



Council of the
European Union

169499/EU XXVII. GP
Eingelangt am 17/01/24

Brussels, 17 January 2024
(OR. en)

5378/24
ADD 2

PECHE 21

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	17 January 2024
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	SWD(2024) 5 final
Subject:	COMMISSION STAFF WORKING DOCUMENT EVALUATION to the Protocol to the Fisheries Partnership Agreement between the European Union and Guinea-Bissau Accompanying the document Recommendation for a Council Decision authorising the opening of the negotiations on behalf of the European Union for the conclusion of an Implementing Protocol to the Fisheries Partnership Agreement between the European Union and the Republic of Guinea-Bissau

Delegations will find attached document SWD(2024) 5 final.

Encl.: SWD(2024) 5 final



Brussels, 17.1.2024
SWD(2024) 5 final

COMMISSION STAFF WORKING DOCUMENT

EVALUATION

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

Accompanying the document

Recommendation for a Council Decision

**authorising the opening of the negotiations on behalf of the European Union for the
conclusion of an Implementing Protocol to the Fisheries Partnership Agreement
between the European Union and the Republic of Guinea-Bissau**

{COM(2024) 10 final} - {SWD(2024) 6 final}

Table of contents

1.	INTRODUCTION	1
	Purpose of the evaluation	1
	Scope of the evaluation	1
	Methodology of the evaluation.....	2
2.	WHAT WAS THE EXPECTED OUTCOME OF THE INTERVENTION?	4
	2.1 Description of the intervention and its objectives	4
	2.1.1 Sustainable Fisheries Partnership Agreements (SFPAs)	4
	2.1.2 Fisheries Partnership Agreement between the EU and the Republic of Guinea-Bissau	6
	2.2 Points of comparison.....	9
3.	HOW HAS THE SITUATION EVOLVED OVER THE EVALUATION PERIOD?	12
	Current state of play	12
	3.1 Joint Committee and Joint Scientific Committee meetings.....	12
	3.2 Access component.....	13
	3.3 Technical conditions.....	23
	3.4 Sectoral support component	25
4.	EVALUATION FINDINGS.....	29
	4.1 To what extent was the intervention successful and why?	29
	4.2 How did the EU intervention make a difference and to whom?	38
	4.3 Is the intervention still relevant?	40
5.	WHAT ARE THE CONCLUSIONS AND LESSONS LEARNED?	40
6.	EX-ANTE EVALUATION	42
	6.1 Problem analysis and needs assessment	42
	6.2 EU added value	44
	6.3 Policy and management objectives	45
	6.4 Policy options, including associated risks	45
	6.4.1 Option A.....	45
	6.4.2 Option B	45
	6.5 Results and impacts	48
	6.5.1 Option A.....	48
	6.5.2 Option B	49
	6.5.3 Preferred option.....	50
	6.6 Monitoring of a future implementing Protocol	50

ANNEX I: PROCEDURAL INFORMATION	52
ANNEX II. METHODOLOGY AND ANALYTICAL MODELS USED	53
ANNEX III. EVALUATION MATRIX AND, WHERE RELEVANT, DETAILS ON ANSWERS TO THE EVALUATION QUESTIONS (BY CRITERION)	56
ANNEX IV. OVERVIEW OF BENEFITS AND COSTS.....	66
ANNEX V. STAKEHOLDERS CONSULTATION - SYNOPSIS REPORT.....	68

Glossary

<i>Term or acronym</i>	<i>Definition</i>
ACP	Africa, Caribbean and Pacific
CECAF	Fishery Committee for the Eastern Central Atlantic
CFP	Common Fisheries Policy
EEZ	Exclusive Economic Zone
ERS	Electronic Reporting System
EU	European Union
FAO	Food and Agriculture Organisation
FMC	Fisheries Monitoring Centre
GNB	Gross National Benefit
ICCAT	International Commission for the Conservation of Atlantic Tunas
IUU fishing	Illegal, Unreported and Unregulated fishing.
JSC	Joint Scientific Committees
JSM	Joint Scientific Meetings
MCS	Monitoring, Control and Surveillance
RFMOs	Regional Fisheries Management Organisations
SFPAs	Sustainable Fisheries Partnership Agreements
VMS	Vessel Monitoring System
WB	World Bank

1. INTRODUCTION

Purpose of the evaluation

In the framework of the external dimension of the EU's Common Fishery Policy (CFP)¹, the Commission negotiates and implements Sustainable Fisheries Partnership Agreements (SFPAs) with third countries. The SFPAs create a legal, environmental economic and social governance framework for fishing activities carried out by Union fishing vessels in third country waters. In exchange, the EU provides a partner country with financial compensation for access to its waters and financial assistance to implement a national strategy for fisheries and blue economy. The EU contribution is complemented by fees payable by EU vessel owners.

According to Article 3(1)(d) and (e) of the Treaty on the Functioning of the European Union, the EU has exclusive powers on the conservation of marine biological resources under the CFP and the common commercial policy. The European Commission is therefore responsible for the negotiation and implementation of the SFPAs.

According to Article 31(10) of the CFP Basic Regulation¹, the European Commission shall arrange for independent ex-ante and ex-post evaluations for each implementing protocol to a SFPA, before it submits to the Council of the EU a recommendation to authorise the opening of negotiations for a successor protocol.

This obligation is complemented by Article 34 of the Financial Regulation², according to which Commission Services have to undertake both ex-ante and ex-post evaluations, in the form of SWD, for all programmes and activities which entail significant spending.

Importantly, under Article 31(5) of the CFP Basic Regulation¹, Union vessels cannot fish if there is no protocol implementing an SFPA between the EU and a third country. In order for Union vessels to continue fishing under an SFPA after an implementing protocol expires, a successor protocol must be negotiated.

Scope of the evaluation

This Staff Working Document (SWD) makes an ex-ante and an ex-post evaluation covering the application of the current implementing Protocol (hereinafter, the implementing Protocol) of the Fisheries Partnership concluded between the EU and the

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

² Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 ([OJ L 193, 30.7.2018, p. 1](#)).

Republic of Guinea-Bissau Agreement (hereinafter, the Agreement). These evaluations are primarily informed by an evaluation study conducted by an independent consultant³.

The ex-post evaluation covers most of the period of application of the current implementing Protocol of the Agreement, starting from the June 2019 to June 2023. It provides an overall assessment of the implementing Protocol, drawing conclusions in terms of its effectiveness, efficiency, relevance, coherence, acceptance, EU added value of the intervention. The detailed evaluation questions corresponding to these evaluation criteria can be found in Annex III and further addressed in section 4.

The ex-ante evaluation analyses the relevant objectives for the Agreement and its implementing protocol, considering the current and future needs for this intervention. It considers the lessons learned from previous implementing protocols and the results of the ex-post evaluation of the current implementing Protocol.

Finally, the ex-ante evaluation considers and draws conclusions on the possible impacts of the following three policy scenarios:

- A renegotiation of the current implementing Protocol for the Agreement;
- A negotiation of an improved implementing protocol for the Agreement;
- No negotiation of a successor implementing protocol for the Agreement.

Methodology of the evaluation

The results of this SWD are mainly informed by an evaluation study conducted by an independent consultant. This evaluation study took place from January to June 2023 under the guidance of an interservice group established by different services of the European Commission and within the framework of the terms of reference of specific contract number 4 under the framework contract MARE/2021/OP/0001. The methodology of this evaluation study consisted of three main components: analysis of available information, consultations, and preparation of an evaluation report.

On the analysis of available information, DG MARE provided all relevant internal documents and databases to the independent consultant. Other external documentation was also used, such as regulatory texts and reports from relevant scientific working groups.

On the consultation, the independent consultant consulted stakeholders in the EU and Guinea-Bissau. EU stakeholders were consulted between March and May 2023. Guinea-Bissau stakeholders were consulted during the consultant's field mission to Bissau from 17 to 24 April 2023. Moreover, a 'call for evidence' document was also published in the Commission's Have Your Say Portal for feedback for the period of 13 June - 11 July

³ [Étude d'évaluation rétrospective et prospective du protocole à l'accord de partenariat dans le secteur de la pêche entre l'Union européenne et la Guinée-Bissau \(2023\)](#)

2023⁴. Nevertheless, the document attracted only one feedback⁵. See more detailed information about the stakeholder consultations in Annex V ‘Synopsis Report’.

The evaluation study was submitted to the European Commission in June 2023 and the overall level and quality of findings gathered is robust. Nevertheless, the following general elements should be highlighted:

- This SWD, and the evaluation study on which it is based, considers all information available as of June 2023. It does not consider information beyond this date because the evaluation must be finalized at least a year before the expiry date of the implementing Protocol to obtain a mandate for negotiation and subsequently negotiate a successor protocol.
- Previously, the assessments of the state and potential of the stocks of demersal and small pelagic species were affected by the unavailability of updated analysis and recommendations from the Fisheries Committee for the Eastern Central Atlantic (CECAF), and the limited fisheries statistics available in Guinea-Bissau. This limitation has been addressed by the work of the Joint Scientific Committee, which included the reconstruction of statistical series on industrial fishing catches and effort by all fleets from 2000-2020. This database has been valuable in conducting stock assessment analyses and providing information to be shared with CECAF.

Detailed information on the methodology, including how the supporting evaluation study was conducted can be found in Annex II.

⁴ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13735-EU-Guinea-Bissau-fisheries-agreement-negotiation-mandate-for-a-new-protocol_en

⁵ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13735-EU-Guinea-Bissau-fisheries-agreement-negotiation-mandate-for-a-new-protocol/feedback_en?p_id=32185481

2. WHAT WAS THE EXPECTED OUTCOME OF THE INTERVENTION?

2.1 Description of the intervention and its objectives

2.1.1 Sustainable Fisheries Partnership Agreements (SFPAs)

The CFP Basic Regulation covers the conservation of marine biological resources and the management of fisheries and fleets exploiting such resources within Union waters and by Union fishing vessels outside Union waters. The first fisheries agreements between the EU and third countries date back to the late 1980s and are enshrined in the CFP. In accordance with UN Sustainable Development Goal 14 (*life below water*), the SFPAs should contribute towards resource conservation and environmental sustainability of the exploitation of living marine resources of a coastal partner State. The SFPAs should also contribute to efficient data collection; monitoring, control and surveillance measures; and the respect for democratic principles and human rights.

The SFPAs establish a legal, environmental economic and social governance framework for fishing activities carried out by Union fishing vessels in third country waters. Under the framework of the SFPAs, Union vessels shall only catch surplus of the allowable catch, as referred to in Article 62(2) and (3) of the United Nations Convention on the Law of the Sea (UNCLOS)⁶. This surplus must be identified, in a clear and transparent manner, on the basis of the best available scientific advice. In addition, in order to ensure the sustainable exploitation of surpluses of marine biological resources, the EU must endeavour to ensure that the SFPAs are mutually beneficial to the Union and to the third country concerned, including its local population and fishing industry.

In terms of financial compensation, the EU provides a partner country with financial compensation for access to its waters and financial assistance to implement a national strategy for fisheries and the blue economy. The EU contribution is complemented by fees payable by EU vessel owners.

Importantly, SFPAs are exclusive and rendered operational only through their implementing Protocols. In order for Union vessels to continue fishing under an SFPA after an implementing protocol expires, a successor protocol must be negotiated.

The implementation of an SFPA and its implementing protocol is monitored by a Joint Committee composed of representatives from both parties, as well as a Joint Scientific Committee composed of scientists from both parties.

⁶ https://www.un.org/Depts/los/convention_agreements/convention_overview_convention.htm

In July 2011, the Commission adopted a Communication on the external dimension of the CFP⁷ and proposed several actions to reform SFPAs. The Council adopted Conclusions regarding the External Dimension of the CFP on 19 March 2012⁸ and the European Parliament expressed its views in a report adopted in November 2012⁹.

General and specific objectives of Sustainable Fisheries Partnership Agreements

The overarching objective of the external dimension of the CFP is to promote high standards in terms of fisheries management at the international and regional levels as well as under bilateral agreements, with the aim to ensure a level playing field. General and specific objectives of SFPAs are the following⁵:

- 1) To contribute towards resource conservation and environmental sustainability through rational and sustainable exploitation of living marine resources of the coastal state, in particular by:**
 - a. directing fisheries exclusively at surplus resources and preventing the overfishing of stocks, on the basis of the best scientific advice and reinforced transparency on the global fishing efforts in third countries' waters;
 - b. following the same principle and promoting the same standards for fisheries management as applied in EU waters;
 - c. improving the scientific and technical evaluation of the fisheries concerned (notably by improving data collection and transparency on fishing efforts); and
 - d. ensuring compliance and combating IUU fishing.
- 2) To contribute to continuing the activity of the Union fleets and the employment linked to the fleets operating within SFPAs by:**
 - a. seeking appropriate share of the surplus resources, fully commensurate with the EU fleets interests;
 - b. ensuring that the level of fees payable by Union ship-owners for their fishing activities is fair, non-discriminatory and commensurate to the benefits provided through the access conditions while avoiding any discriminatory treatment towards EU vessels and promoting a level playing field among the different fleets;
 - c. ensuring supply for the EU and for the markets of certain developing countries;
 - d. encouraging the creation of a secure environment that is favourable to private investment and economic activities; and
 - e. taking into account the specific interests of the Union's outermost regions located in the vicinity.
- 3) To support the development of a sustainable fisheries sector in partner countries by:**
 - a. contributing to the capacity building in the third countries (notably by improving fisheries legal framework, control and surveillance and science);
 - b. defining annual and multiannual objectives to be achieved with the aim of developing sustainable fishing activities;
 - c. assessment of the results obtained in terms of impacts, and also on budgetary and financial requirements; and

⁷ Communication from the Commission to the European parliament, the Council, the Economic and Social Committee and the Committee of the regions on the External Dimension of the Common Fisheries Policy, COM(2011)424 final, of 13.7.2011.

⁸ Council conclusions on the external dimension of the CFP, 19.03.2012, 7086/12 (http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/agricult/129052.pdf)

⁹ European Parliament's report on the External Dimension of the Common Fisheries Policy, of 22.11.2012.

- | |
|--|
| d. promoting the employment of local seamen, improving infrastructures and encouraging landings, supporting the third country in developing local fisheries and processing industry. |
|--|

2.1.2 Fisheries Partnership Agreement between the EU and the Republic of Guinea-Bissau

The Fisheries Partnership Agreement between the EU and the Republic of Guinea-Bissau, and its current implementing Protocol, provide fishing opportunities to fish for Union fishing vessels in Guinea-Bissau's waters and provides significant sectoral support for the sustainable development of the national fisheries and blue economy sectors.

It establishes the principles on the economic, financial, technical and scientific cooperation in the fisheries sector with a view to promoting responsible fishing in Guinea-Bissau's waters to ensure the conservation and sustainable exploitation of fisheries resources and develop the Guinea-Bissau fisheries sector.

The Agreement entered into force on 16 June 2007 and has been tacitly renewed every four years. The previous implementing protocol with Guinea-Bissau expired on 23 November 2017. Negotiations were interrupted for more than a year and a half due to the political situation in the country. The current implementing Protocol applies provisionally from 15 June 2019 until 14 June 2024, following the adoption by the Council of the EU on 6 June 2019 of the decision on its signature and provisional application.

There are two main types of SFPAs: bilateral agreements for highly migratory species, (such as tunas and tuna-like species), and multi-species agreements. Unlike most SFPAs, the agreement with Guinea-Bissau is a multi-species agreement. Species covered under the current Protocol are demersal species (crustaceans, cephalopods and fish), small pelagics and highly migratory species. On the basis of fishing capacity (based on gross register tonnage or GRT), the current Protocol provides fishing opportunities for shrimp freezer trawlers (3 700 GRT a year), fin-fish and cephalopod freezer trawlers (3 500 GRT a year) and small pelagic trawlers (15 000 GRT a year). Tuna freezer seiner and long liners (28 vessels) and pole-and-line tuna vessels (13 vessels) are also included. The Protocol allows EU vessels from Spain, Portugal, Italy, Greece, France, Lithuania, Latvia and Poland to fish in Guinea-Bissau's waters.

The current Protocol includes an annual EU financial contribution for access – EUR 11 600 000 - and for sectoral support – EUR 4 000 000. The EU contribution is complemented by fees payable by EU vessel owners on licences and catches.

The following table sets out the main features of the Protocol implementing the EU-Guinea-Bissau FPA for the period 2019-2024.

