

# **ASSESSMENT REPORT ON SMALL-SCALE FISHERIES IN AFRICA**

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## **1. Background**

In June 2012 Masifundise attended a “Think Tank” meeting in Cote d’Ivoire hosted by the Inter African Bureau for Animal Resources (AU-IBAR) of the African Union. The purpose of the meeting was to reach agreement on key issues relating to fisheries governance and to map the process ahead for developing a new policy framework and comprehensive fisheries reform strategy for Africa. A key outcome of the meeting was the need for five regional assessments to be conducted on fisheries in Africa. Given our extensive experience relating to small-scale fisheries Masifundise was selected to give inputs on small-scale fisheries in Southern Africa as part of the assessment team for that region. In addition to this Masifundise was tasked with preparing this report on small-scale fisheries for the whole of Africa, to supplement the five regional assessments.

## **2. Introduction and scope**

The following summary report focuses on small-scale fisheries\* in Africa and highlights the main challenges and opportunities related to the sector. The report focuses on the small-scale sector exclusively because (a) this is where Masifundise’s experience and expertise lies (b) we work closely with partner organisations involved in the sector and (c) small-scale fisheries is quite distinct from industrial fisheries, both in terms of its nature and the challenges and opportunities linked to the sector. Small-scale fishers account for over 90% of the world’s fishers as such they should be central to any efforts at reforms to fisheries policies and governance.

It is always our policy to consult as widely as possible to get the perspective directly from the fishers; however the time and resources set aside for this assessment did not allow for such thorough consultation. The content of this report was drawn from research papers, research programme reports, reports from workshops and conferences hosted by Masifundise and partner organisations, interviews with researchers and consultations via email with 19 partner organisations on the continent. Uncited inputs are drawn from Masifundise’s knowledge of the pertinent issues, accumulated over more than 10 years of experience in dealing directly with small-scale fishing communities in South Africa and internationally.

Many of the countries where small-scale fishing plays a vital role in terms of livelihoods and food security have not given inputs to this report. This is largely because of the low levels of organisation within small-scale fisheries in these countries which has prevented us from identifying suitable informants. Language barriers have also hindered efforts to engage organisations in the Francophone and Lusophone countries particularly.

\*The focus is on inland and marine capture fisheries. Many of the issues are also relevant to small-scale aquaculture, but this sector is not covered specifically.

## **3. Importance and characteristics of the sector**

### **3.1 Defining the sector**

A universally applicable definition of small-scale fisheries is problematic and an over-arching definition of ‘small-scale fisheries’ highlighting the defining characteristics of small-scale fishers is more useful. Small-scale fishers can broadly be defined as the fishing sector that includes those who harvest predominantly for their own household consumption, those who sell to the market but retain a portion of their catch for local consumption, and those who harvest almost exclusively for the market but on a small scale compared to large-scale industrial fisheries [1]. Small-scale fishers typically use non-industrialised methods of harvesting (passive gear or manually hauled) which has a low impact on the ecosystem is energy efficient and has a low carbon footprint [2]. The above descriptions do not include pre-, and post-harvest workers, such as boat builders, fisher processors

and fish traders. It is estimated that four additional jobs are created for every person involved in harvesting the resource.

### 3.2 Number of fishers

According to estimates, 10 million Africans rely on small-scale fisheries as their primary livelihood, and a further 90 million (farmers and resource poor) depend on fishing as part of a diversified livelihood strategy [3]. Below is a table indicating the approximate number of fishers (including those involved in post-harvest activities) in the countries for which we have data:

Country	No. of fishers
<b>Southern Africa</b>	
Angola <sup>3,4</sup>	700 000
DRC	2,400 000
Malawi	400 000
Mozambique	350 000
South Africa	100 000
<b>West Africa</b>	
Ghana	650 000
Senegal	600 000
Sierra Leone	230 000
<b>East Africa</b>	
Kenya	145 000
Uganda	1,000 000 – 1,500 000
Tanzania	2,000 000

### 3.3 Food security and fish supply

Some 200 million Africans rely on fish as their primary source of protein and important micro-nutrients [3]. In Sierra Leone fish accounts for 80% of the animal protein intake [4]. In Senegal 75% of animal protein consumed is fish and the annual per capita fish consumption is 26kg, compared to the global average of 16kg. [5]. In Ghana these figure are 60% and 20-25kg respectively [6]. A similar pattern is seen in most other African countries where populations traditionally have been dependent of fish as a source of protein.

