



ILLEGAL, UNREPORTED AND UNREGULATED FISHING IN SMALL- SCALE MARINE AND INLAND CAPTURE FISHERIES (Ousman K. L. Drammeh)

Ousman K. L. Drammeh^[109]
Director of Fisheries
The Gambia

Drammeh, Ousman K. L.

Illegal, Unreported & Unregulated Fishing In Small-Scale Marine And Inland Capture Fisheries.

Document AUS:IUU/2000/7. 2000. 7 p.

ABSTRACT

This paper describes the nature and significance of IUU small-scale fisheries and its evolution, from subsistence activities into activities that are capable of generating significant economic exchanges. The majority of small-scale fisheries are located in the poorer, underdeveloped and developing countries. In most small scale fisheries, access to the fish resources is open, unrestricted and in most cases, unregulated. Fishing activities are hardly reported. The local fisheries administrations lack the capability and capacity to manage fisheries on a sustainable basis and monitoring, control and surveillance is virtually non-existent or extremely ineffective. The paper reviews the nature and causes of illegal fishing practices in small scale fishing grounds. According to the paper, both small and large scale fishers are known to be engaged in illegal fishing practices in these fishing grounds. The paper makes reference to ideas and suggestions for the curbing and eventual elimination of IUU in small scale fisheries which may contribute to the sustainable development and management of small scale fisheries for the benefit of present and future generations and to the economies of the countries. The paper concludes that IUU is increasing at an alarming rate with negative biological, economic and environmental consequences. Concerted international effort is required to deal with the problem of IUU in small scale fisheries given the fact the Governments of the poorer,

underdeveloped and developing countries do not have the capability and capacity to combat illegal fishing practices in their territorial waters. The paper calls for an International Plan of Action to address the problem of IUU in small scale marine and inland capture fisheries with particular emphasis on programs to raise awareness and devise strategies to curb illegal fishing activities.

PREPARATION OF THIS REPORT

This paper has been prepared as one in a series of specialist background papers for the Expert Consultation on Illegal, Unreported and Unregulated Fishing Organized by the Government of Australia in Cooperation with FAO, Sydney, Australia, 15-19 May 2000. It is expected that this series of papers and the expert consultation will contribute to the elaboration of an international plan of action (IPOA) to deal effectively with all forms of illegal, unreported and unregulated (IUU) fishing, the development of which is being undertaken in accordance with a decision of the 1999 FAO Ministerial Meeting on the Implementation of the Code of Conduct for Responsible Fisheries. The views expressed in this paper are those of the author and do not necessarily reflect the views of FAO or of any of its Members.

EXECUTIVE SUMMARY

The majority of small-scale fisheries are located in the third world countries of the Southern Hemisphere but there are a few in Europe (Mediterranean) and in North America.

Most small-scale fisheries are open access in nature and entry into the fishery remains unrestricted. Small-scale fisheries are highly dynamic, labour intensive and usually well integrated with local marketing arrangements. Small-scale fishers, their families and communities are critically dependent on fish for their food and livelihood security and are extremely vulnerable to external pressures and shocks.

In earlier times, small-scale fishing resembled that of natural predation because of the selectivity of fishing gears, methods and techniques employed and the localization of activities. Small-scale fisheries were governed by traditional management systems, which were generally well respected by fishers. Nowadays, small-scale fishing is no longer a subsistence activity but a series of activities which are capable of generating significant economic exchanges. Over time however, traditional management of small-scale fisheries has become replaced by direct Government management; particularly following the introduction of the Law of the Sea and the EEZ. Unfortunately most governments lack the capacity and other capital resources to manage the resources alone.

The ever-increasing international demand for fish has brought about over capacity in both large and small-scale fisheries. Over capacity in fisheries has given rise to a series of problems of profound and disastrous consequences. The competition for fish in the absence of appropriate management practices continue to increase and intensify resulting in the rapid depletion of the resources; the destruction of ecosystems and fish habitats

and, diminishing economic returns. In the midst of increased entry and competition, ignorance of existing regulations and control mechanisms, cases of IUU fishing practices arise.

