



Institutional Assessment of Regional Fisheries Bodies and Water Basin Commissions in South-East Africa

**Institutional Assessment of Regional Fisheries Bodies and Water
Basin Commissions in South-East Africa**

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Citation: AU-IBAR 2015. Institutional Assessment of Regional Fisheries Bodies and Water Basin Commissions in South-East Africa. AU-IBAR Reports

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Published by AU-IBAR, Nairobi, Kenya

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ISBN 978-9966-1659-5-4

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Acronyms

AfDB	African Development Bank
AFFN	African Forum for Fisheries Networks
AFIPEK	Association of Fish Processors and Exporters of Kenya
ANAF	Aquaculture Network of Africa aquaculture
ASCLME	Agulhas Somali Current Large Marine Ecosystem
AU-IBAR	African Union- Intra African Bureau for Animal Resources
BMU	Beach Management Unit
CAMFA	Conference of African Ministers for Fisheries and Aquaculture
CBD	Convention on Biological Diversity
CIFAA	Committee for Inland Fisheries and Aquaculture of Africa
CITES	Convention on International Trade in Endangered Species
COFI	FAO Committee on Fisheries
COMESA	Common Market for Eastern and Southern Africa
DFN	Distant fishing Nations
DoF	Department of Fisheries
EAC	East African Community
EAFO	East African Fisheries Organization
EEZ	Exclusive Economic Zone
EU	European Union
FAO	Food and Agriculture Organization of the United nations for Lake Victoria
GEF	Global Environmental Facility
IFMP	Implementation of Fisheries Management Plan
IGAD	Intergovernmental Authority on Development
IOC	Indian Ocean Commission
IOTC	Indian Ocean Tuna Commission
IPOA	International Plan of Action
IUCN	International Union for conservation of nature
IUU	Illegal Unreported and Unregulated
KMFRI	Kenya Marine and Fisheries Research Institute
LTA	Lake Tanganyika Authority
LVBC	Lake Victoria Basin Commission
LVEMP	Lake Victoria Environmental Management Project
LVFO	Lake Victoria Fisheries Organization
MCS	Monitoring Control and Surveillance
NAFIRI	National Fisheries Research Institute- Uganda
NEPAD	New Partnership for Africa Development
NORAD	Norwegian Development Agency
PF & RS	Policy Framework and Reform Strategy for fisheries and
REC	Regional Economic Community
RFB	Regional Fisheries Body
RFMO	Regional Fisheries Management Organization
SADC	South African Development Community
SIDA	Swedish International Development Agency

SIOFA	South Indian Ocean Fisheries Agreement
SOPs	Standard operating procedure
SWIOFC	South West Indian Ocean Fisheries Commission
SWIOFP	South West Indian Ocean Fisheries Project
TAFIRI	Tanzania Fisheries Research Institute
UNCLOS	United Nations Convention on the Law Of the Sea
UNDP	United nations Development Programme
UNEP	United Nations Environment Programme
WB	World Bank
WBC	Water Basin Commission
ZAMCOM	Zambezi Watercourse Commission

Acknowledgments

The Director of AU-IBAR wishes to thank all those who have contributed to the preparation of this document. These include the Executive Secretaries of the Regional Fisheries Bodies and water basin commissions –LVFO, LVBC, ANAF, LTA, SWIOFIC, ZAMCOM, Directors of Fisheries and Aquaculture in Eastern and Southern African member states, other stakeholders and all those who facilitated the work of this consultancy. Special thanks go to the consultant who prepared the document and the team at IBAR for the editorial work.

This work was done under the project ‘Strengthening Institutional Capacity to enhance governance of the fisheries sector in Africa’, Project number: DCI-FOOD 2013/331 -056, funded by the EU to whom we are grateful for the financial support

Executive summary

1.1. The need for conducting institutional assessment of Regional Fisheries Bodies (RFBs) and Water Basin Commissions (WBCs) was recommended by the first conference of African Ministers for Fisheries and Aquaculture in Africa (CAMFA I) in 2010 and reiterated in by CAMFA II in 2014. The Regional Fisheries Bodies (RFBs) and Regional Economic Communities (RECs) in July 2014 requested AU-IBAR to undertake institutional assessment of existing RFBs and WBCs with the objective of strengthening their capacities and forging linkages at regional level.

Institutional assessment of RFBs and WBCs in South East Africa covering CIFAA, SWIOFC, LVFO, LVBC, LTA, ANAF and, ZAMCOM was conducted in Nov/Dec. 2014 and the findings can be summarized as follows:

1.2. It was general acknowledgement that the RFBs and WBCs that were assessed have played a crucial role in promoting and facilitating collaboration and cooperation in the development of fisheries and aquaculture in the past and will continue to do so in the future. The overall performance of the institutions assessed can be rated as satisfactory.

1.3. The statutes, legal frameworks and rules of procedure of most of the RFBs and WBCs assessed are relatively recent, up to date and consistent with modern principles of fisheries management and governance as expressed in international legal instruments. Most of the statutes like the LVFO convention have a window for revision when necessary and already some RFBs are using the window facility to improve their statutes and rules of procedure.

1.4. RFBs and WBCs whose roles are only advisory like SWIOFC and CIFAA cannot impose any obligation on its members thus limiting their effectiveness. For example member states of SWIOFC are advocating for change of statutes to give the commission enforcement powers. However such changes need to be examined further to ensure they do not contravene Article 56 of the 1982 UN Convention on the Law of the Sea (UNCLOS).

1.5. The mandates and functions of the RFBs are comprehensive, compatible with their legal nature and mission and reasonably in conformity with the basic principles of fisheries governance.

1.6. The main limitation concerning the functions attributed to RFBs and WBCs by their statutes is the scarcity of resources that are available in order for the institutions to carry their functions.

1.7. For most of the institutions, the financial contributions from member states go to meet salaries and operation costs of the secretariats.

1.8. Most of the institutions rely on external financial support to carry out functions relating to fisheries resources development.

1.9. The historical role of FAO in the establishment of RFBs and WBCs has been generally acknowledged. However it was observed that FAO policy towards RFBs changed when it adopted a recommendation (FAO 1997) that FAO should establish a mechanism/ process for RFBs to meet a greater share of their operating costs with a view to ultimately becoming financially less dependent on the FAO

regular budget. In essence FAO clearly showed that it did not encourage RFBs that are established under Article VI of its constitution. Therefore RFBs like CIFAA and SWIOFC established under Article VI require urgent reformation. This consultation has therefore proposed that the mandate of CIFAA be transformed into an African platform for fisheries and aquaculture.

As a way forward and to strengthen the RFBs; AU should undertake the following:

- i. Ensure that the AU Policy Framework and Reform strategy on fisheries and aquaculture is domesticated among the African member states.
- ii. Facilitate in creating an African platform for RFBs and WBCs.
- iii. Most of the institutions suffer from inadequate and irregular funding from the contracting states. As a matter of urgency AU through the Heads of States and Government summit should urge all the member states to increase their national budgets on fisheries and aquaculture development including the RFBs and WBCs.
- iv. The AU should liaise with donor agencies to secure more funding of development projects on fisheries aquaculture especially those that are regional or trans boundary in nature. Such projects should include additional components of capacity building, scientific and other facilities.
- v. The AU should assist RFBs and WBCs to carry out studies to determine sustainable funding mechanisms those institutions.
- vi. To improve information sharing and exchange the AU should strengthen ANAF as a continental Network to support aquaculture development.
- vii. ZAMCOM needs support to fund a feasibility study to determine fisheries and aquaculture potential in the Zambezi River Basin .
- viii. As part of the effort to strengthen and reform RFBs and WBCs ; the AU should support LVFO in the ongoing discussions/process of transforming LVFO into EAFO.
- ix. The AU should foster linkage, cooperation and collaboration among RFBs and WBCs as a way of reforming the institutions through :
 - » -Joint organization and participation in meetings and workshops,
 - » -Sharing of information and data and expertise,
 - » -Establishment of joint committees and working groups,
 - » -Joint planning and implementation of programmes,

1.0. Introduction

1.1. Overview of Regional Fisheries Bodies and Water basin Commissions.

Regional Fishery Bodies (RFBs) are a mechanism through which States or organizations that are parties to an international fishery agreement or arrangement work together towards the conservation, management and/or development of fisheries.

The mandates of RFBs vary. Some RFBs have an advisory mandate, and provide advice, decisions or coordinating mechanisms that are not binding on their members. Some RFBs have a management mandate – these are called Regional Fisheries Management Organizations (RFMOs). They adopt fisheries conservation and management measures that are binding on their members.

The functions of RFBs also vary. They may include the collection, analysis and dissemination of information and data, coordinating fisheries management through joint schemes and mechanisms, serving as a technical and policy forum, and taking decisions relating to the conservation, management, development and responsible use of the resources.

The difference between a “regional fishery body” and a “regional fishery arrangement” is that the former has an established Secretariat that operates under a governing body of member States and the latter does not have.

Regional Fisheries Bodies (RFBs) can be considered as specialized institutions which generally facilitate regional efforts and approach in the conservation, management, and the development of fisheries and aquaculture. Since international cooperation is required for the long-term sustainability of fisheries and responsible aquaculture development at regional levels, RFBs can play a critical role for the management of fishery and aquaculture resources in a particular region or sub region especially with regard to shared fish stocks.

A number of these RFBs exist in South- East Africa as listed below:

- Committee for Inland Fisheries and Aquaculture of Africa (CIFAA)
- Southwest Indian Ocean Fisheries Commission (SWIOFC)
- Lake Tanganyika Authority (LTA)
- Lake Victoria Fisheries Organization (LVFO)
- Lake Victoria Basin Commission (LVBC)
- Aquaculture Network for Africa (ANAF)
- Zambezi Watercourse Commission (ZAMCOM)

1.2. Background of the assignment

The AU Policy Framework and Reform Strategy (PF&RS) for fisheries and aquaculture in Africa was adopted by the Heads of State of the African Union. The policy and reform strategy facilitates coherent policy development for sustainable management of fisheries and aquaculture resources in the member states of African Union .

One of the major activities identified in the EU funded and AU-IBAR implemented project “Strengthening Institutional Capacity to enhance Governance of the Fisheries Sector in Africa” is to enhance coordination in the fisheries and aquaculture sector to ensure effective, coherent

and sustainable fisheries governance and responsible aquaculture development. The role and obligations of regional organizations in fisheries are growing steadily. However, strengthening their performance and enhancing collaboration in their modus operandi has become a major challenge. In some regions, the roles of existing institutions tend to overlap in fisheries and aquaculture related matters.

Regional integration is a necessity for the sustainable management of Africa's usually shared, fisheries and aquaculture resources. Collective and concerted actions at the regional level that allows African countries to work together strategically with a common voice and purpose is needed.

In line with the above a recent meeting on 'Enhancing Institutional Collaboration in the Fisheries and Aquaculture in Africa' in July 2014, Accra, Ghana charged the African Union with the responsibility to undertake an assessment of the institutional set-up and performance of the RFBs as well as facilitate their formal linkages with the Regional Economic Communities as a strategic part of the roadmap in rationalizing them.

1.3. Objectives of the assignment

The overall objective of this exercise is to rationalize the RFBs in order to enhance the effectiveness of their performance and efficiency in delivery of their respective mandates as well as development of a framework for forging institutional or intra-agency and inter-agency collaborations.

The specific objectives are to;

- i. To carry review of their mandates, structure and instructional set-up
- ii. Undertake assessment of their past and current activities in fisheries and aquaculture and the impact of their activities in their geographical area of competency
- iii. Assessment of their capacities and gaps in line with their mandates
- iv. Their institutional linkages with similar organizations within the region

1.4. Specific activities

Consultant will carry out the following specific activities to produce a comprehensive assessment report:

- a. Briefing by the AU-IBAR;
- b. Consultation meetings with the Authorities of the assigned RFBs in their respective headquarters.
- c. Identify and collect the documentation having a direct or indirect bearing on this subject;
- d. Review and analyse the documents mentioned in item (d) above with a view to bringing it in line with the objective and purpose of this project;
- e. Conduct assessment of institutional capacities, requirements and set-up
- f. Assessment of activities in fisheries and aquaculture vis a vis their mandates
- g. Conduct comparative studies of mandates and activities within same region with similar institutions
- h. Assessment of funding sources for activities in fisheries and aquaculture projects for past 10 years and level of implementation
- i. Development of proposals for harmonization or disaggregation of activities, objectives and mandates where there are overlaps
- j. Development of proposals for forging institutional linkages or cooperation
- k. Finalize the draft documents taking into account of the conclusions and recommendations made

by the AU-IBAR;

- I. Compilation of the required reports.

