



## **POSITION PAPER**

# **PROMOTING COORDINATION AND REGIONAL COOPERATION FOR EFFECTIVE FISHERIES MANAGEMENT**

### *Summary*

Failure of regional fishery bodies and other institutions to cooperate and collaborate in the effective management of common pool resources, open to exploitation by all, compromises the long-term sustainability and optimum utilization of the resources.

- States should promote regional cooperation; by devoting national capacities to the activities of the regional fishery bodies (RFBs) and to technically and financially meet their commitments and obligations to these bodies.
- States should domesticate the key international instruments for fisheries in national legislation and ensure the effective implementation of their provisions, as appropriate
- States should effectively implement the Policy Framework and Reform Strategy for Fisheries and Aquaculture in Africa (PFRS).
- RFBs should forge partnerships and create strategic alliances with other organizations, for example Large Marine Ecosystems (LMEs) and Water Basin Commissions (WBCs),

involved in the fishery sector by installing and implementing mechanisms that facilitate long-term sustainable use of the fisheries,

- Regional Economic Communities (RECs) should facilitate the establishment of a Trust Fund for Fisheries and Aquaculture, which is already contemplated in the PFRS, in their respective areas of competence
- Formalize institutional linkages between RECs and RFBs, for example RFBs being technical bodies of the REC and where such agreements already exist they should be operationalized
- Operationalize the African Platform for Regional Institutions for Fisheries, Aquaculture and Aquatic Systems (APRIFAAS).

### *Background*

Many fish stocks and other living aquatic resources move freely though several countries' waters (shared water basins, the exclusive, economic zones) and the high seas. Owing to their transboundary character, the fishery resources cannot be managed by a single State in a sustainable manner.



Hence, the international community, through a number of international instruments including the UN Convention on the Law of the Sea (UNCLOS), UN Fish Stocks Agreement, the Port State Measures Agreement to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing and the FAO Code of Conduct Responsible Fisheries, places high importance on regional and sub-regional fisheries cooperation in the conservation and management of fisheries.

### *Definition of Regional Fishery Body or Arrangement*

A regional fishery body or arrangement refers to a mechanism through which three or more States or international organizations that are Parties to an international fishery Agreement collectively engage each other in the multilateral management of fisheries affairs falling within their area of competence

Most regional fishery bodies established before 1982 have basically advisory functions, that is, they do not have regulatory and management powers. They can adopt recommendations on management issues, which are not binding on the members. Most bodies established after the adoption of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) have the authority to establish fisheries conservation and management measures in a particular region of international waters or of highly migratory species. These regional fishery bodies, for example, Lake Victoria Fisheries Organization (LVFO), are specifically referred to as Regional Fisheries Management Organizations (RFMOs).

There are seven advisory RFBs: Regional Fisheries Commission for the Gulf of Guinea (COREP, Sub-Regional Fisheries Commission (SRFC), Ministerial Conference on Fisheries Cooperation among African States Bordering the Atlantic Ocean (ATLAFCO), and Fisheries Committee for West Central Gulf of Guinea (FCWC); as well as the Fishery Committee for the Eastern Central Atlantic (CECAF), the Committee on Inland Fisheries and Aquaculture of Africa (CIFAA) and

the South West Indian Ocean Fisheries Commission (SWIOFC) which are established under Article VI of the FAO Constitution. Two water basin commissions, the Lake Tanganyika Authority (LTA) and Lake Chad Basin Commission (LCBC) have dedicated fisheries units, which are referred to as “Fishery Arrangements”.

While regional fishery bodies are the primary organizations through which States cooperate in the management of fishery resources, there are also other organizations of importance. These include Regional Economic Communities (RECs), Water Basin Commissions (WBCs) and the seven Large Marine Ecosystem (LMEs) Programmes/Commission, that encircle the continent. The RECs, WBCs and LMEs are involved, to varying degrees, in the fisheries sector in areas under their competence.

Regional Economic Communities (RECs) are the building blocks and implementing arms of the African Union (AU), particularly at regional levels. The mandate of the RECs is to foster regional integration for socio-economic development of their Member States. Hence, beyond their role in peace and security, RECs have the immense challenge of working with governments, civil society and the AU Commission in raising the standard of living of the people of Africa and contributing towards the progress and development of the continent through economic growth and social development.

