



Development, Sustainability and Social Justice: The Elusive Balancing Act of African Fisheries Governance

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EXECUTIVE SUMMARY

The discourse on African fisheries governance is dominated by themes of unrealised potential and crisis. Undoubtedly, the threats are significant: illegal fishing and overfishing by foreign industrial vessels, as well as intense fishing pressure in the small-scale sector, have decreased stocks substantially in many coastal and inland waters. Climate change, pollution and other human impacts on the environment are also affecting ecosystem health. Fishing communities continue to be marked by poverty and underdevelopment, while resources for monitoring, surveillance and compliance activities are often wholly inadequate. In many countries there is a significant disjuncture between the regulations and objectives outlined in fisheries policies and the real-world dynamics in industrial and small-scale fisheries, as well as the administration of the sectors.

Despite these challenges, progress is being made on various fronts. In many instances there is now greater awareness of the extent of illegal fishing and stronger political will to act against perpetrators. These efforts are being supported by international and local non-governmental organisations (NGOs), while investment in patrol vessels and new technologies is further aiding

efforts to combat illegal fishing. In the small-scale fisheries sector the need for a participatory governance approach that includes the active involvement of fishers themselves has been recognised, if not always fully embraced.

The Governance of Africa's Resources Programme has undertaken research on fisheries governance in Tanzania, Angola, Uganda, Mozambique, South Africa and Namibia. This policy note outlines developments in African fisheries governance in recent decades. It identifies central policy dilemmas that will continue to inform the ongoing efforts of governance actors to strike a balance between development, sustainability and transformation in the sector.

INSTITUTIONS AND STRATEGIES

In 2005 the New Partnership for Africa's Development (NEPAD) hosted the 'Fish for All Summit' in Abuja, Nigeria. The assembled ministers of fisheries and aquaculture set an ambitious agenda for improved governance of the continent's fisheries by issuing the 'Abuja Declaration on Sustainable Fisheries and Aquaculture in Africa' and endorsing the 'NEPAD Action Plan for the Development of African Fisheries

and Aquaculture'. These frameworks provided the basis for debate on African fisheries governance through a number of subsequent forums.

The primary agency for co-ordinating African fisheries policy has been NEPAD's Partnership for Africa's Fisheries,² but numerous regional fisheries bodies and economic communities, such as the Southern African Development Community, the West Indian Ocean Marine Science Association and the Sub-Regional Fisheries Commission in West Africa, play an important role in developing regional policies and facilitating co-operation among African fisheries administrations.

These forums and policy processes have all sought to emphasise the critical role of fisheries in supporting livelihoods and food security in Africa. Fisheries directly support the livelihoods of up to 10 million Africans, while about 200 million Africans rely on fish as their primary source of protein.³ African fisheries and aquaculture provide gross annual revenues (first sale value) of close to \$5 billion. While fisheries are vital in many African communities, policymakers have recognised that, for reasons such as limited access to markets; underdeveloped processing; inadequate refrigeration and transport infrastructure; and underinvestment in governance as a result of low political prioritisation of fisheries, Africa is far from realising the full potential of its fisheries resources. Fisheries also face challenges due to the limited capacity for the monitoring, control and surveillance of water bodies, overfishing, and rampant illegal, unregulated and unreported (IUU) fishing. West Africa annually loses about \$1.3 billion to illegal fishing.⁴

SMALL-SCALE FISHERIES

The small-scale fisheries sector employs over 95% of African fishers and provides more than 90% of the fish consumed across the continent. The governance challenges facing African fisheries are often framed as a conflict between nationally based small-scale fishers attempting to pursue a traditional livelihood and foreign industrial fishing fleets (both legal and illegal operators). However, it must be recognised that small-scale fisheries have undergone important changes over recent decades and can also contribute to unsustainable fishing practices. They use motorised boats; modern fishing gear, such as nylon nets and longlines; and other technologies that can contribute to overfishing.⁵ Local populations have expanded, and the domestic fish trade can therefore be an important driver of the overexploitation of fish stocks. As a result of these dynamics, the small-scale sector in many

African countries is characterised by overcapacity, increasing competition for fisheries resources and overfishing of stocks – particularly in freshwater systems and near-shore coastal waters.⁶ These fisheries also face emerging risks such as rapid coastal development, large-scale extractive projects in the coastal and near-shore zones, and increased pollution. Climate change has adverse effects through the impact of more frequent and severe tropical storms, sea-level rise, ocean acidification, and the effect of changing ocean temperatures on the distribution and reproduction of aquatic species.⁷

Fisheries administrations have tended to highlight the wealth generation potential of small-scale fisheries, and focus on improvements to market access, processing facilities and financing mechanisms so that small-scale fishers can invest in vessels, motors and fishing gear. A primary policy option for fisheries administrations to improve the efficiency of the sector is to assign and enforce fishing quotas to individual fishers (ie individual transferable quotas), thereby preventing the scenario where 'too many fishers chasing too few fish make too little income'.⁸ The emphasis on efficiency and wealth generation through rights and quota systems is commonly referred to as the 'rights-based approach to fisheries governance'.