1.5. Methodology

The analysis will be achieved through;

- Comprehensive review of the relevant documentations specifically the legal instruments that established the RFBs, WBCs reports of activities the RFBs have undertaken and , meetings and working sessions with contracting states that are signatories to the establishment of the RFBs.
- Consultations with relevant stakeholders especially the fisher communities (BMUs), fish processors, fish farmers, and officials of relevant ministries and counties.
- Where direct contact is not possible ,design other methods eg questionnaires ; correspondence for collecting information from relevant stakeholders.
- Collect relevant information from websites and internet.

1.6. Area of coverage

The assignment covers selected institutions in the South East Region of Africa and includes: Committee for Inland Fisheries of Africa(CIFAA), Southwest Indian Ocean Fisheries Commission(SWIOFC), Lake Tanganyika Authority(LTA), Lake Victoria Fisheries Organization(LVFO), Aquaculture Network for Africa(ANAF), Lake Victoria Basin Commission(LVBC),and the Zambezi Watercourse Commission(ZAMCOM).

2.0. Review of the Regional Fisheries Bodies and Water Basin Commissions.

2.1. Committee for Inland Fisheries and Aquaculture of Africa (CIFAA)

2.1.1 Legal framework

The Committee for Inland Fisheries and Aquaculture of Africa (CIFAA) was established by Resolution 1/56 of the fifty six session of the FAO Council (Rome 7-18 June 1971) under Article VI-2 of the FAO Constitution. The Statutes were amended by the Director-General pursuant to Resolution 10/73 and 26/75 of the FAO conference. The CIFAA rules of procedure were first adopted at the First Session of the Committee in Fort-Lamy, Chad, in 1972 and were amended by the Third session of the Committee (Bujumbura ,Burundi 21-26 Nov. 1977) and again amended by the Fifth session of the Committee (Cairo, Egypt 15-20 January 1983) 1983.

2.1.2. Mandate

The main objective of the Committee for Inland Fisheries and Aquaculture of Africa (CIFAA) is to promote the development of inland fisheries and aquaculture in Africa. The area of competency is all inland fisheries of Africa.

The terms of reference of the Committee are:

- i. to promote, coordinate and assist national and regional fishery and limnological surveys and programmes of research and development leading to the rational utilization of inland fishery resources;
- ii. to assist Member Governments in establishing the scientific basis for regulatory and other measures for the conservation and improvement of inland fishery resources, to formulate such measures through subsidiary bodies as required, and to make appropriate recommendations for the adoption and implementation of these measures;
- iii. to promote and coordinate efforts on a national and regional basis to prevent damage to the aquatic environment, including the prevention and control of water pollution;
- iv. to assist in the development of fish culture and stock improvement, including the control of fish diseases and the importation of exotic species;
- v. to promote and assist in the utilization of the most effective fishing craft, gear and techniques;
- vi. to promote and assist activities concerned with the processing, preservation and marketing of fish and fish products;
- vii. to encourage education and training through the establishment or improvement of national and regional institutions and by the promotion and the organization of symposia, seminars, study tours and training sessions.
- viii. to assist in the collection, interchange, dissemination and analysis of statistical, biological and environmental data and other inland fishery information;
- ix. to assist Member Governments in formulating national and regional programmes to be implemented through sources of international aid to help achieve the objectives referred to in the preceding paragraphs.

2.1.3. Structure

The governing body of CIFAA is the Committee. It normally holds its sessions at intervals of two years. Decisions of the Committee are taken by a majority of votes cast, unless otherwise decided. The Secretariat is provided by the FAO Regional Office for Africa based in , Accra, Ghana.

2.1.4. Institutional capacities

Membership is open to all African member nations and Associate Members of the FAO selected by the Director General of the Organization on the basis of their active interest in inland fishery development in Africa and of their potential contribution to the effective discharge of the functions of the Committee.

CIFAA currently has 37 African countries as members which include:

Benin	Egypt	Malawi	Sudan
Botswana	Eritrea	Mali	Swaziland
Burkina Faso	Ethiopia	Mauritius	United Rep. of Tanzania,
Burundi	Gabon	Mozambique	Togo,
Cameroon	Gambia	Niger	Uganda,
Central African Republic	Ghana	Nigeria	Zambia,
Chad	Guinea	Rwanda	Zimbabwe
Dem. Rep. of the Congo	Kenya	Senegal	
Republic of Congo	Lesotho	Sierra Leone	
Côte d'Ivoire	Madagascar	Somalia	

2.1.5. Programme activities and implementation

The programmes of CIFAA are direct reflection of the key activities of the FAO Fisheries and Aquaculture Department which are driven to support and promote responsible and sustainable development in fisheries and aquaculture. They reflect the main FAO mandate of managing knowledge and information, assuring a global neutral forum for Members and providing technical assistance. They also relate to the Department's overall goals and mission, specifically the management and conservation of aquatic resources; utilization, marketing and trade of fishery products; and development of fisheries policies.

2.1.6. Institutional linkages with RFBs and RECs

The main activities of CIFAA are implemented at pan Africa level where the committee consist of member states of FAO. There is hardly any linkage between the RFBs, RECS and CIFAA. It is noted however that RFBs that came into being out of CIFAA initiatives (e.g. LVFO and LTA) are normally invited to the CIFAA Committee meetings.

2.1.7. Challenges facing CIFAA

Whereas the role played by CIFAA in the establishment of RFBS like LVFO and LTA is highly acknowledged; lately some members have also expressed the need to restructure CIFAA to effectively address the challenges facing inland fisheries of Africa. The issue of quorum and poor attendance of committee meetings has raised concern. At its Sixteenth Session, held on 16-18 Nov. 2010 in Maputo Mozambique, the Committee for Inland Fisheries and Aquaculture of Africa (CIFAA) suggested that CIFAA role and performance as a Regional Fishery Body (RFB) be re-examined. The request stems from increasingly poor attendance of CIFAA meetings to such a point where quorum is sometimes not reached. For several reasons, attendance at sessions has been sporadic in nature, representation low and inconsistent, and characterized by high inactive members syndrome. These situations have adversely affected the performance of the Committee.

Thus, the Committee created an ad hoc Working Group to make recommendations on the future role of CIFAA. The Session further recommended that the Secretariat prepare background material on the issue to facilitate the task of the Working Group. This initiative by CIFAA Member States to review its role and performance is in line with widespread awareness by the international community, and Regional Fishery Bodies (RFBs) themselves, of the need for strengthened RFBs in a climate of resource depletion, accelerated environmental deterioration and financial constraints. The initiative was also echoed by African stakeholders at different meetings of the NEPAD FAO Fish Programme (NFFP). Various options have been floated on the future of CIFAA including the very extreme one of disbanding the committee. The FAO's adoption of change of policy on RFBs established under Article VI could also be an eye opener on its continued support to the Commission.

2.2. South West Indian ocean Fisheries Commission (SWIOFC)

2.2.1. Legal framework

SWIOFC was established in 2004 by Resolution 1/127 of the FAO Council under Article VI 1 of the FAO Constitution. Its Rules of Procedures were adopted by the Commission at its First session in 2005. The Commission is composed of such Members and Associate Members of the FAO that are coastal States, whose territories are situated wholly or partly within the area of the Commission, and can join by notifying, in writing, the Director-General their interest in becoming a member of the Commission.

2.2.2. Mandate

The South West Indian Ocean Fisheries Commission (SWIOFC) is an advisory fisheries commission whose area of competence covers living marine resources within the Exclusive Economic Zones of coastal states of the SWIO. The negotiating process that led to the establishment of the Commission in November 2004 was initiated by coastal countries in 1999. In accordance with its statutes, the functions of the Commission include to keep under review the state of fisheries resources, provide a sound scientific basis for fisheries management decisions and advise member governments and competent fisheries organizations on management measures. It has established a Scientific Committee to, inter alia, assess and report to the Commission on the status of stocks, and formulate recommendations on fisheries conservation, management and research for the Commission or individual members..

The main objective of the Southwest Indian Ocean Fisheries Commission (SWIOFC) is to promote the sustainable utilization of the living marine resources of the Southwest Indian Ocean region, by the proper management and development of the living marine resources, and to address common problems of fisheries management and development faced by the Members of SWIOFC, without prejudice to the sovereign rights of coastal States.

SWIOFC promotes the application of the provisions of the FAO Code of Conduct on Responsible Fisheries, including the precautionary approach and the ecosystem approach to fisheries management.

2.2.3. Functions

The functions and responsibilities of the Commission include:

- i. to contribute to improved governance through institutional arrangements that encourage cooperation amongst members;

- ii. to help fishery managers in the development and implementation of fishery management systems that take due account of environmental, social and economic concerns;
- iii. to keep under review the state of the fishery resources in the area and the industries based on them;
- iv. to promote, encourage and coordinate research related to the living marine resources in the area and draw up programmes required for this purpose, and to organize such research as may be necessary;
- v. to promote the collection, exchange, dissemination and analysis or study of statistical, biological, environmental and socio-economic data and other marine fishery information;
- vi. to provide a sound scientific basis to assist Members in taking fisheries management decisions;
- vii. to provide advice on management measures to member governments and competent fisheries organizations;
- viii. to provide advice and promote co-operation on monitoring, control and surveillance, including joint activities, especially as regards issues of a regional or sub-regional nature;
- ix. to encourage, recommend and coordinate training in the areas of interest of the Commission;
- x. to promote and encourage the utilization of the most appropriate fishing craft, gear, fishing techniques and post harvesting technologies.

2.2.4. Area of competence

The area of competence of the Commission includes all waters of the Indian Ocean (including those under the national jurisdiction of Member States), bounded by a line drawn as follows: from a point on the high water mark on the East African coast at latitude 10° 00 N, thence due east along this parallel to the longitude 65°00 E, thence due south along this meridian to the equator, thence due east along this parallel to the longitude 80° 00 E, thence due south along this meridian to a parallel 45° 00 S, thence due west along this parallel to the longitude 30° 00 E, thence due north along this meridian to the coast of the African Continent.

2.2.5. Current membership: Comoros, France, Kenya, Madagascar, Maldives, Mauritius, Mozambique, Seychelles, Somalia, South Africa, United Rep. of Tanzania, Yemen.

2.2.6. Structure

The governing body of SWIOFC is the Commission. It is composed of all Members. Meetings of the Commission are held at least once every two years. The Commission has a Scientific Committee and may establish, on an ad hoc basis, such other committees or working parties as it may consider necessary.

The SWIOFC secretariat

The Secretariat is provided by FAO Sub regional Office for Southern Africa (SFS) and is based in Harare, Zimbabwe. However, at the time the consultant visited Harare, the office was preparing to relocate to Maputo, Mozambique in January 2015.

The Secretariat has been literally a “one-man band” and the Secretary has numerous other regular tasks related to the FAO Sub-regional Office for Southern and East Africa (SAFR), in Harare, Zimbabwe.

The relocation of the SWIOFC Secretariat to a coastal Member State had been an issue for a long time. The relocation of the SWIOFC Secretariat to a member country would require not only a proper facility but it would also have to be accompanied by a scheme of financial contributions by

members to ensure it is going to be fully able to perform its duties. A SWIOFC Secretariat that is independent of FAO would require an independent budget not only to maintain the office (power, water, phone, etc.), but also to pay the staff. The relocation of SWIOFC secretariat would certainly help to strengthen the sense of ownership by members and it is likely to improve communication between meetings. Fortunately some progress has been made on this issue. The Government of Mozambique has accepted to host the SWIOFC secretariat.

SWIOFC is a member of the Regional Fishery Body Secretariats Network that meets biennially.

Following the acceptance of the Government of Mozambique to host the SWIOFC ; the secretariat is destined to move to Maputo in January 2015.

2.2.7. Institutional capacities

The South West Indian Ocean Fisheries Commission (SWIOFC) is an advisory fisheries commission whose area of competence covers living marine resources within the Exclusive Economic Zones of coastal states of the SWIO.

