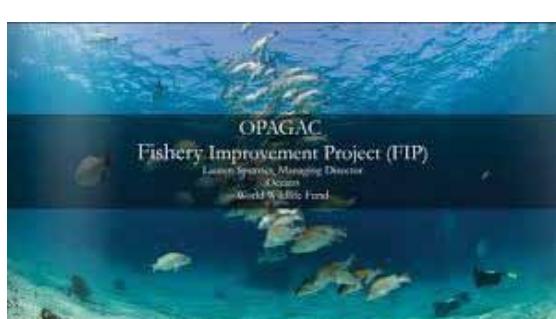
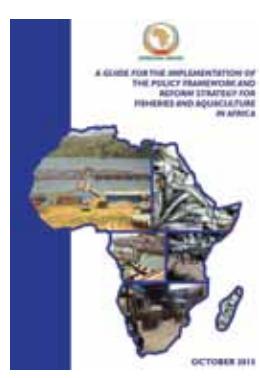
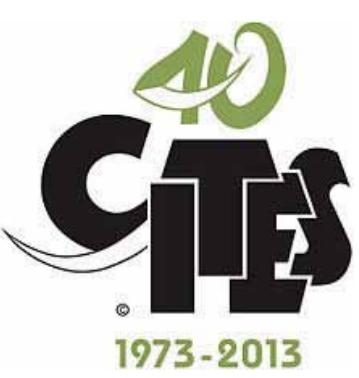
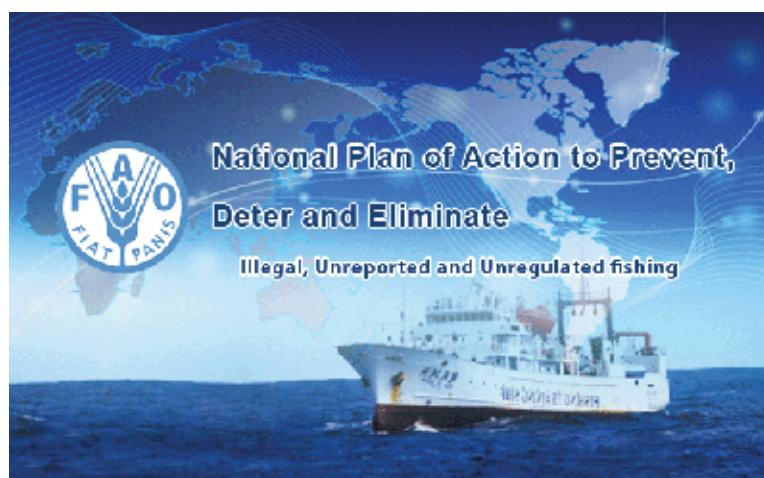
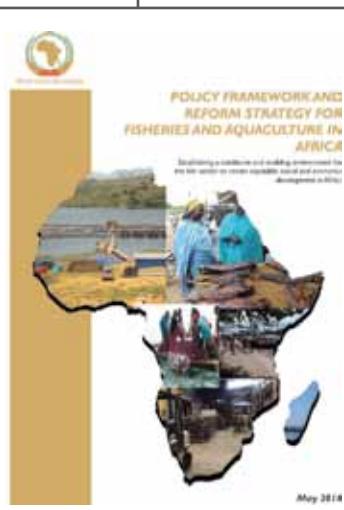
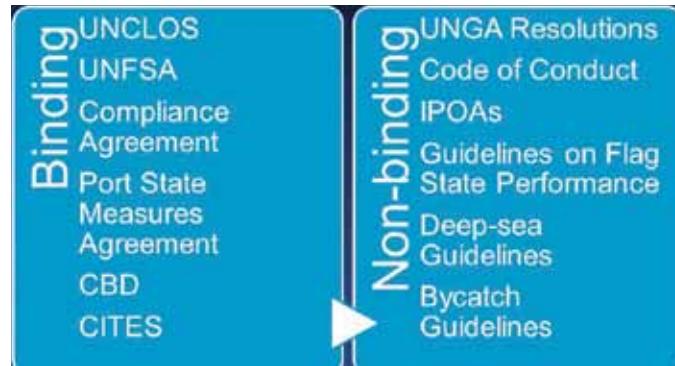




## IMPLEMENTATION OF INTERNATIONAL FISHERIES INSTRUMENTS IN AFRICA - A CASE STUDY FOR WEST AFRICA



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**Disclaimer:** The views and opinions expressed in this article are those of the authors and do not necessarily reflect the official policy or position of the African Union Interafrican Bureau for Animal Resources.

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## TABLE OF CONTENTS

<b>ACRONYMS AND ABBREVIATIONS</b>	<b>iv</b>
<b>ACKNOWLEDGMENTS</b>	<b>v</b>
<b>EXECUTIVE SUMMARY</b>	<b>vi</b>
<b>1.0. INTRODUCTION</b>	<b>1</b>
1.1. Purpose of the Paper	1
1.2. Organization of the Paper	1
1.3. Context and Rationale	2
1.4. Domestic Landscape, Structure and Actors	2
1.5. Methodology	3
<b>2.0 GENERALITIES ON KEY INTERNATIONAL INSTRUMENTS:</b>	<b>4</b>
2. 1. Evolution and Classification of Key International Instruments for Fisheries and Aquaculture Development	4
2.2. Main Concepts in Instruments Relevant to Fisheries and Aquaculture Policy in the Region	4
<b>3.0 ASSESSMENT OF DOMESTIC IMPLEMENTATION OF INTERNATIONAL INSTRUMENTS</b>	<b>5</b>
3.1 The Process	5
3.2 Model for Analysis of Domestic Implementation of Instruments	6
3.3 Ratification/Acceptance/Accession/Approval of Instruments	7
3.4 Reasons for Low Ratification of Fisheries-Specific Instruments	7
3.5 Transforming Instruments into National Fisheries Legal Frameworks	8
3.6 Reflection of International Instruments in National Legislation	9
3.7 Level of Execution of Some Key Instruments	10
3.8 Relationship between Regulators and Stakeholders	10
3.9 Consequences of Target Groups' Response for Physical Problems at Hand	11
<b>4.0 CHALLENGES, CONSTRAINTS AND POSSIBLE SOLUTIONS</b>	<b>12</b>
4.1 Institutional Arrangements	12
4.2 Legal Consideration	12
4.3 Financial Needs	13
4.4 Technical Requirements	13
4.5 Human Resource Development	13
4.6 The Role of Regional Fisheries Bodies (RFBS)	14
<b>5.0 IDENTIFICATION OF INTERVENTION AREAS FOR SUPPORT BY AFRICAN UNION TO MEMBER STATES</b>	<b>16</b>
<b>6.0 FRAMEWORK OF NATIONAL AND REGIONAL PLANS OF ACTION TO ADOPT KEY INTERNATIONAL INSTRUMENTS</b>	<b>18</b>
6.1 Elements of the Framework:	18
6.2 Responsibilities and Timing	20
<b>7.0 CONCLUSION</b>	<b>24</b>
<b>REFERENCES</b>	<b>25</b>
<b>ANNEXES, TABLES AND FIGURES</b>	<b>26</b>

## **ACRONYMS AND ABBREVIATIONS**

AU MS	African Union Member States
IUU	Illegal, Unreported, Unregulated
AU WAMS	African Union West Africa Member States
AU IBAR	African Union-Inter African Bureau for Animal Resources
FAO	Food and Agriculture Organization of the United Nations
UNCLOS	United Nations Convention on the Law of the Sea
UN	United Nations
IPOA-IUU	International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing
UNFSA	United Nations Fish Stocks Agreements
CCRF	Code of Conduct for Responsible Fisheries
CBD	Convention on Biological Diversity
CITES	Convention on International Trade in Endangered Species
ECOWAS	Economic Community of West African States
ACPFISH	African Caribbean Pacific FISH
NEPAD	New Partnership for Africa's Development
CAADP	Comprehensive Africa Agriculture Development Programme
MCS	Monitoring, Control and Surveillance
ACP	African Caribbean Pacific
RFBs	Regional Fisheries Bodies
EU	European Union
FCWC	Fisheries Committee of the West and Central Gulf of Guinea
VMS	Vessel Monitoring System
IMO	International Maritime Organization
COFI	FAO Committee on Fisheries
ICCAT	International Commission for the Conservation of Atlantic Tunas
COMHAFAT	Ministerial Conference on Fisheries Cooperation Among African States Bordering the Atlantic
AUC-NEPAD	African Union Commission- New Partnership for Africa's Development
CAMFA	Conference of African Ministers of Fisheries and Aquaculture
FDF	Federal Department of Fisheries
FMARD	Federal Ministry of Agriculture and Rural Development

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## **EXECUTIVE SUMMARY**

Fisheries Management and Aquaculture Development are key instruments for the maintenance and utilisation of Fisheries Resources of the African Union Member States (AU MS). The Fisheries Sector plays vital roles in AU MS contributing to national wealth, employment and food security.

The West African Countries Marine Resources are faced with concerns of over-exploitation; rapid degradation of the marine environment through pollution, coastal erosion; Illegal, Unreported, Unregulated Fishing (IUU); piracy and armed robbery amongst others, which have negatively impacted expected and desirable benefits from these resources. There is the urgent need for an integrated approach to Fisheries management and Aquaculture through the adoption and implementation of International Instruments that would involve all Member States within the region.

Quite a number of International Fisheries and Non-Fisheries Instruments for Sustainable Management of Fisheries and Aquaculture exist which are yet to be adopted and implemented at Regional and National Levels. The trans-boundary nature of Marine Resources makes it imperative for a regional approach to the management of these resources by Member States within the region. This would ensure rational exploitation, optimal utilisation and sustainability of the resources.

The present assessment of constraints to the implementation and adoption of International Instruments for Fisheries and Aquaculture Development is with a view to identifying the challenges and underlying factors for the low rate of adoption and identifying the relevant provisions of each instrument and key intervention areas for possible measures that would facilitate their adoption and domestication.

The assessment covered the level of awareness, status of implementation of relevant interventions instruments for sustainable fisheries management and key intervention areas and measures that would facilitate adoption and domestication by AU MS. The challenges and constraints are enumerated in the report with the major constraint being funding. Suggested possible action plans to fast track their adoption and domestication are also highlighted.

It was discovered that many of the representatives of Fisheries Agencies, supervisory departments and related subject matter organisations are not versed in the provisions of Instruments for Fisheries Management and Aquaculture Development which pose a serious disadvantage to strengthening Regional Management.

Strengthening regional management of Fisheries and Aquaculture through adoption and implementation of international instruments which are proven tools would require appropriate policy formulation; regional and national laws and regulations; regional co-operation and good fisheries governance; support from various relevant international bodies through funding, capacity building and a sound monitoring and evaluation system to ensure implementation of the Statutory Instruments and supporting Regulations.

