

# EAF INSTITUTIONAL ARRANGEMENTS Final Report

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# PURPOSE OF THE REPORT

- The report summarizes the main findings and recommendations of the consultancy on how to improve the institutional arrangements in order to implement an ecosystem approach to fisheries management (EAF) in the Benguela Current Commission countries, i.e. Angola, Namibia and South Africa.



# BASIS OF REPORT

- The final report by Prof Bjorn Herzoug is based on
  - Report done by the consultant Derek Staples (December 2010)
  - National reports compiled in the 3 countries
  - A workshop with participants from the three countries, FAO and BCC in Cape Town in July 2013



# INTRODUCTION

- Staples Report presents situations in the three countries, models for EAF management and more generic recommendations to be applied in all three countries.
- Some good ideas, references to best practices and recommendations for future actions.
- However, there are certain weaknesses, or biases. Most of the material is collected from Australia, Canada and the US and the reality of developing countries not always fully considered.
- The task of the workshop was to sort out which ideas were suitable for the respective countries, which depend on the environment, type of fishing, infrastructure, administrative set-up, capacity and quality of the fisheries administrations and the political will to support changes in fisheries management towards a more ecosystem-based approach.



# 7 RECOMMENDATIONS

- A specific unit for fisheries management
- Need for management training
- The need for Management Advisory Committees
- Review of relevant legislation
- Drafting of an Oceans Policy
- Role of the Benguela Current Commission
- Establishment of a Fisheries Management Authority



# 1. FISHERIES MANAGEMENT UNIT

- S.A.: Recommendation has been endorsed & implemented – CD: MRM established & EAF endorsed & supported in strategic planning – management skills need further development
- Namibia & Angola: No specific units yet & decision-making split among several agencies. However, regularly Management plans are an important component and make an important contribution to fisheries management.



# 2. TRAINING OF FISHERIES MANAGERS

- Fishery managers need capacity building in fisheries science, environmental management, economic business practices, planning, communication and leadership
- Recommendations of the workshop:
  - Training should be focused on fisheries managers
  - Training should encompass management tasks as well as the ecosystem approach to fisheries management (EAF)
  - Courses should be short and tailor-made for the specific needs of the three involved countries.
  - BCC should carry out an educational/training assessment for the three countries



# 3. SETTING UP OF MACs

- Recommendation: MACs should be composed of fishery managers, compliance officers, scientists, economists, environmentalists and any other interested party and should consider management of the fishery in its broadest sense
- Decisions: Participation & membership? Duration? Issues? Status? Decision making?
- All three countries have structures in place which play the role of MACs, although the number and type of stakeholders vary greatly from one country to the other. In all three countries industrial sector dominates, dealing mostly with setting of TACs.
- In Angola and South Africa there is a challenge regarding how the artisanal fishers can be included.



# 3. (Cont'd) SETTING UP OF MACs

- While MACs may give greater legitimacy to the management process and more stakeholders increase the amount of information and the political legitimacy of the management regime, efficiency may be reduced.
- Consequently, countries need to consider how many stakeholder groups should be involved.
- Countries would probably gain by making MACs for groups of fisheries instead of separate fisheries
- Workshop participants agreed with the principle of using MACs in fisheries management, and that they would have to be specifically tailored to each country's needs. MACs could play an important role in developing fisheries management plans.
- Establishment of MACs should have a high priority in the individual countries and in BCC.



# 4. REVIEW OF LEGISLATION

- A review of the relevant legislation and policies of appropriate Ministries should be undertaken to i.a. highlight areas where better harmonization and to make the development and review of fishery-specific management plans mandatory
- The workshop agreed with this recommendation, as the legislation regarding the fisheries and the marine environment is highly complex in all three countries, with partly overlapping responsibilities.
- In addition, many conventions have been entered into since 1997/98, putting further obligations on the three countries.
- A law review has already been initiated in South Africa and Namibia, and Angola should follow suite.
- May use FAO legal support, under auspices of BCC.



# 5. DRAFTING OF “OCEANS POLICY”

- Recommendation: All countries should pursue the drafting of an “Oceans’ Policy” that considers all the users of the marine environment and charts a way forward for increasing the contribution of the oceans to national sustainable development.
- Namibia developed White Paper on Coastal Policy 2006-2011.
- South Africa published Oceans Policy in 2013 after very long process.
- In Angola no such initiative has been taken, although in this country there is an urgent need to plan and coordinate the rapidly expanding oil and gas development with the fisheries and conservation interests. Workshop participants in the workshop preferred to wait for the outcome of the current processes in Namibia and South Africa before advising on Angola.
- There are serious threats from oil and gas development, sea mining and conservation, and hence a need to chart the most valuable breeding and fishing areas, which have to be reconciled with other interests using the same areas.
- With limited resources available, fisheries administrations of the three countries would be better served by concentrating on improving the present fisheries management regime including an EAF.



## 6. ROLE OF THE BCC

- *Recommendation: Countries should decide whether the Commission will have the mandate to make management decisions on shared fish stocks or just provide recommendations.*
- Convention has now been signed & awaits ratification by countries but the question of management decisions over shared stocks is not clear.
- The participants in the workshop raised important questions regarding the future decision making abilities of the commission. What is the mandate of the various Departments? If joint management of shared stocks should take place, on which criteria should allocations to the respective countries be made?
- *Recommendation: The Commission will prove less useful if only delegated advisory powers. The goal should be that BCC will be able to give binding recommendations on the joint management of shared stocks, including the division of TACs.*



## 6 (Cont'D) ROLE OF THE BCC

- The Norwegian-Russian Fisheries Commission could serve as a model.
- Possible sharing formulae: zonal attachment, historical catches and research, which in turn can be weighted according to political criteria.
- In the case of BCC the question is what type of data will be needed to decide on the zonal attachment, and to what extent existing data can be used to facilitate a just sharing formula. Decisions will have important economic consequences.
- In the end, these are political decisions, which can be assisted by FAO and traditional donors.
- *Recommendation: BCC should arrange short information meetings for the involved politicians in the three countries involved, drawing on the experiences gained through the long-term cooperation of the Norwegian-Russian Fisheries.*



# 7. ESTABLISHMENT OF A FMA

- Staples report recommended countries should consider the formation of a Fisheries Management Authority (FMA) consisting of a co-management arrangement of the fishing industry, fishing communities and fishery managers as statutory authority. Minister's functions would be supervisory and assess performance of the authority.
- Recommendation found little support among the participants of the workshop:
  - Countries have relatively strong fisheries management authorities and central governments have a strong influence on fisheries management.
  - Marine resources are considered national property, with the state acting as a guardian on behalf of their peoples.
  - Likely to cause problems of transparency and control.
  - None of the countries has well organized interests or strong civil society organizations.
  - Number of qualified fisheries managers is limited. FMAs would put further strain on already limited resources.



- **The formation of a Fisheries Management Authority (FMA)**
- According to Staple's report the three involved countries should in the longer term "consider the formation of a Fisheries Management Authority (FMA) consisting of



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...fishing industry... and  
fishery managers as statutory authority. In