



Policy Brief Series: Fisheries

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Policies for Enhanced Fisheries Productivity and Security



Coordinated information exchange will translate to the fisheries sector being better managed in Africa

Policy-Fisheries

Fisheries contribute at least \$10 billion to African economies annually. In countries such as Angola, Egypt and Namibia, fisheries are the vital economic activities. The fisheries industry is also a solution to food security, especially since fish and fish products offer a good source of protein.

How important are Africa's Fisheries?

The SADC region has an abundance of fish. This translates to being a food source, a livelihood and

an economic activity. It is important that this activity, like many other such activities, is coordinated.

Three sections are critical to effective fisheries management:

In a post modern era, information is a valuable resource. Coordinated information exchange will translate to the fisheries sector being better managed in Africa stemming from an effective process

of information flow among the various regions. With the advent of climate change, this information “nerve centre” will assist countries in developing adaptive measures to combat climate change since climate change is a major factor that has an adverse effect on the fisheries sector. Information holds the key to making informed decisions regarding fisheries in Africa.

It is important that expensive research is communicated and, in so doing, prevent duplication. Therefore, coordinated research involving partners and stakeholders can be better harnessed to address burning issues. Then aim is to generate information to add to the growing pool of knowledge on fisheries, implementing efficient fish resource utilization, improved resource management and effective control mechanisms.



Promotion and enhancing food security and human health

Very closely allied to information exchange is the **training and capacity building** component, which will add value to the valued fisheries sector. Educating communities about best practice involves, among others, being familiar with indigenous fish, conservation of marine resources, climate change and how it affects fish and fish stocks. This will entail training the trainer in such issues and ensuring that the target audiences are effectively

reached. Among other considerations are considerations such as language, literacy levels, socio-economic factors and political and cultural sensitivities. Innovative communication techniques, such as street theatre and using community radio, should be exploited. It is also important that the efficacy of communication be measured and measures introduced to combat problem areas.

Some programmes that are in place already:

- Regional Fisheries Information Program- Aims at establishing an effective and sustainable information exchange network in the SADC Inland Fisheries Sector
- Aquaculture for Local Communities Development (ALCOM) - its main objective is to establish improved management and use of available aquatic resources for food security. The program is active at the local community level through pilot projects in Malawi, Tanzania, Zambia and Zimbabwe
- SADC/GEF Lake Malawi/NYASA Biodiversity Conservation- Aims to assist the riparian States: Malawi, Mozambique and Tanzania to create scientific, educational and policy basis for conserving the biological diversity of the Lake and its ecosystem
- The Zambia/Zimbabwe Fisheries Project on Lake Kariba- The main objective is to set up a system of joint fisheries research and management in order to facilitate the utilization of the shared fisheries resources on Lake Kariba. The project started in 1989 and is currently in its consolidation phase that will focus on setting up and implementing a mechanism for joint fisheries research and management of the Lake Kariba fisheries resources

It is common for all member countries to establish a national fisheries policy, which is usually underpinned by a legal framework, and often contributes information and advice of the further development of policy and the relevant laws. Fisheries departments in the member countries are entrusted to carry out functions such as collection, monitoring, controlling and surveillance, planning, resources allocation in terms of fishing rights, setting and enforcement of rules and regulations and overall administration of all aspects of the fisheries sector.

On a regional level a protocol on fisheries has been implemented to watch over fisheries management through policies, legislation and management of fisheries and the aquatic environment through harmonization in the region. The protocol on fisheries for SADC countries was signed in 2001, but the required number of Member States has not yet ratified it. The goals of the sec-

tor are to promote responsible and sustainable use of the living aquatic resources and aquatic ecosystems in order to enhance food security and human health. The specific policy objectives are to promote effective management of fish stocks, protect and preserve fish resources, promote aquaculture and mariculture development and promote trade in fish.

The strategies of the sector include establishing a regional stock assessment and fisheries management system; promoting regional trade; and building capacity for better fisheries management. In order to implement its strategies, the sector has embarked on the Assessment of the Marine Fisheries and Research programme commonly known as the Benguela Environment and Fisheries Interaction and Training Programme (BENEFIT); and the Monitoring, Control and Surveillance of Fishing Activities (MCS); the Regional Fisheries Information System and the Benguela Current Large Ma-



Generation of economic opportunities and ensuring future generations benefit from these renewable resources

rine Ecosystem (BCLME).