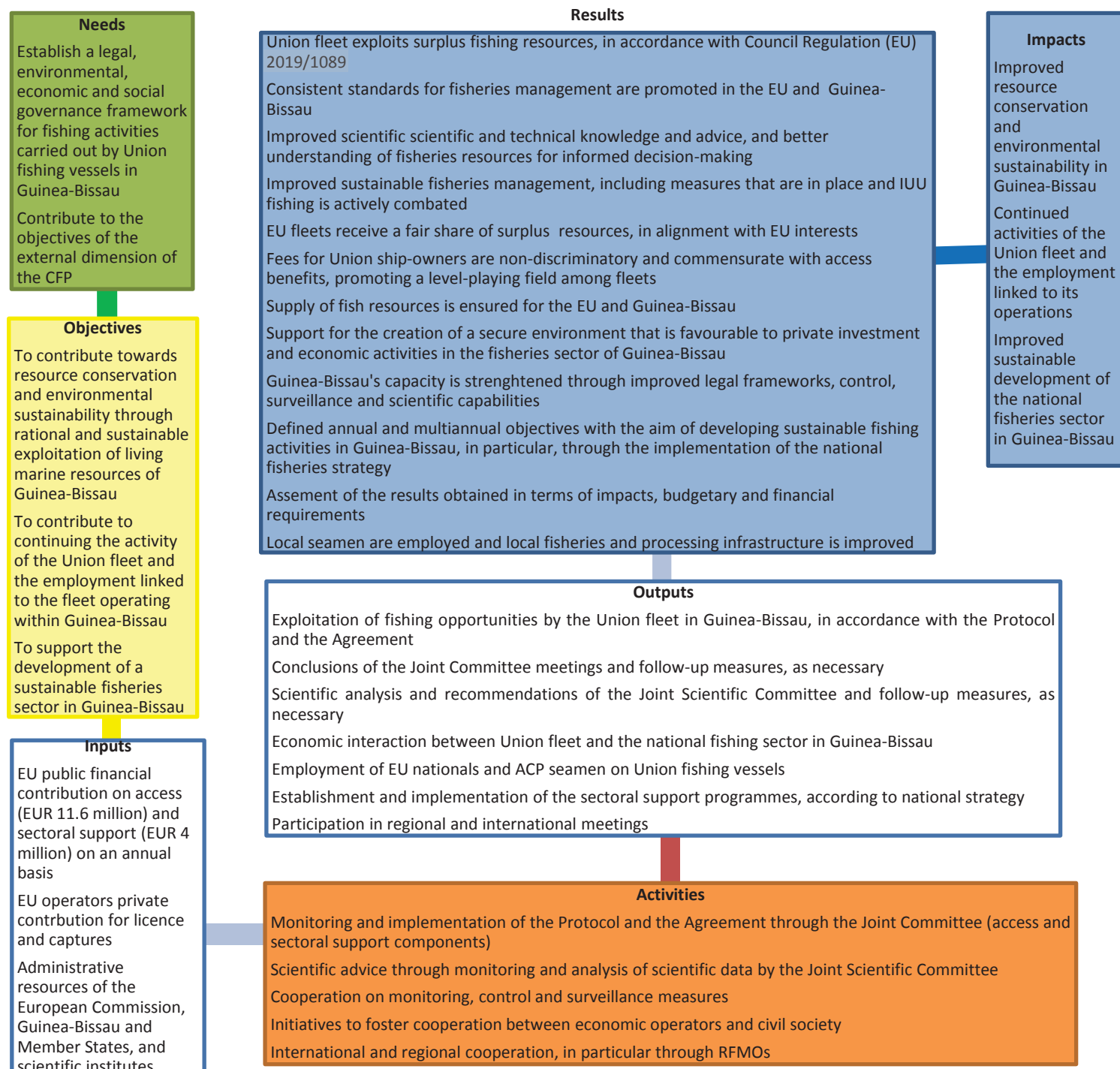
Figure 1. Main elements of the current implementing Protocol of the Fisheries Partnership Agreement between the EU and Guinea-Bissau

Duration of the Agreement	Four years renewable
Date of entry into force of the Agreement	16 June 2007
Date of entry into force of the Protocol	15 June 2019
Duration of the Protocol	5 years : 15 June 2019 – 14 June 2024
EU fishing opportunities	<p>Demersal and small pelagic species</p> <ul style="list-style-type: none"> • Freezer fin-fish and cephalopod trawlers: 3,500 GRT per year in years 1 and 2, then total allowable catch (TAC) of 11,000 tons per year from year 3 onwards. • Freezer shrimp trawlers: 3,700 GRT per year in years 1 and 2, then a total allowable catch (TAC) of 2,500 tonnes per year from year 3 onwards. • Small pelagic trawlers: 15,000 GRT per year in years 1 and 2, then a total allowable catch (TAC) of 18,000 tonnes per year from year 3 onwards. <p>Highly migratory species</p> <ul style="list-style-type: none"> • 28 freezer tuna seiners and surface longliners • 13 pole-and-line tuna vessels
EU financial contribution	<ul style="list-style-type: none"> • 11 600 000 EUR per year for access • 4 000 000 EUR per year for sectoral support
Licence and catches fees paid by the EU operators	<p>Demersal and small pelagic species</p> <ul style="list-style-type: none"> • Freezer fin-fish and cephalopod trawlers: 282 EUR / GRT for years 1 et 2 and then 90 EUR / t of demersal catches and 270 EUR / t of cephalopod catches from year 3) • Freezer shrimp trawlers: 395 EUR / GRT per year in years 1 and 2, then 280 EUR / t from year 3) • Small pelagic trawlers: 250 EUR / GRT per year in years 1 and 2, then 100 EUR / t (vessels over 1 000 GT) and 75 EUR / t (vessels under 1 000 GT) from year 3 onwards.) <p>Highly migratory species</p> <ul style="list-style-type: none"> • Freezer tuna seiners: EUR 70/t with a non-recoverable lump-sum advance of EUR 4,500 for 64.3 t • Surface tuna longliners: EUR 55/t with a non-recoverable lump-sum advance of EUR 3,000 for 54.5 t • Tuna pole-and-line: EUR 55/t with a non-recoverable fixed advance of EUR 2,500 for 45.5 t • Support vessels: EUR 3,000 per year

The sectoral support component is used for programmed activities in the following areas: (1) reinforcing the monitoring, inspection and surveillance of fisheries activities and the fight against illegal, unregulated and unreported fishing; (2) improved scientific knowledge on fish stocks; (3) improved fisheries statistics; (4) support for small-scale fisheries; and (5) strengthening international cooperation.

Figure 2 provides a visual description of the intervention logic. It seeks to connect the needs, objectives, actions and expected achievements. The latter is discussed in terms of the outputs, results and impacts of the implementing Protocol.

Figure 2. Intervention logic of the Fisheries Partnership Agreement between the EU and the Republic of Guinea-Bissau, and its current implementing Protocol



2.2 Points of comparison

The EU and Guinea-Bissau have a long history in the area of fisheries. As mentioned above, the Agreement was concluded on 16 June 2007 and has been repeatedly and tacitly renewed for four year periods. Expressly: 16 June 2007 – 15 June 2011; 16 June 2011 – 15 June 2015; 16 June 2015 – 15 June 2019; and 16 June 2019 – 15 June 2023.

The previous protocol with Guinea-Bissau was applicable from 24 November 2014 and expired on 23 November 2017. Following more than a year and half of interruption of the negotiations, due to the political situation in Guinea-Bissau, the current implementing Protocol was negotiated between the parties on 15 November 2018. It was signed and applied provisionally as of 16 June 2019.

During the interruption of negotiations – the period where no implementing protocol was in force – the Union fleet was not allowed to operate in Guinea-Bissau and was obliged to secure fishing opportunities in other fishing zones. Due to the exclusivity clause of the Agreement, EU vessel-owners were not allowed to enter private agreements with Guinea-Bissau to access their waters and fisheries resources. In addition, Guinea-Bissau did not receive any EU financial compensation for access nor sectoral support.

Based on the findings of the evaluation of the former implementing protocol to the Agreement¹⁰ – applicable from 24 November 2014 to 23 November 2018 – the negotiation of the current implementing Protocol was the preferred option for the EU and Guinea-Bissau. The evaluation provided an overall assessment of the first 18-months of the former implementing protocol, concluding that it was effective in achieving its objectives and economically relevant, with some areas for improvement regarding efficiency and coherence, such as improved monitoring of targeted stocks, as well as lacking infrastructure and implementation difficulties related to the administrative capacity of the national authorities of Guinea-Bissau. The protocol was considered an added value for both Parties and largely accepted by stakeholders.

Importantly, the conclusions and recommendations contained in the evaluation of the former implementing protocol, formed the basis for the negotiation mandate of the negotiation for the current implementing Protocol.

In this context, the points of comparison considered for the ex-post and ex-ante evaluation of the current implementing Protocol are the following:

- a) The prior implementing protocol (24 November 2014 to 23 November 2017), including the conclusions and recommendations of its ex-post and ex-ante evaluation and the negotiating mandate; and
- b) The reference situation at the start of the current implementing Protocol (16 June 2019).

These points of comparison were used, alongside the general and specific objectives of SFPAs (see figure 2), to identify certain indicators when assessing the implementation of the current implementing Protocol. Importantly, given the nature of these objectives, it is not always possible to provide a quantitative indicator for this analysis.

¹⁰ [SWD \(2017\)18 on the Evaluation of the Protocol to the Fisheries Partnership Agreement concluded between the European Union and Guinea-Bissau](#)

In terms of the **access component**, and based on the relevant specific objectives under general objectives (1) and (2), the following success criteria and indicators will be used for evaluating the implementation of this Protocol, vis-à-vis the points of comparison:

Figure 3. Objectives related to the access component and their corresponding success criteria and indicators

Specific objectives	Success criteria	Indicators
1.a To what extent fisheries activities addressed exclusively at surplus resources and prevent the overfishing of stocks, on the basis of the best scientific advice and improved transparency on the global fishing efforts in the waters included in the current Protocol.	<p>The EU fishing opportunities are within the limits established or recommended by the relevant RFMO/RFO and the Scientific Joint Committee.</p> <p>The implementation of the Protocol takes into account the management strategies and recommendations proposed by the relevant RFMO/RFO, the Scientific Joint Committee and Guinea-Bissau.</p>	<p>State of the stocks targeted under the Protocol and their monitoring/management (scientific advice analysis by the joint scientific committee meetings, RFMO/RFO and national scientific institutes).</p> <p>Utilisation rate of fishing opportunities, including the evolution of EU vessels, licences and catches under the Protocol.</p>
1.b To what extent the implementation has followed the same principles and promoted the same standards for fisheries management as applied in EU waters.	The EU fleet operating under the implementing Protocol follow the same principles and standards as vessels operating in EU waters, according to the CFP, and any additional standards required by Guinea-Bissau.	Compliance of fisheries management measures applicable in the framework of the Protocol, in the EU and in Guinea-Bissau.
2.a To seek appropriate share of the surplus resources, fully commensurate with the EU fleets interests and their regional and sub-regional fishing strategy.	Fishing opportunities covered by the Protocol correspond to the needs of the EU fleet and are acceptable considering the activities of fleets active in the same waters at national, sub regional and regional level.	<p>Utilisation rate of fishing opportunities, including the evolution of EU vessels, licences and catches under the Protocol.</p> <p>Level of contribution to the supply of the EU market (volume and value).</p>
2.b To ensure that the level of fees payable by Union ship-owners for their fishing activities is fair and proportional considering the revenues and costs, non-discriminatory and promotes a level playing field among the different fleets.	<p>The Protocol offers similar conditions to other foreign fleets operating in the fishing zones and management areas of the Agreement.</p> <p>The cost benefit ratio is acceptable and reasonable for the EU ship owners and for Guinea-Bissau.</p>	<p>Level of fees and technical conditions applied to third countries fleets in the fishing areas of Guinea-Bissau.</p> <p>Proportion between fees, costs and benefits for the EU ship owners and for Guinea-Bissau.</p>

In terms of assessing the implementation of the **technical conditions** established under the current Protocol, and based on the relevant specific objectives under these general objectives, the following success criteria and indicators will be used for evaluating the implementation of this Protocol, vis-à-vis the points of comparison:

Figure 4. Objectives related to the technical conditions and their corresponding success criteria and indicators

Specific objectives	Success criteria	Indicators
1.c To what extent the scientific and technical evaluation of the fisheries concerned have improved?	<p>EU fishing activities follow a scientific data collection framework. This information is transmitted to the relevant RFMO/RFO and national research institutes.</p> <p>EU scientists and scientists from Guinea-Bissau actively participate in Joint Scientific Committee meetings and RFMO/RFO scientific committees.</p>	<p>Compliance with scientific data collection obligations (e.g. logbook and scientific observers) under the Protocol.</p> <p>Regular collection and analysis of relevant data in Joint Scientific Committee and relevant RFMO/RFO, and implementation of their recommendations.</p>
1.d Ensuring compliance and combating IUU fishing	The activity of the EU fleet is properly monitored (VMS, AIS, etc.), in accordance with the Protocol.	<p>Compliance with reporting obligations (e.g. logbook, VMS, observers) under the Protocol.</p> <p>Level of implementation of the monitoring, surveillance and control (MCS) provisions under the Protocol.</p>
2.c To ensure supply for the EU and for the markets of Guinea-Bissau and third countries.	<p>The Protocol offers a framework to foster landings to supply local markets.</p> <p>The Agreement fosters trade on fisheries cooperation between the EU and Guinea-Bissau and/or third countries.</p>	<p>Level of contribution to the supply of the EU market (volume and value), including for the processing sector.</p> <p>Compliance with landing obligation in local market, and level of landing in local market versus neighbouring countries markets.</p>
<p>3.d promoting the employment of local seamen, improving infrastructures and encouraging landings, supporting the third country in developing local fisheries and processing industry.</p> <p>*Landings are treated under 2.c. and improvement of infrastructure is treated under the sectoral support component.</p>	EU vessels recruit part of their staff locally: they benefit from good working conditions and appropriate training, equivalent to ILO standards.	<p>Compliance with obligation to employ a minimum number of local seamen.</p> <p>Employment created directly and indirectly in the EU and in Guinea-Bissau or in the sub region/sub region.</p>

In terms of the **sectoral support component**, and based on the relevant specific objectives under general objective (3), the following success criteria and indicators will be used for evaluating the implementation of this Protocol, vis-à-vis the points of comparison:

Figure 5. Objectives related to the sectoral support component and their corresponding success criteria and indicators

Specific objectives	Success criteria	Indicators
3.a To contribute to capacity building and social, environmental and economic development in Guinea-Bissau.	<p>The sectoral support contributes to capacity building and social, environmental and economic development in Guinea-Bissau.</p> <p>In particular, the sectoral support contributes to adequate training, equipment and infrastructures namely in the areas of science and control, monitoring and surveillance.</p>	<p>Improvement of level of capacity (social, environmental, and economic) through sectoral support of the implementing Protocol</p>

3.b defining annual and multiannual objectives to be achieved with the aim of developing sustainable fishing activities	<p>Utilisation of the sectoral support has been duly reported in accordance with the Protocol.</p> <p>Multiannual programming has been jointly established in accordance with the national fisheries and aquaculture and with the Protocol.</p>	<p>Percentage of the EU contribution to the different policy areas in Guinea-Bissau, in accordance with the national fisheries strategy.</p> <p>Comprehensiveness and level of detail of the sectoral support reporting.</p>
3.c assessment of the results obtained in terms of impacts, and also on budgetary and financial requirements	Effective and timely execution of sectoral support funds by Guinea-Bissau and corresponding timely payments by the EU.	Execution rate of sectoral support by Guinea-Bissau and corresponding timely payment by the EU.

The indicators mentioned to assess the access, sectoral support and technical components of the current implementing Protocol will be referenced throughout the next section, and often vis-à-vis the points of comparison.

3. HOW HAS THE SITUATION EVOLVED OVER THE EVALUATION PERIOD?

Current state of play

3.1 Joint Committee and Joint Scientific Committee meetings

The Joint Committee, established under Article 10 of the Agreement, is the body responsible for monitoring the implementation of the Agreement and its implementing protocols. It is composed of delegations from the EU and Guinea-Bissau and should meet on annual basis. At the time of this evaluation, and like in the 2014-2017 Protocol, the Joint Committee met on annual basis (four times) throughout the current implementing Protocol:

- October 2019 in Brussels
- July 2021 by videoconference
- April 2022 in Lisbon
- April 2023 in Bissau

The Joint Scientific Committee, established under Article 4 of the Agreement, provides scientific analysis and advice to the Joint Committee and should meet on an annual basis. In the current implementing Protocol, the Joint Scientific Committee was only able to meet for the first time in April 2022, in Guinea-Bissau. The absence of a meeting in 2020 and 2021 was mainly due to travel restrictions associated with the global health crisis. The Joint Scientific Committee also met in July 2023 in Portugal.

During the previous implementing Protocol from 2014-2017, the Joint Scientific Committee met three times, in 2015, 2016 and 2017. Common to all the Joint Scientific Committee meetings is the production and publication of a joint report with analysis of collected data and advice to the Joint Committee.

In addition, the monitoring of the current implementing Protocol was the subject of several technical missions to Guinea-Bissau by DG MARE. Three missions were carried between 2019 and 2021. More recently, four additional technical missions were carried out between April 2022 and March 2023. The main focus of these missions was the monitoring of the implementation of the Protocol, in particular, the sectoral support funds.

3.2 Access component

As described in Figure 1, the current implementing Protocol provides fishing opportunities for the EU fleet to target demersal and small pelagic species (with freezer shrimp trawlers, freezer fin-fish cephalopod trawlers and small-pelagic trawlers) and highly-migratory species, with the exception of protected shark species (freezer tuna seiners and surface longliners and pole-and-line tuna vessels). The fishing opportunities obtained were allocated by the Council to eight EU Member States: France, Greece, Italy, Lithuania Latvia, Poland, Portugal, and Spain.

Figure 6. Fishing categories in the current implementing Protocol 2019-2024

Category number	Category name
1	Freezer fin-fish and cephalopod trawlers
2	Freezer shrimp trawlers
3	Pole-and-line tuna vessels
4	Freezer tuna seiners and surface longliners
5	Small pelagics trawlers

The implementing Protocol provides access to an important fishing zone for trawlers of category 1, 2 and 5 and for tuna vessels of category 3 and 4 (*Figure 6*). For these vessels, Guinea-Bissau's fishing zone is part of a regional network that allows a continuum of operations. Importantly, category 5 was added in the current implementing Protocol for the first time. The previous implementing Protocols focused on fishing categories 1-4.

Importantly, Guinea-Bissau has not managed to reform its fisheries management system according to the timetable anticipated by the current implementing Protocol. Currently based on the setting of fishing capacity limits expressed in vessel tonnage (GRT), the reform plans to move to a system based on catch limits, accompanied by a fishing capacity management regime.

The reform could not be completed within the timeframe initially envisaged due to the impossibility of adopting the legal framework for its implementation before the dissolution of the National Assembly in 2022. The non-adoption of the regulatory framework has also delayed the implementation of activities designed to make the reform operational, such as the deployment of an electronic declaration system for fishing activities.

As described in Figure 3, several indicators have been used to assess the current implementing Protocol's access component, in relation to the objectives of the intervention logic. These indicators will be outlined in this section.

State of the stocks targeted under the current implementing Protocol

The cornerstone of Guinea-Bissau's fisheries management are the fisheries management plans (Plano de Gestão dos Recursos Haliêuticos) prepared annually by the National Institute for Research on Fisheries (INIPO). The fisheries management plans identify fishing opportunities in relation to exploitable potential assessed by the scientific assessments of the annual stock assessment campaigns carried out by INIPO, and often funded by sectoral support. Fishing opportunities are assessed by type of fishing category (shrimp, cephalopods, fish, small pelagics) in terms of allowable fishing capacity, expressed in GRT. The fisheries management plans do not cover tuna species since these are managed within the multilateral framework of ICCAT.

