

**DAWLAD
GOBOLEEDKA
PUNTLNAD**



**THE
GOVERNMENT
OF PUNTLAND**

Somalia

Ministry Of Fisheries, Ports, Marine Transport and Marine Resources

Marine Fisheries Policy and Strategy

GAROWE

June,2006

THE PRESIDENT

HAVING SEEN: *article 96 of the constitution and fisheries regulations of Puntland*

CONSCIOUS: *of the need to ensure that the processes of urban, rural and industrial development and resultant land use should be carried out in such a manner as to preserve, and that such development should not lead to deterioration of the marine Environment*

CONSIDERED: *the proposal of the Minister of the Fisheries, Ports, Transport and Marine Resources*

WITNESSED: *the debate of the cabinet and had on the policy proposal*

HAS ASSENTED: *The fisheries & marine policy strategy*

The President of Puntland State Of Somalia

H. E. Mohamoud Mussa Hersi

Mission Statement of The Ministry

A marine and coastal resources that belongs to the entire people of Puntland and shared equally in fair and transparency and a marine environment that is healthy, free of pollution, waste and degradation, rich in quality and forms of life, production and accessible that creates equitable opportunity for sustainable development.

The Minister of Fisheries, Ports, Transport & Marine Resources of Puntland

Hon. Saed Mohamed Rage

Contents

1. Principles and objectives
2. Ownership
3. Fishing rights and access to resources
4. Resource management
- 5. Institution structure**
6. Legal and constitutional matters
7. Funding and Finance
8. Research, monitoring, awareness and training
9. Environmental Protection and Conservation
10. Integrated Coastal Zone Management
11. Fishery Infrastructure
12. Surveillance and compliance

Fisheries Marine Policy and Strategy

1. Guiding Principles and objectives

The following principles and objectives are the long-term visions of the ministry and are intended to guide towards the enhancement and strengthening of the management, development and conservation of marine and coastal resources of Puntland.

1.1 Managing and conserving the marine and Coastal Biodiversity of Puntland for the benefit of the present and the future generations.

Objectives:

- To protect the rich biodiversity of Puntland marine and coastal environment for present and future generations.
- To ensure the proper management and conservation of marine and coastal resources of Puntland for the benefit of its citizens.
- To ensure public and private access to the resources and at the same time ensure their rational use.
- Long-term management plans and funds, that include operational management procedures, be developed to ensure optimal utilization of all significant marine resources.

1.2 Enhancing the existing fisheries practices towards the rational and sustainable use of marine and coastal resources of Puntland.

Objectives:

- To promote and encourage adequate fishing practices for the exploitations of marine and coastal resources of the Puntland.
- To introduce modernized fishing gear technologies and methods for the artisanal fishing communities of Puntland.

1.3 Develop proper legislative system that regulates the proper use of the marine and coastal resources of Puntland.

Objectives

- To establish and promulgate laws and regulations that will guide the management of the fisheries of Puntland.
- To ensure the necessary enforcement of promulgated laws and regulations at local, national and regional levels.

1.4 Promote through intensive public Awareness to create partnership between the public and private sectors, the local communities and authorities in achieving optimal management over resource use and conservation.

Objective:

To change the attitudinal behavior of the major stakeholders, through awareness and education programmes, towards their coastal and marine resources.

1.5 To fulfill local, regional and international obligations and requirements to the coastal and marine fisheries matters.

Objectives:

To fully cooperate with other parts of Somalia, countries in the region and the international organizations in the application and adoption of regional/international conventions and agreements on marine and coastal resources management at local, regional and global levels.

2. OWNERSHIP

There has to be clarity and consensus concerning ownership of resources and the way in which they will be allocated to the people.