Illegal Fishing

It is estimated that sub-Saharan Africa loses about US\$ 1 billion annually as a result of illegal fishing activity.

Illegal fishing is a huge problem globally and is also a problem in SADC countries. It was this that prompted seven countries to sign an agreement to implement tougher measures to counter illegal fishing activity and the landing and marketing of such catches at their ports. The countries are the Democratic Republic of Congo (DRC); Angola, Namibia, South Africa, Mozambique, Tanzania, Mauritius and Madagascar. The Statement of Commitment to stop illegal fishing was signed in July 2008 at a meeting of SADC marine fisheries ministers' meeting in Windhoek, Namibia. This spelt tighter controls on fishing vessels, fishing activities, the transport of fish, and the trade of fish, with the aim of managing fishery resources better. They also strengthened their national monitoring, control and surveillance systems; created regional fishery management bodies and organizations and participated in joint surveillance activities.

Fisheries, trade policies and multilateral trade agreements

SADC countries are members of trading blocks such as the Common Market for Eastern and Southern Africa (COMESA); Southern Africa Custom Union (SACU); East Africa Co-operation (EAC); Indian Ocean Commission (IOC), Indian Ocean Rim (IOR) and Common Monetary Area (CMA). The SADC Trade Protocol, which was finalized in January 2000, does not deal directly with fisheries, but lays the framework for a wide variety of measures

to promote intraregional trade and economic integration. Several provisions inherent in the protocol will be beneficial for fisheries.

Most SADC countries are members of the World Trade Organization (WTO). All SADC member states enjoy preferential market access to the EU through the ACP-EU Cotonou Agreement. This agreement provides tariff-free access to the EU provided that fish exports comply with specific Rules of Origin (ROO).

The SADC Protocol on Fisheries:

The SADC protocol on fisheries was signed by members of 14 SADC member countries: Angola, Botswana, DRC, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania and Zimbabwe.

The objective of this protocol was to promote the responsible and sustainable use of the living aquatic resources and aquatic ecosystems of interest to State Parties in order to:

- Promote and enhance food security and human health
- Safeguard the livelihood of fishing communities
- Generate economic opportunities for nationals in the region
- Ensure that future generations benefit from these renewable resources
- Alleviate poverty with the ultimate objective of its eradication

Most of the discussion around this protocol will impact on fisheries policies in the region. Partici-

pating countries have both national as well as international responsibilities.

National Responsibilities:

- State Parties shall take measures, at national and international levels, suitable for the harmonisation of laws, policies, plans and programmes on fisheries aimed at promoting the objective of this Protocol.
- State Parties shall adopt measures to ensure that their nationals and juridical persons act in a responsible manner in the use of living aquatic resources in areas within and beyond the limits of national jurisdiction.
- A State Party shall authorise the use of vessels flying its flag, for fishing in waters, to which this Protocol applies, only where it is able to effectively exercise its responsibilities under this Protocol in respect of such vessels.

- A State Party, whose vessels or nationals fish in waters to which this Protocol applies, shall take such appropriate steps as to ensure that they comply with measures adopted under this Protocol and that they do not engage in any activity that undermines the effectiveness of such measures.
- State Parties, taking into account the best scientific evidence available shall, through proper conservation and management measures ensure that aquatic living resources in the areas under their national jurisdiction are not endangered by over exploitation.

International Responsibilities:

- State Parties shall endeavour to establish common positions and undertake coordinated and complementary actions with regard to:
 - * international fora, conventions and agreements relevant to this Protocol, in-



Safeguarding the livelihood of fishing communities

cluding those cited in Appendix 1; and

- * international bodies relevant to this Protocol, including those cited in Appendix 2.
- State Parties may make specific provisions in their fisheries and other relevant legislation in line with the provisions of:
 - * UNCLOS;
 - * the implementing agreement and the Compliance Agreement.
- State Parties shall facilitate the movement of personnel, vessels, vehicles and equipment engaged in agreed trans-boundary activities pursuant to the objective of this Protocol.

Harmonisation of legislation

State Parties shall take measures required to harmonise legislation with particular reference to the management of shared resources.