The fishing opportunities set by the current implementing Protocol for the EU fleet are considered in the national fisheries management plans, as were those in the previous implementing Protocol (2014-2017). In the current implementing Protocol, the EU fishing opportunities represent 27% of the total allowable potential for industrial fishing in Guinea-Bissau.

For non-tuna species exploited by category 1, 2 and 5 vessels, scientific information is available through the reports of the Joint Scientific Committee and the CECAF scientific working groups. For tuna species exploited by fishing categories 3 and 4, stock assessments are produced by ICCAT's Standing Committee on Research and Statistics.¹¹

Assessment and recommendations by the Joint Scientific Committee

Overall, the latest assessments of the various stocks in the Joint Scientific Committee (April 2022 and June 2023) indicate a general excess of fishing pressure on the stocks, leading to overall decreases in biomass¹². The Joint Scientific Committee meeting held in 2017 came to similar conclusions, recommending at the time that any increase in fishing effort be prevented and that a biological recovery period be implemented.

The introduction of a biological recovery period during the month of January (on an annual basis), applicable to all industrial fleets during the month of January, was introduced for the first time by Guinea-Bissau in 2022. The EU fleet has fully complied with this fisheries management measure and the EFCA provided satellite imagery and analysis for the implementation of the biological recovery period in 2023.

¹¹ For more information on the state of stocks, please consult Section 5 of the [evaluation study](#).

¹² More information can be found in the latest published [report of the Joint Scientific Committee meeting](#), from April 2022.

The Joint Scientific Committee also made several recommendations for improving the collection and provision of scientific data. These included increasing the number of on-board scientific observations, improving database quality and continuing annual stock assessment campaigns, with parallel programs to strengthen INIPO's capacity. Guinea-Bissau has taken these recommendations onboard in their 2023-2027 National Strategy for Fisheries and Aquaculture and in the programming of sectoral support.

CECAF scientific working groups on demersal and pelagic fisheries

In late 2022, CECAF convened two scientific working groups on demersal species and on small pelagics. These working groups assessed the status of several stocks between Guinea-Bissau and Angola based on data (including from 2021) provided by the countries concerned. The working groups proposed fisheries management recommendations for those stocks for which an assessment could be made. Guinea-Bissau participated in these working groups through INIPO.

The general conclusions of the CECAF working groups are that fishing effort be reduced for overfished species, and not increased for other stocks. As most fisheries in Guinea-Bissau are multi-species, an overall reduction in fishing effort is necessary over the coming years¹³.

ICCAT

Tuna species and associated large pelagic species are under the management mandate of ICCAT. The stock status of the tuna species exploited in the fishing zone is satisfactory, with the exception of bigeye tuna, which is assessed as overexploited but not overfished at the scale of its stock distribution, i.e. the entire Atlantic Ocean. Stock management and conservation measures are decided and implemented within the multilateral framework of ICCAT (inter alia fishing capacity limits, catch limits, restrictions on the use of FADs) and they apply to all parties¹⁴.

Utilisation rate of fishing opportunities

According to the evaluation of the previous protocol, the average utilisation rate of fishing opportunities remained relatively stable throughout the 2011-2012 and 2014-2017 implementing protocols (*Figure 7*).

¹³ FAO CECAF (2022) CECAF/SSCIX/2022/4 Scientific Sub-Committee 9th session. Summary of the meeting on the working group on demersal resources South 2022 and summary of the meeting and Working Group on Small Pelagics South, [here](#).

¹⁴ For more information on ICCAT's stock assessments and executive summaries, see [here](#).

Figure 7. Utilisation rate of fishing opportunities negotiated under previous protocols

Category number	Base	2011-2012	2015	2016	2017
1	GRT	42%	70%	95.6%	90.5%
2	GRT	36%	32%	18.3%	22.9%
3	Number of vessels	57%	66.7%	66.7%	66.7%
4	Number of vessels	100%	75%	82.1%	75%
5	NA	NA	NA	NA	NA
Average		58.8%	60.9%	65.8%	63.8%

*No fishing between 2013 and 2014, due to an interruption between the 2011-2012 Protocol and the 2014-2017 Protocol. There was also no fishing from December 2017 to June 2019, due to the interruption period between implementing the 2014-2017 Protocol and the 2019-2024 Protocol.

The average utilisation rate of the fishing opportunities by the EU fleet was 42 % during the first four fishing periods (2019-2023) of the current implementing Protocol, with an average rate per fishing category of 59 % for cephalopod trawlers, 27 % for shrimp trawlers, 48 % for pole-and-line tuna vessels, 76 % for tuna seiners and longliners, and 1 % for small pelagic fishing vessels (Figure 7).

In comparison with previous implementing protocols, the average utilisation rate of fishing opportunities by the EU fleet is lower. This most likely due factors such as the interruption between implementing protocols (between 2017 and 2019) and the global health crisis, as well as the almost non-utilisation of category 5 in the current implementing Protocol.

Figure 8. Utilisation rate of fishing opportunities negotiated under the 2019-2024 Protocol, by period

Category number	Base	Period 1 (06/2019 – 06/2020)	Period 2 (06/2020 – 06/2021)	Period 3 (06/2021 – 06/2022)	Period 4 (06/2022 – 06/2023)
1	GRT	86.1%	58.2%	50.7%	42%
2	GRT	26%	18%	29.5%	36%
3	Number of vessels	61.5%	61.5%	38.5%	31%
4	Number of vessels	78.6%	78.6%	78.6%	68%
5	GRT	2.8%	0.8%	0%	0%
Average		51%	43.4%	39.5%	35%

For category 1, the average utilisation was 59%. The utilisation was satisfactory during period 1 (86.1%), but then declined from period 2 onwards (42% in period 4). The average utilisation for this category is lower than that of the same category in the 2014-2017 Protocol. An annual average of ten vessels operated under this category.

For category 2, the average utilisation was 27%. Utilisation remained relatively low during period 1 and 2 but started picking up in period 3 (29%) and 4 (36%). The average utilisation for this category is higher than that of the same category in previous protocols. An annual average of ten vessels operated under this category, with significant variations from one year to the next.

For category 3, the average utilisation was 48%. With utilisation at almost 62% in periods 1 and 2 (eight vessels), and declining to 31% in period 4 (four vessels). The average utilisation for this category is lower than that of the same category in previous protocols.

For category 4, the average utilisation was 76% with around 20 vessels per year. The average utilisation for this category is similar to that of the same category in previous protocols. For surface longliners, between one and two vessels per year have taken fishing authorisations in periods 1 to 3 and none in period 4.

For category 5, the rate of utilisation of fishing opportunities was very low in periods 1 and 2, and non-existent in periods 3-4. Only three EU vessels made use of these fishing opportunities in 2020. This category did not exist in previous implementing protocols.

By Member State, the 2014-2017 Protocol provided fishing opportunities to EU vessels from five Member States (Spain, France, Portugal, Italy and Greece). All five Member States used these fishing opportunities.

In the current implementing Protocol, three Member States have used the fishing opportunities allocated by the Council (Spain, France and Italy), and five have not (Latvia, Lithuania, Greece, Poland and Portugal). Latvia, Lithuania and Poland benefit from fishing opportunities in category 5. Portugal benefits from fishing opportunities in category 2, and Greece from fishing opportunities in category 1. Greece reported that it had not used its allocation due to a prolonged technical stoppage of the potential user vessel. Portugal and Greece have indicated that they have temporarily transferred their fishing opportunities to Italy.¹⁵

Number of fishing licences

On an annual average, around 50 EU vessels took out fishing licences for all categories combined, including around 30 tuna vessels and around 20 trawlers per calendar year. Figure 9 shows the number of EU vessels that have taken fishing licences per calendar year, distinguishing within category 4 between tuna seiners (code TS) and surface longliners (code SL).

Figure 9. Number of EU vessels with fishing licences per calendar year under the 2019-2024 Protocol

Category number	2019	2020	2021	2022	Average
1	12	9	10	8	10
2	9	11	6	13	10

¹⁵ For more information on the utilisation rate of fishing opportunities, please see Section 6.3.1 of the [evaluation study](#).

3	8	8	5	4	6
4 (TT)	21	20	20	19	20
4 (SL)	1	2	2	0	1
5	0	3	0	0	1
Total	51	53	43	44	48
Support vessels	4	4	3	2	3

Overall, the average number of EU vessels has remained relatively stable throughout the current implementing Protocol and is higher than the 2014-2017 Protocol. As an annual average over the period 2019-2022, the EU fleet accounted for 14% of the number of active industrial vessels, 7% of the active capacity measured in GRT of this fleet and 5% of total catches, all types of fishing licences combined for the industrial fleet in Guinea-Bissau¹⁶.

Importantly, Guinea-Bissau grants fishing licences to an annual average of 128 industrial fishing vessels between 2019 and 2022 (excluding tuna vessels). Industrial fishing vessels access the zone in the framework of fishing agreements (EU, Senegal, Chinese company Zhongiu Global Seafood Corporation ZGFC) and under regimes provided for by national regulations concerning national vessels and chartered foreign vessels¹⁷.

In terms of nationality, the majority (59 %) of industrial fishing vessels authorised in 2021 flew the Chinese flag (ZGFC agreement and chartering arrangements). EU and national vessels accounted for 14 % and 13 % of the fleet respectively. As far as small-scale fishing is concerned, the available data indicate around 900 units, two-thirds of which are of Guinea-Bissau nationality, and one-third foreign (Guinea and Senegal).

Number of catches

Overall catches by the EU fleet totalled 7,859 tonnes, with an estimated first-sale value of EUR 23.1 million on average over the first four years of the current implementing Protocol. Cephalopod trawlers and shrimp trawlers accounted for more than 90 % of EU catches, and catches by tuna vessels for around 3 % of the total. Figure 10 shows total catches by EU vessels by fishing category and calendar year¹⁸.

Figure 10. Annual catches by EU vessels in the FPA fishing zone (tonnes) per calendar year under the 2019-2024 Protocol

Category number	2019	2020	2021	2022	Average
1	6 975	7 285	5 651	3 870	5 945
2	996	1 142	1 284	1 537	1 240
3	1	8	0	27	9

¹⁶ For more information on fishing licences, please see Section 3.1.3 of the [evaluation study](#).

¹⁷ For more information on the repartition of fleets, please see Section 3.1.1 of the [evaluation study](#).

¹⁸ For more information on catches, please see Table 15 and 16 of Section 6.3.2 of the [evaluation study](#).

4 (TT)	10	487	106	218	205
4 (SL)	73	5	0	0	20
5	0	1 764	0	0	441
Total	8 055	10 690	7 041	5 653	7 859

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.

Compared to previous implementing protocol, the total catches by the EU fleet have decreased significantly, and with it supply to the EU market. Expressly, when compared to total catches in the 2014-2017 Protocol, that exceeded the 18,000 tonnes annually (Figure 11), the total catches by the EU fleet are lower.¹⁹

Figure 11. Annual catches by EU vessels in the FPA fishing zone (tonnes) in previous implementing protocols

Category number	2015	2016	2017	2019	2020	2021	2022	2023
1	14 985	15 666	18 247	6 975	7 285	5 651	3 870	5 945
2	1 507	477	1 640	996	1 142	1 284	1 537	1 240
3	1 370	285	162	1	8	0	27	9
4	824	1 997	560	83	492	106	218	225
5	NA	NA	NA	0	1 764	0	0	441
Total	18 686	26 163	20 611	8 055	10 690	7 041	5 653	7 859

According to information provided by the operators of category 1 and 2 trawlers, almost all of their catches, which represent 90% of EU catches under the current Protocol, are intended to supply the EU market²⁰. Even if the level of catches has decreased since the 2014-2017 Protocol, the percentage of catches supplied to the EU market has remained constant.

Access fees for licences and catches

Figure 12 shows the fees paid for periods 1-4 of the current implementing Protocol, including access fees, *pro rata* increases for quarterly or half-yearly authorisations, and contributions to the observer program. The table also includes contributions paid by support vessels assisting tuna vessels.

EU vessels paid an annual average of almost EUR 1.2 million in access fees, 72% of which was paid by vessels in categories 1, 2 and 5, and 8% by vessels in categories 3 and 4. Fees amounted to EUR 1.6 million for the first period in which fishing opportunities were used to the greatest extent. Around EUR 1.1 million were for access fees and

¹⁹ For more information on catches, please see Section 6.3.2 of the [evaluation study](#).

²⁰ For more information on supply of markets, please see specific objective 2.3 on page 64 of the [evaluation study](#).

administrative costs, and just over EUR 100 thousand per year for contributions to the observer program.²¹

Figure 12. Amounts paid by EU operators for fishing authorisations under the 2019-2024 Protocol (in euros)

Category number	Period 1 (06/2019 – 06/2020)	Period 2 (06/2020 – 06/2021)	Period 3 (06/2021 – 06/2022)	Period 4 (06/2022 – 06/2023)	Average
1	958 376	648 266	506 461	384 627	624 432
2	463 566	298 205	479 242	615 603	464 154
3	10 959	20 000	12 500	10 000	13 365
4	53 425	96 000	94 558	85 500	82 371
5	115 249	31 795	0	0	36 761
Support vessels	4 932	3 000	3 000	3 000	3 483
Total	1 606 506	1 097 266	1 095 760	1 098 730	1 224 566

Under the current implementing Protocol, EU non-tuna vessels using fishing opportunities under categories 1, 2 and 5 pay access fees calculated in proportion to vessel capacity (expressed in GRT). In addition to access fees, category 1, 2 and 5 are required to pay a contribution to Guinea-Bissau's observer program. EU tuna vessels using fishing opportunities under categories 3 and 4 pay access fees calculated in proportion to total catch.

For non-tuna vessels in categories 1, 2 and 5, the current implementing Protocol established a transition to catch-based access fees starting in period 3 (July 2021). Due to legislative and operational delays to implement this transition in Guinea-Bissau, this has not yet taken place.

Overall, the EU financial contribution for access and sectoral support has increased steadily, alongside the increase in fishing opportunities and categories over the past implementing Protocols. This increase is also reflected in the EU financial contribution for sectoral support, which has also augmented.

Figure 13. EU financial contribution and cost for operators for the implementing Protocols from 2007-2024

Protocol		2007-2011	2011-2012	2014-2017	2019-2024
Duration (in years)		4	1	3	5
Number of categories		4	4	4	5
EU financial contribution	Annual contribution for access	4.55 million EUR per year + 1 million EUR (conditional)		6.2 million EUR per year	11.6 million EUR per year

²¹ For more information on access fees, please see Section 6.3.3 of the [evaluation study](#).

	Annual contribution for sectoral support	2.45 million EUR per year + 0.5 million EUR to improve sanitary conditions	3 million EUR per year	4 million EUR per year
	TOTAL	7.5 million EUR	9.2 million EUR per year	15.6 million EUR per year
Cost for EU operators	Pole-and-line tuna vessels	500 EUR per year (for 20 t) then 25 EUR per tonne fished for a maximum of 14 vessels per year	550 EUR per year (for 22 t) then 25 EUR per tonne fished for a maximum of 12 vessels per year	55 EUR per tonne with a non-recoverable fixed advance of 2,500 EUR for 45.5 tonnes
	Freezer tuna seiners and surface longliners	3,150 EUR per year (for 90 t) then 35 EUR per tonne fished for a maximum of 23 vessels per year	3,500 EUR per year (for 100 t) then 35 EUR per tonne fished for a maximum of 28 vessels per year	Freezer tuna seiners: 70 EUR per tonne with a non-recoverable lump-sum advance of 4,500 EUR for 64.3 tonnes Surface tuna longliners: 55 EUR per tonne with a non-recoverable lump-sum advance of EUR 3,000 for 54.5 tonnes
	Freezer fin-fish and cephalopod trawlers	229 EUR per GRT per year for a maximum of 4,400 GRT per year	256 EUR per GRT per year for a maximum of 3,500 GRT per year	Years 1 and 2: 282 EUR per GRT per year Year 3 onwards: 90 EUR per tonne of demersal catches and 270 EUR per tonne of cephalopod catches
	Freezer shrimp trawlers	307 EUR per GRT per year for a maximum of 4,400 GRT per year	344 EUR per GRT per year for a maximum of 3,700 GRT per year	Years 1 and 2: 395 EUR per GRT per year Year 3 onwards: 280 EUR per tonne
	Small pelagic trawlers	NA	NA	Years 1 and 2: 250 EUR per GRT per year Year 3 and onwards: 100 EUR per tonne (vessels over 1 000 GT) and 75 EUR per tonne (vessels under 1 000 GT)

As seen in Figure 13, the EU financial contribution increased by 36% (from 4 500 000 EUR to 6 200 000 EUR) between the 2007 to 2014. In the current implementing Protocol, the EU financial contribution doubled. This is mainly due to an increased allocation of fishing opportunities and the addition of fishing category 5.

In comparison, the amount allocated to sectoral support has risen by 22% from the 2007-2011 Protocol to the 2014-2017 Protocol. From the 2014-2017 Protocol to the current implementing Protocol, we have seen a 33% increase. These changes reflect the rise in the EU financial contribution for the access component.

Level of fees and technical conditions applied to EU vessels

The principal of non-discrimination in the current implementing Protocol prohibits the granting of more favourable technical conditions to other fleets than those granted to EU operators in Guinea-Bissau. It has been mostly respected.

Most of the technical rules applicable to EU vessels are the same as those legally applicable to all foreign-flagged industrial fleets (fishing zones, gear dimensions, monitoring, control and surveillance obligations). The new rules introduced during the current implementing Protocol (e.g. biological recovery period) have been applied uniformly to all fleets²².

There are, however, a few differences in treatment regarding the rules on authorised percentages of by-catches, which INIPO recommends should be aligned with the values already applicable to EU vessels. For example, EU cephalopod trawlers are authorised to retain on board different percentages of fish and crustaceans, when compared to other fleets under the same fishing category operating under other access agreements in Guinea-Bissau²³.

Compliance of fisheries management measures by EU vessels

Since the start of the Protocol, no infringement proceedings have been initiated against an EU vessel for failure to comply with fisheries management measures for the fishing categories in which the EU operates. This has been the case for the past implementing protocols.