Critics say that restricting access to fisheries resources, while it may lead to greater efficiency and incentivise investment and better governance of the sector, fails to take into account distributive justice and rights to food.⁹ It has been argued that fisheries governance structures should be responsive to the welfare function of fisheries, particularly in a developing-country setting, where small-scale fisheries' main contribution lies not in the resource rent that can be extracted from the sector, but in the sector's capacity to absorb labour and support livelihoods, and the 'safety-net' function of small-scale fisheries in providing alternative or additional sources of income, employment and food for poor and vulnerable households during individual or collective economic crises.¹⁰

African governments generally recognise the importance of maintaining the welfare function of small-scale fisheries and, rather than limiting access, they prohibit the use of harmful fishing gear and practices. Other protective measures include the implementation of closed seasons and marine protected areas. Nevertheless, there are continuing calls for the number of fishers to be limited. The debate between those prioritising efficiency and wealth generation through limiting the number of fishers, and those that would see open access fisheries maintained – albeit with gear restrictions and other measures to protect stocks – will still be a major feature of future governance debates.

Fisheries officials' attempts to maintain sustainability in the small-scale sector through restrictions and regulations have in many cases failed to stem the decline in fish stocks. In Uganda the use of illegal, small mesh gill nets has increased, particularly as diminishing Nile perch stocks and lax enforcement have created incentives for fishers to switch to illegal gear. Small-scale fishing is typically practised over large areas by many thousands of fishers. Mozambique has a 2 700 km coastline and about 600 landing sites. Uganda's Lake Victoria coastline is 1 750 km with over 400 landing sites. Even well-staffed and -resourced fisheries inspection teams cannot patrol these areas effectively. Fisheries inspectors are limited in number, and often do not have basic equipment to undertake inspections or funds to procure fuel for patrols. Acknowledgment of the limits of centralised fisheries governance efforts has underpinned the move towards co-management; a governance approach in which a partnership is created between regulating officials and fishing communities through fishers committees. In recent decades some form of co-management structure was developed for most African small-scale fisheries. In Uganda and Tanzania these fishers committees are known as 'beach management units' (BMUs) and in Mozambique as 'community fisheries councils' (Conselho Comunitário de Pesca or CCPs).

The establishment of these systems has not been without its challenges. Fishers committees can be co-opted by influential local fishers' or traders who benefit from illegal fishing practices. Patrols and enforcement may be undermined by corruption or weak support from fisheries inspectors, and law enforcement authorities may render the fishers committees powerless. In Mozambique the CCPs collect fees for fisheries permits and submit them to central fisheries authorities. Part of these fees is to be remitted to the CCP to carry out patrols. Yet, numerous CCPs report that these funds are not received. In Uganda BMU members say local leaders instruct them not to interfere with illegal fishers ahead of national elections, as political parties want to secure the fishing community's support.

While co-management continues to face significant challenges, it is important to recognise that centralised fisheries governance is not a viable alternative in terms of effectiveness or legitimacy. Therefore, one of the primary challenges for African fisheries governance is how to ensure that the co-management systems that have been established can be made more effective and sustainable, and independent of the donor financing and support that have played a key role in their development.

INDUSTRIAL FISHERIES

Developing appropriate and effective governance frameworks for African small-scale fisheries is central to the sector's role in supporting livelihoods and contributing to food security. Yet such efforts will achieve little if overfishing and illegal fishing by the industrial fisheries sector are not addressed. Many African governments have established an exclusive-use zone for small-scale fishers in the near-shore region to avoid conflicts between them and industrial sectors. In the past industrial vessels often ignored these zones, which generally range from 5 to 18 kms from shore. However, in Mozambique and other states the implementation of vessel-monitoring systems, that is, satellite-based tracking systems that allow monitoring from a central data hub in real time, has addressed this problem effectively. African states are exploring technology and information-sharing initiatives, such as FISH-i Africa, while new, more advanced satellite tracking systems show promise in identifying illegal fishing vessels.¹¹

Although African countries face significant revenue losses and environmental damage due to illegal fishing, progress is being made in identifying, apprehending and prosecuting vessels fishing illegally in African waters. In West Africa, the area with the highest levels of IUU fishing in the world (representing up to 37% of the region's catch), the West Africa Regional Fisheries Program and Sub-Regional Fisheries Commission co-ordinate fisheries governance, monitoring, control and surveillance. In 2012 Senegal acted decisively against illegal fishing and questionable fishing permit allocations to foreign trawlers by revoking the permits of 29 trawlers. In Sierra Leone small-scale fishers use mobile telephones and Global Positioning System-enabled cameras to record incidences of illegal fishing by industrial trawlers. Concerted efforts by Sierra Leone's fisheries authorities, small-scale fishers and international NGOs have contributed to a significant decrease in illegal fishing in its waters, although many of the vessels engaged in illegal fishing have allegedly moved into the less-governed waters of Guinea. International environmental NGOs, such as Greenpeace and the Environmental Justice Foundation, play an important role in facilitating these anti-IUU actions.