Both WBCs and LME approach has become an important vehicle for engaging neighboring States in the conservation and sustainable use of marine resources and of addressing transboundary issues, and has, in some cases, led to the establishment of an organizational structure such as in the case of the Benguela Current Commission.

### *Scope of the Problem*

The international community, by means of the post-1982 fishery instruments, has opted to give an increasingly important role to RFBs for the management and conservation of world marine capture fisheries, because international cooperation is required for the long-term sustainability of shared fisheries resources.

Regional organizations belonging to member States of a region are central to effective ocean governance. Further, regional approaches present a number of key benefits, including, being cost-effective in the delivery of services and flexibility in adopting multilateral policy approaches to unique regional contexts. However, regional approaches also have their weaknesses, including the fact that management provisions do not apply to States that are not party to the regional agreement.

Despite their critical role in promoting cooperation and ensuring the sustainability of shared fisheries resources, many RFBs in Africa are operating in adverse circumstances due to inadequate mandates or terms of reference; presence of several bodies with similar mandates in the same geographical area, leading to duplication of effort and wastage of resources. High incidence of IUU fishing; staffing difficulties; the failure by Member States to domesticate and effectively implement the key post-1982 fishery instruments which clearly envisage a more proactive role for RFBs in the conservation and management of fisheries are other constraints. To these should be added the inadequacy of science in providing usable management advice leading to ineffective action.

There is also some reluctance to cooperate among members, for example to implement recommendations made by the bodies, to adopt standard methodologies for scientific assessments, to share information regarding the activity of foreign fleets or to comply with port States responsibility. This reluctance or inability to cooperate effectively hinders the work of RFBs and undermines their effectiveness; while often the lack of human, technical and financial capacity acts as a break on cooperation and even inaction.

Furthermore, there is little cooperation among RFBs, and between RFBs and RECs, or WBCs and LME Programs. This lack of cooperation among RFBs and the absence of collaboration between the RFBs and the other organizations contributes to the lack of synergy and actions among the arrangements; limited exchange of experience and sharing of information on best practices. The absence of fisheries experts

in some RECs and the failure of fisheries to be highly prioritized in some RECs; the absence of RFBs in the CAADP process, despite the importance accorded to the sector by the Heads of State and Government (Box 2), is very unfortunate.

### *Box 2: Recognition of Fisheries and Aquaculture by African Heads of State and Government*

- In 2004, at Sirte Summit, the Heads of State and Government, endorsed the Sirte Declaration which mandated the AU Commission to promote the development of fisheries resources.
- In 2005, the AU/NEPAD Fish for All Summit developed Action Plan for the Development of African Fisheries and Aquaculture.
- In 2006, the AU/NEPAD Food Security Summit in Abuja, Nigeria, agreed to promote and protect fisheries and aquaculture as strategic commodity alongside rice, maize and other strategic food products and committed themselves towards attaining continental self-reliance in fish by 2015
- In 2010, the First Conference of African Ministers of fisheries and aquaculture (CAMFA) made major recommendations for the sustainable development of the fisheries and aquaculture sector that were endorsed by the 18th Session of the AU Assembly of Heads of State and Government, in 2011.

There is limited knowledge or awareness of the role of RFBs at national and local levels in comparison to the case of WBCs and in particular LME Programmes which work generally through iterative processes involving grassroots/national scientists, various institutions and representatives of stakeholders; etc.

It is against this backdrop that the Conferences of African Ministers for Fisheries and Aquaculture (CAMFA) in 2010 recommended that institutional arrangements be strengthened to permit RFBs contribute significantly to the continent's fisheries and aquaculture sector, a recommendation that was reiterated by the



Joint Meeting of the Ministers of Agriculture, Rural Development, Fisheries and Aquaculture in 2014.

### Statement of position

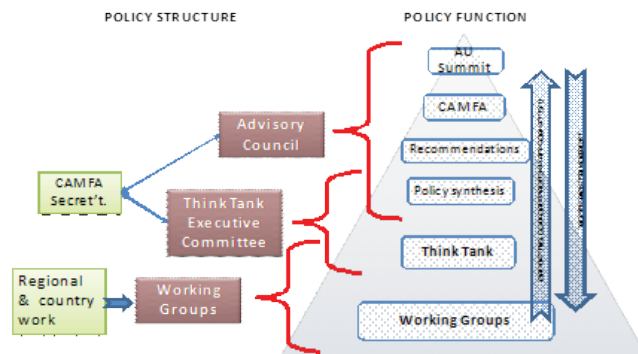
The failure of Regional Fishery Bodies to cooperate among themselves and also forge strategic alliances and partnerships with other interested institutions (RECs, WBCs, LMEs, etc.) in the management of the fisheries deprives the sector from generating significant economic benefits to the continent in terms of revenues, food and livelihoods