The fisheries management measures in Guinea-Bissau include technical rules applicable to all ships, including EU vessels. These rules include, authorized fishing zones (outside the 12-mile limit), mesh sizes for fishing gear minimum sizes for certain species, and since 2022, a biological recovery period during the month of January each year. The management system also incorporates limits on the percentage of by-catch species for each category of fishing authorization, but for the time being, these limits are specific to each access regime (fishing agreements, national law).

For the fishing categories dedicated to tuna, stock management and conservation measures are decided and implemented within the multilateral framework of ICCAT (inter alia fishing capacity limits, catch limits, restrictions on the use of FADs). They apply to all parties. There are no measures specific to the fishing zone defined by the Protocol.

For the fishing categories dedicated to other species, Guinea-Bissau has not adopted management measures to reduce by-catches and discards, and to reduce possible impacts on ecosystems. However, scientific information from the EU data collection programme

²² For a detailed comparison, please see Annex 4 of the [evaluation study](#)

²³ For more information, please see Section 3.1.1 of the [evaluation study](#)

suggests that the activities of cephalopod and shrimp trawlers in Guinea-Bissau may generate relatively high levels of discards²⁴.

Economic benefits for the EU and Guinea-Bissau

Overall, as an annual average over the period 2019-2021, 43% of the total value added of the current implementing Protocol is for the benefit of the EU, 48% for Guinea-Bissau (including the financial compensation paid by the EU for access) and 9% for other entities including Senegal (trawler and baitboat activities) and Côte d'Ivoire (tuna seiner activities).

This estimate of share of value added for Guinea-Bissau only takes into account the access component of the Protocol. The sectoral support part of the Protocol produces economic benefits for the fisheries sector resulting from the implementation of sectoral support activities which must be considered for a more complete assessment of the distribution of economic benefits between the EU and Guinea-Bissau²⁵.

In terms of the economic performance of the EU fleet, estimates of the economic performance of category 1 and 2 trawlers indicate a moderate positive level of profitability, probably facilitated by a proportionate relative cost of access fees in the order of 4-5% of turnover. For category 3 and 4 tuna vessels, the affordable cost of access fees means that fishing authorisations can be taken as a precautionary measure without impacting the profitability of the fleets concerned²⁶.

3.3 Technical conditions

As described in Figure 4, several indicators have been used to assess the current implementing Protocol's technical conditions, in relation to the objectives of the intervention logic. These indicators will be outlined in this section. Importantly, EU vessels generally complied with the technical conditions of the current implementing Protocol, as they had done in the 2014-2017 Protocol.²⁷

On scientific data collection, the activities of EU fishing vessels are subject to the monitoring framework defined by the Protocol (catch declarations, VMS, on-board observers) and to the EU scientific data collection program implemented under the Data Collection Regulation Framework. The information is shared with INIPO which highlighted in interviews the quality of EU vessel tracking information in comparison with industrial vessel tracking data flying other flags. The information is shared with the

²⁴ For more information, please see Section 5.5 of the [evaluation study](#).

²⁵ For more information, please see Section 7.4 and 7.5 of the [evaluation study](#).

²⁶ For more information, please see Section 7.2 of the [evaluation study](#).

²⁷ For more information, please see Section 6.3.4 of the [evaluation study](#).

ICCAT and CECAF scientific committees comprising representatives of both participating parties.

On monitoring, control and surveillance, EU vessels comply with the regular monitoring of vessel positions and the submission of catch declarations. Guinea-Bissau also confirmed that EU vessels are exceptional in submitting their catch declarations electronically within short deadlines, when necessary. Guinea-Bissau confirmed that catch declarations of other industrial fleets follow a more tedious process based on manual entry of data. reports from onboard observers.

On provisions regarding the boarding of observers, Guinea-Bissau and EU operators report compliance by the EU. The main EU operator association of category 1 vessels operating in the region (ANACEF) has organised, at its own expense, training sessions for Guinea-Bissau observers, with the aim of improving the qualifications of national observers.

On employment, the current implementing Protocol requires vessels under categories 1, 2 and 5 to employ a minimum number of seamen from Guinea-Bissau, based on the tonnage of vessels. There is no indication of non-compliance by the EU.

On average over the period 2019-2021, the number of full-time equivalent (FTE) jobs on board EU vessels is estimated at around 150, of which 25% involve EU nationals, 35% Guinea-Bissau nationals and 40% nationals of other countries. Seamen were taken on board by EU operators despite difficult conditions linked to shortcomings in the certification of national seamen's training levels and the absence of lists of qualified seamen that the Guinea-Bissau authorities had to submit. These difficulties persist in Guinea-Bissau and were also present during previous implementing protocols.

On social clauses applicable to seamen on board EU vessels, there are no indications of possible non-compliance by EU vessels. The national authorities in Guinea-Bissau have indicated that they check the compliance of all contracts for seafarers employed on industrial fleets, including EU fleets.

On food security, the current implementing Protocol requires vessels under categories 1 and 2 to transfer to Guinea-Bissau a certain amount of fishery products. In 2022, the EU transferred to Guinea-Bissau a contribution of 92 tonnes of fishery products, according to data from the national authorities. This quantity is consistent with the EU's obligations under the current implementing Protocol. There is almost no available information on the mechanisms implemented by Guinea-Bissau to ensure that this contribution benefits the local population.

On economic integration, the current implementing Protocol commits both Parties to promote the economic integration of EU operators in the Guinea-Bissau fishing industry. The provisions in the 2019-2024 Protocol reflect a desire by Guinea-Bissau, after the previous implementing protocols, to ensure a greater integration of EU economic operators into the national economy (e.g. joint ventures and more activity in national ports through landings).

Although EU operators confirm that the fishing zone is attractive for the exploitation of resources, they express that the business environment in Guinea-Bissau does not yet encourage investment due factors such as, inadequate industrial fishing port infrastructure, lack of export health approval, small pool of skilled labour and institutional instability.

Since the start of the Protocol, **no infringement proceedings** have been initiated against an EU vessel for non-compliance of the above mentioned technical conditions. Similarly, no infringement procedures were launched in the 2014-2017 Protocol.

3.4 Sectoral support component

The current implementing Protocol has earmarked a budget of EUR 4 million per year – or EUR 20 million over a period of five years – to contribute to the implementation of the national strategy for fisheries and aquaculture and support the sustainable management of fishery resources and the development of the fisheries sector in Guinea-Bissau. ~

As described in Figure 5, several indicators have been used to assess the current implementing Protocol's sectoral support component, in relation to the objectives of the intervention logic. These indicators will be outlined in this section.

Monitoring of sectoral support

The Joint Committee is responsible for adopting annual and multi-annual programming and monitoring sectoral support. Any changes to programming must be approved by the Joint Committee.

In addition, the Guinea-Bissau authorities have set up a Sectoral Support Monitoring and Control Department. The main tasks of this department are to draft programming for the various tranches of sectoral support on the basis of needs expressed by the technical departments, and to monitor the execution of activities on the basis of supporting documents submitted by the departments concerned (execution reports, invoices). The operations of the department are financed by sectoral support.

Guinea-Bissau has submitted reports on activities implemented with sectoral support funds. At the time of this evaluation, the following reports have been submitted²⁸:

- Implementation report for the first part of tranche 1 (April 2022)
- Implementation report for tranche 1 (October 2022)
- Implementation report for tranche 2 (October 2022)
- Updated implementation report for tranche 2 (January 2023)

²⁸ For more information on the monitoring of sectoral support, please see Section 6.4.1 of the [evaluation study](#).

Payment of sectoral support

The current implementing Protocol has earmarked an EU financial contribution of EUR 4 million per year (2019-2024) towards sectoral support. The current implementing Protocol provides for the EU to suspend payments in whole or in part if the Joint Committee considers that results are not in line with programming. The Protocol stipulates that sectoral support payments may not be made beyond 6 months after the Protocol expires (December 2024).

Figure 14. EU sectoral support payments in the 2019-2024 Protocol²⁹

EU payment	Date	Amount (EUR)
Tranche 1 (partial)	04/11/2019	2 000 000
Tranche 1 (partial)	14/12/2020	2 000 000
Tranche 2	23/12/2021	4 000 000
Tranche 3 (reinforced)	11/05/2023	6 000 000
Total		14 000 000
Maximum EU financial contribution to sectoral support by December 2024		20 000 000

Payments for activities to beneficiary departments, or directly to certain contractors, are subject to the double signature of the Ministry of Finances and the Ministry of Fisheries, and are governed by State rules on the management of public funds. The amounts paid by the EU are held in a joint fisheries/finance account, which is housed in a private bank and not in a Treasury account, despite the provisions of the Protocol. In 2023, an account reserved exclusively for sectoral support was created in order to facilitate transparency in the management of funds, in compliance with the provisions of the Protocol.

Programming of sectoral support

Overall, sectoral support funding was essential to enable the competent authorities to carry out their tasks throughout the current implementing Protocol. The Ministry of Fisheries' average annual budget allocation (2020 and 2021) was around EUR 8.1 million, including EUR 6.5 million for operations (80%) and EUR 1.6 million for investment (20%). With an expected annual financial contribution of EUR 4 million, the EU sectoral support represents approximately half of the budgetary allocation of the Ministry of Fisheries since the beginning of the current implementing Protocol.³⁰

Importantly, this financing was the only external financing that Guinea-Bissau could benefit from since the end of the World Bank's PRAO program in 2017.

The sectoral support funds paid by the EU to Guinea-Bissau (tranches 1-3) were programmed towards the activities of the following Directorate-Generals of the Ministry of Fisheries of Guinea-Bissau³¹:

²⁹ For more information on the payment of sectoral support, please see Section 6.4.1 of the [evaluation study](#).

³⁰ For more information, please see Section 4.2 of the [evaluation study](#).

³¹ For more information on programming of sectoral support, please see Section 6.4.1 of the [evaluation study](#).

1. **INFISCAP** (institute responsible for monitoring, control, and surveillance measures in Guinea-Bissau): Received the highest amount of sectoral support funds (36% of programmed funds in tranches 1-3) for activities such as: new patrol vessel and the reparation of existing patrol vessels; building and equipping the new INFISCAP headquarters; supporting the everyday surveillance operations by INFISCAP inspectors in the territorial waters and the EEZ of Guinea-Bissau; and installing and operationalising the ERS (Electronic Reporting System). Training and operating resources are also programmed.
2. **INIPO** (national institute responsible for fisheries research and sanitary control): Received the second highest amount of sectoral support funds (21% of programmed funds in tranches 1-3) for activities such as: constructing new INIPO headquarters; funding annual stock assessment campaigns; collecting data on industrial and artisanal fishing; monitoring fishery resources in marine protected areas; and participating in international scientific working groups. Sanitary control activities, including inspection missions and assistance to the control laboratory, are also programmed under the sectoral support funds.
3. **DGPI (Directorate-General for Industrial Fishing)**: Receives 16% of the programmed sectoral support funds for activities such as: membership fees to regional fisheries organisations; participation in international meetings of regional fisheries organisations; support the legal team of the Ministry of Fisheries; regulatory awareness-raising; establishing fish storage warehouses; and studies for a new industrial fishing port.
4. **DGFADP (Directorate-General for Training and Development Support)**: Receives 11% of the programmed sectoral support funds for activities such as: developing the new National Fisheries and Aquaculture Strategy 2023-2027; developing and implementing the new Training and Education Strategy for the Ministry of Fisheries; supporting the CEFOPE training centre; and recruiting external technical assistance.
5. **DGPA (Directorate-General for Artisanal Fishing)**: Receives 8% of the programmed sectoral support funds for activities such as: rehabilitating and equipping regional delegations; supporting co-management of marine protected sites; and managing the artisanal fleet.
6. **DGAPP (Directorate-General for Fishing Port Management)**: Receives 6% of the programmed sectoral support funds for activities such as: acquiring tools and equipment for the artisanal port (including public lighting, security, ancillary buildings, and isothermal containers for fish preservation); and training stakeholders in good hygiene practices.

The sectoral support funds are allocated to these beneficiaries to improve levels of capacity across the board: reinforce control and surveillance of the EEZ; promote an environment favourable to the development of the sector; improve the sustainable

management of fisheries resources; promote artisanal fisheries; and improve the sanitary quality of fisheries products³².

This allocation also reflects the priorities established in the latest National Strategy for Fisheries and Aquaculture of Guinea-Bissau, which was developed and adopted for the period of 2023-2027. It was prepared on the basis of an evaluation of the previous strategy and a broad and unprecedented consultation of stakeholders during a national conference organized in December 2022, with the support of sectoral support funds. Through the support provided towards the development of the national strategy, sectoral support contributed to improving the governance framework of the sector for the period 2023-2027.³³

During the 2014-2017 Protocol, the allocation of sectoral support was guided mostly through the 2015-2020 National Plan for the Development of the Fisheries Sector of Guinea-Bissau. Importantly, Guinea-Bissau launched the update of its previous sectoral policy in 2021, with the support of EU sectoral support funds.

Implementation of sectoral support

Over the course of the current implementing Protocol, implementation of the sectoral support funds were delayed. In April 2023, almost four years after the start of the current implementing Protocol, Guinea-Bissau had been able to justify 94 % of the execution the first tranche of sectoral support (paid in two instalments in November 2019 and December 2020) and 55 % of the execution of the second tranche of sectoral support (paid in December 2021).

These delays are attributable to external factors (global health crisis, institutional instability) and internal factors (difficulties in the management of funds, programming and monitoring-evaluation capacities), for which corrective measures have been identified. For example, establishing a single bank account for sectoral support funds, with a double signature mechanism by the Ministry of Finances and the Ministry of Fisheries, and the mobilisation of technical assistance to strengthen administrative capacities in the Ministry of Fisheries. In view of these corrective measures and Guinea-Bissau's need to meet significant expenditure on the sectoral support budget, the EU agreed to pay a third increased tranche of EUR 6 million (April 2023) to enable Guinea-Bissau to speed up disbursements. At the time of this evaluation, Guinea-Bissau is still in the early stages of the execution of tranche 3 of sectoral support funds³⁴.

Despite delays in their implementation, the sectoral support funds have enabled Guinea-Bissau to ensure the operation of its Ministry of Fisheries and its fisheries management system, as well as sustainably develop its national fisheries policy. At the time of this

³² For more information on the impact of sectoral support, please see Section 6.4.2 of the [evaluation study](#).

³³ For more information on the national strategy, please see Section 4.3 of the [evaluation study](#).

³⁴ For more information, please see Section 6.4.3 of the [evaluation study](#).

evaluation, EUR 6 million of sectoral support funds are still not programmed nor disbursed by the EU.

4. EVALUATION FINDINGS

4.1 To what extent was the intervention successful and why?

Following the intervention logic in Figure 2, this section considers to what extent the current implementing Protocol was successful in reaching the general and specific objectives it set out to achieve through a lens of effectiveness, efficiency and coherence.

Effectiveness: to what extent have the objectives of the current implementing Protocol been achieved?

The current implementing Protocol is effective on achieving the following objectives, with some specific areas for improvement:

Objective 1. Contribute to resource conservation and environmental sustainability through rational and sustainable exploitation of Guinea-Bissau's fishery resources.

1.a Directing fishing activities exclusively towards surpluses, preventing the overexploitation of stocks on the basis of the best scientific advice and improving transparency on the overall fishing effort in waters included in the Protocol.

As described in the previous section, the fishing opportunities for EU vessels established by the current implementing Protocol are within the limits set (by Guinea-Bissau) for the conservation of non-tuna species and (by ICCAT) for tuna species. The activities implemented under the current implementing Protocol - by the Joint Scientific Committee or through sectoral support - have contributed to improving scientific advice, and establishing a reasonable level of transparency on the activities of all industrial fishing fleets.

The main weakness under this specific objective is that Guinea-Bissau has not managed to reform its fisheries management framework to improve its effectiveness as envisaged by the Protocol, due to political factors beyond the control of the Ministry of Fisheries and the EU side. Guinea-Bissau's current situation with regard to its ICCAT reporting obligations for reasons that could have been addressed under the Protocol is another concern.

1.b Implementation of principles and standards for fisheries management as those applied in EU waters

As described in Section 3.2 of this evaluation, the EU fleet operating under the implementing Protocol follow the same principles and standards as vessels operating in EU waters, according to the CFP. In addition to this, the EU fleet is also required to adhere to the principles and standards established by Guinea-Bissau in its fishing areas.

As described in Section 3.2 of this evaluation, the principal of non-discrimination in the current implementing Protocol has been effective in prohibiting the granting of more favourable technical conditions to other fleets than those granted to EU operators in Guinea-Bissau.

Most of the technical rules applicable to EU vessels are the same as those legally applicable to all foreign-flagged industrial fleets (fishing zones, gear dimensions, monitoring, control and surveillance obligations). The new rules introduced during the current implementing Protocol (e.g. biological recovery period) have been applied uniformly to all fleets

1.c Improvement of technical and scientific assessment of the fisheries

As described in Section 3.2 of this evaluation, The activities of EU fishing vessels are subject to the monitoring framework defined by the Protocol (and to the EU scientific data collection programme implemented under the Data Collection Framework regulation. The information collected is shared with INIPO, which emphasised during the interviews the quality of the monitoring information for EU vessels in comparison with the monitoring data for industrial vessels flying other flags. Information is shared with the ICCAT and COPACE scientific committees, in which representatives of both parties participate.

Overall, the activities implemented under the Protocol have been effective in encouraging scientific cooperation between the two parties. Scientific cooperation has been encouraged by the organisation of Joint Scientific Committee meetings, which have enabled both parties to pool their data and produce joint analyses. Scientific cooperation has also been encouraged by the organisation of training sessions for national observers and trawl selectivity campaigns by the amateur association representing the cephalopod category in association with Spanish and Guinea-Bissau scientific institutes. In addition, a significant amount of sectoral support has been earmarked (21% of the cumulative budget for the first three tranches) to support INIPO's activities to facilitate and improve the collection of scientific data.

