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Strengthening Fisheries Governance for Improved Food Security: Policy Brief

FISHERIES INTEGRATION OF SOCIETY AND HABITATS (FISH) PROJECT

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THE UNIVERSITY OF RHODE ISLAND
GRADUATE SCHOOL OF OCEANOGRAPHY



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MALAWI



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Cover Photo

Fish from Lake Malawi for sale along the South West arm.
Credit: CEPA, Stanley Mvula, 2015

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Abbreviations and Acronyms

ADC	Area Development Committee
DoF	Department of Fisheries
DFO	District Fisheries Officer
FA	Fisheries Association
FISH	Fisheries Integration of Society and Habitats
GDP	Gross Domestic Product
LFMA	Local Fisheries Management Authority
MK	Malawi Kwacha
PFM	Participatory Fisheries Management
TA	Traditional Authority
USD	United States Dollar
VDC	Village Development Committee
WHO	World Health Organization

Objective

The objective of this policy brief is to inform high level decision makers of the urgent need to strengthen fisheries co-management and governance structures. This includes empowerment of co-management partners, both Local Fisheries Management Authorities (LFMAs), central, district and traditional government with shared responsibility to jointly enforce existing laws and policies as part of national fisheries development plans.

Key Policy Messages

- Fisheries directly employ 60,000 people who directly generate MK74.3 billion or USD \$161 million annually equivalent to 4% of the country's Gross Domestic Product (GDP). The indirect impacts on the economy through the fish value chain are estimated to be five times the direct value of the fishery.
- Fish consumption at 8.3 kg/cap/yr, is below the World Health Organization (WHO) standards for a balanced diet, but currently contributes 72% of total animal protein and 22% of total protein. Fish needs attention as a key poverty coping strategy for both food security and nutrition amongst the rural poor.
- Weak fisheries governance resulting from low financial support by central and local government has led to unsustainable fishing prices and the collapse of the Chambo fishery with an estimated annual loss of USD \$27 million. Therefore, continued low financial support will further weaken fisheries governance threatening the economic, food security, and livelihood contributions of fisheries to Malawi.
- In view of the above, there is need for treasury and district councils to allocate more resources to support participatory fisheries management.
- To address undervaluation of fisheries, the Department of Fisheries (DoF) needs to profile the fisheries sector in terms of its economic, food, and nutritional contribution to the national economy.
- To address the low levels of revenue generation by central and local government from the fisheries sector, government must increase revenue collection from the sector through increased license fees and penalties for illegal fishing commensurate with the value of the fisher.
- To support local government efforts in strengthening fisheries governance, there is need for a revenue sharing scheme for license fees and penalties between central and local government which will create a shared incentive for enforcing sustainable fisheries management between district councils and local fisheries management authorities (LFMAs).
- To improve efficacy and effectiveness of fisheries governance, the existing participatory fisheries management (PFM) system must be streamlined through promotion of ecosystem-based approach to participatory fisheries management, in which one fisheries authority, made up of a number of Beach Village Committees, is responsible for the management of a water body.
- Fisheries governance should be integrated into decentralized institutional structures and development plans.

Background

Status of the fishery sector and the need for Participatory Fisheries Management

Fish in Malawi is a major traditional source of food security and animal protein, playing a critical role in nutrition of the low-income groups, contributing 71.6% of total animal protein consumed. Fisheries resources are a key economic good, a source of employment for over 600,000 people, and contribute to foreign exchange in the form of tourism and aquarium fish exports.

With over 900 species of fish, Malawi has some of the highest freshwater bio-diversity in the world. In terms of value, fish landings in 2014 were estimated at 117,000 tons, worth MK74.33 billion or US\$160.18 million. Most fish is domestically consumed, contributing 8.3 kg/capita/year, which is below WHO standards for a balanced diet. The fisheries sub-sector alone accounts for about 4% GDP but the value chain may be four to five times this value.

Despite its significant and strategic role to the national economy, food security and nutrition, fisheries resources are under severe pressure due to increasing population demand, leading to overfishing, increased use of illegal gears and loss in breeding and nursery habitat due to environmental degradation and climate change. All pose a threat to sustainability of catches.

