IUU Risk Intelligence

Putting Compliance First

GLOBAL EVALUATION OF FISHERIES MONITORING CONTROL AND SURVEILLANCE IN 84 COUNTRIES

GUINEA – COUNTRY REPORT

GANAPATHIRAJU PRAMOD

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SUMMARY

*This evaluation of Fisheries Monitoring Control and Surveillance report for **Guinea** is one of 84 such country evaluations that covers nations landing 92% of world's fish catch. Using a wide range of interviews and in-country consultations with both military and civilian agencies, the report exemplifies the best attempt by the author(s) at evaluation of MCS compliance using 12 questions derived from international fisheries laws. The twelve questions are divided into two evaluation fields, (MCS Infrastructure and Inspections). Complete details of the methods and results of this global evaluation would be published shortly through IUU Risk Intelligence website.*

Over a five-year period, this global assessment has been subjected to several cross-checks from both regional and global MCS experts familiar with compliance aspects in the country concerned. Uncertainty in assigning each score is depicted explicitly through score range. However, the author(s) are aware that gaps may remain for some aspects. The lead author remains open to comments, and revisions will be made upon submission of documentary evidence where necessary. Throughout the report, extreme precaution has been taken to maintain confidentiality of individuals who were willing to share information but expressed an inclination to remain anonymous out of concern for their job security, and information from such sources was cited as 'anonymous' throughout the report.

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GUINEA – COUNTRY REPORT

FAO landings (2013): 105,000 tonnes
Fisheries contribution to GDP (2014): 3.6%
Law of the Sea (Ratification): 6th September 1985
Coastline: 320 km
RFMO Membership: ICCAT
Patrolling Agencies: Guinea Navy, CNSP

Rank	Priority for maritime security tasks
1.	Narcotics trafficking
2.	Illegal fishing
3.	Contraband smuggling

SECTION 1: MCS INFRASTRUCTURE

1. **Does the country have adequate surveillance infrastructure (patrol aircraft, sea based patrol vessels and coastal patrols) to effectively patrol fisheries resources within its EEZ?**
   Score: 4
   Score Range: 3-5

   Low enforcement capacity. Surveillance in waters within the 12 mile zone are carried out using 6-8 metre patrol boats, while offshore patrols are led by Navy from Conakry (Base de Kamsar). CNSP has six surveillance bases (*Bongolon, Conakry, Kalaya, Kamsar, Koba and Koukoudé*) along the Guinean coast. Although there is a need for procurement of new patrol vessels, limited progress has been achieved due to huge costs involved in buying and maintaining them for enforcement operations. Patrol boats break down frequently and not optimally utilized for maritime security operations or boarding of fishing vessels at sea (Anon, *pers.comm.*, 2019).

   In December 2017, two coastal radar stations were installed at Koundindé (Boffa) and island of Tamara (Loos Islands) under a Franco-Guinean military cooperation agreement. The two radars help in detecting all shipping activities at sea and collected information is relayed to the Maritime Prefecture operational centre (Anon 2017). CNSP recently received donation of office furniture and motorcycles for mobile patrols through World Bank (Anon 2020).

   Guinea Navy has 4 patrol boats (*3 RPB 20; 1 Swiftships*). Precautionary score of "4" is assigned. Jane (2012); Military Balance (2020); EJF (2005, 2007); Anon (2013); CSRP (2014); African Union (2015); NEPAD (2015); COMHAFAT (2015); Vrey and Blaine (2020) reports suggest weak capacity and lack of adequate surveillance assets.

2. **Does the country have adequate trained officers to conduct MCS operations?**
   Score: 5
   Score Range: 3-5

   Guinea has 40 inspectors and 100 observers for fisheries monitoring and control duties (SRFC 2019). Limited information is available on compliance or enforcement competence of Government authorities in the marine fisheries sector. Existing information suggests more fisheries inspectors with adequate training are needed to monitor violations of the sizable industrial fishing fleet and canoes (Godoy 2010; Goffinet 1992; Kaczynski 1989; EJF 2005, 2007;

Trouillet *et al.*, 2011; CSRP 2014; African Union 2015; NEPAD 2015; COMHAFAT 2015; Doumbouya *et al.*, 2017; Gorez and Philippe 2020).