## **1.0. INTRODUCTION**

### ***1.1. Purpose of the Paper***

Global fish production has grown steadily in the last five decades with fish food supply increasing at an average annual rate of 3.2 percent, outpacing World population growth at 1.6 percent (FAO, 2012). Analysis of growth rate by regions in 2012 indicates that the difference between aquaculture and capture fisheries' growth was highest in Africa (14.8 compared with 0.4, margin of 14.4), followed by the Latin America (5.0 compared with -8.5, margin of 13.5). This implies that the global capture Fisheries need further boost through relevant Fisheries Management Instruments while the Aquaculture sector will have to be managed for sustainable growth. Aquaculture is being challenged by issues of land and water allocation, coastal and environmental management while Illegal, Unreported and Unregulated fishing are threats to sustainable growth of the capture fisheries.

Fisheries sector plays multiple roles in AU MS. It contributes to the creation of national wealth through the money generated from the exportation of fish products, creates employment on both the small-scale and industrial levels; and it has large contribution to food security (ACPFISH II, 2010) and the Gross Domestic Products (GDPs) of the countries. This relevance was supported by NEPAD/CAADP/FAO, (2006) that the Fisheries Sector has vital roles in Food Security and National Economy. However, sustainable utilization of these benefits would greatly depend on adherence to management instruments emanating from local, regions and international fora.

Fisheries Resources Management and Aquaculture Development in the African Union Member States (AU MS) are guided by National Policy and Legal Instruments derived from Regional and International Fisheries Management Instruments. Most of these instruments provide a framework for Sustainable Management of Fisheries at the National, Regional and International levels. They also set acceptable standards for marketing, trade and utilization of Fisheries and Aquaculture products.

Responsible Fisheries Management should inculcate an integrated approach that takes into consideration human dimension, ecosystem conservation in its entirety, social economic circumstances and governance. Meanwhile, Governance at national levels do not necessarily put into consideration, the biology of species in concern, trans-boundary nature of IUU, trade and environmental problems which creates a challenge. The biggest challenge, however, is the non-adoption or implementation of instruments, possibly due to unawareness, or weak institutional framework that should ensure integrated approach to Fisheries Management.

### ***1.2. Organization of the Paper***

The study collected information on the level of adoption and implementation of Fisheries Management Instruments, the challenges of their non-adoption and implementation, and proffers the possible areas of intervention for a responsible Fisheries Management Practices to ensure optimal utilization and sustainability of the national, and regional Fisheries Stocks. The overall objective of the exercise was to increase the level of awareness of African Union West Africa Member States (AUWAMS) and establish the underlying factors for the low rate of implementation or adoption of relevant International and Regional Instruments for sustainable fisheries management, with a view to identify intervention areas for support to the AU- WAMS States. The specific objectives are to:

- i. Assess the level of awareness and status of implementation of relevant International instruments for sustainable Fisheries Management in AU- WAMS.
- ii. Identify the challenges in the ratification and implementation of these Instruments.

- iii. Identify relevant provisions in these Instruments that would strengthen Regional Approach to Sustainable Management and Development of Fisheries and Aquaculture in Africa.
- iv. Identify Key Intervention areas/measures that will facilitate the adoption domestication of International Instruments by AU WAMS in line with the Africa Fisheries Reform Strategy.

### **1.3. Context and Rationale**

The rationale for this study is the need to generate relevant information necessary for the following:

- i. Establishment of comprehensive and up-to-date knowledge and status of AUWAMS on awareness and application of International/Regional Fisheries Instruments.
- ii. Identification of the challenges facing AU WAMS in the implementation and ratification of these Instruments.
- iii. Development of an Action Plan to fast track the adoption and domestication of International Fisheries Instruments.

### **1.4. Domestic Landscape, Structure and Actors**

The Actors in this study include the AU-IBAR, Representatives of Fisheries Agencies and related subject matters Organisations in Member States and the consultant. The AU-IBAR provided the fund for consultancy while the consultant with the assistance of the representatives of Fisheries Agencies and internet facilities produced series of technical reports:

- a. An Inception Report on commencement of duty, which included proposed methodology, the calendar and programme of activities, Institutions, National, Regional and International bodies to visit, people to meet and outline the contents of the Final Technical Report.
- b. An Interim Technical Report at an agreed date that would include a comprehensive report on the challenges faced by AUWAMS in implementation of International Fisheries Instruments; recommendations on strategic intervention areas that would facilitate the adoption and/or implementation of these instruments; a background reference document, briefly describing each instrument and justification of relevant provisions that may have bearing on AU WAMS Fisheries and Aquaculture development; Develop a framework for establishing a national and regional plans of actions for AU WAMS to adopt key International Fisheries Instruments.
- c. The Final Technical Report taking into consideration the comments by AU IBAR 5 days before the end of the implementation period.

### **Activities of the Consultancy**

The Terms of Reference(TOR) indicates that the consultant has to undertake the following tasks:

- Briefing by AU-IBAR.
- Consultation meetings with the relevant Authorities of the AU WAMS.
- Production of a comprehensive report on the challenges faced by AU WAMS in implementation of International Fisheries Instruments;
- Production of a report with recommendations on strategic intervention areas that would facilitate the adoption and/or implementation of these instruments by AU WAMS.
- Provide a background reference document, briefly describing each Instrument and justification of relevant provisions that may have bearing on African Fisheries and Aquaculture Development;
- Develop a framework for establishing a National and Regional Plans of Actions for AU WAMS to adopt Key International Fisheries Instruments (e.g. Illegal, Unreported, Unregulated (IUU), Sustainable Aquaculture Development, Fishing Access Arrangements etc);
- Finalize the draft documents taking into account the conclusions and recommendations made by the AU-IBAR;

- Compile the required reports as outlined in Section 7.1 of the Terms of Reference.

### **1.5. Methodology**

The study was divided into three phases: Inception, Field Phase and the Final Report writing phase.

#### **The Inception Phase**

This included the Desk review of available / relevant documents, briefings and inception meeting at AU-IBAR. The outcome, which is the Inception Report outlined the agreed work plan, field visits, interviews and the outline of the final Technical Report.

#### **The Field Phase**

Field visits were proposed to four representative countries of the West African States which were Ghana, Senegal, Gambia and Nigeria. The visits, however, were cancelled and the assessments were carried out through administration of questionnaires, personal interviews and phone call interviews. The assessment started mid-January and ended mid-February, 2016.

#### **Synthesis Phase**

This Phase involved preparation of an interim report, completion and submission of report in Phases. The Phases were:

- a. First Technical Status Report
- b. Second Technical Status Report
- c. Draft Final Report
- d. Final Report

The draft report was presented to AU-IBAR Secretariat during a meeting for the consultant to receive comments and take into account the feedback received before the final Report was prepared and presented, in both hard and soft copies.

#### **Data Collection and Analysis**

Data was collected through desk study, on-line research and correspondences; compilation of all relevant instruments that provide a framework for Sustainable Management of Fisheries and Aquaculture at National, Regional and International level.

- a. Comprehensive review of these Instruments under:
  - i. Fisheries agreements and conventions
  - ii. Non-Fisheries agreements and Conventions; such as Conventions on Trade, Pollution, safety at Sea
  - iii. Other related matter and non-binding instruments
- b. Questionnaires were administered to Ministries of Agriculture and Fisheries of WAMS; Directors of Fisheries, Fisheries Department, Regional Fisheries Bodies, Associated Ministries in the different countries such as Ministries of Justice, Environment, Water Resources, Trade and Industry & Investment, Foreign Affairs, Tourism and Culture, National Planning, Bio-safety Agencies; The United Nations Food and Agricultural Organization, to ascertain the national awareness of these instruments and inherent benefits to Fisheries Management.
- c. Survey of operation of each Instrument by the Member States indicating level of compliance and implementation was carried out and Regional specific priorities of common interest to all or some AU WAMS were obtained.

## **2.0 GENERALITIES ON KEY INTERNATIONAL INSTRUMENTS:**

### **2.1. Evolution and Classification of Key International Instruments for Fisheries and Aquaculture Development**

The need to manage the highly beneficial fisheries resources amidst challenges has evolved management tools for sustainable development of the Fisheries sectors at Local, National, Regional and International Levels. Quite a number of Instruments for Sustainable Management of the Fisheries and Aquaculture exist. Some of the International Agreements for Management of Fisheries Resources are: the 1982, United Nations Convention on the Law of the Sea (UNCLOS); 1983, FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (adopted in FAO Conference on 24 November 1993); the 1995: Kyoto Declaration and Plan of Action on the Sustainable Contribution of Fisheries to Food Security; 1995: UN Fish Stock Agreement: Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stock; 2001: FAO, International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU); 2009: FAO, Agreement on Port State Measures; 2014: FAO, Global Record on Fishing Vessels as well as the United Nations Fish Stocks Agreements (UNFSA).

A range of Non-Fisheries Agreements and Conventions were also established. The 1995 FAO, Code of Conduct for Responsible Fisheries (CCRF); the Convention on Biological Diversity (CBD) and the Convention on International Trade in Endangered Species (CITES) as well as the Convention on Pollution, Safety at Sea, and other relevant matters, Policy Documents on Environment, Water Resources and Trade were developed among others. The ECOWAS Environmental Policy, Legal Instruments for Regional Fisheries Bodies / National Fisheries Legislations/ Laws / Regulations were established to facilitate Regional and National participation. Member States formulate related Laws/ State Conventions while ensuring compliance within their Territories. However, adoption, implementation and monitoring for compliance with the established Fisheries Management Instruments would determine the impact and efficiency of the Instruments in ensuring sustainability of the Fisheries sector for which they were established.

### **2.2. Main Concepts in Instruments Relevant to Fisheries and Aquaculture Policy in the Region**

These Fisheries and Aquaculture policies were formulated based on the following principles / concepts:

1. That resources are renewable but exhaustive if not well managed
2. Fisheries resources are common properties of member states that share same water bodies
3. Fisheries resources are key factors in livelihood, food security, nutrition and health of a nation
4. Management of fisheries resources involves a holistic approach which would involve multiple actors
5. Sustainability of fisheries resources would involve Monitor, Control and Surveillance (MCS)

### **3.0. ASSESSMENT OF DOMESTIC IMPLEMENTATION OF INTERNATIONAL INSTRUMENTS**

Assessment of domestic implementation of International Instruments in AU Member States would involve:

- a. an analysis of the existing processes in use
- b. availability of models for analysis of domestic implementation of instruments
- c. The developed methods for ratification/Acceptance/Accession/Approval of Instruments
- d. Evaluation of reasons for low ratification of fisheries-specific Instruments
- e. Methods for transforming Instruments into National Fisheries Legal Frameworks
- f. Analysis of reflection of International Instruments in National Legislation
- g. Evaluation of level of execution of some Key Instruments
- h. Assessment of the relationship between regulators and stakeholders
- i. Analysis of the consequences of target groups' response to physical problems at hand.

#### **3.1 The Process**

An analysis of the process across member states indicates very similar procedures of adoption and implementation of international instruments. The prevailing process in Ghana is enumerated below:

- a. A Cabinet Memo is raised by the Ministry with input and advice of the Attorney General of the country.
- b. Cabinet approves the Memo which is then submitted to Parliament.
- c. The Ministry would table the approved Memo to the Parliament and if favourably received, the Speaker would refer it to a Parliamentary Select Committee, which will invite the Ministry to defend the policy issue being raised.
- d. The Committee thereafter, reports back to the Parliament and the report will undergo debate in the Parliament.
- e. If accepted, Parliament writes to President that it has accepted/rejected the policy issue proposed.
- f. If accepted, the amended laws on new policy allow the Minister to gazette and bring to the public the existence of the Law which thereafter becomes operational.