Box 1: Governance challenges experienced by Beach Village Committees in implementing participatory fisheries management

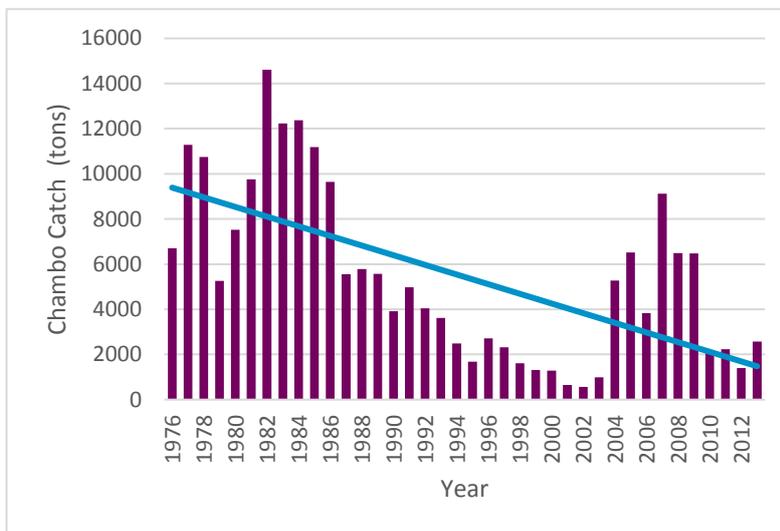
- Absence of by-laws has failed to empower the co-management roles and responsibility between state and LFMA, resulting in power struggles between BVCs and traditional authorities.
- Lack of significant proportionate and equitable representation of fishers in the LFMA has undermined efforts to implement fisheries co-management.
- The failure of local government to integrate fisheries in local development plans and by laws, as well as integration of support or LFMA in the decentralized administrative structures at VDC, ADC and district level.
- The enforcement of fishery regulations is weak and often absent.

Increased use of Illegal gears



Photo 1: Settlements on Lake Chilwa and mosquito nets being used for fishing (fish traps) and drying fish

Recent exploitation patterns show that there is a significant rise in under meshed nets such as Ngongongo beach seines and illegal fishing gears and illegal fishing practices bringing the opportunity cost of unsustainable fishing in 2007 to MK 3.9 billion (US\$ 27 million) equivalent to 0.8% of GDP (ibid). As a result, there has been a decline in some stocks such as Chambo catches in Lake Malawi and Malombe from 14,000 tons in the early 1990's to just 2,900 tons in 2013 due to increased usage of illegal under meshed gears like Nkacha nets and light attraction fishing practices. Meanwhile as a result of the disappearance of some species like Chambo, Ntchila and Mpsa etc, within the lakes and increased fishing effort using illegal under meshed nets like mosquito nets, Usipa production from Lake Malawi and Malombe has risen from 47,311 metric tons in 2009 to 99,000 tons/year.



To address these challenges, over the past two decades, government has implemented a policy on Participatory Fisheries Management (PFM), which was based on a 6-step principle.

This policy envisaged a co-management arrangement whereby responsibility for fisheries governance is shared between government and fishing communities. This power-sharing is linked to decentralization and is meant to be an integrated component of local government development plans and management systems from village to district level.

Figure 1: Chambo catch trend in Lakes Malawi (South East and South West arms) and Lake Malombe between 1976-2012

National policies supporting participatory fisheries

management (PFM)

Policy and legislative frameworks are very supportive of PFM in Malawi. Upon conclusion of the 1992 earth summit, Malawi National Environmental Action Plan identified its biodiversity (especially fish) as one of the key priority areas of focus for environmental and natural resource sector policies. The National Fisheries and Aquaculture Policy 2001, Fisheries Conservation and Management Act 1997 and Fisheries Conservation and Management Regulations 2000 aim to provide an enabling environment for promoting the participation of communities and the private sector in fisheries conservation and management. The development and implementation of PFM over the past 20 years has been a crucial policy step towards community involvement in fisheries management. This was further reinforced by

the Fisheries Conservation and Management (Local Community Participation) Rules in 2000 which outline provisions for the setting up and the operation of LFMA.

