Policy Brief: Addressing harm in distant-water fishing in Liberia

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CONSERVATION INTERNATIONAL

University of Liberia

Introduction

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Distant-water fishing (DWF) refers to industrial fishing fleets that originate in one country but fish in the waters of other countries or on the high seas. They are currently the focus of considerable attention in global research and policy arenas due to the increased pressure they place on ocean ecosystems, and direct and indirect impact they may have on local fisheries and coastal communities where they operate.

Global demand for seafood has doubled since the 1960s, which has led to the subsequent uptick in global fishing activity, particularly by distant-water fishing nations, such as China, the EU, Japan, Korea, and the US, which looked to fill the rising demand for seafood by fishing in the waters of countries without the capacity to exploit their own marine resources. While DWF typically operate within legal frameworks, its global nature means that vessels often spend long periods at sea, and have high operating costs, meaning they often exist at the margin of profitability. The industry thus is often associated with a high degree of government subsidies, illegal and unsustainable activity, such as overfishing or catching of protected or endangered species, as well as human and labor rights abuses as a means to cut costs. Furthermore, DWF that occurs within the exclusive economic zones (EEZs) of other countries may directly compete with coastal community fisheries that either fish in the same areas or for the same stocks or species, potentially creating conflict and negatively impacting local food and livelihood security.

KEY FINDINGS

Human Rights

The Chinese-flagged trawl fleet that operates in nearshore Liberian waters may be infringing the economic, social, and cultural rights of coastal communities. For example, unsustainable fishing by the Chinese fleet, may be impacting Liberian coastal communities' ability to pursue food and livelihood security.

Profits

The Chinese-flagged trawl fleet licensed to fish in Liberia does not appear to be profitable. The trawl fleet has the lowest direct financial contribution to Liberia compared to the other distant-water fleets operating in Liberia.

Competition

The Chinese trawl fleet and coastal communities are fishing for the same species groups. The catch (per vessel) of fish landed by the small-scale operators have considerably declined over the last decade, while the catch (per vessel) by the distant-water trawl fleet has increased over the same period.

Governance

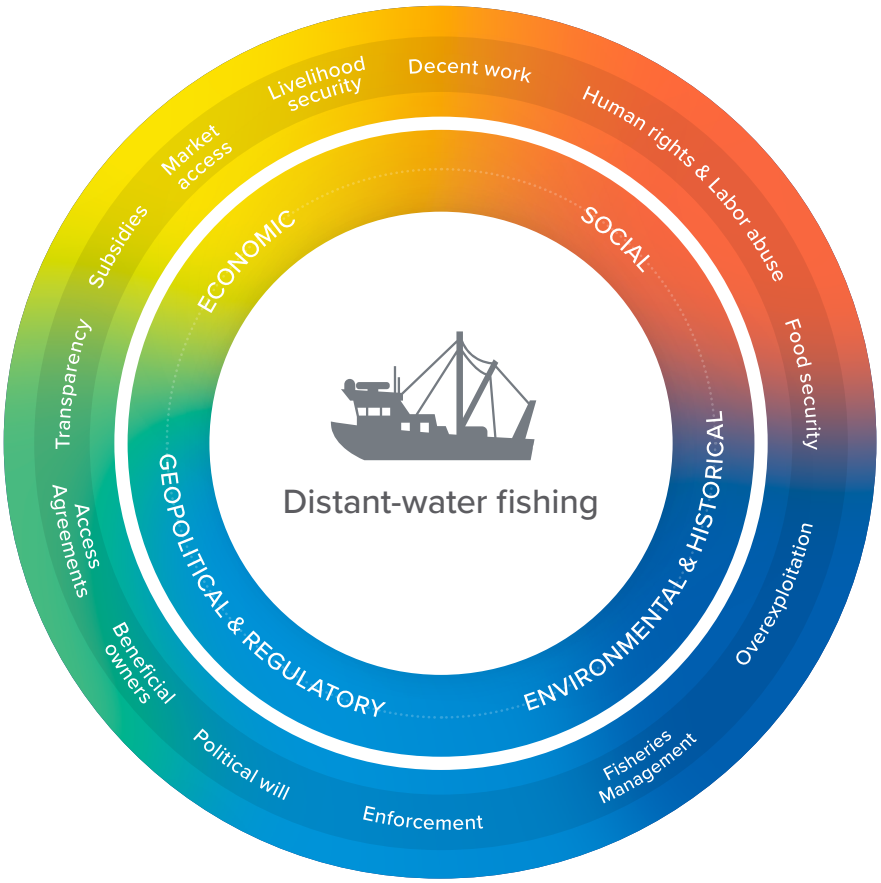
Current policies in Liberia do not adequately protect the fishing sector. There is a need to implement international instruments (e.g. ILO C188) and to protect the inshore exclusion zone (IEZ) – the first 6 nautical miles from the coast that are reserved for exclusive use by small-scale fishers.