The commission has no staff and therefore relies on collaborating institutions of contracting parties to carry out its functions

2.2.8. Collaborating institutions of SWIOFC

In order to carry out the mandate SWIOFC collaborates with the following partners/ institutions in the area:

1. Albion Fisheries Research Centre- Mauritius
2. Comoros National Institute for Research of Agriculture Fishing and the Environment- Comoros
3. Indian Ocean Tuna Commission- Seychelles
4. Institut de Reserche pour le Develoipment- France
5. Instituto Nacional de Investigacao Pesequeira- Mozambique
6. Kenya Marine and Fisheries Research Institute- Kenya
7. Marine and Coastal Management – South Africa
8. NORAD- Norway
9. Oceanographic Research Institute- South Africa
10. Seychelles Fishing Authority- Seychelles
11. Tanzania Fisheries Research Institute- Tanzania
12. West Indian Ocean Lab Project-GEF/Norway
13. EAF NANSEN project- NORAD/FAO

2.2.9. Programme activities and implementation

Partly because of its nature, since its foundation the activities carried out by SWIOFC have been financed either directly by FAO, such as the work done by the Secretariat, or by extra-budgetary funds provided by international agencies, such as SIDA (Swedish International Development Cooperation Agency), or by specific projects, such as SWIOFP or EAF- Nansen Project. Even the participation of members in meetings has been historically largely covered by these means, with a few exceptions. The reasons for this apparent reluctance of SWIOFC members to take upon themselves the primary financial responsibility for their participation in the work of the Commission may be found in a number of reasons, which includes the historical role FAO has had in the region, the harsh socio-

economic situation of many SWIOFC members, among others.

The activities of SWIOFC have been geared to the following areas:

- i. Data collection, analysis and sharing
- ii. Promotion and coordination of fisheries research.
- iii. Assessment of the state of the fisheries and of the condition of exploited stocks
- iv. Provision of fisheries management advice, based on the best scientific information available and taking due account of environmental, social and economic concerns
- v. The ecosystem approach to fisheries management
- vi. The application of the precautionary approach in the provision of Management Advice.
- vii. Provision of advice on Monitoring, Control and Surveillance, especially with regard to issues of sub-regional and regional nature, including the promotion of new instruments, such as the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing
- viii. Capacity building

SWIOFC does not provide species-specific fisheries management advice, since it does not carry out any assessment of the exploited stocks in the area and because of the multi-species nature of the fisheries under its purview. The advice provided by SWIOFC, therefore, has been rather general in nature and more focused on the fisheries level than on the fish species.

Presently, SWIOFC has basically two sources of funding to finance its activities:

1. The FAO Budget, which covers all Secretariat expenses and is provided for in the Programme of Work of the Organization; and
2. Resources coming from donors or through field projects, such as SIDA, SWIOFP, EAF-Nansen Project, etc.
3. A third possible source of financing,, would be through self-financing by its members. This dependence on external funds for carrying out most of its activities is an intrinsic limitation of SWIOFC and other RFBs and is of major concern.

2.2.10. Institutional linkages and collaboration with RFBs and RECs

As an FAO statutory body established under Article VI(1) of the FAO Constitution, SWIOFC is a part of the Organization and therefore dependent on it for its work. The SWIOFC Secretary is appointed by the Director General of FAO and responds administratively to him, including programme of Work and budgets.

The SWIOFC has encouraged collaboration with other regional organizations and Programmes. The importance of these cooperative efforts were portrayed as “a duty for all regional organizations, programmes and projects because of the shortage of human and financial resources”, in the face of the complex socio-economic and technical issues confronted by the fisheries sector in the region.

Among the concrete ways to foster cooperation and collaboration in the region, the following opportunities were identified: joint organization and participation in meetings and workshops, sharing of information and data, establishment of joint committees and working groups, joint planning and implementation of programmes, among others.

The following regional organizations agreed to collaborate with SWIOFC:

- - Agulhas Somali Current Large Marine Ecosystem (ASCLME),
- - Indian Ocean Commission (IOC),
- - World Conservation Union (IUCN),
- - Southern African Development Community (SADC),
- - Swedish International Development Cooperation Agency (SIDA),
- - South West Indian Ocean Fisheries Project (SWIOFP),
- - United Nations Development Programme (UNDP),
- - Regional Seas Programme of the United Nations Environment Programme (UNEP);

2.2.11. SWIOFC and SWIOFP

The South West Indian Ocean Fisheries Project (SWIOFP) funded by the World Bank is on record as having been present at all SWIOFC meetings. It has also been, by far, the main organization with which the SWIOFC has cooperated. In fact SWIOFC has served as the high level political steering committee of the Project .

The following nine countries, all SWIOFC members, participate in the SWIOFP project: Comoros, France, Kenya, Madagascar, Mauritius, Mozambique, Seychelles, South Africa, and Tanzania.

The main objectives of the project include the identification and study of the exploitable offshore fish stocks within the SWIO area, aiming to understand the relationship between environmental and anthropogenic impacts, to develop the region's institutional and human capacity in fisheries and marine science through training and career building, and to implement a regional fisheries management programme and associated harmonized legislation, in collaboration with SWIOFC. SWIOFP is a science-based project designed to generate essential information to assist the participating countries to sustainably develop their fisheries and utilize the living marine resources present in their respective exclusive economic zones (EEZs). The Project is structured in six primary components, with a respective coordinating country, as follows:

1. Data gap analysis, data archiving and information technology (Kenya)
2. Assessment and sustainable utilization of crustaceans (South Africa)
3. Assessment and sustainable utilization of demersal fishes (Tanzania)
4. Assessment and sustainable utilization of pelagic fish (Seychelles)
5. Mainstreaming biodiversity in national and regional fisheries management (Mauritius)
6. Strengthening regional and national fisheries management (all countries).

In general its acknowledged that SWIOFC has played a crucial role in promoting and facilitating collaboration and cooperation in the region with regard to fisheries issues, serving as a platform for the development of several regional projects, such as SWIOFP, ASCLME and EAF-Nansen Project. This role has been clearly recognized and appraised by SWIOFC members and stakeholders.

2.2.12. The challenge facing SWIOFC

SWIOFC is an advisory Commission, but lately members have expressed the wish to transform it into a management organization. This issue needs follow up to ensure that the contemplated action does not contravene Article of the UN Convention on the Law of the Sea. The Indian Ocean Tuna Commission (IOTC), an RFMO also exists in the region. Therefore great care should be taken to ensure that the mandates of the two institutions do not overlap.

2.3. Lake Tanganyika Authority(LTA)

2.3.1 Legal framework

The Lake Tanganyika Authority (LTA) was established through a convention (Convention on the Sustainable Management of Lake Tanganyika) in 2008 by the governments of Burundi, Democratic Republic of Congo, Tanzania, and Zambia. The LTA promotes regional cooperation required for socio-economic development and sustainable management of the natural resources in the Lake Tanganyika basin. The Convention recognizes the significance of Lake Tanganyika and its basin for the development of the riparian states, and the necessity of establishing a sustainable legal and institutional framework for cooperative management.

LTA was established through the initiatives of FAO – CIFA. The CIFA Committee for the management of Lake Tanganyika was transformed into LTA. However, LTA took on mandates beyond fisheries and aquaculture.

2.3.2 Mandate

The mandate of LTA is to safeguard the Lake Tanganyika basin and its natural resources. The LTA coordinates the implementation of the Convention on the Sustainable Management of Lake Tanganyika.

2.3.3 Structure

The LTA is an institutional management structure representing the governments of the riparian countries Burundi, Democratic Republic of Congo, Tanzania and Zambia. The LTA coordinates the implementation of the Convention on the Sustainable Management of Lake Tanganyika, which unites the countries in recognizing that the lake is a shared heritage with unique biological diversity.

The LTA has the following structure;

- Conference of Ministers
- Management committee
- Secretariat.

The conference of Ministers is the highest decision making organ of LTA

The management committee has the following technical committees:

- Socio economic committee
- Fisheries committee
- Biological diversity committee
- Water quality/pollution committee

2.3.4. LTA functions

The Authority has the following main functions relating to fisheries:

- i. Promotion of sustainable fisheries management on Lake Tanganyika by taking appropriate measures to prevent and reduce as far as possible adverse impacts from fishing activities .
- ii. Implementation and enforcement of framework of fisheries management plan for Lake Tanganyika.
- iii. Development of harmonized national fisheries policies based on the relevant principles set out in the Code of Conduct for Responsible Fisheries.

- iv. Development, adoption, implementation and enforcement of harmonized legal, Administrative and technical measures to manage fisheries and to eliminate Unsustainable fishing practices and to reduce the pressure on over-exploited fisheries by, in particular, regulating fishing effort.
- v. Promotion of broad participation in fisheries management including the development of community based management structures with due regard to local conditions.

2.3.4 Institutional capacities

LTA secretariat

The LTA secretariat became operational in 2009, although 3 members had acceded to the protocol in 2004/2005. DR Congo only acceded in 2008.

The secretariat is based in Bujumbura- Republic of Burundi. The management committees in the partner states provide technical support to the organization.

2.3.5 Programme activities and implementation

Its short history notwithstanding, LTA has prepared the Lake Tanganyika Regional Integrated Management Programme (LTRIMP), and the Strategic Action Programme and the Framework Fisheries Management Plan for the lake. The LTRIMP is supported by a range of partner organisations including the African Development Bank, the UN Development Programme, the Global Environment Facility, the Nordic Development Fund, the Food and Agriculture Organization, International Union for Conservation of Nature and the UN Environment Programme.

Priority actions of the programme include development and capacity building of local and national stakeholders, establishment of sustainable fisheries, pollution control through improved wastewater management, sustainable catchment management demonstrations, and establishment of regional lake monitoring systems.

The following projects activities relevant to fisheries and aquaculture have been undertaken :

- i. Project to support the Lake Tanganyika Integrated Regional Development Plan (PRODAP). This project was funded by the African Development Bank and the contracting member states and supported the harmonization of fisheries laws, and catch assessment surveys
- ii. Development of Aquaculture protocol for Lake Tanganyika project funded by EU/FAO smart fish project
- iii. Development of A Regional Plan of Action for the Management of Fishing Capacity in Lake Tanganyika, funded by the Republic of Korea.

These activities are ongoing .

2.3.6 Institutional linkages with RFBs and RECs

LTA is a member of the FAO RFBs Network secretariats and also attends CIFAA meetings. There is no formal linkages with any other RFBs and RECS in the region.

2.3.7. Challenges facing LTA

The Authority is already constrained by funding problems from contracting parties, and therefore depends on donor support for most of its activities.

2.4. Lake Victoria Fisheries Organization (LVFO)

2.4.1 Legal framework

Lake Victoria Fisheries Organization is an intergovernmental institution established in 1994 through a convention (Convention for the establishment of the Lake Victoria Fisheries Organization). The contracting parties are Republic of Kenya, Republic of Uganda and United Republic of Tanzania. The East African Community was established in 1999 and Article 9(3) of the Treaty recognised LVFO as one of its specialised institutions. Article 8 of the Protocol establishing LVBC makes provision for the Partner States to manage, develop and utilize fisheries resources of the basin in accordance with the Convention establishing the Lake Victoria Fisheries Organization.

2.4.2. Mandate

The Mandate of the LVFO is to foster cooperation among the Partner States by harmonizing national measures, developing and adopting conservation and management measures for the sustainable utilization of living resources of Lake Victoria for maximum socio-economic benefits.

The functions of the LVFO are to:

- i. Promote the proper management and optimum utilisation of fisheries and other resources of the lake;
- ii. Enhance the capacity of existing fisheries institutions;
- iii. Provide a forum for discussion of the impacts of initiatives on the lake;
- iv. Provide for the conduct of research on the living resources of the lake and its environment;
- v. Coordinate and undertake training and extension in all aspects of fisheries;
- vi. Consider and advise on the impact of introductions of exotic organisms into the Lake Victoria;
- vii. Serve as a clearinghouse and a data bank for information on the fisheries of the lake; and
- viii. Promote the dissemination of information.

2.4.3. Structures of LVFO

The main organs of the LVFO listed in the Convention are:

- The Council of Ministers;
- Policy Steering Committee,
- Executive Committee,
- Fisheries Management Committee,
- Scientific Committee,
- National Fisheries Co-management Committees.
- Working Groups
- Secretariat.

Council of Ministers (CoM): is the supreme body of LVFO. It makes and adopts measures for management and conservation of fisheries resources. It is made up of ministers from the Partner States responsible for fisheries development.

The initiation for a regionally agreed position, originates from the grass-roots and is channelled through the National Working Groups and Regional Working Groups, the Fisheries Management Committee (FMC) and the Scientific Committee (SC), then the Executive Committee (EC), Policy steering Committee, then to Council of Ministers.

