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AUPR

WORLD MARITIME UNIVERSITY
Malmö, Sweden

**FISHING CO-OPERATION BETWEEN
THE KINGDOM OF MOROCCO
AND THE EUROPEAN UNION**

**Towards Integrated and Sustainable
Fisheries Management**

By

BERRADA , KARIM
The Kingdom of Morocco

A dissertation submitted to the World Maritime University in partial
fulfilment of the requirements for the award of the degree of

MASTER OF SCIENCE

in

**GENERAL MARITIME ADMINISTRATION &
ENVIRONMENT PROTECTION
(GMA&EP)**

1996

DECLARATION

I certify that all the material in this dissertation that is not my own work has been identified, and that no material is included for which a degree has previously been conferred on me.

The contents of this dissertation reflect my own personal views, and are not necessarily endorsed by the University.

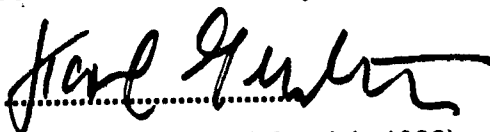
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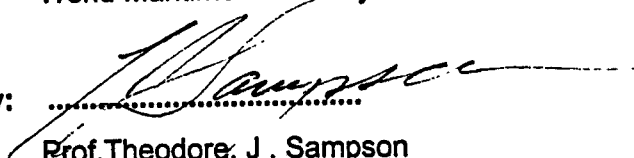
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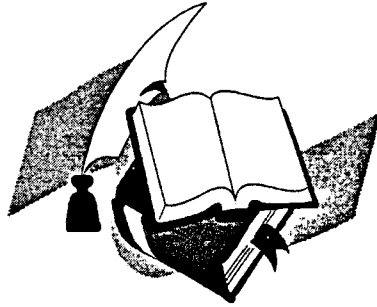
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From the bottom of my heart.

B.K



This work is dedicated to all members of my family, whom God has blessed me with:

My father :	Haj Mohamed Berrada
My mother :	Hajja Latifa Bouab
My brother :	Mohamed Taib Berrada
My sisters :	Nadia Berrada Bouchra Berrada
My dearest nephews :	Hamza Berrada Nabil Berrada
My beloved nieces :	Yasmine Berrada Zineb Tajmouati

and I say, may God in His infinite mercy, bless and protect them all.

(Amin)

ABSTRACT

Traditionally, Moroccan fishery resources have constituted an important asset for the country's economy. Today the fisheries sector has become a matter of increasing concern to the local authorities since fish stocks located both within the coastal state 200-mile Exclusive Economic Zone (EEZ) and the adjacent high seas are being depleted by overfishing.

A considerable part of the problem of over-exploitation is mainly caused by European fishing vessels, which have taken a maximum of precautions to preserve their fisheries access to the Moroccan waters by means of licences, granted in majority to Spanish boats in the frame of a renewal of the four-year term fishing agreement between Morocco and the European Union (EU).

In this regard, Morocco succeeded last year in cutting down the second four-year fishing agreement (1992-1996) to three years, displacing the earlier granted access to European fishing boats.

The main reason for this interruption is that scientists at the Scientific Institute of Ocean Fisheries (ISPM) in Casablanca, in collaboration with Tenerife Fisheries Institute, in Spain, had prepared a research report on stocks in the Moroccan waters, which concluded that the fish potential will no longer remain taking into account the current rhythm of exploitation.

Accordingly, the Moroccan and European negotiators succeeded in signing a new deal last November 1995, after the EU Commission had agreed to all the fishing requirements that the Moroccan Government had repeatedly sustained in order to ensure the stable and rational fisheries management in accordance with the provisions of the International Law of the Sea.

In the present research, the author intends to examine this ongoing fishing issue through the conclusion of successive agreements, which led the binding parties to economically, politically, and legally enhance their co-operation towards the implementation of an integrated fisheries management.

The first chapter, therefore, will provide a general description of the Moroccan fishing sector with its geographical and socio-economic considerations as well as institutional and legal support.

The second chapter will describe the stakes involved in the fishing relationship between Morocco and the EU, taking into account the socio-economic and political aspects of their respective economies.

The third chapter will deal with the legal and compensatory aspects of the fishing agreements, highlighting the fishing practices in the Moroccan waters and the compensation issues involved in the granting of Moroccan fishing rights. This chapter will also emphasize the current national fishing regulations and their enforcement;

Subsequently, the fourth chapter will analyse the rights and obligations of states with regard to the international conventions and conferences dealing with fisheries conservation and management;

Consequently, the fifth chapter will attempt to propose an integrated fisheries management on the Moroccan coasts, based on some objectives and strategies, the current national action plan, and some technical restrictions as regards fishing access.

Finally, in respect of the above assessment, the author will conclude by making some proposals for further improvement of the co-operation between Morocco and the EU in matters of sustainable fisheries conservation and development.

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LIST OF ABBREVIATIONS

CAPI	Comptoir d'Agréage du Poisson Industriel
CECAF	Fisheries Committee for Eastern Central Atlantic
CFP	Common Fisheries Policy
COFI	Committee on Fisheries
CSPR	Conseil Supérieur de la Préservation des Ressources (Council of Higher Resources Preservation; known in French as CSPR)
DCAJ	Direction de la Coopération et des Affaires Juridiques (Co-operation and Legal Affairs Directorate; known in French as DCAJ)
DFMPP	Direction de la Formation Maritime et de la Promotion Socio-Professionnelle (Maritime Training and Socio-Professional Promotion Directorate; known in French as DFMPP)
DH	Dirhams (Moroccan Currency)
DIP	Direction des Industries de la Pêche (Fish Processing Industries Directorate; known in French as DIP)
DMM	Direction de la Marine Marchande (Merchant Marine Directorate; known in French as DMM)
DPMA	Direction des Pêches Maritimes et de l'Aquaculture (Ocean Fisheries and Aquaculture Directorate; known in French as DPMA)
DRAM	Délégation Régionale des Affaires Maritimes (Regional Deputy of Maritime Affairs; known in French as DRAM)
DRHAG	Direction des Ressources Humaines et des Affaires Générales (Human Resources and General Affairs Directorate; known in French as DRHAG)
ECU	European Currency Unit

EEC	European Economic Community
EEZ	Economic Exclusive Zone
EU	European Union
GFCM	General Fisheries Council for the Mediterranean
ICCAT	International Convention for the Conservation of Atlantic Tunas
IMO	International Maritime Organization
ISEM	Institut Supérieur des Etudes Maritimes (Institute of Higher Maritime Studies; known in French as ISEM)
ISPM	Institut Scientifique des Pêches Maritimes (Scientific Institute of Ocean Fisheries; known in French as ISPM)
mm	millimetres
MPAs	Marine Protected Areas
MPMMM	Ministère des Pêches Maritimes et de la Marine Marchande (Ministry of Ocean Fisheries and Merchant Marine; known in French asMPMMM)
MR	Marine Royale (Royal Navy; known in French as MR)
ONP	Office National des Pêches (National Fisheries Board; known in French as ONP)
OSY	Optimum Sustainable Yield
TAC	Total Allowable Catch
TEDs	Trawl Efficiency Devices, Trash Eradication Devices or Turtle Exclusion Devices
UN	United Nations
UNCED	United Nations Conference on Environment and Development
UNCLOS	United Nations Convention on the Law of the Sea
WMU	World Maritime University

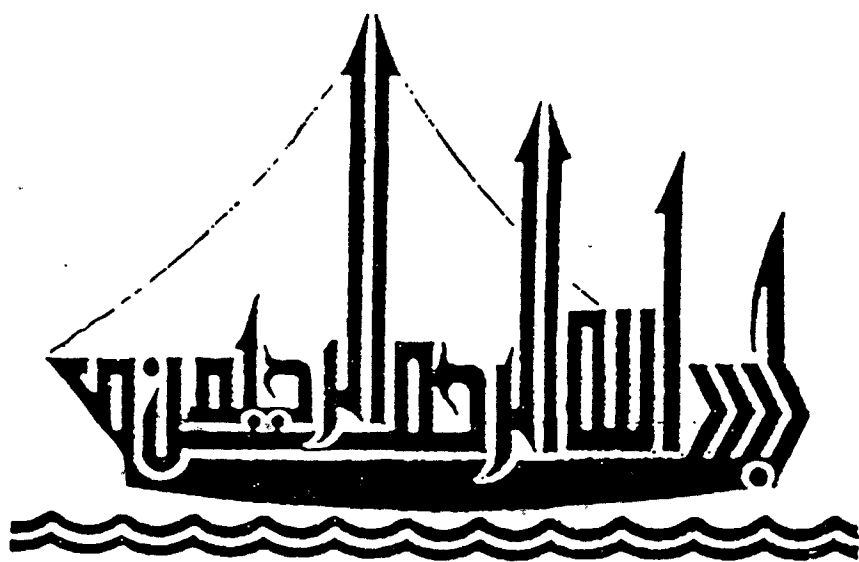
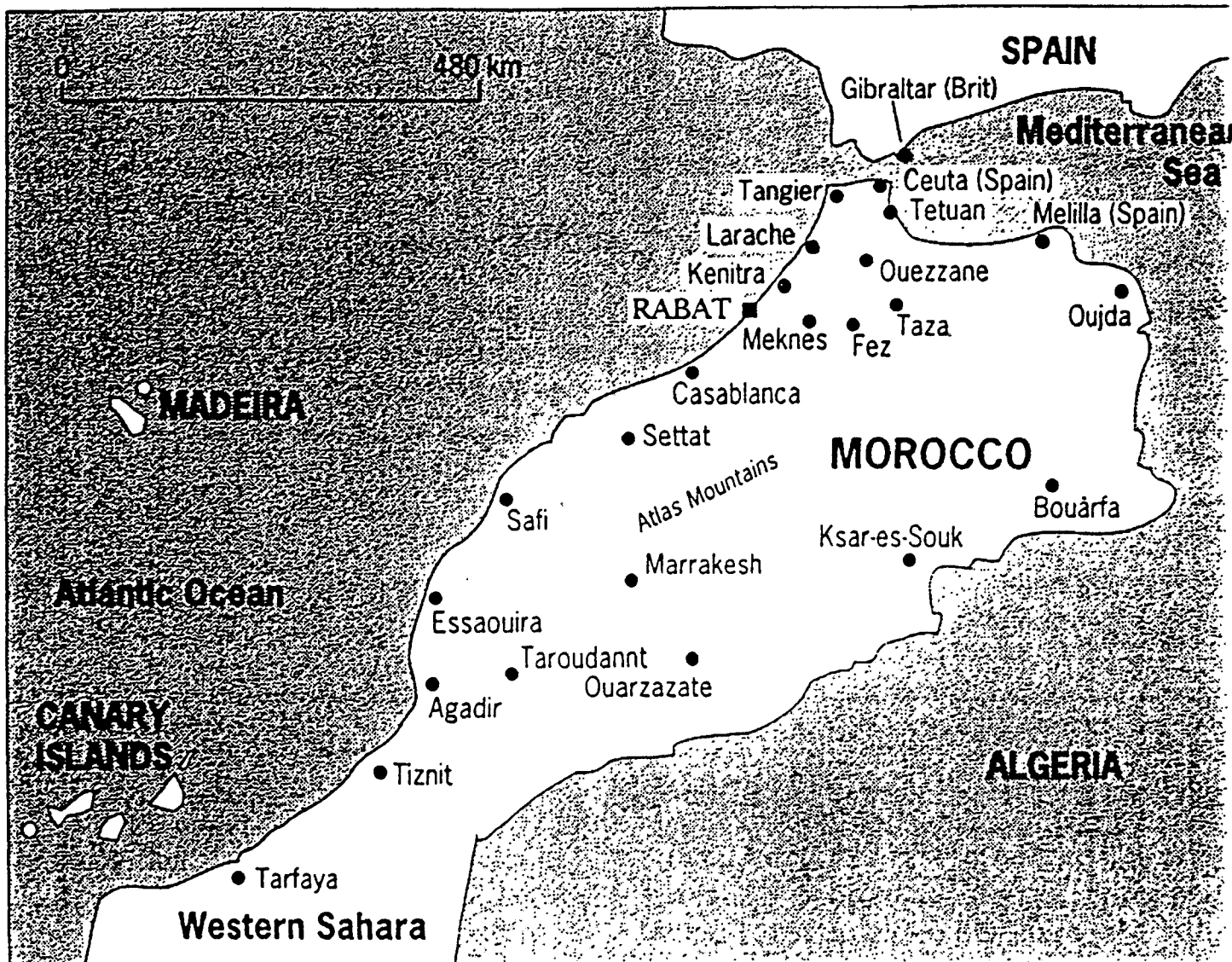


Figure 1.1: The map of Morocco

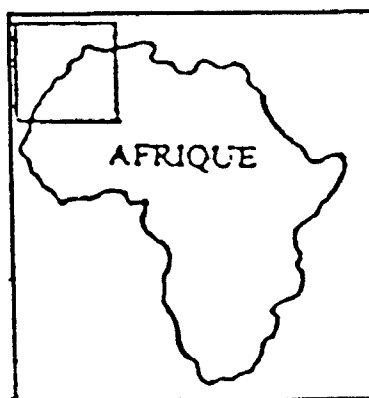


KEY FACTS

Official title: Al-Mamlaka al-Maghrebia (Kingdom of Morocco)
Head of state: King Hassan II
Head of government: Prime Minister Abdellatif Filali
Ruling party: Interim government of non-party technocrats
Capital: Rabat
Official Languages: Arabic
Currency: Moroccan Dirham (DH) = 100 centimes
Exchange rate: DH8.38 per US\$ (June 1995)

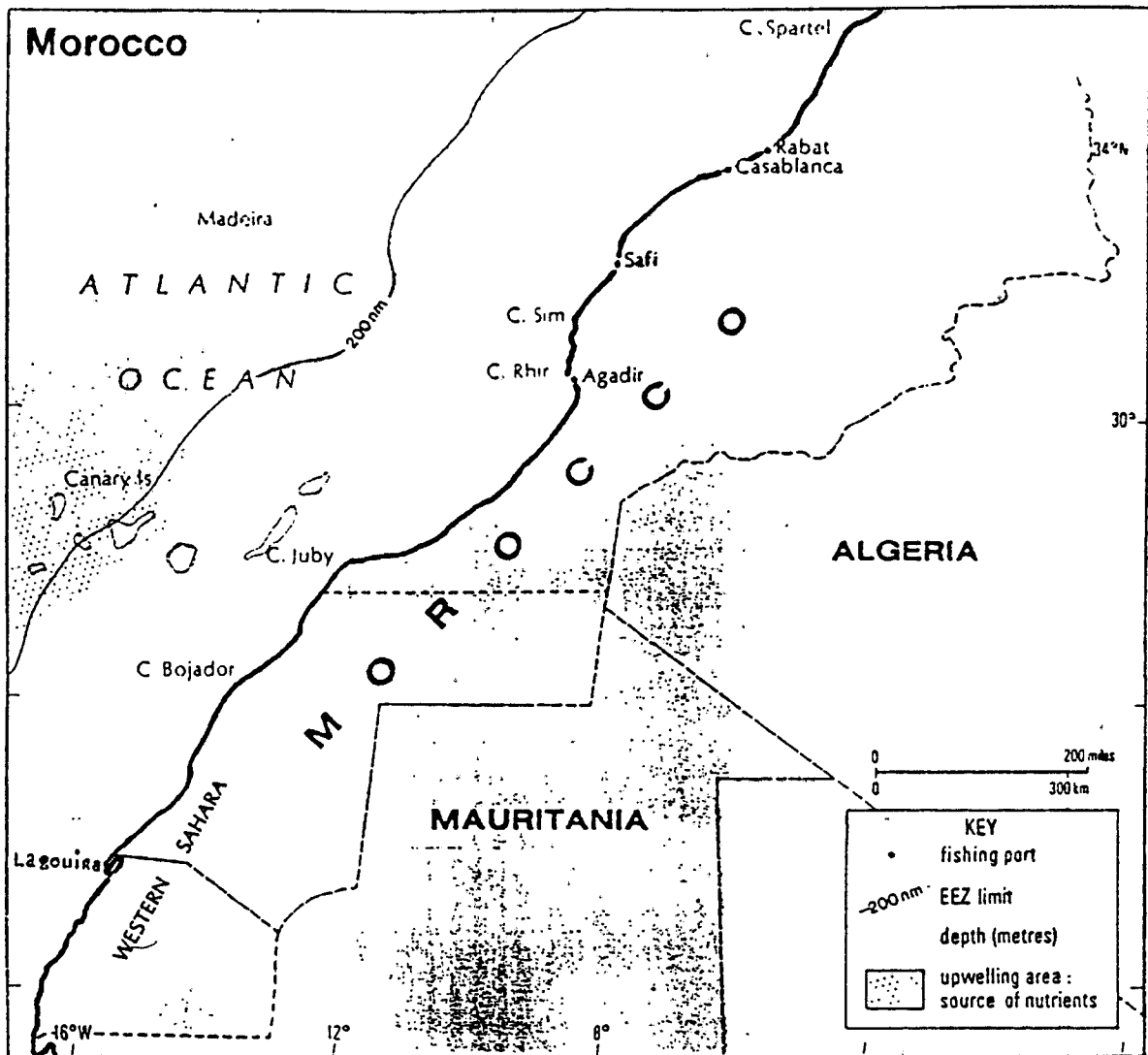
Area: 711,000 sq km
Population: 27.5m (1994)
GDP per capita: US\$990 (1993)
GDP real growth: 11% (1994)
GNP per capita: US\$1,020 (1993)
GNP real growth: 7% (1994)
Unemployment: 18% (1993)
Inflation: 6.5% (1994)
Trade balance: -US\$2.6bn (1994)
Foreign debt: US\$21.7bn (1994)
Aid flows: US\$3.52bn (1992)

Morocco



Source: The world of information. Middle East review (1996), p.75

Figure 1.2: Geographical fishing location



Source: The Times Atlas of Ocean: Times Books, p.95

CHAPTER ONE

GENERAL DESCRIPTION OF THE FISHING SECTOR IN MOROCCO

1.1 - HISTORICAL BACKGROUND

Morocco is an example of a developing country, which was affected early by the European fishery expansion. Important fisheries in the area were the traditional tuna trap fishery, sardine fishing using purse-seines, and trawl fishing between Cape Sim and Cape Juby. (See Figure 1.2) The coast had been attractive to Iberian and French fishermen for centuries, and the fishing industry expanded rapidly on the basis of exports to the European market. Morocco's fisheries resources have long played a key role in the economy of the country, and encouraged intensive fishing efforts by a number of European nations. (1)

Accordingly, Morocco has now the duty and responsibility of conserving and managing its resources within its 200-mile coastal zones. The research-based conservation and management of the country's marine resources extend the best and sustainable benefit not only for Morocco but also for foreign participants in the Moroccan fisheries.

The evolution of the Moroccan fishing sector, from independence (in 1956) to the present, can be divided into three successive phases of development:

- a) From independence to 1973 it was characterized solely by coastal and artisanal fishing;

b) From 1973 to 1988, it was characterized by the creation of an institutional framework aiming to move fishing beyond its traditional structures with important steps taken such as:

- **Extention of Morocco's exclusive fishing zone from 12 nautical miles to 70 in 1973 and to 200 in 1981;**
- **The Dahir (Act) Promulgation establishing the regulations for ocean fisheries in 1973;**
- **Establishment of the first code of measures to encourage maritime investment in 1973 and then a second code in 1984;**
- **Creation of a Ministry of Ocean Fisheries and Merchant Marine in 1981.**

Overall, these measures allowed Morocco to equip a deep sea fishing fleet, which resulted in substantial development within the sector.

c) The third phase began with the economic and social development plan of 1988/1992, giving fishing in general and particularly deep sea fishing a major role in the country's economic development strategy.

The success of this policy is due to the increasing level of landings of the national deep sea fleet in Moroccan ports, the improvement of port infrastructure as well as modernization and outfitting of the coastal fishing fleet.

However, the establishment of this development policy, supported by the current national plan, can not be realized in the best circumstances without international co-operation particularly from the European Union (EU).(2)

Finally, Morocco is strongly oriented towards maritime activities, taking in account its exceptional geographical location, which has allowed the country to exploit the important biological resources under its national jurisdiction with institutional and legal support.

1.2 - GEOGRAPHICAL ASPECT

With its geographical position, Morocco has considerable maritime importance, taking into account the length of the coastline (3,500km) and the configuration of the continental shelf, both constituting favourable factors for developing important activities in fisheries.(3)

Further, Morocco is located in the extreme north-western part of Africa. This geographical position transforms Morocco to Europe's door to Africa, a bridge between the north and the south. (See Figure 1.1) Currently, Morocco and Spain are investigating the possibility to establish a fixed link between the two continents.(4)

1.2.1 - Length of the Coasts

Morocco has two maritime sides:

- The Mediterranean Sea with 500 km;
- The Atlantic Ocean which extends to around 3,000 km, including the Saharan coastline with a length of 600km, and a large continental shelf with various species.

1.2.2 - Characteristics of the Moroccan Continental Shelf

In the fishing sector, the study of the Moroccan continental shelf is important for two main reasons:

- The breadth of the continental platform;
- The area of the continental platform

It is on the continental shelf that demersal species are concentrated. In comparison with the member states of the Fisheries Committee for Eastern Central Atlantic (CECAF), the Moroccan shelf is well provided: from 6 to 50 nautical miles wide and even from 13 to 50 nautical miles on the Sahara coasts.

Morocco has the largest continental shelf area in West Africa with a total of 115,100 square km, including the Sahara coasts. This underlines the importance of Morocco's Atlantic coast in terms of fishing area. (See Table 1.1)

Therefore, the length of the coasts and the geographical location have a big impact on the marine resources. For a long time, the fishing grounds of Morocco have been the target for European countries such as Spain, France and Portugal. The region located between the Strait of Gibraltar and Lagouira, in the south of Morocco, is considered one of the world's richest regions in fish resources.

1.2.3 - The Strait of Gibraltar

The Strait of Gibraltar plays a key role in international navigation in this region. It is a link between two seas: the Mediterranean and the Atlantic. It is active in maritime traffic, especially tankers and fishing fleets.