In Liberia, licensing DWF vessels to fish within Liberian waters provides an important revenue source for the National Fisheries and Aquaculture Authority (NaFAA), but research is lacking regarding the impacts of these fleets on local fishers, ecosystems, and community well-being. To address this gap and provide a reliable evidence base to inform policy and regulatory decisions in Liberia, Conservation International in partnership with the University of Liberia conducted an analysis on the socioeconomic and environmental tradeoffs of Liberia's current catch-based fisheries management system used for licensing DWF vessels operating in its EEZ. Data were obtained from the SeaAroundUs Project, NaFAA, interviews, further supported by secondary data from publications and reports.

This brief provides an overview of the research that was carried out during 2022 and 2023. It demonstrates key findings and provides recommendations for the Government of Liberia and other stakeholders to safeguard the livelihoods of Liberian coastal communities, and conserve and responsibly manage their marine resources.

Distant-water fishing impacts

The wide variety of intersecting impacts associated with distant-water fishing cross social, economic, geopolitical, regulatory, environmental, and historical issue areas.



Demographics of distant water fishing fleets operating in the Liberian EEZ

Liberia has a coastline of 590 km and an EEZ of 246,000 km^2 which hosts rich demersal and pelagic fishery resources. Fisheries in Liberia are a source of food and nutrition security, jobs for thousands of Liberians, and key source of government revenues accounting for around 10% of GDP.[1,2] Fishery resources are exploited by coastal small-scale fleets, and three industrial DWF fleets with different types of vessels and fishing methods.

The local small-scale fleets include two types of vessels: 1) traditional canoes 5-7m in length, typically powered by sails and paddles, and 2) large open wooden boats 10-15m long powered by 15-40 horsepower outboard or inboard engines. These fleets provide jobs for 10,800 full-time fishers and 22,100 fish processors and traders.[3,4] The entire catch of the small-scale fleet is supplied to the domestic economy.[5]

Three main groups make up Liberian DWF fleets: the EU, China, and private vessels. EU vessels from France and Spain once made up the largest fleet and had access under the Sustainable Fisheries Partnership Agreement (SFPA), a tuna fishing access agreement between Liberia and the EU that allowed EU vessels to access Liberia's EEZ. The SFPA expired in 2020 and it was not renewed due to an active yellow card issued to Liberia for illegal, unreported, and unregulated (IUU) fishing activities under the EU IUU regulation. The fleet flagged to China has licenses for coastal mid-water and bottom trawling, and targets a mix of demersal and pelagic species. The private fleets, under private access arrangements, include vessels flagged to Spain, France, Ghana, Senegal, and Belize, which target tuna as well using both purse seine and longline gear.

Total catch of the industrial DWF fleets stayed well below 2000 tonnes per year until 2016, and then landings rose sharply to a high of 16,792 tonnes in 2019 (Figure 1). This sharp increase is attributed to the signing of the SFPA with the EU and private tuna fisheries partnership agreement with other EU, Africa and Central America private operators in 2015 and 2016 for access to tuna in Liberia's EEZ.