1.d Ensuring control and compliance with EU fleet rules

As detailed in Section 3.2 and 3.3 of this evaluation, EU fishing vessels are subject to monitoring, the details of which are set out in the Protocol. In addition to this framework, there are the provisions of relevant EU legislation such as i) the EU Control Regulation, which imposes a certain number of measures aimed in particular at improving the quality of catch declarations and complying with deadlines for the transmission of this data, ii) the External Fleet Regulation (SMEFF Regulation) with, in particular, provisions for the management of fishing authorisations, and iii) the IUU Regulation with provisions designed to discourage EU operators from supporting or engaging in IUU fishing practices.

According to information received from both Parties, EU vessels have fully complied with the conservation and management rules applicable in the Guinea-Bissau fishing zone. No infringement involving an EU vessel has been recorded since the Protocol entered into force.

In addition, and as was outlined in Section 3.4 of this evaluation, sectoral support funds have supported INFISCAP with the construction of a new headquarters, the refurbishment of navigational resources, the financing of patrols at sea, training sessions for inspectors and observers, and the refurbishment of forward bases in the regions. INFISCAP is the technical entity receiving the largest share of sectoral support funding (36% of the cumulative budget for the first three tranches).

Objective 2: to contribute to the continuity of fishing activities by the EU distant water fleet and employment linked to fleets

2.a Obtain an appropriate share of the resource, fully proportionate to the interests of the EU fleet and its sub-regional and regional strategies

As outlined in Section 3.2 of this evaluation, the current implementing Protocol provides access to a major fishing zone and commercially target species for category 1 and 2 trawlers and category 3 and 4 tuna vessels.

As far as category 1 and 2 trawlers are concerned, Guinea-Bissau's fishing zone is the main fishing zone exploited in the region in addition to Mauritania's fishing zone, with vessels in these categories dividing their annual activities between the two zones. The fishing opportunities available under the agreements concluded by the EU with these two countries are complementary.

For category 3 and 4, the fishing opportunities available in Guinea-Bissau's fishing zone are also part of a network of regional agreements that includes the fishing zones of Mauritania, Senegal and Cabo Verde for pole-and-line tuna vessels, and all the fishing zones between Angola to the south and Mauritania to the north for tuna seiners. The interest of the area for these vessels is demonstrated by the fact that almost all the active vessels in these categories in the Atlantic Ocean have taken out a fishing licence under the current implementing Protocol.

Importantly, the fishing opportunities available in Guinea-Bissau's fishing zone are of an acceptable volume, even in excess of requirements, judging by the rate of utilisation of fishing opportunities, which has been relatively low since the entry into force of the Protocol.

The main fragility of the current fishing opportunities concerns fishing category 5, which has not been exploited by EU vessels specializing in this type of fishery, due to the technical constraints imposed by the Protocol and the availability of fishing opportunities

in sufficient quantities under other SFPAs concluded by the EU with Morocco and Mauritania.

EU pelagic trawlers exploiting the small pelagic fishing areas of Morocco and Mauritania generally exceed the individual tonnage ceiling authorised by the current implementing Protocol (5 000 GT) and consider the minimum mesh size (70 mm) not adequate for targeting these species. EU pelagic trawlers have also indicated that they have no strategic interest in going further south to exploit a fishing area where fishing opportunities are limited compared to those available in Morocco and Mauritania. Fishing opportunities in Guinea-Bissau could be of potential interest for fishing category 5 if fishing opportunities in Morocco and Mauritania were to decrease and technical conditions were adapted³⁵.

Importantly, adapting the technical conditions to fit the interests of the EU fleet would require a derogation from national legislation. For example, the latest conditions of access to the EEZ of Guinea-Bissau stipulate, among other things, that fishing vessels operating in the EEZ may not exceed a 2 500 GT (lowered from 5 000 GT)³⁶. In addition, the mesh size authorised (70 mm) is too large compared with the conventional mesh authorised for this fishing category in other fishing zones (40 mm).

Overall, the current implementing Protocol is effective in providing access to an important fishing zone for most of the fishing categories, with some areas for improvement. In particular, Guinea-Bissau's fishing zone is part of a network of agreements concluded by the EU with countries in the region, enabling the vessels concerned to maintain their activities throughout the year.

2.b Level of fees paid by EU vessel owners for their fishing activities is fair and proportionate to costs and revenues, and non-discriminatory

As outlined in Section 3.2 and 3.3 of this evaluation, the technical fishing conditions applicable to EU vessels are broadly similar to those applicable to other foreign vessels. Estimates of the economic performance of category 1 and 2 trawlers indicate a moderate positive level of profitability, probably facilitated by a proportionate relative cost of access fees in the order of 4-5% of turnover. For category 3 and 4 tuna vessels, the affordable cost of access fees means that fishing authorisations can be taken as a precautionary measure without impacting the profitability of the fleets concerned.

2.c Ensure supplies to markets in the EU, Guinea-Bissau and certain third countries

³⁵ For more information, please see Section 6.3.1 of the [evaluation study](#).

³⁶ *Despacho-Conjunto de 04 de Março de 2022 sobre Condição de acesso na ZEE, no quadro de afretamento e navios nacionais* (not published)

As explained in Section 3.2 of this evaluation, EU operators of category 1 and 2 have communicated that almost all their catches, which represent 90% of EU catches under the current implementing Protocol, are to supply the EU market. Although the current implementing Protocol has suffered from a decrease in the rate of utilisation of fishing opportunities – including a decrease in catches in comparison to the 2014-2017 Protocol – it has continued to be effective in supplying the EU market in relative terms.

On providing a framework to encourage landings by EU vessels in Guinea-Bissau, the current implementing Protocol has been less effective. As explained in Section 3.3 of this evaluation, the supply of the Guinea-Bissau market by EU operators is limited to the in-kind contributions required for under the current implementing Protocol (around 100 tonnes per year).

Almost all industrial vessels authorised to operate in Guinea-Bissau use foreign ports to land their catches. Importantly, the lack of landings in Guinea-Bissau is largely due to structural problems that prevent fishery products from being marketed under conditions equivalent to those available in other regional ports such as Dakar. The challenges involved in making Guinea-Bissau more attractive as a landing site go far beyond the possibilities offered by the current implementing Protocol. Certain sectoral support activities, including those supporting steps towards export certification to the EU and the construction of the industrial fishing port, are likely to encourage landings.

2.d Encourage the creation of a favourable environment for private investment and economic activities that contribute to the sustainable development of the partner country and strengthen its cooperation with the EU

On encouraging cooperation between economic operators, the current implementing Protocol has been less effective. EU fleets using fishing opportunities under the current Protocol do not use Guinea-Bissau ports. Port and related activities supported by EU vessels mainly benefit Senegal (port of Dakar frequented by trawlers and pole-and-line vessels) and Côte d'Ivoire (port of Abidjan frequented by purse seiners), and to a lesser extent the ports of the Canary Islands (Las Palmas). The current implementing Protocol currently creates economic development opportunities in these foreign and EU ports. Certain sectoral support activities, including those supporting steps towards export certification to the EU and the construction of the industrial fishing port, are likely to encourage economic cooperation in the long term.

In addition, the provisions of Article 10 of the current implementing Protocol for promoting the economic integration of EU operators in the fisheries sector of Guinea-Bissau have not been used by both parties for reasons linked to difficult context of the 2019-2022 period (institutional instability, COVID pandemic, economic shock linked to the Ukrainian crisis).

Objective 3: support the development of a sustainable fishing sector in Guinea-Bissau and analysis of social, economic and environmental impacts

3.a Contribute to capacity building and social, environmental and economic development in Guinea-Bissau

On objectives regarding the implementation of the national fisheries policy and sustainable development of the fisheries sector, the current implementing Protocol was relatively effective. Despite the obstacles mentioned in Section 3.4 – including significant delays in the implementation of sectoral support funds - the sectoral support funds contributed to the implementation of essential functions of the Ministry of Fisheries such as fisheries research, protection of the marine environment and fisheries monitoring, control and surveillance measures. As previously mentioned, the importance of sectoral support funds for the fishing sector is confirmed by the fact that they represent approximately 50% of the budgetary allocation of the Ministry of Fisheries (in 2020 and 2021). Sectoral support activities have also been effective in contributing to improving the governance framework of the fisheries sector through support for the preparation of the 2023-2027 National Strategy for Fisheries and Aquaculture including the organization of a broad public consultation of stakeholders in the sector.

3.b Defined annual and multiannual objectives to be achieved with the aim of developing sustainable fishing activities in Guinea-Bissau

As outlined in Section 3.4 of this evaluation, annual and multiannual objectives are jointly programmed by the Joint Committee in regards for sectoral support funds. While the current implementing Protocol has been effective in providing a framework for such programming, there are areas for improvement in terms of implementing the programmed activities under sectoral support.

External (global health crisis, institutional instability) and internal factors (difficulties in the management of funds, programming and monitoring-evaluation capacities) have contributed to the delay in the implementation of sectoral support funds in accordance with the jointly agreed programming by Guinea-Bissau. Corrective measures – such as reprogramming of activities, a single bank account for sectoral support, among others - have been jointly agreed. The final periods of the Protocol will enable us to verify whether these necessary measures are sufficient to resolve the problems encountered.

3.c Assessment of results obtained in terms of impacts

Implementation of the impact of sectoral support is jointly monitored by the Joint Committee, on the basis of supporting documents supplied by the Ministry of Fisheries, and through technical missions of the EU dedicated to monitoring technical support.

Importantly, the reports and documentation provided by the Ministry of Fisheries generally identify the activities implemented and the main challenges encountered by the national authorities, but there is room for improvement in their analysis of economic and social benefits. It should be noted, however, that the Protocol does not specifically address the need to address this dimension.

3.d Promote employment of local seafarers

As demonstrated in Section 3.3 of this evaluation, EU obligations to employ national seafarers on EU vessels appear to have been respected overall and the current implementing Protocol has been effective in encouraging such employment. According to the evaluation study³⁷, sustained employment could concern around 110 full-time equivalent seafarer jobs. This estimate is compatible with the figure of 142 employed seafarers communicated during the first Joint Commission meeting.

The Protocol has been less effective in ensuring that training levels of national seafarers are adequate. This has often been raised as a problem by EU operators and national authorities. Guinea-Bissau has a pool of experienced seafarers, but their qualifications are not recognized according to the standards of the International Maritime Organization which apply to EU vessels (STCW-F convention). The national authorities are fully aware of the needs in terms of education and professional training of and intend to address the problem with the assistance of sectoral support funds for the training activities retained in the matrices programming³⁸.

There are also no indications to suggest that the social clause in the current implementing Protocol has not been respected. On the other hand, due to the obstacles to economic integration outlined in the previous section (e.g. lack of port infrastructure), the activities of EU vessels under the current Protocol have not contributed to supporting national employment in related upstream and downstream industries.

Efficiency: to what extent were the expected effects achieved at reasonable costs?

In terms of the cost-benefit for the EU, the efficiency of the current implementing Protocol is diminished because EU vessels have only exploited part of the negotiated fishing opportunities. The fishing opportunities available to EU vessels were used at a rate of 42% on average over the first four periods of the current implementing Protocol. Utilisation was satisfactory for category 4 (76% on average over the first four periods); average with a downward trend for category 1 and 3 (around 50%); low but increasing for category 2 (27%); and non-existent for category 5 (1% on average). For more information on this, see Section 3.2.

In summary, the utilisation rates are explained by reductions in the number of active vessels (categories 1 and 3), by an overestimation of needs for category 2, and by a mismatch between needs and access modalities for category 5 small pelagic vessels (tonage limit, trawl mesh size). Another factor impacting the use of non-tuna fishing opportunities is the availability of fishing opportunities under the agreement with

³⁷ For more information, please see Section 8.1.3 of the [evaluation study](#).

³⁸ For more information, please see Section 8.1.3 of the [evaluation study](#).

Mauritania (categories 1 and 2) and under the agreements with Morocco and Mauritania (category 5) throughout the duration of the current Protocol.

Due to the relatively low use of fishing opportunities by EU vessels, the cost benefit ratio of the current Protocol is acceptable, with a reduced economic leverage effect (1 EUR invested by the EU in the counterpart for access is estimated to support the creation of 1.10 EUR of added value for the benefit of the EU). The financial compensation for access (EUR 11.6 million per year) is currently not proportionate to the fishing opportunities used by EU operators, resulting in a lower cost-benefit ratio for the EU. Category 5 stands out from the other categories, with almost no utilisation, as the main reason for the lower cost-benefit ratio for the EU.

Nevertheless, the EU's investment in access still generates a positive return on investment: for every euro invested by the EU towards the access component generated EUR 1.33 of added value.

In terms of the cost-benefit for EU operators, the fishing activities of EU category 1 and 2 trawlers are profitable. The estimates indicate a positive gross operating surplus (EBE) for these two categories. The EBITDA/turnover ratio is 7% for category 1 vessels and 4% for category 2 vessels, which suggests an acceptable rate of profitability. The relative cost of access fees paid by vessels in these two categories is 5% of turnover for category 1 vessels and 4% for category 2 vessels.

For category 3 and 4 tuna vessels, fishing activities in the Guinea-Bissau zone have not been profitable. This is explained by the fact that tuna vessels have not reached the volume of catches identified by the Protocol to set the amount of the flat-rate access fee. Fishing authorizations for these segments were taken each year as a precaution to ensure the continuum of access to areas potentially frequented by highly migratory species, with affordable flat-rate fee amounts for these types of vessels (4,500 EUR / year for purse seiners and 2,500 EUR/year for baitboats) which allow them to be caught without necessarily having the need to make them profitable.

In term of the cost-benefit of the actions of sectoral support, the pace of implementation of sectoral support delayed. In April 2023, almost four years after the start of the Protocol, the use of sectoral support funding was 97% of tranche 1 and 55% of tranche 2. These delays are attributable to external factors that cannot be controlled by the competent authorities (health crisis, institutional instability) and to internal factors (financing management, programming and monitoring-evaluation capacities) for which mitigation measures have been identified.

Expenditures made under sectoral support are managed jointly by the Ministry of Fisheries and the Ministry of Finance, and are placed within the general framework of national regulations regarding the management of public finances. DG MARE also carries out an expenditure audit in collaboration with the Ministry of Fisheries. This

expenditure control framework was effective in identifying challenges and in allowing both parties to agree on solutions.

In terms of financial compensation for fishing opportunities benefits the EU and Guinea-Bissau, over the period 2019-2021, 43% of the total added value is for the benefit of the EU, 48% for Guinea-Bissau (including the financial compensation paid by the EU for access) and 9% for other entities including Senegal (trawler activities) and Côte d'Ivoire (tuna vessel activities). The share of value added estimated for Guinea-Bissau only considers the access component of the Protocol. Although not quantifiable, the sectoral support component of the Protocol generates significant additional socio-economic benefits.

The annual added value (average 2019-2021) to the EU is based on wages of EU nationals working on vessels benefiting from fishing opportunities in Guinea-Bissau (34%); indirect downstream value from the marketing/processing of catches in the EU (46%); indirect upstream value by EU companies in the shipbuilding and the bunkering sectors (13%); and remaining earnings before interest, taxes, depreciation and amortization (7%).

The annual added value (average 2019-2021) for Guinea-Bissau is mostly based on the EU financial compensation and access fees paid by EU operators (90%). The share of added value captured by Guinea-Bissau from the activities of EU fishing vessels is relatively low (10%), and consists almost entirely of salaries paid to national seamen working on EU trawlers.

Taking direct and indirect jobs into account, the Protocol is estimated to support a total of almost 600 FTEs on an annual average, of which 264 FTEs are occupied by EU nationals (45% of the total). The number of FTEs occupied by Guinea-Bissau nationals is around 150 (26% of the total) and concerns almost exclusively jobs on board EU vessels.

Coherence

Overall, the current implementing Protocol is coherent and cooperates positively with other EU interventions and contributes to the priorities identified by both Parties.

On coherence with EU legislation in fisheries, the activities of EU vessels are monitored in accordance with the standards applicable in EU waters, in particular the CFP. The activities implemented under the Protocol have especially encouraged scientific cooperation between both Parties. For example, the meetings of the Joint Scientific Committee, initiatives by stakeholders in association with scientific institutes to train observers, and the implementation of selectivity campaigns for trawlers.

On other SFPAs in the region and other access agreements between Guinea-Bissau and other partner countries, the current implementing Protocol is generally coherent. In fact, the technical fishing conditions applicable to EU vessels are broadly similar to

those applicable to other foreign vessels. The main difference lies in the authorized by-catch percentages, which could benefit from further alignment with values already applicable to EU vessels.

On EU objectives at regional and sub-regional level, the Agreement is part of a coherent regional network of SFPAs, enabling vessels of different categories to access important fishing zones under the binding framework of EU agreements. The current implementing Protocol contributes to the objectives of RFMOs, such as ICCAT, by providing for management and conservation measures that do not derogate from those applicable throughout the Atlantic Ocean. The sectoral support component of the Protocol partly supports Guinea-Bissau's integration into RFMOs, but has been less successful in directing support to ensure compliance with Guinea-Bissau's reporting obligations under RFMOs.

On alignment with international objectives in fisheries and ocean governance, the measures implemented under the Protocol contribute to the achievement of UN Sustainable Development Goal 14 (life below water0), with a further contribution to SDG 8 (decent work and economic growth) due to the measures to protect seafarers' rights enshrined in the Protocol.

4.2 How did the EU intervention make a difference and to whom?

EU Added Value

The current implementing Protocol mostly responds to the needs of both Parties through the interventions provided for under the access and sectoral support components. The EU's added value lies mainly in the following three elements:

- Access to Guinea-Bissau's waters and fishing resources under a legal framework for both Parties;

Without the current implementing Protocol, EU vessels would have been unable to take direct fishing licences due to the exclusivity clause applicable under Article 6 of the Agreement. The inability to access the fishing areas under the current implementing Protocol would have had negative impacts on the operators, which base their exploitation strategies on access to these fishing areas.

In addition, the involvement of the EU makes it possible to put in place a binding legal framework setting out the rights and obligations of both parties, with the possibility for the European Commission to supervise the implementation of the current implementing Protocol.

