

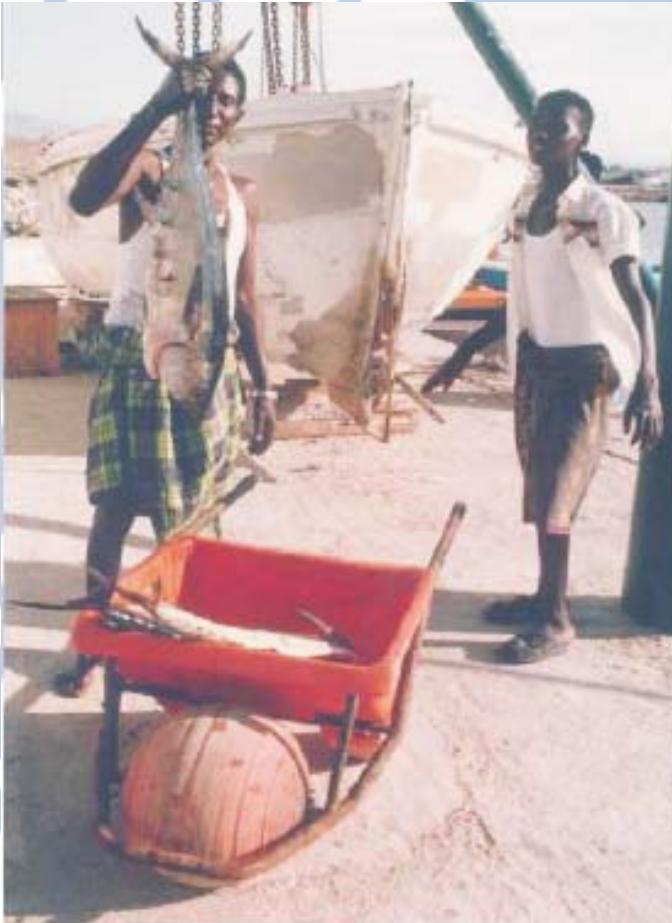
UNDP SOMALIA

UNITED NATIONS DEVELOPMENT PROGRAMME
SOMALIA



Poverty Reduction and Economic Recovery

Feasibility Report on the Fisheries Sector
in Puntland



April 2005

This document is being issued as a discussion paper without formal editing. It was prepared by Mohamed Mohamud Mohamed and Mohamed Hirad Herzi of Ocean Training and Promotion (OTP). The views expressed in this paper are those of the authors and do not imply the expression of any opinion on the part of the United Nations Development Programme. Comments and suggestions may be forwarded to Carsten Hansen, at carsten.hansen@undp.org

TABLE OF CONTENTS

Background.....	1
Terms of reference.....	2
Introduction.....	3
Fishery related institutions in Puntland.....	3
Puntland fishery and marine resource policy.....	4
Classification of the fishery sector in Puntland.....	5
Environmental challenges	7
Threats to biodiversity in Somalia.....	8
Specific options for actions to support environmental management.....	9
Fisheries resources and potential.	9
Large pelagic	9
Small pelagic	9
Shellfish and other invertebrates.....	10
Market analysis	10
Local market.....	10
Fish consumption.....	10
Outlet markets	11
Fish prices and markets	11
Yemeni fishery activities.....	12
Yemeni fisheries purchase rates and prices.....	13
Fishery products export	14
International marketing potential.....	14
MSC Certification (Marine Stewardship Council).....	15
Main constraints for the fishery sector in Puntland	16
Problems and opportunities	16
Recommendations.....	17
APPENDIX.....	I
Annex 1: Terms of reference for the Consultant.....	I
Annex 2: Acronyms	II
Annex 3: References	III
Annex 4: Persons interviewed	IV
Annex 5: TOR for the Workshop on the Fishery's sector (Bossaso, 28 – 29 May 2005).....	V
Annex 5: Notes on the Workshop on the Fishery's sector (Bossaso, 28 – 29 May 2005).....	XI
Annex 7: Fisheries/Marine Policy and Strategy	XVII
Annex 8: Puntland fisheries regulation from Somali Republic Fisheries Law n. 23	XXVIII

Background

The following study was undertaken with the objective of assessing the development potential of the fisheries sector in Puntland, in terms of growth potential and actions/interventions required for further development. The assessment is part of UNDP's efforts to improve livelihoods and promote economic diversification that form part of the UNDP Strategy for Poverty Reduction and Economic Recovery (PRER).

The objectives of UNDP Somalia Poverty Reduction and Economic Recovery Programme are designed to support economic recovery and development, which in time will contribute to peace and reconciliation in Somalia. Priority needs vary by region but flexible objectives and an area-based, participatory approach allow UNDP to respond to the specific needs of each region. The programme specifically seeks to:

- Improve livelihood opportunities through skills enhancement to stimulate sustainable economic recovery and poverty alleviation in Somalia.
- Strengthen the capacity of local authorities, relevant institutions and local partners in terms of data collection designed to provide baseline data for economic recovery interventions.
- Support opportunities for local authorities and communities to determine their own rehabilitation and development needs and priorities through a participatory and knowledge based planning process;
- Foster and promote opportunities for private sector development; and
- Continue to strengthen and support UN inter-agency cooperation, information sharing and bridging the gap between relief and development.

The proposed fishery sector review conforms to the framework of sustainable human development and contributes to the achievement of the first Millennium Development Goal: to eradicate extreme poverty and hunger. The activity is envisioned to provide the basis for future interventions, building on the existing knowledgebase and systematic data collection and analysis of the development challenges of the sector.

The fishery sector review will explore the strengths and weaknesses of the sector in Puntland and identify and analyze opportunities and threats. The principal output of the sector study will be an overview of development options and potential, outlining the main constraints and the emerging opportunities, including environmental challenges. This overview will provide the basis for a possible strategy to be subsequently formulated in close consultation with the fishing communities, private sector, relevant Ministries and other stakeholders in Puntland. The sector review will work on previous assessments, including studies conducted by the European Commission and other international/national agencies.

Terms of reference¹

Working closely with the fishing communities, private sector, relevant Ministries and other stakeholders in Puntland, both local and international, involved in the development of the fisheries sector, the consultant/NGO will:

1. Review previous and on-going studies within the sector and incorporate findings into the overall review and analysis;
2. Review the fishery policy and guidelines, if any, in the ongoing programmes of the Puntland Administration and other development partners;
3. Assess the current status of the sector in terms of employment, production, local consumption and export;
4. Assess the constraints and potential of the sector as a major source of income and employment generation opportunities for Puntland;
5. Review the coverage and quality of fisheries statistics, identify major players and suggest steps needed to improve the statistics;
6. Promote dialogue among various stakeholders (administration, NGOs, private sector etc.);
7. Examine the impacts of globalization of the fisheries trade and development in terms economics and other factors including the recommended international standards, practices, processing and handling of fish and fish products;
8. Outline major steps to be taken to promote this sector in relation to its potential;
9. Provide an analysis on existing near-by markets;
10. Any other duty as assigned.

¹ The full TOR for the study is provided in Appendix 1.

Introduction

Somalia has a total of 3,300 km of coastline: 2,000 km face the Indian Ocean (south of Cape Guardafui) and 1,300 km face the Gulf of Aden. The continental shelf is narrow all over the region, varying in width between 5 and 15km, with exception of 135 km stretch in the North East where the average width is 70 km.

Abundance of phytoplankton and zooplankton suggests that Somalia has some of the continent's major fishing stocks. Surveys indicate high potential for fisheries development with evenly distributed fish stocks along the entire coastline, but with greater concentration in the Northeast. This fishery review only covers Puntland State of Somalia jurisdiction over 800 km on the Indian Ocean and 500 km on the Gulf of Aden.

Fishery related institutions in Puntland

A number of institutions are directly or indirectly involved in the fishery sector in Puntland. The following table provides a brief overview of public institutions, major private actors and independent institutions engaged in fishery research and/or interventions.

Overview of Fishery related institutions/organizations in Puntland

Institutions	Mandate/working area
Public	
Ministry of Fisheries, Ports and Sea Transport	<ul style="list-style-type: none"> ▪ Control, conserve and protect marine resources. ▪ Support artisanal and industrial fishery and assist existing fishery co-operatives². ▪ Train and recruit new personnel within the public institutions supporting the fishery sector. ▪ Develop and maintain port(s).
Ministry of Planning and International Cooperation	<ul style="list-style-type: none"> ▪ Provide overall coordination of the activities of all Puntland Ministries. ▪ Collect and analyse statistics (including statistics on fisheries, livestock and frankincense). ▪ Facilitate visas for foreign expatriates and other foreigners. ▪ Cooperate with international and national organizations.
Private	
Necfish	<ul style="list-style-type: none"> ▪ Collaborate with artisan fisheries in the provision of ice from production site in Bossaso.
Fishery co-operative Ladan	<ul style="list-style-type: none"> ▪ Mobilise artisan fisheries.
Barwaqo fishing company	<ul style="list-style-type: none"> ▪ Buy and sell fish products. ▪ Establish fish market outlets. ▪ Supply fish products in hinterland.

² The only existing Co-operative is "Ladan" (see below) based in Bossaso; it is an association of fishermen who share the cost of onshore facilities.