Demographics of DWF Fleets Operating in Liberia EEZ

TYPE OF FISHING GEAR

Bottom and mid-water trawl

FLAG STATE(S)

China

TYPE OF ACCESS

Trawl fishing license

TARGET SPECIES

Demersal species

Pelagic species

Crabs

TYPE OF FISHING GEAR

Purse seine

FLAG STATE(S)

Spain, France, Ghana, Senegal, Belize

TYPE OF ACCESS

Private tuna access arrangements

Sustainable Fisheries Partnership Agreement

TARGET SPECIES

Skipjack tuna

Yellowfin tuna

Bigeye tuna

Pelagic species

Sources: NaFAA statistics, Ministry of Foreign Affairs (2019)

[1]Belhabib, D., Sumaila, R., Pauly, D. 2015. Feeding the poor: contribution of West African fisheries to employment and food security, Ocean & Coastal Management. 111: 72–81.
[2]Jueseah, A. S, D. M. Kristofersson, T.Tómasson, and O. Knutsson. 2020. A Bio-Economic Analysis of the Liberian Coastal Fisheries. Sustainability 12 (23): 9848. https://doi.org/10.3390/su12239848.
[3]Jueseah, A. S., Tómasson, T., Knutsson, O., and Kristofersson D.M. 2021. Technical Efficiency Analysis of Coastal Small-Scale Fisheries in Liberia. Sustainability 13 (14): 7767. https://doi.org/10.3390/su13147767.
[4]Drammeh, O.K.L 2007. The Fisheries Subsector. In Ministry of Agriculture Comprehensive Assessment of the Agriculture Sector; Volume 2
[5]Jueseah, A. S., 2022. Economic Analysis of the Coastal Fisheries of Liberia. PhD Thesis, Faculty of Economics, School of Social Sciences, University of Iceland.

Catch trend of DWF fleets in the Liberian fisheries waters

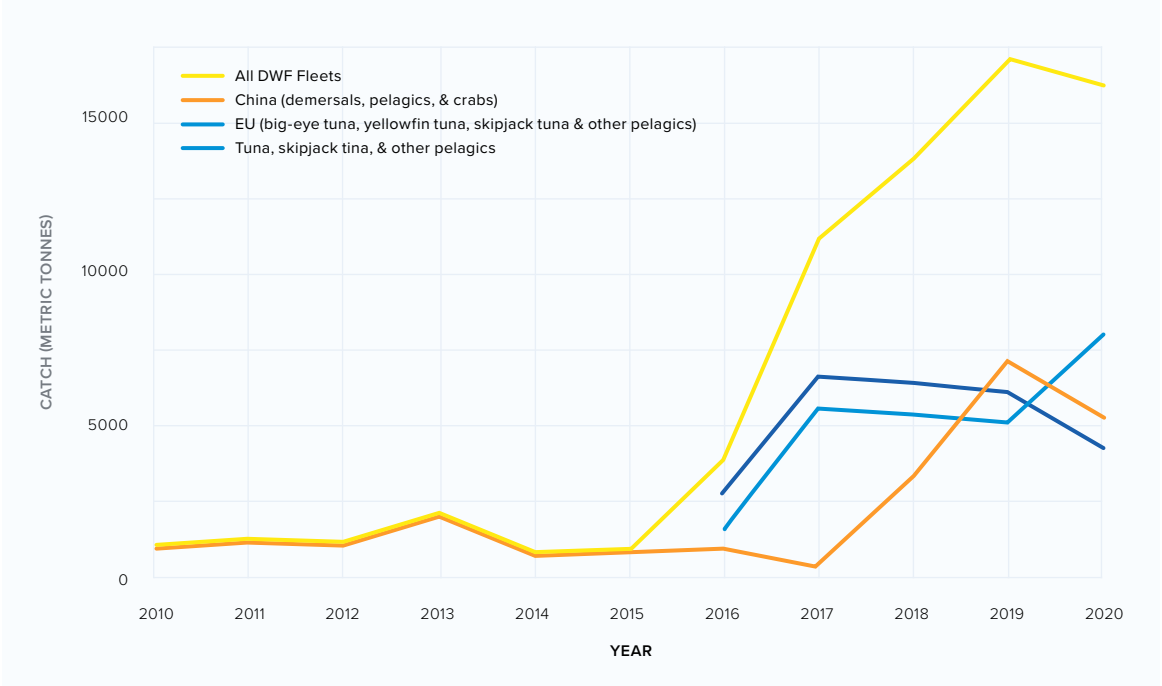


Figure 1. Catch trends of DWF fleets in Liberian waters from 2010 to 2020. Source: NaFAA Statistics, 2022

Notably, based on a 2010 executive order, industrial DWF fleets are not allowed to operate within six nautical miles of the coast. Unfortunately, this policy has loopholes that allow certain experimental industrial vessels to conduct bottom trawl activities within the IEZ. The Liberian fisheries management system has its legal basis through the Natural Resources Law (1958), National Fisheries and Aquaculture Authority Act (2017), Fisheries and Aquaculture Management and Development Law (2019), and the Fisheries and Aquaculture Policy and Strategies (Ministry of Agriculture 2014).