These problems (which can be classified into economic, social, institutional and biological problems) are responsible for the alarming increase in illegal fishing activities by small-scale fishers. The illegal fishing practices range from the use of explosives and poisons to the use of highly destructive fishing gears, methods and techniques by small-scale fishers.

However, there is ample evidence of large-scale industrial fishing vessels operating illegally in fishing zones, which are exclusively reserved for small-scale fisheries. The industrial fishing vessels are habitually encroaching in small scale fishing grounds and they are known to use fishing nets whose mesh sizes are far smaller than the legislated mesh sizes.

The illegal fishing practices in small scale fishing grounds and the ever increasing competition for resources, have a huge negative impact both on the resources and on the small scale fishers whose activities have great social and economic significance unlike industrial operators whose activities are purely and solely commercial.

In the vast majority of the third world countries, there are hardly any specific legislation governing small-scale fisheries. The open access nature of small scale fisheries and the widely scattered nature of fishing communities and fish landing sites make it difficult to regulate fishing and related activities. The lack of human, material and physical resources of local fisheries administrations and sub-regional and regional fisheries bodies to monitor, control and manage fishing activities is another reason for the continued occurrence of illegal fishing practices. Local fisheries administrations, which are often very centralised, are constrained by the lack of personnel and means of transport to monitor fishing activities in the widely scattered settlements to ensure that fishing is practised in a responsible manner. In most cases, the reporting of illegal fishing activities comes from the local citizenry, communities and groups only when there are conflicts and the fisheries administrations are requested to intervene to resolve the conflict(s).

There is an urgent need for collective international effort (in the form of long term support to national Governments of the poorer underdeveloped and developing countries) to combat illegal fishing practices in small scale fisheries. The most important aspects of the long term support will be in the form of capacity building and in the strengthening of MCS systems. An integrated and participatory approach to sustainable development and management of small scale fisheries involving all stakeholders (resource users and Governments) is recommended. This is as a result of the failure of national Governments to adequately manage small-scale fisheries on a sustainable basis and the inability of local fisheries administrations to combat illegal fishing activities alone.

An international plan of action to combat illegal fishing practices in small scale fisheries has to be elaborated and put into effect without delay because the increasing competition

for the overexploited resources cannot be sustained. The plan should include, among other things: assistance and support to national Governments to elaborate legislation and regulations for small scale fisheries; the implementation of the FAO Code of Conduct for Responsible Fisheries and its incorporation in national fisheries policy and legislation; awareness and sensitization of fisherfolks on biodiversity and the sustainability of resources; the strengthening of local fisheries organisations and institutions for community based and or participatory management or co-management.

SUGGESTIONS FOR IPOA TEXT

The plan should include, among other things:

- assistance and support to national Governments to elaborate legislation and regulations for small scale fisheries;
- the implementation of the FAO Code of Conduct for Responsible Fisheries and its incorporation in national fisheries policy and legislation;
- awareness and sensitization of fisherfolks on biodiversity and the sustainability of resources;
- the strengthening of local fisheries organisations and institutions for community based and or participatory management or co-management.

Without the long term substantial assistance and support from the developed countries, these poor countries will not be able to combat illegal fishing practices in small-scale fishing. In this day of international fishing agreements between underdeveloped and developed countries for access to fisheries resources by the developed countries, it is obligatory for the developed countries to assist the underdeveloped countries to manage their fisheries on a sustainable basis. For the immediate term, it is necessary to offer support in strengthening MCS capability and capacity and in human resources development. In the short term, it is vital to assist in the organisation and empowerment of fisherfolks to participate in policy formulation and management at the local level. It is necessary to offer assistance in the elaboration of legislation in the countries, which have yet to develop comprehensive legislation to govern small-scale fisheries.

It is obligatory to the Governments of the underdeveloped and developing countries to organize fisherfolks into viable organisations. It is also necessary for Governments to sensitize the fishers on the need for responsible fishing practices. It is also vital that Governments make genuine effort towards the strengthening of fisherfolks organizations by empowering them and encourage their participation in policy formulation and in the planning and implementation of development projects and programmes and, in fisheries management at the local level. Governments should also realise the need to consult with fishers in the enactment of legislation, which are designed to govern their activities. Without their consent and participation in the elaboration of legislation, fishers are not likely to respect any legislation.