Institutions	Mandate/working area
FBMP fishing boats maintenance professional association	<ul style="list-style-type: none"> ▪ Maintain fishery boats. ▪ Renovate and rehabilitate default marine engines. ▪ Train boat mechanics.
Las -Koreh tuna factory	<ul style="list-style-type: none"> ▪ Profit making enterprise. ▪ Promote employment.
SANURA professional/marine fisheries group	<ul style="list-style-type: none"> ▪ Mobilise local marine/fisheries professionals. ▪ Consult and advise fishery products traders. ▪ Search reliable markets for Somali marine products.
Bile Company- Shark fin/meat traders	<ul style="list-style-type: none"> ▪ Buy and sell shark fins and meat. ▪ Export marine products.
Dhegig Shark fin trader	<ul style="list-style-type: none"> ▪ Buy and sell shark fins.
Suudi Company Fishing gear and marine engine traders	<ul style="list-style-type: none"> ▪ Import and sell fishing gear and marine engine spare parts.
Other Institutions	
PERSGA³ Regional Organization for the conservation of the environmental of the Red Sea and Gulf of Aden.	<ul style="list-style-type: none"> ▪ Assist the Ministry of Fishery and Port in the following sectors: MPA, LMR, ICZM and PAP⁴. ▪ Provide Ministry of Fisheries and other relevant organizations' staff, with training in the above-mentioned sectors.
RMCO Regional Marine Conservation Organisation	<ul style="list-style-type: none"> ▪ Conserve and plant mangrove trees ▪ Conserve sea turtles. ▪ Train fishery communities to conserve endangered marine SPP.
OTP Ocean Training and Promotion	<ul style="list-style-type: none"> ▪ Support artisanal fisheries. ▪ Train and support young fishermen. ▪ Develop water infrastructure in remote coastal areas as well as urban areas.
Shafici NGO	<ul style="list-style-type: none"> ▪ Train Bossaso fishermen. ▪ Provide boats and fishing gear.

Source: OTP

Table 1

Puntland fishery and marine resource policy

There have been several attempts to establish a comprehensive policy for the Puntland fishery and marine resources over the years. According to Puntland Deputy Minister of Fisheries Mr. Elmi a preliminary policy was developed with assistance from IUCN/ORI and with the collaboration of OTP in 1998; it was never ratified and applied in praxis. A second attempt was developed by Puntland Ministry of Fisheries and funded by PERSGA, in 2004 the finalization of the proposed policy was completed, but it has yet to be approved by Parliament. The Ministry of Fisheries confirms that the process is ongoing and is expected to be finalised soon. The Minister for Fisheries has agreed to allow the inclusion of the draft (not ratified) fisheries policy as a reference and annex to this review (please refer to Annexes 7 and 8 for details).

³ The Office in Puntland is closed at the moment due to lack of funds.

⁴ Please refer to Annex 2 for the list of acronyms.

The vision of the draft policy is that marine and coastal resources belong to the entire people of Puntland, who share equally in a fair and transparent manner, a marine environment that is healthy, free of pollution, waste and degradation, rich in quality of forms of life, production, accessible to create equitable opportunities for sustainable development.

The draft policy addresses the following issues:

- Ownership
- Fishing rights and access to resources
- Resource management
- Institutional structures
- Legal and constitutional matters
- Funding and finance
- Research, monitoring, awareness and training
- Environmental protection and conservation
- Integrated coastal zone management
- Fishery infrastructure
- Surveillance and compliance

Classification of the fishery sector in Puntland

Artisanal fishery: Defined as the fishery activity carried out by those fishermen who use rudimentary fishing gear and methods, motorized fishing crafts and canoes, not exceeding 10 m in length overall (LOA). This kind of fishing activity takes place in the inshore waters and in-reef areas.

Before the civil unrest the artisan fisheries operated from a network of some 50 fishing villages and the total number of fishermen was estimated at around 3,000 full time and some 5,000 seasonal⁵. An estimation of domestic consumption for Somalia conducted in 1990 fixed the consumption of fishery products at an average 0.6kg/head per annum.

Starting from 1974 – 75 a national effort was made to resettle people affected by serious drought in some parts of the coastal areas, so as to provide them with an alternative form of livelihood and food security. The infusion of human resources into the sector contributed significantly to both the general consumption of fish at a national level and the production of fisheries-related products. Contrary to the general situation, efforts made in Puntland were not sufficient to create a substantial increase both in production and consumption of fishery products.

Surveys undertaken in Somalia in the 80's, show the involvement of about 2600 fishermen with 308 driven motor craft, 116 small sail boats and 446 houris (small dugout canoes) and the availability of a manpower potential of about 3,500⁶. The artisan fishery remains the dominant type of fishing carried out by Puntland fishermen. These fishing methods are of great importance for fishing communities and support more than 8,000 families⁷.

In the artisan sector, in almost every fishing nation, the participants frequently spend part of their time fishing and the remainder in some other income-producing occupation, usually in the agricultural fields. In Puntland two or more sources of income are often essential to sustain the fisherman and his family as only one, for reasons of unstable seasonal productivity, is insufficient alone to do so. In view of this fact it is difficult to define precisely the nature of an artisan fisherman in Puntland, but as a general rule, a fisherman is described as being a person who derives the major part of his livelihood from fishing and which have the following characteristics:

⁵ People whose main source of income is linked to farming/breeding but engage in fishing during the high season (which coincides with the meteorological dry season).

⁶ Ministry of Fishery Yearly Bulletin, 1987 Mogadishu.

⁷ Source: OTP.

- Most of the species taken are associated with coral reefs
- Artisanal fishermen operate in a limited fishing area
- A wide diversity of species is fished and consumed
- In rural areas, almost every one (nomads, farmers, etc) takes part in the fisheries at some level.

The arrival of internally displaced persons (IDPs) from the central south Somalia during the past 15 years has radically changed the scenario of the fishery sector in Puntland. Most of southern Somali fishermen are now in Puntland coastal towns and villages, where they have the opportunity to work and earn under more peaceful circumstances and where they have been able to utilize their skills and techniques on fishery and boat maintenance. Due to these movements, the amount of fishing gear and boats has almost tripled, even though the infrastructures to support such activities remain inadequate in most parts of Puntland. The following tables provide a rough estimation of the distribution of manpower and gear engaged in this sector today; unfortunately, due to lack of data it is not possible to present a historical series. Most of the boats reported as "non operational" are inefficient due to lack of maintenance and availability of spare parts outside Bossaso.

Fishing fleet by settlements

Location	Canoe	Sail boat	Motor boat	Total	Operational	Non-operational
Bossaso	10	---	84	94	20	74
Candala	16	---	50	66	30	36
Alula	32	---	200	232	157	75
Bargal	21	3	150	174	120	54
Hafun	30	20	130	180	NA*	NA
Hurdiya	26	16	45	87	47	40
B/Beyla	20	27	540	587	387	200
Elayo	3	---	85	88	41	47
Eyl	30	---	675	705	555	150
Gara'd	30	----	400	430	330	100

Source: OTP

Table 2

Manpower by settlements

Settlement/village	Full time	Seasonal	Total
Bossaso	256	120	376
Elayo	88	24	112
Kandala	204	70	274
Hafun	NA	NA	NA
Alula	120	35	155
Bargal	820	55	875
Bender Baila ♦	950	400	1350
Eyl♦	730	600	1330
Gara'd♦	890	450	1340

Source: OTP

Table 3

Figures of manpower and fleet may greatly vary due to the season (fishing high season from October to May). Data for Gara'd and Eyl refer to boats and fishermen in the whole districts.

* Not Available.

♦ Seasonal fishermen operate their nets and fish traps inshore.

Types of fishing gear used by artisan fishermen classified into:

1. Nets: Gill nets for shark and fish, Trammel net for lobster and Drift nets for shoal of fish and sharks.
2. Hook and line: for demersal fish.
3. Trolling: for pelagic.
4. Traps: for lobsters.

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

For the purpose of this fishery review for Puntland it has been extremely difficult to obtain reliable data on the extent of the industrial fisheries taking place in Puntland waters. It is estimated that there are only 10 fishing vessels currently operating legally in Puntland waters, which are licensed by the Ministry of Fisheries to Puntlanders but prepared and manned by foreign companies. The general lack of data on the extent of ongoing fishery activities in Puntland waters, in terms of annual catch and fishery methods being used, remains a problem for any serious marine resource management.

Recreational fisheries: Defined as the type of fishery mainly carried out by tourists and sportsmen for recreational purposes through the means of angling, trolling and line fishing. The catches acquired through this category are for personal consumption. Currently this kind of fishery is not carried out in Puntland.

Subsistence fisheries: This category of fishery is not widespread in Puntland.

Research fisheries (scientific information gathering): These research-related fishery activities are part of the Ministry of Fisheries efforts to collect information about the state of fish stock and other marine resources. It is clear that there is simply inadequate information available concerning the coastal and marine areas of Puntland in general. Details of the distribution of different ecosystems, vulnerable habitats, and sensitive areas of specific environmental problems are also lacking. A low-level air survey conducted by UN and environmental organisations in November 1998⁸ provided important insight and revealed the presence of distinct zones and sensitive regions along the coast of Somalia. There is a serious need to conduct more detailed coastal and sub tidal surveys and assessments in order to provide focus and guidance to future bio-diversity conservation, and developments that impact on biodiversity.