**TABLE 1.1: SELECTIVE DATA ON MOST AFRICAN COUNTRIES'
CONTINENTAL SHELVES**

Countries	Length of the coasts (Islands not included) in km	Width of the continental shelves in nm.	Area of the shelves in sq.km
Morocco (including Sahara)	3450 (600)	20.00 (13.50)	115,100 (55,100)
Gabon	739	8.40	35,400
Senegal	718	8.50	23,800
Nigeria	669	18.35	37,900
Mauritania	667	13.79	33,900
Sierra-Leone	570	15.80	30,000
Liberia	537	10.35	18,400
Ghana	528	13.50	27,300
Ivory Coast	500	11.20	12,200
Guinea	350	70.11	50,200
Cameroon	346	17.50	12,900
Congo	156	27.54	8,600

Source : FAO report w/k 7865: AC/DI / FAO / CECAF / 77 / 6 Sept. 1977

According to **Article 42** of the United Nations Convention on the Law of the Sea (UNCLOS, 1982), the State bordering a strait used for international navigation is empowered to adopt laws and regulations relating to transit passage through the Strait in respect of the prevention and control of pollution and fishing access by giving effect to applicable international regulation in the strait.(5)

1.3 - ECONOMIC AND SOCIAL CONSIDERATIONS

The intensive exploitation of living and non-living resources of the sea is a valuable means for the country's socio-economic development.

To give the reader more details of the most relevant socio-economic considerations of the Moroccan fishing sector, the following paragraphs of this chapter will analyse some of these aspects taking into account the national fishery potential, the current structure of the fishing activity, and the contribution of this sector to the national economy.

1.3.1 - National Fishery Potential

The country's policy, long based on its orientation towards the sea, seeks to take advantage of its location between the Atlantic Ocean and the Mediterranean Sea. The West African coast, which extends from Gibraltar to Lagouira, is considered to be one of the richest fishery grounds in the world.

In this context, studies carried out in 1981 and 1993, by the Scientific Institute of Ocean Fisheries in Morocco, showed that the total national level of exploitation of the Moroccan marine resources is between 1,100,000 and 1,600,000 tons per year. (6)

This potential consists of pelagic species, which live near the surface of the sea above the continental shelf, and are estimated at between 600,000 to 1,100,000 tonnes, depending on the year and the hydro-climatic conditions. The benthic species, which are more related to the deep sea, are estimated at around 500,000 tonnes. The total catches of both species in 1995 were 842,486 tons with a value of DH5.502 billion (about US\$640 million). (7) (See Table 1.2).

a) Pelagic Species

Pelagic species are the most abundant resources on the Moroccan coasts, representing about 70 per cent of the whole national fishing potential (670,000 tons in 1995). They are composed of some species, such as sardine (*Sardina Pilchardus*), anchovy, mackerel, "chinchard" and tuna.

Among these principal species, sardines represent the most profuse and exploited resource especially on the Atlantic continental shelf from Tangier to Lagouira. However, the coastal pelagic resources are known to be biologically unstable. This phenomenon is the result of a high period as well as a weak period of abundance. The natural changes of the marine environment (hydro-climat) are mostly responsible for these fluctuations.(8) But, it is also admitted that local and foreign fishing activities have increased the threat of stock depletion.

b) Benthic Species

Benthic resources, also called demersal fisheries, are characterized by both diversity of exploited species, and utilization of many different fishing gears for the catches.

TABLE 1.2: MOROCCO'S FISH CATCH (1990-1995.)

Activities	Group of species	1990		1992		1995	
		T	V	T	V	T	V
Inshore fisheries:	• Pelagic	370.6	482	350.8	647	657.5	818
	• Benthic	57.0	665	63.4	773	71.2	842
	Sub total	427.6	1147	414.2	1420	728.7	1660
Deep-sea fisheries:	• Cephalopod & White fish	82.8	1956	88.3	2256	94.2	3422
	• Pelagic fish	41.5	75	34.0	51	9.0	54
	• Shrimp	2.7	179	3.2	191	5.6	282
	• Frozen	6.3	122	5.9	132	4.9	84
	Sub total	133.3	2332	131.5	2630	113.7	3842
Other sea - harvesting:	• Seaweed	6.0	49	7.8	52	7.8	84
	• Aquaculture	0.4	29	0.6	50	1.4	92
	• Coral	0.005	6	0.007	7	0.004	5
	• Other	1.3	43	0.8	16	0.3	14
	Sub total	7.7	127	9.2	125	9.5	195
	Overall total	568.7	3606	554.9	4175	852.0	5697

Source: MPMMM (1995), La Mer en Chiffres.

T : Tonnage (in thousands tonnes).

V : Value (in millions dirhams).(DH)

US\$1 = DH8.70 in April 1996

DH: Dirhams (Moroccan currency)

The benthic resources are composed of many white and flat fishes, e.g. silver hake, black hake(9), sea bream, shrimp, prawn, lobster, crayfish, catfish, redfish, sole..., and also cephalopod, e.g. squid, octopi, cuttlefish. The annual output in 1995 was estimated to around 176,000 tons.(10)

The exploited zones of these species are located between Larache and El-Jadida, particularly in Cape Juby and Cape Blanc.

1.3.2 - Current Structure of Fishing Activities

Until 1973, the Moroccan fishing fleet was composed almost exclusively of coastal fishing and individual boats. The policy followed from 1973-1988 allowed the country to outfit a large deep-sea fishing fleet while maintaining the growth of the coastal fishing.

a) Coastal and Artisanal Fishing Fleet

The coastal fishing fleet included, in 1995, some 2,597 motorized vessels representing 74,482 gross registered tonnage.(11) It operates exclusively within the limits of the Moroccan territorial waters and it is the main supplier of fish products to the local market. Since the fishing fleet is largely obsolescent, there is now a policy to modernize it. Fishermen would benefit from a "law of investment", which would give them certain advantages and would encourage them to renew their old vessels.(12) The annual catch of this fleet was 728,721 tons in 1995.

Along with these fishing vessels, it should be noted that there are also some 12,000 small artisanal boats equipped with outboard motors for white fish and shrimp fishing whose catch is unloaded and sold at fishing ports or on beaches.(13)

b) Deep-Sea Fishing Fleet

In 1995, the deep sea fishing fleet was composed of about 455 vessels with a gross tonnage of 150,895.(14) However, given the financial problems that this sub-sector is currently facing, only 352 vessels are operating. This fleet operates within the Moroccan Economic Exclusive Zone (EEZ), with an annual catch of 113,765 tons in 1995.(15)

In addition to the Moroccan fleet, 716 E.U vessels are fishing in Moroccan waters under the fishing agreement between Morocco and the E.U.(16)

The catches of deep sea fishing vessels are mainly export oriented, which brings to the Moroccan treasury a considerable amount of hard currency (US\$580 million in 1995).(17)

1.3.3 - Contribution of the Fishing Sector to the National Economy

The main trends in the Moroccan fishing sector over the last ten years have been to develop the coastal fleet, to increase landings from the deep sea fleet, to improve the distribution and commercial network, and the fish quality.

This development has reached significant results:

- 1) The level of national fish landings increased from 530,000 tons in 1989 to approximately 850,000 tons in 1995.(18) This consists of the landings of the coastal fleet, which represent 78% of the total volume landed. The rest, 21%, comes from deep sea fishing.**
- 2) At the level of fish exports, the growth has been more important since the value increased from US\$430 million in 1989 to around US\$800 million in 1995. Thus, the total of fish product exports represents nearly 16% of all the**

Moroccan products exported and about 56% of the total value of food products exported. (19)

- 3) Socially, the fishing sector in Morocco employs some 400,000 people, directly by the output activities and indirectly by other sectors of activity, such as the fish processing industry, ports, and shipyards.

However, though the Moroccan fishing sector has noticeably improved during the last decade, some difficulties still exist. These can be summed up as follows:

- The fishing effort has rapidly increased, producing besides the over-exploitation of fish stocks both within the high-seas and coastal zones, a considerable financial debt of Moroccan fishing companies;
- The existence of an important and diversified foreign fleet, in addition to the national fleet, does not encourage the achievement of a rational fisheries management. Therefore, many Moroccan fishing companies are at present facing a critical situation characterized by lack of profitability;
- The lack of port facilities and ship repair and maintenance does not allow an optimal exploitation of the fishing potential;
- The volume of catches intended for the local consumption remains relatively low because of the large exports. Only 27% of the coastal fishing output is intended for the domestic market. Accordingly, the average annual consumption of fish per inhabitant in 1995 was only 7.5 kg with great differences between the regions, i.e. fish is consumed much more frequently in the north of the country and along the Atlantic coast than in the inland regions. (20)

1.4 - INSTITUTIONAL AND LEGAL SUPPORT.

To assess and manage the marine resources in Morocco requires the establishment of adequate institutions and legislation in order to implement and apply maritime law.

Accordingly, a new Maritime Code to regulate the interest of different maritime matters has been the main objective of the Ministry of Ocean Fisheries and Merchant Marine, since its creation in 1981, in collaboration with other departments involved in fishery activities.

1.4.1- Present Administrative Structure governing Ocean Fisheries Matters

Undoubtedly, managing the marine resources with 3,500 km of coastline is a difficult task, which can not be dealt without a rational view and a smooth co-ordination among all the institutions involved.

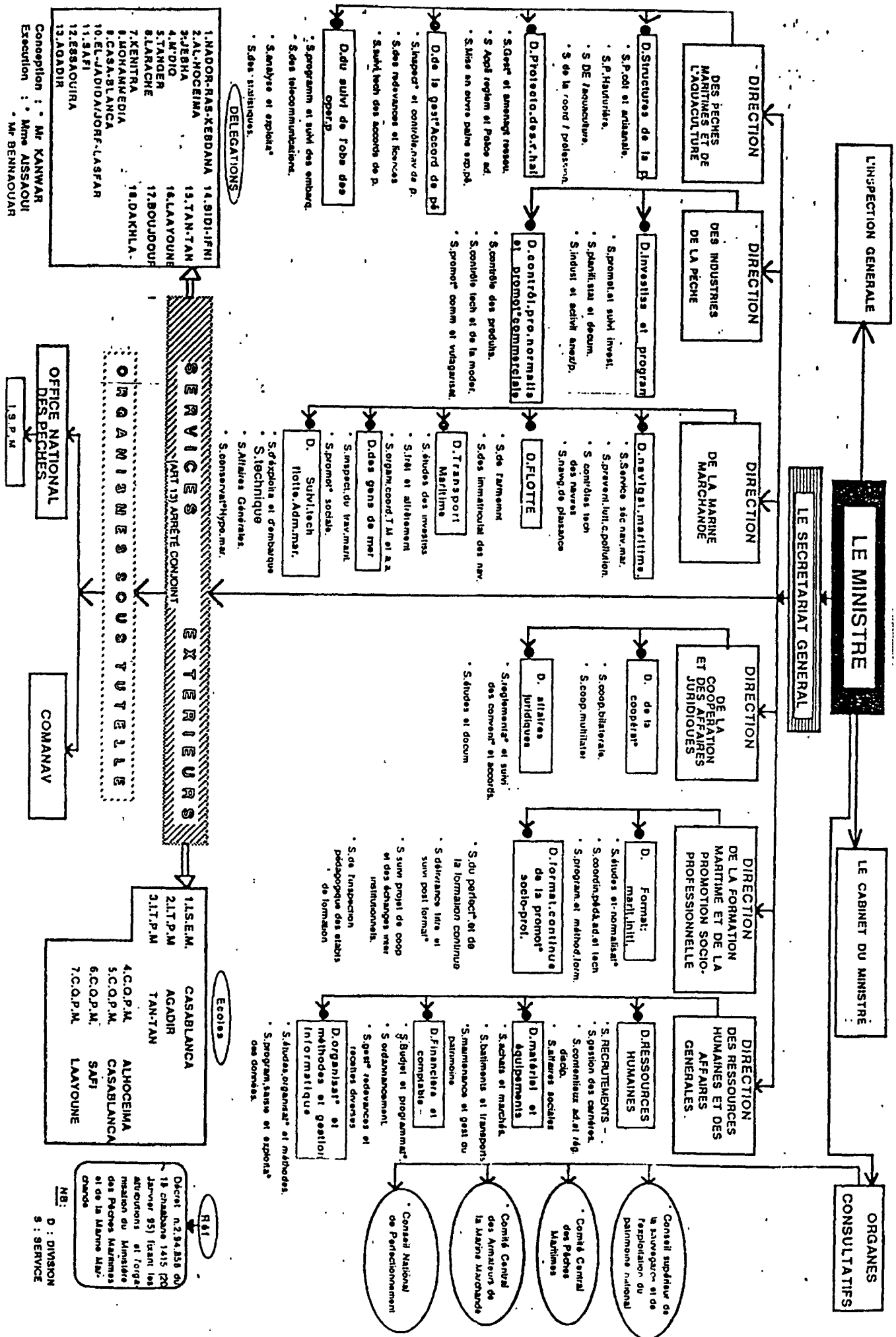
This part tries to outline the existing practices in this field.

1.4.1.1 - Ministry of Ocean Fisheries and Merchant Marine (MPMMM).

The MPMMM was created in 1981, and the field of its activities is defined clearly in the Dahir (Act) of its creation, dated on 29 January 1985 and amended in December 1990. The basic functions of this institution are the formulation and implementation of the government's policy in the field of ocean fisheries, fish processing industry, and the merchant marine, and to co-ordinate the overall maritime activities.

A breakdown of the activities of this Ministry gives an overview of its functions and responsibilities. (See Figure 1.3)

Figure 1.3: Organizational chart of the Moroccan Ministry of Ocean Fisheries and Merchant Marine



The organizational chart of the MPMMM shows that this Ministry consists of a central administration and regional offices (quartiers maritimes).

The head of this Ministry is the Minister with his "Cabinet" (Ministerial Office). Under his authority is the Central Administration, which is broken down as follows:

- Secretary General (SG);
- General Inspection (IG);
- Ocean Fisheries and Aquaculture Directorate (DPMA);
- Fish Processing Industry Directorate (DIP);
- Merchant Marine Directorate (DMM);
- Co-operation and Legal Affairs Directorate (DCAJ);
- Maritime Training and Socio-Professional Promotion Directorate (DFMPP);
- Human Resources and General Affairs Directorate (DRHAG).

The regional offices act as the local maritime authorities and the representative of the MPMMM in the maritime region. They are responsible for the control, co-ordination and development of the MPMMM activities related to fisheries, the combat of coastal pollution, and the safety of navigation. Each is headed by a Regional Deputy of Maritime Affairs (DRAM).

The Ocean Fisheries and Aquaculture Directorate (Direction des Pêches Maritimes et de l'Aquaculture), which is one of the main departments of the MPMMM, is in charge of preparing and implementing programmes and strategies to ensure the development, promotion and management of ocean fisheries and coastal fishing activities.

It is responsible for the protection and conservation of fishery resources, the formulation of plans for fisheries exploitation, and the implementation of all regulations related to them.

Finally, this Directorate is in charge of co-ordinating, in collaboration with the Scientific Institute of Ocean Fisheries and the National Fisheries Board, all the marine research, and socio-economic and technical studies in matters of fisheries and coastal activities.

1.4.1.2 - Royal Navy (MR)

In line with its maritime tradition, its extensive coastline with an important fisheries potential, its vulnerable marine environment, and its geographical position as a coastal state bordered by an important strait, the Strait of Gibraltar, the Kingdom of Morocco has established a navy, which defends the national waters and guarantees Moroccan sovereignty at sea.

In collaboration with other Royal Armed Forces, the MR is in charge of the following matters:

- National maritime defence at any time;
- Safeguarding the territorial integrity at sea and along the coast;
- Surveillance and protection of national waters (territorial waters and EEZ);
- Safety of maritime traffic in national waters;
- Coast Guard;
- Fisheries Police;
- Suppression of customs frauds, control of smuggling at sea;
- Surveillance and response to marine pollution;
- Salvage and rescue;
- Scientific research in oceanography, hydrography, and marine meteorology;
- Representing Morocco abroad.

As can be concluded from the above functions, the MR plays an important role in maritime activities, notably because of the lack of both technical and financial means for the MPMMM. It is a good tool for the surveillance of Moroccan waters in combating illegal fishing activities and fishing methods, which represent a serious threat to the sustainability of resources. These illegal activities are strongly discouraged through various penalties or sanctions.

Article 73 of the Convention on the Law of the Sea (UNCLOS,1982), recognizes the right of coastal states to take such measures in the EEZ, including boarding, inspection, seizure, arrest and judicial proceeding, as may be necessary to ensure compliance with its laws and regulations. However, the effectiveness of surveillance and enforcement operations in Morocco depends ultimately on effective control and enforcement capability, such as efficient Coast Guard patrol vessels and aircraft covering the main coastal area.

1.4.1.3 - National Fishing Board (ONP)

Created in 1969 by Dahir (Act) no 1.69.45 of 4 Hijja 1388 (21 February 1969), the ONP represents an important tool of the ocean fisheries management policy.

Endowed with financial autonomy, and set up and operating under the authority of the MPMMM, since its creation in 1981, the ONP is currently in charge of reorganizing the exploitation of fish products through the mechanisms of promotion, management and scientific fishing research.

These functions can be respectively described as follows:

- a) Fisheries promotion is concerned with the modernization and reinforcement of the fishing fleet, and the reorganization of fresh fish sector and fisheries exploitation;

- b) Fisheries management is concerned with the administration, organization and control of fish markets and approval of the fish processing industry activity;
- c) The ONP is also in charge of conducting scientific fishing research. This task, which concerns the assessment of fish stocks in the continental shelf as well as the rationalization of fishing gears, is conducted in close collaboration with the Scientific Institute of Ocean Fisheries.(21)

1.4.1.4 - Scientific Institute of Ocean Fisheries (ISPM).

Created in 1946, the ISPM has been linked to the ONP since 1969, with the principal task of conducting research in three fields:

- a) **Fisheries biology:** by assessing different fish stocks and determining the condition of their recruitment and development for a rational exploitation;
- b) **Fishing technology:** by testing new fishing gears and improving the skills of fishermen;
- c) **Technology of fishing products:** by increasing their value in order to improve their distribution, and adjusting new handling methods of processing.

The role of the ISPM is decisive in terms of quantifying the exploited fishery resources, and directing the action plans for their preservation.

All these activities have been supported by the Institute of Higher Maritime Studies since 1982.(22)

1.4.1.5 - Institute of Higher Maritime Studies (ISEM).

The ISEM was created in 1982 under the authority of the MPMMM for three main objectives:

- a) To conduct higher and middle-level education for training of local and overseas students in different maritime activities;
- b) To undertake studies and research for promotion of maritime training; and,
- c) To contribute to the continuous training and improvement of personnel taking part in the development of the maritime economy. In this respect, it is useful to mention that ISEM has been designated by the International Maritime Organization (IMO) as being a branch of the World Maritime University (WMU).(23)

1.4.2 - Moroccan Maritime Legislation

The maritime legislation of a country can be incorporated in a code or in a number of separate acts. A code has the practical advantage that all provisions are contained in a single text available for easy consultation. The MPMMM has divided its Maritime Code into acts of law, which concern the interest of different maritime sectors, respectively maritime navigation, ocean fisheries, the fleet and maritime transport, seamen, maritime auxiliaries, insurance and maritime sales, and finally the protection of the marine environment. The Ministry has chosen the alternative of separate acts because it has the advantage that, on certain subjects which require urgent attention, legislation can be enacted more rapidly.(24)

It seems crucial to give the reader more background knowledge of the understanding of some of these projects of law, especially those which have a direct influence or link with this research, namely the Act related to the ocean fisheries, the Act related to the protection and preservation of the marine environment, and the Act dealing with fishing and protection of the marine environment in the EEZ.

1.4.2.1 - Act related to Ocean Fisheries

The law on the ocean fisheries has already been codified by the Dahir (Act) of law no 1.73255 of 27 Chaoual 1393 (23 November 1973) formulating the ocean fisheries regulations.(25)

This act is the second text of the Maritime Code. Among the subjects stated in that act are those relating to the foreign fishing vessels, ocean fisheries police and offence system.

Foreign fishing vessels are those flying the flag of states linked to the Kingdom by fishing agreement. The operating conditions are regulated by the Moroccan fisheries legislation and by the provisions of the agreement concluded between Morocco and the countries of the foreign vessels.

However, only vessels whose country has an agreement with the Kingdom of Morocco are entitled to fish in the waters under Moroccan jurisdiction. This act takes into account the freedom of navigation in the EEZ and the inoffensive passage in the territorial sea principles recognized by international law, especially the 1982 UNCLOS. Foreign fishing vessels are required to have a fishing licence delivered by the Moroccan authority. These licences depend on the kind of agreement, and are different to those delivered to the Moroccan fishermen (article 2 of the Act).

1.4.2.2 - Act on the Protection and Preservation of the Marine Environment

This act is the seventh text in the Moroccan Maritime Code. It is the most international because when the drafters were writing it, they had to take into account the evolution of the marine environment law, the scientific background of marine pollution and legal framework which could be better adopted to the Moroccan context.

The objective of that act is two-fold:

- a) to cover all marine pollution sources;
- b) to permit to the Administration to intervene in order to prevent and combat marine pollution.

To achieve these goals the act provides the setting up of the following:

- A general permit for dumping wastes to be used by the national authority;
- Special protected areas;
- Obligation of a special insurance and notification;
- Measures for prevention from oil pollution;
- Dispositions to permit the intervention on high-seas in case of marine pollution occurring after a mitigation incident;
- Specific civil liability system;
- Special system of pursuit and punishment in case of breach of the law or event that caused or may cause marine pollution.(26)

In this respect, the Act which governs ocean fisheries has two articles concerning pollution from fishing vessels, namely articles 17, and 18:

- **Article 17** states that: «it is forbidden to hold or use on-board fishing vessels, any substances or toxic bait that are likely to infect, intoxicate or poison fish, molluscs or crustacean or pollute the water».

It is not only forbidden for fishing vessels, according to this article, the use of any substance which is likely to harm either fish habitats or degrade or pollute the water, but it is also forbidden to hold such substances on board.

- **Article 18** states that: «it is forbidden to dump deliberately into sea waters any substances or toxic baits which are likely to infect, intoxicate or poison fish, molluscs or crustaceans or pollute the water».

This article treats another form of pollution, namely deliberate pollution by the dumping of harmful substances into the sea water; the latter is forbidden in all forms.

Examining the above articles, it is clear that this act was attempting to deal clearly with the pollution from fishing vessels, requiring that there be no deliberate discharge of any substance which may have a negative effect on the marine environment.

Similarly to the ocean fisheries Act, the dispositions related to the protection of the marine environment take into account the principles of international law of the sea, such as the freedom of navigation in the EEZ and the inoffensive passage in the territorial sea.