Given the failure of Governments in their effort to directly manage small-scale fisheries, it is important for these Governments to consider the introduction of co-operative

management (co-management) and or community management systems for small-scale fisheries. It is also important for these Governments to revisit traditional fisheries management practices, which were proven to have been effective before the introduction of direct Government control and management of small-scale fisheries.

However, in conclusion, it should always be recognized that the fisheries resources are State property and Governments should reserve the right to intervene in any form of management system if there is evidence that management is going against the interests of the States and if legislation and regulations are not achieving the desired/expected outcomes.

1. INTRODUCTION

1. The vast majority of small-scale fisheries are located in the underdeveloped and developing countries. The national Governments, local fisheries administrations, sub regional and regional fisheries bodies in these countries are generally lacking in capability and capacity to manage small scale fisheries on a sustainable basis. Fisheries legislation and regulations for small scale marine and inland capture fisheries are virtually non existent in the majority of the third world countries. In the few countries where legislation and regulations exist, the legislation and regulations are ineffective and are hardly enforced.

2. Small-scale fisheries are generally open access in nature with no limitations on entry. This has led to the steady increase in the number of fishers giving rise to excessive levels of fishing and fierce competition for the fisheries resources which are threatened by overexploitation.

3. The ever-increasing competition for fish in small scale fishing grounds has brought about conflicts amongst small-scale fishers and also conflicts between small scale and large-scale (industrial) fishers. This competition has resulted in diminishing economic returns from fishing operations and a threat to the livelihood security of small-scale fishers and their families. Out of sheer desperation, many small-scale fishers have resorted to the use of explosives, poisons and highly destructive fishing gears, methods and techniques.

4. IUU fishing in small scale marine and inland capture fisheries has serious negative implications (biological, economic, environmental) for the continued availability of fish to support the communities and populations which are critically dependent on fishing and related activities. The contribution of small-scale fisheries to the socio-economic advancement of third world countries is also threatened.

5. The failure and inability of the national Governments of these countries to combat IUU in small-scale fisheries calls for a concerted international effort to combat IUU. Long term assistance and support from the developed countries is urgently required. In addition, the national Governments should make genuine effort to organise small-scale

fishers; sensitize them on responsible fishing practices; empower them and involve them in the decision-making processes including management at the local level.

6. An international plan of action has to be elaborated with urgency to safeguard the fisheries resources to benefit national Governments and present and future generations of fishers.

2. THE NATURE, SIGNIFICANCE AND EVOLUTION OF SMALL SCALE FISHERIES

7. The vast majority of small-scale fisheries are located in the poorer, underdeveloped and developing countries of the Southern Hemisphere. Small scale fisheries occur in all kinds of environment: in coastal waters, lagoons, rivers, estuaries, lakes and ponds in Africa, Asia, Europe (Mediterranean), North America, Latin America, Caribbean, Indian and Pacific Ocean countries.

8. The characteristics and relative importance of small-scale fisheries vary across countries and water bodies, but there are certain aspects, which are universal. Small-scale fishing communities tend to be critically dependent on fish resources for their food and livelihood security and are highly vulnerable to external pressures and shocks. Small-scale fishing communities are highly dynamic and provide significant direct and indirect employment. They are labour intensive and generally equitable in the sense that large income disparities tend to be avoided. Small-scale fisheries are usually well integrated with local marketing arrangements thereby tending to have a positive impact on food security and gender involvement (since women are frequently key players in fish processing and marketing).

9. There are differences between Coastal and Inland small-scale fisheries but the differences tend to relate more to the relative importance of the different problems in different environments. In inland waters, there are generally, but not always, a greater number of users and there is a great potential for conflict among and between users of inland water bodies (irrigation, transport, potable water etc.) The international or regional frontier nature of many inland water bodies is another potential source for conflict among and between users in the different countries sharing the water bodies.