For Nigeria the process is detailed below:

As clearly stated in section 12 of the 1999 Constitution<sup>1</sup>, Nigeria follows the dualist theory for the implementation of International Law at the national level. This means that International treaties do not automatically become part of Domestic Law. It requires the enactment of an act of Parliament for the implementation of National Law in Nigeria.

#### **Steps of ratification process**

The ratification of a treaty, agreement or convention includes the following steps:

##### **Ratification:**

- a. **Decision by Federal Department of Fisheries (FDF)** – FDF to decide whether Nigeria should ratify the instrument;
- b. **Inform the Legal Unit** - FDF to inform the Legal Unit of the Federal Ministry of Agriculture and Rural Development (FMARD) of its decision to initiate the ratification process;
- c. **Advise the Attorney General's Office (AGO)** – The FDF/FMARD to inform the AGO of its intention to ratify the instrument;
- d. **Preparation of a Cabinet Memorandum** – A Cabinet Memorandum outlining the reasons underpinning the ratification of the instrument is to be prepared by the FDF and the Legal Unit in consultation with the AGO. It should present the major provisions of the treaty to be ratified and spell

<sup>1</sup> Section 12 of the 1999 Constitution provides that “No treaty between the Federation and any other country shall have the force of law to the extent to which any such treaty has been enacted into law by the National Assembly”.

- out the benefits for the Federal Republic of Nigeria to ratify that treaty;
- e. **Submission of Cabinet Memorandum to the President in Council** - The Cabinet Memorandum together with the text of the treaty is submitted to the President in Council<sup>2</sup> for examination and deliberation;
  - f. **Decision by President in Council** – The President in Council may approve or disapprove the ratification of the treaty considered. Upon approval, the conclusions of the President in Council are sent to the AGO;
  - g. **Instruments of ratification** – The AGO prepares the instruments of ratification and submits them to the President for signature. The signed instruments of ratification are then sent by the AGO to the Depositary of the Treaty.
  - h. **Publication** - The AGO gives notification on the conclusion of any treaty to the Federal Government Printer for the purposes of publication;

Domestication of international treaties (known as process of transformation):

- a. **Preparation of enabling legislation** – The FDF, in close consultation with the Legal Unit of the FMARD and the AGO, is to prepare an enabling bill to make the treaty part of domestic law;
- b. **Submission to National Assembly** – The enabling bill is to be sent to the National Assembly for discussion and approval. It should, inter alia, specify the mechanisms, procedures and measures to be put in place or to be adopted to ensure adequate implementation of the treaty.

### **3.2 Model for Analysis of Domestic Implementation of Instruments**

No model for analysing the domestic implementation of Instruments exists for now. The level of adoption was rated using a percentage for comparison amongst Member States. The reasons for varying levels of adoption are Political, Financial, Administrative, Judiciary and Institutional.

For example in Ghana, the United Nations Convention on the Law of the Sea (UNCLOS) has been ratified while the FAO Port State Measures have been signed, but not yet ratified. The fact that Ghana has been a member of ICCAT since 1968 makes it mandatory to fully comply with the UN Fish Stock Agreement on highly migratory species. The Ghana Fisheries Amendment Act 2014 880 makes it obligatory for all operators to abide with International Instruments of any International Organisation such as FAO, ICCAT to which she is a Member. The Minister in Charge of Fisheries recently signed into Law recommendations by ICCAT to implement Closed Seasons. Ghana now has a closed moratorium between 1st January and 29th February. The Ghana Fisheries Amendments of 2015 L12217 also takes into consideration the adoption of Port State Measures on Designated Ports and Request to land at those Port.

An overview of some of the conventions would throw some light on the domestic implementation of the Instruments.

- The 1982 United Nations Convention on the Law of the Sea (UNCLOS, “the Convention”): the development of the International Law of the Sea and, in particular, the 1982 United Nations Convention on the Law of the Sea, and the associated agreements and texts provide a system of binding Ocean Governance and a Framework for Management of Seabed and Marine Resources. This has given Nigeria, as a Coastal State, rights and responsibilities for the management and optimum utilization of Fish Resources within their Exclusive Economic Zones (EEZ). It has also provided responsibilities to agree, through appropriate International and Regional Organizations, upon the necessary measures for the Conservation of fish stocks that span beyond the EEZ, including migratory species within the Coastal and Flag States. This law provides, subject to conditions, the right to fish in the high seas, open

<sup>2</sup> Also known as the Federal Executive Council

to all countries, and calls countries to duty for adopting measures for the conservation of the living resources of the high seas.

- The 1995 Code of Conduct for Responsible Fisheries (“the Code”): The Code provides guidelines for Coastal States, and for activities related to fishing vessels, to Flag States and Port States. Though the Code “recognizes the vital role of Fisheries in World Food Security” and despite having among its objectives to “promote the contribution of Fisheries to Food Security and food quality, giving priority to the nutritional needs of local communities”, it mentions Food Security only four times. The “Code pays very little attention to either Food Security or poverty and mentions [Small-Scale Fisheries] only in passing.” The themes were not elaborated further in Code Instruments, which have more of a focus on environmental sustainability and technical issues related to aquatic resources rather than on the people who depend on them. The Evaluation Report recommended, among others, that FAO should ensure that developmental objectives such as gender equality, food security and poverty reduction become the primary drivers of its work, across all types of Fisheries and Aquaculture.
- These bodies have framed the two principal high-level International Agreements, one relevant to the Sea, the 1982 United Nations Convention on the Law of the Sea, the other to Fish and Fisheries, the 1995 Code of Conduct for Responsible Fisheries. Together, these Instruments establish rules for exploitation and conservation of the Sea and its Resources, as well as the way they are to be implemented and controlled, with specific responsibilities for Flag, Coastal and Port States.

### **3.3 Ratification/Acceptance/Accession/Approval of Instruments**

AU MS are aware of the International Instruments for Sustainable Fisheries Management, as they admit knowledge on the Fisheries Agreements and Conventions such as

- a. The United Nations Convention on the Law of the Sea (UNCLOS)
- b. Compliance Agreement for the High Seas
- c. FAO Port State Measures (PSM)

They were also aware of the Non-Fisheries Agreements and Conventions on Trade, Pollution, Safety at Sea, Conflicts, Environment, such as Illegal, Unreported and Unregulated Fishing (IUU); ECOWAS/ ECOWAP/ RAIP/ NAIP, ECOWAS Environmental Policy. However, knowledge on HASAP Treaty Flag State Measures has not received adequate awareness as some Member States such as Ghana declined acquiring sufficient knowledge. Member States were aware of the written and non-binding instruments such as the Code of Conduct for Responsible Fishing (CCRF), and the Voluntary Guidelines.

However, ratification, acceptance, accession, approval of Instruments are still considered low across the MS WA, these processes individually and collectively vary in levels/degrees in the different Member States.

### **3.4 Reasons for Low Ratification of Fisheries-Specific Instruments**

Apart from the challenges emanating from low levels of governmental participation in awareness creation, political, financial, administrative and legal constraints, the bureaucratic process of getting instruments ratified by Parliament was the main challenge underlying the low rate of adoption on implementation of the relevant international and regional instruments for sustainable fisheries management in member countries. These factors were further enumerated by a Law Firm in Nigeria thus:

“The Fisheries sector in Nigeria has enormous challenges and underlying factors/deficiencies which are limiting the implementation of the relevant International and Regional Instruments for sustaining fisheries management in Nigeria.

**Awareness:** Lack of promotion of fish farming through institutions, universities, government, research institutions, media to boost awareness of fish farming in Nigeria.

**Political:** Lack of implementation/enforcement of policies, lack of transparency and traceability, inadequate fisheries regulations, changes in government policies all affect fish production.

**Financial:** Lack of funds, that is, lack of funding of Research and Extension services. Low funding of the sub-sector activities by the Government and low investments by the private sectors are major constraints on this sector.

**Legal:** Any International best practice treaty adopted should be duly enacted and signed into law through an Act by the National Assembly of the Federal Republic of Nigeria for quick implementation.

**Administrative:** Lack of comprehensive policy and legislation which has reduced administrative management and research effectiveness. Inadequate training programs for fish farmers have retarded the growth of the Fisheries sector.”

Other challenges include:

- Lack of enforcement occasioning impunity as a Nigerian factor.
- Lack of Resources and Coordination: The dearth of trained officers and equipment for effective patrols and the confusion over which agencies have jurisdiction over which areas, and the formulation of regulations cannot keep up with the dynamics of changes in the environment. Lake Chad serves as an example.
- Lack of adequate surveillance encourages poaching and the upsurge of bunkering activities in the Niger Delta Area, and places additional responsibilities for surveillance.
- Corruption and lack of fisheries transparency: the receipt of gratification by enforcement officers in aiding and abetting illegal fishing activities.
- Illiteracy and poor accessibility: Illiteracy of fisher folks makes an appreciation of the need for resource conservation difficult, and accessibility to information / enforcement of regulation is hampered by the remoteness of the fishing communities.
- Leadership Aspirations: Conflict of diplomatic foreign policy interests vis-a-vis enforcement of fisheries laws and arrest of foreign vessels.

### **3.5 Transforming Instruments into National Fisheries Legal Frameworks**

Member States identified Key Intervention areas or measures that will facilitate adoption and domestication to include the following:

- As suggested by Ghana:
  - a. the AU should write to the Ministry of Foreign Affairs indicating the relevance of the International Fisheries Instruments to Fisheries Management and request for their assistance for ratification by Parliament; and
  - b. the AU could assist to recruit local Consultant from the Attorney General's Department to work in conjunction with the Fisheries Department to write the Cabinet MEMOs on the Instruments for approval and submission to Parliament.

As suggested by West Africa Aquaculture Programme (WAAP) with particular reference to Nigeria are the followings:

- a. There is the need to set up a surveillance unit to enforce different aspects of the edicts such as Licensing and Mesh Size Regulations, and a separate inspectorate unit of fishery Guards for Resource Monitoring, Control and Surveillance.
- b. Community-Based Resources Management (CBRM) should be adopted in the management of Fisheries. This is a process whereby the people themselves are given the opportunity and /or responsibility to

- manage their own resources, define their goals and aspirations, and to make decisions that affect their welfare;
- c. The need to provide adequate resources and organized coordination for effective implementation of Fisheries Laws;
  - d. The importance of intensified awareness creation and training of extension agents on the implementation of Fisheries Laws should be employed;
  - e. The appropriate use of extension workers is of paramount importance in order to concentrate on demonstration and training of the fisher folks on the required technology and technical know-how through acquired experience.
  - f. Others include:
    - Enforcement of National Laws and Regulations within the EEZ;
    - Compliance with vessel and gear marking requirements;
    - Increased Observer Coverage and further enhancement of the Fisheries Observer programme;
    - Continued training and human resource capacity building, within Territorial, Zone and High Seas;
    - Improved liaison with the Fisheries Observer Agency and Vessel registration unit within the Ministry of Works, Transport and Communications;
    - Continued inspection of all landings at both Ports;
    - Improved Communication with other organizations and networks, such as FAO and the MCS Network;
    - Establishment of linkages between relevant Fisheries Departments and Research Institutes for mutual learning and understanding to enhance regional and national fisheries management.