Decisions of the LVFO Council of Ministers that require attention of EAC Heads of State are channelled to the summit through EAC Council of Ministers. There is a clear recognition of the EAC principles of subsidiarity, that while decisions are made at regional level, implementation is at national level through the appropriate channels and legal instruments.

Policy Steering Committee (PSC): consists of Permanent Secretaries responsible for Fisheries development. The Committee reviews and submits management recommendations to the Council of Ministers.

Executive Committee (EC): comprises of Heads of Fisheries Management and Heads of Fisheries Research Institutes; reviews management and scientific activities, agrees on management measures to be implemented and submits them to the PSC.

Fisheries Management Committee (FMC): comprises of Heads of Fisheries Management Institutions; develops management policies and advises the Executive Committee on management and conservation measures.

Scientific Committee (SC): comprises of Directors of Fisheries Research Institutes; identifies research requirements, reviews research methodologies and ensures dissemination of research results.

The Working Groups: The working group system is a model chosen to implement the LVFO policies and activities under each of the LVFO programs. Regional Working Groups (RWG) are established by the LVFO Secretariat and usually consist of staff from fisheries research and fisheries management institutions, and additional experts from Fisheries Training Institutions, Universities and Civil Society Organizations as necessary. The WG representative at the regional level is also the Chair of the relevant national WG (NWG). There are currently 14 RWGs addressing various thematic areas as indicated in Table 1.

Table 1: Management and research themes covered by the Regional Working Groups

Management themes	Research themes
<ul style="list-style-type: none"> • Fisheries Co-Management • Monitoring Control and Surveillance • Fisheries Policy Legislation, Institutions and Processes • Human Resources – capacity building • Information and databases • Information Communication and Outreach • Fish quality assurance, safety and product development • Infrastructure capacity building 	<ul style="list-style-type: none"> • Fish relative abundance monitoring (trawl surveys) • Fish biomass monitoring (hydro-acoustic surveys) • Catch Assessment and Frame Surveys • Socio-economic research and monitoring • Fisheries pollution and environmental monitoring • Database development and management

The LVFO secretariat.

The Secretariat is the executive body of the Lake Victoria Fisheries Organization. It is headed by an Executive Secretary who ensures that the work program and activities of LVFO are coordinated and implemented in accordance with the policy and decisions adopted by the Council of Ministers. The functions of the Secretariat are to:

- i. Co-ordinate the activities and functions of the Organisation
- ii. Provide technical fisheries resource monitoring and economic guidance to the organisation

(iii).Co-ordinate and maintain regional data storage and management systems for the benefit and use of the organisation

The LVFO Secretariat is based in Jinja - Uganda

2.4.4. Institutional capacities

Fisheries Research Institutes: Comprise the three National Fisheries Research Institutes in the Partner States: Kenya Marine and Fisheries Research Institute (KMFRI), National Fisheries Resources Research Institute (NaFIRRI) and Tanzania Fisheries Research Institute (TAFIRI). They are responsible for collecting the scientific data and providing information required by LVFO in various disciplines.

Departments of Fisheries: These are the Department of Fisheries (Ministry of Agriculture, Livestock and Fisheries) in Kenya, the Fisheries Division (Ministry of Livestock Development and Fisheries) in Tanzania and in Uganda, the Directorate of Fisheries Resources in the Ministry of Agriculture, Animal Industry and Fisheries. These institutions have the mandate for fisheries management and development.

Beach Management Units (BMUs)

BMUs are community-based, legally-recognized fisheries management organizations, registered with the Fisheries Departments of each Partner State.. Every BMU has an Assembly of all registered members and an elected Committee. The process of forming and registering a BMU is set out in the Harmonized BMU Guidelines, which are implemented at the national level. The Guidelines are very clear in setting out the composition of the committee to include representation from the four stakeholder groups (boat owners, boat crew, fishmongers and fishers), with at least three members being women. A total of 1,069 BMUs have been established on Lake Victoria : 281 in Kenya, 433 in Tanzania and 355 in Uganda. The BMUs are legally empowered by specific BMU legislation developed and enacted in each Partner State.

Other Related organizations

There are other key stakeholder groups in fisheries co-management that contribute to decision-making through the Fisheries Co-management Committees and through their own activities.

The stakeholder groups include:

- local authorities,
- industrial processing sector,
- civil society, and
- Fisheries Training Institutions.

2.4.5. Programme activities and implementation

The LVFO Vision is generally in line with the EAC Vision and Strategy Framework which states as follows:“ A prosperous population living in a healthy and sustainably managed environment providing equitable opportunities and benefits”

Specific Vision Statements:

- A Healthy Lake Victoria Ecosystem and Sustainable Resource Use;
- Integrated Fisheries Management;

- Coordinated Research Programs;
- Information Generation, Flow and Exchange; and
- Institutional/Stakeholder Partnership

The Vision is implemented through a strategy aimed at having:

- Effective government and community based institutions and institutional processes;
- Adequate infrastructure and human resources capacity for implementation of the activities;
- Appropriate information and databases to guide management decisions and actions;
- Mechanisms for re-packaging scientific information into appropriate formats, and disseminating it;
- Enabling policies, laws, regulations and action plans;
- A system for enforcing fisheries and related laws, regulations and agreed actions; and an effective planning, monitoring and evaluation system.

The strategies are implemented through the five programs namely:

- Fisheries Management Program;
- Resource, Environmental and Socio-economic Research and Monitoring;
- Aquaculture Research and Development;
- Database, Information Communication and Outreach; and
- Capacity Building.

Table 2: Summary of the strategies and working groups.

No.	Strategic plan/program	Working groups	Activities
1	Fisheries management	<ol style="list-style-type: none"> 1. Fisheries policy and legislation 2. Monitoring control and surveillance 3. Co-management 4. Fish quality assurance ,safety and product development 	<ol style="list-style-type: none"> 1. Development and harmonization of fisheries policies, laws and regulations 2. Adherence to fisheries laws and regulations 3. Stakeholder participation 4. Compliance to fish quality, safety and value addition.
2	Resource monitoring, environmental, and socioeconomic research	<ol style="list-style-type: none"> 1. Frame surveys and catch assessment 2. Fish stock monitoring 3. Hydro-acoustic 4. Pollution and environmental monitoring. 5. Socio economic research 	<ol style="list-style-type: none"> 1. Frame surveys 2. Trawl surveys, gillnet surveys 3. specialised hydro acoustics 4. Environmental monitoring 5. socio economic research
3	Aquaculture research and development	<ol style="list-style-type: none"> 1. Aquaculture research 2. Aquaculture development 	<ol style="list-style-type: none"> 1. Research 2. Development and extension
4	Data base, communication and outreach	<ol style="list-style-type: none"> 1. Database development and management 2. Information and communication 	<ol style="list-style-type: none"> 1. Develop and manage database 2. Package and disseminate information
5	Capacity building	<ol style="list-style-type: none"> 1. Infrastructure capacity building. 2. Human resource development 	<ol style="list-style-type: none"> 1. Infrastructure development 2. Human resource development

The activities of the LVFO are implemented within and between different levels of governance of individual Partner States from the village BMU level to the regional EAC level.

The activities at national level are implemented by:

- Ministries responsible for fisheries;
- Departments/Directorates responsible for fisheries management;
- The institutes responsible for fisheries research;
- Beach management Units [BMUs].

Key achievements of the LVFO include:

- Implementation of a Regional Strategy of fish quality assurance which led to lifting of a ban of fish export to the EU;
- Harmonization of fisheries laws and regulations including agreeing on the mesh size of gillnets to be used and fish to be harvested and adoption of the slot size of 50-85 cm for Nile perch harvested from Lake Victoria;
- Coordination of efforts, which reduced conflicts in cross border fishing and fish trade; and
- Establishment of National and Regional Working Groups to implement the LVFO activities and drafting of SOPs to guide their operations.

The activities of the LVFO are funded by:

- i. Partner States.
- ii. The Development Partners.

Currently LVFO is supported by:

- The European Union;
- Norad
- Common Fund for Commodities (CFC).

Implementation of Fisheries management plan for Lake Victoria (IFMP) project .

This was by far the largest and most complex project implemented by LVFO. This was a five year project funded through a grant of 29.9 million Euro from EU between 2004-2011.

The main focus of the project were:

- Supporting Monitoring, Control and Surveillance (MCS);
- Promoting community participation in management of resources;
- Monitoring the resources, environment and socio-economic factors of the fishery;
- Providing information and databases to guide management decisions;
- Providing appropriate policies, laws, regulations for management of the fisheries resources and the fish habitat; and
- Building the capacity to implement the above activities regionally

The project successfully ended in 2011.

2.4.6 Institutional linkages with RFBs and RECs

Relationship of LVFO with the EAC

As a specialised and autonomous institution of the EAC, the programs and activities of the LVFO

are in line with the Vision and Strategy Framework for the Management of the Lake Victoria Basin developed by the EAC in 2003. The operations of the LVFO are also guided by the Administrative Principles embedded in the EAC Treaty.

Relationship of LVFO with LVBC

The Lake Victoria Basin Commission was established by a Protocol for Sustainable Development of Lake Victoria Basin under Article 33 as a permanent apex institution of the East African Community responsible for the Lake Basin. It coordinates the various interventions on the lake and in its basin and serves as a centre for promotion of investments and information sharing among the various stakeholders. Article 8 of the Protocol establishing LVBC calls for the Partner States to manage, develop and utilize fisheries resources of the basin in accordance with the Convention establishing the Lake Victoria Fisheries Organization.

The apparent overlap stems from the fact that both institutions operate in the same ecosystem. But both the Treaty and the protocol are very clear on the mandate of LVFO.

2.4.7 Challenges facing LVFO

Expansion of the mandate of LVFO

The issue of admitting Rwanda and Burundi into LVFO has been pending for quite some time. The two states became members of EAC only in 2005 but could not automatically become members of LVFO. Currently the convention of LVFO is being revised to allow any member of EAC to automatically become members of LVFO. The two states stand to gain from the vast expertise of LVFO especially in aquaculture development. LVFO being an institution of EAC, discussions are underway to expand its scope so that it has an east African outlook. It is being proposed that the institution be transformed into East African Fisheries Organization (EAFO).

Funding challenges.

The institution suffers from perennial financial problems because member states are always in arrears in the remittance of the country contributions.

The EAC secretariat in Arusha has opened up and is now supporting some LVFO activities from the Donors partnership fund.

In spite of the challenges above the LVFO as a pioneer RFBs in the region has played a crucial role in the sustainable management of the largest freshwater fishery in Africa. The institution has set up structures up to grass root level in form of co-management units, which can be emulated by other institutions. The establishment of Standard operating procedures (SOPs) and BMUs is a plus for LVFO.

2.5. Aquaculture Network for Africa (ANAF)

2.5.1. Legal framework

The ANAF was established out of CIFAA's ad hoc Working Group on Aquaculture recommendation which was endorsed by the CIFAA, during its 14th Session held Accra, Ghana from 22-24 November 2006. Therefore it was decided to support this new network by development of a parallel Regional Aquaculture Information System, the ANAF Web site in order to respond to (a) the increasing need to develop a regional system facilitating the exchange of information among the ANAF member

countries; (b) the need to assist the private and public sectors to have quick and easy access to information required for decision making, both on specific technical matters and for the design and assessment of new aquaculture projects; and (c) the need to respond at the increasing public demand for up to date information concerning aquaculture at national and regional level.

2.5.2. Mandate

The mandate was to design ANAF Web site applying the most up-to-date information technology and database management in accordance to international IT standards: i.e. the Open Source Content Management System TYPO3 to facilitate quick and easy access to information on aquaculture among the ANAF members.

2.5.3. Structure

The ANAF Network is currently composed by nine African countries, Cameroon, Ghana, Kenya, Mali, Mozambique, Nigeria, Tanzania, Uganda and Zambia which have decided to lead the establishment of a web-based information system to facilitate the exchange of aquaculture information in the Sub-Saharan Africa area and to develop an informal, flexible and efficient network. Each state has designated an officer as national focal point.

2.5.4. Institutional capacities

The website is temporarily housed at the LVFO secretariat in Jinja- Uganda pending location of its permanent home. The website is maintained by LVFO staff as ANAF has no staff of its own. Membership is voluntary and membership has remained low, which is a cause for concern. Proposals are underway to transform ANAF into an Intergovernmental Organization.

2.5.5. Challenges facing ANAF

Low membership and lack of funding mechanisms is of great concern. At the time of assessment it was not quite clear if this site has been beneficial to the members.