- Availability of sectoral support funds (EUR 20 million, from 2019-2024) targeting the sustainable development of the fisheries sector under joint management by the EU and Guinea-Bissau;

The conclusion of the Protocol also allowed the EU to put in place mechanisms for the sustainable development of the national fishing sector in Guinea-Bissau provided for under the sectoral support component. In the case of Guinea-Bissau, the financial envelope available (EUR 20 million over five years) is significant, and makes it possible to support important projects in terms of infrastructure, research and construction of a competent authority for the health certification of fishery products. The situation since 2019 reveals that sectoral support is practically the only support available to Guinea-Bissau for the development of its sector.

- Increased and stronger cooperation between both Parties in scientific research and monitoring, control and surveillance measures.

The meetings of the Joint Scientific Committee provided for by Article 7 of the current implementing Protocol are another element likely to contribute to the added value of EU intervention. These meetings makes it possible to create a forum for exchanges between scientists from both Parties, which allows the sharing of data and the sharing of experience. The presence of Spanish vessels in the Guinea-Bissau fishing areas, which is made possible by the intervention of the EU, has also favoured scientific cooperation between the IEO and the INIPO to implement campaigns at the sea (evaluation campaigns, experimental campaigns for selective devices) and observer training sessions.

*Acceptability*³⁹

EU fleets that have made use of fishing opportunities are generally satisfied with the conditions defined by the Protocol, and support its renegotiation with a few adjustments and clarifications. Importantly, EU vessels specializing in small pelagic species are not satisfied with the technical conditions of the Protocol and have not made use of it. The interest in access to small pelagic species has nevertheless been confirmed, but would require substantial technical adaptations compared with the current implementing Protocol⁴⁰.

Representatives of the Ministry of Fisheries are generally satisfied with the implementation of the current Protocol. The share of value added benefiting Guinea-Bissau can be considered advantageous in view of the relative importance of the fishing activities carried out by the EU fleet in its fishing zone. The value added captured by Guinea-Bissau is made up of the EU financial contribution towards access (89%) and the remuneration of national seamen employed on EU vessels (10%).

Importantly, the EU financial contribution for access is crucial for the good functioning of the State. State revenue from the fisheries sector averaged EUR 25 million per year over the period 2019-2021, representing around 15 % of the country's total budget revenue, and almost 50 % of its non-tax budget revenue. The EU financial contribution

³⁹ For a full report of the consultations conduction, see Annex 6 of the [evaluation study](#).

⁴⁰ For a full outline of the positions of the EU fleet on fishing category 5, see also Annex 6 of the [evaluation study](#).

for access represents 60 % of national budget revenue from the fisheries sector. Guinea-Bissau's population (2.0 million people) and economy are based on the primary sector, with the fisheries sector contributing an estimated 3 % of the gross domestic product.

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.

Civil society actors in Guinea-Bissau regret the limited impact of the Protocol's provisions on the economic integration between operators in the national fishing sector. The national conference organized by the Ministry of Fisheries in December 2022, with the support of sectoral support funds, was seen as a positive step towards establishing a public-private dialogue. In this context, civil society members were very clear that the positive impacts of the current implementing Protocol in Guinea-Bissau are mostly invisible or misunderstood. The lack of communication and visibility by both Parties of the role of the EU and the Agreement continues to reinforce a misrepresentation of the EU as a 'resource plunderer' in regional fisheries.

4.3 Is the intervention still relevant?

The Agreement and its current implementing Protocol are relevant insofar as they satisfactorily meet the needs of both Parties through the interventions provided for under the access and sectoral support components of the current Protocol.

The fishing opportunities negotiated correspond somewhat in excess to the needs of the EU's distant water fleets active in the region. In particular, the needs of EU vessels specialising in small pelagics.

For EU operators, the current implementing Protocol provides a predictable access to a productive fishing area integrated in a network of important fishing zones for EU vessels in the Atlantic, particularly in the sub-region including Cabo Verde, Mauritania, Morocco, Senegal, and The Gambia, among others.

The Protocol also responds to Guinea-Bissau's need to be able to exploit its fishing potential in the absence of national fishing fleets capable of doing so. In addition, the current implementing Protocol delivered socio economic benefits to Guinea-Bissau through the financial compensation for the access and sectoral support components.

5. WHAT ARE THE CONCLUSIONS AND LESSONS LEARNED?

The ex-post evaluation of the current implementing Protocol demonstrates that the Protocol has generally succeeded in achieving its main objectives, with some areas for improvement. The following elements of the EU intervention are working well:

- i. EU vessels operate within the capacity limits established by the annual management plans which are science-based. The EU fleet has contributed to the improvement of knowledge through the transmission of monitoring data, and by initiatives by operators to improve the selectivity of trawls and contribute to the training of Guinea-Bissau observers. No infringements of fisheries management measures involving EU vessels have been identified by the competent authorities.
- ii. EU vessels generally complied with the provisions of the Protocol concerning the contribution in kind to food safety and the embarkation of national seamen despite the difficulties associated with the insufficient levels of training of the national workforce.
- iii. Sectoral support funds have enabled Guinea-Bissau to ensure the functioning of its fisheries management system in a context where there were no other external funding available to support the governance of the sector. Sectoral support has thus enabled the implementation of certain essential functions such as scientific, protection of the marine environment (management of MPAs) and fisheries control, supporting other initiatives important for the governance of the sector (e.g. 2023-2027 National Fisheries and Aquaculture Strategy), and progress towards the country's accreditation to export fishery products to the EU and the certification of its control laboratory.

In terms of the lessons learned, a new protocol will nevertheless have to introduce some adjustments to fishing opportunities compared with the current implementing Protocol to improve both effectiveness and efficiency. The main elements of the EU intervention that did not work as effectively as planned are the following :

- i. The failure to implement the transition from a fisheries management system based on fishing capacity limits to a fisheries management system based on catch limits on the third year of implementation (as described in Section 3.2 of this evaluation). Importantly, the failure to transition is not attributable to the EU side, which had anticipated this transition in the Protocol and pushed for it to take place at the meetings of the Joint Committees meetings, but to unforeseen events at the national level which delayed the legislative process to accompany the transition.
- ii. A lower level of efficiency of the Protocol resulting from the under-utilisation of fishing opportunities by EU trawlers, especially by EU vessels targeting small pelagic species (as described in Section 3.2 of this evaluation). This category of fishing, which was added for the first time to the fishing categories of the Agreement in the current implementing Protocol, has hardly been used due to technical restraints and sufficient fishing opportunities in other regional agreements.
- iii. Delays in the use of the funds earmarked for sectoral support by Guinea-Bissau, due to reasons beyond the control of the competent authorities (health crisis, institutional instability, uncertainties inherent in infrastructure works) but also by management practices which have slowed down the execution of funds (as described in Section 3.4

of this evaluation). Importantly, these issues were reviewed in full transparency between the parties and corrective actions are being taken.

- iv. A lack of initiatives implemented to promote the economic integration of operators on both sides. However, the context was not favourable with a business climate in Guinea-Bissau's fisheries sector which is unattractive for many reasons, including the lack of landing infrastructure, the lack of authorisation for the export of fishery products to the EU and institutional instability which diminishes the visibility that investors need (as described in Section 3.3 of this evaluation). The EU fleet, as the other industrial fleets authorised to enter the EEZ, uses foreign ports for landing operations.
- v. A lack of communication and visibility of the benefits of the Agreement and the current implementing Protocol which have likely diminish the acceptability the operations of the EU fleet for civil society in Guinea-Bissau and in the EU.

Overall, the EU's role in the current implementing Protocol has been marked by several distinctive factors. Through the current implementing Protocol, the EU provides fishing opportunities for Union fishing vessels in important fishing areas. In addition, the EU has established a legal framework for fishing operations that is guided by principles on the economic, financial, technical, and scientific cooperation in the fisheries sector with a view to ensure the conservation and sustainable exploitation of fisheries resources. Lastly, through the sectoral support component of the implementing Protocol, the EU has empowered Guinea-Bissau through capacity building, and ensured compliance with regulations, safeguarding the interests of both the EU and Guinea-Bissau.

6. EX-ANTE EVALUATION

The ex-ante evaluation of the current implementing Protocol provides a forward-looking perspective that is complementary to the ex-post evaluation. Expressly, it reflects on the lessons learned and outlines the possible ways forward, through a set of available policy options, for the implementation of the Fisheries Partnership Agreement between the EU and Guinea-Bissau

6.1 Problem analysis and needs assessment

In the context of the intervention logic in Figure 2, this section outlines the possible current and future needs of both Parties to the current implementing Protocol and the Agreement.

Current and future needs of Guinea-Bissau

Guinea-Bissau's fishing area is attractive because it is relatively rich in fisheries resources. According to the results of the 2022 stock assessment campaign, the biomass available is in the range of 360 000 tonnes of various species, including high-value commercial species such as cephalopods, crustaceans, demersal fish and small pelagics.

Guinea-Bissau has no fishing fleet capable of exploiting this potential. Access agreements with foreign fleets enable the country to exploit its fishing potential through financial contributions and spill over effects on the employment of national seamen and the supply of the local market. To sustainably exploit its resources, Guinea-Bissau needs to be able to determine fishing opportunities on a scientific basis, to implement an effective and sustainable fisheries management system. Meeting these needs requires specialised research and fisheries monitoring with adequate technical means and well-trained human resources.

Guinea-Bissau has just adopted a new sectoral policy for the period 2023-2027. One of the main ambitions of the strategy is to promote the integration of the fisheries sector into the national economy, through the development of a national fishing fleet. The implementation of this sectoral policy requires significant budgetary resources, estimated at EUR 243 million over five years, which the State cannot assume on its own. Through its partner countries, the Ministry of Fisheries needs to be able to secure multiannual budgetary resources in order to meet the priorities identified for the sustainable development of the sector.

Current and future needs of the EU

The EU is committed to improving international ocean governance, including the global fight against IUU fishing. The EU gives support for numerous development programmes aimed at strengthening governance mechanisms in the fisheries sector in West Africa, including the SFPAs and the PESCO programme. In this context, the EU fleet is held to the highest standard possible regardless of the fishing areas in which they operate. The EU uses instruments such as the SFPAs and their implementing protocols to regulate the activity of its fleet in partner country waters, in accordance with international law and the objectives and requirements of the EU Common Fisheries Policy.

The EU's international ocean governance agenda also promotes the sustainability of fish stocks. The Agreement and its implementing Protocol complement a network of multi-species agreements which makes it possible to intervene on shared regional stocks other than tuna vessels (Morocco, Mauritania, Senegal, The Gambia, Senegal and Guinea-Bissau) and a network of tuna agreements covering part of the western tropical Atlantic. In addition, the principle of non-discrimination between fleets is central to the CFP. The EU must be able to ensure that the negotiated access conditions for access to Guinea-Bissau's fishing area are consistent with the conditions laid down by the national authorities and with the conditions negotiated with other third countries in order to ensure fair treatment.

Finally, as part of its external action, the EU has committed to have a leading role in implementing the 2030 UN Agenda for Sustainable Development. The EU therefore needs to be able to mobilise an instrument that contributes to achieving the UN Sustainable Development Goals, in particular the goals concerning aquatic life (SDG 14)

in the waters of Guinea-Bissau, in synergy with other interventions by the EU and its Member States.

The sectoral support funds, in synergy with other EU interventions, allow both Parties to jointly exchange and implement initiatives to promote the sustainable development of the fisheries sector, including initiatives to combat IUU fishing and the strengthening of fisheries research.

Current and future needs of the EU fleet

For EU trawlers currently fishing under fishing categories 1, 2 and 5 of the current implementing Protocol, access to fishing areas of third countries in West Africa is a need for specialised units that do not have fishing opportunities in EU waters. These vessels make use of the fishing opportunities available under the EU SFPAs in the sub-region (Morocco, Mauritania, Senegal, The Gambia and Guinea-Bissau). Within this network of agreements, EU operators stressed the importance of fishing opportunities available in Mauritania and Guinea-Bissau for trawlers exploiting demersal species, and of fishing opportunities available in Morocco and Mauritania for trawlers exploiting small pelagic species. The latter indicated a potential interest in Guinea-Bissau's fishing areas, with technical adjustments and if fishing opportunities decrease in Morocco and Mauritania.

For pole-and-line tuna vessels, fishing activities are traditionally carried out in a network of fishing areas which includes Guinea-Bissau, Senegal, The Gambia, Mauritania and Cabo Verde. For tuna seiners, fishing activities shall take place throughout the Western Atlantic, between Angola and Mauritania. For tuna vessels, Guinea-Bissau's fishing area is not among the most productive, but is important to track movements of highly migratory species in the region.

Finally, having stable access agreements for multiannual durations allows the EU fleet to plan their regional fishing strategies over several seasons. The fleets also need access conditions framed by a robust legal instrument that clearly sets out rights and obligations.

All EU shipowners' associations consulted in the context of this evaluation support the renewal of access opportunities to Guinea-Bissau's fishing areas⁴¹.

6.2 EU added value

The EU holds exclusive competence to negotiate the implementing protocols to the SFPAs, in accordance with Article 3 of the Treaty on the Functioning of the European Union. In addition to the added value outlined in Section 4.2, the EU's involvement in the negotiation of a new implementing protocol also brings the following benefits:

⁴¹ For a full report of the consultations conduction, see Annex 6 of the [evaluation study](#).

- i. a mandate from the EU that ensures that the Protocol and its implementation are aligned with international law and the CFP and consistent with other agreements concluded with partner countries in the region,
- ii. the possibility for the EU to have an instrument to strengthen sectoral policy at sub-regional level, which is facilitated by a network of agreements and EU interventions within ICCAT and CECAF, and
- iii. a specific instrument of bilateral cooperation with Guinea-Bissau, and its interventions within ICCAT and CECAF.

6.3 Policy and management objectives

The objectives of SFPAs are guided by Articles 31 and 32 of the Basic Regulation on the CFP and the Council conclusions on the external dimension of the CFP. The objectives of a future intervention under the Fisheries Partnership Agreement concluded between the EU and Guinea-Bissau must be based on the general and specific objectives (see Section 2.1.2) which guide the EU's intervention logic for all SFPAs. This intervention logic is outlined in Figure 2.

6.4 Policy options, including associated risks

Two options are available when the current implementing Protocol to the Agreement expires on 14 June 2024:

- **Option A:** non negotiation of the Protocol implementing the Agreement when the current implementing Protocol expires
- **Option B:** negotiation of a new protocol implementing the Agreement with two possible sub-options:
 - **Sub-option B1:** negotiation of a new implementing protocol with the same conditions as the current Protocol (status quo)
 - **Sub-option B2:** negotiation of a new implementing protocol with adjusted conditions

6.4.1 Option A

The Agreement becomes dormant without an implementing protocol. The instruments provided for in Articles 31 and 32 of the CFP become non applicable, except for the provision on the exclusivity clause which prevents EU vessels from accessing the fishing areas in Guinea-Bissau.

6.4.2 Option B

Under option B, the EU and Guinea-Bissau agree on the conclusion of a new implementing protocol under the Agreement for a new multiannual period. The

conclusion of a new protocol will make it possible to implement the tools provided for by the CFP to establish the framework under which EU vessels may operate in Guinea-Bissau waters and to mobilise an EU financial contribution for access and sectoral support. The financial contribution in question will be the result of a negotiation and are not known at this stage.

Sub-option B1

Sub-option B1 consists of negotiating a new protocol without any adjustment to the conditions of the current implementing Protocol (same conditions for the implementation of the access component and sectoral support, same financial commitments)

Sub-option B2

The main conclusions of the ex-post evaluation and the lessons learned suggest that there are areas for improvement in the conditions of the current implementing Protocol. The purpose of the proposed adjustments under the **access component** would mainly be (i) to improve the efficiency of EU intervention by improving the alignment between the fishing opportunities negotiated and their actual utilisation and (ii) to better define the operational characteristics of fishing category 5 targeting small pelagic species.

The following adaptations could be made per fishing category:

- i. Category 1 – fin-fish/cephalopod trawlers: The fishing opportunities available under this sub-option could be better aligned with the actual use of the fishing opportunities of the category over the first four years (average utilisation rate 54 %– average annual catches equivalent to 48 % of the TAC in case of transition). In addition, the definition for this fishing category could be clarified to avoid combining two categories (fish/cephalopods) which are subject to separate treatment in the fisheries management plan prepared by Guinea-Bissau. The percentages of cephalopods caught by vessels in this category (around 15 % of the reported catches) and its consideration as an exclusively cephalopod category in the fisheries management plan suggest that its definition be clarified.
- ii. Category 2 – shrimp trawlers: the fishing opportunities available under this sub-option could be better aligned with the actual use of fishing opportunities of the category over the first four years (average utilisation rate 27 %– average annual catches equivalent to 50 % of the TAC provided in case of transition).
- iii. Category 3 and 4 – tuna vessels: these two categories have a relatively smaller impact on the operations of the current implementing Protocol, nevertheless, a slight alignment of fishing opportunities with the actual use of fishing opportunities recorded during the first periods of the current Protocol could be considered.
- iv. Category 5 – small pelagic trawlers: this fishing category was barely used (3 % of the available capacity) by fish/cephalopod trawlers in category 1. This occurred during the

beginning of the current Protocol when the fishing opportunities of category 1 were fully utilised. Category 5 for small pelagic species could become attractive for the fleet if:

- The tonnage limit would be increased compared to that authorised under the current Protocol. This increase would require a derogation from national legislation which has just reduce the limit from 5 000 GT to 2 500 GT per vessel.
- The minimum mesh size authorised would be lowered to 40 mm, as is the case under the Morocco and Mauritania agreements.
- Propose more appropriate framework measures for this fishery, including a clear list of species defining small pelagics and adapting the permitted by-catch to the targeting of small pelagic species.

In addition to these changes, the following adjustments could be considered regarding **sectoral support**:

- i. Strengthen the implementation of research and monitoring activities and relevant capacity levels within the national administration of Guinea-Bissau to support the transition to a management system based on catch limits.
- ii. Supporting Guinea-Bissau's compliance with its reporting obligations to the RFMOs of which it is a member, such as ICCAT.
- iii. Strengthen the ability of the national administration to implement controls linked to the export of fishery products to the EU.
- iv. Facilitating access for national seamen to training leading to qualifications in line with International Maritime Organisation standards applicable to EU vessels.
- v. The identification of activities in the programming of sectoral support funds that address the areas for improvement in the current Protocol. For example:
 - for the implementation of activities designed to promote the economic integration of EU operators in the Guinea-Bissau fisheries sector (Article 10 of the current Protocol)
 - for the financing of a technical assistance selected jointly by the two parties to support the monitoring and evaluation of the implementation of the sectoral support
 - for the organisation of at least one new national conference of presentations and debates on the development of the fisheries sector.