In many countries in Africa the great majority of fish landed is consumed locally. Fish “landed” is not necessarily the same as fish “caught” and in many countries fish caught by industrial vessels is either transshipped or landed in a neighbouring country from where it is exported. In such a case the figures for fish landed don’t reflect the total harvest of fish within a country’s EEZ. In Angola 94% of all fish caught in the Exclusive Economic Zone (EEZ) is landed in Angola and only 5% of all fish landed is exported to foreign markets [7]. In the DRC there is no foreign export of fish, although there is some regional trade, primarily with the Central African Republic and the Republic of Congo [8]. Fish landings in the DRC are not sufficient to meet local demand and the country also relies on fish imports for food security [9]. The same is true of many other African countries, including Ghana where domestic supply is largely seasonal. Food security in Ghana is further threatened by exports which are driving up domestic fish prices [6], a situation also common to many African countries. In Sierra Leone 95% of the fish landed by artisanal fishers is consumed locally and only 5% is exported [10]. In Mauritius all of the fish landed by the domestic sectors is consumed locally, besides a small quantity of high value species which are exported to nearby Reunion Island [11]. Namibia is a notable exception where 97% of marine fish caught – all harvested by industrial vessels - is exported [7]. There is a dearth of information available on small-scale fisheries in Namibia. However, Masifundise's sources indicate that small-scale fishing contributes significantly to livelihood opportunities (jobs) and food security in the northern interior of Namibia. In most countries in Africa

small-scale fishers account for the bulk of the local fish supply. In the DRC, for instance, about 90% of the national fish production is by small-scale fishers [8]. Similarly, in Mozambique about 93% of the tonnage landed comes from small-scale fisheries [12] which gives some indication of the crucial role that the sector plays in providing local communities with an affordable source of protein. There is also significant underreporting of landings made by small-scale fishers in Mozambique [2]. In Malawi 95% of fish landings are made by small-scale fishers [13] and in both Senegal [14] and Nigeria [15] the figure is 80%. Much of the fish caught in Nigeria is sold in Cameroon, Benin, Chad and Niger, contributing to food security in those countries [15]. About 70% of the fish landed in Sierra Leone is caught by artisanal fishers of which 10% is sold in Guinea Conakry, Liberia, Ghana and The Gambia [10]. Migration of fishers is a common phenomenon, where small-scale fishers harvest fish in neighbouring countries. About 90% of small-scale fishers fishing in Gabonese waters are from Nigeria and many of the balance are from Togo and Benin. Similarly in Togo 70-80% of the fishers are foreigners, and in Mauritania the figure is 20% [16].

### **3.4 Role of women**

Women play a critical role in small-scale fisheries across Southern Africa. They are involved primarily in post-harvest activities as fish processors (smoking, salting, etc), sellers and traders. In some instances, as in the DRC, women also provide loans to fishermen [8]. In Kenya about 6% of the women involved in the industry are boat owners [17]. Vessel and gear ownership amongst women is also quite high in several West African countries [2]. Women are also directly involved in harvesting fish resources, as in the DRC where a number of the net fishers are women [8]. In South Africa a number of women go to sea to fish and many women harvest intertidal resource for basic food consumption and as part of range of livelihood strategies depending on the natural resource base [18].

### **3.5 Organisation of fishers**

Small-scale fishers in Africa are for the most part either poorly organised or they lack the appropriate organisational structures for engaging in fisheries governance and management. The structures that do exist either function at a very local level with insufficient information and agency to engage in high-level policy-making processes or they function at a regional/national level and lack adequate resources and capacity to serve their vast constituency effectively. The former model tends to predominate in Southern and East Africa. In Mozambique for instance there were 415 “community based organisations” operating at village level in 2010, but no national structure [12]. The latter model is most often the reality in West African countries where many national (professional) organisations exist. In Liberia for instance the Liberia Artisanal Fishermen’s Association represents more than 33,000 fishers across the entire country [19]. Similarly in Sierra Leone there are two national organisations, SLAFU and SLAAFU. Their membership of SLAAFU is 17,000 [10] and SLAFU has almost 10,000 members [23]. In many West African countries the professional organisations are also activity-specific i.e. the organisation representing fish traders are separate and distinct from the organisation representing fish harvesters or boat owners [20], [21]. In some regions structures only exist as a result of government supported initiatives aimed at establishing co-management systems, and usually these structures collapse when government funding is withdrawn. In some instances there are differing levels of organisation within the same country. In South Africa for instance fishers along the west coast are well organised as part of a community-based organisation, Coastal Links [18]. Along the east coast of South Africa the more remote fishing communities are not as well organised and as a result they have been further marginalised both in terms of resource allocation and participation in decision making [18]. The same is true of Puntland (Somalia), where the better organised small-scale fishers have been able to access greater benefits than poorly organised fishers [22]. In a number of countries in Southern Africa, namely Angola, the DRC and Mozambique, government-appointed “Institutes” serve as national structures that bridge the gap between fishing communities and the fisheries ministries. A lack of organised fishing communities in many African countries is a key reason why there are no direct inputs from those countries included in this report.