1.4.2.3 - 200-mile Exclusive Economic Zone (Act of 8 April 1981)

Before the United Nations Convention on the Law of the Sea (UNCLOS 1982) had entered into force, some of its principles had been widely used. Morocco, which is signatory to that convention, has adopted one of its main principles, namely the 200-mile EEZ.

Article 1 of this Act states that: «an Exclusive Economic Zone is extended over 200 miles, starting from the straight base lines or normal base lines used to measure the width of the territorial sea».

Article 2 states: «the Moroccan State has the sovereign rights in this zone for the purpose of exploiting, conserving and managing natural resources, living and non-living , in the sea-bed, subsoil and waters superjacent, and with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from water, currents and winds».

Article 4 states that: «the Moroccan State, without any prejudice of other international rights, has an exclusive competence over this zone with regard to:

- the establishment and use of artificial islands, installations and structure;
- scientific marine research; and
- the protection of the marine environment».

Article 6 (3): «In exercising the freedom of navigation, foreign ships are forbidden to be involved within this zone in any fishing activities, research or any act of pollution or undermining of the marine environment harmful to the living resources in this zone and to the security of Moroccan State».(27)

From all these articles, it is obvious that this Act is the primary legislation that deals with the preservation of fishery resources and protection of the marine environment in the Moroccan EEZ.

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- 4 -The "Société Nationale des Etudes et de Développement (SNED) is the body in charge of the fixed link project.
- 5 - which means the implementation of regulations and enforcement of these regulations through the national maritime law.
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CHAPTER TWO

FISHING RELATIONSHIP BETWEEN MOROCCO AND THE EUROPEAN UNION THE STAKES INVOLVED

The fishery resources in Morocco are a sort of "natural compensation" in absence of petrol and gas. These resources play an essential role in the economy and are a tremendous asset in negotiations of fishing agreements with the EU.

These fishing agreements, which are the legal basis for the co-operation between Morocco and the EU, have always been the subject of intensive negotiations, namely the agreements of 25 February 1988, 15 May 1992 and 13 November 1995.⁽¹⁾

Before analysing the legal aspects of these agreements, which represent the cornerstone of the fishing co-operation between Morocco and the EU (this will be tackled in depth in chapter three), it appears useful to explain the stakes involved in this model of co-operation in terms of socio-economic and political considerations, which have shaped their fishing relationship.

2.1 - ECONOMIC AND SOCIAL CONSIDERATIONS

The opposing socio-economic interests of the binding States, which are concerned with fishing activities in the region, mainly Spain and Portugal on the one hand and Morocco on the other hand, can be accounted in part for their perseverance to get the maximum concessions from each other during the negotiations.

2.1.1 - Importance of the Fishing Sector in the Moroccan Economy

Fishing activities constitute for the Kingdom an important source of hard currencies and also a considerable supplier of employment in the sector.(2) The importance of the Moroccan fishery sector can be perceived through Table 1.3:

Table 1.3 : Fishing in the Moroccan Economy

	1980	1990	1995
Employment (1)	56,000	72,457	98,066
Exports (2)	71,722	188,060	236,710
Domestic consumption (2)	77,400	172,888	188,347
Export Values (3)	0,485	4,445	6,824

Source: MPMMM (1995), La Mer en Chiffres.

(1) directly involved in fishing sector. Some other 300,000 people are indirectly employed in other fishing activities, such as fish processing industry, ports, shipyards etc...

(2) in Tonnes.

(3) in million dirhams (US\$1 = DH8.60).

Table 1.3 illustrates the increasing importance of the fishing sector in the Moroccan economy as exports of fishery products, which account for 15% of total Moroccan exports (3), increased more than three-fold between 1980 and 1995 while domestic fish consumption more than doubled.

Morocco is indeed among the world's richest coastal countries in terms of fisheries resources, and the establishment of the 200-mile EEZ allows the country sovereign rights over the exploitation of these resources in this zone.(4)

The fishery's potential is considered of great importance for the country's economic development «as for the contribution of food self-sufficiency, promotion of employment, and stability of the balance of payment».(5)

Looking ahead to year 2000, the projections for the Moroccan fishery sector are as follows (6):

- 1,000,000 tonnes of annual production for the whole sector;
- 150,000 jobs directly involved in the fishing sector;
- More than US\$1 billion from fish product exports;
- 250,000 tonnes of fresh and frozen fish for domestic consumption.

To achieve these objectives, Morocco is not aiming at nationalizing the entire fishing activity in its 200-mile EEZ, but on the contrary, seeks international co-operation based on mutual interests of each of the European partners through mutually profitable arrangements. Thus, there are tremendous opportunities for partnership and joint-venture companies.

2.1.2 - Fishing Importance for the European Union Economy

An important imbalance exists between the available fishery resources (fish stocks) and the fishing capacity in the European Community. This situation has led to a significant depletion of the European fish stocks and increasing financial problems of the European fishing industry since 1985. This was the main reason for the establishment of the Common Fisheries Policy (CFP).(7)

However, fishery products represent almost 40% of the total animal protein supplied in the EU; the latter is also considered as the fourth power in the world in fishing activities.

Regarding employment, the European fishing sector involves directly some 300,000 fishers and indirectly around 2 million people. The widening of the EU, which occurred in 1986 (8), has considerably increased the European Union fishing interests in Moroccan waters since Spain and Portugal joined the European Union. The Spanish fleet is the largest in the EU, representing 35% of the total EU tonnage.

The importance of the Spanish and Portuguese fishing activities in the EU is clearly indicated in Table 1.4 :

Table 1.4 : European Fishing Importance in 1986.

	Number of fishing vessels	Gross Tonnage (GRT)	number of fishermen
Spain	17,449	678,888	101,158
Portugal	7,123	198,221	41,724
EU of Twelve	72,766	1,925,042	297,944
Morocco	2,256(*)	140,259(**)	37,430(***)

Source : OCDE, EUROSTAT (1985): Pour le Maroc, cf Le Maroc d'aujourd'hui, p.9

(*) 3,052 in 1995 of which 2,597 coastal vessels and 455 deep sea vessels.

(**) 225,377 GRT in 1995 of which 74,482 for coastal fleet and 150,895 for deep sea fleet.

(***) 98,066 in 1995 of which 88,326 in coastal fleet and 9,740 in deep sea fleet.

Table 1.4 shows that Spain and Portugal represent :

- almost half of the total European Union fishing tonnage;
- 1/3 of the total fleet chartered by the EU;
- almost half of the total number of European Union fishers.

The stakes involved in the fishing agreements between the Kingdom and the EU are evident through the importance of fishing activities in their respective economies, i.e. the economies of Morocco, Spain and Portugal.

2.2 - POLITICAL ASPECT

According to the EU, the establishment of the Common Fisheries Policy (CFP), and also the entry of Spain and Portugal in the Community had an important impact on its policy of fishing co-operation with the Kingdom of Morocco.

In other respects, Morocco has asserted the sovereignty over its marine resources, and accordingly has set up, in the framework of the fishing agreements with the EU, some policies enabling both parties a better utilization of their fisheries potential with a view to ensuring their socio-economic development.

2.2.1 - The Common Fisheries Policy

Morocco is concerned with the CFP in two respects:

- First, with respect to the fishing agreements that the EU has signed with Third Countries;
- Second, with respect to the particular concessions that Spain and Portugal have been granted under the CFP.⁽⁹⁾

The Kingdom is directly interested in the CFP for the fact that this policy aims at stabilizing the Common Market, ensuring safety of the fish supplies, and developing fishing access to Third Country waters.⁽¹⁰⁾

The CFP covers three areas:

- a) Access of third country fish-products to the Common Market;
- b) Assistance in the development of aquaculture;
- c) Modernization of the EU fishing fleet with a view to promoting fishing access outside European waters;

A reform of the CFP has been adopted by the Council of the European Communities on 3 April 1992. Thus, any future fishing agreement with Third Country «**may have the objective to restore the balance between the fisheries potential and the fishing effort, and to preserve a balanced and rational fisheries management**».(11) This would be of particular interest to Morocco which also seeks to establish a balanced and rational fisheries management regime.

According to the EU-Third Countries fishing agreements and the future CFP, «**the Council has confirmed in this respect the importance of an extended network of adequate fishing agreements...**».(12)

However, pending the implementation of a revised CFP, the latter is still based on four main elements, which are as follows:

- 1) "The derogation of the «**freedom of access**» within a 12-mile zone;
- 2) The principle of «**relative stability**»;
- 3) The regime of fishing activity in the «**Shetland Box**»;
- 4) The total allowable catches (TACs) and quota management system".(13)

The derogation of the freedom of access, established in the 1972 Act of Accession was maintained and also the former 6 miles was extended to 12 miles around all member states. Preliminary negotiations determined the precise extent in the 6-12 mile zone of the traditional historical rights of other member states to be maintained over a ten-year period with the possibility of adjustments after a ten-year period, according to articles 6 and 14 of the 1992 Regulation, to ensure «relative stability».(14)

The principle of «relative stability», continually applied, was incorporated in Article 4 of the 1983 Regulation. The double role of the relative stability principle, and particularly the "Hague preferences" as a socio-economic as well as a conservation measure to protect the biologically sensitive areas, justifies the establishment of the «Shetland/Orkney Box» round these islands. The Community also introduced a licensing scheme for certain fishing activities restricting the rights of large vessels (over 26 m) to enter this «Box» on 29 July 1983, and this was also adopted in the 1992 Regulation. Restrictions were applied on the catching of fish for human consumption and no fishing is allowed for industrial stocks.(15)

Moreover, the Community's practice of setting annual TACs was legally established in the 1983 EU Regulations. The Scientific and Technical Committee for fisheries was to play an important role in the formulation of TACs based «on the light of the available scientific advice».(16) In the process of the establishment of TACs for stocks shared between member states and third countries and also the negotiations for access to stocks of non-EU countries, the EU would act as a single body.

Then, the TACS are to be distributed to member states according to Article 4 of the Regulations, taking into account the key factors of the «relative stability» principle mentioned above.

Depending on this policy (CFP) and the type of reciprocity provided by it, the fishing agreements between the EU and the third countries can be classified in four categories (17):

- 1) The exchange of fishing rights versus fishing rights, which is the case EU-Scandinavian countries fishing agreements;
- 2) Fishing rights versus the grant of tariff concessions for imports of fishing products, which was the case in some past of EU-Canada fishing agreements;
- 3) Fishing rights versus financial compensation, which is the case of agreements with African countries, such as Senegal, Mauritania, and Guinea;
- 4) Fishing rights versus financial compensation plus tariff concessions concerning the export of canned fish products to the EU, and technical and scientific support for the preservation of fishery resources. This type of agreement was established between the EU and Morocco in 1988.(18)

It should be observed that the entry of Spain and Portugal in the Community has given a new orientation to the CFP, namely the diversion of Spanish and Portuguese fishing activities from European to non-European markets.

2.2.2 - Assertion of Morocco's Sovereignty over its Marine Resources

The assertion of the Moroccan sovereignty over its maritime zones has been carried out in a gradual manner. In this respect, the Kingdom has complied with the international practices by extending the former 6 nautical miles to 12, and then to a 200-mile EEZ in 1981.(19)

This interest for maritime issues was strengthened by the Moroccan government in the beginning of the 1980s with the creation of the Ministry of Ocean Fisheries and Merchant Marine.(20) This department has the important task of managing the fishery resource potential in compliance with the regulations of fishing activities, and of conducting research on exploration, exploitation and conservation of marine resources.

However, even though Morocco hardly had the means to carry out the control over the exploitation of its marine resources, the fishing negotiations with the EU started after the Community had accepted the four main principles imposed by Morocco as a prerequisite. These principles can be summed up as follows:

- 1) The absolute freedom of Morocco to explore, exploit, and manage its marine resources;
- 2) The implementation of a rational fisheries management by the means of a reduction of foreign fishing effort, especially with respect to threatened target species;
- 3) The right of Morocco to develop its own deep sea fishing fleet;
- 4) The obligation to extend the co-operation through the development process of all the fishing activities.(21)

Though Morocco has succeeded to impose strict fishing regulations on Russian, Japanese, and South-Korean fishermen in matters of preservation of species, the control of European fishermen has proved to be a difficult problem to solve because of illegal fishing activities, mainly by Spanish and Portuguese fishing fleets.(22)

This, and the utmost importance that fishing activities represent in the Spanish economy, and the existence of a strong «lobbying» in this matter, account for the reason that fishing has always been a problematic factor in the relationship between Morocco and Spain.

According to Morocco, the fishing agreements concluded with Spain before its entry in the Community, were considered as an element of a «package deal» to achieve territorial integrity. The objectives of these agreements can be summed up as follows :

- The fishing agreement of **4 January 1969** (23) was signed as a result of recovering the enclave of «Ifni» from Spain in exchange for important fishing concessions;
- The fishing agreement of **17 February 1977**(24) was concluded further to the Madrid Treaty of November 1975. Under the terms of this agreement, Morocco recovered the Western Sahara and its "administration" from Spain in return for granting fishing licences to some 800 Spanish boats to fish without any licence fees or other financial compensation in Moroccan waters.
- The agreement of fishing co-operation of **1 August 1983** represented a new generation of agreements; this Accord contained more restrictive clauses than the previous ones taking into consideration the coming extension of the Community through the entry of Spain and Portugal, and also the existence of the CFP.

Once the bilateral agreement between Morocco and Spain expired in 1987, the Kingdom and the EU concluded a new type of fishing agreement on **25 May 1988** for a 4-year period, which was considered at that time as the first and the most important agreement signed between the Community and a third country.

However, refusing to recognize Morocco's sovereignty over its Saharan waters, this attitude of the EU put the negotiations with Morocco at a standstill. Given the socio-economic impacts of such decision in the Spanish fishing sector, the Community later accepted «the agreement to be enforced under the Moroccan jurisdiction or sovereignty».(25) This distinction between jurisdiction and sovereignty is equivalent to a recognition of «de facto» and also of «de jure» of Morocco's sovereignty over all its waters from Tangier to Lagouira.(26)

On 15 May 1992 a second fishing agreement for a 4-year term was signed. This agreement was comparable to the previous one, except that some measures had been introduced, aiming at a better equilibrium in the exploitation of fishery resources.

Since the second four-year fisheries agreement was about to expire, Morocco succeeded in cutting it down to three years only in accordance with a half-term revision of the agreement.(27) This, in turn, led to a dispute over an annual EU aid programme intended for Morocco, and a final settlement has temporary been delayed by failure to resolve the issue. Consequently, this conflicting situation led both parties to undertake long term negotiations with a view to reconsidering the current fishing agreement.

Finally, the negotiations resulted in a new fishing agreement, which was signed on 13 November 1995, taking into consideration Morocco's requirements to substantially reduce the European fishing effort in certain depleted fishery areas, and to improve the co-operation with the EU in all activities of the fishing sector.

To sum up this chapter, the Moroccan fisheries sector constitutes a strategic asset for adequate co-operation with the EU.

By means of the CFP, the EU concluded agreements providing fishing access for its fleet within the Moroccan waters. In this respect, these agreements will prepare the field for a real integration of Morocco into the dynamics of EU's development.

The latest reform of the CFP has helped both parties to modernize, develop, and diversify their activities in the whole fishing sector, e.g. renewal of the fishing fleet, equipment and port infrastructure, training, fish processing, scientific marine research, and fisheries management and conservation.

In this regard, the decisions recently taken by both governments through the latest fishing agreement (1995-1999) have foreseen this fruitful co-operation, but its enforcement still remains "on the paper". Concretely, the main aspects, which are mainly implemented through this agreement are the financial compensation, the total amount of which has noticeably increased from the previous agreements; in turn the number of Moroccan fishing licences delivered to EU's fleet has decreased because of the requirements of fisheries conservation and management policy in the Moroccan zones. These aspects will be dealt with in greater detail in the following chapter.

ENDNOTES AND REFERENCES

- 1 - The fishing agreement of 25.02.1988 was extended until 30 April 1988, and then up to 15 May 1992, date of signature of a new fishing agreement between Morocco and the EU for a 4-year term. After 3 years of intense fishing activity, Morocco succeeded in cutting down the second fishing agreement, and a new fishing agreement was renegotiated during a period of six months and finally ratified on 13 November 1995 for the third 4-year fishing agreement.
- 2 - The part of the coastal fishing in the total catch in Morocco is estimated to about 75%, against 25% for the deep-sea fishing.
- 3 - Jeune Afrique-plus- no 1794 du 25-31 Mai 1995, "la Pêche en Chiffres", p.93.
- 4 - The Crown Prince Mohamed Ben El Hassan Alaoui,(1994) "La Coopération entre l'Union Européenne et les pays du Maghreb", p.66.
- 5 - Bennouna, M (1983), "La Zone Economique Exclusive du Maroc", Annuaire de l'Afrique du Nord, pp.129-135.
- 6 - MPMMM (1996), "Stratégie de Développement du Secteur des Pêches Maritimes"- Horizon 2000, pp.4-5.
- 7 - At that time, on 21 January 1985, was established the Common Fisheries Policy (CFP), which is commonly called "Blue Europe".
- 8 - Since 1996, Spain and Portugal have joined the EEC, which is currently called the European Union (EU).
- 9 - Danielle, C.B (1988), "La Politique Commune de Pêche", La Troisième Génération de la Pêche, revue trimestrielle de droit européen, Paris no 3, pp. 481-517.
- 10 - The current fishery output in the third state' waters was estimated at 1.7 million tonnes in 1987 on a total potential of 7 million tonnes.
- 11 -"Réforme de la Politique Commune de Pêche", Bull.C.E-4-1992, points 1-3-69.
- 12 - Bulletin C.E-4-1992, points 1-3-69.
- 13 - Apostolos. K. (1995), "Fisheries Management in the European Union" pp.100-103-124.
- 14 - Regulation 3760/92, O.J (31.12.1992) L 389/1.
- 15 - Regulation 170/83 O.J (1983) L 24/1, art.12.

- 16 - Apostolos. K. (1995), "Fisheries Management in the European Union", p.103.
- 17 - Steyre.D. (1986), "La politique commune de pêche dans la CEE à 12", I,II,III-Prométhée, Bureau d'étude économique, CEE, Bruxelles, p.214.
- 18 - The fishing agreement signed in March 1988 between Morocco and the EU represented the first agreement of co-operation for a renewal 4-year period.
- 19 - Dahak.D.(1986), "Les Etats Arabes et le droit de la mer", éd.Maghrebine, vol.2.
- 20 - The MPMMM was created in 1981, and the field of its activities is defined clearly in the Dahir (Act) of its creation, dated on 29 January 1985 and amended on 5 December 1990.
- 21 - Declaration of the Moroccan Ministry of Foreign Affairs (2.5.1988), Rabat, F.F.T/LA.
- 22 -"Le Matin du Sahara et du Maghreb" du 16.08.1992.
- 23 -The Fes Convention held on 4 January 1969 between Morocco and Spain in fishing matters had resulted to the conclusion of two agreements:
- the first one was dealing with the restitution of the enclave of "Ifni" to Morocco;
 - the second one had granted tremendous privilege for the benefit of Spain in matter of fishing access.
- This Treaty was considered as "a new Chart" in the relationship between both countries with regard to the fishing right within their territorial waters.
- 24 -The Moroccan parliament refused to ratify this agreement, which was considered politically without any interest for the country. The attitude of Spain with regard to the conflict of the Moroccan Sahara at that time accounted for this refusal.
- 25 -The Crown Prince Sidi Mohamed Ben El Hassan Alaoui (1994), "La Coopération entre l'Union Européenne et les Pays du Maghreb", éd.Nathan, p.71.
- 26 - Dupuy.R.J.& Vignes.D,(1985), "Traité du Nouveau Droit de la Mer", Paris, Pédone, pp.251-255.
- 27 - A half-term revision of the agreement was decided on July 1994 and ended on 13 October 1994. Accordingly, both parties decided to limit the term of the second agreement on 30 April 1995 (instead of 30 April 1996) .

CHAPTER THREE

THE LEGAL AND COMPENSATORY ASPECTS OF THE FISHING AGREEMENT BETWEEN MOROCCO AND THE EUROPEAN UNION

3.1 - CONTROL OF FISHING ACTIVITY IN MOROCCAN WATERS

The fishing agreements between Morocco and the EU refer to a set of international legal rules. In compliance with the United Nations Convention on the Law of the Sea (UNCLOS), the preamble of the 1988, 1992 and 1995 fishing agreements between Morocco and the EU specified that the Kingdom exerts sovereign rights over its maritime zone (200-miles EEZ), which allows the country to grant fishing rights to European vessels.

In this respect, a fishing agreement was signed on **April 1988** (1), renewed on **May 1992**, and again renewed on **November 1995** after marathon negotiations. The current agreement provides the Kingdom with substantial financial compensation, a favorable commercial system for the fish processing industry, numerous opportunities of employment, and a specific contribution for strengthening the means of scientific marine research, maritime training, surveillance and safety at sea. In general, this fishing agreement is considered as a precursory element of a political, socio-economic and cultural partnership.(2)

Fishing activities in the Moroccan waters are based on licensing arrangements, which means that European vessels remained subject to limited entry (3), e.g. the 1988-1992 fishing agreement permitted fishing access to the Moroccan EEZ for 780 European vessels, i.e. 147 cephalopoders, 73 pelagic trawlers, and 560 white fish vessels.(4) In turn, the 1995 -1999 fishing agreement allowed fishing access for 590 European vessels during the first year of the agreement, followed by successive reduction of fishing vessels to as low as 477 vessels in 1999.(See Table 1.6) However, these fishing licences are delivered in restriction of catch quota solely for some target species and specific fishing zones.

Furthermore, though the European fishing vessels granted access could be banned for one or two months in order to ensure "the biological recruitment" to a specific stock or group of stocks particularly sensitive, **paragraph A , article 7** of the 1988 fishing agreement between Morocco and the EU stipulated that in case of an possible depletion of a particular stock or group of stocks concerned, the Kingdom has the right to postpone the enforcement of this restriction for a determined period of time. Accordingly, the financial compensation foreseen in article 5 of the fishing agreement could be increased in proportion to the situation of the stock.