### Addressing the lack of Institutional cooperation and collaboration

Establishment of African Fisheries Reform Mechanism: In order to strengthen coherence and coordination in the management of Africa’s fisheries and aquaculture sector, the African Union Interafrican Bureau for Animal Resources (AU-IBAR) and the NEPAD Planning and Coordination Agency (NPCA), in collaboration with stakeholders, through broad, inclusive, participatory and transparent, iterative processes that involved several meetings and workshops with representatives of the fisheries and aquaculture sector; agreed to establish AU-based African Fisheries Reform Mechanism (AFRM) – a partnership platform to facilitate the development, adoption and implementation of reforms in fisheries and aquaculture. Its overarching objective is to strengthen governance, coherence, minimize duplication and hence improve progress in development of African fisheries and aquaculture; as well as serve as a platform for coordination, information sharing, knowledge generation, advocacy, policy development and resources mobilization. (See figure below).

The pyramid structure with the evidence-generation functions at the base informs the Think Tank events for policy synthesis and recommendations to the CAMFA. The Working Groups are technical, policy-related groups to discuss key issues in fisheries and aquaculture on the continent and provide technical support to Think Tank events. The Executive Committee directs and manages the African Fisheries Think Tank process and ensures that policy recommendations and syntheses

### African Fisheries Reform Mechanism



are provided to the Advisory Council. The Advisory Council informs CAMFA and takes policy messages to political level (including AUC). The CAMFA Secretariat is hosted by AU-IBAR, with overall responsibility for CAMFA events; monitoring CAMFA decision implementation. The constituent organs (Executive Committee, Advisory Council and CAMFA Secretariat) facilitate the process of institutional collaboration and sector coordination

Elaboration, Endorsement and Implementation of African Fisheries Policy and Reform Strategy: Through a similar process, the Policy Framework and Reform Strategy for Fisheries and Aquaculture in Africa (PRFS), which overall objective is to catalyze the transformation of Africa’s fisheries and aquaculture for food, livelihoods and wealth was developed. The Policy Framework and Reform Strategy will enable African governments to develop appropriate fisheries-exploitation arrangements and aquaculture, with accompanied fiscal reforms that should result in the sustainable generation of benefits at the community level as well as creating wealth throughout the value chain.

Both the Policy Framework and Reform Strategy for Fisheries and Aquaculture in Africa and the African Fisheries Reform Mechanism, to enhance policy coherence, cooperation and coordination in the fisheries sector were simultaneously endorsed in June 2014 by the Summit of African Heads of State and Government in Malabo, Equatorial Guinea,

Establishment of African Fisheries, Aquaculture and Aquatic Institutions Platform: Thereafter, through

stakeholder consultative meetings which included the representatives of the regional fisheries and aquaculture institutions, it was recognized that the absence of an overarching platform that could serve as a clearing house/mechanism to facilitate the sharing of experiences, transfer of best practice approaches to common issues and collaborative research was an impediment to cooperation and collaboration. Hence, the African Platform for Regional Institutions for Fisheries, Aquaculture and Aquatic Systems (AFRIPASS) was established in 2015. It is coordinated at the CAMFA Secretariat of the African Fisheries Reform Mechanism.

The Platform is an informal and non-decision-making mechanism established to strengthen institutional coordination and collaboration with respect to fisheries and aquaculture matters in Africa similar to the Regional Fisheries Bodies Secretariats' Network (RSN) which is housed at FAO, Rome.

The functions of AFRIPASS include:

- to coordinate and facilitate systematic exchange of information between regional fisheries, aquaculture and aquatic institutions across the continent;
- to improve dialogue between the institutions, coordinate and facilitate the elaboration of harmonized work programmes and also monitor and coordinate the evaluation and implementation of the harmonized work programmes; and
- to strengthen the capacity of the African experts and delegates to speak with one voice on fisheries and aquaculture matters in regional, continental and international fora and development partners.