## **4. Fisheries governance and management**

### **4.1 Recognition as a sector**

For the most part small-scale fisheries are legally recognised as a sector in Africa, and in some countries such as Angola [7], Mozambique [12] Sierra Leone [10], Liberia [19], Nigeria [15], Ghana, Guinea Conakry, Senegal, Mauritania and Guinea Bissau [16] there is an Inshore Exclusive Zone (IEZ) allocated to small-scale fishers. Similarly in the DRC [8] and Malawi [13] there is a demarcated zone for use by small-scale fishers exclusively. In Djibouti the entire EEZ is reserved for small-scale fishers [16]. In at least Malawi [13], Liberia [19], Sierra Leone [23], Mozambique [12] Nigeria [15], and the DRC [8] there are however regular incursions by industrial vessels into these exclusive zones resulting in ongoing conflict. In Kenya, where there is no exclusive coastal zone reserved for small-scale fishers and the resultant over-exploitation has led to a decline in landings made by the small-scale coastal fishery of about 80% in recent years [24]. This has forced many fishers out of the sector to look for alternative means of livelihood. In South Africa\* and Namibia small-scale fisheries has not been formally recognised as a sector and as such fishers are afforded no protection by law [7].

\* a small-scale fishing policy was gazetted in May 2012, for the first time recognizing small-scale fishers as a sector. It is expected that policy implementation will begin towards the end of 2012.

### **4.2 Involvement in policy-making**

Small-scale fishers have largely not been involved in policy-making processes in Africa. In Mozambique fisheries laws and regulations are made at a national level and the fishers feel that each region is unique and these laws and regulations don't account for this variation [12]. In Mauritius the Fisheries and Marine Protection Act makes provision for a Fisheries Consultative Committee comprising fishers to be consulted on policy issues. However, the committee is not efficient and the voice of fishers in Mauritius is often not heard by the authorities. Additionally, the various lobbies against small-scale fishers are very powerful [11]. In South Africa small-scale fishers have only been involved in policy making in the last seven years, during which time the fishers themselves (including women) were directly involved in the development of a new small-scale fishing policy as part of the National Task Team [18]. In Kenya, where fishers have been invited to give inputs into policy processes specific fishers are selected to participate rather than the process being open for the community to nominate a representative [24]. Due to insufficient time we were unable to gain concrete examples outside of East and Southern Africa but it is well-known that the majority of states in Africa do not include small-scale fishers sufficiently in policy-making processes.

### **4.3 Co-management**

A 2004 FAO report highlighted that in Mauritania, Senegal, Guinea and Ghana small-scale fishers had been involved in the design of fishery management plans, but poor communication and coordination between the various stakeholders, lack of understanding the legal and regulatory framework and other factors often contributed to a failure to reach consensus [21]. Across Africa, and indeed elsewhere, authorities are often strongly opposed to power sharing and in case studies from Malawi, Mozambique, Zimbabwe, and Zambia, it was found that newly formed local co-management committees were also in conflict with local traditional authorities [27] Beach Village Committees and Beach Management Units have been established by government in many countries in East Africa and in some countries in West and Southern Africa. The purpose of these committees is to manage the fisheries and enforce the regulations at a local level. These co-management structures have largely failed, because they have been implemented in a top-down manner, without empowerment and involvement of small-scale fisher people. Poor internal governance and a lack of trust between stakeholders have also hindered the effectiveness of many of these structures [29]. In Tanzania most of the BMUs are in fact defunct [30]. In Mozambique co-management committees are reportedly integrated into the formal fisheries management process and also accommodate traditional practices and systems of management [12]. In two coastal provinces in South Africa co-management partners (government and fisher organisations) have successfully and jointly facilitated capacity

building of communities and government; improved monitoring of catches; improved market opportunities; created new job-opportunities in ancillary activities (marketing, monitoring etc.); and established fisheries regulations that are accepted by all partners and adhered to in majority of the approximately 40 fishing communities. The system is constantly being improved and forms a crucial platform for the implementation of the new national small-scale fisheries policy in the country.