Although Member States advocated training, demanded for effort to enhance commitment from Member States and provision of funds as possible action plans to fast track the adoption and domestication of International Fisheries Instruments in the region and in each country, it was also suggested that:

- a. Consultants and Ministries should be holding meetings with the Parliamentary Select Committee on Food, Agriculture, and Fisheries of each Member State to discuss the Fisheries Instruments before being submitted to Parliament.
- b. Development of Fisheries Management Plan for the various Fisheries of the AU MS was suggested as a viable area of intervention that would ensure responsible Fisheries Management practices for optimal utilization and sustainability of National and Regional Fisheries stocks.
- c. Member States agreed that inculcating integrated approach taking into consideration human decision, ecosystem, conservation in its entirety, socio-economic circumstances and governance, would assist the progress of adoption of International Instruments, the techniques for doing this will have to be developed as it is not yet clear.
- d. States should establish, maintain and develop an appropriate Legal and Administrative Framework to facilitate the development of responsible Aquaculture and Fisheries Management.
- e. States should protect Trans-boundary Aquatic Ecosystems by supporting responsible aquaculture practices within their national jurisdiction and by cooperation in the promotion of sustainable Aquaculture and Fisheries Practices.
- f. States should promote responsible fishery and aquaculture practices in support of rural communities, producer organization and fish farmers.

### **3.6 Reflection of International Instruments in National Legislation**

**3.6.1 Background reference document on Fisheries and Aquaculture Development in Member States indicate that the National Fisheries and Aquaculture Sector Development Plan usually aims at**

- improving Governance for Sustainable Fisheries Management
- amendment of Laws and Regulations on Fisheries Management, Trade and Conservation;
- amendment of Laws and Regulations controlling Fishing effort, conducting research, development of Fisheries Management Plans and Promotion of Co- Management
- reducing illegal fishing
- promoting value addition and improvement of infrastructure
- promoting sustainable Aquaculture Development

**3.6.2 Acceptable Standards for Marketing, Trade and Utilization of Fisheries and Aquaculture products:** Most of the AU MS export fisheries products to the EU Markets thus indicating their compliance to EU standards. Under the ACP/EU Convention or Partnership Agreement, the products should meet Sanitary and Phyto-sanitary conditions. For enhanced and sustainable market, enhanced compliance to the use of standards as required by the EU regulation on Food Health Safety will have to be encouraged.

Common marketing standards exist for certain species of sea fish and shellfish and are laid down in Article 3 of Council Regulation 2406/96 (<http://www.gov.scot/Publications/2002/05/14698/4229> as amended). Grading to these EC standards for size and freshness must be carried out within a reasonable time and before the products are offered for first sale. Inspections to ensure that these marketing standards are met may take place during any marketing stage or when the products are being transported.

With the invention of electronic commerce (e-commerce), the common marketing standards ensures quality improvements and allows buyers purchase fisheries and aquaculture products with ease and confidence.

### **3.7 Level of Execution of Some Key Instruments**

The current study revealed that the AU MS are quite aware of International and Regional Fisheries Instruments but there are shortcomings in their adoption and implementation. The literature indicates that at national levels, stake holders in fisheries management (Ministries, Research Institutes, Federal and State Universities and other Government establishment related to Fisheries Administration) have reasonable level of awareness of the instruments and were adopting and utilizing them. Some of the highlighted Instruments in use within the AU MS are: International Fisheries Agreements and Conventions such as: The United Nations Convention on the Law of the Sea (UNCLOS); The U.N. Fish Stocks Agreements (UNFSA) and The FAO Compliance Agreements. They are also aware of the reports of the non-fisheries agreements and conventions such as Convention Biological Diversity (CBD) and the Convention on International Trade in Endangered Species (CITES), Convention on pollution, safety at Sea, and other relevant matters. Non-binding Instruments such as the FAO Code of Conduct for Responsible Fisheries (CCFR), Policy Documents on Environment, Water Resources, Trade and other related documents were all known at the national levels. The ECOWAS Environmental Policy and other instruments of the Economic Community of West African States (ECOWAS) were identified and familiar to the AU MS.

Although, AU MS has knowledge on Legal Instruments for Regional Fisheries Bodies / National Fisheries Legislations / Laws / Regulations, the level of awareness of their provision and range of support for implementation of the regulations seems to be low probably due to limited access to internet connectivity, poor reading culture, lack of interest and low level of funding for Research and attendance of Conferences where such links could be obtained.

### **3.8 Relationship between Regulators and Stakeholders**

Despite the level of awareness of National and State authorities, stakeholders at the grassroots (fisher folks, rural fish marketers, input suppliers and local authorities) seem to have inadequate knowledge of the Instruments, and their level of adoption and implementation were generally low. Hence, they sometimes abuse some of the instruments when given opportunity to utilize them. It should be noted that there has been interventions to AU MS on effective utilization of the instruments.

Relationship between Regulators and Stakeholders is said to be cordial in most Member States. In Ghana, the Fisheries Commission has the authority to manage and implement Fisheries Regulations. It is made up of 11 Members with 3 Members from the stakeholders. The regular interactions and all laws must be discussed with stakeholders before being presented to the Cabinet for consideration.

In Nigeria, the relationship between regulators and the stakeholder is cordial and there is an interagency robust cooperation and collaboration.

### **3.9 Consequences of Target Groups' Response for Physical Problems at Hand**

Operators in Ghana have physically attacked regulators by resistance, vandalism, imprisonment of Navy personnel. A clear example of an attempt to seize illegal nets made the owner to fall on the nets feigning he has collapsed due to undue pressure from the arresting officer. He therefore petitioned that the Police has mishandled him. The case was taken up by the Human Rights Lawyers who defended him and insisted the seized item should be returned. It took the Members' wisdom and advocacy to resolve the issues.

In Nigeria, the target groups are willing to cooperate with Fisheries officers to comply with whatever sanctions apply to them whenever there was a violation.

## **4.0. CHALLENGES, CONSTRAINTS AND POSSIBLE SOLUTIONS**

The challenges to adoption and implementation of fisheries management instruments in AU MS could be Member State specific and could be general. The challenges have their roots from weakness in Institutional Arrangements, Legal Considerations, Financial Needs, Technical Requirements, Human Resource Development and the role of RFBs which are being considered below:

### **4.1 *Institutional Arrangements***

The challenges and constraints include:

- a. The World Bank (2010) reported that the fisheries sector especially in Liberia for instance, had faced key issues among which is limited Institutional capacity in the National Bureau of Fisheries which currently has limited Fisheries Research capacity, leading to weak Governance and Management of the fisheries.
- b. Increasing damage to Coastal Ecosystems and fish spawning and nursing grounds from trawling and degradation of its biodiversity. This indicates that these countries need improved Monitoring, Control and Surveillance (MCS) of the inshore 6-mile free zone (non trawling zones). The challenges of MCS could have emerged due to inadequate trained personnel and facilities. However, these challenges were at different dimensions at AU WAMS. The differential dimension of the challenge may be as a result of differential budgetary allocation for training and acquisition of relevant surveillance facilities in Member States.
- c. High level of illegal fishing (IUU) indicating the need for monitoring on compliance to Instruments on control of IUU.
- d. Low level awareness due to inadequate sensitisation/enlightenment on the part of the operators.

#### **Possible Solutions include:**

Establishment of institutional arrangements which would involve collaboration and the development of Memoranda of Understanding by the Attorney General of Member States. There should be a Coordinating Steering Committee which is to meet regularly. The Stakeholders and implementing agencies should be made to attend international meetings for more regular update on development within the industry.

### **4.2 *Legal Consideration***

The main challenges under legal consideration are:

- a. The Legal Divisions do not have requisite personnel that are trained, enlightened and possess the capacity, ideas and experience to articulate Instruments/Laws for adoption into National Instrument. Therefore, there is delay in putting the officers through and in articulating the Instrument as desired.
- b. The Legal personnel are not well-informed of Maritime and Fisheries issues as they are trained more on land and customary matters. This has negatively affected level of appreciation of such offences and making prosecution of offenders difficult.
- c. The officers are few in number and also deal with Policy Instruments from other areas of agriculture such as plants, livestock, rural development etc.
- d. Foreign industrial fishing vessel license fees are not standardized (some were very low compared to other neighbouring countries), thus making room for abuse through Flag of Convenience.
- e. Shortcomings and obvious gaps in a large number of countries that do not have the appropriate Policy Instruments to regulate fishing activities.
- f. Insufficiently controlled and regulated fishing effort in small-scale and industrial fishing in some Member States as a result of non-legal instruments for their implementation.

- g. Overwhelming majority of the countries do not possess what could be understood as “real fisheries policy instruments” because they lack legal backing.
- h. In some cases, instruments are incomplete or Legal Drafts were never finalised, whilst for others there is simply nothing.

**Possible solutions include:**

- i. Member States should establish Legal Divisions with the Ministries, Commission and Department in handling issues of Fisheries Policy Development, Adoption and Implementation.
- ii. The use of consultants who are vast in these areas for drafting the Instruments.
- iii. Capacity building which should include the training of the Legal personnel and infrastructural development of the Legal Departments especially in the area of Information Communication Technology (ICT).

**4.3 Financial Needs**

Funds have been identified as a major constraint for the adoption and implementation of institutional regulations at national levels. This has led to lack of basic infrastructure such as Ports and Fish landing infrastructure; inadequate training, and Quality Control capacity for Export Certification. The economic situation of some of the AU MS might not be strong enough to provide these desirable conditions.

**Possible Solutions include:**

- i. The introduction of levies as part of licensing fees;
- ii. The creation of a fund specifically for Fisheries and Aquaculture Development from which all aspect of capacity building (human and infrastructure) for the adoption and implementation of International Instruments for Fisheries Management and Aquaculture can be funded.

**4.4 Technical Requirements**

- a. All Member States are grossly ill-equipped and lack tools to achieve effective Fisheries Management and Aquaculture Development. Such tools include operational and navigational equipment for Sea safety, tracking devices, and surveillance facilities for monitoring and overall compliance at Sea.
- b. There is a need for provision of adequate patrol vessels and communication equipment for joint patrols and surveillance amongst member states especially on shared stocks.
- c. The region also needs research vessels and abilities for information to be shared amongst member states.

There is therefore an urgent need to establish communication platforms through which Member States can share information. More so, there are two major official languages in the region (French and English) and a language management tool for adoption, interpretation of fisheries information should be developed amongst others.

**4.5 Human Resource Development**

- i. There are not enough trained personnel at all levels of implementation of Fisheries Policies and Instruments.
- ii. The difference between fisheries policies, master plans, and management plans is not always well understood by a large number of fisheries administrations in the region.
- iii. There are challenges in recruitments (movement and institution) and also monetary challenges through budgeting and financial clearances are required for Fisheries Department and Agencies/Organisation to recruit personnel.