2.5.6. Programme activities and implementation

Activities that were envisaged to be undertaken by ANAF included:

1. Regional Aquaculture Research and Development
 - a. Coordinate scientific and technical exchange, and collaborative research between participating agencies and resource persons that will address some of the identified impediments to aquaculture development in the region
 - b. Provide consultancy services using identified and participating agencies and persons to address aquaculture issues in the region
2. Capacity Building, Education and Training
 - a. Building of capacity of national aquaculture institutes through networking
 - b. Coordinate farmer and extension workers exchange visits in the region, including attachment programmes at the participating lead agencies
3. Information Exchange
 - a. Assess the information and training needs for aquaculture development in the member countries, and devise means of addressing such needs
 - b. Facilitate aquaculture information and technology exchange in Africa region
4. Technical Assistance
 - a. Facilitate and coordinate technology transfer in the region

- b. Coordinate and where possible facilitate the management of farmed fish health at regional and sub-regional levels.
5. Network coordination and management
- a. Prepare annual work plans and budgets for the aquaculture network for approval by the management technical committee
 - b. Review and assess the identified Lead agencies and other existing resources at the regional, sub-regional, and national levels so as to document the available competencies and resources in the region available for aquaculture network activities
 - c. Collaborate with regional aquaculture non-government organizations such as producer associations, service providers, funding agencies, farmed fish marketing cooperatives and trade groups
 - d. Develop strategies and long-term plans for the aquaculture network
 - e. Explore and develop linkages to existing international, regional, and sub-regional agencies
 - f. Organize and facilitate meetings of the network management and advisory committees
 - g. Mobilize and source for funding to facilitate implementation of network activities and work plans.
 - h. Prepare reports for consideration at the CIFA sessions

Due to funding limitations only a few activities have been undertaken.

ANAF has organized a number of meetings for its members including training of officers on data collection and dissemination tools. Funding for this meetings has come directly from FAO and NEPAD.

It's being proposed that this network be strengthened and be hosted at AU headquarters and vigorous membership drive be undertaken to bring on board as many members as possible.

2.6. Lake Victoria Basin Commission (LVBC)

2.6.1 Legal framework

Lake Victoria Basin Commission was established by East African Community (EAC) in 2003 through a protocol (**Protocol for sustainable development of Lake Victoria basin**) as a permanent apex institution of the community responsible for the Lake Victoria basin. The East African Community established the Lake Victoria Basin Commission, as a mechanism for coordinating the various interventions on the Lake and its Basin; and serving as a centre for promotion of investments and information sharing among the various stakeholders. The LVBC is the driving force for turning the Lake Victoria Basin into a real economic growth zone.

The signing of the protocol for sustainable development of the Lake Victoria Basin on the 29th November 2003 and its ratification in December 2004, led to the establishment of the Lake Victoria Basin Commission. The contracting parties are Kenya, Uganda, Tanzania, Rwanda and Burundi.

The secretariat headquarters is based in Kisumu, Kenya.

Under Article 8 of the protocol, partner states shall manage, develop and utilise fisheries resources of the basin in accordance with the convention establishing the Lake Victoria Fisheries Organization.

2.6.2. Mandate

The Vision of the Lake Victoria Basin Commission is to have: “A prosperous population living in a healthy and sustainably managed environment providing equitable opportunities and benefits”

The Mission of the Lake Victoria Basin Commission is to promote, facilitate and coordinate activities of different actors towards sustainable development and poverty eradication of the Lake Victoria Basin

The broad mandate of LVBC is to promote, coordinate and facilitate development initiatives within the Lake Victoria basin.

2.6.3. Structure

The policy and decision making organ for the Commission is the Sectoral Council which is constituted by Ministers from the Partner States while the Committee comprises of all Permanent Secretaries from the Partner States whose Ministries’ mandates relate to the Lake Victoria Basin, particularly Water, Agriculture, Transport, Communication, Energy, Tourism and Wildlife, Fisheries, Environment and Economic Development

2.6.4. Current Coordination Arrangements

The National Focal Point Ministries for the Lake Victoria Basin Commission provide a link between the LVBC Secretariat and Partner States. Currently, the designated Focal Point Ministries are:

- Ministry of Water, Environment, Land Management and Urban Planning – Burundi.
- Ministry of Environment and Mineral Resources – Kenya
- Ministry of Natural Resources – Rwanda
- Ministry of Water and Irrigation – Tanzania
- Ministry of Water and Environment- Uganda,

The East African Community has designated Lake Victoria and its Basin as an “area of common economic interest” and a “regional economic growth zone” to be developed jointly by the Partner States. And Lake Victoria is the focus of new attention following the declaration by the Heads of States and Government of the East African Community that a joint programme be developed for the overall management and rational utilization of the shared resources of the Lake.

2.6.5. LVBC areas of focus

The commission envisages a broad partnership of the local communities around the Lake, the East African Community and its Partner States as well as the development partners. The commission’s activities are focusing on the following:

- Harmonization of policies and laws on the management of the environment in the Lake and its catchment area;
- Continuation of the environmental management of the Lake, including control and eradication of the water hyacinth;
- Management and conservation of aquatic resources, including fisheries;
- Economic activities in the development of fishing, industry, agriculture and tourism; and
- Development of infrastructure, including revamping the transport system on and around the Lake.

The Commission further places emphasis on poverty eradication and the participation of the local communities. It is expected to make a significant contribution towards reduction of poverty by uplifting the living standards of the people of the Lake region. This is to be achieved through economic growth, investments and sustainable development practices that are cognizant of the environment.

An overview of the socio-economic situation in the Lake Victoria Basin reveals significant potential in nearly all sectors of the economy. These potentials for investment are in diverse areas such as infrastructure, agriculture, tourism, human resources development, industry, mining, commerce, and services sector among others.

An assessment of resource potential in the basin and the enabling environment in terms of the general policy and legal framework, obtaining in the Region, both within the Partner States and at the national level, indicates that there are numerous potentials for investment.

Currently, the basin boasts of a potential market of 84.1 million people within the East African Community and with strategic connection to other parts of Eastern and Central Africa.

The intra- and interstate connectivity through road, rail, air and water makes the region ideal for investment in terms of strategic links with other parts of the world

2.6.6. Institutional capacities

The LVBC secretariat is based in Kisumu – Kenya and is headed by an Executive Secretary. The secretariat is well staffed, but unlike LVFO, the Commission has not build structures for identification and implementation of its programmes at grass root level. The institution relies on donors for funding of the programmes.

2.6.7. Programme activities and implementation

LVBC Operational Strategy (2007-2010)

EAC Development Strategy (2006 – 2010) requires LVBC to implement among others the Shared and Strategy Framework for Management and Development of LVB. To operationalize this, LVBC has prepared an Operational Strategy which is now approved. The Operational Strategy, which is based on the 5 thematic areas of the shared vision, has generated 9 programme Areas. However, for the period of the EAC Development Strategy, the Operational strategy is focusing on 6 priority programme areas:

- a. Governance and Institutional Development;
- b. Maritime, Safety and Security;
- c. Environment and Natural Resources Management'
- d. Water Resources Management;
- e. Information and Communication;
- f. Support programme

The Shared Vision and Strategy Framework for Management and Development of the Lake Victoria Basin developed in 2003 is a strategic framework that is to guide the work of the LVBC and all its stakeholders. The Shared Vision and Strategy Framework for Management and Development of LVB focuses on 5 thematic (policy areas):

- a. Ecosystems, Natural Resources and Environment;
- b. Production and Income Generation;
- c. Living condition and quality of Life;
- d. Population and Demography; and
- e. Governance, Institutions and Policies.

LVBC has implemented a number of activities , but the only one with a fisheries component is the Lake Victoria Environmental Management Project(LVEMP II) funded by the World Bank. The first phase was implemented in 1997 -2005.

LVEMP II also has a component on fisheries which is implemented by LVFO. The project has other components mainly relating to the environmental issues of the Lake Victoria and its basin.

2.6.8. Institutional linkages with RFBs and RECs

LVBC is one of the institutions that was established directly by EAC and is therefore directly depended on EAC secretariat for all its operations. Some initiatives have begun to establish working relationships with LVFO and this is still on going. Linkages with other RFBs have not been established.

2.7. Zambezi Watercourse Commission (ZAMCOM)

2.7.1. Legal framework

The Zambezi Watercourse Commission was established by SADC in 2011 through an agreement (Agreement on the establishment of the Zambezi watercourse Commission) signed on July 13, 2004 at Kasane in Botswana by the eight riparian states :The Republic of Angola, the Republic of Botswana, the Republic of Malawi, the Republic of Mozambique, the Republic of Namibia, the United Republic of Tanzania, the Republic of Zambia and the Republic of Zimbabwe.

The Zambezi Riparian States established the Interim ZAMCOM Secretariat (IZS) in May 2011 and was temporarily hosted by the Government of Botswana in Gaborone.

The permanent secretariat of ZAMCOM was later moved to Harare- Zimbabwe.

2.7.2. Mandate

The mandate of ZAMCOM is to manage the entire Zambezi River Basin, as stipulated in the ZAMCOM Agreement and drawn in line with the revised SADC Protocol on Shared Watercourses.

The objective of the Commission: To promote the equitable and reasonable utilization of the water resources of the Zambezi Watercourse as well as the efficient management and sustainable development thereof.”

2.7.3. Functions of the ZAMCOM:

As outlined in the Agreement, ZAMCOM functions include among others to:

- Collect, evaluate and disseminate all data and information on the Zambezi Watercourse for implementation of the Agreement;
- Promote, support, coordinate and harmonize the management and development of the water resources of the Zambezi Watercourse;
- Advise Member States on the planning, management, utilization, development, protection and

conservation of the Zambezi Watercourse as well as on the role and position of the Public with regard to such activities and the possible impact thereof on social and cultural heritage matters;

- Advise Member States on measures necessary for the avoidance of disputes and assist in the resolution of conflicts among Member States with regard to the planning, management, utilization, development, protection and conservation of the Zambezi Watercourse;
- Foster greater awareness among the inhabitants of the Zambezi Watercourse of the equitable and reasonable utilization and the efficient management and sustainable development of the resources of the Zambezi Watercourse;
- Cooperate with the institutions of SADC as well as other international and national organizations where necessary;
- Promote and assist in the harmonization of national water policies and legislative measures;
- Promote the application and development of the ZAMCOM Agreement according to its objective and the principles.

2.7.4. Structure

The structure consists of

- The council of Ministers
- The technical committee
- The secretariat

The ZAMCOM, has a governance structure that allows for activity implementation, progress tracking, transparency and accountability. The Secretariat is headed by the Executive Secretary, who reports to the Technical Committee (TEC) which comprises Heads of Water Departments in the respective Riparian States. The TEC membership constitutes Senior Officials at the levels of Permanent Secretary or equivalent, as the case may be from Riparian States. The TEC makes recommendations to the Ministers responsible for Water on any decisions that should be made. The Ministers provide overall strategic guidance and oversight to the Secretariat through the TEC.

The ES works in collaboration with the Ministry responsible for Water of the TEC-Host Riparian State, on administrative issues and also liaises with the SADC Secretariat's Water Division on technical matters.

2.7.5. Initial activities

Immediately after its formation and in pursuit of its objectives, the secretariat embarked on a number of activities in line with the 3-year ZAMCOM Operationalization Plan. To that effect, the secretariat developed a 12-month work plan, approved by the TEC. Among its main activities was the hosting of governance meetings for the TEC, the Transitional Advisory Group (TAG) and the Water Ministers. The secretariat was expected to mobilize resources for activities in the basin through collaboration with the Zambezi ICPs and Riparian States. Another major activity was the stakeholder mobilization through facilitating the establishment of the National Stakeholders Coordination Committees (NASCs) in all the eight Riparian States. The secretariat also facilitated the establishment of the permanent ZAMCOM Secretariat in Harare –Zimbabwe. The formation of interim secretariat was supported by the Norwegian government.