In this regard, a joint-commission in charge of enforcing the above mentioned regulations was created by the legal provisions of the fishing agreements. These agreements distinguish four fishing zones (5), and clarify the nature of the fishing gears used.(6)

3.2 - COMPENSATION ISSUES INVOLVING IN THE GRANTING OF FISHING RIGHTS IN MOROCCAN WATERS

The agreements concluded between Morocco and the EU provide the obligation that in return for the fishing opportunities accorded under these agreements, the Community must grant the Government of Morocco certain compensation in terms of financial contributions and commercial support.(7)

3.2.1 - Financial Contributions

As was stipulated in **Articles 2, 3, 4, 5, and 6** of the latest Protocol Agreement of fishing activities concluded between Morocco and the EU on 13 November 1995 for four-year terms, the EU granted Morocco annual financial dues as compensation for fishing access to Moroccan waters. Furthermore, the same agreement foresaw «certain financial support intended for specific aid programmes regarding sustainable development of the Moroccan fishing sector, scientific marine research, maritime training, and infrastructure and equipment of maritime institutes».(8)

The total amount of these financial dues and financial support are broken down as shown in **Table 1.5**:

**TABLE 1.5 : FINANCIAL CONTRIBUTIONS GRANTED BY THE E.U TO MOROCCO IN RETURN FOR FISHING ACCESS
(1995-1999)**

Periods	4-year term. Agreement 1995-1999 (in million ECU)	year 1 From 1.12.1995 to 30.12.1996 (in million ECU)	year 2 From 1.12.1996 to 30.11.1997 (in million ECU)	year 3 From 1.12.1997 to 30.11.1998 (in million ECU)	year 4 From 1.12.1998 to 30.11.1999 (in million ECU)
- Financial Dues (1):	355.0	100.0	90.0	85.0	80.0
- Financial Support (2):					
* For sustainable fishing sector development :	121.0	21.0	25.0	35.0	40.0
* For scientific marine research :	16.0	4.0	4.0	4.0	4.0
* For maritime training, infrastructure, and equipment :	7.6	1.9	1.9	1.9	1.9
* For maritime institutes:	0.4	0.1	0.1	0.1	0.1
TOTAL	500.0 (2)	127.0	121.0	126.0	126.0

Source: Protocol Agreement of fishing activities between Morocco and the E.U (1995).

(1): The payment fees of fishing licences are not included. (See Table 1.6).

(2): This amount is equivalent to US\$635 million.

In addition to financial dues and financial support, Morocco received a quarterly licence fee from European vessels for practising their fishing activities in the Moroccan zones.⁽⁹⁾ (See Table 1.6)

3.2.2 - Commercial Support

Under the trade arrangements drawn up under the Co-operation Agreement between Morocco and the EEC, signed in Rabat on 27 April 1976, imports of prepared or preserved sardines under CN codes ex 1604-13-10 or ex 1604-13-10 originating in Morocco were subject to quantitative restrictions. Quotas of 14,000 tonnes (net weight) duty free and 6,000 tonnes at 10% customs duties were granted to Morocco.

Article 1 of Annex II of the 1988 fishing agreement foresaw a quota of 17,500 tonnes (net weight) duty free allotted for the Moroccan canned sardines from 1 January 1989 for a four-year term. Beyond this quota, a 25% customs duty was applied.

A major change in the EU arrangements was concluded in **Annex II** of the 1992 fishing agreement, regarding the duty status of imports from Morocco. The previous agreement was replaced by provisions for a considerable reduction on the regular rate of duty from 1 January 1993 to 30 April 1996. From partial suspension of customs duties under the Common Customs Tariff, the application of the current customs duties is as follows:⁽¹⁰⁾

- from 1 January 1993 to 31 December 1993: **8%**;
- from 1 January 1994 to 31 December 1994: **7%**;
- from 1 January 1995 to 31 December 1995: **6%**;
- from 1 January 1995 to 30 April 1996: **5%**.

TABLE 1.6: BREAKDOWN OF FISHING POSSIBILITIES GRANTED BY MOROCCO TO THE EUROPEAN UNION FLEET
IN RETURN FOR FISHING RIGHTS (1995-1999)

FISHING FLEET CATEGORIES	FROM 1.12.1995 TO 30.11.1996			FROM 1.12.1996 TO 30.11.1997			FROM 1.12.1997 TO 30.11.1998			FROM 1.12.1998 TO 30.11.1999		
	No	Gross tonnage	Licence Fees per ton & quarter (in ECU)	No	Gross tonnage	Licence Fees per ton & quarter (in ECU)	No	Gross tonnage	Licence Fees per ton & quarter (in ECU)	No	Gross tonnage	Licence Fees per ton & quarter (in ECU)
CEPHALOPOD FLEET:	128	30,212	87	116	26,892	91	105	23,572	96	86	19,920	101
SHRIMP TRAWLERS:	150	11,200	<50tons: 49 >50tons: 73	134	10,000	<50tons: 51 >50tons: 77	122	9,000	<50tons: 54 >50tons: 81	113	8,200	<50tons: 57 >50tons: 85
LONG-LINERS:	174	11,350	52	164	10,830	55	152	10,102	58	140	9,270	61
PURSE SEINERS (NORTH):	26	1,300	52	26	1,300	55	26	1,300	58	26	1,300	61
PURSE SEINERS (SOUTH):	11	4,800	56	11	4,800	59	11	4,800	62	11	4,800	65
ARTISANAL FLEET:	46	1,550	<50tons: 35 >50tons: 42	46	1,550	<50tons: 37 >50tons: 44	46	1,550	<50tons: 39 >50tons: 46	46	1,550	<50tons: 41 >50tons: 48
BLACK HAKE TRAWLERS:	11	3,000	50	11	3,000	50	11	3,000	52	11	3,000	52
PELAGIC TRAWLERS:	12	1,300	64	12	1,300	67	12	1,300	70	12	1,300	74
TUNA FLEET:	27	-	20	27	-	20	27	-	20	27	-	20
SPONGE FLEET	5	-	46	5	-	48	5	-	50	5	-	53
TOTAL:	590	64,712		552	59,672		517	54,624		477	49,340	

SOURCE: Fishing Agreement between Morocco and the European Union (1995).

This was agreed in the face of strong opposition from Portugal, the major exporter within the Community. Some regard it as a green light for Morocco to take a larger share of the trade. It is thought that removing the quota will effectively take the lid off the volume of business which can be done with the EU.

3.3 - MOROCCAN FISHING REGULATIONS AND THEIR ENFORCEMENT

Though elaborating strict regulations seems to be relatively easy to carry out, their enforcement may require careful reflection.

3.3.1 - Regulations of Fishing Activities

The Moroccan regulations on fishing activities have a double objective:

- 1) «to set up a rational policy of stocks management in compliance with the provisions of the UNCLOS 1982 ;
- 2) to intensify the scientific marine research and to elaborate an adapted fishery legislation and efficient monitoring at sea».(11)

These objectives are aimed at ensuring control on fishing activities. In this regard the 1988, 1992 and 1995 fishing agreements between Morocco and the EU stipulated that each European vessel, fishing in the Moroccan zones, «must allow any Moroccan observer to get on board ship to control European fishing activities».(12)

Accordingly, monthly catches by European fishing vessels must be declared to the Moroccan authorities. Further, the ship's log book can be checked at any time by national observers.

Furthermore, the EU must provide Morocco with «any information or data concerning the quantities of fish landed, type of fishing gears used, and the methods of on-board preservation and fish processing products ».(13)

In other respects, under the terms of the fishing agreements, the European vessels are obliged to inform the Moroccan authorities about their locations at the time of the entrance and exit from the Moroccan fishing zones. Further, these fishing vessels are subject to annual inspection by Morocco.

Moreover, the regulation of the proportion of by-catch varies from 0% to 20% according to the type of species.(14)

The fishing agreements also determined the mesh size allowed for each type of species.(15)

Another measure of the regulation deals with the limitation of fishing activities inside the four individualized Moroccan fishing zones, starting at a certain distance from the coast.(16)

Article 8 of the 1992 Morocco-EU fishing agreement stipulated that «the Community should commit its operating vessels to enforce the law and regulation governing the fishing activities in the Moroccan waters».(17)

Though the Moroccan regulations are to be strictly applied to European fishing vessels through fishing agreement, the question regarding the actual enforcement of these regulations still remains.

3.3.2 - Enforcement of Fishing Regulations

As the Kingdom of Morocco has one of the longest coastlines in the world (3,500 km), it is difficult to have total control of this area. Therefore, the country has made up the immediate objective to be equipped with efficient means allowing better enforcement of the fishing regulations.

The documents of session of the European Parliament dated on 28 April 1988 affirmed that : «in order for the provisions of the fishing agreement to be carried out in satisfactory conditions, it is necessary to control them. From the Moroccan side, the situation showed that the current national means to control the coastal area still remain inadequate». (18)

The Community has contributed to imposing strict control on its own vessels in order to be in compliance with the Moroccan regulations; to that extent, certain dispositions have been taken by both European and Moroccan authorities, such as:

- arrests of offending vessels;

- exchange of information between both fisheries administrations about the identity of vessels which commit repeated fishing offences or violations;

- establishment of up-dated control equipment;

- enforcement of administrative penalties or sanctions against offending vessels. (19)

The periodical re-examination of the fishing agreement between the Kingdom and the EU opens up the opportunity for both parties to consider their rights and responsibilities in complying with the international conventions dealing with fishery resources management and conservation. This issue will be considered in the following chapter.

ENDNOTES AND REFERENCES

- 1- Journal Officiel de la Communauté Européenne, no. C/104/6 on 20.04.1988
- 2- The Crown Prince of Morocco, Mohamed Ben El Hassan Alaoui (1994), "La coopération entre l'Union Européenne et les Pays du Maghreb", p.72.
- 3- Preamble of the Morocco-EEC Fishing Agreement on 20.04.1988.
- 4- Fishing Agreement, Morocco-EEC , on 08.04.1988, Art.6.
- 5- The 1992 Protocol Agreement between Morocco and the EU has distinguished four fishing zones in function of the category of fisheries:
 - (a)The North Atlantic and Mediterranean zone;
 - (b)The Mediterranean zone;
 - (c)The Atlantic and Mediterranean zone;
 - (d)The South zone.
- 6- Annex I on the 1988 Morocco-EEC Fishing Agreement.
- 7- In January 1987, the Brussels Commission proposed to negotiate the new 1988 fishing agreement with Morocco. The previous agreement concluded on 1983 between Morocco and Spain expired on August 1987. In His message to Mr.Jacques Delors, Chairman of the European Community Commission at that time, The King of Morocco set up the basis on which the negotiation with the EEC would take place. The latter started on 22 July 1987. After a transitory period during which the negotiation had been frozen until December 1987, the conclusion of a new fishing agreement between Morocco and the EEC was done on May 1988, taking into consideration the Morocco's requirements and fishing interests over the European fishermen.

- 8- Fishing Agreement between The Kingdom of Morocco and the European Union (1995). Financial protocol, Articles 1, 2, 3, 4, 5 and 6.
- 9 -The 1995 fishing agreement between the Kingdom of Morocco and the European Union: technical documents are set up in fishing categories and fishing zones, which determine the number of European vessels operating in the Moroccan zones, and for each vessel its technical characteristics, its quarterly fishing dues, and the amount of its licence rights
- 10- Official Journal of the European Communities No. L 407/7 (31.12.1992), Annex II
- 11- MPMMM (1990), Le "Maroc Maritime", guide pratique du secteur maritime (1990), Rabat, p.917.
- 12-The 1995 Morocco-EU fishing agreement, Annex II, Chapter IV.
- 13-The 1988 and 1995 Morocco-EU fishing agreement, Art.B.
- 14- •Long-liners : .0% of shellfish;
•Trawlers (black hake) : .Max.10% of cephalopods and shellfish;
.Max.20% of other species..
•Trawlers (pelagic fish): .Max.15% of non-pelagic species;
.Forbidden catches: cephalopods, shellfish,
flatfish.
- 15- The 1995 Morocco-EU fishing agreement, technical fishing Documents, pp.1 -11.

16- Trawl fishing: beyond 3 nautical miles in the Mediterranean Sea, and 12 nautical miles in the other zones (North and South of Atlantic Ocean), except for trawlers of black hake, beyond 15 nautical miles in the South of the Atlantic Ocean.

17- Fishing Agreement on 13.11.1995 between Morocco and the EU, Art.8, p.6.

18- The EC-European Parliament, Doc.of Session A2-43/88, p.14.

19- Memorandum on the Extra-ordinary Meeting of the Mixed Commission between Morocco and the EU (02.04.1990), MPMMM, Rabat.

CHAPTER FOUR

RIGHTS AND OBLIGATIONS OF STATES WITH REGARD TO INTERNATIONAL CONVENTIONS ON FISHERY RESOURCES MANAGEMENT AND CONSERVATION

4.1 - INTRODUCTION

From ancient times, fishing has been a major source of food for humanity and a provider of employment and other economic benefits to those engaged in this activity. The wealth of marine resources was assumed to be an unlimited gift of nature. However, with increased knowledge and the dynamic development of fisheries after the Second World War, this myth has faded in face of the realization that marine resources, although renewable, are not infinite and need to be properly managed, if their contribution to the nutritional, economic and social well-being of the growing world's population is to be sustained.(1)

The widespread introduction in the mid-seventies of the Exclusive Economic Zone (EEZ), and the adoption in 1982 of the United Nations Convention on the Law of the Sea (UNCLOS) provided a new framework for the better management of marine resources. The new legal regime of the ocean gave coastal states' rights and responsibilities for the management and use of fishery resources within their EEZs. Such extended national jurisdiction was a necessary but insufficient step towards the efficient management and sustainable development of fisheries. Many coastal states continued to face serious challenges, such as lack of experience and of financial and physical resources. However, they sought to extract greater benefits from the fisheries within their EEZs.(2)

In recent years, world fisheries have become a market-driven, dynamically developing sector of the food industry, and coastal states have striven to take advantage of their new opportunities by investing in modern fishing fleets and processing factories in response to growing international demand for fish and fishery products. By the late 1980s it became clear, however, that fishery resources could no longer sustain such rapid and uncontrolled exploitation and development, and that new approaches to fisheries management embracing conservation and environmental considerations were urgently needed. The situation was aggravated by the realization that unregulated fisheries on the high seas, which occur within and outside EEZs, were becoming a matter of increasing concern.⁽³⁾

In this regard, the Committee on Fisheries (COFI), in March 1991, called for the development of new concepts that would lead to responsible and sustainable fisheries. Subsequently, the International Conference on Responsible Fishing, held in 1992 in Cancun (MEXICO) further requested FAO to prepare an International Code of Conduct for Responsible Fisheries to address these concerns. The Code that was unanimously adopted on 31 October 1995 by the FAO Conference, provides a necessary framework for the exploitation of living marine resources in harmony with the environment.⁽⁴⁾ The outcome of this conference, particularly the Declaration of Cancun, was an important contribution to the 1992 UNCED, in particular its Agenda 21.

Noting these and other important developments, the formulation of a Consensus of World Fisheries, held in Rome in March 1995, which would be consistent with these instruments, and in a non-mandatory manner, established principles and standards applicable to the conservation, management, and development of all fisheries.

Most recently, the Kyoto International Conference, held on 4 December 1995, was in accordance with the topical and relevant issue of sustainable fisheries development and its effect on food security worldwide.

Through their nature and scope to respond effectively to the current fisheries situation in the world, all these mentioned conventions represent one of the main sources of international law, usually expressed in multilateral or bilateral treaties or agreements. These agreements contain provisions that may be given binding effect by means of obligatory legal instruments amongst the parties (e.g. Morocco-EU Agreement), applicable to the conservation, management and development of all fisheries.(5)

4.2- RECENT DEVELOPMENTS CONCERNING THE PROVISIONS ON MANAGEMENT AND CONSERVATION OF HIGH SEAS FISHERIES

A number of recent and relevant developments in the world fisheries, which provided a new framework for the legal regime of the sea, namely the 1982 UNCLOS Provisions on the living resources of the high seas, the Cancun Declaration on Responsible Fishing, the UN Conference on Environment and Development, the Rome Consensus on World Fisheries, the FAO Code of Conduct for Responsible Fisheries, the International Commission for the Conservation of Atlantic Tuna, and the Kyoto Declaration on Sustainable Fisheries Development to Food Security, stressed the importance of co-operation for conservation and management of fish stocks through sub-regional and regional fisheries organizations and arrangements.(6)

4.2.1 - United Nations Convention on the Law of the Sea (UNCLOS, 1982): Provisions on Conservation and Management of the Living Resources of the High Seas

Article 87 of UNCLOS while referring generally to the freedoms of the high-seas including the freedom of fishing, qualifies this by stating that «these freedoms shall be exercised by all States with due regard for their interests of other States in their exercise of the freedom of the high seas.»(7)

Articles 116 to 120 of the UNCLOS,1982 deal with the conservation and management of the living resources of the high seas. Under the provisions of these articles, all states have the right to engage in fishing on the high seas subject to their treaty obligations (Article 116), their duty to adopt measures for the conservation of the living resources of the high seas (Article 117), and their obligation to co-operate with other states in conservation and management of living resources in the areas of the high seas (Article 118).

These provisions are relevant to the fishing relationship between Morocco and the EU in that they define a certain political and legal framework for decision making in terms of responsibility of both parties, whose nationals are engaged in fishing in the same area or fishing the same stocks (e.g. Moroccan high seas), to negotiate with a view to taking the necessary measures for the conservation of the living resources concerned. They should, as appropriate, co-operate to establish sub-regional or regional fisheries organizations to achieve these objectives.

4.2.2 - Cancun Declaration on Responsible Fishing

The principles embodied in the Declaration reflect the recent problems concerning the conservation and management of the fishery resources both within the EEZs and on the high seas as well as those related to the environment.

The following principles are relevant to the Morocco-EU Fishing Agreement in establishing and implementing a common policy to ensure conservation and rational management of fisheries resources in the Moroccan high seas, as stipulated in the Declaration:

- a) States should co-operate on bilateral, regional and multilateral levels to establish, reinforce and implement effective means and mechanisms to ensure responsible fishing on the high seas, in accordance with relevant provisions of UNCLOS;

- b) The freedom of states to fish on the high seas must be balanced with the obligation to co-operate with other states to ensure conservation and rational management of the living resources, in accordance with relevant provisions of UNCLOS;
- c) States should take effective actions, consistent with international law, to deter reflagging of vessels as a means of avoiding compliance with applicable conservation and management rules for fishing activities on the high seas;
- d) States should enhance international co-operation to prevent illicit fishing, which constitutes an obstacle to achieving responsible fishing objectives.

4.2.3 - United Nations Conference on Environment and Development (UNCED)

The UNCED Convention was held in Rio de Janeiro, Brazil, from 3 to 14 June 1992. FAO co-operated with the UNCED Secretariat in the preparation of the draft "Agenda 21" for the sustainable development of the oceans, particularly in the high seas. **Section C** entitled «Sustainable Use and Conservation of Marine Living Resources of the High Seas» points out that management of high seas fisheries, including the adoption, monitoring and enforcement of effective conservation measures, is inadequate in many areas and some resources are overutilized. It further notes that «there are problems of unregulated fishing, overcapitalization, excessive fleet size, vessel reflagging to escape controls, insufficiently selective gear, unreliable databases and lack of sufficient co-operation between states. Action by states whose nationals and foreign vessels fish on the high seas, as well as co-operation at the bilateral, sub-regional, regional and global levels, are essential to ensure sustainable fisheries development on the high seas».(8)

The main provisions of this Conference adequately suit the current Moroccan objectives to preserve and to increase the fishery resources within its fishing zones and to obtain the optimum yield. These goals can not be achieved without intense co-operation with the EU, taking into account steps towards rational and effective exploitation of the resources, in particular to expand and co-ordinate studies and put into effect organizational and technical projects on conservation and growth of fishery resources on a just and equitable basis.

Consequently, the current Morocco-EU Fishing Agreement has the responsibility to take into consideration the sustainable fisheries development and to implement appropriate management measures regarding the regulation of fishing methods and fishing gears, the prescription of minimum size for individuals of specified species, the enforcement of open and closed seasons and areas, and the regulation of the total allowable catch and its allocation among the binding Parties, in compliance with the relevant recommendation of the UNCED Convention.

4.2.4 - Rome Consensus on World Fisheries

On 14 and 15 March 1995 a Ministerial Meeting on Fisheries was held in Rome at the invitation of the FAO to review the state of world fisheries and the FAO follow-up to the UNCED Convention. The meeting adopted the Rome Consensus on world fisheries.⁽⁹⁾

In the discussion, the Ministerial Meeting noted the FAO analysis and recommendations in regard to sustainable management of world fisheries, and accordingly urged that governments and international organizations take prompt actions to :

- Reduce fishing effort in areas and on stocks currently heavily exploited;

- Review the number and capacity of fishing fleets in relation to sustainable yields;
- Strengthen and support regional, sub-regional, and national fisheries organizations and arrangements for implementing conservation and management measures;
- Increase technical, financial, and other types of assistance to developing countries to support their efforts in fisheries conservation and management, and in aquaculture development as an important contributor to overall food security;
- Strengthen fisheries research and increase co-operation among research institutions;
- Effectively implement the relevant rules of international law on fisheries, which are reflected in the provisions of the UNCLOS;
- Consider ratifying the agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas.(10)

These actions are seen to be relevant to the Morocco-EU Fishing Agreement for the reason that they include special circumstances and requirements of the coastal state to protect and manage the fisheries resources within its 200-mile EEZ of national jurisdiction through effective implementation of the relevant provisions of the convention. In this respect, Moroccan and European governments should work for the adoption of such actions to address the needs of a rational fisheries management, especially in the area of financial and technical support, technological transfer, training and scientific co-operation.

4.2.6 - FAO Code of Conduct for Responsible Fisheries

The Declaration of Cancùn called on FAO to draft an international code of conduct for responsible fishing in consultation with relevant international organizations taking into account the provisions of the declaration. This call was endorsed by the technical consultation on high seas fishing. In November 1992 the FAO Council formally approved the commencement of the preparation of the code, taking into account the declaration of Cancùn, the provisions of Agenda 21 of UNCED and the conclusions and recommendations of the technical consultation on high-seas fishing. Proposals regarding the contents of the code and a time-frame for its adoption and implementation were submitted to and discussed by FAO Committee on Fisheries (COFI) in March 1993.(11)

The Committee recommended that the Code should have an encompassing umbrella of general principles, which would provide the framework for the detailed guidelines on the issue to be covered.