Malawi’s Decentralization Policy (1998) devolves administrative and political authority to the district and village level, to be closer to the communities where PFM operates. The fisheries Policy provides for equitable shared roles and responsibilities between the Department of Fisheries (DoF), the District Councils and LFMA. However, most of the powers for enforcement are still vested with the Director of Fisheries and there is no role clearly stipulated for District Councils, TA and village institutions to play. This in turn means that budget allocations to districts tend to be very low (e.g. in 2014, USD 20,000 was allocated for the District Fisheries Office (DFO) for the whole of Mangochi district fishery worth USD 30 million).

Status of PFM in Malawi

Since the introduction of PFM significant progress has been made in registering over 300 LFMA in all water-bodies. Some success stories include Lake Chiuta where in 1996; the community effectively initiated and implemented a regulation banning seining (Nkacha) operations on the Malawian side of the Lake. Similar progress and impact of LFMA was also registered in Lakes Chilwa, Malombe and Malawi. However, the 2015 survey, noted that few LFMA had completed all 6 policy steps towards PFM. This meant they were disenfranchised as co-management agents.

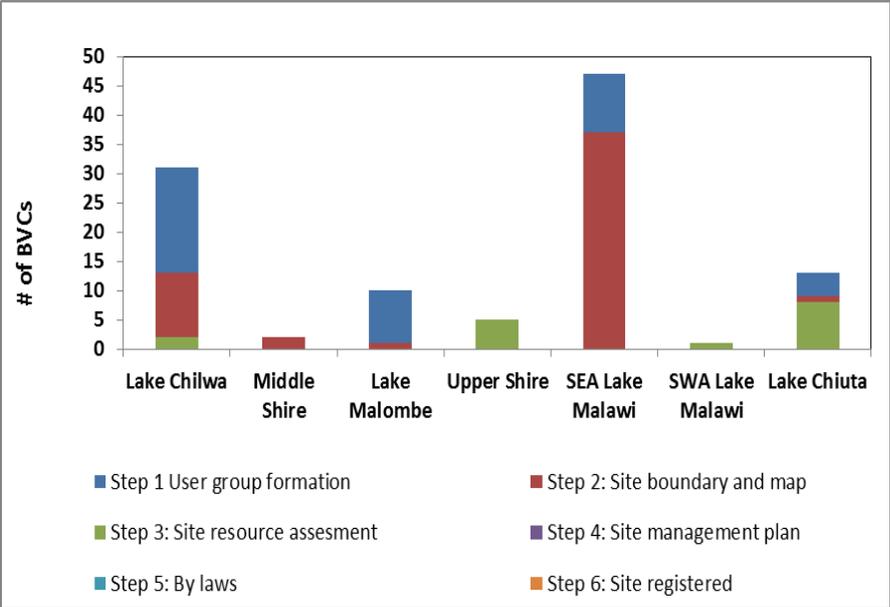


Figure 2: Status of six steps within BVC setup in the four Lakes under FISH project

Challenges with Participatory Fisheries Management

Lack of adequate allocation of resources designated by government

The sector continues to receive inadequate financial resources for crucial co-management activities like extension and enforcement. This lack of funds has further hampered the DOF and DCs ability to provide their backstopping co-partnership role in support to the LFMA. In addition, districts are not allowed to retain funds obtained from issuance of fishing licenses. All fishing license fees collected at the district level go to central government; none is left to support district operations for license fee collection costs. Consequently, the district councils are not motivated to support neither license fee collection nor enforcement. Furthermore, the commercial fishing sector is still centrally controlled at the DOF headquarters and this creates conflict between LFMA and the trawler operators, as the latter are not part of the local co-management structure. This situation coupled with the absence of bylaws makes local level fisheries enforcement difficult as the trawler operators do not feel that they can be regulated by the LFMA. In turn they have continued to fish in undesignated areas with illegal mesh sizes hampering effective fisheries co-management.

Limited understanding of the PFM and its roll out

Despite the policies, guidelines, manuals and other supporting legislation, recent studies reveal that many traditional authorities (TA), the FA, BVCs and the local leaders do not fully understand how to implement fisheries co-management. The key local government policy makers, the district council have inadequate technical knowledge and capacity to facilitate fisheries co-management and to back-up the enforcement of bye laws issued under the Local Government Act. Further to this is that for the past decade there have been no Councilors in place to champion the process, approve by-laws and political support for PFM and enforcement. This has left the LFMA without strong political support to champion the process of establishing bylaws at the council.