2.7.6. Programmes and activities

The ZAMCOM short term programmes include the following themes

- i. Flood Forecasting and Early Warning
- ii. Drought Monitoring
- iii. Dam Synchronization
- iv. Climate Change
- v. Environmental Flows
- vi. Basin Planning

The following agents work closely with ZAMCOM

- African Development Bank (AfDB)
- Australian Agency for International Development (AusAID)
- Danish International Development Assistance (Danida)
- Department for International Development (DFID)
- Federal Ministry for Economic Cooperation and Development (BMZ)
- Food and Agriculture Organization of the United Nations (FAO)
- International Federation of Red Cross and Red Crescent Societies (IFRC)
- Norwegian Agency for Development Cooperation (NORAD)
- Swedish International Development Cooperation Agency (SIDA)
- Swiss Agency for Development and Cooperation (SDC)
- World Bank (WB)
- World Meteorological Organization (WMO)

Projects within Zambezi Watercourse Commission (ZAMCOM) :

- Dam Synchronization and Flood Release in the Zambezi River Basin.
- International Training programme
- Joint Zambezi River Basin Environmental Flows Programme (EF ZRB)
- River Basin Dialogue (RBD)
- Southern Africa Water Wire
- Water Resources Management in Zambezi river basin (ZACPRO 6.2 and ZAMCOM)
- Zambezi River Basin Initiative (ZRBI)

2.7.7. Institutional linkages with RFBs and RECs

The ZAMCOM was created by SADC and is directly depended on SADC for all its operations. With only a few years in operation ZAMCOM still has to foster linkages with other WBCs and RFBs.

2.7.8. Fisheries and aquaculture activities

Fisheries and aquaculture is not among the initial themes and activities of ZAMCOM. The potential for fisheries and aquaculture development in the Zambezi basin exists. Lake Kariba and the flood plains of the Zambezi in Mozambique make significant contribution to fisheries production of the region.

ZAMCOM should make effort and ensure that fisheries and aquaculture are included in its development plans. Au can source for support to ZAMCOM in the assessment of potential and propose projects on fisheries and aquaculture in the Zambezi basin.

3.0. Comparative Analysis of the major findings

3.1. The role and commitment of FAO to RFBs and WBCs

FAO has a global mandate to promote and, when appropriate, to recommend national and international action pertaining, inter alia, to fisheries research, conservation and management, and development. Recognizing the critical role of Regional Fishery Bodies (RFBs) for promoting long-term sustainable fisheries where international cooperation is required in conservation and management, FAO has committed:

- to provide its technical and administrative support to its own RFBs with a view to strengthening their effectiveness
- to promote collaboration and consultation among all RFBs or arrangements on matters of common concern
- This also consists of:
- facilitating meetings of RFBs
- implementation by RFBs of sustainable policies and practices and the effective implementation of the post-UNCED instruments (including cooperation between RFBs and FAO programmes) issues relating to reporting on status and trends of fisheries
- reporting to, and liaising with, the United Nations and other international and regional organizations regarding collecting and disseminating information

3.1.2 Categories of RFBs

- Those established under FAO's Constitution – There are two types of RFBs in this category, those established based on Article VI of the FAO Constitution and those established based on Article XIV. The differences are mainly in terms of finance, mandate and autonomy whereby Article XIV bodies (e.g. IOTC) are more autonomous than the Article VI bodies (e.g. CIFA, SWIOFC).
- Established outside the FAO framework but with FAO depository functions – This means that the Director-General of FAO exercises depository functions for organizations e.g. LVFO
- Established outside FAO's framework – FAO closely monitors these RFBs due to their importance in global and regional fisheries governance. E.g. LTA.

3.1.3. FAO and RFBs participation

FAO encourages active participation of RFBs in its decision-making process and any technical forums such as COFI and relevant technical consultations. In fact, RFBs involvement at COFI has grown significantly since 1995 with the adoption of the Code of Conduct for Responsible Fisheries and further accelerated by initiation of the RFBs meetings in 1999 (now renamed the Regional Fishery Body Secretariats Network). Such continued collaboration is crucial in order to accomplish the goal of responsible and sustainable fisheries.

3.1.4. FAO and change of policy on RFBs

After 1997, FAO developed a significant policy shift towards RFBs. At the Twenty Second Session of the FAO Committee on Fisheries (COFI), held in March 1997, and taking into account the need to strengthen FAO regional fishery bodies and bearing in mind the financial and resource implications involved FAO adopted the following recommendation (FAO,1997) :

'FAO should establish a mechanism/ process for these bodies to meet a greater share of their operating costs with a view to ultimately becoming financially less dependent on the FAO regular

budget and re-establishing Article VI bodies under new agreements adopted under Article XIV of the FAO Constitution, as appropriate, in order to have greater decision-making powers and capacity as well as greater administrative and financial autonomy.'

These recommendations were adopted as a means of achieving enhanced fisheries management, while emphasizing the need for effective regional fishery organizations and arrangements in the framework of the Code of Conduct for Responsible Fisheries. It was also agreed that FAO regional fishery bodies should be reviewed and evaluated in depth by their members.

3.1.5. Regional Fishery Bodies Secretariats network.

Since the first meeting of FAO and Non-FAO Regional Fishery Bodies (RFBs) or Arrangements took place in February 1999, seven others have been held in the margins of FAO Committee on Fisheries (COFI). These meetings have provided valuable opportunities for all RFBs established both within and outside the framework of FAO to exchange information on current challenges and emerging issues experienced by RFBs.

During the 2005 meeting of RFBs, participants agreed to change the meeting title to "RFB Secretariats' Network". This new title emphasized both network support and ongoing engagement inter sessional between formal meetings. The first meeting of the Regional Fishery Body Secretariats' Network (RSN) was held in March 2007 as the fifth biennial meeting among RFBs. The RSN was established to facilitate ongoing information exchange among RFB Secretariats. In part this is facilitated by the distribution of a quarterly newsletter which is published by FAO and based on contributions from the RFBs.

RSN meetings are autonomous initiatives. FAO provides the venue and secretariat services to the Network meetings. The Chair of the RSN works closely with the Secretary of the RSN provided by FAO, and is responsible for meeting logistics, oversight and functioning.

Since the inaugural session in 1999, the biennial RSN meetings have facilitated discussion and information sharing among all bodies. These meetings address the outcomes of COFI and focus on issues of major importance to the RFBs, including the role of RFBs in global and regional fisheries processes. A major thrust with respect to strengthened cooperation among FAO and non-FAO RFBs and arrangements was provided by the 1998 High-Level Panel of External Experts in Fisheries, appointed by the Director-General of FAO to consider, inter alia, future challenges in fisheries governance. The panel addressed FAO's role in working to encourage more coherent management approaches among RFBs, and recommended that FAO should, inter alia, convene a special meeting of FAO and non-FAO bodies in order to:

- i. identify and address common problems and constraints;
- ii. develop strategies and mechanisms to address constraints;
- iii. share experiences and lessons learned; and
- iv. improve the effectiveness of the RFBs.

In addition, the 1999 Progress Report on the Implementation of Conference Resolution 13/97 (Review of FAO Statutory Bodies and the Strengthening of FAO Regional Fishery Bodies) noted that, despite a need for effective RFB cooperation, there was no formal working relationship between COFI and non-FAO RFBs. And while the report acknowledged significant improvements in the performance of

RFBs over the last decade, it stated that many factors have hindered these bodies from being more effective. The Twenty-third COFI in 1999 commended FAO for conveying a meeting of FAO and Non-FAO RFBs and recommended that such meetings be held on regular basis and this meetings continue to be held alongside COFI meetings.

3.2. African Union Policy Framework and Reform Strategy

The Policy Framework and Reform Strategy for Fisheries and Aquaculture (PFRS) in Africa was formulated by AU in response to the recommendations of the first Conference of African Ministers of Fisheries and Aquaculture (CMFA I) to promote policy coherence, reiterated by CAMFA II, was endorsed at the June 2014 Summit of the African Heads States and Government in Malabo, Equatorial Guinea as a blue print for facilitating sustainable African fisheries development. The overall purpose of the Policy Framework and Reform Strategy for Fisheries and Aquaculture is to facilitate transformation of Africa's fisheries and aquaculture for food, livelihoods and wealth. Accordingly, the Policy Framework and Reform Strategy is intended to elaborate and make explicit essential guiding principles for good governance of Africa's fisheries for increased coherence and coordination of the sector and provides appropriate guidance on how to implement reforms for sustainable fisheries and aquaculture development. The Policy Framework and Reform Strategy, developed in broader participatory manner, identified seven key pillars and cross-cutting issues as policy areas for reform in African fisheries and aquaculture sector.

The PFRS has seven policy objectives which include:

- i. Enhancing conservation and sustainable use of fisheries resources through the establishment of national, and sub-national governance and institutional arrangements that ensure the societal contribution generated by Africa's sectors have the greatest impacts at the most appropriate level
- ii. Development of sustainable small-scale fisheries by improving and strengthening the contribution of small-scale fisheries to poverty alleviation, food and nutrition security and socio-economic benefits of fishing communities and beyond.
- iii. Realizing the full potential of the aquaculture sector to generate wealth, social benefits and contribute to the development of the African economy by jumpstarting market-led sustainable development strategies
- iv. Promoting responsible and equitable fish trade and marketing by significantly harnessing the benefits of Africa's fisheries and aquaculture endowments through accelerated trade and marketing
- v. Strengthening South-South (bilateral and regional) cooperation, and developing coordinated mechanisms among RECs, RFBs and LME-based commissions to ensure coherence of fisheries policies and aquaculture development and their adoption and adaptation
- vi. Creating awareness on the potential and importance of the sector, based on current and emerging trends, challenges and needs as well as enhancing the capacity of governments and institutions in order to ensure sustainable development of the sector
- vii. Increasing and consolidating the "African Voice" in the governance and management of high seas fisheries in order to substantially enhance the benefits accruing to the Member States associated with exploitation of high seas resources

The framework is structured around three main entities: a set of guiding and cross-cutting principles, seven main policy areas, objectives, and strategies against each of the objectives. The Policy

Framework lays down the guiding principles for effecting appropriate reforms whilst the Reform Strategy suggests action steps that could be applied in the sector. The Policy Framework and Reform Strategy took into consideration: (i) regional specific priorities of common interest to all or most of the countries in each of the five regions of Africa, (ii) supporting and delivering mechanisms to assist and facilitate implementation of agreed strategies and (iii) suggesting indicators to measure success.

The Policy Framework and Reform Strategy for Fisheries and Aquaculture offers Africa the opportunity to transition its fisheries to productivity, sustainability and profitability with options for enhanced regional collaborative management of shared resources. The Policy Framework makes use of a number of approaches, including economic, ecosystems, social and welfare. But the main precondition for these approaches to translate into development outcomes is a need for countries to commit to reforming their fisheries sectors. The Policy Framework and Reform Strategy will enable African governments to develop appropriate fisheries-exploitation arrangements and aquaculture, with accompanied fiscal reforms that should result in the sustainable generation of benefits at the community level as well as creating wealth throughout the value chain.

The PF&RS also identifies cross cutting issues like

- Strengthening resilience and reducing vulnerabilities to climate change in African Fisheries and aquaculture.
- Gender and youth
- Private sector investments and financing mechanisms for fisheries and aquaculture in Africa

The PF&RS also calls for enhanced role of RECs and RFBs and arrangements in creating integrated and interactive systems of governance.

From the foregoing, it is clear that the African Union has taken a very bold step in the development of fisheries and aquaculture in the continent. Given the critical roles played by RFBs, the AU is looking for ways and means of strengthening RFBs .

It is noted that some member states have domesticated regional instruments to varying degrees eg SADC protocol on fisheries. The AU should support the member states through the RECs and RFBs (and other organizations within the RECS eg WBCs) to domesticate the AU Policy framework and Reform Strategy through regional policies and encourage strong alignment and coordination of the policies and programmes

The Africa Union is called upon to support member states in domesticating the Policy Framework and Reform strategy for fisheries and aquaculture in Africa.

3.3. Role of Regional Fishery Bodies

Regional Fishery Bodies (RFBs) are the critical vehicles for promoting long-term sustainable fisheries where international cooperation is required in conservation and management. Significantly, since the 1992 United Nations Conference on Environment and Development (UNCED or “Earth Summit”), legal instruments assign RFB a key role in the facilitation of international cooperation.

Regional Fisheries Management Organizations (RFMO) especially play a unique role in facilitating international cooperation for the conservation and management of fish stocks. These organizations

present the only realistic means of governing fish stocks that occur either as straddling or shared stocks between zones of national jurisdiction or between these zones and the high seas, or exclusively on the high seas. The PF&RS has one pillar dedicated to the high sea fisheries with the objective of increasing and consolidating the African voice in the governance and management of high sea fisheries.

Key subjects and issues of importance to RFBs include management of fisheries, the application of the ecosystem approach, the minimization of bycatch and IUU fishing, science and research, institutional/organization matters, application of the precautionary approach, and transparency in decision-making processes.