Paragraph 1 of the declaration of Cancùn calls on states to adopt effective fisheries planning and management standards within the context of sustainable development. The concept of «**sustainable development**» was first defined in 1988 by the FAO Ad hoc Working Group on Sustainable Development as «the management and conservation of the natural resources base, and the orientation of technological and institutional change in such a manner as to ensure the attainment and continued satisfaction of human needs for present and future generations. Such sustainable development, which conserves land, water, plant and animal genetic resources, is environmentally non-degrading, technically appropriate, economically viable and socially acceptable».(12)

Thus the preamble of the declaration of Cancùn uses the above definition in defining responsible fishing by stating that «this concept encompasses the sustainable utilization of fisheries resources in harmony with the environment, the use of capture and aquaculture practices which are not harmful to ecosystems, resources or their quality; the incorporation of added value to such products through transformation processes meeting the required sanitary standards; the conduct of commercial practices so as to provide consumers access to good quality products».(13) In this context, the essential element of sustainable utilization or development is the cornerstone of the Code.

The FAO Code of Conduct for Responsible Fisheries was adopted by the FAO Conference at its Twenty-eighth Session, in Rome, from 20 October to 2 November 1995. The Code sets out principles and international standards of behaviour for responsible practices with a view to ensuring the effective conservation, management and development of living marine resources, with due respect to the ecosystem and bio-diversity.

The Code contains provisions that have already given binding effect by means of other obligatory legal instruments. The agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas forms an integral part of the code. The latter places an essential relevance on the fishing agreement between Morocco and the EU, which gives priority to the needs of integrated and sustainable approach that would embrace all the components of the Moroccan fishing sector, and to the protection of the marine environment on an environmentally responsible manner.

4.2.7 - International Commission for the Conservation of Atlantic Tuna

This convention was established by the International Convention for the Conservation of Atlantic Tuna (ICCAT), signed in Rio de Janeiro, on 14 May 1966 and entered into force on 21 March 1969. The Convention was amended in 1984 and 1992.⁽¹⁴⁾

The area of competence of the Commission is defined as «all waters of the Atlantic Ocean, including the adjacent seas». This rather broad definition of this area was established in order to encompass all waters of the Atlantic Ocean in which tuna and tuna like fishes (the "Scombriformes" and the "genus Scomber") were likely to be found.

The membership of ICCAT is open to any states which is a member of the United Nations or of any specialized Agency of the United Nations as well as intergovernmental economic integration organization constituted by states. The present members of ICCAT represent 23 countries, including Morocco and some EU member States, such as Spain and Portugal.

The main objective of the Convention is to allow such Atlantic countries to maintain the populations of tuna and tuna like species, threatened by depletion in the Atlantic Ocean, at levels which permit the maximum sustainable catch for food and other purposes.

This convention is seen to be relevant to the Morocco-EU Agreement in that both parties are closely concerned with this issue. Accordingly, they should combine their efforts to ensure the conservation and rational management of this endangered species and take concerted action for the assessment of tuna stocks occurring within the Atlantic waters under their jurisdiction.

In this regard, in 1992 Morocco and Japan had jointly initiated a farming project in aquaculture aiming at re-stocking red tuna in a specific area located in the Mediterranean Sea. (This project gives more details in chapter five, section 5.2.3). Likewise, Morocco and the EU, through their fishing agreement, should co-operate by conducting common studies and scientific investigations relating to the current conditions and trends of the tuna fishery resources of the Convention Area in order to contribute to restocking this valuable species.

4.2.8 - Kyoto Declaration on Sustainable Fisheries Contribution to Food Security.

The conference of Kyoto, held in Japan from 4 to 9 December 1995, called the member states to undertake the necessary measures for an effective implementation of the FAO Code of Conduct for Responsible Fishing, and to recognize that the advanced over-exploitation of fisheries in the high seas represent a real threat to the ecosystems, and consequently to food security for the present and future generations.

The implementation of restrictive and efficient fisheries' management policies represents one of the main principles embodied in the Kyoto Declaration for maintaining and enhancing food security in the world.

In this regard, the Moroccan Minister of Ocean Fisheries and Merchant Marine, who presided as a chairman of this Conference, declared in his closing speech: **«the Kyoto declaration and action plan have constituted the real tools to sustainably preserve fishery resources and ensure food security worldwide... The relevant measures taken during this Conference can be achieved by the mobilization of the international community in the frame of regional, sub-regional and international co-operation, and also by technical and financial support from developed countries towards developing countries».**(15)

To sum up this chapter, it is important to highlight that Morocco, in attempting to reduce the fishing effort within and outside its EEZ through the fishing agreement with the EU, had acted in accordance with the dispositions required for the fisheries management and conservation, as stipulated in the above mentioned conventions. In this respect, it is inaccurate to say that a sovereign right of a coastal state to authorize or refuse fishing access within its maritime zones means a misuse of power or a pure «biological speculation» in order to achieve other goals.⁽¹⁶⁾

On the contrary, Morocco's attitude vis-à-vis European fishermen was strongly based on in-depth studies and scientific reports on stocks in the Moroccan waters, which led to demonstrations claiming that deep sea species are overfished, and consequently a substantial reduction of the European fishing effort in particular zones must be enforced.⁽¹⁷⁾ Otherwise, the potential of fish resources in the Moroccan waters will no longer remain taking into account the current rhythm of exploitation.

Therefore, the principles and standards of the International Law of the Sea logically comforted Morocco's position in this matter, and ethically supported the country through its campaign for preserving and conserving the marine resources at a sustainable basis.

Thus, it is legitimate for Morocco to enforce a restrictive fishing policy on the EU, and to preserve its living resources. Therefore, an integrated and a sustainable fisheries management requires a comprehensive and wise attitude from foreign users, and subsequently needs profitable and sustainable co-operation.

ENDNOTES AND REFERENCES

- 1- FAO Code of Conduct for Responsible Fisheries (1995), preface, p.V.
- 2- Ibid.
- 3- Ibid.
- 4- Ibid, p.VI.
- 5- Lamrich, Abdennaji (1995), "Note relative aux Droits et Obligations des Etats selon les Conventions Internationales en matière de Préservation des Ressources Halieutiques", Ministère des Pêches Maritimes et de la Marine Marchande, DCAJ, Rabat.
- 6- Dr.Kato, Y.(1996), "Summary Information of the Role of International Fishery and other Bodies with regard to the Conservation and Management of Living Resources of the High Seas", Foreword, FAO Fisheries Circular no 906, Rome, p. iii.
- 7- Marashi. S.H. (1996), "Summary information of the role of international fishery and other bodies with regard to the conservation and management of living resources of the high seas", FAO Fisheries Circular no. 908, p.1.
- 8- Ibid, p.4.
- 9 - The meeting was attended by 63 Nations, including Morocco and Spain.
- 10- F.A.O Fisheries Circular no.908 (1996), Rome, PP.7-8..

- 11- FAO Report of the Twentieth Session of the Committee on Fisheries (15-19 March 1993), Fisheries Report no.488, paras. 65-76.
- 12- FAO Council (1988), Ninety-fourth Session, Rome, CL/94/6, paras. 5.
- 13- Marachi .S.H. (1996), "Summary information on the role of International fishery and other bodies with regard to the conservation and management of living resources of the high seas", FAO Fisheries Circular no 906, p.12.
- 14- The 1984 Protocol concerned Article XIV of the Convention allowing the membership of the Commission by intergovernmental economic integration organization constituted by States that have transferred to its competence over the matters governed by the Convention. The 1992 Protocol concerned Article X of the Convention on financial contributions of Members.
- 15- Le Matin du Sahara et du Maghreb du Jeudi 14 Décembre 1995, Rubrique Economique, Article: "Conférence de Kyoto", p.8.
- 16- Sbai, Larbi, (1995), "Le Droit de Pêche et le Droit à L'environnement", Article paru dans le supplément économique du journal "L'opinion" du 28 Juin 1995.
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CHAPTER FIVE

THE NEED FOR AN INTEGRATED FISHERIES MANAGEMENT IN MOROCCO

5.1 - MANAGEMENT OBJECTIVES AND STRATEGIES

Historically, the main objective of fisheries management has been the conservation of fish stocks. In modern fisheries management, this limited aim has been extended to address additional economic, social and environmental objectives. The broad objectives of fisheries management may, therefore, include the conservation of fisheries resources and their environment. Subsuming all these objectives is the need to ensure that fisheries are exploited on an ecologically sustainable basis.(1)

The difficulties involved in managing a fisheries resource are related to the number and types of users and the distribution and mobility of the fish stock. Conflicts arise in many fisheries where the same stock is exploited by different users. Resource allocation problems also exist where exploited species are distributed over the coastline of several adjacent countries or states. In such situations, allocating the share of the total resource to fisheries from different countries is often the subject of difficult negotiation. The problems are even more severe where different parts of the same unit stock, e.g. juveniles, adults and spawners, are unequally distributed in different countries. Scientific advice may suggest that younger fish should be protected by management measures to prevent growth in overfishing.

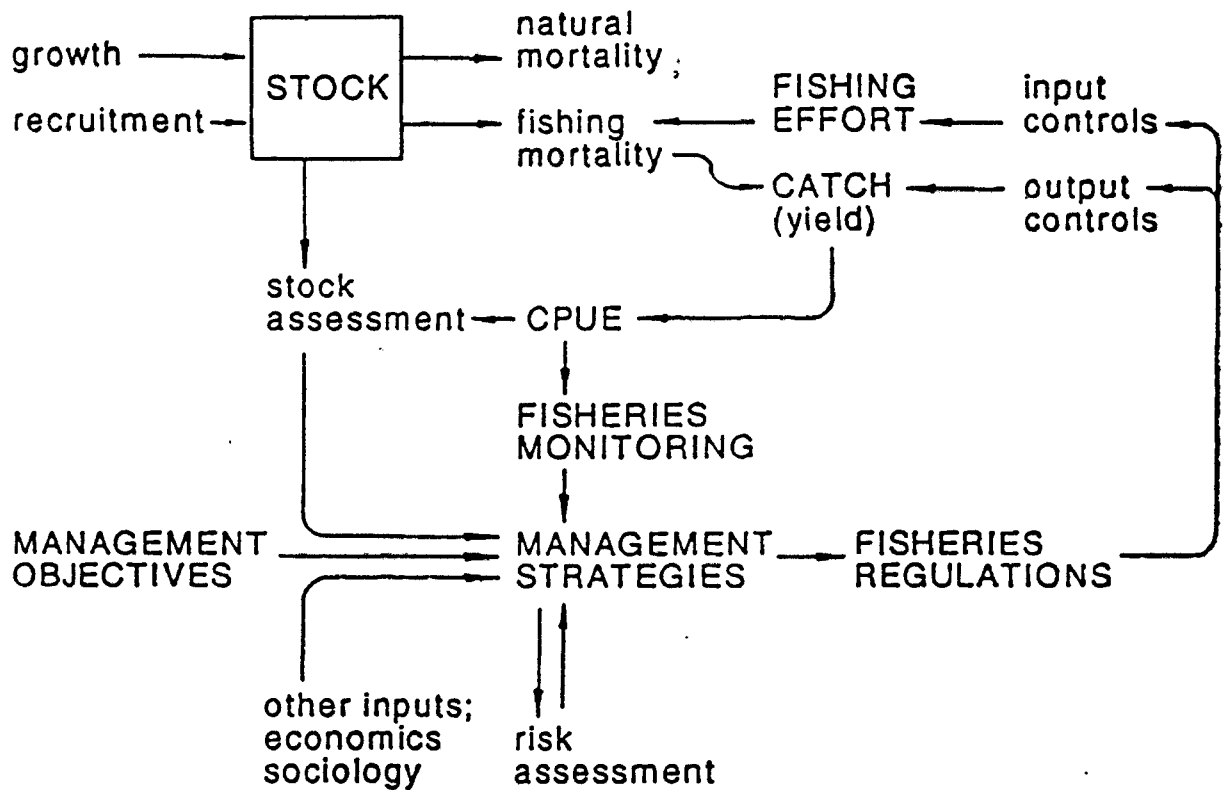
Under the Law of the Sea Treaty, a coastal country has control of offshore areas, the Exclusive Economic Zone (EEZ), out to 200 nautical miles from its coastline. Where stocks are shared by two or more states (straddling stocks), the Law of the Sea Convention states that the countries should seek «to agree upon the measures necessary to co-ordinate and ensure the conservation and development of such stocks».

As fisheries management must often address social, political, legal, economic and biological factors, the overall objectives of fisheries management will almost always involve compromise. Goals of fisheries management are a compromise that reflects the impossibility of optimizing several individuals and outcomes at once. Nevertheless, the main test of fisheries managers is to follow strategies ensuring the long-term sustainability of fisheries resources, and preventing both biological and economic overfishing as well as minimizing disruption to marine ecosystems.(2)

The relationship between fish stock assessment, management objectives, strategies and regulations is shown in **Figure 1.4**. Once the objectives or policy aims of managing a particular fishery have been defined, the range of management strategies capable of achieving these objectives can be considered.(3)

The outcome of fisheries research and stock assessment should be to provide advice to fisheries managers in the form of probable biological, economic and environmental outcomes for a range of possible management strategies. This advice should include an assessment of the risks associated with its alternative strategy, and a summary of the particular controls or regulations required to achieve the objectives.

Figure 1.4: Relationship between fish stock assessment, management objectives, strategies and regulations



Source: King, Michael (1995). *Fisheries Biology, Assessment and Management*, p.270

5.2 - CURRENT NATIONAL ACTION PLAN

As mentioned in previous chapters, the total level of exploitation of Moroccan marine resources within the EEZ enables considerable fish catch, varying between 1,100,000 and 1,600,000 tons per year.(4) However, the current exploitation of fisheries resources by both national and foreign fleets remains in general concentrated on commercially valuable species, such as cephalopods, shrimp and white fish. This situation led to overfishing mainly intensified on targeted stocks, which sometimes are already in danger of depletion.

Whenever the objective is capture optimization for a certain species, there is always antagonism between the intensity of fishing allowed and the abundance of resources.(5)

These considerations enabled the Moroccan authorities to set up a national action plan essentially based on a rational fisheries management, coastal fleet modernization and aquaculture development.

5.2.1 - Rational Fisheries Resources Exploitation

To set up a rational fisheries management policy requires an adequate assessment and monitoring of the stocks, a reinforcement of scientific marine research, an adapted fisheries legislation, and an intensified control and surveillance at sea.

5.2.1.1 - Fisheries Stock Assessment

The exploitation of demersal and pelagic species within the Moroccan EEZ, both in the Atlantic Ocean and the Mediterranean Sea, is characterized by a variety of targeted species, namely black hake, silver hake, shrimp, cephalopods and white fish regarding demersal species, and sardine, mackerel, saury, anchovy and tuna

regarding pelagic species. Furthermore, this potential fishery is exploited by different fishing gears, e.g. trawls, long-lines, purse-seines, mesh nets and compartments. These multi-species and multi-gear fisheries have simultaneously resulted in advanced exploitation by different fishing fleet activities.

In this respect, the work assessments on different high seas fish stocks (demersal and pelagic), conducted at sub-regional (CECAF, GFCM), bilateral (Morocco-EU), or national levels, have shown that:

- The level of exploitation in the Moroccan EEZ becomes more and more ill-adapted to the real status of the fish stocks;
- The fishing effort is excessively increasing because of an over-investment and an abusive exploitation, mainly from European fleets, which represent 40 % of the total effort directed on targeted species;
- Most of the targeted species are subject to high fishing intensity. This results in a reduction of both the catch level and the average size of the fish caught. This in turn has the effect of reducing the economic value of the yield, and consequently produces a negative impact on the Moroccan economy;
- A boosting of natural instability of fish stocks and landings resulting in an increased risk of stock collapse and temporary disappearance of fisheries.
- Juveniles and spawning, mostly concentrated in abundance during recruitment periods, are massively affected by different fishing gears and fishing methods, resulting in a sharp decrease of the total fisheries resources abundance, a change in their specific compositions, and a narrowing of the fishing zones.⁽⁶⁾

The conclusions of these assessments revealed that the situation of the current stocks in the Moroccan EEZ desperately needs an effective reduction of the fishing effort. This can gradually be carried out on the one hand by decreasing half the foreign fishing effort through the grant of fishing licences, and on the other hand by directing the national coastal fleet to the open sea and unexplored fishing zones.

However, other auxiliary measures, such as mesh size control, closures of fishing seasons and fishing areas, although they have been foreseen in the current fisheries regulations, must be enforced "on the ground" in order to limit the collapse of stocks in the very short-term.(7)

5.2.1.2 - Fisheries Monitoring and Data Analysis

Following the assessment and development of a fishery, a permanent and lower level system of data collection may be used to monitor the "health" of a fishery and to determine the effectiveness of management strategies. Catch and fishing effort information is the basic data requirements. Although annual catches will fluctuate to a greater or lesser degree depending on the target species; a trend of falling catch rates may indicate that a fishery is being exploited above the sustainable rate.

In monitoring the fishing effort, inventory of boats, fishing gear and fishing methods used in the fishery must be maintained and continually updated.(8)

In the past few years, Morocco has made a tremendous effort to set up a data bank for the fisheries sector. Similarly in the collection of commercial fisheries data, biological sampling has also made it possible to get information on the demographic structure of the catch and the interaction between the exploitation methods.

In such case, data collection on foreign fisheries catch in the Moroccan waters has been reinforced by means of the official declarations on catch, and also by means of the presence of national surveyors on board foreign vessels.

Nevertheless, the biological sampling data has shown certain weaknesses, such as:

- Lack of available data and information, because of the reluctance of fishing factories to disclose their exploitation costs;
- Escape of some important artisanal fishery data from the official declarations, owing to the fact that fishing activities take place throughout beaches and scattered fishing sites;
- Under-estimation of the total foreign vessel catches due to the lack of control and surveillance at sea.

5.2.1.3 - Geographical Allocation of Fishing Effort

The partial transfer of fishing activities, i.e. pelagic and demersal fishing, from the most exploited coastal zones (in the north Atlantic coast, between Cape Sim and Cape Juby) to the lesser exploited ones, which are located on the southernmost part of the Atlantic coast, represents the key measure of the current coastal fisheries management and conservation plan in Morocco.

Such conversion of the coastal fishing effort allows an important diminution of the fishing intensity near the coast, on the one hand, and a substantial reduction as regards the level of interaction between the trawling fishing and the passive fishing gears, used by the artisanal boats, on the other hand.

In this respect, some preferred actions have been taken by the local authorities, such as:

- The creation of "fishing villages" (villages de pêche), located near the allocated zones, in order to ensure the regularity of fishing activities within these sites, and to limit the congestion of the nearby ports.
- The development and modernization of the existing coastal fleet in order to increase the range of the fishing units and diversify their output.

5.2.1.4 - Scientific Marine Research

The necessary knowledge and follow-up of the status of the exploitation of stocks require a permanent research effort on marine resource conservation and management, by directing decisions and measures to be enforced by the Moroccan Fisheries Administration, and also by guiding the domestic coastal fleet towards appropriate fishing zones, and by using adequate fishing gear and fishing methods.

5.2.1.5 - Need to Amend Fisheries Legislation

To regulate the fishing effort in the Moroccan EEZ is an objective for which the current legislation does not encourage the enforcement. At present, the basic Act, which governs the ocean fisheries activities, is the Dahir (Act) of 1973.

Accordingly, the new developments of the Law of the Sea as well as the mutations of national fisheries exploitation make some provisions of the current Moroccan legislation outdated owing to its relative inadequacy and a coercive approach to management. This legislation had been developed at the time the over-exploitation issue was considered in Morocco with lesser acuity in comparison with the current stock situation.

Certainly, the Act of 1973 had foreseen some measures according to the fishery resources conservation, such as the temporary or definitive fishing ban of certain species in certain seasons and in some specific areas. However, these measures are more concerned with the biological aspect than the economic and social ones.

In this respect, the redrawing of the Maritime Code is currently in prospect in Morocco with the objective to implement a pluri-annual fisheries management plan. Such plan will determine the optimum sustainable yield (OSY), by fishing type and fishing zone, which may be considered a viable exploitation, economically and environmentally sustainable. Moreover, this plan will set up an acceptable catch level that may be carried out without jeopardizing the species recruitment cycle. Besides, the construction permits for new fishing boats as well as fishing licences will be delivered in restriction of catch quota and solely for specific fishing zones.

The revision and enforcement of such legislation must take place in the very short term, so that the Fisheries Administration is endowed with a legal tool that could have an influence on the protection and even on the survival of the national resources.

These different legal aspects, which constitute an essential component of the fisheries management policy in Morocco, are closely related to the reinforcement of control and surveillance at sea.

5.2.1.6 - Control and Surveillance at Sea

In order to be more efficient, the control and surveillance at sea should be "regionalized" in such a manner to permanently cover the principal fishing zones. This control should primarily aim at a strict observation of the management plan, developed by the Moroccan Fisheries Administration, as well as an enforcement of the fishery regulations regarding fishing gear and fishing methods, and also the elimination of illegal fishing from pirate vessels.

In addition to the surveillance activities conducted by the national Royal Navy, the Moroccan Administration should implement controls near the coastal zones, to which access is difficult for big coastguard vessels, especially since several offences are committed close to the coastline, which is the most convenient "escape route" for small foreign fishing units.

Therefore, the Moroccan Fisheries Administration has recently been equipped with limited range coastguard vessels as well as 14 patrol aircraft for the purpose of supplementing the existing surveillance measures.(9)

In the same way, the Moroccan government has recently applied for the acquisition of a tracking system by satellite, enabling the Fisheries Administration to control, at real time, all vessels in activity within the waters of national jurisdiction. This sophisticated device, which is set up for a better enforcement of fishing regulations, is simultaneously supported by a control of catch at the landing ports.(10)

Furthermore, the control of foreign fleet activities within the Moroccan EEZ is currently ensured by the grant of fishing licences, the setting up of catch quotas for certain species, and the compulsory presence of national surveyors on board foreign fishing vessels in accordance with the fishing agreements.

5.2.2 - Coastal Fishing Fleet Modernization

The level of depletion of different species in the national coastal waters led the Moroccan government to effectively reduce the fishing effort in the early nineties. As a result, decisions had been enforced to ban all investment projects aiming at constructing or purchasing additional fishing units similar to those existing.

This policy had a negative impact on the related activities, e.g. shipyards. In return, the government considered to boost the shipyard activities by initiating the coastal fleet modernization project in the frame of the current national action plan. The obsolescence of the existing fleet and the lack of equipment for navigation, prospecting and on board preservation, constitute the main factors for which the fleet still remains confined to the coastal zones. As a result, the fishers are tempted to violate the current fishing regulations (illicit mesh size, illegal fishing zones), as they are struggling to financially survive to the detriment of fisheries resources conservation. In such situation, the enforcement of these regulations becomes a very sensitive task for the government, taking into account socio-economic factors.