Environmental challenges

The Somali coastal and marine environment has been studied in the past by various institutions and individuals. Furthermore a range of studies of a more regional nature have included the country as a component for research. The following studies and research efforts have been made in Somali waters:

- In 1966 an Indian Ocean expedition, provided a wealth of physical-chemical data, including information for Somalia⁹.
- A number of collaborative studies were undertaken especially by the FAO, UNEP and IUCN as part of the regional seas initiatives. In 1984 the Somali National Report¹⁰

⁸ "Overview of the Biodiversity of the Somali Coastal and Marine Environment". Please refer to Annex 3 for the complete details of the publication.

⁹ Wyrtki K., "Ocenographic Atlas of international Indian Ocean Expedition", US National Science Fundation. University of Hawaii, 1971.

¹⁰ Salah M. A. "Somali National Report", UNEP Regional Seas n. 50 1984.

(Salah, 1984) provided a basic overview of the natural resource base and listed the product areas, presence of vulnerable plants and animals, training requirements and relevant legislation. Fisheries are given scant attention and it is clearly stated that the marine and coastal habitats have not been identified.

- In an associated review of the conservation status of the East African coastal region, it was apparent that no coastal habitats in Somalia were under any form of protection, in contrast to many other countries that had developed special management arrangements for these zones (IUCN/UNEP, 1984). Similarly, in a listing of endangered species, none of the listed endangered species received any protection in Somali waters.
- A study commissioned in 1987 under the UNEP Regional Seas Program provided an overview of the environmental problems of the Somali coast, but contains very little hard information to support an environmental action plan (ESCWA/FAO/UNESCO/IMO/IAEA/IUCN/UNEP, 1987). Also a FAO Species Guide was published in the mid-1990s listing all living marine resources of Somalia. The guide is a good initial indicator of species richness with several hundred species of fish, crustaceans and mollusc listed as potentially exploitable resources (Sommer and Schneider, 1996).

Threats to biodiversity in Somalia

In Puntland the major threats to the fishery environment can be listed as follows:

- Yemeni fishery activities concentrate on harvesting only one or two species of finfish. Hence the Somali fisheries that provide catch for these Yemeni boats are forced to discard other species as they are not remunerated for such catches. Most of these medium boats therefore target only grouper and snapper, which hold a reasonable price in neighbouring Saudi Arabia. The targeted fishery on one or two specific species puts tremendous pressure on these stocks, hence leading to a drastic decline in stock numbers. The recuperation period in case of a species collapses could easily be one or more decades. In fact the by-catch of species other than groupers and snappers also lead to a high degree of waste as there are no means of utilizing these resources.
- Secondly – illegal trawling (IUU) is beyond doubt one of the biggest problems on the shelf slope. These operations are not licensed and do not adhere to a sustainable fisheries management plan. As a consequence there are no data on landings and species composition, by catch or precise areas of operation. This lack of data is unacceptable and a significant threat to biodiversity. Not only through possible non-sustainable fishing, but also due to possible capture of non-target species as by-catch could endanger a range of species, such as turtles and dolphins.
- The general free access to fishing in Puntland makes it very difficult to implement a fishery resource management plan, and imposes a threat of over-fishing on species like the spiny lobster, primarily based along the Indian Ocean shores in water to depths of no more than 12m. Most significantly, these fisheries are of high economic value and driven by overseas demand. These highly accessible resources can generate high returns for generally poor fishermen, yet inadequate records of the fishing activities lead to uncertainty regarding the sustainability of these resources.

To overcome these problems short and long term action plans should immediately take place, and it is strongly and urgently needed to improve the level of coordination of activities relating to marine and coastal matters among the local authority, agencies and NGOs. Furthermore, the revival of a comprehensive fisheries policy would be important to guide and sustain these fisheries and ensure an appropriate and sustainable management of the resources.

Specific options for actions to support environmental management

The consultant totally accepts and agrees the recommended action plan developed by Rudy Van Der Elst and Rodney V. Salm, which includes the following elements:

- Critical resource status assessment.
- Strategic environmental monitoring.
- Awareness, capacity building and training.
- Integration of Somalia into regional programs.
- Coastal sensitivity and resource mapping.
- Assistance with development and dissemination of sustainable fishery guidelines.
- Practical biodiversity conservation intervention.

Fisheries resources and potential¹¹.

During the period 1975 – 1976 the FAO/IOP NORAD research vessel “Dr. Fridtjof Nansen” surveyed some sample areas and, although all areas and depths were not covered, the data collected provides estimates of stock levels in the case of both pelagic and demersal species. These general indications are supported by more specific data collected during various commercial fishing activities carried out by the Somali – Russian corporation, Somali fishery vessels, and by licensed foreign vessels. The major resource groups by species, composition and area of distribution are detailed below :

Large pelagic

Include the various tuna species (including bonito) skipjack and mackerel, of which Spanish and king mackerel is one of the most highly priced species. The traditional fishing grounds for these species are found along the Northern coast (especially the North-eastern) mostly halfway from Mait and usually inshore. It is also known that there are good fishing opportunities in the Gulf of Aden for tuna and skipjack during the Southwest monsoon in the deeper water. The stocks were estimated, at the time of the research, to have an annual catch potential of 2,000/4,000 metric tons (MT), in some extreme cases even reaching 8,000 MT.

Distribution of these species is also strongly influenced by environmental changes and therefore the availability and abundance would vary from year to year depending on currents and upon the onset of monsoon winds.

Small pelagic

Species occurring along the Somali coast are, in the main, sardines, round, scad, anchovies, and small mackerel and herring type fish. These are largely restricted to shallow water, and their movements depend very much upon water temperature and currents. The most abundant species are the sardines, and they are found more along the Northeast coast (Indian Ocean) than the North coast. The seasonal abundance of these species (particularly sardines, scads and herring types) is estimated to vary between 120,000 and 370,000 MT, of which about 70,000 to 100,000 MT could be caught annually without endangering stocks. Off the North coast, during fishing season, catches of up to 30 MT per night have been taken by purse seining. Catches included sardines, anchovies, small horse mackerel and Indian mackerel. Extensive coastal migration among these small pelagic species, however, makes their availability at North Eastern area seasonal.

The other major sources of information is the acoustic survey carried out by the FAO/IOP NORAD (1975-76) research vessel which, in her cruise along the coasts of Somalia, estimated an accessible stock of 40,000 MT of demersal species and 30,000 MT of sharks and rays. Since

¹¹ All the data in this paragraph refer to the research of the PRV ‘Dr. Fridtjof Nansen Expedition’ (1975 – 76). FAO Fisheries Technical Paper n. 391. Rome, FAO 1999

some demersal species are not readily detected by echo sounders, abundance levels may be higher.

Shellfish and other invertebrates

Commercially important species include the rock lobster and the deep-sea spiny lobster. The former is found in shallow water along the entire east coast while the latter is encountered at depths of about 200/300 m along the Northeast coast of Somalia.

The attempts to quantify the fisheries resources in Somali waters, principally by the cruises of the PRV Dr. Fridjof Nansen during 1975-76 has produced the following estimates of potential:

Estimates of fishery potential per species (whole Somalia)

Category	MT/Year
Tuna and mackerel	8,000
Small pelagic	100,000
Large demersel	40,000
Sharks and rays	30,000
Spiny lobsters	2,000
Meso-pelagic	Large but not quantified

Table 4

Market analysis

In the 70s and 80s the Somali fishery sector (fishermen, traders, merchants, middle men and processors) were enjoying a good and reliable internal and international market; marine products generated high income: the figures reported by a FAO study in 1982, indicated that the total exports were valued at approximately USD 15 million.

Today markets for Somali fish products are very limited and even local markets have ceased to exist due to the lack of infrastructure facilities and proper storage to service hinterland markets. Only lobster tails and shark fins/meat are currently being exported to Dubai (UAE) and Kenya the two markets currently available for the Puntland fishery products.

Local market

Small numbers of groups/companies have been formed periodically in an attempt to revitalise or create new markets in Gardho, Garowe and Galkaio respectively some 240, 450 and 750 km away from Bossaso. Unfortunately, their efforts have not been sustainable due to lack of management, inadequate cooling systems and a high taxation rate from local authority, which all makes it difficult to manage, create and enlarge new fish outlets. According to Barwaqo Fishing Company they were supplying 1 MT of fresh fish per day to Garowe, Gardho and Galkaio in 2003-mid 2004.

Fish consumption

The general fish consumption in Puntland has increased compared to the last decade. This increase has occurred due to the following factors:

- First – The Somali civil war caused thousands of IDPs who lost their assets (land, houses, etc) to become poorer and therefore dependent on the cheaper fish products for daily protein intake.
- Second – Continuous severe drought for the last four years has forced many people to flee from their herds and take up fishing in the coastal areas as a means of livelihood.
- Third – A merger seems to have taken place among traditional herdsmen and people who are engaging in frankincense productions in that they are diversifying their livelihoods by

becoming seasonal fishermen – especially focusing on lobster fishing during peak seasons.