Importantly, the availability of the new 2023-2027 National Strategy on Fisheries and Aquaculture in Guinea-Bissau will be a relevant tool to guide the joint programming of sectoral support funds.

6.5 Results and impacts

6.5.1 Option A

Under option A, EU vessels would no longer have access to Guinea-Bissau's fishing zone as a result of the application of the exclusivity clause. Failure to enter the fishing area will have different impacts depending on the fishing categories:

- i. For categories 1 and 2: fishing opportunities in Guinea-Bissau represent a significant part of their annual activities. Guinea-Bissau accounted for around 45 % on average of the annual catches of the two segments over the period 2019-2022, ahead of Mauritania's fishing zone. Without access to Guinea-Bissau, category 1 trawlers may not transfer their activities to Mauritania where the fishing opportunities for vessels in that category are fully exploited. For category 2 trawlers, a carry-over could be possible in Mauritania's fishing zone where fishing opportunities are relatively underutilised.
- ii. For categories 3 and 4: loss of access to Guinea-Bissau is undesirable but would have a more moderate impact. The record of catches in the area by vessels in these categories shows moderate levels representing some tenths of a percentage of the annual catches in all fishing areas visited.
- iii. For category 5: the loss of access will not have an impact, as fishing opportunities in this category have not been used due to technical access conditions.

For Guinea-Bissau, the absence of EU vessels will result in a reduction of approximately 60 % in State revenue from the fisheries sector. Guinea-Bissau will probably have to compensate for this loss of revenue by selling the fishing opportunities left vacant by EU vessels to vessels flying other flags, with the risk that these vessels will not operate under an ocean governance instrument that is as strict and transparent as that offered by the SFPAs.

For the EU, it will no longer have a specific instrument to support the sustainable development of Guinea-Bissau's fisheries sector. Scientific cooperation between the EU and Guinea-Bissau may continue within the multilateral framework of ICCAT (tuna species) and FAO-COPACE (other species) meetings. However, the multilateral framework offers fewer opportunities for targeted scientific work in the fishing area than the bilateral one. EU support for the development of the fisheries sector can be provided through the priorities of the Multiannual Indicative Plan 2021-2027 under programmes under formulation. Guinea-Bissau will also be among the beneficiaries of the EU regional programme on improving ocean governance in the West Africa, which should take over the activities of the PESCAO programme. These various options for intervention will not be sufficient to replace breadth and depth of the sectoral support component, which allows the use of funds specifically targeted for the sustainable development of the fisheries sector.

Without sectoral support, Guinea-Bissau will have to turn to other partners to finance the implementation of its sectoral policy. The associated risks are that Guinea-Bissau will not succeed in finding support commensurate with its needs and/or that the country will have to turn to foreign partners whose cooperation arrangements are not necessarily based on the same principles as those of the SFPAs and, by extension, the CFP.

6.5.2 Option B

In terms of the **sectoral support component**, the negotiation of a Protocol under sub-option B1 or B2 will enable both parties to maintain a bilateral sectoral partnership framework to support the implementation of the 2023-2027 National Fisheries and Aquaculture Strategy. This dialogue framework will allow for specific scientific cooperation through the meetings of the Joint Scientific Committee provided for in the Agreement, with the possibility for the EU side to provide high-quality scientific data on the activities of EU vessels in Guinea-Bissau's fishing zone.

In addition, the continuation of a sectoral support component would continue to facilitate sectoral dialogue to direct sectoral support activities towards shared priorities (fight against IUU fishing, scientific research, effectiveness of the fisheries conservation and management system) and national priorities (development of the fisheries sector, integration into the overall economy). This dialogue is particularly important at a pivotal moment when Guinea-Bissau is preparing for important developments (reform of the management system, creation of an export chain for fishery products to the EU).

The next sub-sections will consider the possible impacts on the **access component**:

Sub-option B.1

Categories 1, 2, 3 and 4 would likely continue to access Guinea-Bissau's fishing area. Based on the levels of activity observed during the current implementing Protocol, around 50 EU vessels will be likely to use the fishing opportunities negotiated.

The main risk is that the fishing opportunities negotiated remain significantly in excess of the needs of EU operators, with a negative impact on the efficiency of EU investment under the access component. There are little indications that the fishing capacity of EU vessels in Guinea-Bissau's zone could increase significantly over a new multiannual period. The number of active EU vessels may change in the direction of decrease or increase, but only marginally.

Category 1 could be affected by discontinuity in the access opportunities to the fishing zones of Morocco, but in a limited manner, noting the lack of attractiveness of the opportunities available under the Morocco SFPAs.

Category 5 would likely remain at anecdotal levels until the technical conditions are adapted to the technical characteristics of the EU fleet vessels specialising in these

species (tonnage limit, mesh size of trawls), even if the fishing opportunities currently available under the Morocco and Mauritania agreements are decreasing.

Sub-option B.2

The adapted fishing opportunities under this sub-option would comprehensively increase the efficiency of the EU's investment in the access component by improving alignment between access and foreseeable levels of use.

For fishing category 5, the inclusion of adjustments aimed at increasing the attractiveness and management of fishing opportunities does not guarantee that these will be used by EU vessels. The interest in fishing opportunities in the area has been confirmed by some EU operators currently active in the sub-region but will depend to a large extent on the fishing opportunities exploited under the agreements with Morocco and Mauritania.

6.5.3 Preferred option

A comparison of the options indicates that sub-option B2 (negotiation of a new implementing protocol with some adjustments) is the preferred option. Adjustments to ensure greater proportionality between the fishing opportunities negotiated and the effective use of these opportunities will improve the efficiency of the EU's investment in the financial contribution for access.

Compared with sub-option B2, sub-option B1, which considers a renegotiation of the current implementing Protocol, has as its main weaknesses (i) maintaining fishing opportunities in excess of needs and (ii) maintaining a category of small pelagic fisheries whose technical arrangements are not suitable for EU operators specialising in this type of fishery.

The sub-options B1 and B2 will allow the EU to mobilise specific EU funding for sectoral support, decoupled from the EU counterpart for access. The performance of sectoral support will depend on its implementation conditions (available budget, programming, technical and financial management of planned activities, monitoring and evaluation). By comparison, option A of non-renewal of the Protocol does not meet any of the needs of both parties.

6.6 Monitoring of a future implementing Protocol

Once it enters into force, a new implementing protocol would continue to be monitored through the ongoing technical dialogue between the Ministry of Fisheries and DG MARE. This technical dialogue should continue to encourage, as was the case under the current implementing Protocol, the preparation of the annual meetings of the Joint Committee, which has the power to make decisions on the implementation of the access and sectoral support components of the Agreement.

The monitoring framework should continue to incorporate indicators on the use of fishing opportunities. The monitoring framework should also add indicators for the

periodic monitoring of the application of the provisions of the Protocol concerning the embarkation of national seamen and observers, and the contribution in kind to food security.

For the sectoral support component, the monitoring framework should continue to consider disbursement indicators to measure progress in implementation. Where possible, it would be appropriate for the monitoring include more systematically indicators on the number of direct beneficiaries of activities (disaggregated by gender) and, where appropriate, indicators on the economic benefits of activities.

In accordance with the requirements of the EU Financial Regulation and the CFP, the Protocol will have to be the subject of an independent ex-post evaluation, which it will be necessary to implement approximately 18 months with the date of expiry of the Protocol in order to give the European institutions time to prepare for a possible negotiation under the ordinary legislative procedure without interruption of access possibilities.

ANNEX I: PROCEDURAL INFORMATION

Directorate-General for Maritime Affairs and Ocean

PLAN/2022/2287 - EU-Guinea-Bissau Fisheries Partnership Agreement – negotiation mandate for a new protocol

1. Organisation and timing

Tasks	Time
Signature of the contract	19 December 2022
Kick-off meeting	31 January 2023
Report of the Kick-off meeting	6 February 2023
Submission of the inception report	17 February 2023
Comments to the inception report	3 March 2023
Meeting to discuss inception report	9 March 2023
Submission of the draft final report	19 May 2023
Meeting to discuss draft final report	13 June 2023
Submission of the final report	7 July 2023

2. Derogations granted

This initiative does not require an impact assessment as it sets out a general policy approach and does not commit to any action. However, a retrospective and forward-looking evaluation will be carried out. For the retrospective evaluation, the questions look at the effectiveness, efficiency, economy, relevance, coherence, EU added value and acceptance of the Protocol.

For the prospective evaluation, the questions focus on identifying problems and needs, the objectives to be achieved, the options available (conclusion or not of a new Protocol) and the associated risks, and lessons learned.

3. Evidence, sources and quality

The results of this SWD are mainly informed by an evaluation study conducted by an independent consultant. This evaluation study took place from January to May 2023 under the guidance of an interservice steering group established by different services of the European Commission and within the framework of the terms of reference of specific contract number 4 under the framework contract MARE/2021/OP/0001. The evidence base of this evaluation study consisted of two main components: analysis of available documentation and consultations with stakeholders.

ANNEX II. METHODOLOGY AND ANALYTICAL MODELS USED

The results of this SWD are mainly informed by an evaluation study conducted by an independent consultant. The evaluation work was carried out between January 2023 and May 2023. Conducted under the guidance of an inter-service group(ISG) set up by the European Commission's DG MARE, the method used for the study can be broken down into three main components: analysis of available information, consultations and preparation of an evaluation study.

1. Analysis of available information

DG MARE shared several documents and databases with the consultant team. The main elements shared include:

- Data and information from the meetings of the four Joint Committee meetings held since the start of the Protocol (October 2019, July 2021, April 2022 and April 2023)
- Reports from the various DG MARE technical missions to Guinea-Bissau

- Information exchanged between the two parties in relation to the implementation of sectoral support: programming and monitoring documents, implementation reports prepared by Guinea-Bissau, etc.
- The reports of the meetings of the Joint Scientific Committee held in March 2017 (previous Protocol) and April 2022 (current Protocol)
- Data on fishing authorisations and catches by EU vessels in the fishing zone concerned by the Protocol (extracted from DG MARE's aggregated catch database)
- DG MARE data on the payment of fees due by EU operators for the issue of fishing authorisations;
- Amounts paid from the EU budget under the financial contribution identified under Article 4 of the Protocol (DG MARE budget monitoring).

The evaluation study also made use of other documentary sources, including the regulatory texts applicable in the context of the Agreement, the reports of the FAO-COPACE and ICES scientific working groups, and the reports of the FAO-COPACE and ICES scientific working groups.

2. Consultations

The consultations carried out for the purposes of this evaluation study, with the assistance of the independent consultants, included :

- **Consultation of stakeholders in the EU:** from the outset of the evaluation, EU stakeholders were identified and consulted on the basis of a strategy validated by DG MARE at the start of the evaluation. The consultation involved the Commission and EEAS services involved in relations with Guinea-Bissau, the flag Member States of EU vessels benefiting from fishing opportunities, the professional associations grouping EU operators using the negotiated fishing opportunities and civil society. The consultation period ran from March 2023 to May 2023;
- **Consultation of stakeholders in Guinea-Bissau:** a mission was organised in Guinea-Bissau in consultation with the EU and Guinea-Bissau parties between 17 and 24 April 2023. During the mission, face-to-face discussion sessions were held with the various departments of the Ministry of Fisheries involved in monitoring the Agreement, the agencies of other Ministries also involved in monitoring the Agreement, and representatives of the private sector in the industrial and artisanal sectors. Representatives of the EUD in Bissau were also consulted.

3. Preparation of the evaluation study

The preparation of this evaluation study takes into account the guidelines and tools recommended by the EU in this area, as well as the methodological elements specific to the external dimension of the Common Fisheries Policy, such as those concerning the methods for evaluating the socio-economic impact of EU SFPAs.

ANNEX III. EVALUATION MATRIX AND, WHERE RELEVANT, DETAILS ON ANSWERS TO THE EVALUATION QUESTIONS (BY CRITERION)

Questions	Success criteria	Suggested indicators
<i>Effectiveness – The extent to which the objectives of the implementing Protocol to the Agreement were achieved</i>		
Objective 1: To contribute towards resource conservation and environmental sustainability through rational and sustainable exploitation of living marine resources of Guinea-Bissau.		
1.1 To what extent fisheries activities addressed exclusively at surplus resources and prevent the overfishing of stocks, on the basis of the best scientific advice and improved transparency on the global fishing efforts in the waters included in the current Protocol.	Stocks targeted by the EU fleet are not overexploited at the regional level (highly migratory species- Tuna) or at national level, and the EU fishing capacity is within the limits established or recommended by the relevant RFMO or RFO. The Protocol takes into account the management strategies expressed by RFMOs and Guinea-Bissau. Guinea-Bissau takes part in the relevant RFMO/RFOs and provides data on activities carried out by vessels flagging its flag and by other foreign fleets operating in its waters.	State of the stocks targeted under the Protocol (scientific advice analysis by the joint scientific committee meetings, regional scientific reports and data, RFMO/RFO and national scientific institutes). All fleets catches and fishing effort in Guinea Bissau and in the region. Possible impacts on the environment of the EU fleet and all other fleets operating in these waters.
1.2 To what extent the implementation has followed the same principle and promote the same standards for fisheries management as applied in EU waters.	The EU and Guinea-Bissau adopt management measures to reduce by-catches and discards and reduce the possible impacts on the ecosystem.	State of the stocks taken as by-catch by EU vessels; management measures adopted at the regional, national or EU level or in the framework of the Protocol.
1.3 To what extent the scientific and technical evaluation of the fisheries concerned have improved?	EU fishing activities are subject to an appropriate reporting obligation framework (logbook, VMS, observers etc.) in the Agreement and a scientific data collection framework (size composition of the catches, biological parameters etc.). This information is transmitted to the relevant RFMO and national research institutes. EU scientists and scientists from Guinea-Bissau actively participate in scientific meetings and RFMO/RFO scientific committees. Cooperation between scientific institutes is encouraged	Inclusion of data collection provisions in the Agreement and timely availability of relevant data joint scientific committee meetings; amount and quality of data collected; number of reports to RFMO and scientific institutes; participation rate in RFMO/RFO scientific committees; results achieved with sectoral support; number of joint scientific committee

Questions	Success criteria	Suggested indicators
	and supported where appropriate. Joint scientific analysis at regional level at RFMO level are taken into account.	meetings; extent of follow-up and implementation of the recommendations take at these meetings.
1.4 To ensure compliance and control of EU-fleet activities.	The activity of the EU fleet is properly monitored (VMS, AIS, etc.); reporting, monitoring and control takes place as stipulated in the Protocol and as legislation requires. Moreover there is adequate monitoring, reporting and control of all catches and catch composition, possible infractions are sanctioned; sectoral support is used to reinforce monitoring, control and surveillance (MCS).	Level of implementation of the monitoring provisions in the Agreement and its Protocol; level of implementation of the monitoring, reporting and control provisions; results achieved with sectoral support in terms of MCS.
Objective 2: To contribute to continuing the fishing activity of the EU long distance fleet and the employment linked to the fleet operating within the Agreement and its Protocol.		
2.1 To seek appropriate share of the surplus resources, fully commensurate with the EU fleets interests and their regional and sub-regional fishing strategy.	The Agreement and its Protocol provide for access to fishing zones that are important for the EU fleet. Species and quantities covered by the Protocol correspond to the fishing patterns of the EU fleet. The fishing opportunities allowed are acceptable considering the activities of all fleets active in the same waters at national, sub regional and regional level.	Utilisation of fishing licences; catches in waters covered by the current Agreement and Protocol compared to overall catches at national, regional and sub-regional, level if appropriate; employment (direct and indirect jobs); evolution of the number of EU vessels in the region; contribution to the supply of the EU market and EU processing sector (volume and value) and to the local processing sector.

Questions	Success criteria	Suggested indicators
2.2 To ensure that the level of fees payable by Union ship-owners for their fishing activities is fair and proportional considering the revenues and costs, non-discriminatory and promotes a level playing field among the different fleets.	The Protocol offers similar conditions to other foreign fleets operating in the fishing zones and management areas of the Agreement. The cost benefit ratio is acceptable and reasonable for the EU ship owners and for Guinea-Bissau.	Level of fees and technical conditions applied to third countries fleets in the fishing zones and management areas of the Agreement. Proportion between fees, costs and benefits for the EU ship owners and for Guinea-Bissau.
2.3 To ensure supply for the EU and for the markets of Guinea-Bissau and third countries.	The Agreement offers a reasonable framework to foster landings and thus supplying local markets and trade with third countries. The Agreement fosters trade on fisheries cooperation between the EU and Guinea-Bissau and/or third countries.	Percentage of landings versus local and neighbouring countries market's needs. Trade figures on fish (and composition) between the EU and fish products from Guinea-Bissau. Commercial balance and relation with Guinea-Bissau and neighbouring countries related to fish caught in Guinea-Bissau waters
2.4 To encourage the creation of a secure environment that is favourable to private investment and economic activities contributing to the sustainable development of the partner country and reinforcing its cooperation with the EU.	Part of the fish caught in the framework of the Agreement supplies local market and processing industry; the EU-fishing supports port- and ancillary activities and the economic and social development in the EU and in the area covered by the current Protocol. The Agreement could have an important impact regionally.	Number of initiatives to ensure cooperation between economic operators of the EU and local. Benefits that such activities are brought to the EU, national and locally. Number of initiatives that have had a local, national and regional benefit.
2.5 To take into account the specific interests of the Union's outermost regions located in the vicinity Union's fleet.	The Agreement and its Protocol cover the specific needs of the EU fleet based in outermost regions and in the EU by ensuring the continuity of their fishing grounds.	Number of vessels originating from the outermost region operating under the Protocol and percentage of catches comparted to total catches. The same for the EU vessels originating from other EU regions.
Objective 3: To support the development of a sustainable fisheries sector in partner countries (through the governance framework that the Agreement creates		

Questions	Success criteria	Suggested indicators
and also through the sectoral support; cooperation on blue economy, to the small scale and artisanal fisheries, to job direct and indirect creation, development of the local and national sectoral policies, etc.) and analysis of geographic, social, environmental and economic impacts.		
3.1 To contribute to capacity building and social, environmental and economic development in Guinea-Bissau.	The sectoral support and the economic activity that the Agreement and the Protocol establish, contribute to the functioning of the fisheries sector, better governance, transparency and social and economic development of the area covered. Moreover, the sectoral support provides for adequate training, equipment and infrastructures namely in the areas of science and MCS. Utilisation of the sectoral support has been duly reported (detailed results on expected economic and social benefits in all geographic scope of the Agreement).	Results achieved with sectoral support and socio-economic impact of the implementation of the current Protocol. Percentage of the EU contribution to the different strategies, policies and value of indicators for assessing the socio-economic impact in the EU and in the areas covered by the Agreement. Including, the budget of the national fisheries strategy. Comprehensiveness and level of detail of the sectoral support reporting and cooperation on Blue Economy, small scale and artisanal fisheries, food security and policy areas.
3.2 To promote employment of local seamen, improving infrastructures and encouraging landings, supporting the third country in developing local fisheries and processing industry EU and for the markets of certain developing countries. To create employment directly and indirectly.	EU vessels recruit part of their staff locally: they benefit from good working conditions and appropriate training, equivalent to ILO standards. Part of the catches is landed and processed locally. Catches landed traded in the local and neighbouring markets. Successful trade flows generated. Identification of elements that facilitate the trade relation and the ones that discourages it.	Respect of the minimum number of local seamen embarked; catches (value and volume) landed, in comparison with landing obligations, catches processed and catches marketed locally. Employment created directly and indirectly in the EU and in Guinea-Bissau or in the sub region/sub region. Percentage of supplies to the local and neighbouring markets. Percentage of the fish caught by the EU fleet that supplies these markets and comparison with other sources.