Therefore, the renewal and modernization of the national coastal fleet constitute a priority of the related sector development plan. The objective of this programme is to introduce updated arrangements allowing better preservation of the catch on board vessels, e.g. thermal insulation of wedges, refrigeration system, and also adapted fishing gear and appliances in order to exploit the fisheries resources with profitability beyond the traditional fishing zones.(11)

In this perspective, the Moroccan Fisheries Administration has set up incentives and financing programmes intended for professional associations, which contain a warranty fund for the fleet investments, which is called "ADDAMAN-AL-BAHRI" as well as a support fund for the fleet modernization.(12)

The success of this project needs full contribution of national professionals to support the different steps of its development and implementation.

5.2.3 - Aquaculture Development

In Morocco, aquaculture activities have significant potential making it possible to increase fisheries resources by developing existing natural sites for fish farming. In this respect, the current strategy implemented by the Moroccan Administration for promoting these activities, aims at:

- a) integrating aquaculture activities in the coastal zone management programme;
- b) improving the socio-economic status of artisanal fishermen by encouraging their integration to the related sector;
- c) increasing the output of commercially valuable species;
- d) conserving fish stocks in a state of depletion by means of recruitment.

In order to further develop this sector, which has already received tremendous financial support in the areas of scientific research and training, the investors are exempted from customs duty and value added tax, granted by the national code of investment in the frame of the 1989 Treasury Law.(13)

At present, Morocco deals with about ten projects of which two are currently operational. The overall output was about 1,400 tonnes in 1995, of which 1,000 tonnes consisted of white fish, e.g. catfish, sea bream, and shrimp.(14)

Aquaculture development should be carried out with in-depth research on naturally ecological and bio-geological systems. Two research projects have already been initiated on two natural sites, namely "Nador lagoon", on the Mediterranean side, and "Dakhla bay", on the Atlantic side. Both projects are aimed at the environmental impact assessment of fish farming equipment on the ecosystem, and

the integrated management planning for assessing the impact of human activities on the ecology of the sites.

Moreover, the development and management of shell stocks in Morocco are currently a matter of concern since the increased national and international demands accounted for an over-exploitation of certain stocks, e.g. clams, for which an extensive aquaculture activity is actually implemented for re-stocking depleted areas.

According to re-stocking activities, in 1992 Morocco and Japan jointly initiated a worldwide red tuna farming project in M'Miq, which is located in the north region of Morocco. The objective of this aquaculture project is to restock this depleted species in the area of Alboran located on the Mediterranean Sea.(15)

According to aquaculture research, Morocco has recently submitted a petition to the International Co-operation, aiming at the establishment of a National Research-Development Center in aquaculture. This Center will have the tasks of undertaking in-depth research programmes dealing with engineering aquaculture, genetic aquaculture, pathology and species diversification.(16)

In parallel to the above mentioned national plan, some technical restrictions for fisheries management and conservation should be implemented within the Moroccan fishing zones in consideration of the fishing access.

5.3 - FISHING ACCESS RESTRICTIONS

The management and conservation policy in Morocco is based on a variety of technical measures, which were adapted on the basis of scientific advice, and cover the following aspects:

5.3.1 - Mesh Size in Fishing Nets

Minimum mesh sizes in nets are applied in many fisheries to allow small individuals to escape and grow to a more valuable market size, i.e. to prevent growth in overfishing. A further aim may be to allow individuals to reach a size at which they can reproduce, at least, once before capture.

Sensibly, the regulation should be applied only when there is some information on the selectivity of the fishing gear in relation to target species.(17)

According to the mixed trawl fishing, which simultaneously exploits white fish and shrimp along the Moroccan Atlantic coast, the use of a single 60-millimetre (mm), as minimum mesh size in fishing nets, was not considered viable. Therefore, it was necessary to enforce an adequate mesh size regulation, taking into account the fishing fleet specialization and the targeted species groups. In this respect, the current regulations are: 60 mm for bottom trawling (demersal fisheries), and 50 mm for shrimp trawling.

Regarding cephalopod fisheries, the current regulation foresees a mesh size of 60 mm for fishing nets. However, Morocco has had difficulties in implementing such management techniques, due to their violation both from domestic and foreign fleets.

To partially overcome this problem, the country has been enforcing control over the landed fish sizes since 1992. However, such control has, so far, been limited to the national fleet.(18)

5.3.2 - Fishing Gear and Fishing Methods

The uses of fishing gear and fishing methods depend on the type of species fished. Techniques vary from very simple, such as hand-line collection, to complex and expensive operations, such as purse-seining or trawl nets. The latter, which are considered as active fishing gears (or mobile gears), are more efficient in terms of landed catch weight, and have more potential to do damage to the sea floor.

Some fishing gear and fishing methods can be limited in size, type and number; and some of them may be prohibited. For example, the current regulations enforced on the Moroccan coasts prohibit the use of gears that generate harmful effects on the ecology and the marine bio-diversity, such as monofilament and multi-monofilament gill nets, drifting gill-nets, and purse-seine nets for pelagic fisheries.(19) (For more details, see Table 1.7).

Gear regulations are often imposed on the fishing fleet to allow fishery resources to be shared by a large number of user groups. These regulations could be more appropriate in artisanal fishery, where the resources provide employment and food for a large number of local fishing communities.

**Table 1.7: Fishing gear regulations through fishing agreement
between Morocco and the EU**

Fishing categories	Authorized fishing gear	Mesh sizes
Cephalopod fleet:	Bottom trawling (1)	• 60 mm
Shrimp trawlers:	Bottom trawling (1)	• 50 mm
Long-liners or Drift-liners:	Long-lines, Drift-lines, Passive gill nets (2)	• 100 m spacing, perpendicular way. • 200 m spacing, parallel way • 1000 m max. length for passive gill nets
Purse-seiners (north):	Purse-seine	• 500 m x 90 m dimension
Purse-seiners (south):	Purse-seine	• 1000 m x 130 m dimension
Artisanal fleet:	Hand-line, rod, compartment (3)	—
Black hake trawlers:	Bottom trawling (1)	• 60 mm
Pelagic trawlers:	Pelagic trawling and/or beam trawling (4)	• 40 mm
Tuna fleet:	Rod, long-lines, purse-seine for alive bait	• 8 mm
Sponge fleet:	Adequate gear for sponge fishing	—

Source: MPMMM/DPMA (1995), Recueil succinct des principales dispositions techniques de l'Accord de pêche établi entre le Royaume du Maroc et la Communauté Européenne, p.2.

- (1) Prohibition of doubling net bags and net wires.**
- (2) Prohibition of using enamelled nets and mono-filament and multi-filament nets.**
- (3) Prohibition of using long-lines nets, drift nets, fixed gill nets, trolling and fish traps.**
- (4) Prohibition of doubling trawl net bags.**

5.3.3 - Closures

Fishing activities can be banned either during particular times or seasons (temporal closures), or in particular areas (spatial closures), or a combination of both.

5.3.3.1 - Closures on Fishing Seasons

If the period of recruitment in a particular species is short and well defined, a closed season at the time of recruitment can allow small individuals to grow to a more marketable size. In some fisheries on short-lived species, fishing grounds are closed at the time of recruitment and re-opened when young fish reach an optimum size. The disadvantages of seasonal closures are that fishing is discontinuous and boats and processors sit idle in the absence of any other fishing activity.

Whether or not temporal closures are effective in protecting juveniles and spawning females, a useful sideeffect is that the overall annual fishing effort merely becomes more concentrated in the open season.

In Morocco, this restrictive measure of temporal closures, or banned seasons, has gradually been enforced on both national and European fleets, and reinforced through successive fishing agreements between Morocco and the EU, owing to the high level of over-exploitation of target species in particular zones. Therefore, a fishing ban has been used over the Moroccan and European fleets during certain periods of the year (generally 2 months break) for each category of species, in order to decrease the fishing effort as well as to increase reproductive output. (See Table 1.8)

Table 1.8: Temporal closures on fishing activities in Morocco

Category of fisheries activity	Periods of fishing ban
Cephalopod fleet:	• September - October (1)
Shrimp trawlers:	• January - February
Long-liners:	• 15 March - 15 May
Purse-Seiners (north zone):	• February - March
Purse-Seiners (south zone):	• February - March
Black hake trawlers:	• September - October (2)
Pelagic trawlers:	• September - October (2)

Source: MPM/MM/DPMA (1995), Recueil succinct des principales dispositions techniques de l'Accord de pêche établi entre le Royaume du Maroc et la Communauté Européenne, p.2.

(1) By mutual consent, both parties can decide the possibility to adjust or modify this period.

(2) The periods mentioned are lined up on the same period regarding cephalopods

5.3.3.2 - Closures on Fishing Areas

Closed areas can also be used to protect juveniles and the spawning stock. An ecosystem-based approach to management may include setting aside large multiple-use Marine Protected Areas (MPAs), in which access and exploitation are controlled. There has been general public sympathy for declaring marine reserves, parks, or protected areas, which are used for recreation for example. There has also been fishing industry support for the protection of "critical habitats", which are crucial in the life-cycle of commercial species. In addition to, providing a means of conserving commercial fish stocks, MPAs are now seen to have a wider role in protecting marine ecosystems in general.

A marine protected area in Morocco is often a large area divided geographically into smaller areas, or fishing zones, located both in the Atlantic Ocean and the Mediterranean Sea, in which various restrictions on human activities and exploitation are currently applied through the 1995-1999 fishing agreement between Morocco and the EU. (See table 1.9)

Table 1.9: Area closures on fishing activities in Morocco

Category of fishing activities	Limits	Distances(1)
Cephalopod fleet:	• Atlantic, south of 28° 44' N	12
Shrimp trawlers:	• Mediterranean	3
	• Atlantic, north of 28° 44' N	12
Long-liners:	• Mediterranean	3
	• Atlantic	12
Purse-seiners (north zone):	• Mediterranean	1
	• Atlantic, north of 35° 48' N	1
	• Atlantic, between 34° 18' N and 35° 48' N	2
Purse-seiners (south zone):	• Atlantic, south of 26° 00' N	2 (2)
Artisanal fleet:	• Atlantic, south of 30° 40' N	1
Black hake trawlers:	• Atlantic, south of 26° 00' N	15
Pelagic trawlers:	• Atlantic, south of 26° 00' N	15
Tuna fleet:	• All zones, except north sector of 35° 48' N; 6° 20' W 33° 30' N; 7° 35' W.	2
Sponge fleet:	• Mediterranean	Isobathe 6 m

Source: MPM/DPMA (1995), Recueil des principales dispositions techniques de l'Accord de pêche établi entre le Royaume du Maroc et la Communauté Européenne, p.3.

(1) The distances are expressed in nautical miles (from the coastlines).

(2) During the two first-year of the fishing agreement, 9 purse-seiners will exploit stock C and 2 purse-seiners (with 400 gross tonnage) exploit stock B and C. During the two last-year of the agreement, 11 purse-seiners will exploit stock C.

5.3.4 - By-Catch Regulation

By definition, by-catch is the part of the catch that is taken incidentally to the target species, including "immature fish" of the target species, and of which some "trash" fish may be discarded.(20)

Where fishing methods are less selective, a large number of by-catch species may be caught, with a much greater potential for damaging effects on the ecosystems.

Much development in gear technology is aimed at reducing the catch of small individuals and non-target (by-catch) species. To reduce the number of by-catch species caught, special devices have been designed to be incorporated into nets designs. Such devices are often referred to as TEDs (trawl Efficiency Devices, Trawl Eradication Devices or even Turtles Exclusive Devices). It is now mandatory to fit exclusive devices to trawl nets used in some fisheries, including the fish exclusive device.

In this respect, the Moroccan regulations regarding the levels of by-catch, which must be allowed in fishing operations, are summarized in Table 2.0, as follows:

**Table 2.0: Level of by-catch species allowed in fishing activities
on the Moroccan coasts**

Fishing category	Level of by-catch
- Long-liners:	<ul style="list-style-type: none"> • 0% of crustaceans
- Black hake trawlers:	<ul style="list-style-type: none"> • Max. 10% of cephalopods and crustaceans • Max. 20% of other species
- Pelagic trawlers:	<ul style="list-style-type: none"> • Max. 15% of non-pelagic species • 0% of cephalopods, crustaceans, and flat fish (prohibited species)

Source: MPM/DPMA (1995), Recueil succinct des principales dispositions techniques de l'Accord de pêches établi entre le Royaume du Maroc et la Communauté Européenne.

5.3.5 - Landings of European Catch in Moroccan Ports

Aware of the interest of a better integration of fisheries in their respective fishing sectors, the binding parties, namely Morocco and the EU, agreed to implement the following regulations regarding the optional and compulsory landings of European catch in the Moroccan ports.

a) Optional Landings

With effect from the first year of the 1995-1999 fishing agreement, all European fishing categories are requested to land their catches in a Moroccan port of their own choice and at any time. However, the period of landing operations should not exceed 24 hours after the arrival of the vessels in the port. Accordingly, a certificate of landing is issued by the Moroccan Regional Deputies of Maritime Affairs at the end of each operation. An individual maritime log book, known in French as "Livret Maritime", is also delivered to the Captain of the ship, allowing free transit through the Moroccan ports.(21)

b) Compulsory landings

The obligation for the European fishing vessels to land a portion of their catch in the Moroccan ports will gradually take place at the rate of 30 %, particularly regarding cephalopod fisheries, considered as target species with a highly commercial added-value. The annual breakdown of the number of European fishing vessels involved in compulsory landing operations during the four-year fishing agreement (1995-1999) is as follows(22):

- 1st year (1995-1996): **0 vessel**
- 2nd year (1996-1997): **12 vessels**
- 3rd year (1997-1998): **15 vessels**
- 4th year (1998-1999): **25 vessels**

Furthermore, a general reduction on the quarterly licence fees both on optional and compulsory landings has been set up as an incentive in order to attract more vessels to the Moroccan ports. The rate of reductions is:

- **15 %** on cephalopod fisheries; and
- **10 %** on other fishery categories.

The objective of this incentive device is to allow more landings of catch and to generate an increase of fishing activities in the local ports for the benefit of the surrounding regions.

To sum up this chapter, it should be observed that, despite all the above mentioned fisheries management and conservation restrictions and controls on the Moroccan coasts, the level of fishing effort recorded at the end of year 1995, had increased despite the conventional fishing agreement. By means of new and sophisticated fishing gear and illegal fishing methods, displayed by the European fleet, the fishing pressure on fish stocks had increased by about 20 %.(23)

This increasing level of fishing effort in the Moroccan waters goes to the detriment of the national deep-sea fleet, which invested tremendous financial expenses in vessels modernization and fishing equipment and fully complied with the national fishing regulations.

In this respect, a message was sent by His Majesty Hassan II, the King of Morocco, to the participants of the 8th International Conference on Fisheries Economy, held in Marrakech (Morocco), in July 1996, with the objective to engage the responsibility of the International Community **“to support and reinforce the absolute necessity for conserving and developing fisheries resources worldwide, by means of a global and consistent strategic planning, in accordance with all requirements of international conventions on an ecologically sustainable basis...”**.(24)

Hopefully, this Royal message, which is supported by the recent setting up of a Council of Higher Resources Preservation (CSPR) in Morocco, will help the country to enforce an adequate and efficient fisheries management and conservation policy in the near future.

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- 9 - ISPM (1995), "Rapport National sur le Secteur des Pêches Maritimes au Maroc", p.10.
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- 13- MPMMM (1990), "Le Maroc Maritime", p.131.

- 14- ISPM (1995), "Rapport National sur le Secteur des Pêches Maritimes au Maroc" p.24.
- 15- Ibid
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- 19- Ibid
- 20- King, Michael, (1995), "Fisheries Biology, Assessment and Management: Glossary of terms, p. 334.
- 21- MPM (1995), "Fishing Agreement between the Kingdom of Morocco and the European Union", Period of 1995-1999, Annex III, Section B, p.2.
- 22- Ibid, Annex III, Section C, P.3.
- 23- "L'Opinion" du 21.07.1996, Article Pêche: "Les Paradoxes de la Politique de Préservation des Ressources", p.8.
- 24- Ibid

CHAPTER SIX

CONCLUSION AND RECOMMENDATIONS

The fishing agreement between Morocco and the European Union has constantly been subject to changes and development in form, content and nature through successive negotiations.

The interaction of political, socio-economic and legal factors show that both parties have gradually taken into consideration the intractable issue of fishing effort and the need to set up an integrated fisheries management and conservation policy in the Moroccan waters both within a 200-mile EEZ and the adjacent high seas.

In this respect, the legal and administrative framework of the agreement still remains inadequate to the current situation, since Morocco and the EU have not yet reconciled their opposing interests and objectives.

Currently the Moroccan fishery sector is expected to meet the objectives of socio-economic development as well as those of ecologically sustainable resource exploitation. Nevertheless, some target species are still threatened with depletion if stricter controls are not imposed on both Moroccan and foreign fishing activity.

However, some winds of change have begun to blow in the past few years, bringing a commendable awareness of the importance of the Moroccan fishing sector and its contribution to the achievement of food self-sufficiency for the country through the implementation of a rational fisheries exploitation and conservation policy. This awareness can be observed at national, international and regional levels:

- At a national level, the increasing interest in the fishing activities and the protection of marine resources is not only the official authorities' concern, but it also involves to a large extent Moroccan public opinion as well as the Moroccan fishing boat owners associations, who have become unsure whether the renewal of fishing licences to European vessels benefits the national fleet. Basically, the desire is to increase the capacity of Morocco's fishing industry to take advantage of fishery resources within its EEZ.

However, in spite of these justifiable considerations, it is important to emphasize that the EU is a reality that Morocco must live with in order to achieve its economic development, not only in the fishing sector, but in all sectors of national activities that are export-oriented. It is accordingly useful and even vital that a cordial relationship and sustainable co-operation with all European Member states should be maintained for the benefit of all concerned. In this respect, His Majesty Hassan II, the King of Morocco, said: **"The link that currently exists between Morocco and the European Union is more important, much closer and much more lasting than whatever problem might divide them".(1)**

- At an international level, the provisions of the United Nations Convention on the Law of the Sea and the FAO Code of Conduct of Responsible Fishing currently constitute the main support, which Morocco relies strongly on in order to carry out its fisheries management and conservation policy.

Accordingly, the obligation for the third-states to comply with the sovereign coastal state's management measures, is a prerequisite for achieving the goals of sustainable fisheries development. In this context, F. Wodie said: **"The marine resources conservation and management constitute for the coastal state a sort of international mandate with economic and ecological purposes...This willingness for preserving the marine resources represents a real interest for the International Community, since we all know that fish stocks are not inexhaustible".(2)**

- Furthermore, it is necessary to keep in mind that Morocco is involved in regional and sub-regional co-operation with other nations dealing with fisheries management and marine environment protection. This imposes on the country the obligation of a rational exploitation of its fisheries potential in order to maintain a sustainable development beyond its own interests.

To conclude these tentative proposals on the integrated fisheries management through fishing co-operation between Morocco and the EU, the following recommendations can be drawn:

- i) The primary action to be taken by both parties in their fishing relationship is to establish a partnership agreement with common interests and on a mutually profitable basis, taking into account the achievement of their socio-economic, commercial, technical and scientific objectives.
- ii) Morocco and the European Union should establish effective mechanisms for cooperation and coordination among their respective national authorities involved in planning, development, long-term conservation and sustainable use of fisheries resources at levels which promote the objective of their optimum utilization and maintain their availability for present and future generations.

- iii) The binding parties should promote the establishment of procedures and mechanisms at the appropriate administrative level to prevent and settle conflicts which arise between their respective governments with regard to their fishing objectives and strategies. All conflicts relating to fishing effort and fishing practices should be resolved in a timely, peaceful and cooperative manner, in accordance with applicable international conventions. The parties concerned should make every effort to enter into provisional arrangements of a practical nature, which should be without prejudice to the final outcome.

- iv) Both parties should ensure through their fishing agreement that an effective legal and institutional framework is adopted to achieve sustainable and integrated use of the resources, taking into account the fragility of the Moroccan coastal ecosystems and the finite nature of its fisheries resources.

- v) The European Union must recognize that the current level of over-exploitation of certain groups of fish stocks, particularly target species, threatens their depletion both within the 200-mile EEZ under the Moroccan jurisdiction and in the adjacent high-seas. Accordingly, the EU should grant Morocco the maximum guarantee in order to minimize this problem by making every effort to ensure and facilitate the sustained recovery of such stocks adversely affected by fishing.

- vi) Morocco and the EU should foster and promote international co-operation and coordination in all matters related to fisheries, including information gathering and exchange, fisheries research, management and development.

- vii) Morocco should prevent overfishing and excess fishing capacity, and should accordingly implement management measures and fishing access restrictions to ensure that the fishing effort is commensurate with the productive capacity of the fishery resources and their sustainable utilization.

- viii) Conservation and management decisions for fisheries should be based on the best scientific evidence available, also taking into account traditional knowledge of the resources and their habitat, as well as relevant environmental, economic and social factors.
- ix) Morocco should be able to monitor and assess the state of the stocks under its jurisdiction, including the impacts of ecosystem changes resulting from fishing pressure, pollution or habitat alteration. The country should also establish the research capacity necessary to assess the effects of climate or environment change on fish stocks and marine ecosystems.
- x) Morocco should collect reliable and accurate data and statistics, which are required to assess the status of each type of species or group of species, and the status on catch and fishing effort. Such data should regularly be updated and verified to allow sound analysis.
- xi) Morocco should conduct scientific marine research activities and in-depth studies as a fundamental basis of sustainable fisheries development, including biology, ecology, technology, environmental, economic and nutritional sciences, to ensure optimum utilization of fishery resources and to assist fisheries managers and other interested parties in making appropriate decisions through national policies.
- xii) Morocco should promote aquaculture activities by ensuring responsible choice of species and siting management, and when feasible, by developing culture techniques for endangered species to protect, rehabilitate and enhance their stocks, taking into account the critical need to conserve genetic diversity of endangered species.

- xiii) Morocco, in conformity with an adapted national fisheries legislation, should implement effective fisheries monitoring, control and surveillance at sea and enforcement of applicable measures including, where appropriate, observer programmes, inspection schemes with respect to fishing operations and related activities.

- xiv) Morocco should take adequate measures to minimize discards, catch of non-target species and by-catch. Such measures may include technical measures related to fish size, mesh size or gear, closed seasons and areas in order to protect juveniles and spawners. The use of fishing gear and destructive fishing practices that lead to the discarding of catch should be discouraged and the use of fishing techniques and methods that increase survival rates of escaping fish should be promoted.