Officers of both CNSP and EMAM conduct surveillance operations at sea. A list of licensed domestic and foreign fishing vessels has been made available to patrol vessels. CNSP officers are required to verify ship's license, crew documentation, fishing logbook, fishing gear (*mesh size of the codend nets*), species and quantities of fish onboard. CNSP & EMAM officers are skilled but the level of training for fisheries regulations remains low. A significant number of fisheries officers are still inexperienced. Some officers and observers are also exposed to corruption by ship captains and reported to not document all infringements identified at sea within the trip reports (Anon, *pers.comm.*, 2017).

3. **Does the country have adequate management plans to monitor their fishing vessels on the high seas?**
   Score: 2
   Score Range: 0-4

   No, such plans do not appear to exist in Guinéa. Limited tracking options are available for licensed industrial fleet through VMS reporting, but vessels are not monitored after they leave EEZ waters (Anon, *pers.comm.*, 2019).

   The country is not a signatory to FAO Compliance Agreement. Score of "2" is assigned based on past history in the IOTC and current compliance in ICCAT waters (See ICCAT 2018 report for non-compliance with ICCAT reporting requirements). Guinea withdrew its membership from IOTC on 22 February 2016. See (IOTC 2013, 2015, 2017) reports for past history of compliance issues with IOTC regulations.

4. **What proportion of fishing vessels is equipped with vessel monitoring system (VMS) to monitor their movements on a continuous basis?**
   Score: 7
   Score Range: 5-7

   National Fisheries Surveillance Centre (CNSP) operates a vessel monitoring system 24 hours a day for the licensed industrial fishing fleet. A new satellite based vessel tracking system started in May 2019 and is reportedly fully functional (World Bank 2020). Extent of VMS violations remain unknown for the industrial trawl fleet.

CNSP adopted VMS in 2009 to ensure harmonization of at-sea patrols and improve mission effectiveness. An Argos based satellite-tracking system was reported to monitor licensed fishing vessels operating in the EEZ (Sakou 2015).

5. **What percentage of fishing vessels (>20 m OAL) is monitored through onboard observers at sea (for major commercial fish stocks)?**
   Score: 4
   Score Range: 2-5

   Number of observers deployed, and fishing trips covered annually for MCS purposes remains to be assessed – *Data deficient*. Limited observer coverage was reported in the past by the Sub-Regional Fisheries Commission. See FAO (2002); Anon (2013); CSRP (2014) African Union (2015) reports for more information.

   Observer system is not effective. Despite the requirement for presence of onboard observers in the demersal trawl fleet; observers have minimal authority to enforce regulations when vessels violate rules or when they fish at night; observers are also intimidated at sea making quantification of quotas difficult for reported catches (Meredith 2017).

   Observers are deployed on some pelagic fishing trawlers and they are required to collect information on daily catches, fishing locations and submit a report to CNSP after each fishing trip, which lasts several months. Although the current coverage is low there are plans to make this scheme mandatory and vessels could be required to pay for observers as condition of the fishing license (Anon, *pers.comm*., 2017).

SECTION 2: INSPECTIONS

6. **How often fishing vessels are inspected at sea (Identification by sight and boarding for inspections)?**
   Score: 4.5
   Score Range: 3-5

   Steady rise in patrols at sea in recent years - 102 days of patrols were reported in 2016, before increasing to 111 patrol days in 2017 and 123 patrol days in 2018; 180 days of patrols was reported in 2019 and 64 days of patrols was reported during the six month period from Jan-June 2020 (World Bank 2020).

220 patrol days/year is the recommended minimum target to deter IUU activities by industrial fishing vessels. CNSP officers are not trained to identify infringements based on the verification of information in the fishing logbook, observer reports and transshipment declarations. So, very few offenses are fully acknowledged in annual surveillance reports. Fishing trawlers are boarded twice a month and detected infringements are penalized (Anon, *pers.comm*., 2019).