- iv. Deep poverty and a high level of social fragmentation in fishing communities limit implementation of policy reforms.
- v. Even when these instruments do exist, their implementation by these administrations is problematic.
- vi. Use of National Service personnel: In Nigeria for example, National Youth Service Corps members can be used to fill the gap of the personnel on yearly basis as a short-term solution to bridging the gap annually. However, they must be trained and with prerequisite relevant educational background.

#### **4.6 The Role of Regional Fisheries Bodies (RFBs)**

The positive socio-economic outlook provided by fishing risks in West Africa is being undermined (ACPFISH II, 2010), as the following factors are contributory:

- a. Insufficient controlled and regulated fishing effort in small-scale and industrial fishing;
- b. Shortcomings and obvious gaps in a large number of countries that do not have appropriate policy instruments to regulate fishing activities;
- c. MCS systems that are underperforming or lacking completely in many countries;
- d. A deficient scientific sector which has not yet reached the expectations of decision makers who depend on it for the taking of decisions;
- e. The commodity chain of fresh or processed products which reflect a significant amount of economic losses, a lack of required professionalism and institutional or technical problems, such as the requirement to adapt to today's new certification procedures.

A survey of the needs assessment of the representatives of the ACP (African Caribbean Pacific) Member States and Regional Fisheries Bodies (RFBs) which comprise all AU MS observed the following general challenges and the needs expressed focused on the following topics:

- a. Development/updating of National Fisheries and Aquaculture Policies and Management Plans.
- b. Facilitation of the implementation of Management Plans and/or conservation/organisational measures in RFBs and/or Regional Economic Organisations.
- c. Support in the formulation of Fisheries Management Plans on the basis of prepared/revised policies/management plans for the fisheries sector.
- d. Training sessions for the technical staff of RFBs, National Fisheries Organisations and Management Agencies.
- e. Support in the process of formulating, evaluating or revising regulatory frameworks in the area of MCS and the enforcement of Control and Surveillance measures in the RFBs.
- f. Consolidation of the institutional competences relating to MCS systems and to enforcement procedures.
- g. Training activities for Inspectors, Observers and Members of the Judiciary.
- h. Evaluation, through appropriate studies, of the impact of the Fisheries Regulation Instruments such as EU IUU Fishing Regulation, as well as needs of compliance for each region with the requirements of the EU.
- i. Support to specific requests coming from beneficiary countries and regional research institutions.
- j. Conducting studies and evaluation of potential support for Management Plans in the Fisheries sector.
- k. Strengthening institutional capacity of Research Institutions and building the capacity of their staff.
- l. Support to the internal organisation and training of the staff of producers/traders' associations in accordance with the specific demands of Fisheries Administrations or private sector partners.
- m. Formulation, revision or updating Legal Frameworks governing activities and private investment
- n. Conducting market research and marketing aimed at assessing the needs and potential for interregional trade in fish and fish products.

This needs assessment has permitted the formulation of a Regional Action Plan. Additionally, it has been observed that it is difficult to gain a complete picture of the situation of cooperation in the field of fisheries despite the efforts made by regional managers to produce a grid of all projects under way in the region. The identified needs of each State are presented in Table I while the data on Interventions are presented in Table 2.

## **5.0 IDENTIFICATION OF INTERVENTION AREAS FOR SUPPORT BY AFRICAN UNION TO MEMBER STATES**

### **5.1 Effects of Non-adoption and Non-adaptation of International Fisheries Management Instruments on Fisheries Development in African Union-West Africa Member States (AU-WAMS)**

Failure in adoption and adaptation of Instruments for Fisheries Management could pose challenges such as:

- Attract conflict and hostility from neighbouring countries as some of these Instruments addressed the water ways as common properties and has made provisions for peaceful co-utilisation of its resources.
- It will worsen the extent of damage to coastal ecosystems, fish spawning and nursing grounds and degradation of biodiversity through trawling.
- It will encourage increased social vices on water ways as well as reduce socio-economic benefits.
- Failure to adhere to the Instruments on unified licensing fees for foreign industrial fishing vessels would provide opportunity for fishing effort to be concentrated in the low fees countries with the attendance pressure on monitoring and enforcement whereas Governments revenue would be low and would be unable to fund monitoring and surveillance of the waters.
- High level of illegal fishing (IUU) constitutes a threat to sustainability of Fisheries Resources, and it limits economic benefits of Member State.
- Non adoption and implementation of the instruments on value addition and trade will reduce acceptance of fisheries products from AU MS at international markets and this would limit benefits that are obtainable from fish production with subsequent discouragement in utilization of fishing efforts.
- Negligence of the challenges of poverty and social fragmentation of fishing communities would hinder legal fish exports from the countries. It would also jeopardize the sustainability of the fisheries resources and the environment.

### **5.2 Required Intervention from AU-IBAR**

The observed limitations in adoption and implementation of Fisheries Management Instruments in AU MS calls for further interventions. As a regional body, the AU-IBAR could give assistance to Member States in the following ways:

1. Strengthen institutional capacity in AU MS through support for capacity building (staffs 'trainings and workshops ) thus assisting Member States in Manpower Development, Administration and Enforcement of Fisheries Management Instruments.
2. Support awareness creation on the available treaties, and their relevance in MS.
3. Support research on techniques for increased adoption of International Instruments at National and local levels in AU MS
4. Facilitate joint meetings of stake holders in Policy Making, Policy Implementation, Enforcement of Regulations and Fisheries Management in order to strengthen the weak governance and management of the Fisheries Resources.
5. Facilitate joint management meetings for AU MS, where policy statements on licensing fees would be harmonized by Member States.
6. Support Regional training for surveillance officers thus assisting the AU MS in empowering surveillance officers, harmonizing surveillance mechanism of member states and facilitate formation of Regional taskforce which would enhance trans-state enforcement and arrest of criminals on the water ways.
7. Assist AU MS programmes aimed at securing surveillance facilities in line with International standards.
8. Provide Regional support in joint training of personnel in value addition and fish trade.
9. Support activities of Member States in increasing the number of Ports, Fish Landing Infrastructure, and specialized laboratories for Quality Certification.

10. AU-IBAR through Regional coordination could provide support in creation of awareness on the relevance of adherence to the International treaties especially at the poor grass root communities.
11. Support efforts aimed at poverty alleviation especially in the socially fragmented fishing communities of AU MS. This would enhance compliance with International treaties at grass root levels.
12. Support joint enlightenment of policy makers and fisheries administrators from AU MS on the potential long term benefits of making policies in compliance to the instruments as well as the pending sanctions and long term losses for non-compliance.

The highlighted areas for AU-IBAR intervention and development of Policy Framework for enhanced adoption is based on the background information on National and Regional Fisheries Management Instruments and the suggestion for reforms as highlighted below:

- Delivery mechanism for interventions should vary according to objectives, the reforms to be made, available expertise, upfront cost, availability of the required capacity, complexity of the issue, and the abilities to be transferred.
- Delivery mechanism should enable the outcome of the Policy Framework and Reform Strategy to achieve its purpose, and is focused on the areas of highest need.

## **6.0. FRAMEWORK OF NATIONAL AND REGIONAL PLANS OF ACTION TO ADOPT KEY INTERNATIONAL INSTRUMENTS**

The framework for the National and Regional Plans of Action to enhance adoption of the Key International Instruments would involve setting of goal and objectives that are achievable and sustainable. It is therefore suggested that such framework should contain for considerations the following:

### ***6.1 Elements of the Framework:***

#### **a. Public and Political support for implementation of Instruments**

The major elements of the framework include the process which establishes the procedure for the national adoption of International Instruments for implementation through Public and Political support for the implementation of the Instruments.

The Policy Documents goes through cabinets to the Parliament where it would undergo Public and Political debates and adoption.

The President upon approval by Parliament gives ascent to the Bill which is then gazetted as a Legal Instrument for implementation. There are guidelines for the presentation of cabinet memos as earlier discussed, which include presentation of proposed policy Instruments to Stakeholders' deliberations, input and acceptance. Other elements of the framework include Regulations, Operational Guidelines, Sanctions, Identification of Roles and Responsibilities of implementing agencies/personnel and collaborating entities.

It has, however, been identified that there is usually lack of political will, priority and capability of resources to ratify, accede or implement the Instruments.

#### **b. Awareness raising and support for instruments**

Awareness raising could be through print, electronic and voice media; bulletins, journals, magazines, workshops and interface with stakeholders to publicize the advantages of the new Policy Instruments. After ratification, a strategy to disseminate and strategize on the implementation of the Policy Instruments must also be developed.

#### **c. Capacity development for Instrument Implementation**

Capacity development which could be human, institutional or infrastructural requires funding. For the Instruments' implementation, training in technical know-how, technology adaptation, stakeholders knowledge-based development and training in use of new laws and adaptation to new managerial tools are important. Capacity development will also be in the area of equipment, logistic and communication. Every instrument may require different areas of capacity development.

There is the use of dual language within the region, therefore the communication unit should have a strategy for instantaneous interpretation of policies and information amongst Member States.

All Member States should also develop a Fisheries Intelligence Team to be made up of Technical/ Professional experts who would provide background information and analysis of data for management purposes.

**d. Development of National Instrument and Implementation strategy**

Member States of the United Nations are expected to take appropriate actions to manage their fisheries resources, ensure that fisheries operations are sustainable and regulate access to their waters and resources. The development of National Instruments emanates from International Instruments such as United Nations Convention on the Laws of the Sea (UNCLOS), 1982 which provides a framework for the management of marine resources in the International waters e.g. in the Exclusive Economic Zone; the FAO Code of Conduct for Responsible Fisheries, (CCRF) 1995; which ensures fisheries operations and policies should be designed with a view to achieving long-term sustainable use of the resources, as a means of assuring resource conservation, continued food supplies and alleviating poverty. The International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IUU) 2001 underpins efforts to conserve and manage fish stocks in all capture fisheries, ensures National and Regional Fisheries Management Organizations achieve management goals to prevent activities that can lead to the collapse of a fishery or seriously impair efforts to rebuild stocks that have already been depleted. Other International Instruments include the United Nations Fish Stock Agreement, FAO Port State Measures amongst others.

In implementing the above listed framework and others on acceptable International standards on the management and conservation of fisheries resources and to exercise control, Nigeria has enacted the following Laws and Regulations as Legal Instruments for the rational exploitation of her resources:

Inland Fisheries Act (Decree) No. 108 of 1992.

Inland Fisheries (Fish Quality Assurance) Regulation 1995.

Sea Fisheries Act (Decree) No. 71 of 1992.

Sea Fisheries (Licensing) Regulations 1992.

Sea Fisheries (Fishing) Regulations 1992.

Sea Fisheries (Fish Inspection and Quality Assurance) Regulations

1993.

Exclusive Economic Zone (EEZ) Regulation No. 38 of 1978.

Turtle Excluder Device Regulations (1996) – yet to be gazetted.