- xv) In order to prevent illegal fishing within its waters of national jurisdiction, Morocco should adopt measures to ensure that no vessel be allowed to fish unless so authorized through fishing licences in accordance with the provisions of the fishing agreement binding Morocco and the EU.

- xvi) Morocco should ensure that laws and regulations provide for sanctions applicable in respect of violations, which are adequate in severity to be effective, including sanctions which allow for the refusal, withdrawal or suspension of authorizations to fish in the event of non-compliance with conservation and management measures in force.

- xvii) Recognizing the paramount importance for national fishers and fishfarmers to understand the conservation and management of the fishery resources on which they depend, Morocco should promote awareness of responsible fisheries through education and training and motivate them to conduct their activities in an environmentally responsible manner.

xviii) Morocco should promote the creation of public awareness of the need for the protection and management of its coastal fisheries resources and the participation in the management process by those affected. Accordingly, seminars and meetings should be organized across the country to establish permanent communication and understanding of the fishing issue, and to discuss and analyse the related rules and regulations of international law and their application.

xix) Morocco should undertake necessary measures for an effective implementation of the relevant rules of international law, as reflected in the United Nations Convention on the Law of the Sea, 1982:

- in the light of the 1992 Declaration of Cancùn (Mexico) and further its International Code of Conduct on Responsible Fisheries, as adopted on 31 October 1995 by the FAO, the 1992 Rio Declaration on Environment and Development, and "Agenda 21" adopted by the United Nations Conference on Environment and Development (UNCED); and
- in accordance with other applicable rules of international conferences dealing with fisheries management and conservation and food security.

To sum up, despite some changes, which have brought some innovations to the latest fishing agreement between Morocco and the European Union, in matters of a rational fisheries exploitation policy, there is still a need for improvement and development in certain areas. Therefore, the author hopes that the principles discussed in this research paper will be useful at various stages in the implementation of integrated and sustainable fisheries management policy, which will take into account the importance of having adequate laws and institutions to ensure the required protection of the resources.

This paper has been an attempt to contribute to the ongoing debate on new developments with regard to fisheries resource management. The author does not advocate more laws and regulations or the creation of more institutions, but proposes to improve the existing ones, and the introduction of an integrated approach to fisheries resource management, which is based on the principles of conservation and sustainable development.

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MOTTO

**“ IT IS NOT THE CRITIC WHO COUNTS,
NOT THE MAN WHO POINTS OUT
HOW THE STRONG MAN STUMBLES, OR
WHERE THE DOER OF DEEDS COULD HAVE
DONE THEM BETTER.**

**THE CREDIT BELONGS TO THE MAN WHO
IS ACTUALLY IN THE ARENA;
WHOSE FACE IS MARRED BY DUST AND
SWEAT AND BLOOD, WHO STRIVES VALIANTLY;
WHO ERRS AND COMES SHORT AGAIN AND AGAIN;
WHO KNOWS THE GREAT ENTHUSIASMS,
THE GREAT DEVOTIONS; WHO SPENDS HIMSELF
IN A WORTHY CAUSE; WHO, AT THE BEST,
KNOWS IN THE END THE TRIUMPH OF
ACHIEVEMENT; AND WHO, AT THE WORST,
IF HE FAILS, AT LEAST FAILS DARING GREATLY.”**

(THEODORE ROOSEVELT) .

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GLOSSARY OF TERMS

Artisanal fishery A small-scale, low-cost and labour-intensive fishery in which the catch is consumed locally.

Benthic species It refers to fishes which live permanently in or on bottom of the sea, such as molluscs or flat fish.

Bilateral agreements Arrangements between two countries whereby foreign fishers pay a fee for access to fish stocks not fully utilized by national fishers.

Biodiversity (biological diversity) The variety of living material in terms of genes, species and ecosystems within a given area.

Biomass The sum of weights of individuals in a fish stock.

By-catch The part of the catch that is taken incidentally to the target species, including "immature fish" of the target species, and of which some (trash fish) may be discarded.

Catch quota The maximum catch permitted to be taken from a fishery; such a limit applied to the total catch from a fishery is often referred to as a global quota.

Cephalopods The most highly evolved class of "Cephalopoda", or benthic molluscs species, possessing no shell and move by means of a muscular tentacles. The most common species of cephalopods today are the octopuses, cuttlefish, and squids.

Closures of fishing season and areas The banning of fishing during particular times or seasons (temporal closures) or in particular areas (area closures), or in combination of both.

Exclusive economic zones An area of sea out to 200 nautical miles from coastlines or outer reefs, in which the adjacent coastal state has control and responsibilities under international law.

Fisheries regulations Controls designed to restrict either effective fishing effort (input controls) or the total catch (output controls) to predefined limits in a fishery.

Maximum Sustainable Yield (MSY) The largest annual catch that may be taken from a stock continuously without affecting the catch of future years; a constant long-term MSY is not a reality in most fisheries, where stock sizes vary with the strength of year classes moving through the fishery.

Optimum Sustainable Yield (OSY) A level of yield consistent with the biological capacity of the stock (therefore usually less than MSY), which takes into account economic, sociological and environmental factors - a concept that relies on 'optimum' being given specific meaning.

Pelagic species It refers to fishes which are not living near the bottom, but close to the water surface, such as sardines or herring.

Quota A limit on the weight of fish that may be caught in a particular stock or area; a bag limit is a quota (usually in numbers of fish caught) applied to recreational fishers.

Recruitment The addition of young to a fish stock.

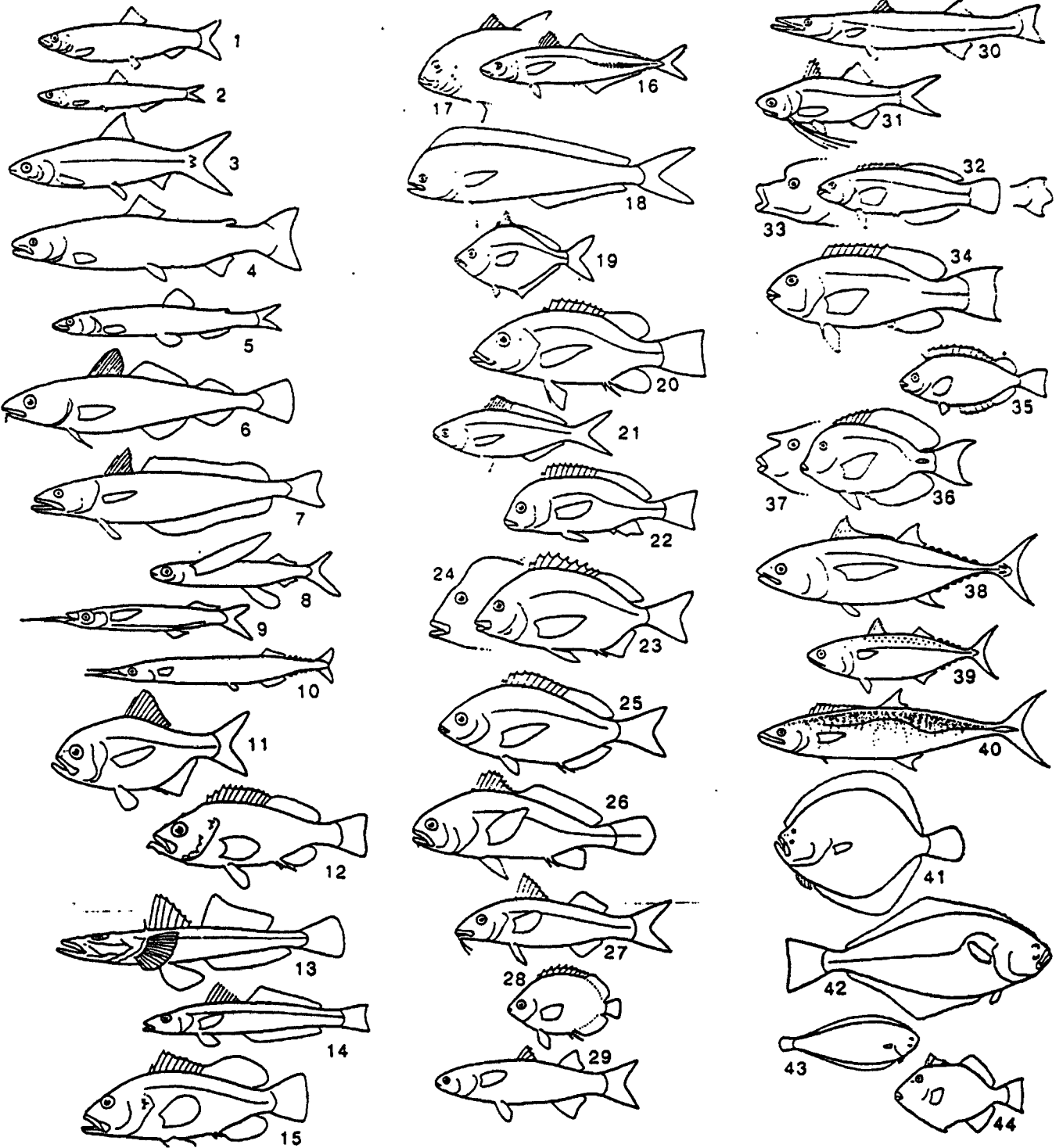
Recruitment overfishing A level of fishing in which the adult stock is reduced to the extent that recruits produced are insufficient to maintain the population

Total Allowable Catch (TAC) The maximum catch allowed from a fishery in accordance with a specified management plan.

APPENDICES

Appendix 1: Fisheries Resources.

Fisheries Resources

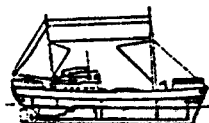


Family	Common name	Example
Clupeidae	1) herring, sprat,	<i>Clupea harengus</i>
Gadusmoroneidae)	2) sardine, pilchard	herring (40 cm)
Engraulidae	2) anchovy	<i>Engraulis encrasicolus</i>
Macropodidae)		anchovy (15 cm)
Carangidae	3) milkfish	<i>Caranx melampygus</i>
		milkfish (120 cm)
Salmonidae	4) salmon, char, trout	<i>Salmo gairdneri</i>
		Atlantic salmon (150 cm)
Merlucciidae	5) capelin, smelt	<i>Merluccius villosus</i>
	grayling	capelin (23 cm)
Gadidae	6) cod, haddock,	<i>Gadus morhua</i>
	whiting, pollack	Atlantic cod (150 cm)
Merlucciidae	7) hake	<i>Merluccius merluccius</i>
		European hake (180 cm)
Exocoetidae	8) flying fish	<i>Exocoetus volitans</i>
		flying fish (25 cm)
Hemiramphidae	9) garfish, halfbreak	<i>Hemiramphus far</i>
		black-barred garfish (50 cm)
Scorberesocidae	10) saury	<i>Scorberesox saurus</i>
		saury (46 cm)
Berycidae	11) beryx, rough-fish,	<i>Beryx decadactylus</i>
(Trachichthyidae)	alfonsino, roughy	beryx (61 cm)
Scorpaenidae	12) red-fish, rockfish,	<i>Sebastes marinus</i>
	scorpion fish	red-fish (46 cm)
Platycephalidae	13) flat-head	<i>Platycephalus indicus</i>
		bar-tailed flat-head (100 cm)
Sillaginidae	14) smelt-whiting,	<i>Sillago sihama</i>
	'whiting'	silver whiting (30 cm)
Serranidae	15) grouper, sea bass,	<i>Epinephelus morrhua</i>
	groper, coral-cod/ trout	banded grouper (60 cm)
Carangidae	16) scad, jack, pilotfish,	<i>Decapterus russelli</i>
	runner, horse- mackerel	scad (45 cm)
	17) trevally	<i>Caranx ignobilis</i>
		giant trevally (160 cm)
Coryphaenidae	18) dolphinfish, mahi	<i>Coryphaena hippurus</i>
	mahi, dorado	common dolphinfish (150 cm)
Leiognathidae	19) ponyfish, slipmouth	<i>Leiognathus splendens</i>
		common ponyfish (13 cm)
Lutjanidae	20) snapper, sea-perch	<i>Lutjanus kasmira</i>
		blue-lined snapper (38 cm)
Caesionidae	21) fusilier	<i>Caesio cuning</i>
		red-bellied fusilier (35 cm)
Pomadasyidae	22) sweetlips, grunt	<i>Plectrorhynchus chaetodontoides</i>
(Haemulidae)		harlequin sweetlips (45 cm)
Sparidae	23) sea-bream, porgy	<i>Acanthopagrus berda</i>
	24) 'snapper'	black bream (70 cm)
Lethrinidae	25) emperor	<i>Lethrinus nebulosus</i>
		spangled emperor (85 cm)
Sciaenidae	26) croaker, drummer,	<i>Otolithus argenteus</i>
	teraglin	silver teraglin (80 cm)
Mullidae	27) goatfish, red mullet	<i>Upeneus vittatus</i>
		yellow-banded goatfish (30 cm)
Chaetodontidae	28) coralfish, butterflyfish	<i>Chaetodon melapterus</i>
		coralfish (12 cm)
Mugilidae	29) grey mullet	<i>Mugil cephalus</i>
		sea mullet (56 cm)
Sphyraenidae	30) barracuda, sea-pike	<i>Sphyraena jello</i>
		pickhandle barracuda (240 cm)

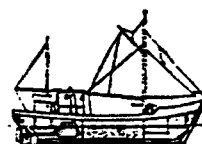
Family	Common name	Example
Polynemidae	31) threadfin	<i>Polydactylus sexfilis</i> six-finger threadfin (40 cm)
Labridae	32) wrasse	<i>Cheilinus undulatus</i>
	33) Maori-wrasse	giant Maori-wrasse (210 cm)
Scaridae	34) parrotfish	<i>Scarus ghobban</i>
		blue-bar parrotfish (100 cm)
Siganidae	35) rabbitfish, spinefoot	<i>Siganus rostratus</i>
		rabbit-face spinefoot (35 cm)
Acanthuridae	36) surgeonfish, tang	<i>Naso unicornis</i>
	37) unicornfish	long-snouted unicorn (60 cm)
Scombridae	38) tuna	<i>Katsuwonus pelamis</i> skipjack tuna (77 cm)
	39) mackerel	<i>Rastrelliger kanagurta</i> Indian mackerel (45 cm)
		<i>Scomberomorus commerson</i> Spanish mackerel (170 cm)
	40) Spanish mackerel	
Bothidae	41) left-eye flatfish, turbot, flounder	<i>Scophthalmus maximus</i> turbot (100 cm)
Pleuronectidae	42) right-eye flatfish, flounder, dab, halibut plaice	<i>Hippoglossus hippoglossus</i> halibut (250 cm)
Soleidae	43) sole	<i>Solea solea</i> common sole (35 cm)
Balistidae	44) triggerfish, leatherjacket	<i>Balistapus undulatus</i>
		orange-lined trigger fish (35 cm)

Appendix 2: The world fishing fleet.

The world fishing fleet



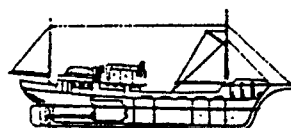
A trawler/drifter from the Netherlands. Drift netting for herring, once a major fishing activity in the North Sea, has practically ceased.



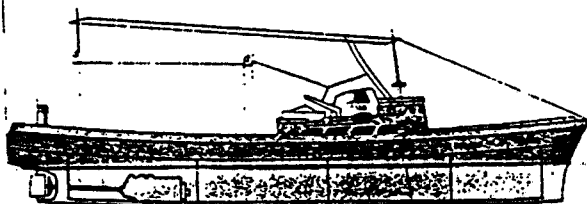
A seiner from Denmark. This vessel is also suitable for trawling, long-lining and purse-seining.



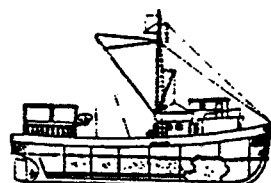
A small shrimp trawler from the Atlantic coast of the USA. These small vessels are used in the lucrative US shrimp fishery. A range of larger vessels is also used.



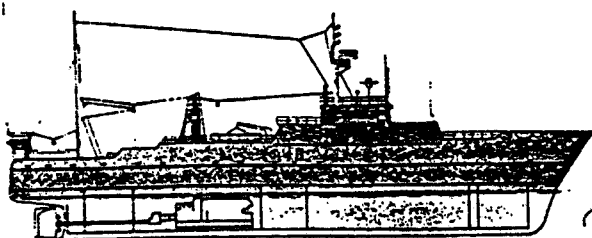
A pole and line tuna vessel from Japan which like the tuna long-liner is used in the oceanic tuna fisheries.



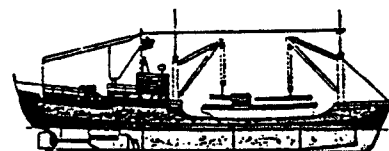
A stern trawler from the United Kingdom. This modern distant-water ship was designed to fish in the rich grounds of the North Atlantic.



A tuna clipper from the USA. This is a combination vessel, rigged here as a tuna clipper. These boats may also be used as trawlers, tuna bait boats or purse seiners.



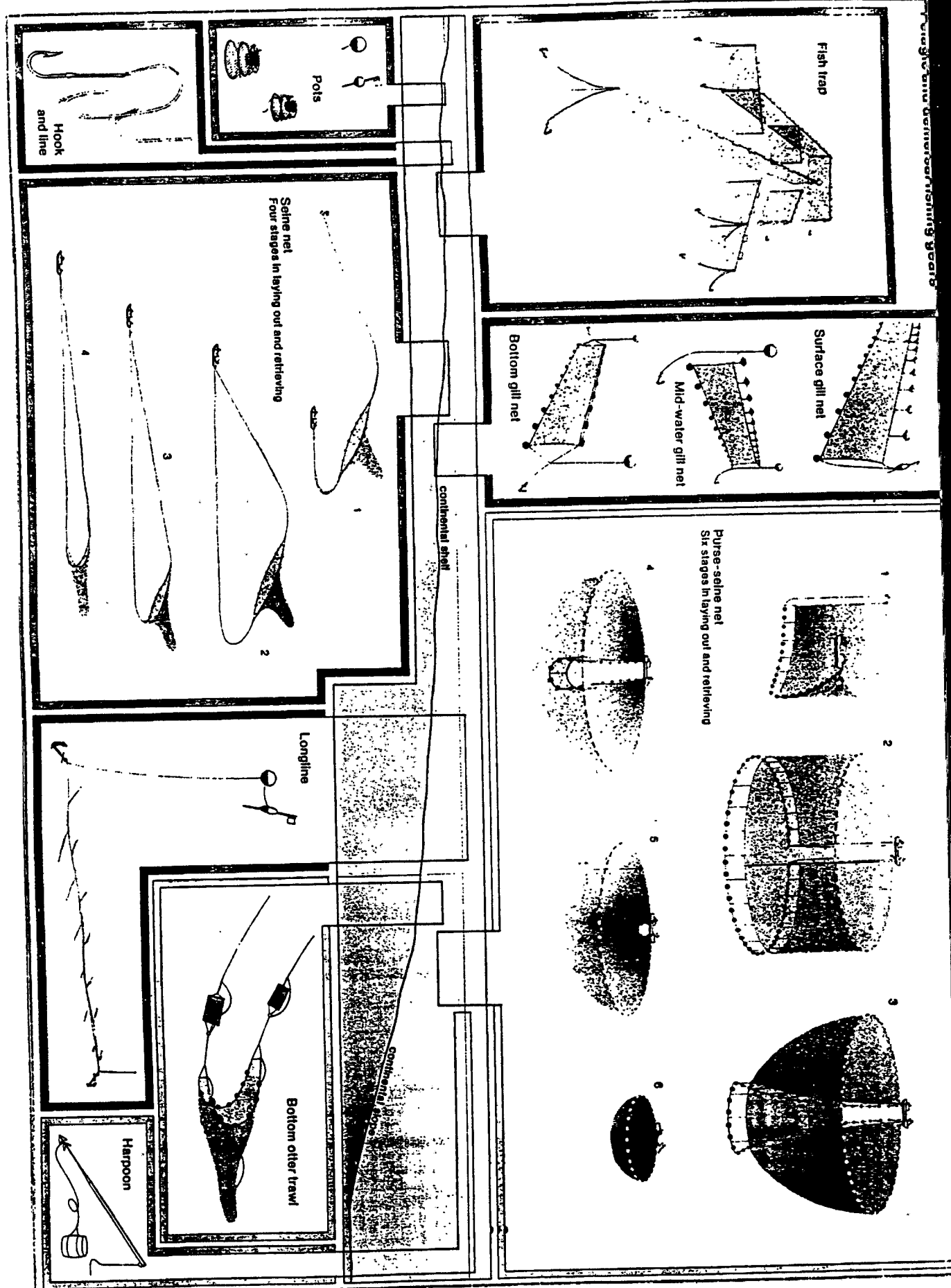
A small factory trawler from the United Kingdom equipped with the freezing and processing machinery which allows her to range far from her home base.



A tuna long-liner from Japan. These vessels range widely over the tropical and sub-tropical Indo-Pacific region in search of the high value tuna.

2 above These vessels represent some of the fishing craft used by the industrial fishing nations in the major fishing areas of the North Atlantic, American seaboard and the North Pacific. They have all evolved to meet the needs of particular fisheries and range from the small shrimp trawlers of about 16 metres (53 ft) to the factory trawler of over 100 metres (300 ft).

Appendix 3: Types of pelagic and demersal fishing gears.



Appendix 4: Council Decision of 7 December 1995 Fishing Agreement between the European Union and the Kingdom of Morocco.

19. 12. 95

EN

Official Journal of the European Communities

No L 306/1

COUNCIL

COUNCIL DECISION

of 7 December 1995

on the conclusion of an Agreement in the form of an exchange of letters concerning the provisional application of the Agreement on cooperation in the sea fisheries sector between the European Community and the Kingdom of Morocco initialled in Brussels on 13 November 1995

(95/540/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 155 (2) (b) thereof,

Having regard to the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco⁽¹⁾, signed in Brussels on 15 May 1992, and in particular Article 15 (3) thereof.