10. At the early stages of small scale fisheries development, fishers tended to use highly selective fishing gears and their effects on ecosystems, being highly localised, resembled the effect of natural predation. Small-scale fisheries tended to be well regulated and inherently sustainable and the resource users generally respected traditional management. During the colonial and postcolonial eras, Governments took over the control and management of fisheries. In many of the countries, Governments embarked upon development initiatives, which drastically transformed small-scale fisheries from subsistence activities into activities capable of generating significant economic exchanges. Presently, small-scale fisheries are characterised by excessive technological development of the means of fish production associated with excessive and unsustainable exploitation of the resources. In nearly all small-scale fisheries, access to the resources is

open and free with hardly any limitation or regulation governing entry into the fishery. Fish landing sites and settlements are widely scattered and many small-scale fishers, by nature, usually work as individuals or in individual family units within fishing communities. However, small-scale fisheries play a very important role in the national economies of a vast majority of developing countries where its contribution to GDP is very significant.

3. THE NATURE AND CAUSES OF ILLEGAL, UNREGULATED AND UNREPORTED FISHING IN SMALL SCALE FISHERIES

11. In most of the small scale Marine and Inland capture fisheries, there are many evidences of illegal, unregulated and unreported fishing practices. The nature and causes of IUU fishing in small-scale fishing do vary and come in many forms depending on circumstances and situations as they affect the different fishers in different localities and settings. Unlike large scale or industrial fisheries which are governed by legislation/ regulations, small scale fisheries, in most cases, are not governed by legislation and there are hardly any system for monitoring and reporting of fishing activities.

12. It is therefore necessary to approach the issue of IUU in small scale fisheries by initially describing the nature and causes of illegal fishing practices in small scale fisheries and then discuss the interrelated issues of unregulated and unreported fishing within the small scale fisheries sub-sector.

13. Illegal fishing practices in small scale fisheries include the use of dynamite and other explosives and poisons to kill fish; the use of small meshed fishing nets and other destructive gears, methods and techniques; the use of traps and weirs and, the wilful destruction of corals in reef fisheries.

14. However, it is a fact that large-scale industrial fishing vessels (local and foreign) are also guilty of committing illegal fishing practices in small scale fishing grounds. The encroachment of industrial fishing vessels in artisanal fishing grounds and the use of small mesh size nets contrary to the conditions of licence, constitute illegal fishing practices by industrial fisheries. These illegal fishing practices have a huge negative impact both on the resources and on the small-scale fishers who are the likely losers in any competition for the resources.

15. The causes leading to illegal fishing practices in small-scale fisheries are usually as a direct result of certain problems of an economic, institutional and social nature. These problems also have profound biological consequences.

16. The economic problems can be attributed to the open access nature of small scale fisheries giving rise to too many fishers competing for an overexploited and vulnerable resource; the increasing international demand for fish and; the loss of income as a direct result of competition and conflict with industrial fisheries. The social problems include the widespread nature of fishing communities/ settlements; the low social status of small scale fishers and the general poverty that exist within communities/settlements and; the

departure from traditional management regimes to direct management by Governments. The institutional problems include the general absence of legislation governing small scale fisheries; the non enforcement of regulations in countries where such regulations exist and; the lack of capability and capacity of fisheries administrations to effectively monitor, control and manage fishing and related activities. The biological consequences include the destruction of natural habitats and ecosystems, which support fish populations; the capture of juvenile and immature fish and the loss of fish stocks especially the most commercial and target species.

17. For centuries, Lake Victoria (shared by Kenya, Tanzania and Uganda) has been providing a livelihood for the local people and has been a source of cheap protein for many inland communities throughout East Africa. The fishery of the Lake was a highly diverse, multi-species fishery serving local needs and informal trade networks. However, the development of an industrial trawl fishery and the introduction of new fish species brought about the ecological transformation of the Lake and also, the transformation of the part time subsistence fishing activities into full-time income generating activities. These transformations also gave rise to an increase in the number of fishers in the Lake. In the early 1970s, there were 11,000 small-scale fishers in Kenya and by 1995, the number of small-scale fishers rose to 30,000. Presently, there are 75,000 small-scale fishers active in the Lake.