#### **4.4 Institutional capacity**

In most of the countries for which we have information it was noted that there is a lack of institutional capacity within the state departments to manage fisheries effectively, which includes engaging with fishing communities. In Mozambique, the lack of institutional infrastructure to supervise the lengthy coastline, to investigate reported cases and sue the offenders, leaves the country vulnerable to Illegal Unreported and Unregulated (IUU) fishing [12]. In Kenya the Ministry of Fisheries does not have sufficient seaworthy vessels to patrol the coastline and relies largely on commercial fishing vessels to conduct surveillance, which is inherently problematic [24]. In Sierra Leone the navy and maritime police do not have the vessels needed to patrol the coastline effectively [10]. Catch data monitoring systems are also poorly developed in many countries. In Kenya for instance some organisations estimate that about 90% of coastal landings are not recorded [24]. In Tanzania Monitoring, Control and Surveillance activities are only undertaken periodically and are mostly dependent on donor funding [30]. In South Africa, the weak institutional arrangements and lack of enforcement capacity has resulted in unchecked illegal fishing practices in both the industrial fisheries and the small-scale sector. This is the prevailing pattern across Africa where IUU fishing is rampant, leads to overfishing, and not only infringes on the ability of small-scale fishers to put food on the table and secure their livelihoods but in some instances places their lives at risk.

#### **4.5 Gender and governance**

The voice of women is noticeably absent in all levels of decision making regarding fisheries. Governmental institutions (national and international) are dominated by men, and so the patriarchal system prevails. This is partly reflected in the principal focus on the fish harvesting activities in discussions on fisheries governance, with little attention being given to the pre- and post-harvest activities, in which women are primarily involved.

### **5. Factors limiting transition to better outcomes**

#### **5.1 Marginalisation of small-scale fishers**

The low level of organisation of small-scale fishers in most countries in Africa has hindered their participation in fisheries governance. In instances where small-scale fisher associations do exist, they are often manipulated by the fishing industry, elite groups in the community and the authorities and fail to represent the interest of the fishers. This was cited as a particular challenge in Mauritania [21]. Furthermore, the lack of reasonably accurate information relating to small-scale fisheries has in part resulted in the sector being undervalued and not given sufficient attention [31]. Traditionally, small-scale fisher people have maintained their livelihoods without specific needs to form strong organisational structures. As resources have become scarce, the financially and politically powerful stakeholders (including the political elite and foreign fishing nations and companies) have succeeded in dominating the decision making processes at the expense of the rather un-organised small-scale sectors. Insecure land tenure for small-scale fishers has also resulted in their displacement from beaches and reduced/ restricted access to beaches for launching, landing by property developers and tourism operators in some countries, including Malawi [13]. In South Africa, the introduction of the Individual Transferrable Quota (ITQ) system of rights allocation and the non-recognition of the small-scale sector by law resulted in fishing being forced to harvest marine resources illegally to meet their daily needs. [18] The ITQ system is also liable to elite capture in poor communities where there is an imbalance of power and a lack of transparency [29]. Attempts to transition to an ITQ system of rights allocation in Mauritania have so far failed [2].

## **5.2 Gender inequity**

Women remain marginalised within the small-scale fishing sector, both in terms of their fishing related activities and their role in decision-making processes. In parts of Mozambique for instance women are not allowed to engage in the marketing of fish by their husbands, as this would “bring them in uncontrolled contact with other men” [12]. In Malawi women also do not enjoy equal status to men as fish traders, with many women being forced to perform sexual favours to access the supply of fish resources [13]. This practice, known as “Sex for fish” is also common in Kenya and numerous other countries in Africa. Traditional beliefs prevent women from entering the sector as fish harvesters in many countries, including Kenya where certain taboos exist [17], [24]. A lack of access to credit, water, adequate sanitation, high levels of literacy, vulnerability to HIV/AIDS, low bargaining power, access to and management of the fishery resources are just some of the effects of the marginalization of women in the sector [26]. An underlying problem is that women are excluded from decision-making processes at all levels, from community level to state level. An often-cited key explanation for this problem is the patriarchal system that in most countries still prevails in every corner of society. In Uganda, influential positions within decision-making structures are mostly held by men, which contributes to the marginalisation of women in small-scale fisheries [26].