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture⁽²⁾, and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas the Community and the Kingdom of Morocco have conducted negotiations, as provided for in Article 15 (3) of the 1992 Agreement on relations in the sea fisheries sector between the European Community and the Kingdom of Morocco;

Whereas, in the wake of the negotiations, the Community and the Kingdom of Morocco have initialled a new Agreement on relations between them in the sea fisheries sector⁽³⁾ which provides fishing opportunities for Community fishermen in waters over which Morocco has sovereignty or jurisdiction;

Whereas, pursuant to Article 155 (2) (b) of the Act of Accession of Spain and Portugal, the Council is required to determine the appropriate procedures to take into consideration all or part of the interests of Ceuta and Melilla when it adopts decisions, case by case, particularly with a view to the conclusion of fisheries agreements with third countries; whereas the said procedures need to be determined in this particular case;

Whereas, in order to manage them efficiently, the fishing opportunities available to the Community in Morocco's fishing zone should be divided between the Member States, in accordance with Article 8 of Regulation (EEC) No 3760/92;

Whereas the fishing activities covered by this Decision are subject to the relevant control measures provided for in Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽⁴⁾;

⁽¹⁾ OJ No L 407, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽³⁾ See p. 7 of this Official Journal.

⁽⁴⁾ OJ No L 261, 20. 10. 1993, p. 1.

Whereas, to ensure application of the Agreement, it is necessary for the Member States to ensure that shipowners comply with their obligations and provide the Commission with all relevant information;

Whereas, in accordance with Council Regulation (EC) No 3317/94 of 22 December 1994 laying down general provisions concerning the authorization of fishing in the waters of a third country under a fisheries agreement⁽¹⁾ and with the arrangements agreed in the Agreement on cooperation in the sea fisheries sector between the European Community and the Kingdom of Morocco, the flag Member State and the Commission have to ensure that applications for fishing licences comply with those arrangements and the Community rules applicable;

Whereas, to prevent the continued interruption of Community vessels' fishing activities, the two parties have also initialled an exchange of letters providing for the provisional application of the Agreement from 1 December 1995 and whereas, therefore, it is imperative that this exchange of letters be concluded as soon as possible, pending conclusion of the Agreement on the basis of Articles 43 and 228 (3), second subparagraph, of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters concerning the provisional application of the Agreement on cooperation in the sea fisheries sector between the European Community and the Kingdom of Morocco, hereinafter to as 'the Agreement', is hereby approved on behalf of the Community.

The text of the Agreement in the form of an exchange of letters is attached to this Decision.

Article 2

In order to take into consideration the interests of Ceuta and Melilla, the Agreement and, to the extent required for its application, the provisions of the common fisheries policy relating to the conservation and management of fisheries resources shall also apply to vessels flying the flag of Spain which are recorded on a permanent basis in the registers of the competent authorities at local level (*registros de base*) in Ceuta and Melilla, under the conditions defined in note 6 of Annex I to Council Regulation (EEC) No 1135/88 of 7 March 1988 concerning the definition of the concept of originating

⁽¹⁾ OJ No L 350, 31. 12. 1994, p. 13.

products and methods of administrative cooperation in trade between the customs territory of the Community, Ceuta and Melilla and the Canary Islands⁽²⁾.

Article 3

The fishing opportunities arising from the provisional application of the Agreement shall be divided according to the table in the Annex.

Where, in a fishing category, a Member State draws up licence applications for less than its allocated tonnage, the Commission shall offer shipowners from the other Member States the opportunity to submit applications.

Given that fishing licences for the category tuna boats are annual, unused fishing opportunities will be divided up when applications are made for licences for the first quarter of each calendar year.

Article 4

1. The Member States shall:

- (a) check that the data given on the licence application forms provided for in Appendix I to Annex I to the Agreement match those in the Community register of fishing vessels established by Commission Regulation (EC) No 109/94 concerning the fishing vessel register of the Community⁽³⁾ and report to the Delegation of the Commission of the European Communities to Morocco, hereinafter referred to as 'the Delegation' any changes in those data at the time of subsequent applications;

They shall likewise verify the accuracy of the other data necessary for the drawing-up of licences;

- (b) submit licence applications to the Delegation two working days before the deadline laid down in point B. 1. 1 of Annex I to the Agreement.

As soon as they have been issued by the Moroccan authorities, licences will be transmitted to the Member States' representations in Rabat;

- (c) provide the Delegation each month with a list of vessels whose licences have been suspended with, by port, the date on which a licence was handed over and the date on which it was restored;

⁽²⁾ OJ No L 114, 2. 5. 1988, p. 1. Regulation as amended by Regulation (EEC) No 3902/89 (OJ No L 375, 23. 12. 1989, p. 5).

⁽³⁾ OJ No L 19, 22. 1. 1994, p. 5.

(d) transmit to the Commission before 30 June 1996 the summaries of the inspection reports referred to in point 2 of Chapter IV of Annex II to the Agreement. The summaries shall describe the inspections carried out, the results obtained and the action taken;

(e) transmit to the Delegation each month a copy of the scientific observers' reports provided for in point 3 (v) of Chapter V of Annex II to the Agreement;

notify the Commission before 30 June 1996 of any infringements revealed by the information contained in these reports and the action taken;

enter the scientific data contained in these reports in an electronic database. The Commission shall have access to these databases;

(f) transmit to the Delegation and at the same time to Morocco's competent authorities a copy of the notice of the inspection missions planned under point 4 of Chapter VI of Annex II to the Agreement and, where relevant, a copy of the notification that an observer will be taking part;

transmit to the Delegation a copy of the Community observer's reports referred to in point 3 of Chapter V of Annex II to the Agreement concerning the reciprocal observation of shore controls;

(g) adopt the provisions needed to take appropriate action and initiate administrative proceedings, as provided for in point 4 of Chapter V of Annex II to the Agreement.

Article 5

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in the form of an exchange of letters in order to bind the Community.

Done at Brussels, 7 December 1995

For the Council

The President

J. SOLANA

Appendix 5: Accord de Pêche Maroc-EU(1995-1999): Délimitation des zones interdites à la pêche (Delimitation of restricted fishing zones).

MINISTERE DES PECHES MARITIMES ET DE LA MARINE MARCHANDE
 DIRECTION DES PÊCHES MARITIMES ET DE L'AQUACULTURE
 Division de La Protection des Ressources Haliéutiques

Accord de Pêche Maroc-CE 1995-1999

Délimitation des zones interdites à La pêche

LEGENDE

- 1 ⚓
- 2 ⚓
- 3 ⚓
- 12 ⚓
- 15 ⚓
- Périmètre
- ⋯ Isobathe 6 m

Zone Atlantique au nord du 28° 44' N

CATEGORIES	Bandes interdites			
	1 ⚓	2 ⚓	12 ⚓	Périm.
Chalutiers crevetiers	■	■	■	
Palangriers	■	■	■	
Senneurs	■	■	■	■

Zones Méditerranée

CATEGORIES	Bandes interdites			
	1 ⚓	2 ⚓	3 ⚓	Isob 6m
Chalut crevetiers	■	■	■	
Palangriers	■	■	■	
Senneurs	■	■	■	
Pêche Aux Eponges				■
Thoniers	■	■	■	

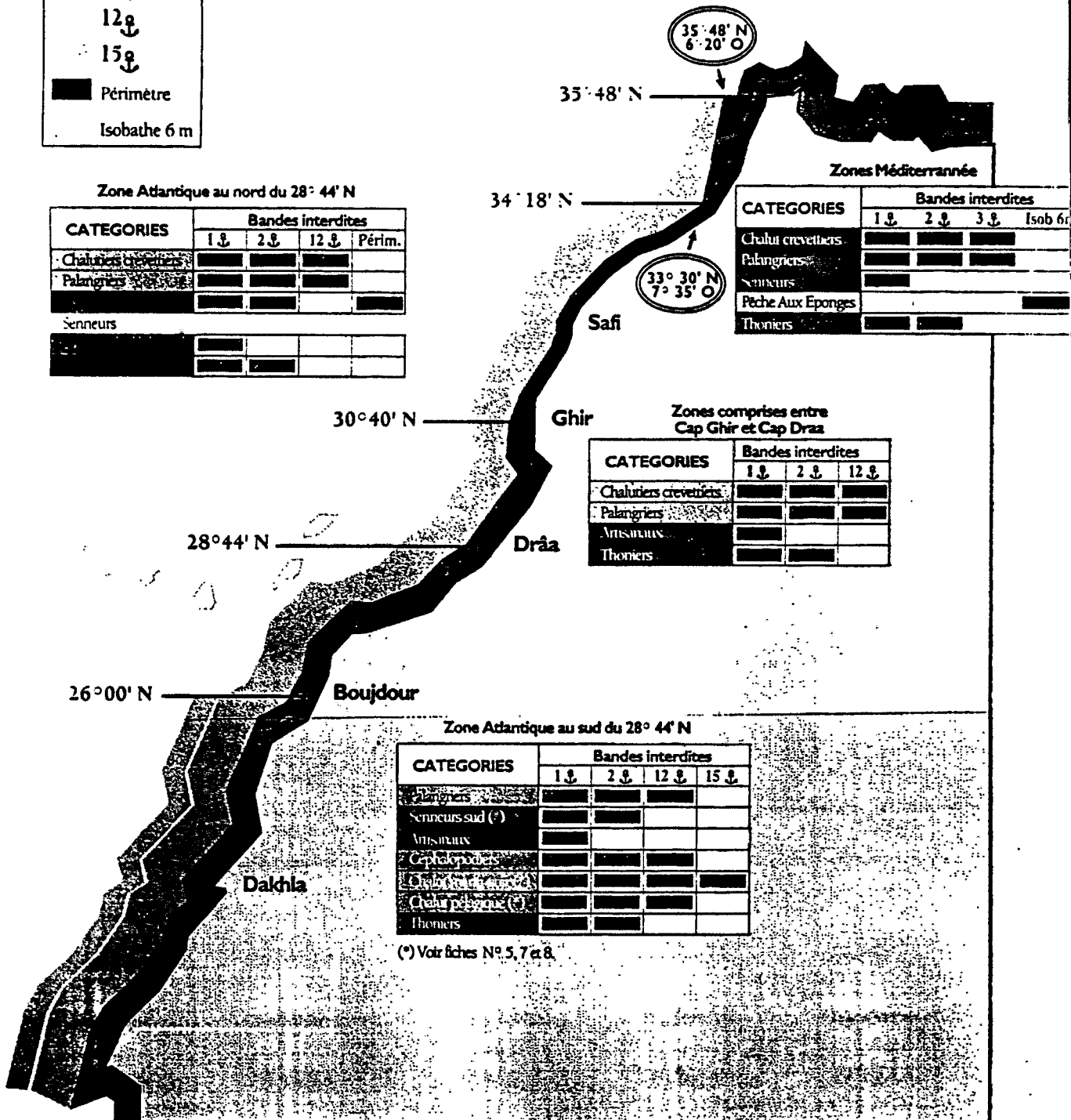
Zones comprises entre Cap Ghir et Cap Draa

CATEGORIES	Bandes interdites		
	1 ⚓	2 ⚓	12 ⚓
Chalutiers crevetiers	■	■	■
Palangriers	■	■	■
Artisanaux	■	■	■
Thoniers	■	■	■

Zone Atlantique au sud du 28° 44' N

CATEGORIES	Bandes interdites			
	1 ⚓	2 ⚓	12 ⚓	15 ⚓
Palangriers	■	■	■	
Senneurs sud (*)	■	■	■	
Artisanaux	■	■	■	
Cephalopodes	■	■	■	
Ombre (Sud)	■	■	■	
Chalutiers (S)	■	■	■	
Thoniers	■	■	■	

(*) Voir fiches N° 5, 7 et 8.



Appendix 6: Accord de Pêche (1995-1999): Protocol financier (Financial protocol).

**PROTOCOLE
FIXANT LES POSSIBILITES DE PÊCHE ET LES MONTANTS DE LA
COMPENSATION FINANCIERE ET DES APPUIS FINANCIERS**

(FINANCIAL PROTOCOL OF FISHING AGREEMENT)

1995-1999

Article 1

A partir du premier décembre 1995 et pour une période de quatre ans, les possibilités mensuelles de pêche prévues à l'article 5 de l'Accord sont fixées dans les fiches techniques annexées au présent Protocole.

Article 2

La compensation financière prévue à l'article 7 de l'Accord est fixée pour la période visée à l'article 1 ci-dessus à 355 millions d'écus, payable annuellement selon la répartition suivante:

1ère année	-	100 millions d'écus
2ème année	-	90 millions d'écus
3ème année	-	85 millions d'écus
4ème année	-	80 millions d'écus

Article 3

L'appui financier prévu à l'article 3 de l'Accord, destiné à l'engagement et à la mise en oeuvre des actions visant le développement durable du secteur des pêches du Maroc ainsi que le renforcement de la solidarité des intérêts de leurs opérateurs respectifs, est égal à un montant de 121 millions d'écus.

Cet appui est payable annuellement selon la répartition suivante:

1ère année	-	21 millions d'écus
2ème année	-	25 millions d'écus
3ème année	-	35 millions d'écus
4ème année	-	40 millions d'écus

Article 4

L'appui financier, prévu à l'article 2 de l'Accord, pour le renforcement de la recherche scientifique halieutique et la mise en oeuvre de la politique d'aménagement des ressources halieutiques marocaines, est fixé pour la période visée à l'article premier, à 16 millions d'écus.

Cet appui est payable en quatre tranches annuelles de 4 millions d'écus chacune.

Article 5

1. L'appui financier prévu à l'article 4 de l'Accord et destiné aux actions de formation maritime visant le développement et le renforcement des capacités humaines ainsi que des infrastructures et des équipements des établissements de formation maritime au Maroc, est fixé, à sept millions six cent mille écus pour la période visée à l'article premier.

Cet appui est payable en quatre tranches annuelles de un million neuf cent mille écus chacune.

2. En outre, un montant de 400.000 ECU, est mis à la disposition du Ministère et de ses établissements de formation maritime, en vue de couvrir les frais de séminaires et de stages.

Article 6

La compensation financière ainsi que les appuis financiers sont versés à un compte ouvert auprès d'un organisme financier ou à tout autre destinataire désigné par le Maroc.



**Appendix 7: Accord de Pêche (1995-1999): Débarquements obligatoires
(Compulsory landings).**

B. DEBARQUEMENTS OBLIGATOIRES (COMPULSORY LANDINGS)

1. Le nombre de navires de la Communauté pêchant dans la catégorie céphalopodières, tenu de débarquer ses captures dans un port marocain, est le suivant:

2ème année	-	12 navires
3ème année	..	15 navires
4ème année	-	25 navires

2. Lors de la demande de licence pour la première période des 2ème, 3ème et 4ème années de l'Accord, la Communauté communique la liste des navires qui débarqueront obligatoirement toutes leurs captures au cours de l'année correspondante.
3. A l'exception des cas prévus aux points 4. b) et c) ci-dessous, si un navire repris dans la liste visée au point 2 ci-dessus est dans l'impossibilité de débarquer, il est remplacé par un autre navire dans le même trimestre et l'information à ce sujet est communiquée au Ministère.
4. Conditions

- a) Lors de la demande de licence trimestrielle, les armateurs communiquent leur intention de débarquer au cours du trimestre correspondant. Le nombre de navires doit être en conformité avec le point B.I.
- b) L'armateur choisit le port et la date de débarquement. Il en informe les autorités portuaires marocaines et le Ministère, par télex ou télécopie, 72 heures avant l'arrivée prévue au port, en indiquant son estimation de la quantité totale à débarquer. Celles-ci doivent confirmer, par les mêmes moyens, dans un délai de 24 heures, que les opérations de débarquement se dérouleront dans les 24 heures qui suivent l'arrivée au port.

Dans le cas où les autorités portuaires ne donnent pas la confirmation demandée dans le délai prévu, l'obligation de débarquement est considérée comme accomplie pour cette marée.

- c) La durée des opérations de débarquement ne dépassera pas 24 heures après l'arrivée du navire au port. Si ce délai n'est pas respecté, le navire est en droit de quitter le port et l'obligation de débarquement est considérée comme accomplie pour cette marée. Un certificat équivalent à celui prévu au point 4.d) ci-dessous doit être remis au capitaine.
- d) A la fin des opérations de débarquement, les autorités portuaires compétentes remettent au capitaine un certificat de débarquement.
- e) Les marins pêcheurs bénéficient d'un régime de libre transit avec "livret maritime".

C. INCITATIONS FINANCIERES

1. Débarquements

Les navires de la Communauté qui débarquent dans un port marocain, bénéficient d'une réduction sur les redevances du trimestre au cours duquel le débarquement a eu lieu. Le taux de cette réduction est de :

- pour les céphalopodiers débarquant obligatoirement ou facultativement : 15%
- pour les autres catégories de pêche débarquant facultativement : 10%

2. Modalités d'application

Les copies du ou des certificats de débarquement concernant toutes les opérations effectuées lors du trimestre en cours, sont transmises à la Délégation avant la fin du premier mois du trimestre suivant.

Après approbation du Ministère, donnée avant la fin du deuxième mois du trimestre suivant, les armateurs concernés sont informés des montants qui leur seront restitués. Ces montants seront déduits des redevances dues lors des demandes de licences suivantes.

3 Evaluation

Le niveau des incitations financières sera ajusté dans le cadre de la Commission mixte en fonction de l'impact socio-économique généré par les débarquements effectués au cours de l'année concernée.

Appendix 8: Accord de pêche (1995-1999): Observateurs scientifiques Marocains à bord des navires de la Communauté (Moroccan observers on-board European vessels).

**OBSERVATEURS SCIENTIFIQUES MAROCAINS A BORD
DES NAVIRES DE LA COMMUNAUTE
(MOROCCAN OBSERVERS ON BOARD EUROPEAN VESSELS)**

Il est établi un système d'observation à bord des navires de la Communauté.

I. Le Ministère

- i) A la demande du Ministère, tout navire de la Communauté dont le tonnage est égal ou supérieur à 80 TJB ainsi que tout navire détenteur d'une licence pour les catégories de pêche céphalopodières, chalutiers merlu noir et chalutiers pélagiques, embarque à son bord un observateur scientifique marocain. Dans tous les cas, il ne peut être embarqué qu'un seul observateur scientifique à la fois par navire.
- ii) Le Ministère communique à la Délégation, chaque trimestre, avant la délivrance des licences, la liste des navires désignés, par ordre alphabétique, pour embarquer un observateur scientifique.
- iii) La durée de l'embarquement d'un observateur scientifique à bord d'un navire est d'une marée. Cependant, sur demande explicite du Ministère, cet embarquement peut être étalé sur plusieurs marées en fonction de la durée moyenne des marées prévue pour un navire déterminé. Cette demande est formulée par le Ministère lors de la communication du nom de l'observateur scientifique désigné pour embarquer sur le navire en question. De même, en cas de marée écourtée, l'observateur scientifique peut être amené à effectuer une nouvelle marée sur le même navire.
- iv) Le Ministère informe la Délégation des noms des observateurs scientifiques désignés, munis des documents requis, au minimum sept jours ouvrables avant la date prévue pour leur embarquement.
- v) Tous les frais liés aux activités des observateurs scientifiques, y inclus, le salaire, les émoluments, les indemnités, ainsi que les frais de voyage de l'observateur scientifique sont à la charge du Ministère. Toutefois, en cas de déplacement inutile de l'observateur scientifique, du fait du non respect des engagements pris par l'armateur, les frais de voyage, ainsi que les indemnités journalières, égales à celles perçues par les fonctionnaires nationaux marocains de grade équivalent, pour les jours d'inactivité de l'observateur scientifique, sont à la charge de l'armateur. De même, en cas de retard dans la réalisation de cet embarquement, du fait de l'armateur, celui-ci règle à l'observateur scientifique, les indemnités journalières décrites ci-dessus.

Toute modification de la réglementation concernant les indemnités journalières est communiquée à la Délégation, au plus tard deux mois avant son application.

**Appendix 9: Accord de Pêche: Système de localisation continue par satellite
(Tracking system by satellite).**

Chapitre VII

**SYSTEME DE LOCALISATION CONTINUE PAR SATELLITES
(TRACKING SYSTEM BY SATELLITES)**

En attendant la mise en place d'un système marocain de suivi par satellite généralisé aux navires de pêche de même type opérant dans la zone de pêche du Maroc, les Parties contractantes décident de mettre en place un projet pilote de localisation continue par satellites des navires de la Communauté dès la première année de l'Accord.

1. Objectifs

La localisation continue par satellites des navires de pêche de la Communauté dans la zone de pêche du Maroc permet une gestion directe des dispositions relatives aux efforts de pêche et aux restrictions géographiques. En outre, elle permet des inspections ciblées en mer ainsi qu'un contrôle à posteriori des zones déclarées dans le journal de bord.

2. Mise en oeuvre

Les Parties contractantes conviennent de mettre en place un groupe de travail chargé de définir les modalités d'application, de mise en oeuvre et de financement de ce projet qui doit entrer en vigueur à partir du premier décembre 1996.

Appendix 10: Accord de Pêche (1995-1999): Formulaire de demande de licence de pêche (Fishing licence application form for European vessels).

ROYAUME DU MAROC
MINISTERE DES PÊCHES MARITIMES ET DE LA MARINE MARCHANDE

DEMANDE DE LICENCE DE PÊCHE
DANS LA ZONE DE PÊCHE DU MAROC
POUR LES NAVIRES DE LA COMMUNAUTE

(A remplir lors de la première demande de licence)

(FISHING LICENCE FORM FOR EUROPEAN VESSELS)

I- DEMANDEUR

1. Nom de l'armateur :
2. Nom de l'association ou du représentant de l'armateur :
3. Adresse de l'association ou du représentant de l'armateur :
4. Téléphone : Fax : Télex :
5. Nom du capitaine: Nationalité :

II-NAVIRE ET SON IDENTIFICATION

1. Nom du navire :
2. Nationalité du pavillon :
3. Numéro d'immatriculation externe:
4. Port d'attache :
5. Année et lieu de construction :
6. Indicatif d'appel radio : Fréquence d'appel radio :
7. Nature de la coque : Acier Bois Polyester Autre

III-CARACTERISTIQUES TECHNIQUES DU NAVIRE ET ARMEMENT

1. Longueur H.T. : Largeur :
2. Tonnage (exprimé en TJB) :
3. Puissance du moteur principal en C.V. : Marque : Type :
4. Type de navire :Catégorie de pêche :
5. Engins de pêche :
6. Effectif total de l'équipage à bord :
7. Mode de conservation à bord : Frais Réfrigération Mixte Congélation
8. Capacité de congélation par 24 heures (en tonnes) :
9. Capacité des cales :Nombre :

Fait à, le

Signature du demandeur