

SECTION 1

1.1 Summary of discussions and recommendations

Workshop on conflicts in coastal fisheries in West Africa

SUMMARY OF DISCUSSIONS AND RECOMMENDATIONS

1. Six case studies on conflicts in coastal fisheries in West Africa were presented. The case studies were on Cameroon, Côte d'Ivoire, Gabon, Ghana, Senegal and The Gambia.
2. The case studies revealed the magnitude of this problem area in the fisheries sector, which was confirmed by the participants. The participants, hence, expressed their deep appreciation for the conduct of this workshop.
3. The discussion following the presentation of the case studies focused on the typology of conflicts, causes of conflicts, conflicts solving procedures, as well as the socio-economic implications of conflicts. This resulted in a number of recommendations on how to avoid, reduce and solve conflicts.
4. Conflicts in the fishery sector can be classified as follows:
 - conflicts among artisanal fishermen;
 - conflicts between artisanal fishermen and administrations;
 - conflicts between artisanal and industrial fisheries.
5. Within the artisanal fisheries sector causes for conflicts comprise the open access to the resource, the over-crowding of multi-fleet and the lack of respect for existing fisheries regulations. The main groups of conflicts between artisanal and industrial were identified to be (i) the presence of the two sectors on common fishery grounds and (ii) the competition for the same resource.
6. It was pointed out that conflicts are not only resource-related, but they also include access to means of production like capital and labour, access to markets, and problems with the fisheries administration.
7. The workshop participants acknowledged that proper quantification of conflicts in West African waters is almost impossible due to the lack of reliable data.
8. Participants stressed that artisanal fishermen often have a difficult case against industrial vessels to prove the reality of their loss, due to the lack of registration of their fishing boats and gears.
9. It was observed that night fishing particularly favours conflicts between artisanal fishermen and industrial vessels.
10. Participants divided conflict solving procedures into two major groups namely: (i) friendly settlement procedures and (ii) legislation and enforcement procedures.

11. Participants encouraged the idea of mutual agreement for a friendly settlement of conflicts already widespread among artisanal fishermen.

12. With respect to legislation and enforcement, the participants underlined the need for a well-working Monitoring, Control and Surveillance (MCS) system backed up by other appropriate agencies in the country. Though the experience of Senegal in this respect was considered to serve as a positive example for other countries, it was pointed out that it is based on peculiarities of the Senegalese fishing sector and as such may not be replicable in other countries.

13. The participants stressed unanimously that the socio-economic implications of these conflicts are more detrimental towards artisanal fishermen than towards the industrial fisheries sector. They further discussed the possibility of establishing solidarity funds meant to help the victims in those cases where no friendly settlement was possible, to bridge the period between the conflict and the final court decision. Contributions to these funds would be made by artisanal fishermen, the industrial fishing sector and other interested persons in the fishery sector.

14. On the basis of these observations, the participants recommended that :

- a) emphasis should be put on ways to prevent conflicts rather than on litigation or other forms of settling;
- b) fishermen should be advised not to set their fishing gear across shipping lanes;
- c) fisheries administrations or the private sector should have available light markers for sale to fishermen;
- d) the creation of solidarity funds to permit fishermen to continue their fishing activities while solutions to their conflicts are being worked out;
- e) high priority be given to the settlement of conflicts through mutual consent rather than through legal procedures;
- f) legislation should be adapted to the specific or special conditions of the fishing community;
- g) the creation of national fisheries commissions to monitor and resolve conflicts;
- h) MCS units should be established on sub-regional basis and empowered to rapidly deal with offenders;
- i) MCS units should concentrate more of their work by night;

- j) studies on conflicts should be intensified in order to quantify the socio-economic implications of this phenomenon;
- k) administrations should endeavour to clearly demarcate zones prohibited to trawling and fines for defaulters should be set at a clearly disuasive level.