer, “A Companion”; Pogge, *World Poverty*, 138.

^c Kaczynski and Fluharty, “European Policies,” 89.

^{ci} New Vision, “Uncontrolled Fish.”

^{cii} Governments in Africa are primarily responsible for the well-being of their citizens, but this article focuses on EU policies related to fisheries.

^{ciii} Winter, *Towards Sustainable Fisheries*.

^{civ} Geheb et al., “Nile Perch.”

^{cv} Kurien, “Responsible Fish,” 95-8.

^{cvi} Worldfish, “Giving Women.”

^{cvii} Nagel and Gray, “Is the EU.” The reform of the CFP in 2002 aimed at increasing the amount of stakeholder participation. However, the attempt to improve the quality of governance was qualified as more rhetorical than real (Gray and Hatchard, “The 2002 Reform”).

^{cviii} Commission, “Ex-ante Evaluation.”

^{ciX} United States Trade Representative, “United States-Viet Nam.”