Programmes supported and/or initiated by governments or donors, only address the problem at community level, but governments and donors do little themselves to ensure gender equity within their own institutions. This is reflected in most high level fisheries meetings where the voice of women in small-scale fisheries is consistently absent.

## **5.3 Overexploitation, resource conflicts, and environmental degradation**

There is over exploitation of fish resources taking place in Africa on a grand scale. This is verified by constant fall in yearly catch records in many countries, including Mauritius where some species of fish have even been disappeared recently [11]. The lack of transparency in African fisheries policies, including in the allocation of licenses, has resulted in overexploitation in many countries [32]. Foreign fishing vessels (largely from the EU and Asia) ply African coastal waters, often under foreign access agreements and frequently they fail to observe the fishing license conditions [11]. These vessels regularly come into conflict with small-scale fishers, harvesting illegally in areas reserved for small-scale fishers and often damaging their nets [33]. This is a significant challenge in many countries, including Sierra Leone, where fishers confronting industrial vessels fishing illegally have even been killed [10]. In Puntland (Somalia) the gear of small-scale fishers is also often damaged or destroyed by industrial fishing vessels [22]. This is exacerbated by pirate activity and foreign navy patrols who often attack and sometimes kill small-scale fishers in the region [34]. Weak monitoring capacity in many countries has created a situation where IUU fishing activities are rampant. In 2006 FAO estimated losses of \$50 million and \$40 million in Angola and Mozambique respectively [35] and losses due to IUU fishing across Africa are estimated at \$1 billion [4]. IUU fishing was cited as the “single biggest threat to diversity and local fishing communities’ livelihoods” in Somalia [34]. Bycatch in industrial trawl fishing is depleting fish stock in many countries including the DRC [8]. The heavy gear used in industrial trawl is also destructive to the sea bed, with negative consequences for the entire ecosystem [33]. Despite a ban on industrial trawl fishing within the 5 mile coastal zone in Somalia this activity continues [34]. Similarly in South Africa some of the species targeted by small-scale fishers are caught by industrial fisheries, either as part of their quota (e.g. rock lobster) or as bycatch (e.g. snoek). This has negatively impacted directly on the fish stocks that small-scale fishers depend upon for their livelihoods, income and food security in local communities. The rapid decline of fish resources due to non-selective, destructive fishing by industrial fisheries is consistently raised by fishers as a major issue of concern. These impacts are exacerbated by climate change and various land use activities. In Malawi for instance, decreasing rainfall and human activities such as deforestation and agriculture are reducing the water supply to Lake Chikutu and Lake Chirwa which are drying up as a result, with disastrous effects for small-scale fishers [25]. Receding waters in Lake Chad is having a similar effect in fishers in the region [15]. Dam construction and pollution from industry and agriculture have also been reported by small-scale fisher organisations as an underlying

problem causing decline in fish stocks. In Nigeria oil spills in the Niger Delta region is cited as a primary cause of the decline in fish stocks [15].

## **6. Transitions to better outcomes**

### ***6.1 Involvement of small-scale fishers***

**The importance of empowerment and inclusion of fisher people in fisheries governance and management has been increasingly acknowledged over the past few decades. The development of the International Guidelines for Small-scale Fisheries by the Food and Agricultural Organisation (FAO) is a recent example on how small-scale fisher people are becoming increasingly acknowledged as a key stakeholder. It is imperative that governance of fisheries in Africa continues along this path.**

Fundamental to this approach is the inclusion of small-scale fishers in the development of national legislation through genuine participatory processes, so as to address the specific needs of inland and marine small-scale fisheries in ways that are appropriate to the local context [28]. In countries where small-scale fisheries are poorly organised, it is imperative to support fishing communities to become self-empowered and capable of engaging in policy-making processes. This will, as witnessed in South Africa, contribute towards (environmental, social and economic) sustainability in the sector and strengthened democracies – in particular in relation to fisheries governance.

The right to manage marine and inland fisheries resources, including in national parks and sanctuaries, should be vested with small-scale fisheries integrating their traditional / local knowledge and institutions in these processes. Responsibility for governance should be devolved to the most local level of authority where appropriate and where sufficient knowledge and competence exists or can be cultivated [28].