Assessment and analysis of coordination enhancing elements: In addition, with support from the European Union, AU-IBAR in collaboration with NEPAD Planning and Coordinating Agency (NPCA), in implementing the project titled "Strengthening institutional capacity to enhance governance of the fisheries sector in Africa", has undertaken assessments and analyzed elements to enhancing coordination in the fisheries sector for expeditious development of the sector. The key policy recommendations include:

- Regional Fishery bodies should clarify responsibilities with regard to overlapping

jurisdiction for species, geographical area and/or ecosystems through formal and mutual agreements such as Memorandum of Understanding.

- Regional fishery bodies should establish co-operative institutional mechanisms, similar to the Regional Fishery Body Secretarial Network (RSN), for example regular meetings, capacity building and training workshops, News Letters, etc. to facilitate the sharing of experiences, transfer of best practice approaches to common issues; this could include the development of synergies in their work through joint planning and implementation of such work programmes.
- Regional Economic Communities should facilitate the inclusion of Regional Fishery Bodies in the CAADP process
- Institutional linkages between RECs and RFBs should be formalized, for example RFBs being technical bodies of the REC and where such agreements already exist they should be operationalized.
- RECs should facilitate the establishment of a Trust Fund for Fisheries and Aquaculture, which is already contemplated in the PFRS, in their respective areas of competence.
- States should domesticate the key international instruments for fisheries in national legislation and ensure the effective implementation of their provisions, as appropriate.
- Regional Fishery Bodies should seek/establish cross-sectoral coordination and collaboration as well as forge strategic alliances and partnerships with Water Basin Commissions and Large Marine Ecosystem Programmes in their area of competence. Such mechanisms will permit them, through iterative processes, to produce evidence-based information that is useful for the sustainable management of the fishery resources and the production of WBC/LME goods and services in a harmonized manner.

### **What if there is no effective regional cooperation?**

Fisheries play a significant social and nutritional role in Africa. On average, fish and fish products account for 18 percent of animal protein intake by African consumers, and the sector provides employment to over 12 million people (58 percent in the fishing and 42 percent in

the processing sector). While fishing jobs are almost entirely taken by men, 59 percent of the processing work is done by women. Fisheries and aquaculture directly contribute \$24 billion to the African economy, representing 1.3 percent of the total African GDP in 2011. Over the past decades, Africa's capture fisheries production has grown rapidly. To maintain the sector's productivity, it is essential to reinforce its governance and management.

The essential purpose of establishing regional fishery bodies is to provide an effective forum for international cooperation to enable states to agree on conservation and management measures for fish stocks in their area of competence. In the absence of such cooperation, experience has shown that in the case of common pool resources, open to exploitation by all, the objectives of long-term sustainability and optimum utilization become extremely difficult, if not impossible, to achieve. The more likely scenario is severe overexploitation of the resources and their sub-optimal utilization.

### Conclusion

The advantages of promoting regional cooperation for effective fisheries management, far outweigh the disadvantages. Much depends on the political willingness of States to participate openly and cooperatively in the implementation of the principles of responsible fisheries, which emphasizes among other things, regional cooperation; to devote national capacities to the activities of the fishery arrangements, and to technically and financially meet commitments and obligation to regional fishery bodies. RFBs have been set up by the States and they cannot be more than what the AU MS want them to be

### Further Reading

1. Report of the Meeting on Operationalizing the African Fisheries Reform Mechanism (AFRM), Naivasha, Kenya, 19-21 June 2014
2. **AUC-NEPAD (2014)**. The Policy Framework and Reform Strategy for Fisheries and Aquaculture in Africa.
3. Report of the Meeting on enhancing institutional

collaboration in fisheries and aquaculture, 10-12 July 2014, Accra, Ghana

4. Report on the Validation of Rules of Procedures for African Platform for Regional Institutions for Fisheries, Aquaculture and Aquatic Systems (APRIFAAS), 11 July 2015, Abidjan, Cote D'Ivoire

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**Note:** Africa's Exclusive Economic Zone (EEZ) of about 13 million km<sup>2</sup>. and its adjacent high seas as well as its transboundary water basins has 14 regional fishery Bodies (RFBs); two in inland waters and twelve in marine waters; as well as two Fishery Arrangements, established within the Lake Tanganyika Authority (LTA) and Lake Chad Basin Commission (LCBC). Six of the bodies are Regional Fisheries Management Organizations (RFMOs) operating in the EEZ and high seas. These RFMOs are not covered in this paper



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