These factors have changed the old Somali culture of disliking fish eating. According to Sanura Marine and Fisheries Professionals, fish consumption in Puntland area is estimated at 0.8- 1 kg/head per annum in 2004.

Outlet markets

There are generally no outlet markets in Puntland except the Bossaso fish market, which is unsuitable in terms of hygiene and sanitation. A small number of fish outlets has been developed in the hinterland, but have been proven not sustainable. These markets are not sustainable due to the lack of appropriate organizational management, proper product handling and cold storage capacity. In Bossaso the daily catch of fish harvested by about 20 fishing crafts is around 1-3 MT/day depending on the season. Nevertheless both the landed fish and the market absorption are undersized respectively to their potentialities. What does this mean? OTP estimates that, under the right market conditions and with the boats operating the whole year, it would be possible to reach a production of 10-15 MT/day.

Estimated yearly catch¹² (2004)

Location	Fish (MT.)	Sharks ¹³ (MT.)
Elayo	NA	510
Bossaso	2,100	-
Kandala	NA	NA
Hafun	NA	NA
Alula	NA	1,500
Bargal	NA	1,500
Bander-bayla	24	2,000
Eyl	20	1,830
Gara'ad	NA	1,650
Total	2,144	8,990

Source: OTP

Table 5

The total estimated catch, composed of finfish and shark meat (excluding lobster tails and shark fins) is 11,134 MT. The finfish production outside Bossaso is sold directly to the Yemeni mother boats; it was not possible to retrieve the data regarding these exchanges.

Fish prices and markets

In Bossaso tuna followed by mackerel and pelagic species generates the best prices. Dried or baked tuna is sold in Yemen and in Mogadishu in Southern Somalia. The following table show prices of the categories of fish (pelagic and demersal) in Bossaso.

¹² Excluding lobsters.

¹³ These figures do not include shark fins.

Market prices at landing for North-Eastern (wholesale) May 2005

Species	Category	Price (USD/kg)	Additional information
Finfish			
Yellow fin tuna	1	12	
	3	4	
Skipjack tuna	1	4	
	3	1	
Little tuna	1	6	
	3	3	
Albacore	1	6	
	3	3	
Long tail tuna	1	8	
	3	3	
Sail fish	1	8	
	3	2	
Travally	1	10	
	3	2	
Kingfish	1	30	
	3	5	
Grouper	1	6	
	3	1	
Snapper	1	6	
	3	1	
Horse mackerel	1	20	
	3	6	
Spanish mackerel	---	2	
Other			
Spiny lobster		15.00 – 20.00	Prices depend on size (smaller more valuable).
Shark fin		90.00 – 100.00	Prices depend on size (bigger more valuable)

Source: OTP/Bile Shark Co.

Table 6

In the export market (i.e. Bahrain or Qatar), whole complete fish (with head and guts) win a lower price than fillets or gutted products.

Yemeni fishery activities

The Yemeni fishery enterprises operating in Puntland started their business in 1999, with several medium boats (12-15mt LOA). Now they are operating almost throughout Puntland through fishing settlements from Bossaso on the Gulf of Aden to Hafun on the Indian Ocean Coast. About 90% of these Yemeni boats are mother vessels, which obtain fish catches from other national small fishing boats.

¹⁴ For instance, on September 2004 many fishermen decided to discard their catch of tuna to the sea, due to lack of market.

Estimated distribution of Yemeni boats by settlement 2005

No.	Settlement	Number of boats	Single loading capacity (MT)	Total capacity (MT)
1	Bossaso	2	10	20
2	Kandala	6	10	60
3	Geseley	4	10	40
4	Habo	10	15	150
5	Alula	8	15	120
6	Bareda	3	15	45
7	Bargal	12	15	180
8	Hurdiya	6	15	90
9	Hafun	NA	----	----
Total		51		705

Source: Min. of Fishery

Table 7

Note that the boats operate from October-April.

- There are no data on the number of actual catches/collections carried out by these vessels.
- Access to this activity is not restricted; it is subjected only to license from Ministry of Fishery.
- The production (the catch) is preserved with ice. Fishermen use ice cubes in all trips (Somalia to Yemen).

Yemeni fisheries purchase rates and prices.

The Yemeni boats operate from some Puntland coastal settlements, as regional authorities have no mandate to manage coastal and marine fishery resources, there is no information about their activity: number of cruises, MT of fishery products collected, prices, etc. OTP estimation says that a mother boat that operates steadily could collect and transport to Mukala (Yemen) up to 50 MT. per season. Even though there is no record, this commerce has a great relevance and it is vital for many coastal communities. For instance, fishermen in Alula, say that in season, there can be up to 46 Yemeni ships visiting the settlement at the time (an average of two a day) and their community relies entirely on them for their income/market and availability of certain goods (fruit, oil, etc.).

Despite its relevance, this commerce is limited to only two species: groupers and snappers, while the rest of the catch is usually discarded to the sea.

At the moment the Ministry of Fishery is considering to issue other licenses (up to the number of 40) even though the fishery law and policy that should regulate the sector are not in place yet.

Fishery products export
Fishery products and frankincense shipped through Bossaso Airport

Year 2003	Lobster tail Kg	Shark fin Kg	Finfish fillets Kg	Tuna canned cartoons
January	20,675	1,475	11,140	100
February	21,314	420	7,010	58
March	9,087	810	6,950	-
April	10,235	1,885	18,888	-
May	2,948	190	8,760	-
Jun	825	1,030	1,160	-
July	200	1,510	130	-
Aug	132	590	-	-
Sept	170	630	-	500
Oct	7,060	164	-	-
Nov	33,806	1,062	429	-
Dec	7,578	1,070	450	-
Total	106,970	10,836	54,917	658

Table 8a

Year 2004	Lobster tail (Kg)	Shark fin (Kg)	Finfish fillets (Kg)	Smoked Tuna (Kg)	Frankincense	
					Cat. a	Cat. b
January	17,058	1,000	2,230	-		1,421
February	14,785	460	4,000	-		10,430
March	5,274	114	7,300	-		5,500
April	4,879	1,710	9,420	-		-
May	1,610	611	6,000	-		4,770
Jun	1,310	1,680	1,580	-		15,416
July	90	460	-	-	12,000	-
Aug	140	130	7,462	-	-	-
Sept	200	450	-	80	19,680	-
Oct	15,094	370	386	-	7,970	-
Nov	17,387	150	7,000	-	-	40
Dec	10,000	700	-	-	8,200	-
Total	74,917	3,446	7,886	80	37,467	40

Source Bossaso Airport

Table 8b

Note: There are two other airports (Garowe and Galkaio) that export lobster tail, whose data were not available when this report was written.

International marketing potential

The only access route for Puntland fishery products to the international market is through Dubai (UAE) which still accepts Somali commodities in general and marine products in particular (frozen lobster tails and shark fins obtain high prices) and Mombasa (Kenya).

In Dubai there is an Indian Company controlling the market and facilitating the re-processing (and hence determining the price-level). Some Somali fisheries export companies attempted to establish a processing plant in Dubai, to receive lobster from Puntland and facilitate the re-processing; unfortunately it was realized that there was no certification process in place to support the export. (The attempt however resulted in a slightly higher price by the Indian company in Dubai for future lobster).

There are also commercial contacts with Mombasa (Kenya) to export dry fish meat (tuna, ray and shark in particular). Former markets included France, Italy and Saudi Arabia, and East African markets in Tanzania.

Market prices for Puntland fishery in Mombasa and Dubai (wholesale) 2005

Species	Category	Price (USD ¹⁵ /kg)	Additional information
Mombasa			
Dry shark	1	1.00	
	2	0.83	
	3	0.66	
Dry ray	1	0.66	
	2	0.50	
Dry tuna	3	0.16	
Dubai			
Lobster tail	1	29.00	
	2	27.00	
Shark fin	----	115.00	

Source: OTP/Bile Shark Co.

Table 9

The sector confronts problems such as:

- lack of processing and handling techniques, without which it is not possible to compete on the global markets.
- Fishery infrastructures are not operating, only Necfish in Bossaso operates from time to time and produces ice only.
- Although some storage and processing equipments are in place, they require renovation and repairing. As a result of this situation, it can happen that, during the high season, fishermen sometimes leave large amounts of tuna on the beach, due to lack of cooling systems, lack of market outlets in the hinterland and lack of the product quality caused by these constraints.

This study, which is carried out by OTP, is recommending that other markets should be developed and could be established through centres exporting Somali fishing products from Kenya and Tanzania to Congo, Zambia, Angola and Sudan.

Marine Stewardship Council - MSC Certification

Unilever and World Wildlife Fund (WWF) to devise a market incentive for fishery operations and to safeguard the world's seafood supply by promoting the best environmental friendly approach to the marine resources for the fishery industry created the Marine Stewardship Council (MSC) in 1997. In fact, over fishing is now threatening the continued survival of fish stock around the world and the 200 million jobs they sustain. The MSC is now mandatory to access many foreign markets. The MSC has developed a labelling scheme (eco-labelling) for sustainable seafood production, which could provide a real incentive for fisheries, large and small, in Puntland by opening those foreign markets. To upgrade Puntland fisheries communities OTP tried to introduce MSC certificate of quality; a consultant, Paul Medley, held a two-day workshop for fishery stakeholders in March 2002 in OTP Head Office at Bossaso. The issue of the certificate was very interesting for the MoF, fisheries cooperatives, businessmen and some other ordinary fishermen, when some of the principles and criteria were explained. The participants understood the concept behind the certificate, which was important for their marine environment and price increase to their product in the long run.

