

THE CASE OF GHANA: SHARING CHALLENGES IN IMPLEMENTING LEGISLATION TO COMBAT IUU FISHING

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GHANA'S IUU FISHING CHALLENGES AT A GLANCE

- Ghana was formally issued with a “Yellow Card” under the EC IUU Regulations on 26 November 2013



GHANA'S IUU FISHING CHALLENGES

- IUU fishing in neighbouring countries and the high seas by Ghanaian flagged fishing vessels
- IUU fishing within the Ghanaian EEZ
- Lack of effective enforcement of fisheries legislation
- Lack of effective monitoring of fishing vessels through VMS
- Non-implementation of international obligations (especially ICCAT Recommendations)
- Over-capacity in the fisheries exacerbated other IUU problems
- Inadequate and ineffective sanctions framework

WHAT WENT WRONG IN GHANAs?

- Policy Failure
 - Policy vacuum
- Management failures
- Weak law enforcement
- Inadequate legislation
- Under-resourced fisheries administration
- Investment in fisheries management and administration is not commensurate with value of the fisheries to the country
 - generates over US\$ 1 billion in revenue per year
 - accounts for at least 4.5% of Ghana's GDP
 - Employs 2.4 million people or 10% of the population
 - accounts for 60 per cent of animal protein consumed in Ghana.

WHAT WENT WRONG IN GHANAs?

- Unregulated fishing industry
- Lack of awareness of concept of IUU Fishing
- Lack of framework for regional cooperation

CENTRALITY OF LEGISLATIVE REFORM

- Legislative Reform became one of the centrepieces of the post “Yellow Card” dialogue process with EC
 - Outmoded legislative framework (enacted in 2002)
 - Lack of effective implementation
 - No deterrent sanctions framework

CONTENT OF LEGISLATIVE REFORM

- Transitional Legislation comprehensively addressing all aspects of IUU fishing
- Legislation currently before Parliament, with Executive request to pass it under a ‘Certificate of Urgency’

CONTENT OF NEW LEGISLATION

- Comprehensive provision to control Ghanaian vessels and operators fishing in Ghanaian waters, foreign countries and high seas
- Provisions to prevent registration of vessels with history of IUU fishing
- Requirement of VMS as a condition for license and going to sea
- Comprehensive requirements on the landing of fish and catch certification
- Comprehensive provisions to implement the FAO Port State Measures Agreement

CONTENT OF LEGISLATIVE FRAMEWORK

- Concept of IUU fishing introduced and linked to concept of serious violation
 - Severe sanctions for the commission of a serious violation
 - Minimum fine of \$ 1million (US) and maximum of \$2million for a serious violation
 - Repeat offences within six months carry minimum of \$2 million and maximum of \$ 4 million, plus cancellation of license and deregistration of fishing vessel
- Non-compliance by fisheries administrators with IUU verification requirements classified as serious violation under the Public Service Regulations
 - Dismissal
 - Imprisonment

LESSONS TO BE SHARED FROM THE GHANAIAN EXPERIENCE

- Don't be in denial
- See the “Yellow Card”/” “Red Card” as an opportunity for genuine reform
- It is good for you
 - Opportunity for high level political support and commitment for the fisheries sector
 - Opportunity to obtain more resources to manage the fisheries
 - Opportunity to gain industry support and compliance with needed reform

CONCLUDING OBSERVATIONS

- The EC IUU Regulations can be beneficial
 - Tremendous progress in Ghana within a period of 12 months: A success case, even through ‘Yellow Card’ has not been removed
- Wouldn't have happened without the “Yellow Card”

CONCLUDING OBSERVATIONS

- Would the reform continue after the ‘Yellow Card’?
- My view is **YES**
 - The reform momentum generated can be self sustaining
 - Fisheries administrations know that it is no longer Business as usual”.
 - Executive commitment to the fisheries sector brought about by the ‘Yellow Card’
 - Industry awareness and pressure on Government

CONCLUDING OBSERVATIONS

- Fisheries governance challenges in many countries is systemic and cuts across the fisheries sector
- Sustainable fisheries management is a continues process of improvement and cannot be achieved 100% in one year
 - **Recommendation for EC to develop a framework for continuing engagement post “Yellow Card” to support continuing improvement**

THANK YOU FOR LISTENING