### ***6.2 Human-rights based approach instead of 'economic' approach***

We must also recognize that the benefits from fish resources cannot be measured purely in economic terms. Non-monetary benefits include the sharing of power, greater dignity, capacity development and empowerment, decreased conflict, increased food security and enhanced social cohesion. These equate to, or in some cases even exceed, the importance of monetary benefits [3]. States should therefore refrain from privatising aquatic ecosystems through policy mechanisms such as transferable fishing quotas or other systems that promote private property rights which result in the concentration of resource rights in the hands of the few at the expense of the fisher people who are inevitably dispossessed. Instead, states should implement measures to reverse the use of these mechanisms [28].

Fisheries experts from the World Fish Centre and many small-scale fisher organisations have argued that economic incentives for resource stewardship is insufficient when there are other sources of insecurity in people's lives that are unrelated to the state of fishery resources [29]. More secure, less vulnerable fishers make more effective and motivated fishery managers in the context of participatory and human rights-based fisheries governance.

### ***6.3 Gender equity***

***The critical role played by women within fisheries must be recognised and mechanisms to promote and protect women's rights to participate in all aspects of marine and coastal resource governance and management should put in place [28]. Implicit herein, is the need for gender equity in governance institutes, including the AU, the RFOs, and the RECs.***

Women within small-scale fishers should be empowered and encouraged to set up their own groups, organizations and networks [28]. Measures to improve women's access to fish and fish markets, particularly through provision of credit at affordable rates, appropriate technology and infrastructure (including water and sanitation) at landing sites and markets should be implemented

[28]. Gender disaggregated statistics should be collected to better describe women's work in both inland and marine fisheries in all aspects of the fisheries chain and to identify gender gaps in the sector [26].

#### **6.4 Protection of the resource**

**Inclusion of fisher people in decision making (defining objectives, management measures and implementation strategies for fisheries governance) creates the best platform for a small-scale fishery system where the resources are harvested at a sustainable level.** Contrary to this, the top-down approaches implemented by many eco-centric environmental organisations, government agencies and research institutes, have proven ineffective and in many cases worsened the situation by shifting social and power balances at the local level and triggering illegal fishing activities.

Furthermore, control and surveillance efforts should be strengthened and rules applied for sanctioning industrial fishing within the zones reserved for small-scale fishing [28]. Where such exclusive zones for small-scale fishers do not exist, they should be established and enforced. Selective and location-specific fishing gear should be promoted and the use of destructive fishing gear such as bottom trawling should be prohibited [28]. Greater transparency is needed to fight against IUU fishing, which is thriving when the opacity and corruption reign [32]. Steps should also be taken to protect the environment from oil and gas industry activities such as prospecting, drilling, transporting oil and the discharging of ships tanks into water and of pollution in general [28]. Policies and institutional frameworks for disaster mitigation and adaptation to climate change for small-scale fisheries should be developed [28]. Additionally, areas that are important in mitigating effects of climate change should be preserved in order to guarantee the maintenance of a healthy, resilient ecosystem. These areas include mangroves, dunes and coastal lagoons, which provide protection of the coast and river banks from erosion and the effects of floods [28]. Regional management is crucial to better manage shared stocks. For this to take place policy processes need to be harmonised between the Regional Fisheries Organisations (RFOs) and the Regional Economic Communities (RECs), despite the fact that the member states are not the same within these structures [32].

#### **7. Success story**

The ITQ system was introduced in South Africa in 2005 in an effort to maximize the commercial potential of fisheries in the country. This system effectively excluded the small-scale fishing sector who were largely unable to attain fishing quotas. Small-scale fishers, organised as Coastal Links, together with Masifundise and others launched a class action suit against the government on the grounds that the ITQ system was unconstitutional. The Equality Court granted a court order in May 2007, mandating government to develop a small-scale fishing policy through a participatory approach. To ensure such an inclusive process a national task team was appointed consisting of fishers from around the coastline, researchers and representatives from organised labour. The small-scale fisheries policy was gazetted in May 2012 and is expected to be implemented within the next year. The new policy will return to a system of community rights, rather than individual property rights, and will devolve the responsibility for managing the resource to the fishers themselves, as part of the co-management arrangements, principles that are actively supported by government. Such an inclusive policy development process is virtually unprecedented in the South African context and represents a major victory and success for democracy in this country.

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