¹⁵ Exchange rate USD/KES: 1/75.

Main constraints for the fishery sector in Puntland

Problems and opportunities

Infrastructure constraints: The sector is seriously lacking the necessary supporting infrastructure such as cold storages, processing plants, canning factories, accessible roads, facilities for boat repair and maintenance, etc. The establishment of such infrastructures could facilitate and help develop and expand the sector significantly. The infrastructure constraints are mainly related to the lack of access roads, cooling systems, and conservation. The major constraints are categorized as follows:

1. National harbours, which could support fisheries, are missing. The only port Puntland has is Bossaso, that day-by-day hosts more than 20/30 national boats and half a dozen of medium Yemen fishing boats.
2. Inadequate cooling systems, processing and preservation systems.
3. Absence of repair/maintenance facilities outside Bossaso.

Infrastructures for fishery by location (2005)

No	Location	Fish markets	Processing plants	Refrigerator trucks	Cooling systems and cold storage	Plate freezer	Canning facilities
1	Bossaso	1	1	-	2	2	-
2	Kandala	-	-	-	-	-	1 (under construction)
3	Habo	-	-	-	-	-	1 (under construction)
4	Bargal and Surrounding	-	-	5	1	-	-
5	Bayla and Surrounding	-	1	14	-	1	-
6	Eyl District	-	1	13	-	1	-
7	Gara'ad District	-	-	16	-	2	-
8	Las-korey	-	-	2	-	2	1

Source: OTP

Table 10

- There are also small ice factories in Bossaso and Garowe which provide block ice to the towns and fishery communities, at least 10 such factories operates in Bossaso and one in Garowe.
- In EYL there are artificial ponds that are intended to recruit lobsters. The ponds are like aquaculture ponds and operate similarly, the difference is only the way they recruit species. These ones keep only living lobster either small or big ones, but not larva.

Environmental constraints: Illegal, Unregulated and Unreported (IUU) fishing is increasing day by day and destroying coral reefs, fish nursery areas, capturing endangered species and depleting fish stock rapidly. Climate change like monsoons also could affect finfish, as the Southwest monsoon (May – mid September) could spoil and deteriorate marine products rapidly.

Local demand: Internal demand for fishery products in Puntland is still very low, due to traditional diet (which is biased toward meat), lack of roads and transports to bring the products rapidly and safely to the internal areas. The implementation of a proper awareness campaign and the improvement of the food processing infrastructure as well as the creation of equipped fish markets, would cause local demand to increase.

Export constraints: The constraints are mainly lack of preservation, cooling systems, proper handling and as well as quality control, which is the most important component that gives certification to seafood (i.e. the MSC illustrated in the above paragraph).

Therefore, the Puntland fishery sector can only demand relatively low prices for their resources due to the lack of certified quality control, dependence on the purchaser due to the lack of storage facilities (buyers market). The application of an internationally recognized quality control mechanism would allow Puntland marine products to compete on markets abroad.

Industry development constraints: Canning factories could employ hundreds or perhaps thousands of people. Processing plants also make employment opportunities, while outlet markets, revolving funds, and micro credits could create and promote income generation activities. Some of the general problems facing the industry development include the lack of human resources with the appropriate technical skills and the lack of investment funds.

Community level constraints: Limited spare parts and fishing equipment and possibilities for storing and processing fish has drastically reduced the fisheries output in the communities. Likewise the existing market channels are too limited to support an increase in catches. Lastly, in some communities (like Elayo) the illegal fishery is a threat not only for the environment but also for the lives and belongings of the fishermen as there are reports of armed vessels, which caused casualties and loss of nets and equipments.

Recommendations

- Training of Ministry personnel. Ministry staff skills require upgrading, Particularly, the senior staff who administer fisheries, need further academic courses both long and short term.
- A stock assessment survey should be undertaken on specific commercial and high-value species. In addition it will be useful to perform a specific survey on fin-fish such as shark and tuna.
- The data collection system of fisheries is inadequate and requires improvement. The data collection structure could be enhanced by training the Ministry of Fisheries' personnel and/or staff from other relevant organizations.
- Encourage the creation of cooling systems, processing and preservations equipments and materials for fishery cooperatives or poorer fishery communities.
- Evaluate and strongly supervise (and if necessary) re-orient fisheries activities towards both Artisanal and Industrial.
- Support the creation of structures for the maintenance of the boats, fishing gear, marine engines outside Bossaso; with particular focus on creating skills through training.
- Study and implement a wide range campaign of awareness/advocacy to promote the consumption of fishery products.
- To improve and extend the communication network (ports, airports, road) to ease the transport of fisheries product (highly perishable) both to the internal and international markets.
- Given the high number of seasonal workers, disseminate information and provide training to those inlanders who want to turn to fishing as a full-time livelihood, by organizing courses on modern fishing and fish-processing techniques, such as: smoking, brining, salting, filleting, drying shark meat and skin/fin, the training could also include fish handling hygiene and marketing.
- To sustain and support seasonal workers and foster the introduction of part-time/seasonal employment in the fish processing sector.

APPENDIX

Annex 1: Terms of reference for the Consultant

Position: Consultant – Fisheries Sector

Duty station: Bossaso

Period: Two Months

Specific duties and responsibilities:

Working closely with Ministry of fisheries, ports and sea transport administration and other stakeholders, both local and international, involved in the development of the fisheries sector, the consultant was expected to:

- Review the fishery policy and guidelines, if any, in the ongoing programmes of the Puntland administration and other development partners
- Assess the current status of the sector in terms of employment, production, local consumption and export.
- Assess the constraints and potential of the sector as a major source of income and employment generation opportunities for Puntland
- Review the coverage and quality of fisheries statistics, identify major players and suggest steps needed to improve the statistics
- Promote dialogue among various stakeholder (administration, NGOs, private sector etc)
- Examine the impacts of globalisation of the fisheries trade and development in terms of economics and other factors including the recommended international standards, practices, processing and handling of fish and fish products.
- Outline major steps to be taken to promote this sector in relation to its potential

Annex 2: Acronyms

FAO	=	Food and Agriculture Organization of United Nations
GEF	=	Global Environmental Facility
ICZM	=	Integrated Coastal Zone Management
IDPs	=	Internal Displaced Persons
IUCN	=	The World Conservation Union
IUU	=	Illegal, Unregulated and Unreported (IUU) Fishing
LMR	=	Living Marine Resource
LOA	=	Length Over All
MoF	=	Ministry of Fisheries
MPA	=	Marine Protected Area
MSC	=	Marine Steward Ship Certificate
NE	=	North East
NECFISH	=	The North East Coast Fisheries Enterprise
ORI	=	Oceanographic Research Institute/South Africa
OTP	=	Ocean Training and Promotion
PAP	=	Public Awareness Participation
PRESGA	=	Regional Organization for Conservation of the Environment of the Red Sea and Gulf of Aden
WWF	=	World Wildlife Fund

Annex 3: References

- “Status of the living marine resource in the Red sea and Gulf of Aden and their management”, PERSGA, Bossaso May 2002.
- “Development of Artisanal marine fishery monitoring, methods and tools”, IUCN Eastern African program September 1997, Consultancy by Rudy Van Der Elst.
- “The Somalia fisheries exploitation/pilot project”, prepared by Landel Mills associated ltd, NECFISH.
- “War torn societies project NE Somalia, Regional report”, Bari region Feb 1998.
- “Fishery Development in north east region –Somalia support to the Artisanal fishermen”, 3rd quarterly report. Africa 70 01/04/1999-30/09/1999.
- “African market study dried shark meat”. OTP, Bossaso Decr 1995 - Feb 1996.
- “The Somalia inshore lobster resource. A survey the lobster fishery of the north eastern region (Puntland) between Foar and Eyl in November 1998”, Peter J. Fielding and Bruce G. Mann. ORI 1999.
- “Overview of bio-diversity of the Somali coastal and marine environment”, Rudy Van Der Elst- ORI, Durban, South Africa and Rodney V. Salm- IUCN – US. Washington. 1998
- Fishery and coastal policy for Puntland Somalia, Government of Puntland State of Somalia, 2004.

