



DECLARATION ON THE IMPACT OF THE FISHING INDUSTRY ON HUMAN RIGHTS IN WEST AFRICA AND THE NEED FOR INTERVENTION BY STATES AND THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS

19 March 2023

Adopted by civil society organizations participating in the Coalition for Fisheries Transparency's Western Africa Regional Workshop, 5-9 February 2023, Accra, Ghana

We, the undersigned civil society organizations and participants of the Coalition for Fisheries Transparency's Western Africa Regional Workshop held from 5-9 February 2023 in Accra, Ghana:

Concerned that international fisheries agreements and investments in the West Africa are lacking transparency, thereby fostering illegal, unreported, and unregulated fishing;

Concerned that local artisanal fishermen and fish processors in coastal cities in West Africa are subjected to unfair competition from foreign industrial trawlers;

Concerned that the increasing pressure of marine resources in West Africa is contributing to fish scarcity and the rising cost of fish thereby infringing on the right of local populations to food, health, work and to enjoy a satisfactory environment;

Further Concerned that fishmeal factories are proliferating in the region and targeting already overexploited species on which local populations rely for their livelihoods and daily protein intake;

Recalling the mandate of the African Commission on Human and Peoples' Rights (African Commission) to promote and protect human and peoples' rights under the African Charter on Human and Peoples' Rights (the African Charter);

Recalling the African Commission's Resolution ACHPR/Res. 374 (LX) 2017, on the Right to Food and Food Insecurity in Africa; Resolution ACHPR/Res.431 (LXV) 2019, on the Right to Food and Nutrition in Africa; and the African Union (AU) Agenda 2063 and the Regional Nutrition Strategy 2015-2025;

Recalling that Article 16 of the African Charter provides that every individual shall have the right to enjoy the best attainable state of physical and mental health, and Article 4 provides that every human being shall be entitled to respect for his life and the integrity of his person;

Further Recalling that in the case of *SERAC & CESR v Nigeria*, the African Commission underscored that right to food is inherent in the right to life, the right to health and the right to economic, social and cultural development under the African Charter;



Recalling that Article 24 of the African Charter provides that all peoples shall have the right to a general satisfactory environment favourable to their development;

Recalling that Article 15 of the African Charter provides for the right to work under equitable and satisfactory conditions;

Further recalling the Principles and Guidelines on the Implementation of Economic, Social and Cultural Rights in the African Charter, in particular the principle that the State should avail itself of the necessary technical assistance and cooperation from both other States and international agencies as required to assist with the fulfilment of its obligations under the Charter, and that all States have the obligation to engage in international cooperation for the realisation of ESCR and must prioritise allocation of such assistance towards the realisation of these rights;

We, the participants of the Coalition for Fisheries Transparency's Western Africa Regional Workshop held from 5-9 February 2023 in Accra, Ghana, call on the African States to:

1. Commit to the Fisheries Transparency Initiative (FITI) standard and the Global Charter for Fisheries Transparency, recognized guidelines for information that should be made public regarding fisheries management, fishermen's activities, and fishing companies;
2. Ensure transparency for all activities with an environmental impact, including by ensuring all environmental impact assessments of businesses are published and easily accessible;
3. Ensure public access to fishing agreements and the list of fishing vessels authorized to fish in their waters with full information about the vessels and the type of fish caught;
4. Ensure enough budget for monitoring illegal, unreported and unregulated fishing or seek international assistance, including enough trained staff, boats and monitoring tools;
5. Limit the license provided to foreign boats, as well as the production of fishmeal factories according to fish stocks available and local needs;
6. Pass national legislation recognizing and defining the right to a clean, healthy and sustainable environment.

We also call the African Commission to adopt a resolution to address the urgent need to preserve marine resources, and in particular to:

1. Take into account the issue of overfishing and its impact on human rights in Africa in the review of state reports and human right monitoring;
2. Urge States Parties to the African Charter to ensure transparency in all fisheries investments including foreign fishing agreements and fishmeal factories environmental impact assessments;



3. Urge States Parties to strengthen regional cooperation for fish management and conservation of shared stocks taking into consideration environmental degradation and biodiversity;
4. Urge wealthy states investing in fisheries in Africa to help combat illegal, unreported and unregulated fishing.

Adopted this 19 day of March 2024

1. Amnesty International
2. Association la Bouée Couronne
3. BirdLife International
4. Blue Ventures
5. Centre for Maritime Law and Security Africa (CEMLAWS Africa)
6. EDER (Environnement, Développement et Énergies Renouvelables)
7. Environmental Justice Foundation
8. Fédération Libre de la Pêche Artisanale (Mauritanie)
9. Fédération Nationale des Pêcheurs Artisans de Guinée et Activités Connexes (FENAPAG/AC)
10. Greenpeace Africa
11. Partenariat Régional pour la Conservation de la zone côtière et Marine (PRCM)