18. The industrial trawl fishery and the increasing population of the Nile perch (which was introduced in the Lake in the late 1950s) brought about the establishment of many Lakeside industrial fish processing factories. The advent of the fish processing factories and the export demand of fish from the Lake led to the reduction of fish supplies and considerable job losses to the small-scale sub-sector. With diminishing economic returns from fishing operations and the absence of effective regulations to address the increasing competition for resources between industrial and small scale fishers, there was an alarming increase in the use of destructive fishing techniques including the use of explosives and poisons by small-scale fishers.

19. Rapid urban growth in Pacific Island States has led to the destruction of mangroves and beach areas, the pollution of lagoons and reefs and, the loss of marine fish and their supporting ecosystems. The impacts of these practices exacerbate the effects on the resources, which were compounded by the introduction of new inherently unsustainable fishing practices. The use of explosives and poisons in some fishing communities in Pacific countries has been well documented. So is the use of the highly destructive fishing practice Muro-ami (the deliberate destruction of corals to drive fish into nets). All the illegal practices are a means of ensuring economic earnings for small-scale fishers for their livelihood and survival. There is also evidence on the removal of excessive number of live fish for export as luxury food or for aquarium uses. The same is true for excessive and indiscriminate harvesting of shellfish to satisfy the demand for shells for collectors or the cottage industries.

20. In Africa, illegal fishing practices are rampant and are manifested in different forms. It has already been mentioned that small-scale fishers in Lake Victoria resort to the use of

explosives and poisons because their livelihoods are being threatened by industrial fishing activities. Small-scale fishers are also in the habit of using dynamite and poison in the East African reef fishery (Mafia Island in Tanzania).

21. Juvenile and immature fish and shrimp constitute the bulk of the catch of the estuarine shrimp fishery in many African countries as a direct result of the use of small mesh sized stow nets (14mm and under) which are below the legislated mesh size for stow nets (28mm in The Gambia).

22. The use of the highly destructive beach seine net is popular in many African countries and is widely used along the coasts, in lagoons, estuaries and rivers in areas which are usually classified as nursery grounds. The beach seine net has been confirmed to catch a higher proportion of juvenile and immature fish than adult fish because the nets used to construct the beach seine net are deliberately of small meshes. The motivation is (to catch fresh mature fish) solely for economic reasons. The juvenile and immature fish are usually discarded because they have little or no economic value. In the few countries where the beach seine net is banned, (Gabon and The Gambia) enforcement of the ban has proven to be impossible without the collaboration and support of the local fishing communities.

23. In many African rivers and tributaries, fishers are known to use traps and weirs for the indiscriminate harvesting of fish. Certain fishers operating in isolated locations are known to block tributaries when fish enter to spawn. The fish are then trapped and caught with scoop nets and baskets.

24. Industrial fishing vessels, both foreign and local, operating with or without fishing licences, are also guilty of committing illegal fishing activities in fishing grounds which are reserved for small scale fishers. In Madagascar for example, it is on record that more than two-thirds of the industrial shrimp trawler catches for 1998 were made within the 2 mile zone which, by Law, is reserved exclusively for small scale fishers. It is also on record that in Argentina, the industrial fishing vessels operating under the agreement with the European Union have switched to targeting the pelagic and inshore resources contrary to the conditions of their fishing licences. The industrial fishing vessels were licensed to target the hake stocks but because of the depletion of the hake stocks (as a direct result of over-capacity) they turned their attention to the pelagic and inshore stocks at the detriment of the local fishers who depend solely on the pelagic and inshore stocks for their livelihood and survival.

25. In the coastal waters of the West African sub-region (Mauritania, Cape Verde, Senegal, The Gambia, Guinea Bissau, Republic of Guinea and Sierra Leone) industrial fishing vessels are habitually encroaching in small scale fishing grounds and they are on record for employing fishing gears, methods and techniques which are prohibited for use. This is true for both pirate fishing vessels and those operating with valid fishing licences. These countries have established an intergovernmental fisheries organisation (The Sub-regional Fisheries Commission) and have elaborated several conventions and protocols for the sound and sustainable management of the fisheries resources. The Commission is