Annex 4: Persons interviewed

1. Farah Shire Fahiye – Shafii, BOD member
2. Omer Bile Ahmed - Bile shark fin trading
3. Abdulkadir Artan Ise – Chairman, Sanura professional group
4. Abdifatah Jama Nur – Manager, Barwaqo fishing Co.
5. Eng. Abdirahman Said Galeyr – Chairman, Regional Marine Conservation Organization
6. Said Diraa - Bossaso Manager, Laskoreh Tuna Factory
7. Abdirisak Osman Ali – OTP, Field Officer
8. Abdiwahid Mahamed Hersi “Jocar” - Director General, Ministry of Fisheries
9. Mohamed Farah - Director Department of Planning, Ministry of fisheries

Annex 5: TOR for the Workshop on the Fishery's sector (Bossaso, 28 – 29 May 2005)

“Presentation of consultants findings”

**Terms of Reference
and Agenda**

Workshop on the Fishery's Sector

**Current status, opportunities and constraints
Puntland**

28 and 29 May 2005

**Fishery Workshop is conducted by Ocean Training and Promotion (OTP) Bossaso
and
Funded by UNDP Somalia**

1. Introduction

In support of promoting economic development and diversification in Puntland UNDP Poverty Reduction and Economic Recovery Programme (PRER) has undertaken a number of activities, including initiating several feasibility studies providing recommendations for the development of specific economic sectors. The most comprehensive study of this kind was provided in the Bertolli Report launched in 2003, identifying a range of economic opportunities in Puntland including, among others, the livestock, agriculture and the fishery sector. The programme has also launched a series of data collection initiatives through the Somali Watching Brief, designed to provide baseline data for economic recovery interventions.

The assessment conducted by UNDP/PRER on identifying opportunities within the fishery sector in Puntland, is linked to UNDP's strategic efforts to improve livelihoods and promote economic diversification. Similar fishery sector feasibility studies are being conducted in Somaliland in 2004 and in South-central Somalia.

The programme promotes the diversification at both the household level and at the macro economic level in an attempt to reduce vulnerability and enhance opportunities for economic growth and recovery. At the macro-level diversification could increase the use of underutilized productive resources and could generate income and employment opportunities such as the fishery sector which holds major opportunities in terms of diversification of the economy and in the economic recovery of the region.

Despite its potential as a major sector of economic development, both as a source of trade and/or for consumption on the local market, the fishery sector remains relatively underdeveloped. As identified in the Bertolli Reports developed for both Somaliland and Puntland in 2003, the sector has the potential for expansion, however an increased output would only have an economic impact in the small villages if a ready market is availed. Hence, any interventions in the sector would need to consider the mechanisms for allowing the products to access the market, the quality of the products and the policy framework in which such an expansion would operate. The fishery sector also has the potential to become the cornerstone of the proposed Five-year Development Plan for Puntland, Somalia.

It is on this background that the UNDP/PRER programme proposes a workshop to present and verify a feasibility study conducted by Ocean Training and Promotion (OTP) in Bossaso focusing on the current status, opportunities and constraints of the fishery sector Puntland and to discuss growth potentials in the sector.

2. Objectives of the workshop

The objective of the workshop is to review the preliminary findings of a study commissioned by UNDP on the current status of the sector and opportunities and constraints to its growth. The specific aims of the workshop are:

- To review the preliminary findings of the consultant's study on the fisheries sector.
- To facilitate debate across the range of interdependent actors in the sector, including fishermen, fishery cooperatives, fish processing industry, traders and policy makers regarding the development the constraints and development opportunities of the sector.
- To generate ideas from the participants on how to tackle current development constraints within the sector and to identify a way forward, and

- To identify investment opportunities for the private sector and the critical support and interventions needed to attract such investments.

2.1 Expected outputs

It is intended that this workshop will have the following results:

- Produce a revised report that incorporates comments and suggestions of different stakeholders.
- Provide recommendations that can contribute to a road map for action within the sector.

3. Workshop structure

The workshop has been designed to focus upon common problem solving in order to ensure that the workshop produces concrete recommendations jointly owned by a wide spectrum of stakeholders. This format will also encourage community building among those stakeholders who will work together to foster a comprehensive understanding of the need for commercial, technical and policy inputs towards achieving targeted and sustainable development objectives within the sector.

3.1 Structure

The proposed workshop will after the initial presentation and discussions, be organized into three working groups to address different dimensions of the issues related to the development of this sector. The three working groups will be supplied with an agenda to facilitate the discussions.

Working Group 1: Artisan and Industrial Fishing:

- Discuss the constraints and opportunities related to enhancing the output of fishing activities in Puntland.
- Determine if new techniques and/or tools are required or if current methods can be adapted and updated to enhance output.
- Discuss the policy requirements.
- Provide a SWOT analysis of the thematic area.

Working Group 2: Processing and manufacturing:

- Discuss the constraints and opportunities related to enhancing fish product processing infrastructure and manufacturing industry.
- Discuss the policy requirements.
- Provide a SWOT analysis of the thematic area.

Working Group 3: Local consumption and export:

- Discuss and evaluate the potential for enhancing the export and/or local consumption in the region.
- Identify the main constraints for the trade and identify solutions to enhance the export of fish products.
- Discuss the policy requirements.
- Provide a SWOT analysis of the thematic area.

3.2 Participants

The workshop participants will comprise of about 30 + stakeholders and experts invited primarily from the following entities:

Government Institutions		Recommended participants
1	Ministry of Fisheries, Ports and Marine Transport	1
2	Ministry of National Planning and Cooperation (MOPIC)	1
3	Ministry of Commerce and Industry (MCI)	1

Other Institutions	
4	Chamber of Commerce

Fishing Communities	
5	Bosaso
6	Elayo
7	Kandala
8	Hafun
9	Alula
10	Bargal
11	Bender Baila
12	Eyl
13	Gara'd

Private sector*	
14	Necfish
15	Fishery co-operative Ladan
16	Barwaqo fishing company
17	FBMP fishing boats maintenance professional association
18	Laskoreh tuna factory
19	SANURA professional/marine fisheries group
20	Bile Company- Shark fin/meat traders
21	Dhegig Shark fin trader
22	Suudi Company Fishing gear and marine engine traders

Institutions and Agencies	
23	UNDP
24	UNHCR
25	UNICEF
26	FAO
27	Regional Marine Conservation Organisation (RMCO)

Total number of participants	30 +
------------------------------	------

Invitations has been extended to a wide set of stakeholders to ensure broad representation of different technical, business, legal and policy issues related to the development of the fishery sector.

3.3 Meeting location and agenda

The workshop will be conducted at the Panorama Hotel on 28 and 29 May 2005.

28 May 2005	
0830	Registration of participants.
0845	Welcome Address: Representative from the Ministry of Fisheries, Ports and Marine Transport.
0900	Opening: Representative from Ministry of International Co-operation and Planning.
0915	Introduction: Representative from Ministry of Commerce and Industry.
0930	Introduction: UNDP/PRER – Mr. Carsten Hansen
0945	Presentation of “Assessment of the Fisheries Sector in Puntland” by Mr. Mohamed Mohamud Mohamed (OTP).
1030	Coffee Break
1100	General discussions of findings
1230	Closing remarks
29 May 2005	
0830	Orientation of group discussions
0845	Group discussions
1000	Coffee Break
1015	Group discussions
1130	Group presentation of recommendations – Group 1.
1145	Group presentation of recommendations – Group 2.
1200	Group presentation of recommendations – Group 3.
1215	Round-up discussion
1230	Vote of Thanks – Representative Chamber of Commerce

4. Preparatory work

Mr. Mohamed Mohamud Mohamed is responsible for the planning and implementation of the fishery workshop, including the presentation of the consultants findings.

4.1 Background materials

The workshop may make use of existing reports and surveys undertaken in recent years, including the Bertolli Report and statistical surveys providing important economic indicators to support the discussions. The role of the UNDP/PRER programme is solely to facilitate the workshop and provide data to stimulate progressive discussions.

5. Logistics

Please note that **no per diems/transport allowances** will be paid for participation in the workshop, which will be conducted on a voluntary basis.

The UNDP will however facilitate partial support, in form of a lump sum, to the invited fishing communities as listed below. Please note only invited and confirmed participants will be eligible for the support.

Community	Names	No. of participants	Transport support	Subsistence support	Total per participant
Bossaso		1			
Elayo		1			
Kandala		1			
Hafun		1			
Alula		1			
Bargal		1			
Bender Baila		1			
Eyl		1			
Garad		1			

The letter of invitation will be sent out by OTP and HAMAD in consultation with MOPIC, who also will be identifying and reverting to UNDP with the full names of the invited participants from the listed fishing communities above.

OTP prepare all logistics and will consult with all relevant institutions and partners in Bossaso, including the Ministry of Fisheries, Ports and Marine Transport, Ministry of Commerce and Industry, Chamber of Commerce, private sector traders and NGO's.

Annex 5: Notes on the Workshop on the Fishery's sector (Bossaso, 28 – 29 May 2005)

**UNDP PRER/SWB
Notes on Fishery Workshop
Bossaso, Puntland**

Day I: 28 May 2005

UNDP PRER/SWB

Your Excellency Vice-Minister of Fisheries and honored participants:

In support of promoting economic development and diversification in Puntland, UNDP's Poverty Reduction and Economic Recovery Programme (PRER) has undertaken a series of activities, including:

- Several feasibility studies providing recommendations for the development of specific sectors.
- The most comprehensive one was properly the Bertolli report in 2003 identifying a range of sectors with economic opportunities in Puntland including, livestock, agriculture and the fishery sector.
- The Programme has also launched a series of data collection initiatives, supported by the WB, designed to provide baseline data for economic recovery initiatives.