RFB are playing a greater part in decision-making for international instruments for conservation and management.

Key areas include:

precautionary approach

- agreement on decision-making procedures that facilitate the adoption of conservation and management measures in a timely and effective manner
- transparency in the decision-making process
- decision-making procedures for dispute prevention
- strengthening decision-making to implement relevant policies

From the foregoing it is evident that the African region has established different organizations for this purpose. However, lack of linkages with RECs in some cases seems to compromise the regional integration agenda. Eg

- The role of RECS (SADC, IOC, COMESA, IGAD, EAC) as coordinating mechanisms.
- The role of RFBs (BCC, SWIOFC) as reporting institutions, MCS efforts, information and monitoring.
- The role of WBCs (LTA, ZAMCOM, LVBC) as riparian management authorities for water and water related activities.

The existing treaties for COMESA, EAC, SADC and regional strategies and protocols by IOC, Nile Basin Initiative could be better applied to promote better linkages in the region

3.4. The importance of regional fisheries management

Strengthening RFBs and their performances in order that fish stocks may be better conserved and managed remains the major challenge facing international fisheries governance. This is reinforced by the overall state of exploitation of marine fishery resources where the situation is more serious for certain fishery resources that are exploited solely or partially in the high seas and, in particular, for straddling stocks and for highly migratory oceanic sharks.

The maximum wild capture fishery potential from the world's oceans has probably been reached and reinforces the calls for more cautious and effective fisheries management to rebuild depleted stocks and prevent the decline of those being exploited at or close to their maximum potential.

In recent years the international community has focused on the need to strengthen RFBs – in particular the RFMOs. This is reflected in international fisheries instruments (both binding and

voluntary) and in international fora.

Many RFMOs are taking steps to strengthen governance through implementing the ecosystem approach to fisheries and adopting the precautionary approach. They are also working to strengthen international cooperation, promote transparency, address non-members, and enhance monitoring, control and surveillance (MCS) measures, including the implementation of mandatory vessel monitoring systems (VMS), the adoption of regional schemes for Port State Measures Agreements (PSMA) and the development of vessel registers.

However, the role of RFBs with an advisory mandate – and their relationships with RFMOs – should also be fully taken into account. Their activities may lead to improved national fisheries governance and harmonized regional measures. They contribute to the efforts of RFMOs in key areas such as MCS, information exchange and scientific advice and otherwise interact with RFMOs.

3.5. Challenges facing RFBs

3.5.1. Commitment of members of RFBs

Though RFBs are composed of independent States, they are not supranational organizations. States come together under the aegis of a RFB because of their common interest and concern for conserving and managing their mandated fish stocks. Therefore, RFBs can only be as effective as their members permit.

The perceived lack of action by RFMOs and their inability in some cases to stem stock declines should be viewed in the context of the obstacles that many are facing. A lack of political commitment by the members of some RFMOs and unyielding positions incompatible with sound regional fisheries management have thwarted, if not stalled, efforts undertaken within some RFMOs to meet and address conservation and management challenges. This situation hinders RFMO performance, while criticism is directed at the organizations rather than at their members.

3.5.2. Overlaps and multiple memberships in RFBs and RECs

Membership of states to multiple RFBs and RECs has raised some concern. Some RFBs find themselves in the geographical location of two or more RECs. Whereas this situation is beneficial to some RFBs, but to others it presents a big challenge especially in ensuring full country contributions to the institutions. See Annex Tables 1,2,3.

3.5.3. Funding problems

Most of the RFBs and WBCs face perennial financial problems. They have very elaborate mandates and functions, but have never been able to implement some of the functions due to financial limitations.

4.0. Conclusions

4.1. Legal framework

The statutes and rules of procedure of most of the RFBs and WBCs assessed are relatively recent , up to date and consistent with modern principles of fisheries management and governance as expressed in international legal instruments. The statutes of institutions assessed like LVFO, LTA, SWIOFC have a window for revision when necessary and already LVFO is using the window facility to improve its statutes and rules of procedure.

4.2. Mandate

The mandates and functions are comprehensive, compatible with their legal nature and mission and reasonably in conformity with the basic principles of fisheries governance.

The main limitation concerning the functions attributed to RFBs and WBCs by their statutes is the scarcity of resources that are available in order for the institutions to carry out their functions.

4.3. Institutional capacities and requirements

For institutions like LVFO and LTA , the financial contributions from member states goes to meet salaries and operation costs of the secretariats. The secretariats are understaffed and this compromises their coordinating roles. Approved technical posts have remained vacant due to funds limitations. No efforts have been made to share expertise among the RFBs and WBCs.

Institutions that rely on partner institutions to implement their activities tend to do better, but capacity building in those institutions is slow as the trainings tend to depend on scholarships most of which come through donor projects. Training of research scientists who provide the necessary backup to RFBs is very low. Scholarships are not easy to come by. Equipment and other facilities for information gathering and analysis and monitoring and control of fishing activities are lacking in most institutions.

4.4. Programme activities and implementation

Most of the institutions rely on external financial support to carry out functions relating to fisheries resources development. Almost all development activities have a donor element.

4.5. Overlap /duplication of activities

There is no overlap in project implementation since each RFB has its defined area of operation. The only institutions that seem to have overlaps are LVFO and LVBC. The Protocol on the sustainable management of the Lake Victoria basin is very clear on how the fisheries resources of the lake and in the basin should be managed and developed. The perceived overlap of LVFO/LVBC arises from the fact that both institutions operate at some point in the same ecosystem (waters of Lake Victoria). LVFO is concerned with the management of the fisheries resources while LVBC is concerned with the water quality of the lake. The perceived confusion is due to lack of stakeholder sensitization on the roles and mandates of the two institutions.

4.6. The need for coordinated effort in aquaculture development.

In order to improve and sustain initiatives already started in the aquaculture sector, there is need for a coordinated and centralized structure . The establishment of African Centre of Excellence for Aquaculture (ACEA) as outlined in the AU Policy Framework and Reform Strategy should be pursued

and supported.

4.7. Information sharing on aquaculture

There is very little sharing of information among the RFBs. This should be encouraged to avoid reinventing the wheel. Most of the institutions when asked about how they share information indicated that they rely on websites to learn the on goings in other institutions. There is need for a pan African fisheries information platform to facilitate information sharing on fisheries in the continent. Au should support and strengthen ANAF .

4.8. Institutional linkages with RFBs and RECs

There is very little or no linkages at all between RFBs and most of them only interact at meetings organized by FAO like COFI or those organized by the RECs they associate with or are inclined to. It has been contemplated to assign certain RFBs and WBCs to certain RECs. But the issue of multiple memberships of states to RECs is a challenge. However RFBs and WBCs like LVFO ; LVBC and ZAMCOM already have been aligned to their RECS and are reaping the benefits of the alignment.

4.9. Funding of RFBs and WBCs

Most of the RFBs and WBC depend on external funds for carrying out most of their activities. This is a major limitation.

4.10. AU and principles of subsidiarity

- In approaching continental initiatives AU should follow the principle of subsidiarity by going through the RECs.
- The RECs should also do the same by working with/through the regional bodies

5.0. Recommendations

5.1. Specific recommendations on RFBs and WBCs.

5.1.1. CIFAA

The main objective of the CIFAA is to promote the development of inland fisheries and aquaculture in Africa. It's through CIFAA that RFBs like LVFO and LTA were created and this is well acknowledged. The role of CIFAA was taken over by the RFBs in those areas . As more and more RFBs got established the role of CIFAA in those areas diminished as well. The situation may be similar in other parts of the African continent, and if so, then the role of CIFAA need to be re-examined.

The CIFAA held its extraordinary session in Lusaka in DEC 2014 during which a working group was formed with Malawi, DRC, Gambia, Sudan, and Uganda as members. The working group met in Malawi in March 2015 and recommended that the statutes and Rules of procedure of CIFAA be reviewed and that a TRUST FUND for voluntary contributions be established. The CIFAA extraordinary session is scheduled for 14-15 July 2015 in Dakar –Senegal where the working group recommendations will be presented and discussed including the restructuring plan.

The proposal to transform CIFAA into a Pan-Africa platform could be brought up at the Dakar session for members consideration.

5.1.2. SWIOFC

The SWIOFC is an advisory fisheries commission whose area of competence covers the living marine resources within the EEZ of the coastal states. The functions of the commission include to keep under review the state of fisheries resources, provide a sound scientific basis for fisheries management decisions and advise member governments and competent fisheries organizations on management measures.

It is acknowledged that SWIOFC has played a crucial role in promoting and facilitating collaboration and cooperation in the region with regard to fisheries issues , serving as a platform for the development of several regional projects.

Lately members of the commission have expressed the desire to transform SWIOFC into a management organization. They are not happy with the limited advisory role played by the commission. However it should be noted that there exists Indian Ocean Tuna Commission (IOTC) , an RFMO in the region. Creation of another RFMO would pose some challenges including the possibility of contravening Article 56 of the 1982 UN convention on the law of the sea. There could also be serious overlaps and duplication of effort.

AU should advise LVFO through EAC to ensure that the mandates and responsibilities of the proposed East African Fisheries organization do not overlap or duplicate those of SWIOFC and CIFAA especially with regard to the area of operation.

5.1.3. LTA

The LTA was established through the initiatives of FAO-CIFAA sub committee for the management of fisheries of Lake Tanganyika. The LTA can be classified as a water basin commission with pronounced mandate on fisheries .

The Authority became operational in 2009. Because of its short history of existence, the authority's performance cannot be realistically assessed. However, it is noted that the authority has prepared a strategic action programme and framework for fisheries management plan for the lake. The strategic plan is part of the larger Lake Tanganyika Regional Integrated management programme.

No rationalization or reform is being proposed at this stage.

However, there is one issue the LTA has to give a serious thought. For fisheries products from Lake Tanganyika to enjoy the trade benefits to the international markets, it may be more beneficial for the proposed RFMO covering the East African region to include the fisheries of Lake Tanganyika. LTA will then be left with the core responsibility of environmental management and development of Lake Tanganyika basin.

COMESA is being proposed as the most appropriate REC to be directly linked to LTA. However, working relations with other RECs in the region should be encouraged.

In order to harmonize their activities and programmes to minimize duplication of efforts and wastage of resources, LTA should do the following:

- i. LVFO has been involved in the management of fisheries resources of Lake Victoria for many years. LTA could borrow a few success stories from LVFO. LTA could foster a formal working relationship in form of an MOU with LVFO.
- ii. The challenges facing the fisheries of Lake Tanganyika could be similar to those of Lake Victoria, LTA could benefit from sharing of information and data.
- iii. AU could support the two institutions to establish joint committees and working groups.

5.1.4. LVFO

The Lake Victoria Fisheries Organization is an RFMO responsible for the management and development of fisheries and aquaculture of Lake Victoria and its basin.

The initial contracting parties were Kenya, Uganda and Tanzania. Upon entering into force the treaty establishing EAC, the LVFO became a specialised institution of the community. However, the EAC now also comprises the Republics of Rwanda and Republic of Burundi. The two states need to be incorporated in the operations of LVFO.

As a result of the new developments, the process of expanding the LVFO scope and mandate has been initiated. To support this process, the EAC secretariat funded a consultancy study to chart out a way forward on the requisite institutional framework and process for expanding the scope and mandate of LVFO into East African Fisheries Organization (EAFO). The initial reaction is that the stakeholders support the expansion of mandate and establishment of East African Fisheries Organization. As a first step in the expansion process, the legal framework establishing LVFO is being revised to accommodate Rwanda and Burundi and any other members of EAC.

What is not clear is whether EAC secretariat will move to the next step of supporting the transformation process of LVFO into EAFO.

Proposal to establish East African Fisheries Organization

This consultation proposes that LVFO be transformed into an East African outfit as an RFMO and be responsible for all inland fisheries, aquaculture and the marine resources of the EEZ of the member states. The proposed RFMO will take over all the roles and programmes previously carried out by CIFAA and SWIOFC in the East African Region. The likely members of EAFO are: Tanzania, Kenya, Uganda, Rwanda, Burundi, South Sudan, Djibouti, Eritrea, Somalia, Seychelles etc.