- 1) Puntland marine and coastal resource belongs to its entire people.
- 2) These resources should be managed by Puntland State of Somalia in the people's interest

4. FISHING RIGHTS & ACCESS TO RESOURCES

- 1) As people depend on using resource, so their rights need to be protected. This can only be achieved in a formal system of resource allocation that applies to all citizens in an equal, transparent and fair manner. Such rights need to be allocated within a system of sustainable use to protect present and future uses of the resources.
- 2) A system of allocating fishing rights must be introduced. Such a system must be fair and transparent, with specific criteria for such allocations drawn up in consultation with fishing communities.
- 3) Such a system of allocating rights to harvest marine resources should be managed by PL State
- 4) Once allocated to users, those rights should be protected by Puntland State of Somalia.
- 5) Once granted, rights for fishing cannot be removed except under special circumstances such as:
 - a) Violation of law
 - b) Over-fishing resource
 - c) Non-use of the fishing right
 - d) Return to government for compensation
- 6) Fishing rights can be expressed in terms of species, gear types, effort, spatial distribution or catch limits, whichever is most appropriate.
- 7) Rights to fish are best allocated by means of licensing system.
- 8) Rights to fish are leased from the Puntland State of Somalia on annual basis.
- 9) Fishing rights can be leased to an individual, a community or an association/company
- 10) Fishing rights cannot be transferred, or sold by their owner.
- 11) Foreigners can be given fishing rights when Puntland capacity cannot harvest certain species or there are evidences of surplus stocks.

5. RESOURCE MANAGEMENT

The marine and coastal resources of PL require protection and management at a national level through the Ministry. However, implementation of management can take place at regional or community level.

- 1) Marine resources will be sustainably used by imposing appropriate control measures. Such measures may include a variety of input and output controls, including seasonal closures, size limits, total allowable quantities and gear limitations.
- 2) All consumptive use of marine resources will require a license (fishing rights) form the ministry, except subsistence fishers who require gratis registration.
- 3) A precautionary approach (Fisheries management measures) will be adopted wherever information on stocks is inadequate.
- 4) Management plans will be developed and implemented for the major resource. Management plans will incorporate scientific, as well as social and economic, considerations.

- 5) Destructive harvesting practice (fishing methods) will not be allowed.
- 6) Different categories (sectors) of use are identified as follows:
 - a) Subsistence
 - b) Artisanal - Puntland
 - c) Foreign
 - d) Industrial Puntland
 - e) Recreational
 - f) Experimental
- 7) The right to fish is granted in any one of the above sectors
- 8) Some fishing zones may be specifically reserved for certain user sectors, e.g. inshore for Artisanal fisheries. This will include protecting the rights of inshore fisheries and their gear from industrial operators.
- 9) Foreign fisheries may be required to land or declare their catches at pre-specified sites.
- 10) All fishing vessels will be registered.
- 11) Some areas (zones) may be declared limited or no-use reserves to protect the environment and its resources.
- 12) Fishery compliance will be taken very seriously and violation of the law may result in fines, confiscations, loss of fishing right, or a combination of both.
- 13) Penalties will be determined in accordance with potential benefit the transgressor may have derived.

6. INSTITUTIONAL STRUCTURES

In order that the policy can be implemented, a number of institutional arrangements need to be formalized. These will involve ministerial structures as well as those, which facilitate co-management and shared responsibility with stakeholders. It is intended that these structures should be modest in size, but efficient in delivery.

- 1) There should be a ministry of fisheries, ports and marine transport
Which will be responsible for management, including:
 - a) Fisheries administration
 - b) Monitoring of stocks and their use
 - c) Research and development in fisheries
 - d) Protection, control and enforcement
 - e) Coastal development and human impact assessment
 - f) Data collection and fisheries information dissemination.
- 2) There should be a marine and coastal management advisory committee, including government officials, investors, fishermen and scientists, so as to assist the minister with regards to

regulatory measures, development opportunities, etc. This committee can also provide objective guidance on resource allocation where the demand for access exceeds the guidance of the recommended level of sustainability or in cases where conflicting interests have arisen.