In continuation of these activities the PRER programme commissioned a feasibility study on the fishery sector in Puntland. The report has now been concluded by OTP in Bossaso and this workshop is designed as an opportunity to share their findings for general discussion.

Whenever UNDP commissions a report, we always ensure that all findings are shared with the Government and all involved stakeholders, in order to include your advice as you are the people that know the sector best.

The objective of the workshop is to review the preliminary findings of a study commissioned by UNDP on the current status of the sector and opportunities and constraints to its growth. The specific aims of the workshop are:

- To review the preliminary findings of the consultant's study on the fisheries sector.
- To facilitate debate across the range of interdependent actors in the sector, including fishermen, fishery cooperatives, fish processing industry, traders and policy makers regarding the development the constraints and development opportunities of the sector.
- To generate ideas from the participants on how to tackle current development constraints within the sector and to identify a way forward, and
- To identify investment opportunities for the private sector and the critical support and interventions needed to attract such investments.

Finally:

- We hope to see that this workshop becomes a milestone in the development of the fishery sector in Puntland.
- The development of this sector can be an important element of the overall strategy for income generation in Puntland.
- Keeping in mind that there can be no sustainable development through one sector alone – the fishery sector has great potential, which is only currently being partly utilized.

- The development of this sector can benefit the Government, traders, industry, investors and the population at large.
- In this process the Government is playing an important role in terms of policy development and enforcement.
- On that note I would like to pass the word to His Excellency the Vice-Minister of Fisheries for his opening speech. Thank you.

Minister of Fisheries, Ports and Marine Transport

The Vice-Minister of Fisheries made a short speech reiterating the importance of the fishery sector for development in Puntland and officially opened the workshop.

Comments on presentation:

1. It was decided to go through the tables in a systematic way in order to verify the data with all present parties from the different settlements.
2. The following corrections were made to table 2 *Estimated distribution of fishing fleet in Puntland* on page 6.
 - The total numbers, in particular in Bossaso, were seasonal as the number of total fishermen could increase to 130 boats during the peak fishing season in October-May.
 - The number of non-operational boats in Bossaso was proposed to be 74 rather than 30.
 - The number of non-operational boats in Alula was proposed to be 75 rather than 35.
 - The number of canoes in B/Beyla was proposed to be 20 rather than 14, number of motorboats to be 540 rather than 420, non-operational 200 rather than 161.
 - In Eyl the number of motorboats was proposed to be 675 rather than 313, operational 625 rather than 280 and non-operational 150 rather than 63.
 - In Gara'd the number of canoes was proposed to be 30 rather than 5, motorboats 400 rather than 200, operational 300 and non-operational 100.
 - The areas of Eyl and Garad were increased and hence the number of fishermen and boats increased as well.
3. The non-operational boats mainly were damaged and had engine problems due to lack of access to spare parts.
4. It was agreed to gather the recent assessment from the Ministry of Fisheries for further discussion on 29th May. Likewise it was agreed to contact Hafun and Hurdia by radio in order to confirm the provided data.
5. It was agreed to gather the recent assessment from the Ministry of Fisheries for further discussion on 29th May. Likewise it was agreed to contact Hafun and Hurdia by radio in order to confirm the provided data.
6. The distribution of manpower involved in the fisheries sector was discussed and the given numbers approved.
7. It was mentioned that in Elayo many fishermen were concerned with going out to sea due to the IUU fishing and it was reported that fishermen had been targeted by armed vessels and lost their nets and equipment.
8. The fish prices and markets were discussed and it was established that the price fluctuates a lot depending on market supply, as the availability of cool storage of excess catch is very limited. Last year in September many fishermen decided to discard their catch of tuna in the sea due to lack of market.
9. In Alula there are 10 Yemeni ship that come 3-times a month each and fill up 10 MT. of fish from the Alula fishing community. The community is dependent on these boats as they also bring fruit and oil etc. to the town. At times there are up to 46 Yemeni boats

operating to Alula (approximately 2 boats per day). Basically the community is completely dependent on these boats as their only source of income/market and supply of goods.

10. The following corrections were made to Table 5 *Estimated yearly catch (2004)* on page 11:
 - Alula had an estimated catch of 1,500 (instead of 1,300) M. Ton. of shark meat
 - Bander-Bayla estimates a production of 24 MT. of fish fillet.
 - Eyl estimated a production of 20 MT. of fish fillet and 200 MT of shark fins. While they did not commercialize any shark meat.
 - In general, there is no regular and reliable collection of data for the fin fish production outside Bossaso, which is present at least for some species. All the harvested snappers and groupers are sold to the Yemeni mother boats, while other species are neglected.
11. The export figures only including data from Bossaso airport was considered incomplete, as there is also substantial export of especially lobster from Galkayo and Garowe airports. The accurate information/data on these export figures was not available. OTP to follow-up.
12. The only existing market for Puntland lobster is Dubai, where there is an Indian Company controlling the market and facilitating the re-processing (and hence determining the price-level). It remains problematic for Somali fisheries products to be accepted for export to other countries.
13. It was attempted by some fisheries export companies to establish a processing plant in Dubai, which received lobster from Puntland and facilitated the re-processing. Unfortunately it was realized that there was no certification process in place to support the export and hence became very difficult. (The attempt however resulted in a slightly higher price by the Indian company in Dubai for future lobster).
14. The following corrections were made to Table 10 *Infrastructures for fishery by location (2005)* on page 16:
 - Bossaso has 2 (instead of 1) cooling systems and cold storages and 2 (instead of 1) plate freezers.
 - In the area of Bargal there is 1 cooling system
 - In the area of Bender Beyla there are 1 processing plant and 14 refrigerated trucks (instead of 10).
 - In Eyl district there is 1 processing plant. It was not possible to confirm the number of 13 refrigerated trucks, though the representatives of the fishing communities considered the estimation reasonable.
 - In Gara'd district there are 16 (instead of 9) refrigerated trucks and 2 plate freezers.
 - In Las-korey there are 2 (instead of 1) plate freezers

II-Day: 29 May 2005

Group 1: Industry and Artisan Fisheries

Weaknesses:

- The main constraint for improving the current production for the average fishermen is the lack of fishing equipment and spare parts for mostly engines etc.
- Even if the production were increased it would currently be difficult to store the increased catch due to inadequate cooling systems, which can preserve the catch before it can be sent off to the main markets.
- The most serious problem however is the continued IUU fishing along the Puntland coast. It is reported that vessels involved in IUU often take the fishing gear from the local fishermen; sometimes even kill people in the process. Finally the IUU fishing is

destroying the fishing grounds due to illegal techniques and over fishing. It was reported that IUU fishing come as close as ½ mile from the coast and even close to the Bossaso seaport.

- Lack of awareness of local fishermen on environmental management and little cooperation among fishermen.
- Inadequate marketing for foreign markets.
- Low quality of processing.

Opportunities:

- There are currently some basic infrastructure in place, including the seaport of Bossaso and the tarmac road from Bossaso to Galkayo.
- There are also many established and operational fisheries cooperatives, including a range of fisheries traders with existing networks and experience to support the expansion of the sector.
- Law and order in Puntland.

Overall recommendations:

- It was agreed that processing and handling of the fisheries products remains an essential obstacle for the local fisherman and for international market access. It was proposed to, for example, construct means of preserving the shark carcass by drying or other techniques for processing locally.
- The introduction of new fishing gears and the upgrade of existing equipment.
- The Government was encouraged to implement the existing fisheries law and policies and to take steps to stop the IUU fishing off the coast of Puntland and limit the number of licenses granted.
- The Somalis' must become better at managing their resources and take care of existing stocks. The must be established a system to manage the natural resources and prohibit the fishing of certain species at given times, these actions must also be reinforced to be relevant.
- It is recommended that a mother vessel is stationed off the coast, and facilitate sales with the fishermen. Actually NECFISH started with this system earlier collecting fish from as far as Alula and was commencing the Phase II, which was to include fishery collection over the cape and south. Different options of this nature were discussed.
- It was recommended to get accurate statistics on the boats and current fisheries.

Group II: Manufacturing and Processing

Weaknesses:

- The current availability of cool storage is inadequate to support the on-going or potential fisheries harvest.
- It was recommended to create more storages like NECFISH in Bossaso, however the institutional framework needed to be decided upon.
- Inadequate fishing gear and lack of funding to procure new equipment
- The supporting infrastructure for the sector is lacking.

Opportunities:

- There are currently skilled people available to developed boat building, iceboxes and fish boxes, hence less need to import equipments.
- The traders are able to develop tuna canning factories and some cool storage like in Las-Koreh and other places with some success.

Threats:

- A lot of IUU Fishing, which is destroying fishing grounds and over-fishing.
- Yemeni fishers are concentrating on only one-two fish species and hence discarding the rest.

- Somali fishermen themselves are threatening the sustainability of many species, like lobster as they harvest both eggs-bearing and juvenile lobsters.
- Inadequate foreign markets due to lack of certification
- Fishery law and policy available but lack of enforcement.