See EJF (2007); Anon (2016); Greenpeace (2015a); Meredith (2017); Gorez and Philippe (2020); Military Balance (2020) reports for more information. Precautionary score of "4.5" is assigned using SRFC and Ministry of Fisheries detentions data.

7. **How often fishing vessels are scrutinized through aerial patrols?**
Score: 2
Score Range: 1-4

Nil domestic capability. Few aerial patrols are undertaken through the Sub-Regional Fisheries commission. Data on aerial patrolling effort by national surveillance agencies is not available. The country does not have a dedicated maritime patrol aircraft (Military Balance 2020; COMHAFAT 2015; SRFC 2019).

From 1st February to 2nd July 2016, a total of eleven aerial surveillance missions were reported for a total flight time of 35 hours and 52 minutes for fisheries reconnaissance (Diallo 2016). A recent Fisheries Minister speech suggests that aerial surveillance coverage is between 16 to 24 hours per year (Diallo 2019).

Six aerial patrols lasting 25 hours were reported during the closed period in 2017 FY. Starting this year, Government also plans to use chartered aircraft to validate VMS positions and identify illegal vessels operating in coastal waters. However, aerial patrol operations are contingent on availability and clearance of funds (Anon, *pers.comm*., 2017).

8. **How often are fishing vessels inspected at landing centers and docks for foreign and domestic vessels (Dockside monitoring)?**
Score: 3.5
Score Range: 2-4

Given the limited number of inspections at sea and as very few vessels land catches at Guinea ports, scrutiny of reported catches is relatively low (See Meredith 2017 African Union 2015; SRFC 2019 reports). Guinea has failed to

report information on tuna transshipments at its ports to the ICCAT (ICCAT 2018).

Although entry–exit notification procedures are in place, very few foreign vessels comply with this requirement. Reefer carriers and other foreign vessels transiting through EEZ are not monitored due to weak capacity leading to illegal & unreported transshipments as well as weak maritime domain awareness of events in Guinée waters. Officers of CNSP are responsible for fisheries control at ports while SIAQPPA officers check for sanitary measures and document quantities of fish landed. Bulk of the catch is landed in frozen form but neither CNSP nor SIAQPPA officers crosscheck weight or species for landed packages. Fisheries inspectors have minimal presence at ports leading to poor pre-emptive measures to detect landing declaration infringements or vessels surpassing quotas for authorised species esp., for the processed seafood (Anon, *pers.comm.*, 2017).

Tableau 9 - Répartition des navires de pêche industrielle par statut en Guinée de 2011 à 2013

Statut du navire de pêche	**2011**	**2012**	**26 juin 2013**
Navires battant pavillon chinois (sous accord de pêche)	54	29	21
Navires étrangers (sous licence libre)	3	14	47
Navires étrangers basés en Guinée (sous licence libre)	44	32	24
Navires battant pavillon guinéens (licence nationale)	15	6	12
Total	**116**	**81**	**104**

Source : CNSP, 2013

Tableau 10 - Répartition des licences de pêche industrielle par statut en Guinée de 2011 à 2013

Type de licence par statut du navire de pêche	**2011**	**2012**	**26 juin 2013**
Licences sous accord de pêche (navires battant pavillon chinois)	81	29	21
Licences libres pour navires étrangers	4	23	59
Licences libres pour navires étrangers basés en Guinée	60	80	35
Licences pour navires battant pavillons guinéens	26	12	14
Total	**171**	**144**	**129**

Source : CNSP, 2013

Table 1: Level of foreign fishing vessels activity in Guinean ports (Source CNSP, 2013 cited in page 85 of the EU (2013) report – *Table 9 shows Total number of industrial fishing vessels from 2011 to 2013 years; Table 10 shows the industrial fishing licenses issued for foreign and Guinee flagged vessels*).

According to the data from ONP and CNSP total landings in Guinean ports ranged from 16,000 tonnes in 2011 to 26,000 tonnes in 2012; and with respect to Transshipments 41 operations are reported in 2012 and 39 operations were reported during the Jan-June 2013 period. Fishing vessels that used Guinee

ports included Chinese, South Korean and several EU flagged vessels (EU 2013).