- 3) Regional offices should be established, in collaboration with local communities, users and traders. These would facilitate extension activities, data collectors and various co-ordinations.
- 4) The formation of local fishermen's co-operatives will be encouraged.

7. LEGAL AND CONSTITUTIONAL MATTERS.

In order the policy can be implemented, arranging of legal support measures are required, as well as a set of distinct responsibilities.

- 1) The ministry will be empowered through the declaration of a marine fisheries and coastal regulation.
- 2) Management of the resource will be achieved through the promulgation of specific regulations made possible in terms of the regulations.
- 3) The fisheries legislation shall not be in conflict with the national constitution.
- 4) The government will ensure that no conflict arise between ministries concerning marine and coastal development (e.g. mining, ports and waste management, local governments, environmental department).
- 5) The ministry will ensure that fair labor practices prevail in the fisheries and that written contracts between fishermen/seamen and their employers will be encouraged.
- 6) Wherever possible, the ministry will promote the ratification and adoption of relevant and appropriate international conventions by the president of Puntland State via parliament.
- 7) The ministry needs to be supported by appropriate technical and legal advisory bodies.
- 8) The ministry will foster co-operation with neighboring countries concerning straddling and migratory stocks.

8. FUNDING & FINANCE

The ministry of fisheries shall obtain all costs associated with managing and planning of marine and coastal resources from the central state budget; however the following will be the income generated by the ministry from:

- 1) Annual license fees from access rights
- 2) Foreign access rights
- 3) Trader license fees
- 4) Fines for transgressions and
- 5) Boats registration fees will be deposited in the central state account.
- 6) Leasing the right to fish will cost prescribed annual fees.

- 7) This fee will be determined annually in advance and proportionately related to the reasonable estimated average landed value of the yearly catch.
- 8) All fishing vessels will be required to register and subject to annual renewal.
- 9) Such registration will call for a fee but annual renewal will be at nominal cost.
- 10) All fishing vessels are required to have proven seaworthiness.
- 11) Traders will be required to take out an annual fish trading right for a fee.
- 12) No other levies or taxes should be raised from fishermen, without approval of the minister.

9. RESEARCH, MONITORING, AWARENESS AND TRAINING

In order to achieve sustainable use of resources for maximum long-term benefit to the people of Puntland, it is essential to integrate management with ongoing resource assessment, scientific facts and accordingly the public shall be informed.

- 1) The ministry will ensure that adequate fishery monitoring systems are in place and that result of these are considered in management and future fishing right allocations.
- 2) The ministry will produce an annual report that reflects all details of all the activities identified in 4.1 above, and which will be available to the public.
- 3) Steps will be taken to undertake applied research in marine and Coastal matters that will assist the ministry and the stakeholders in protection and development of marine resource.
- 4) The ministry will ensure that proper and adequate information about the coastal and marine resources is made available to users and other stakeholders.
- 5) Public awareness of marine resource issues will be promoted, especially amongst Community Based Organization (CBOs) of Puntland.
- 6) Training will be provided to those responsible for aspects of fishery and coastal zone management, both governmental and private sector.

10. ENVIRONMENTAL PROTECTION

- 1) It is recognized that successful management of coastal and marine resources requires a holistic approach in which the natural functioning of ecosystems is protected and conserved.
- 2) The natural environment must be protected from pollution, transport of hazardous chemical,

industrial wastes and other effects that may be harmful.

- 3) Natural habitats of importance to fisheries in general (such as nurseries, nesting sites) must be protected.
- 4) Marine Protected Areas shall be established where appropriate and related laws and regulations must be promulgated accordingly.
- 5) Fisheries operations must minimize their by-catch of unwanted and endangered species shall be specified in the fisheries regulation.
- 6) The harvesting of any one species must not cause substantial depletion in any other species.
- 7) All threats to biodiversity must be investigated and positively avoided.
- 8) Commercial shipping activities must be managed to reduce environmental impact. This would include demarcation of environmentally safe anchoring zones, control over bilge cleaning and evacuation, waste dumping and vessel repair such as scraping and painting with anti-fouling paints.