The implementation strategies should include:

1. Cooperation with other Government Enforcement Agencies such as the Nigerian Navy, Marine Police, Coast Guards, Customs(Trade), Research Institutes, Nigerian Maritime and Safety Agency (NIMASA), National Ports Authority (NPA), State and Local Governments in Nigeria for Inland Fisheries (Aquaculture Development), and Operators through workshops to enlighten them on the National Instruments, their importance to the sustainability of the resources/ their investments and the advantages of their implementation; interface with International Agencies and various organisations such as International Convention for the Conservation of Atlantic Tunas (ICCAT); Ministerial Conference on Fisheries Cooperation among African States bordering the Atlantic Ocean(ATLAFCO); Fisheries Committee of the West Central Gulf of Guinea(FCWC); African Continental Fisheries and Aquaculture Committee(CFAC); Committee on East Central Atlantic Fisheries (CECAF); African- Caribbean Pacific European Community Agreement (ACP-EC) ,West Africa Agricultural Productivity Programme (WAAP).
2. Provision of Research and Technical support at arriving at Closed Season(Ghana), the development of Turtle Excluder Device (TED - Nigeria), Stock Assessment, Fish species (variety, abundance and quality), Stocking densities, fishing grounds etc.
3. Provision of Economic Incentives such as Tax holidays; Concessionary duties on Fishing equipment and other inputs, regular training of operators on fisheries trade issues and management; Provision of Export Grants (a Non Negotiable Duty Grant Credit Certificate) to Fish Exporting companies in

Nigeria.

4. Fish Investment Services for the provision of trade information and materials on prices of inputs / products; market requirements etc.
5. Facilitation of Input Supply especially for Aquaculture development such as fish feeds, fish seeds, Outboard engines, floats, sinkers, cooler boxes etc.
6. Provision of Input subsidy such as Automotive Gas Oil (AGO), small RT13 Trawlers; Outboard engines, floats and sinkers: Fish seeds, fish feeds (Nigeria).
7. Enactment of regulations and the enforcement to ensure effective management of the resources.
8. Organisation of private investors engaged in fisheries activities into a strong body/ result oriented organisation such as the Fisheries Society of Nigeria (FISON), Nigerian Trawlers Owners Association (NITOA), Association of Fish Farmers and Aquaculturists (AFFAN), Catfish Association of Nigeria (CAFAN), Fish Millers Association (FMA), Association of Ornamental Fish farmers and Exporters of Nigeria (AOFFEN) etc. and the promotion of viable cooperatives amongst the fishing populace.
9. Improvement of quality of life in Fishing Communities through Integrated Fisheries Development programs that would ensure the provision of social amenities such as schools, medical centres, electricity, pipe borne water, as well as provision of facilities related to fishing activities such as cold storage facilities ,landing sites/jetties, boatyard to create employment within the communities.

**e. Implementation of participatory monitoring and auditing systems**

For each Policy Instrument there should be Monitoring and Evaluation Unit with Key Monitoring Indices and a common auditing system.

It may be necessary to create a Result Framework that could be used as a basis for comparison of achievements amongst Member States.The Department of Fisheries or Implementing Agencies initiate the process which should be discussed for inputs with the Attorney General before implementation.

**6.2 Responsibilities and Timing**

As a matter of urgent need, it is suggested that activities at National and Regional levels will have to be streamlined to reflect specific issues. The governing body or agency responsible for the implementation identified, and performance indices of those issues must be held to specific timelines.

**6.2.1 Role of AU Member States In Adoption of Key International Fisheries and Aquaculture Instruments in AU MS**

Member States would have to ensure increased adoption of the Instruments and the following actions would facilitate the adoption process:

1. Pay attention to the details of the comprehensive policy provisions provided in the International Instruments.
2. Be committed to ratifying new International/Regional Policy Instruments as well as prepare for expansion and their challenges.s
3. Mobilise Institutions handling implementation through budgetary allocation and manpower development on current trend in Policies and Enforcement.
4. Effectively increase commitment to increased efficiency of institution with due reference to the National and Regional Policy Frameworks.
5. Increase commitment through compliance to accept penalty, based on defaulters found within their territory.
6. Improve Fisheries Governance to encourage stakeholders' participation, achievable through increased transparency, due process, participatory management strategies and devolution of responsibility.

7. Develop management tools which would involve the use of indicators of sustainable development and facilitate corrective responses.
8. Set-up right based management systems with clear information on who gets what? Under different situation.
9. Evolve systems of individual qualitative and transferable quotas that reinforce their rights and responsibilities. This would reduce conflict of interest among individuals.
10. Establish mechanism for cooperation, and coordination among national authorities involved in Planning, Development, Conservation and Management of the water resources.
11. Management systems would have to explicitly address issues of payment for the privilege to use the World's resources for private gain.

### **6.2.2 Role of Regional Bodies In Adoption Of Key International Fisheries And Aquaculture Instruments In AU MS**

The Regional Bodies would have to Complement, Control and Enhance Activities in Member States. Regional Bodies will have to enhance the current Policy Framework to increase Adoption. It is suggested that Regional Bodies should:

1. Evolve tools for measuring compliance among Member States and subject the existing ones to periodic review
2. Support development of sustainable tools to monitor trans-State movement of Fisheries Resources
3. Facilitate Research and Research based management approach that would recognize Social, Cultural, Socio-economics, Technological, Ecological, Environmental and Biological Considerations for Human and Fisheries Resources.
4. Empower Inter-State policing across the region
5. Endeavour to reflect equal contribution of personnel from the MS in their MCS teams.
6. Develop harmonized and updated database for Fisheries activities across MS at regular intervals.
7. Ensure periodic review of their operation to cope with emerging events.

### **6.2.3 Provisions Of the National and Regional Fisheries Management Instruments Have Capacity to Strengthen Regional Approach to Sustainable Management and Development of Fisheries and Aquaculture in Africa**

In 2009, countries in the Fisheries Committee of the West and Central Gulf of Guinea (FCWC) developed a Regional Plan of Action on IUU Fishing. The Provisions of this Instrument are quite relevant in strengthening Regional Approach to Sustainable Management and Development of Fisheries and Aquaculture in the Member States which comprise of all the AU-MS. The Provisions of the Plan of Action were based on the principles and provisions of the IPOA-IUU and it identified specific actions considered necessary for Member countries to be implemented regionally and individually in order to sustain the Fisheries Resources. Hence the following are suggested in line with the Provisions of the Instrument and the findings of the current study.

#### **a. Responsibility of States**

It is the responsibility of Member States to recognize International Instruments, National Laws, and Control of the State over their Nationals, Vessels without Nationality, Sanctions, Non-Cooperating States, Economic Incentives, Monitoring, Control and Surveillance, Cooperation among the States, Publicity, Technical Capacity and Resources.

**b. Responsibility of Flag States**

The Flag States are to take responsibility for registering fishing vessels, as well as fishing authorization through appropriate Fisheries policies formulation and implementation.

**c. Responsibility of Coastal States**

Coastal States are to ensure promotion and coordination of the conclusion of agreements between the Member Countries for strengthening multilateral cooperation and exchange of necessary data and information (VMS); Institute the right of hot pursuit (Article 111 UNCLOS) and mutually delegate the power of establishing, reporting petty offences and penalizing IUU fishing vessels in the port country where the vessel is found at the time of the establishment of the offence; and encourage the Member countries to put in place plans to manage their domestic resources and promote the emergence and coordinate the search for financing to carry out the Regional Plans for shared stocks.

**d. Responsibility of Port States**

Port States are to harmonize regulations relating to entry, departure and stay, landing and transhipment of vessels in the Ports of Member countries; Organize training sessions and exchange visits for strengthening the capabilities of Port control officers and provide them with a manual of Practical, Transparent, Coherent and Harmonized Procedures; Prepare and Adopt Regional Regulations in relation with the Port Authorities in the various Countries to prevent Access to the Ports of Vessels Flying Flags of Convenience or whose identity is not well established and prevent the landing or transhipment of their products in the Ports of Member countries; Introduce the obligation to include the IMO code in the licences of fishing vessels authorized to fish in the waters of Member countries.

**e. International trade**

Regional bodies through the Conference of Ministers shall evolve measures and regulations for the Certification of Origin of captures of products unloaded in the Ports of the States and/or those that pass through there; Promote the emergence of organisations of wholesale fish merchants, at National and Regional levels, and strengthen their capabilities for a better participation in the fight against illegal fishing practices through the control of products on the market; Integrate into the national regulations, harmonized clauses instituting ‘Serious to very Serious’ penalties in the event of the sale, transportation, processing or marketing of products from illegal fishing; harmonize and have adopted by the Conference of Ministers the International system of description and Codification of Fishery products and by-products.

**f. Fisheries and Oceanographic Research**

Regional bodies shall initiate a medium and long term strategy to strengthen the research capabilities of Member Countries by taking into account the urgency for the sub-region to have a Research Vessel for the evaluation of marine resources, as well as the strengthening of human capacities through training, short-term courses and joint missions. The use of regional expertise better adapted to the reality of the countries was strongly recommended; Initiation, Adoption and Coordination of Studies and Programmes on Fishing Techniques in the sub-Region by using existing capacities of the technology laboratory of the Institute for Oceanographic and Fisheries Research of Nigeria; for example, Dissemination of research results to the operators by using simple and easily assimilated methods. This could be achieved by holding, every two years, a meeting with the Presidents and Secretaries-General of Marine Fisheries Federations in one of the Member Countries. The contribution of the operators to the expenses of the meetings was strongly recommended in order to increase their involvement and responsibility vis-à-vis the recommendations.

#### **g. Regional Management Organisations**

The Regional Management Organization has to be strengthened. The organisation in charge of the regulation, and fight against illegal fishing and the development of approaches and strategies for Regional Fisheries Development should be transformed and broaden its mission relating to High Seas activities and Inland fisheries, provide the Committees with Communication and Surveillance Centre and a Regional Register of Fishing Vessels authorized to fish in the Waters of the Committee Members. Regional Bodies should strengthen the Cooperation of the Committee with the Regional and International Organisations of the FAO, COFI, ICCAT, COMHAFAT, and the ALM Programme; Prepare a directory of the institutional and human capacities in the sub- region of the Committee in order to better evaluate and establish future strategies; Encourage the countries to introduce in their laws and policy documents, the obligation to ensure close cooperation for the sustainable management of shared resources in accordance with the provisions of the United Nations convention and its relevant agreements; Ensure that all the States of the Committee, after ratification of the ICCA convention, give full effect to the collaborative mechanisms provided for by the said convention; Ensure with the competent Regional Organisations, a wide dissemination and regular exchange of data and information on sustainable management and illegal fishing in the countries of the Committee;

#### **h. Implementation of the RPOA-IUU**

Regional bodies shall ensure a wide dissemination of the proposed plans and comments; Submit the proposal of the Body to respective Ministers for adoption; ensure that the resolution for the adoption of the plan is effective, immediate and binding; Print the plans in sufficient copies (in collaboration with the FAO) and organize a round table meeting for its presentation to the partners by preparing specifications for the principal projects; and Produce a regular annual report on the status of the implementation of measures of the plan which will be presented at each meeting of the FCWC Conference of Ministers.