Questions	Success criteria	Suggested indicators
<i>Efficiency – The extent to which the desired effects are achieved at a reasonable costs</i>		
To what extent does the Protocol offer value-for-money to the EU?	The EU financial contribution for access is commensurate to all fishing opportunities offered by the current Protocol and per category.	Utilisation of the fishing opportunities and positive cost-benefit ratio per category and globally.
To what extent have the sectoral support and cooperation on blue economy actions, policy area, small scale and artisanal fisheries, food security, etc. agreed in the initial programming, been achieved at reasonable cost?	All activities included in the sectoral support have been properly used and benefited in environmental, social and economic terms in the EU and Guinea-Bissau.	Degree of completion of the initial programming; % of sectoral support activities and projects compared to overall EU contribution, to the national budget for fisheries, marine and maritime issues and to other donor contributions. Contribution to the sustainable development of the country.
To what extent does the Protocol offer value-for-money to the EU ship-owners?	The EU ship-owners' contribution is commensurate to effective catches and profits compared to total costs and benefits.	Volume of catches; evolution of first sale prices, operating costs, all other costs and estimation of the profitability for each segment of the EU fleet, category, vessel, gear type and country (if applicable).
To what extent is the financial compensation for the fishing possibilities under the Agreement advantageous for the EU and for Guinea-Bissau?	Guinea-Bissau benefits from the added value of the catches and the financial compensation.	Ratio overall EU contribution /added value generated by the activity of the EU fleet in the fishing zone. Ratio of the benefits of all financial compensation to the concerned population proportional to the fishing activities. Ratio of the economic and social indicators.

Questions	Success criteria	Suggested indicators
<i>Economy – the extent to which resources are available in due time, in appropriate quantity and quality at the best price</i>		
To what extent is all the EU contribution, in particular, its sectoral support, proportional to the needs of Guinea-Bissau and their absorption capacity?	The EU contribution for sectoral support is in line with national and local needs and absorption capacity. The total amount of sectoral support is used according to the planned calendar and adapted to the needs of the partner country. Where there have been modifications to the initial programming of the sectoral support, these have helped to improve the use of financial support and contributed successfully to the sustainable development of the country.	Consumption of the EU contribution for sectoral support and geographical distribution compared to the local and national needs in the related policy area. Geographical and social distribution, impacts and benefits of all financial compensation. Absorption capacity of the sectoral support; success stories; percentage of sectoral support compared to the national and local budget for fisheries and to other donor contributions.
To what extent has the sectoral support payments been made in due time and according Articles 4 and 5 of the current Protocol?	Contributions have been paid in due time and consistent with the Protocol. Contributions could be allocated to the national or local budget without delay and fulfilled the engagements of the Protocol. Achievement of the criteria, reports and procedures, budget, financial indicators and methods of control and audit. Achievements of annual and multi-year objectives	Calendar of payments and considered allocations. Results of the budget and financial indicators and methods of control and audit.

Questions	Success criteria	Suggested indicators
<i>Relevance – the extent to which the objectives of the Protocol match current needs and problems</i>		
To what extent have the objectives set out in the Agreement and the Protocol still correspond to the needs of EU, member states, its ship-owners in the area covered by the current Protocol? Should there have been different objectives?	The implementation of the Agreement and its Protocol are in line with the objectives of resource and environmental sustainability; support to the development of a sustainable fisheries sector at national and local level; facilitation of the integration of coastal states into the global economy; improvement of scientific and technical knowledge, support to the economic exchanges, strengthening sustainable economic and social development, and effective governance. These objectives address correctly the national and local needs and the needs of the EU and its fleet.	Comparison between the Agreement's objectives and national and local needs and those of the EU and its fleet improved with the implementation of the Agreement and the Protocol.
How is the Agreement relevant to the policy objectives of RFMOs and to the EU's regional network of fisheries agreements? To what extent is relevant and creates an important impact?	For highly migratory species, the Protocol contributes to achieving objectives set at RFMOs and other regional organisations ⁴² including CECAF ⁴³ and to maintaining a network of SFPAs in the region on fisheries management and scientific issues. It creates synergies with the EU and neighbouring countries at RFMOs.	Comparison between Agreement and these organisations objectives and how the implementation of the Protocol contributes to their objectives; consistency, coherence and cooperation with objectives of other fisheries Agreements in the region and the EU's interest and objectives in such regional organisations.

⁴² International Commission for the Conservation of Atlantic Tuna (ICCAT), The Ministerial Conference on fisheries cooperation among African States bordering the Atlantic Ocean (ATLAFCO/COMHAFAT)

⁴³ Fishery Committee for the Eastern Central Atlantic (CECAF)

Questions	Success criteria	Suggested indicators
<i>Coherence – The extent to which the Agreement and its Protocol do not contradict and is coherent other interventions with similar objectives</i>		
How coherent is the Protocol with CFP in general and with its external dimension and the regional fisheries policy (RFMOs and other organisations including CECAF and network of SFPAs at national, sub regional and regional scale)?	The Protocol is in line with the CFP in general, contributes to achieving EU objectives at the regional level - including the creation of a regional network of SFPAs – and is consistent with other SFPAs in the region, RFMOs and other international organisations.	Consistency with the CFP and its external dimension and the main strategies policy orientations at regional and sub-regional level.
To what extent is the Protocol and its implementation consistent and coherent and complements with the other EU policies, such as the EEAS, INTPA, SANTE, TRADE and TAXUD policies and legislation?	The Protocol makes a substantial contribution to other EU policies and vice-versa. The Protocol and its implementation is coherent and cooperates positively with other EU interventions.	Consistency with the main EU strategies / policy orientations. Implementation of social clauses and contribution to sustainable food security. Overall coherence of the Agreement with EU policies in the region and the country.
In what ways are the Agreement and Protocol consistent with the national fisheries policy and other related policies and are well coordinated with regional fisheries policies?	The Protocol contributes to achieving the priorities identified nationally, locally and regionally. Authorities, stakeholders and society are aware and informed on the contribution. The Protocol contributes to the sustainable management of fisheries at local, national and regional level. At the international level, the Protocol contributes to the implementation of the relevant UN Sustainable Development Goals.	Consistency with the national and regional fisheries, marine and maritime policies and sectoral policies in the country. Benefits to the governance of the country and to the protection and sustainable management of natural resources and to the society.

Questions	Success criteria	Suggested indicators
<i>EU added value – The extent to which the intervention brings EU added value</i>		
<p>What is the additional value resulting from the EU intervention under the Protocol, compared to the absence of Protocol?</p> <p>To what extent would Member States have had the ability or possibility to put in place appropriate alternative measures?</p> <p>To what extent the overall benefits of the Agreement and Protocol have an added value for the EU?</p>	<p>Financial contribution, in particular sectoral support, successfully used to support and develop the national and local fisheries sector.</p> <p>Evidence of the need and usefulness of the benefits arising from the Agreement, in particular in terms of good governance, natural resources conservation, sound implementation of sectoral policies, infrastructure, social services, the setting-up of businesses, vocational training, and of programmes aimed at developing and modernising the fisheries sector, to ensure that this distribution benefits the country, its natural resources and the population.</p> <p>The fishing species included in the agreement are the ones of interest for the EU fleet considering the species available and fishing possibilities for all fleets operating in the same area.</p>	<p>Data on the implementation within the current Protocol in economic, social and environmental terms compared to other agreements or to when there is no agreement.</p>
<p>What is the added value resulting from the EU intervention under the Agreement and the Protocol, compared to what could be achieved by the Union fleet outside the framework of the Agreement?</p>	<p>The Agreement and its implementing Protocol provide substantial benefits to the EU and nationally and locally over private agreements.</p>	<p>Uptake of licences, comparison of all costs and benefits of operating under this Agreement, other SFPAs and private agreements, degree of legal certainty provided by the Agreement and its legal framework</p>

Questions	Success criteria	Suggested indicators and sources
<i>Acceptability – The extent to which stakeholders accept the policy in general and the particular instrument proposed or employed</i>		
To what extent are the EU ship-owners satisfied with the Protocol?	The EU ship-owners are satisfied with the technical and financial conditions set up by the Protocol and support its renewal (with possible adaptations).	Result of interviews of ship owners and fisheries associations
To what extent is the Protocol supported by the civil society in the EU and nationally and locally?	Representatives of the civil society are satisfied with the environmental and social conditions set up by the Agreement and its Protocol and support their renewal (with possible adaptations).	Result of interviews of NGO representatives and other stakeholders, local population, fishing operators in the EU and in Guinea-Bissau, fisheries industry in the EU and at local, national and regional level.
To what extent is the Protocol supported by the sector (ship owners and processors) in the EU and in the partner country, nationally and locally?	The national and local ship-owners do not experience competition by the EU fleet and fish processors benefit from purchase opportunities generated by the Protocol and support its renewal.	Result of interviews of industry and NGOs representatives, content of articles, press, reported incidents between fleets.
To what extent the administration, stakeholders and society are in general satisfied with the Protocol?	National and national and administration, stakeholders and society in general are satisfied with the implementation of the Protocol's obligations and seek its renewal; they praise the benefits of the Agreement.	Level of compliance with the Protocol's obligations in terms of seamen embarked, landing obligation, observers, data reporting etc. Socio-economic impact of the Agreement's implementation to national/local population. Impact of communication activities such as, press statements, content of articles, etc.

ANNEX IV. OVERVIEW OF BENEFITS AND COSTS

To provide a systematic presentation of the costs and benefits that have been identified and assessed during the evaluation process, a mixed approach has been chosen in this annex by presenting the information in tabular form (as required by the SWD template guidelines) and accompanying it with an explanatory narrative.

The cost/benefit analysis of the current implementing Protocol is based on the access component and for the periods for which complete economic data are available. The cost/benefit ratio of the sectoral support component cannot be estimated at this stage, as this would require the identification and measurement of the impacts of the various projects, which is not possible within the framework of this evaluation.

Overall, as an annual average over the period 2019-2021, 43% of the total added value of the current implementing Protocol is for the benefit of the EU, 48% for Guinea-Bissau (including the financial compensation paid by the EU for the access component) and 9% for other entities including Senegal (trawler activities) and Côte d'Ivoire (tuna activities).

EU financial compensation and access fees paid by EU shipowners together account for 90% of the value added for Guinea-Bissau. The share of value added for Guinea-Bissau from the activities of EU fishing vessels is relatively low (10%), and consists almost entirely of salaries paid to national seamen embarked on EU trawlers. Given the virtual absence of EU catches entering the local industry's value chain (apart from contributions in kind) and the lack of interaction between EU vessels and Guinea-Bissau suppliers of goods and services to vessels (shipyards, etc.), the share of indirect value added created in the upstream and downstream sectors in Guinea-Bissau is not significant.

The breakdown of the EUR 12.7 million in annual value added (average 2019-2021) accruing to the EU is based on the salaries of EU national seamen embarked on vessels benefiting from fishing opportunities (34%), the indirect downstream value added resulting from the marketing/processing of catches in the EU (46%), the indirect upstream value added by EU companies in the shipbuilding, ship repair, bunkering, etc. sectors (13%) and the remaining EBITDA (7%).

The relative cost of access is EUR 1,477/tonne of fishery product caught: 91% is borne by the EU (EUR 1,350/tonne) and 9% by EU vessels benefiting from fishing opportunities (EUR 127/tonne). The indicators for sharing the cost of access between the EU public authorities and EU vessels differ from most other EU SFPAs in that a relatively high proportion of access costs is borne by the EU budget. This is the result of i) relatively modest catch levels, due to relatively low utilisation of the fishing opportunities, and ii) a rather low level of access fees in the Protocol, around 4% of sales.

Figure 1. Indicators relating to the benefit/cost ratio of the access component of the current implementing Protocol

Indicators	Financial compensation for the access component	Total financial compensation for the access and sectoral support components
EU financial compensation (EUR)	11 600 000	15 600 000
Sectoral support (EUR)		4 000 000
Access fees paid by EU operators	1 092 000	1 092 000
Total EU and EU operator payments (EUR)	12 692 000	16 692 000
Total payments as % of total sales	53%	72%
EU payments as % of total sales	48%	65%
EU operator payments as % of sales	5%	5%
Average cost per tonne of fish caught (EUR/tonne)	1 477	1 942
Average cost for the EU (EUR/tonne)	1 350	1 815
Average cost for EU operators (EU/tonne)	127	127
Percentage of costs for EU operators	9%	7%

Regarding the cost-benefit ratio, the main lesson to be learned is that every euro invested by the EU in financial compensation for access to the resource generated 1.33 EUR in total added value. As a result, the cost-benefit ratio of EU investment for access to the resource is slightly positive, due to the addition of direct and indirect added value.

ANNEX V. STAKEHOLDERS CONSULTATION - SYNOPSIS REPORT

Background

In line with the Terms of Reference and the Better Regulation ‘toolbox’, a consultation strategy was elaborated by the independent consultant to obtain evidence from relevant stakeholders. The strategy defined the best means of achieving relevant stakeholders both in the EU and in the partner country concerned.

Objectives

The aim of the consultation:

1. To obtain stakeholders’ views on the implementation of the ongoing protocol, as well as on the possible renewal of the protocol, including the different options;
2. To use the results of this consultation in the evaluation report.

Results of the stakeholder consultation

The views of the organizations are synthesized in the main text of the evaluation study by the independent consultant. The detailed answers to the stakeholders’ consultation are included in Annex 6 of the evaluation study. The following list of entities, in figure 1 and figure 2, were consulted by the independent consultants for the purposes of the evaluation study.

Figure 1. List of contacted entities in the evaluation study consultations in the EU

List of consulted stakeholders	Response
A – Parties responsible for implementing the current Protocol	x
DG MARE (HQ and attaché at EUD-Dakar)	x
Member States benefitting from fishing opportunities	
Spain	x
France	x
Greece*	x

Italy	X
Latvia*	X
Lithuania*	X
Poland*	X
Portugal*	X
B – Stakeholders benefitting from the Agreement	
ANACEF (cat. 1 et 5)	X
ANAMAR (cat. 2)	X
DakaTuna (cat. 3)	X
OPAGAC (cat. 4)	
ANABAC (Cat. 4)	
ORTHONGEL (Cat. 4)	X
ORPAGU (Cat. 4)	
OP Lugo (Cat. 4)	
PFA (Cat. 5)	
C- Stakeholders with an interest in the Agreement	
European Institutions	
DG SANTE	X
DG INTPA	X
Political and cooperation sections of the European Union Delegation in Guinea-Bissau	X
Non-governmental organisations	
Europêche	X
European Transport Federation	
CAPE	X

WWF	
European Justice Foundation	X

Note: * Member States whose vessels did not use fishing opportunities

Number of entities contacted for the consultation 26

Number of entities responding to the consultation 19

Figure 2. List of contacted entities for the evaluation study during the mission to Guinea-Bissau by the independent consultants on 17-24 April 2023

Ministry of Fisheries
Minister of Fisheries
Secretary-General
Monitoring and Control Department
DG for Industrial Fishing (DGPI)
DG for Artisanal Fisheries (DGPA)
DG for Training and Development in Fisheries (DGFADP)
DG for Fishing Port Administration (DGAPP)
Legal Office (GJ)
National Laboratory for Inspection and Quality Control of Fishery Products
National Institute for Fisheries Research and Oceanography (INIPO, ex CIPA)
National Institute for Control and Surveillance of Fisheries (INFISCAP, ex FISCAP)
Ministry of Transport
Maritime and Port Institute (IMP)
Ministry of the Environment
Institute for Biodiversity and Protected Areas (IBAP)

Private Sector
Association Amis et Frères des Hommes de Mer (AIRHOMAR)
Association Nationale des Professionnels Maritimes de la Pêche Industrielle (ANAPMAPI-GB)
Association Nationale de Entrepreneurs de Pêche Industrielle (ANEP)
Association Nationale des Armateurs Industriels de Pêche (ANAPI)
Plateforme des Acteurs Non-Étatiques de la Pêche Artisanale et de l'Aquaculture (PANEPA-GB)
Réseau National des Femmes dans la Pêche (RENAMUP-GB)
Association Nationale des Armateurs et des Pêcheurs Artisansaux (ANAN-PA)
Association des Femmes dans l'Activité Économique (AMAE)
Société Afripêche
Agence belge de développement (ENABEL)