implementing an externally funded MCS project. The project concentrates on aerial surveillance, which is to be backed by maritime surveillance by the member countries. A review of the data from the aerial surveillance missions reveals the high rate of illegal fishing in these waters. For January and February 2000, the percentage of industrial fishing vessels, which were spotted committing offences, was as low as 3 percent in Mauritania and as high as 82 percent in the Republic of Guinea. Some of these fishing vessels were spotted fishing as close to 3 miles from the coast. Most of the offences were related to fishing in the wrong zone, fishing without licences and improper marking of vessels (SOCU, 1999). In spite of the high rate of illegal fishing in these waters, the arrest and conviction of fishing vessels committing offences is very low as a direct result of the lack of means for effective maritime patrols.

4. UNREGULATED AND UNREPORTED ILLEGAL FISHING PRACTICES IN SMALL SCALE FISHERIES

26. Small-scale fisheries are generally unregulated and there is hardly any reporting system of fishing activities. There are several reasons for this situation in small-scale fisheries and they include the following.

- In many small-scale fisheries there are no restrictions on entry into the fishery. This has resulted in the excessive number of fishers especially people without alternative employment. In turn, this has given rise to increased competition for the resources and diminishing catches and earnings.
- Local fisheries administrations in the poorer, underdeveloped and developing countries do not have adequate human and material resources to effectively monitor and control small scale fishing activities in the widely scattered fishing communities and fish landing sites. The fishing practices and fish catches of small-scale fishers are rarely reported because fisheries field staff is hardly present in the remote settlements. Local fisheries administrations are usually poorly staffed without much expertise and adequate budgetary allocations to manage fisheries on a sustainable basis. The general lack of mobility to allow for regular visits to fishing communities and fish landing sites make it difficult for fisheries administrations to combat illegal fishing. It can be summarised that fishing communities in general, are not adequately organised and empowered to manage and control exploitation of resources. There is therefore a breakdown of the old system or order of traditional management and the new system of government managed fisheries is inadequate. Hence the need for reinvention of the new order of partnership or co-management of fisheries resources.
- The issue of migrant fishermen is relevant. They are usually not integrated into the local settings and may not conform to legislation. Migrant fishermen are often more technologically advanced than the fishers in the host countries and they use more sophisticated fishing gears, methods and techniques some of which are highly destructive. When in host countries, most migrant fishermen (in Africa) are guests of the community or village heads to whom they are most generous and are thus protected even when they flout regulations;

- Ineffective fisheries extension services and the general lack to mobility to cover the widely dispersed fish landing sites and settlements make it difficult to monitor, record and report illegal fishing operations. These are often only reported when there are fishing conflicts among and between small-scale fishers and between small-scale and industrial fisheries.
- the inability of Governments to curb illegal fishing activities by industrial fishing vessels in fishing waters exclusively reserved for small scale fishers is mainly as a result of ineffective monitoring, control and surveillance systems. For example industrial fishing vessel operations in small-scale fishing grounds at times of absence of the MCS operations are well known phenomenon in coastal fisheries in West Africa in particular and in many other parts of the world.

5. CONCLUSION AND CONSIDERATIONS.

27. In almost or all the third world countries, small-scale fisheries are open access in nature and are generally unregulated. Fishing activities, whether legal or illegal, are rarely reported. In these countries, direct Government control and management of small-scale fisheries have, in most cases, failed to produce the desired effects. This is in spite of national aims and objectives to develop the sub-sector to provide social and economic benefits to the populations, which are critically and or totally dependent on fishing as a means of livelihood. In the vast majority of these countries, the general absence of specific legislation and regulations for small scale fisheries and, the common property nature of the resources have given rise to the excessive number of fishers and excessive levels of fishing. The excessive levels of fishing effort associated with the free and open access nature of small-scale fisheries are causing serious resource and economic problems. The intense competition for the resources among small scale fishers and, between large and small scale fishers, are resulting in declining catch per unit of effort, diminishing economic returns from fishing operations and, the overexploitation of the resources. The need to fish, to catch fish to earn a living is compelling many small-scale fishers to resort to illegal fishing practices. These illegal fishing practices are increasing at an alarming rate, with serious negative impacts on the resources and the ecosystems on which they depend.