#### **6.2.4 Policy Framework and Reform Strategy for Fisheries and Aquaculture**

A reform strategy for the sustenance and advancement of Fisheries and Aquaculture sector of African States was formulated in 2014 (AUC-NEPAD, 2014). According to the report, effective management of the resources would have to do with:

##### **a. Management focus:**

The management focus was observed to have some challenges:

1. Prior to the first Conference of African Ministers of Fisheries and Aquaculture (CAMFA) management focused more on biological productivity and setting targets for sustainable biological exploitation to an almost total negligence of economic, social, welfare and food and nutrition security considerations.
2. Policy makers have put little focus on the role of fisheries in the national economic development, food and nutrition security and the need to place the optimisation of these benefits at the centre of national development planning.
3. Simplification of management options based on scientific knowledge that is narrow and often confined to silos of specializations. Meanwhile, policies formulated for simple biological assemblage of species structure should differ from those prepared to suit the management of multiple-species fisheries serving resource-poor producers as well as specialised regional and international markets
4. Policy and governance mechanisms need to take into account the specific conditions of the country or communities to which they are applied.

**b. Implementation of fisheries and aquaculture reforms/policy.**

It is suggested that:

1. Implementation of the Treaties and or Policies is the joint responsibility of government ministries, departments or agencies in-charge of fisheries, donor agencies, technical institutions and all others involved in the sector.
2. Effective implementation will require strong cooperation, collaboration, coordination and investment across a range of entities based on a visionary, sequencing and participatory approach and guided by the principles of adoption of process approach, prioritization, consultation, cooperation, and participation, equity and equality, scalability, sustainability, accountability and self-delivery.

## **7.0. CONCLUSION**

In conclusion, despite the fact that most AU MS are aware of the international instruments for sustainable fisheries, adoption and implementation are challenged by both internal factors and inadequate control by Regional Bodies. These challenges have the prospect of limiting the benefits from the sector while endangering the global fishery-resources and peaceful co-existence of the member states. The framework for improving the adoption and implementation would require improved concern for the instruments by the fisheries administrators, policy makers, enforcement agents and the judiciary of the member state. Meanwhile, the regional bodies, including the AU-IBAR, would have to increase their effort in providing support for regional and local efforts aimed at unified and improved MCS in MS. There should be a joint task force for monitoring the waters in AUWAMS. The regional bodies should facilitate evolution of criteria to measure the level of compliance as well as ensure sanctions as may be necessary. Improved manpower development, and enhanced equipment for internet connectivity, surveillance, research and training on strategies monitoring and adoption strategies as well as involvement of stakeholders in management of the instruments will facilitate better adoption and implementation of the fisheries management and aquaculture instruments in Member States.

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## ANNEXES, TABLES AND FIGURES

**TABLE 1: FISHERIES MANAGEMENT NEEDS OF AFRICAN STATES**

Country	Policy	Legislation	Management Plan	IUU fishing	MCS Training	MCS Regulation
Benin	Yes: update required	Yes: update required	No: action required	Yes (NPOA-IUU)	Required	Yes: update required
Burkina Faso	No: action required	Yes: update required	Yes: update required	No	Required	Yes: update required
Cape Verde	Yes: update required	Yes: update required	Yes: update required	No: action required	Required	Yes: update required
Côte d'Ivoire	Yes: update required	Yes: update required	Yes: update required	No: action required	Required	Yes: update required
Gambia	Yes: no action required	Yes: no action required	No: action required	No: action required	Required	Yes: update required
Ghana	Yes: update required	Yes: update required	No: action required	No: action required	Required	Yes: update required
Guinea	Yes: update required	Yes: update required	No: action required	No: action required	Required	Yes: update required
Guinea Bissau	No: action required	Yes: update required	No: action required	No: action required	Required	Yes: update required
Liberia	Yes: update required	Yes: update required	No: action required	No: action required	Required	Yes: update required
Mali	Yes: update required	Yes: update required	No: action required	No	Required	Yes: update required
Mauritania	Yes: no action required	Yes: no action required	Yes	Yes (NPOA-IUU)	Required	Yes
Niger	Yes: update required	Yes: update required	No: action required	No	Required	Yes: update required
Nigeria	Yes: update required	Yes: update required	Yes: update required	No: action required	Required	Yes: update required
Senegal	Yes: update required	Yes: update required	Yes: update required	No: action required	Required	Yes: update required
Sierra Leone	Yes: update required	Yes: update required	Yes: update required	No: action required	Required	Yes: update required
Togo	No: action required	Yes: update required	No: action required	No: action required	Required	Yes: update required

**TABLE 2: DATA ON INTERVENTIONS IN AFRICAN STATES**

Project Name	Overall Budget	Equivalent ACP Fish II activity(ies)	Donor(s) Involved	Beneficiary Country(ies)	Implementation Dates
Sub-regional action plan for the conservation and sustainable management of shark populations (Phase II)	€ 0.751 million	Implementation of regional policies and management plans	MAVA (Netherlands) DIGIS	All SRFC Member States (Senegal, Mauritania, Sierra Leone, Gambia, Guinea, Guinea Bissau, Cape Verde)	Beginning 2008, four years, currently in phase II
Support to the management of fish resources in Western Africa (Phase 2)	€2.37 million	- Institutional strengthening - Support to the exchange of information	German Cooperation	SRFC and its member states	Beginning 2008
Improve scientific and technical advice for fisheries management (ISTAM)	€614,310	-Support to research -Implementation of databases	European Union	Guinea, Mauritania, Morocco and Senegal	2006-2009
Working towards regional policies for the sustainable management of small pelagic species	€522,750	-Management Plans -Support in Research -Assisting the dialogue between decision makers, planners, researchers and users	Netherlands	SRFC Member states and Morocco	2007-2009, extended to end 2010
Building regional capacity in the fields of fisheries management and governance	€1.9 million	-Support in fisheries management -Support in the monitoring of fishing activities	MAVA/DGIS Netherlands	SRFC member states	2008-2012
Support in the development of co-	€5 million	-Fisheries management -Capacity building	AFD	Cape Verde, Guinea Bissau, Mauritania,	2008-2013

Type of Activity	Type of Actions	Projects/Contracts	Countries	
<b>1. Improved fisheries policies and management plans at regional and national level</b>				
1.1	Workshops  Validation workshop of the Regional Action Plan of projects to be implemented at national and regional level during PE1 and PE2  Coordination workshops with focal points	<u>A. 0</u> Organise a second regional workshop and a coordination workshop	All countries and RFBs	
		<u>B. 0</u> Organise coordination workshops	All countries and RFBs	
1.2	Elaboration/update of national policies and national fisheries management plans for marine/inland fisheries and aquaculture	<u>A. 1</u> Formulation of the implementing regulations for the draft fisheries framework legislation of Benin and the review and updating of the marine fisheries master plan in Ghana	Benin and Ghana	
		<u>A. 2</u> Formulation of the fisheries master plan of Mali and elaboration of a national fisheries policy document in Burkina Faso	Mali and Burkina	
		<u>B. 1</u> Elaboration of a legal framework for inland fisheries and aquaculture in Sierra Leone	Sierra Leone	
		<u>A. 3</u> Formulation of a fisheries/aquaculture sectoral policy and - Preparation of a management plan for fishing activities on dam lake Nangbeto	Togo	
		<u>B. 2</u> Review and update of the 1998 fisheries legislation and its implementing regulations	Togo	
Type of Activity	Type of Actions	Projects/Contracts	Countries	
1.3	Support in the implementation of management plans and/or conservation measures for RFBs	Short-term TA, studies: FCWC and SRFC	<u>A. 4</u> – Review and update of the draft national policy (inland, marine and aquaculture) - Update of the Sea Fisheries Decree of 1992 with a view to its adaptation to new international rules as reflected in international fisheries instruments	Nigeria
			<u>B. 3</u> Update of the Inland Fisheries Decree of 1992	Nigeria
			<u>X.1, X.2</u> Marketing and awareness of ACP Fish II	All Countries and RFBs in the region
1.4	Support in the formulation of fisheries management plans based on reviewed/revised policies/master plans for the fisheries sector	Support in the formulation of fisheries management plans based on reviewed/revised policies/master plans for the fisheries sector	<u>A. 5</u> Support in the implementation of a management mechanism for shared stocks of small pelagic species	Mauritania, Senegal, Gambia, Guinea and Guinea Bissau
			<u>B. 4</u> Support in the implementation of a sub-regional action plan for the conservation and sustainable management of shark populations	SRFC member states
1.5	Training sessions for technical staff of RFBs, national bodies and fisheries management agencies	Short-term TA Regional training workshop	<u>B. 6</u> Institutional strengthening with a view to the development of local expertise required for the elaboration of policy instruments including management plans <i>TA: Study for needs assessment and production of reference textbooks for the appropriate staff.</i>	Gambia, Mauritania, Senegal, Guinea Bissau, Guinea, Cape Verde, Liberia and Nigeria
			<u>B. 7</u> Sub-regional training workshop for development of local expertise required for the elaboration of policy instruments including	Gambia, Mauritania, Senegal, Guinea Bissau, Guinea, Cape Verde,

Type of Activity	Type of Actions	Projects/Contracts	Countries	
2.4	Evaluation, through appropriate studies, of the impact of the EU IUU regulation, as well as needs for compliance in each region with the EU's requirements	Regional studies on the beneficial effects of the adoption of the EU IUU regulation for the economy of the region and national workshop on IUU procedures	Nigeria	
			Gambia, Senegal, Guinea, Guinea Bissau, Ghana, Cape Verde, Togo, Benin, Côte d'Ivoire and Nigeria	
2.4	Evaluation, through appropriate studies, of the impact of the EU IUU regulation, as well as needs for compliance in each region with the EU's requirements	Regional studies on the beneficial effects of the adoption of the EU IUU regulation for the economy of the region and national workshop on IUU procedures	<u>B. 12</u> Regional workshop MCS capacity building <u>B. 13</u> Evaluation of the catch documentation system of Nigeria <u>B. 14</u> Support in the implementation of a catch documentation system	Nigeria Benin and Togo

Component 2 Western Africa Total Project Cost

Type of Activity	Type of Actions	Projects/Contracts	Countries	
<b>3. Enhanced National &amp; Regional Research Strategies</b>				
3.1	Support to specific requests from beneficiary countries and regional research institutes relating to specific stocks	Short-term TA Workshops/pilot studies, organisation of research institutes and programming of research activities: Development of training modules in Western Africa	<u>B. 15</u> Support in the defining and updating of research programmes of scientific institutes (IMBO and SLARI) to ensure their consistency with fisheries policy instruments in Sierra Leone <i>TA: Review of research programmes, upgrade with policies and training workshop</i> <u>B. 16</u> Support in updating of research programmes of CRODT (Senegal) and CIPA (Guinea Bissau) to ensure their consistency with fisheries policy instruments in Senegal and Guinea Bissau	Sierra Leone Guinea Bissau and Senegal
3.2	Conduct studies and carry out stock assessments in support of fisheries management programmes underway		<u>B. 17</u> Support for the processing and publication of scientific data collected during the campaigns in Guinea and Guinea Bissau <i>TA for the analysis of raw data held by Guinea Bissau to help decision making related to the management of resources</i> <u>B. 18</u> Training in the field of design and analysis of research programmes	Guinea and Guinea Bissau Côte d'Ivoire
3.3	Institutional strengthening of research institutes and building capacity of staff	Short-term TA Regional workshop capacity building of researchers in stock assessment, management plans, quality assurance	No projects identified	