1. All illegal fishing and related activities by nationals and juridical persons of a Member State Party shall be made an offence in the national laws of the State Party.
2. State Parties shall establish appropriate arrangements to enable co-operation on hot pursuit of vessels that violate the laws of one State Party and enter the jurisdiction of another State Party.
3. State Parties shall co-operate in such matters as the following:
 - a) procedures for the extradition to another State Party of persons charged with offences against the fisheries laws of that

other State Party or serving a sentence under the laws of that State Party;

- b) establishment of region-wide comparable levels of penalties imposed for illegal fishing by non-SADC-flag vessels and with respect to illegal fishing by SADC-flag vessels in the waters of other State Parties;
 - c) consultation with regard to joint actions to be taken when there are reasonable grounds for believing that a vessel has been used for a purpose that undermines the effectiveness of measures adopted under this Protocol and such actions shall include notification of the Flag State and the undertaking by Port States of such investigatory measures as may be considered necessary to establish whether the vessel has indeed been used contrary to the provisions of this Protocol; and
 - d) establishment of a mechanism for the registration of international and national fishing vessels as an instrument of compliance and as a means of sharing information on fishing and related activities.
4. Should two or more State Parties wish to provide that a penalty imposed by one State Party under its fisheries laws be enforced by another State Party, they may agree on the procedures for that purpose consistent with their national laws.

Law Enforcement

Taking account of national responsibilities pursuant to Article 5 of this Protocol:

- a) State Parties shall take adequate measures to optimise use of existing fisheries law enforcement resources;
- b) State Parties shall co-operate in the use of surveillance resources with a view to increasing the cost effectiveness of surveillance activities and reducing the costs of surveillance to the Region and two or more State Parties may conclude an arrangement to co-operate in the provision of personnel and the use of vessels, aircraft, communications, databases and information or other assets for the purposes of fisheries surveillance and law enforcement;
- c) State Parties may designate competent persons to act as fisheries enforcement officers or on-board observers in order to carry out activities on behalf of two or more State Parties;
- d) a State Party may permit another State Party to extend its fisheries surveillance and law enforcement activities to its inland water bodies and the exclusive economic zone and, in such circumstances, the conditions and method of stopping, inspecting, detaining, directing to port and seizing vessels shall be governed by the national laws and regulations applicable to the waters where the fisheries surveillance or law enforcement activity is carried out;
- e) State Parties shall strive to harmonise technical specifications for vessel monitoring systems and emerging technologies of interest to fisheries surveillance activities; and
- f) In applying the provisions of paragraph 1, State Parties shall co-operate, either directly or through international fisheries or-

ganisations or arrangements, to ensure compliance with and enforcement of applicable international management measures.

Artisanal, Subsistence Fisheries and Small-scale Commercial Fisheries

1. State Parties shall seek a rational and equitable balance between social and economic objectives in the exploitation of living aquatic resources accessible to artisanal and subsistence fishers by:
 - a) instituting legal, administrative and enforcement measures necessary for the protection of artisanal and subsistence fishing rights, tenure and fishing grounds; and
 - b) taking particular account of the needs of socially and economically disadvantaged fishers.
2. State Parties agree to develop and nurture small-scale commercial fisheries taking particular account of the need to optimise the economic and social benefits of such fisheries.
3. State Parties shall take measures to facilitate the provision of physical and social infrastructure and support services for the development of artisanal, subsistence and small-scale commercial fisheries.
4. As part of an integrated economic strategy, State Parties agree to promote the development of structured programmes related to optimising the potential economic benefits arising from artisanal, subsistence and small-scale commercial fisheries.
5. State Parties shall work towards the development, acquisition and dissemination of

tested means and methods of promoting education, empowerment and upliftment of artisanal and subsistence fisheries communities.

6. State Parties shall facilitate broad based and equitable participatory processes to involve artisanal and subsistence fishers in the control and management of their fishing and related activities.
7. State Parties shall work towards harmonising their national legislation on appropriate traditional resource management systems, taking due account of indigenous knowledge and practice.
8. State Parties shall, subject to Article 16 of this Protocol, adopt equitable arrangements whereby artisanal, subsistence and small-scale commercial fishers who are traditionally part of a transboundary fishery may continue to fish and trade in goods and services.

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About FANRPAN

The Food, Agriculture and Natural Resources Policy Analysis Network (FANRPAN) is an autonomous regional stakeholder driven policy research, analysis and implementation network that was formally established in the Southern Africa Development Community (SADC) in 1997. FANRPAN was borne out of the need by SADC governments who felt that comprehensive policies and strategies were required to resuscitate agriculture. FANRPAN is mandated to work in all SADC countries and currently has activities in 14 Southern African countries namely Angola, Botswana, Democratic Republic of Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe.

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