As a result of the above institutional changes the following road map is proposed:

- i. The AU-IBAR to liaise with EAC secretariat seeking confirmation on EAC's continued financial support to the LVFO expansion process.
- ii. The AU to support the process of wider stakeholder consultations on the subject.
- iii. The AU to support the process of drafting legal framework for the establishment of East African Fisheries Organization
- iv. Au to support the establishment of institutional and organizational structures for the new organization

The proposed EAFO will have direct linkages with the East African Community and forge linkages with other RFMOs, Au and FAO. To ensure harmonized activities and programmes, it will be a mandatory requirement for the proposed EAFO to establish a permanent working coordination committee with other RFBs in the region for purposes of:

- Joint organization and participation in meetings and workshops
- Sharing of information and data
- Establishment of joint committees and working groups for various issues
- Joint planning and implementation of programmes

5.1.5. ANAF

Aquaculture Networks for Africa was established to facilitate exchange of information on aquaculture among the stakeholders. The website is temporarily housed at LVFO secretariat in Jinja – Uganda. Membership is voluntary and has remained low.

This consultation recommends the strengthening of the network through stakeholder sensitization, recruitment and location of a permanent home for the Network.

The following roadmap is proposed;

The recommendations for strengthening of ANAF.

- AU should consider entering into agreement with FAO to host ANAF.
- In order to reengineer ANAF other models like NACA should be consulted.
- The ANAF membership should be broadened to include industry, academia, research institutions, NGOs etc
- Networking activities in the continent with World Aquaculture society(WAS), Aquaculture Association of Southern Africa(AASA) should be considered.
- ANAF should encourage linkages amongst farmers organizations, private sector, academia, NGOs, regional organizations and governments.

5.1.6. LVBC

The LVBC was established by the East African Community as a mechanism for coordinating the various interventions on the Lake Victoria and its basin and serving as a centre for promotion of investments and information sharing among the various stakeholders.

LVBC is a Water Basin Commission (WBC). Article 8 of the protocol for sustainable development of Lake Victoria basin makes it clear that partner states shall manage, develop and utilise fisheries resources of the basin in accordance with the convention establishing the Lake Victoria Fisheries Organization.

Even with the clear separation of mandates quoted above, the consultation still noted some confusion over mandates between LVFO and LVBC.

LVFO mandate is to manage fisheries resources in the region whereas LVBC plays the complimentary supportive role of managing the environmental component (water resources) that affect the fisheries resources. The roles are distinct and the apparent confusion is due to lack of sensitization of stakeholders

The consultation proposes the following ;

- i. (i).AU liaises with EAC to support a process of stakeholder sensitization on the roles and mandates of the two institutions.
- ii. EAC to foster and support regular interacting forums for the two institutions.
- iii. The two institutions be encouraged to develop formal working relationships through an MOU.

The LVBC is an established institution of the EAC.

However the following need to be done :

- Support development of formal linkages through MOU with LVFO, LTA and the proposed EAFO and SAFO.
- Support the development of mechanisms for sharing of information and data with other Water Basin Commissions like LVBC and LTA and ZAMCOM.
- Support joint planning and implementation of programmes especially for trans boundary activities.

5.1.7. ZAMCOM

The ZAMCOM was established by SADC in 2011 to promote the equitable and reasonable utilization of the water resources of the Zambezi watercourse as well as the efficient management and sustainable development thereof.

The Commission is still young and requires a lot of support in terms of resources and guidance. The consultation noted that fisheries and aquaculture have not been incorporated in ZAMCOM short term programmes.

The following is proposed:

- i. AU liaises with SADC and seek funding to support a feasibility study to assess the potential and propose projects on fisheries and aquaculture development in the Zambezi River basin.
- ii. AU to support ZAMCOM to develop formal linkages through MOU with the proposed SAFO.

- iii. AU to support ZAMCOM to establish mechanisms for information and data sharing with other Water Basin Commissions like LVBC and LTA.
- iv. Support joint planning and implementation of programmes especially for trans boundary activities.

5.2. Recommendations on Cross-Cutting issues.

5.2.1. AU support to RECs and RFBs

The RFBs have clear mandates but have poor implementation of roles and responsibilities.

The RECs have very clear roles which even provides for management of other RFBS or cooperation with them.

However RECs need to provide a leadership role in the following:

- Domestication of the AU Policy framework and strategy.
- Implementation of regional programmes through better coordination and alignment of interventions eg EAC-LVFO, LVBC
- Enter into active agreements with regional bodies and AU to support cooperation projects in the region to strengthen fisheries governance.
- AU needs to do the following:
 - Support RECs to harmonize policies, programmes and promote linkages and provide for capacity to strengthen fisheries and aquaculture cooperation within the regions, mainly amongst regional organizations.
 - The support should be through agreements as per existing legal and policy instruments and be done through implementing of regional plans through these organizations.
 - Supporting the creation of new RFBs where strong RFBs are required but don't exist eg IGAD to cover the Red Sea area(Djibouti, Sudan, S. Sudan, Somalia, Eritrea, Yemen).
 - Support member states seeking to develop fisheries in other shared water bodies eg the need to strengthen capacity of ZAMCOM and SADC in fisheries and aquaculture for the development of fisheries and aquaculture in the Zambezi basin."

5.2.2. The need for African platform on fisheries and aquaculture

FAO created a forum through which RFBs and WBCs from all over the world could meet and exchange information. This meeting is held alongside the COFI meetings. Back to the African continent , the RFBs have no such platform.

It is being recommended that the African Union facilitate the formation of an RFB platform.

The Platform could have the following objectives among others;

- i. Review the state of African fish stocks
- ii. Review implementation of internationally agreed instruments for sustainable management and development of fisheries and aquaculture development some of which include:
 - The United Nations Convention on the Law of the Sea (UNCLOS),
 - The U.N. Fish Stocks Agreement (UNFSA),
 - The FAO Compliance Agreement,
 - A range of non-fisheries agreements and conventions, such as the Convention on Biological Diversity (CBD) and the Convention on International Trade in Endangered Species (CITES), as

- well as conventions on pollution, safety at sea, and other relevant matters
 - A number of nonbinding instruments, including the FAO Code of Conduct for Responsible Fisheries (CCFR)
 - Port States Measures and International Plan of Action (IPOA) for combating Illegal Unreported and Unregulated (IUU) fishing
- iii. Provide the framework and advice on fisheries access arrangements between African member states and Distant fishing nations
 - iv. Enhance information exchange on fisheries , aquaculture and fish trade
 - v. Review joint MCS activities especially on trans boundary water bodies and ecosystems.
 - vi. Create forum for African states to take positions on fisheries issues both regionally and globally.

5.2.3. The need for increased funding from contracting parties.

Most of the institutions face the challenge of inadequate and irregular funding from the contracting states. As a matter of urgency AU through the Heads of States and Government summit should urge all the members states to increase their national budgets to fisheries and aquaculture development including the RFBs and WBCs.

5.2.4. The need for increased donor support

The AU should liaise with donor agencies to secure more funding of development projects on fisheries and aquaculture especially those that are regional or trans boundary in nature. Such projects should include additional components of capacity building, scientific equipment and other facilities.

5.2.5. The need for sustainable funding

The AU should assist RFBs and WBCs to carry out studies to determine sustainable funding for those institutions.

5.2.6. The need for coordinated effort in aquaculture development.

In order to improve and sustain initiatives already started in the aquaculture sector, there is need for a coordinated and centralized structure . The establishment of African Centre of Excellence for Aquaculture (ACEA) as outlined in the AU Policy Framework and Reform Strategy should be supported.

5.2.7. Support to ZAMCOM

In order to determine fisheries and aquaculture potential in the Zambezi River Basin AU should support ZAMCOM to carry out a feasibility study.

5.2.8. Support to ongoing reform initiatives

As part of the effort to reform and strengthen RFBs and WBCs ; the AU should support ongoing discussions/process of transforming LVFO into EAFO; transforming SWIOFC from advisory into a management body , reviewing the statutes and mandates of CIFAA, and supporting AU member states who are contracting parties to Indian Ocean Tuna Commission (IOTC) to effectively participate and reap benefits from the membership.

5.2.9. The need for cooperation and collaboration

The AU should support and ensure cooperation and collaboration in the region is fostered through:

- Joint organization and participation in meetings and workshops,
- Sharing of information and data,
- Establishment of joint committees and working groups,
- Joint planning and implementation of programmes,

6. Annexes

6.1 Tables

Table 1: *Overlap of RFBs among the South-East African states.*

No.	State	LVFO	LVBC	CIFAA	SWIOFC	LTA	ANAF	ZAMCOM	IOTC
1	Kenya	X	x	X	x		X		x
2	Uganda	X	x	X			X		
3	Tanzania	X	x	X	x	X	X	X	x
4	Zimbabwe			X				X	
5	Zambia			X		X	X	X	
6	S. Africa				x				
7	Mozambique			X	x		X	X	x
8	Mauritius			X	x				x
9	Seychelles				x				x
10	Comoros				x				x
11	Somalia			X	x				x
12	Maldives				x				x
13	Yemen				x				x
14	Madagascar			X	x				x
15	Burundi		x	X		X			
16	Rwanda		x	X					
17	DRC Congo			X		X			
18	France col.				x				x
19	Angola							X	
20	Botswana			X				X	
21	Malawi			X				X	
22	Namibia							X	
23	Ethiopia			X					
24	Egypt			X					
25	Sudan			X					x
26	Swaziland			X					
27	Eritrea			X					x
28	Lesotho			X					

Table 2: *Geographical overlaps of RFBs among the RECs of South-East of Africa.*

No.		EAC	COMESA	SADC	IOC	IGADD
1	LVFO	x	X	X		X
2	LVBC	x	X	X		X
3	LTA	x	X	X		
4	SWIOC	x	X	X	X	X
5	ANAAF	x	X	X	X	X
6	CIFAA	x	X	X	X	X
7	ZAMCOM	x	X	X	X	

Table 3: Overlap of RECs among the South-East of Africa states.

No.		EAC	COMESA	SADC	IOC	IGAD
1	Kenya	x	X			X
2	Uganda	x	X			X
3	Tanzania	x		x		
4	Ethiopia		X			X
5	S.Africa			x		
6	Zimbabwe		X	x		
7	Zambia		X	x		
8	Mozambique			x		
9	Rwanda	x	X			
10	Burundi	x	X			
11	Malawi		X	x		
12	Mauritius		X	x	x	
13	Seychelles		X	x	x	
14	Comoros		X		x	
15	Madagascar		X	x	x	
16	Somalia					X
17	Djibouti		X			X
18	Eritrea		X			X
19	S. Sudan					X
20	Sudan		X			X
21	DR Congo		X	x		
22	Angola			x		
23	Botswana			x		
24	Swaziland		X	x		
25	Namibia			x		
26	Lesotho			x		
27	Egypt		X			
28	Libya		X			
29	Reunion(FR)				x	

6.2 Persons contacted

No	Name	Institution	Designation
1	Godfrey Monor	LVFO	Executive Secretary
2	Olivia Mkumbo	LVFO	Deputy Executive Secretary
3	Sam Abura	LVFO	Information and Database officer
4	Dr John Balirwa	NAFIRI-UG	Director
5	Gabriel Hazikimana	LTA	Director- Environment
6	Harris Aubrey	SWIOFC	Coordinator
7	Dr Gail Lugten	FAO	CIFAA secretary N/R
8	Kaitiri Katonda	LTA	Director Fisheries
9	Dr Z. Phiri	ZAMCOM	Executive Secretary. N/R
10	Leonissah Munjoma	ZAMCOM	Information & communication specialist. N/R
11	Ali Matano	LVBC	Senior Projects officer. N/R
12	Beth Wagude	AFIPEK	Executive Officer

No	Name	Institution	Designation
13	Davies Makila	DoF- Kenya	Senior Fisheries Officer
14	Ephraim Wairangu	DoF- Kenya	Principal Fisheries Officer
15	Simon Warui	DoF- Kenya	Asst. Director of Fisheries
16	Jane N Kinya	DoF- Kenya	Deputy Director of Fisheries
17	Daniel Mungai	DoF- Kenya	Senior Asst. Director of Fisheries

6.3 Itinerary

Day	Place	Purpose
1	Nairobi-Kenya	Contract signing, briefing
2-5	Nairobi-Kenya	Collection of preliminary data and preparation of Inception report
5-15	Nairobi-Kenya	Collection of relevant documentation
16-17	Jinja –Uganda	Field visit to LVFO and NAFIRI
18-19	Bujumbura- Burundi	Field visit to LTA
20-21	Harare- Zimbabwe	Field visit to SWIOFC and ZAMCOM
22-23	Nairobi	Visit to Fisheries Department and AFIPEK
24-30	Nairobi	Report writing



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