Global co-operation is central to curbing illegal fishing off Africa's coast. In this respect the NEPAD Stop Illegal Fishing Working Group plays an important role in supporting African states, and co-operating with international organisations such as Interpol and the European Union. Perspectives on fisheries governance approaches have tended towards ever-broader analytical frameworks, moving from single species

management to multi-species management; the ecosystems-based approach to fisheries management; and the large marine ecosystem approach. The benefit of these frameworks is the emphasis on the relationships between elements of aquatic ecosystems and the interactions of different sectors, including fisheries, shipping, conservation, tourism, and the oil and gas sector. The need for regional co-operation to tackle IUU effectively is relevant to a range of other challenges stemming from the fisheries sector, and other sectors that rely on oceans and freshwater systems.

CONCLUSION: LESSONS LEARNT

In managing their fisheries stocks, African governments seek to achieve a number of objectives in the context of limited resources. In the small-scale sector the potential of fisheries to contribute to development and employment is emphasised. Policies focus on encouraging greater investment in the sector, expanding markets and contributing to greater efficiency. At the same time, the expansion and modernisation of the sector must not come at the expense of the sustainability of fish stocks. However, the development of the fisheries sector and the sustainability of aquatic ecosystems are not mutually exclusive objectives. To grow small-scale fisheries sustainably, management measures must maintain the viability and productivity of these ecosystems. For management measures to be successful, fisheries officials and fishers must co-operate in the development of co-management systems that fishers view and support as being legitimate. One of the greatest challenges for sustainable small-scale fisheries is strengthening the co-management systems that have been established in most African states in recent years.

In the industrial sector information sharing and the use of new technologies are crucial in combating illegal fishing. African states must participate in the global discourse on flags of convenience and port state measures that are seeking to address the loopholes in international fisheries governance.

The effort to manage Africa's fisheries resources sustainably is making progress on a number of fronts. While significant challenges remain, it is necessary to transcend the themes of unrealised potential and crisis in order to build on existing successes in achieving sustainable and prosperous fisheries.

ENDNOTES

- 1 Alex Benkenstein is a senior researcher in the Governance of Africa's Resources Programme at the South African Institute of International Affairs.
- 2 NEPAD (New Partnership for Africa's Development), 'Partnership for African Fisheries', <http://africanfisheries.org/>.
- 3 NEPAD Planning and Coordinating Agency, Agriculture and Food Security: Aquaculture, <http://www.nepad.org/foodsecurity/fisheries/aquaculture>, accessed 11 March 2014.
- 4 AfDB (African Development Bank), 'Africa loses one million tonnes of fish yearly due to illegal fishing', 25 October 2012, Abidjan: AfDB, <http://www.afdb.org/en/news-and-events/article/africa-loses-one-million-tonnes-of-fish-yearly-due-to-illegal-fishing-9883>, accessed 11 March 2014.
- 5 Benkenstein A, *Small-Scale Fisheries in a Modernising Economy: Opportunities and Challenges in Mozambique*, SAIIA Research Report, 13. Johannesburg: SAIIA, August 2013, <http://www.saiia.org.za/research-reports/small-scale-fisheries-in-a-modernising-economy-opportunities-and-challenges-in-mozambique>, accessed 12 March 2014.
- 6 *Ibid.*
- 7 See Benkenstein A, 'Placing African Fisheries on the COP17 Agenda', SAIIA Policy Briefing, 40. Johannesburg: SAIIA, November 2011, <http://www.saiia.org.za/policy-briefings/placing-african-fisheries-on-the-cop-17-agenda>, accessed 11 March 2014.
- 8 Sumaila UR, 'Health-based fisheries management for development', paper presented at the International Institute of Fisheries Economics and Trade Conference 'Achieving a Sustainable Future: Managing Aquaculture, Fishing, Trade and Development', Vietnam, 22–25 July 2008.
- 9 Allison EH, Ratner BD, Asgard B, Willmann R, Pomeroy R & J Kurien, 'Rights-based fisheries governance: From fishing rights to human rights', *Fish and Fisheries*, 13, 1, March 2012, pp. 14–29.
- 10 For a more detailed discussion of these debates see, for example, Bene C, Hersoug B & EH Allison, 'Not by rent alone: Analysing the pro-poor functions of small-scale fisheries in developing countries', *Development Policy Review*, 28, 3, 2010, pp. 325–58; and Allison EH, Ratner BD, Asgard B, Willmann R, Pomeroy R & J Kurien, *ibid.*
- 11 See, for example, the satellite-based Marint system developed by Windward Ltd. For more on Fish-i Africa see <http://www.pewenvironment.org/news-room/other-resources/a-successful-illegal-fishing-crackdown-85899465019>, accessed 11 March 2014.