In addition, the effort to establish all 6 steps for each of the 300 BVCs was overambitious, and the work needed to achieve PFM capacity at that level, was underestimated. As Figure 1 shows, despite 2 decades of effort and millions of dollars in government and donor support, few LFMA attained status of all 6 steps as a co-management authority due to limited backstopping support from DoF.

Furthermore, the jurisdiction of a BVC is only demarcated by its boundary defined as a “beach” which is the village boundary. The fishery however, is ecosystem based. The BVC jurisdiction was therefore too narrow a management area to bring about a successful ecosystem based approach to co-management. This virtually meant that the BVC could only enforce co-management activities within the landing sites under their jurisdiction and not the entire fishery ecosystem.

Lack of sustainability of externally supported co-management initiatives

The introduction of PFM arrangements in Malawi was to a large extent been supported by donor funded projects⁶ with the assumption in policy that Government would take over the activities. However, the transition faced problems as in many cases the government failed to integrate budgets for the follow-up assistance needed for sustainability.

The LFMA were formed, trained and then virtually left to fend for themselves when projects ended. The district and local fisheries field staff were provided with limited resources to be able to keep up the kind of interaction that was needed to perpetuate the initiated co-management efforts. The budget allocation to reach out to 300 LFMA was simply not available. In addition, during establishment of the LFMA, crucial stakeholders like fishers were overlooked. This made enforcement efforts of LFMA illegitimate

to the fishers and did not see their role in fisheries co-management efforts. This eventually made effective co-management activities by the LFMA a challenge.

Lack of effective enforcement activities

The absence of bylaws in all water bodies has negatively impacted on the empowerment and therefore implementation of co-management arrangements. This has largely been a consequence of the decade long absence of the local councilors to approve the draft by-laws. The resultant lack of clarity of legal status, roles and responsibilities between state, local government, TA and LFMA created confusion leading to conflict and a lack of complementarity during enforcement activities. As a result the LFMA do not fully have the backing of local political and power structures to enable them to engage in co-management activities.

The VDC, ADC and Districts had not mainstreamed budget support for their part in co-management. The TA as the respected seat of local governance was both champions as well as spoilers of PFM. Some TAs backed the LFMA (e.g. Lake Chiuta), others come into conflict with the LFMA who accused them of corruption. By accepting traditional rights to tributes, termed “*mawe*”, from migrant fishers, the BVC viewed the TA as essentially endorsing illegal fishing. In certain cases, the TA imposed their own selected representatives on the LFMA creating conflict and distrust. The absence of by-laws also affected the sharing arrangements in the LFMA. Mis-management of resources arising from fines and licensing fees further eroded the credibility of the LFMA. Furthermore, political interference in enforcement and licensing activities (e.g. the interfering role of TAs mentioned above) has further weakened the implementation of co-management. Often the cases of LFMA confiscating gear would be returned by the DFO as political pressure would come to bear, undermining the co-management relationship.

Recommendations

In light of the challenges highlighted above, the status quo PFM is not acceptable as it will prevent recovery of the collapsed fish stocks and contribute towards the species composition change that is being observed. This could also result in the collapse of some commercially important species such as Chambo. Consequently negatively affecting the food security, economic and employment contributions of the sector; hence the paper recommends the following actions;

Promote ecosystem approach to PFM

There is need to promote ecosystem-based approach to participatory fisheries management, in which one fisheries authority, made up of a number of Beach Village Committees, is responsible for management of a water body. This implies that there will be one lake wide constitution, bylaws, fisheries management plan and fisheries management agreement that guides one overall LFMA, the FA. The lake ecosystem makes up the boundary of the FA jurisdiction

Secure increased funding for PFM

To improve effectiveness of PFM treasury and district councils need to allocate more financial resources in the national and district budgets. There is need to adopt by-laws that broaden the revenue sharing mechanism for license fees and penalties and thereby creating a shared incentive between district councils and LFMAs.

Promote sustainability of externally supported PFM initiatives

Treasury, DoF, and local government need to integrate all externally supported initiatives into national and district development plans and budgets through joint planning to ensure sustainability.

Enhance enforcement activities

There is need to build capacity of local fisheries management authorities in enforcement activities. In addition, there is need for local politicians such as councilors to use their influence to support enforcement and sustainable exploitation patterns.