Financial analysis of Liberia's licensing scheme

Total benefits to NaFAA from access agreement fees reached USD $3 million in 2020, of which 13.7% came from Chinese trawling fleets. Additionally, the study found that the trawl fleet appears to be operating at a loss. This raises the question of why the trawl vessels are still operating in the Liberian EEZ considering the poor economic outcomes. Potential explanations could include that the fleet is receiving government subsidies, is underreporting their catch, or is present for geopolitical reasons rather than economic reasons.[6] The EU and private tuna fleets make up the rest of the total benefits flows by roughly 51% and 36%, respectively.

NaFAA's financial conditions considerably influence the licensing scheme structure. As an autonomous regulatory body, NaFAA is responsible for independently raising funds for its operations. NaFAA is subsequently at a disadvantage regarding its bargaining power with DWF fleets as it heavily relies on this licensing and access fee revenue.

[6] c.f. Campling, L., Havice, E., Virdin, J. et al. 2024. A geopolitical-economy of distant water fisheries access arrangements. npj Ocean Sustain 3, 26. https://doi.org/10.1038/s44183-024-00060-y

Analysis of the impact of DWF on coastal communities

Despite the successful implementation of Liberia's IEZ that protects the first 6 nautical miles for use by small-scale fishers (SSF), negative impacts of the DWF trawl fleets continue to manifest in coastal fishing communities. This is primarily because the fish species targeted by SSF are the same as those targeted by the distant-water trawl fleet. The reported catch per unit effort of the small-scale operators has considerably declined over the last decade, while catch per unit effort by the distant-water trawl fleet has increased over the same period (Figure 2). Fishermen that reported seeing and/or interacting with the trawlers cited issues such as competition for fishing areas and fishery resources, destruction of local fishers' fishing gear, reduced local catch due to the non-selective nature of trawling, environmental disturbance of fishing areas, and having to rescue local fishermen in danger or lost at sea. Most of the fishermen surveyed believe the way coastal trawlers fish has environmental impact because they catch juvenile fishes, discard unwanted catch at sea and pollute the ocean. Trawling methods also present safety risks for small-scale fishers. This competition puts the economic security of fishers and fishworkers at risk, as well as food and nutrition security, as fish is the primary source of protein and other micronutrients in coastal communities. This evidence shows that on its own, the IEZ is not a strong enough policy to protect SSF.