11. INTEGRATED COASTAL ZONE MANGEMENT

It is recognized that the coastal zone is a most valuable, but inherently fragile, especially some parts of Puntland. Future options for its proper use and socio-economic potential must be protected through careful planning and integrated coast zone management.

- 1) For the present purpose, coastal zone is defined as strip of land reaching the watershed area of the coast.
- 2) Any land below the Seashore cannot be alienated and will always remain property of the people of Puntland and managed by the government.
- 3) Sites of critical environmental importance and high biodiversity will be given protected area status. Examples would include turtle and bird nesting beaches, coral reef and mangrove ecosystem.
- 4) Sites of high cultural, historic or natural heritage values may be given the status of protected area.
- 5) Free and reasonable access to the Seashore zone should be guaranteed to all citizens.
- 6) Any development in the Coastal zone (such as structures, harbors, waste discharge, mining etc), require approval (permission to occupy- PTO) of the ministry.
- 7) A fee will be charged for such approval, which will be deposited in government budget.
- 8) All coastal zone developments require a preliminary impact assessment (PIA) and if necessary a

full impact assessment (FIA).

- 9) Any impact assessment costs will be borne by the developer.
- 10) The ministry may devolve some of these responsibilities to local port authorities, and municipalities, however, the basic policy and conditions must still be applied.
- 11) Levies charge for PTO's may be shared between the local authority and the central government of Puntland State of Somalia.
- 12) The ministry will make available a set of integrated coastal zone management (ICZM) principles and guidelines to assist with the sustainable development of the coastal zone.

12. FISHERY FACILITIES

For fisheries to develop it is necessary to provide basic facilities, while, it is believed that these are primarily of the private sector, some may be promoted to develop with ministry support.

- 1) The ministry must promote the development of safe fishery landing sites, especially for the artisanal sector. Rescue and first aid facilities should be provided where appropriate.
- 2) The ministry will ensure that fish quality standards are met. This may require regulations concerning the handling of fish from the time of capture to the point of retail
- 3) The ministry will ensure that statistics, information and advice is made freely available to stakeholders.
- 4) Other facilities, such as icing, storage, Jetties and fish markets are to be undertaken by the ministry as well as private enterprise wherever necessary

13. SURVEILLANCE AND COMPLIANCE

In order to ensure effective resource management, to enforce management regulations and to protect fishermen's rights, programme of surveillance and compliance will be implemented.

- 1) The ministry will be responsible for the surveillance of fishing activities in the Puntland waters territorial and subsequently proclaimed EEZ.
- 2) The ministry will seek support, technical assistance had collaboration from other agencies, states and elsewhere, to increase its capacity for surveillance and compliance (e.g. Ministry of interior and Puntland Coast Guard).
- 3) Transgressors must be apprehended and charges laid at the nearest police station, for submission to the subsequent court procedures.
- 4) The ministry will specify fines and penalties in the fisheries regulation.

ANNEX

DESCRIPTION OF FISHING SECTORS FOR ACCESS RIGHTS ALLOCATIONS

Subsistence Fisheries: is done by those fisheries who don't use boats or other crafts to catch fish and other marine products for their own consumption and for local markets.

Artisanal Fisheries: is carried out by those fishermen who use rudimentary fishing gear and methods, motorized fishing crafts and canoes, which doesn't exceed 10m length overall (LOA). This fishing operation takes place in the in-shore waters and in-reef areas.

Industrial Fisheries: is the type of fisheries carried out on off-shore areas and apply modern and sophisticated technologies in catching, processing and storing marine products destined for both local and export markets. Collector vessels who receive the catches of both the artisanal and industrial catches are included in this category.

Recreational / Sport Fishing: this type of fishing is mainly carried out by tourists and sportsmen / sportswomen for recreational purposes through the means of angling, trolling, pot and line fishing. The catches acquired through this category of fishing shall not be sold in the local markets.