Limited dockside monitoring appears to be in place. See Anon (2013); Lenselink (2001); EJF (2005); EJF (2007); Greenpeace (2015a); COMHAFAT (2015); African Union (2015) reports for more information.

"Industrial vessels targeting pelagic stocks land and process most of their product in Guinea, while the demersal fleet lands most of their catch at sea and sends product directly for export without any value-added processing occurring in country. Although regulations require all industrial vessels to land at least 20% of their catch in Guinea, the lack of local processing capacity means that most demersal vessels targeting high value species prefer to pay fines for violating this restriction and continue their practice of direct export." (Meredith 2017).

"While industrial pelagic landings occur in local ports, meaning that landings and prices are somewhat available, industrial demersal boats rarely land in country so there was very little data on even landings for this fishery." (Meredith 2017).

9. **Are there adequate plans to monitor catches in coastal areas through coastal patrols (beach patrols, small-scale fishing gear and catch inspections) on a regular basis?**
Score: 5
Score Range: 3-5

Number of artisanal fishing boats inspected increased from 130 in 2016 to 297 in 2017, and 276 boats in 2018, before increasing to 516 vessels in 2019; and 285 boats were inspected during the first 6 months in 2020 (World Bank 2020).

96 patrol days/year is the recommended target to deter IUU activities for the artisanal fishing fleet. When vessels are boarded at sea, CNSP officers identify offences relating to fishing in closed areas, using mesh obstruction in cod-end trawl nets, fishing without a license, non-operational technical equipment and lack of sailing authorization from port. Most of the fishing offences (cases) are settled out of court. Foreign-owned trawlers have too much leverage with politicians and call the shots on how regulations are implemented at ports and sea. Illegal transshipments at sea have been a persistent issue for CNSP officers, but even when suspicious events are detected using VMS, patrol vessels are not available for deployment forcing officers to reach the offending vessels through radio or to wait until vessel arrives at port. Supply of fuel, crew transfer and unloading of catches should be only allowed at ports and it should be made mandatory for vessel to come to port for thorough MCS inspections at least

twice a month. Right now, it is a free for all once they leave the port with very little intel on vessel activities at sea (Anon, *pers.comm*., 2019).

Radars have detected many fishing boats operating in prohibited areas, and fish breeding grounds near the coast where artisanal fishers operate (Kendessa 2015). In the past, community based patrols were reported along some sections of the coast. Illegal trawling in the inshore artisanal zone is reported and use of illegal artisanal fishing nets is also reported in coastal habitats. See (Lenselink 2001; Kaczynski 1989; DFID 2003; Godoy 2010; Trouillet *et al*., 2011; COMHAFAT 2015; African Union 2015; Camara *et al*., 2016; Anon 2016; Meredith 2017; Koita 2017; Gorez and Philippe 2020) for more information.

10. **Are all the catches that are caught in this jurisdiction at sea accounted for (i.e., unreported Trans-shipments at sea)?**
Score: 1.5
Score Range: 1-4

Décree D/008/PRG/SGG of 07 January 2014 has detailed rules on transshipment, landing of fish and seafood products in Guinea. Transshipments at Guinea ports appear to be mostly originating from foreign flagged vessels (Mundy 2018). Illegal transshipments at sea are reported in the industrial demersal fleet (Meredith 2017). See ICCAT (2018) report for non-compliance with reporting requirements in ICCAT waters. See African Union (2015); EJF (2013); Q.8 for more information.

But, implementation of these rules remains poor. Although transshipments at sea are not allowed for foreign trawlers, many continue to seek special authorisations from Government agencies or pay fines and continue to conduct such events at sea. These are likely to go down as the Government seeks to reduce foreign fishing activity within the EEZ and has reduced issuing new licenses for pelagic trawlers, but for benthic trawlers this issue remains problematic for both licensed and numerous illegal intruders from neighbouring countries. Fisheries law states that transshipments should be conducted in ports of Conakry and Kamsar, under the supervision of CNSP and SIAQPPA inspectors. The abuse of at-sea transshipment authorizations and given that very few checks are conducted for these operations, most vessel operators have become accustomed to not take consent from CNSP. These operations have become uncontrollable. The tolerance and soft attitude of Guinée authorities to allow transshipments at sea without adequate checks has steered Guinée towards poor execution of fisheries decrees (Anon, *pers. comm*., 2017).