Type of Activity	Type of Actions	Projects/Contracts	Countries
<b>4. Improved business support and private sector investment</b>			
4.1 Support to internal organisation and training of producers/traders associations in line with specific demands from fisheries administrations or private sector partners	TA National workshops: Professional training, development of structure of professional organisations	<u>B. 19</u> Training of groups of female fishmongers in fish handling techniques, hygiene and quality and administrative management of small businesses TA for institutional support to micro-entrepreneurs for their professionalism	Liberia
		<u>B. 20</u> Training in the professionalisation of Economic Interest Groups (EIGs) for women specialised in the traditional processing of fish products, members of the National Federation of women fish processors and fishmongers of Senegal (FENATRAMS) and Training in quality and hygiene of products for exportation of fresh fish products for the benefit of fishmonger EIGs, that make up the National Union of Fishmonger EIGs of Senegal TA: National training seminar	Senegal
4.2 Formulation, revision, or update of legal frameworks governing private activities and investment	TA Workshops/studies Creating a system conducive to investment in the fisheries sector (specific investment code, financing mechanisms, improvement of fiscal framework)	<u>B. 21</u> Study to evaluate situation of legal frameworks in terms of its conduciveness to private investment and other fiscal/legal measures facilitating the development of the fisheries sector TA: Analysis of the constraints and opportunities, formulation of recommendations and incentives conducive to the development of private investment in fisheries	Gambia, Mauritania, Senegal, Guinea, Cape Verde and Ghana
4.3 Market surveys and marketing aiming to assess needs and potential for	TA Studies Building capacity of actors	<u>B. 22</u> Market survey on potential for expansion of the sub-regional demand for two types of smoked fish in Benin, currently marketed for Mali and Burkina Faso	Benin, Togo, Ghana, Nigeria, Mali, Burkina Faso et Côte d'Ivoire

<b>5. Increased Knowledge Sharing on Management and Trade</b>			
5.1 Organisation and training of information-sharing departments in 8 RFBs	Provision of TA for capacity building of FCWC and SRFC	<u>B. 23</u> 1 TA for capacity building of FCWC and SRFC.	FCWC, SRFC
5.2 Training in ICT and website design/improvements	Provision of TA for capacity building of FCWC, SRFC and their member states.	<u>B. 24</u> 1 TA for capacity building of FCWC, SRFC and their member states.	FCWC, SRFC
5.3 ACP-wide workshop to evaluate the impact of conducted activities and the situation of the information systems	Organisation of an All-ACP workshop to evaluate provided support and attained results, proposing further action towards achieving information systems networking.	<u>X. 1</u> Will be covered by wider project covering all 8 RFBs targeted by this component (CRFM, LVFO, IOTC, SPC, FCWC, SRFC, COREP and SEAFO), total budget of ₦78,100.	

**TABLE 3: STATUS OF INTERNATIONAL STRENGTHENING/RESOURCE ASSESSMENT/MARKETING ISSUES**

Country	Institutional Strengthening	Resource/stock Assessment	Marketing Studies
<b>Benin</b>	Required (research institute, private sector)	Required	Required
<b>Burkina Faso</b>	Required (research institute, private sector)	Not required	Required
<b>Cape Verde</b>	Required (research institute, private sector)	Required	Required
<b>Côte d'Ivoire</b>	Required (research institute, private sector)	Required	Required
<b>Gambia</b>	Required (research institute, private sector)	Required	Required
<b>Ghana</b>	Required (research institute, private sector)	Required	Required
<b>Guinea</b>	Required (research institute, private sector)	Required	Required
<b>Guinea Bissau</b>	Required (research institute, private sector)	Required	Required
<b>Liberia</b>	Required (research institute, private sector)	Required	Required
<b>Mali</b>	Required (research institute, private sector)	Not required	Required
<b>Mauritania</b>	Required (research institute, private sector)	Required	Required
<b>Niger</b>	Required (research institute, private sector)	Not required	Required
<b>Nigeria</b>	Required (research institute, private sector)	Required	Required
<b>Senegal</b>	Required (research institute, private sector)	Required	Required
<b>Sierra Leone</b>	Required (research institute, private sector)	Required	Required
<b>Togo</b>	Required (research institute, private sector)	Required	Required

Adapted from ACPFISH II (2010)

**TABLE 4 : GLOBAL FISH PRODUCTION AND COMPARATIVE ANNUAL GROWTH RATE BY REGIONS**

	2007	2008	2009	2010	2011	2012
(Million tonnes)						
<b>PRODUCTION</b>						
<b>Capture</b>						
Inland	10.1	10.3	10.5	11.3	11.1	11.6
Marine	80.7	79.9	79.6	77.8	82.6	79.7
Total capture	90.8	90.1	90.1	89.1	93.7	91.3
<b>Aquaculture</b>						
Inland	29.9	32.4	34.3	36.8	38.7	41.9
Marine	20.0	20.5	21.4	22.3	23.3	24.7
Total aquaculture	49.9	52.9	55.7	59.0	62.0	66.6
<b>TOTAL WORLD FISHERIES</b>	<b>140.7</b>	<b>143.1</b>	<b>145.8</b>	<b>148.1</b>	<b>155.7</b>	<b>158.0</b>

**TABLE 5 : COMPARATIVE AVERAGE ANNUAL PERCENTAGE GROWTH RATE BY REGION AND PERIOD**

Comparative average annual percentage growth rate by region and period

Region		1990–1995	1995–2000	2000–2005	2005–2010
		(Percentage)			
World	Total population	1.5	1.3	1.2	1.2
	Economically active population in agriculture	0.8	0.6	0.6	0.5
	Fishers and fish farmers <sup>1</sup>	2.7	5.3	1.9	2.3
	Capture fishers	1.4	4.0	1.2	1.5
	Fish farmers	8.6	9.4	3.7	4.1
	Capture production <sup>2</sup>	1.8	0.2	-0.2	-0.8
Africa	Aquaculture production	13.3	5.9	6.4	5.9
	Total population	2.6	2.4	2.4	2.5
	Economically active population in agriculture	2.2	2.1	2.1	2.1
	Capture fishers	4.0	11.9	1.0	2.3
	Fish farmers	6.3	7.0	9.0	10.5
	Capture production	3.1	2.8	2.3	0.4
Africa	Aquaculture production	6.4	29.4	10.1	14.8
	Total population	2.6	2.4	2.4	2.5
	Economically active population in agriculture	2.2	2.1	2.1	2.1
	Capture fishers	4.0	11.9	1.0	2.3
	Fish farmers	6.3	7.0	9.0	10.5
	Capture production	3.1	2.8	2.3	0.4
Asia	Aquaculture production	6.4	29.4	10.1	14.8
	Total population	2.0	1.3	1.2	1.1
	Economically active population in agriculture	1.0	0.5	0.5	0.4
	Capture fishers	1.1	3.1	1.3	1.4
	Fish farmers	8.3	9.5	3.7	4.1
	Capture production	2.7	1.5	0.5	1.8
Europe	Aquaculture production	14.9	5.6	6.6	6.0
	Total population	-1.6	0.0	0.1	0.2
	Economically active population in agriculture	-7.7	-3.5	-3.0	-2.9
	Capture fishers	5.1	7.3	-1.9	-1.9
	Fish farmers	12.3	13.0	-2.6	2.4
	Capture production	-2.6	-1.2	-3.1	0.0
	Aquaculture production	-0.3	5.3	0.8	3.6

Latin America and the Caribbean	Total population	1.8	1.6	1.3	1.2
	Economically active population in agriculture	0.3	0.1	-0.2	-0.7
	Capture fishers	1.2	3.0	1.4	3.0
	Fish farmers	7.5	6.6	2.2	0.7
	Capture production	6.0	-1.5	-1.2	-8.5
	Aquaculture production	18.1	13.7	12.4	5.0
North America	Total population	1.1	1.2	0.9	0.9
	Economically active population in agriculture	-2.2	-1.5	-2.1	-1.9
	Capture fishers	-0.5	-2.0	-1.3	-0.3
	Fish farmers	...	0.0	0.9	-0.8
	Capture production	-3.4	-1.1	1.2	-2.2
	Aquaculture production	6.0	4.1	2.7	-0.3
Oceania	Total population	1.5	1.5	1.5	1.7
	Economically active population in agriculture	1.2	1.3	1.4	1.6
	Capture fishers	0.6	0.7	-0.6	0.2
	Fish farmers	...	4.0	-0.5	1.4
	Capture production	6.5	1.4	6.7	-4.2
	Aquaculture production	17.5	5.2	4.5	4.2

Note: ... = data not available.

<sup>1</sup> The generally much higher rates of change observed for fishers and fish farmers for the periods 1990–1995 and 1995–2000 are partially due to the fact that estimates for 1990 and, partly, for 1995 were based on data available for a smaller number of countries than those for following years.

## LISTS OF INSTITUTIONS CONTACTED

INSTITUTION	METHOD	CONTACT PERSONS
Ministries of Agriculture/Fisheries/Water Resources/ Rural Development in WA MS.	Administration of Questionnaires, Direct Contact, E-mails and Telephone	Ministers of Fisheries/Directors of Fisheries in AU WAMS.
FAO Country Office in Nigeria (FAO Regional Office Ghana).	Administration of Questionnaires, Direct Contact, E-mails and Telephone	FAO Country Representative in Nigeria.
ECOWAS	Administration of Questionnaires, Direct Contact, E-mails and Telephone	Dr. Samuel Medu; Dr. Vivian Iwar
Fisheries Regional Bodies/Projects such as FCWC, ANAF, WAAPP,	Administration of Questionnaires, Direct Contact, E-mails and Telephone	Executive Secretaries and Head of project
Other International bodies such as MESA.	Administration of Questionnaires, Direct Contact, E-mails and Telephone	Heads of these bodies/focal points in AUWAMS.
Other Government Agencies and Related bodies/ Research Institute	Administration of Questionnaires, Direct Contact, E-mails and Telephone	Minister, Director, Heads of Agencies/ Representatives
Individuals including Retired Senior Fisheries Administrators	Administration of Questionnaires, Direct Contact, E-mails and Telephone	Mr. Ayeni, Mr Alozie, Dr Stephen Ekoro.
J. G Ojeh & Associates	Address: 8 Abriba Close, Area 7, Garki Abuja. Email: jg12april@yahoo.com Tel: 08069680020	Barr. Jimmy Ojeh
Ayodele Onokoya & Co.	Address: 130 Bode Thomas, Surulere, Lagos. E-mail: ayo.onokoya@yahoo.com Tel: 08023196023	Ayodele Onokoya Esq.

Country/Organisation	Focal Point	Position	Contact Email
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## ITINERARY

<b>DAY</b>	<b>ACTIVITIES</b>
1-2	1. Contract signing 2. Briefing by AU-IBAR
2-4	1. Identification of relevant documentation 2. Preparation of detailed work plan 3. Preparation of outline of final report
5	1. Presentation on Inception report 2. Discussion on inception report
6.	Adjustments on work plan and report outline based on comments on inception report
7-15	1. Collection of relevant information and documentation 2. Interviews with relevant authorities and stakeholders
16-20	Comparative analysis of relevant information and documentation
20-25	Preparation of First Technical Status report
26	Presentation of Second Technical Status report and discussion
27-29	Preparation of draft Final report
30	Presentation of Final report



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