Catch per vessel (solid) and linear trend (dashed) of DWF and SSF fleets

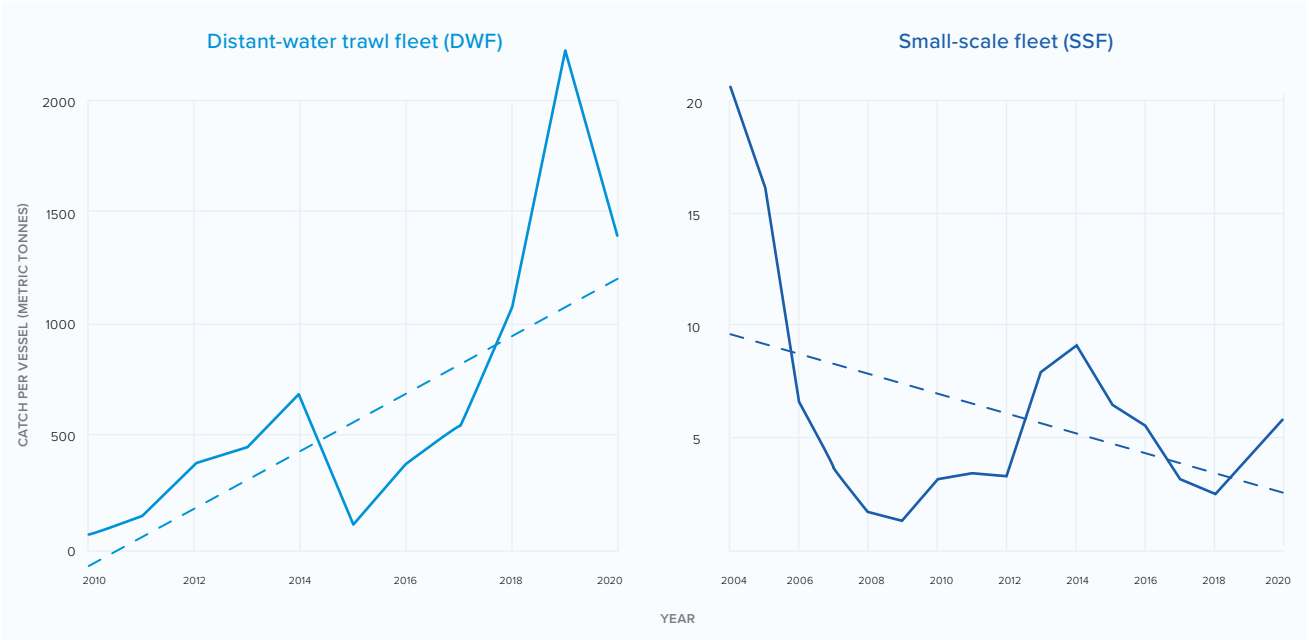


Figure 2: Catch per unit effort for the distant-water trawl fleet and the small-scale fleet

Source: NaFAA Statistics. 2022

Review of the Enabling Environment - Governance & Policy

Fisheries regulations in Liberia do not go far enough to protect local fishers' employment and safety on DWF vessels. Even though Liberia is a signatory to many of the protocols of the International Labor Organization, they have not ratified into law important ILO conventions that, if implemented, would provide crucial protections for fishers and crew, such as the Work in Fishing Convention of 2007 (C-188). The lack of effective regulations creates concerns over human rights and labor violations on DWF vessels, many of which employ Liberian citizens. Liberia's Decent Work Act of 2015 provides labor and social protections for all workers in Liberia, but unfortunately explicitly excludes seamen and mariners, meaning they are not afforded the protections, such as minimum wage, that the Act provides to other sectors. In addition, the Liberian government would benefit from adopting and implementing the FAO's Voluntary Guidelines on Securing Sustainable Small-Scale Fisheries (SSF Guidelines), a soft law instrument that provides a comprehensive framework for protecting the human rights of small-scale fishers and their communities.

Conclusions and recommendations

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This research has demonstrated that the presence of distant water fleets in Liberia has significant direct and indirect social, environmental, and economic impacts. Despite the successful implementation of Liberia's inshore exclusion zone (IEZ) that protects the first 6 nautical miles for use by small-scale fishers, negative impacts of the DWF trawl fleet continue to manifest in coastal fishing communities.

Liberia is endowed with rich natural resources within its EEZ, but along with the right to exploit these resources and provide access to foreign fleets, Liberia also has a responsibility to conserve and protect the marine areas under their jurisdiction for future generations. It is within the best interest of the Liberian people to develop governance and management frameworks that prioritize the long-term health of marine ecosystems and safeguard the livelihoods and food security of thousands of Liberians. Below, we provide 3 key recommendations for the government of Liberia to move towards these goals.

KEY SHORT-TERM POLICY RECOMMENDATIONS

1. **Protect the IEZ:** Codify the 6 nautical mile inshore exclusion zone for exclusive SSF access into legislation, rather than executive regulation. Permanent protection for the IEZ will directly help safeguard coastal community food and livelihood security, but additional government engagement with community members is needed to incorporate local voices into decision- making processes.

2. **Invest in SSF sector:** Focusing resources on capacity building for coastal community fisheries, rather than on licensing DWF, may serve to both safeguard the economic, social, and cultural rights of Liberian communities while also maximizing benefits for the government.

3. **Increase transparency and equity in decision-making:** In line with the Coalition for Fisheries Transparency's Global Charter, increase access to data and information to improve procedural, distributional, equity in governance. By providing access to data and information, and including coastal community representatives in decision-making processes, NaFAA can benefit from the research and analytical support from external groups, and ensure effective implementation of management decisions.

FUTURE RESEARCH

1. Conduct a full supply chain analysis of the catch from the Chinese trawl fleet to understand livelihood and food security impacts, including where the fish ends up, what products are sold and who benefits.

2. Conduct additional research on the tuna fishery and EU private company access arrangements to understand lost revenue since the exit of the SFPA fleet in Liberia.

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