11. Are vessels required to undergo inspection of equipment and fishing gear for every fishing trip?

Score: 2

Score Range: 1-4

No, such measures are not reported in Guinée fisheries. In the past observers on commercial fishing trawlers reported mesh, gear and by-catch violations for 96% of the operating vessels (FAO 2002). See (Lenselink 2001; Kaczynski 1989; EJF 2005; Camara *et al*., 2016; Doumbouya *et al*., 2017; Koita 2017) reports for more information.

Since 2015, MCS situation has improved at the regulatory level (New Fisheries Code and VMS tracking) courtesy of EU yellow card identification. What is needed now is the resolve to take fisheries offences seriously rather than issuing namesake fines. Fishing net violations are identified at sea for industrial trawlers and penalties are imposed for such transgressions (*only when vessels are boarded at sea*), but low fines continue to pose an annoyance for CNSP officers working in the field. What is needed now is complete seizure of illegal gears so that captains would consider twice before they use illegal trawl nets at sea. If pre-departure inspections are mandated for each trawler at port, such violations can be nipped in the bud (Anon, *pers.comm*., 2017).

12. Has the country taken adequate measures to revise and implement national fisheries laws to curtail illegal fishing practices; and does it comply with national and international laws signed?

Score: 4.5

Score Range: 3-5

Decree N^{0} 2015/026/AN Code de la peche maritime of 24 September 2015 is the main national legislation for fisheries management in Guinea waters. In January 2017, Guinee adopted a NPOA on IUU Fishing. Guinée is not a party to FAO Compliance Agreement. Guinée ratified the UN Fish Stocks Agreement on 16 September 2005 and the UN Port State Measures Agreement on 3 June 2016. See Godoy (2010); Anon (2016); Jane (2012); Sakou (2015); NEPAD (2015); Doumbouya *et al*., (2017); Meredith (2017) reports for more information.

Transparency is a persistent issue. Aging surveillance infrastructure and apathy towards fishing industry has contributed to poor interception capability and continual infractions. Beginning in 2014 four new decrees were promulgated to improve fisheries management. Four separate decrees include rules for (a) establishment of aerial patrols and satellite tracking of fishing vessels (b) installation of satellite tracking devices on fishing vessels (c)

establishment of rules for landing and transshipment of fish products and (d) Decree on determination of fines and penalties for wide range of offences. A new technical inspection procedure has been laid down to determine the exact tonnage of fishing vessels; which would help in reducing false declaration before issuance of license. Under the new decree (Code de la peche maritime of 24 September 2015) for the first time a closed period was implemented up to 50 nautical miles from shoreline from 1 July to 31 August 2014. In 2015 under Decree No. 2930 of 5 June 2015, closed period for industrial fishing vessels was extended up to 60 nautical miles and six aerial patrols (25 hours) were flown to improve enforcement during this period (Anon, *pers.comm*., 2017).

Guinée has shown partial improvement in complying with national and international laws as witnessed by its recent legislative reforms to control illegal fishing and discharge its duties as a coastal flag state. Hence, a moderate score is given for this attribute in this study. See Gorez and Philippe (2020); World Bank (2020); SRFC (2019); Greenpeace (2015a); Greenpeace (2015b); African Union (2015); CSRP (2014); COMHAFAT (2012) reports for more information.

Flag of Convenience	No	Source: ITF (2015)
Vessels on the RFMO – IUU vessel list[1]	Yes	

RFMO	Year of the assessment	Compliant	Partially Compliant	Not Compliant	Source
ICCAT	2017			Yes	ICCAT (2018)

Last Updated: 14 February 2020

[1] *Guinea (Maine (CLAUDE MOINIER))*

Note:

Bibliography and other notes relevant to this country report including methods, results and discussion for the global evaluation of 84 countries would be released shortly through IUU Risk Intelligence website (https://iuuriskintelligence.com/). (The author can be contacted at prammod.raju@gmail.com to provide any feedback).

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