28. Given the general absence of specific legislation and regulations and, the financial, human, material and technical weaknesses of local fisheries administrations to effectively monitor, control and manage small scale fisheries, it is a problem of monumental proportions for the poorer underdeveloped and developing countries to adequately address the problem of IUU fishing with the view to curbing or eliminating it.

29. Without the long term substantial assistance and support from the developed countries, these poor countries will not be able to combat illegal fishing practices in small-scale fishing. In this day of international fishing agreements between underdeveloped and developed countries for access to fisheries resources by the developed countries, it is obligatory for the developed countries to assist the underdeveloped countries to manage their fisheries on a sustainable basis. For the immediate term, it is necessary to offer support in strengthening MCS capability and

capacity and in human resources development. In the short term, it is vital to assist in the organisation and empowerment of fisherfolks to participate in policy formulation and management at the local level. It is necessary to offer assistance in the elaboration of legislation in the countries, which have yet to develop comprehensive legislation to govern small-scale fisheries.

30. It is obligatory to the Governments of the underdeveloped and developing countries to organize fisherfolks into viable organisations. It is also necessary for Governments to sensitize the fishers on the need for responsible fishing practices. It is also vital that Governments make genuine effort towards the strengthening of fisherfolks organizations by empowering them and encourage their participation in policy formulation and in the planning and implementation of development projects and programmes and, in fisheries management at the local level. Governments should also realise the need to consult with fishers in the enactment of legislation, which are designed to govern their activities. Without their consent and participation in the elaboration of legislation, fishers are not likely to respect any legislation.

31. Given the failure of Governments in their effort to directly manage small-scale fisheries, it is important for these Governments to consider the introduction of co-operative management (co-management) and or community management systems for small-scale fisheries. It is also important for these Governments to revisit traditional fisheries management practices, which were proven to have been effective before the introduction of direct Government control and management of small-scale fisheries.

32. However, in conclusion, it should always be recognized that the fisheries resources are State property and Governments should reserve the right to intervene in any form of management system if there is evidence that management is going against the interests of the States and if legislation and regulations are not achieving the desired/expected outcomes.

REFERENCES

1. The Code of Conduct for Responsible Fisheries - FAO Technical Guidelines for Responsible Fisheries
2. Fisheries Management - FAO Technical Guidelines for Responsible Supplement No. 4
3. Inland Fisheries-FAO Technical Guidelines for Responsible Fisheries Supplement No. 6
4. Fishing Operations - FAO Technical Guidelines for Responsible Fisheries Supplement No. 1
5. ACP-EU Fisheries research Report No. 5 (September 1999)

- International and Regional Cooperation in fisheries research: the case of North Africa (by Moctar Ba)
- Can traditional community based fisheries management systems be used in a modern context (by Kenneth Ruddle)
- Fisheries Governance in the Caribbean by (Patric McConney)
- Good governance for the fisheries of OECS member states (by Peter Murray)

6. Satia, B. P. and B. W. Horemans, Report of the Workshop on Participatory Approaches and Traditional Fishery Management Practices in West Africa. Conakry, Guinea, 13 to 15 November 1995. Cotonou, programme for the Integrated development of Artisanal Fisheries in West Africa. 96p., IDAF/WP/74 Technical Report No. 74 (December 1995)

7. Forgotten Waters: Freshwater and marine Ecosystems in Africa (Strategies for Biodiversity Conservation and Sustainable development) - Caroly A. Shumway.

8. Coalition for fair Fisheries Agreements - Parts 1, 3, 4, 5, and 6 EU Madagascar Fisheries Agreement

9. FAO Technical Guidelines for Responsible Fisheries (The Management of Small-scale Fisheries Zero Draft and Zero plus one Draft - November 1999)

10. Surveillance Operations Co-ordinating Unit (SOCU). Report of February 2000 (Sub-regional Aerial Surveillance Project).

[109] Mr Drammeh is undertaking further research on this topic. He would be pleased to be contacted by other experts with an interest in issues relating to small-scale marine and inland capture fisheries. Mr Drammeh's email address is gamfish@gamtel.gm