Overall recommendations:

1. Processing fish begins on board of the ships till it arrives at the processing plant – without damage in form of exposure or bruises. A comprehensive approach is therefore required to secure appropriate quality control. Likewise it was recommended to engage in more localized and traditional form of preservation techniques such as:
 - Cooling
 - Canning
 - Smoking
 - Brining or salting
 - Grinding - Fish meal
 - Kerosene smoking
2. Awareness on resource protection: It was recommended to also engage in training of the local communities in marine resource protection as many of the communities are currently unable to properly manage the existing resources and hence protect them from over-fishing etc.
3. Develop infrastructure: The issue of adequate supporting infrastructure for the fisheries sector remains a major obstacle for development of the sector, and the need for infrastructure development was reiterated. Especially road construction was emphasized with focus on market access roads and rehabilitation of existing roads for example between Bossaso and Las-Koreh and Las-Koreh and Elayo.

Group III: Export and Domestic Consumption

The consumption of fish has generally increased in particular in the coastal areas of Puntland. In the hinterland the fish consumption remains low, however if there was access to cooling systems and better infrastructure it would be possible to reach these markets. Internal consumption of fishery products is very low: many Somali's simply don't eat fish, and the ones who do limit their choice to a few species, as many edible fishes are usually neglected as inedible. Finally, there is basically no encouragement to eating fish.

Strengths:

- There are many planes, and boats to transport and support the expansion of the production.
- The production is generally excellent.
- The domestic consumption on the coastline is also excellent

Weaknesses:

- Lack of effective marketing and access to foreign markets, depending on lack of certification of Somali fish, mainly due to absence of control on processing.
- Lack of encouragement/lack of policy
- The fluctuation of the prices of fish and high level of taxation, which makes it difficult to plan investments.
- Chamber of Commerce not working as they wish.
- Lack of bank facilities
- Lack of awareness of eating fish
- The roads are very bad and no cooling storage available.
- Inadequate markets due to:
 - a. Lack of awareness of eating fish

b. Bad conditions or absence of efficient internal communications (roads)

Opportunities:

- There are a lot of people who are oriented toward the sea.
- Mobile refrigerator trucks are available.
- The Puntland authorities and the law and order provided is an opportunity
- The market is available but currently low.

Overall recommendations:

- It was recommended to engage in a Radio/mass media campaign on the virtues of eating fish, such as low price relative to meat/healthy/availability.
- Infrastructure needs to be rehabilitated – market access infrastructure needs to be developed.
- Joint ventures with foreign companies, Southern Somali's, Diaspora Somali's, Foreigners and pilot projects/share-holder companies needs to be established to secure foreign investment in the sector. An example of these activities is the Harbo canning factory, which is being established, including Somali/foreign shareholders. Likewise there is a company in B/Beyla shared between Indians and Somali's together, registered in Dubai.
- Establish a training center for youth and militia in order to train them in fisheries and fisheries processing, such as Smoking, Brining, Salting, Filleting, Marketing, Drying shark meat and skin/fin. The training could also include fish hygiene and processing, fishing gear, as well as technical subjects as marine engines, boats and fishing gears maintenance. There remains a human resource constraint in the sector as most of the skilled people have come from the South and hence are not settled in Puntland long-term.

Names and contacts of participants to the Workshop on Fishery Sector (Bossaso, May 28 - 29 2005)					Attendance	
	Name	Institution	Location	Contacts	28	29
1	Eng. Said Mohamed	FBMP	Bossaso	fbmp8@hotmail.com	X	X
2	Mohamed Said	FDB	Bossaso	fbmp8@hotmail.com	X	
3	Abdulkadir Arten	Sanura Fish Co.	Bossaso	Cartan200@hotmail.com	X	X
4	Mohamed Ali Noor	B. Beyla Fishing Ass.	B. Beyla	tel. 725640	X	X
5	Eng. Abdirahman Said Galleir	RMCO	Bossaso	regmarineconservation@yahoo.com	X	X
6	Osman Xaaj Yusuf	Bargal fishing Ass.	Bargal	shoble15@hotmail.com	X	X
7	Salah Abdullaahi Ali	Alula Fishing Ass.	Alula	HF radio	X	X
8	Xusein Mohamed	Elavo Fishing Ass.	Elavo	Maka	X	X
9	Yaxye Cabdalle	MoF	Bossaso	Min. of Fishery Bossaso, tel. 36845	X	X
10	Mohamed Hassan	Eyl Fishing Ass.	Eyl	moh680@hotmail.com	X	X
11	Hussein Dahir Afrah	Boat Building Factory	Bossaso	tel. 62286; afrah_ereq@hotmail.com	X	
12	Said Jibril Arris	SHAFIA NGO	Bossaso	shafianqopl@hotmail.com; jibrili50@hotmail.com	X	
13	Mohamed Ali Mohamed	MoF	Bossaso	Min. of Fishery Bossaso, tel. 60503	X	X
14	Dr. Abrinor Said Mohamed	MoF	Bossaso	Min. of Fishery Bossaso, tel. 36845	X	X
15	Osman M. Ali	SORSO NGO	Bossaso	sorsobossaso@hotmail.com	X	
16	Farah Shine	SORSO NGO	Bossaso	sorsobossaso@hotmail.com	X	X
17	Said Mohamed	Kandala Fishing Ass.	Kandala	tel. 827570		X
18	Mohamed Gise Yusuf	Ahmed Sudi Fishing Gear Co.	Bossaso	tel. 825509/36583		X
19	Carsten Hansen	UNDP	Nairobi	carsten.hansen@undp.org	X	X
20	Lapo Somigli	UNDP	Hargeisa	lapo.somigli@undp.org	X	X
21	Mohamed Mohamud Mohamad	OTP	Bossaso	otp.org@hotmail.com	X	X

Annex 7: Fisheries/Marine Policy and Strategy

**DAWLAD
GOBOLEEDKA
PUNTLAND**



**THE
GOVERNMENT OF
PUNTLAND**

Somalia

Ministry Of Fisheries, Ports, and Marine Transport

Fisheries /Marine Policy and Strategy

Final Draft

April 2004

THE PRESIDENT

SEEING: *article 96 of the constitution and fisheries regulations of PL*

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 a marine transport:*

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

HAS ASSENTED: *The fisheries and marine policy strategy*

VISION

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

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, developing and conservation of marine and coastal resources of Puntland.

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 PL's marine and coastal Environments 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.

2. Enhancing the existing fisheries practices to wards 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.

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.

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

Objectives:

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

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

Objectives:

To fully cooperate with other part of Somalia, countries in the region and 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.

- PL's marine and coastal resource belongs to its entire people.
- These resources should be managed by PL State in the people's interest

3. FISHING RIGHTS and ACCESS TO RESOURCES

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.

- 3.1. 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.
- 3.2. Such a system of allocating rights to harvest marine resources should be managed by PL State
- 3.3. Once allocated to users, those rights should be protected by PL State.
- 3.4. Once granted, rights for fish cannot be removed except under special circumstances such as:
 - ▶ Violation of law
 - ▶ Over-fishing resource
 - ▶ Non-use of the fishing right
 - ▶ Return to government for compensation
- 3.5. Fishing rights can be expressed in terms of species, gear types, effort, spatial distribution or catch limits, whichever is most appropriate.
- 3.6. Rights to fish are best allocated by means of II licensing system.
- 3.7. Rights to fish are leased from the PL State on annual basis.
- 3.8. Fishing rights can be leased to either an individual, A community or an association/company
- 3.9. Fishing rights cannot be transferred, or sold by their owner.

3.10 Foreigners can be given fishing rights when PL capacity cannot harvest certain species or there are evidences of surplus stocks.

4. 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.

4.1 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.

4.2 All consumptive use of marine resources will require a license (fishing rights) from the ministry, except subsistence fishers who require gratis registration.

4.3 A precautionary approach (Fisheries management measures) will be adopted wherever information on stocks is inadequate.

4.4 Management plans will be developed and implemented for the major resource. Management plans will incorporate scientific, as well as social and economic, considerations.

4.5 Destructive harvesting practice (fishing methods) will not be allowed.

4.6 Different categories (sectors) of use are identified as follows:

- ▶ Subsistence
- ▶ Artisanal - PL
- ▶ Foreign
- ▶ Industrial PL
- ▶ Recreational
- ▶ Experimental

4.7 The right to fish is granted in any one of the above sectors

4.8 Some fishing zones may be specifically reserved for certain user sectors, e.g. inshore for Artisanal fishers. This will include protecting the rights of inshore fishers and their gear from industrial operators.

4.9 Foreign fishers may be required to land or declare their catches at pre-specified sites.

4.10 All fishing vessels will be registered.

4.11 Some areas (zones) may be declared limited or no-use reserves to protect the environment and its resources.

4.12 Fishery compliance will be taken very seriously and violation of the law may result in fines, confiscation's loss of fishing right, or a combination of both.

4.13 Penalties will be determined in accordance with potential benefit the transgressor may have derived.

5. 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 share responsibility with stakeholders. It is intended that these structures should be modest in size, but efficient in delivery.

5.1 There should be a ministry of fisheries, ports and marine transport

Which will be responsible for management, including:

- ▶ • Fisheries administration
- ▶ • Monitoring of stocks and their use
- ▶ • Research and development in fisheries
- ▶ • Protection, control and enforcement
- ▶ • Coastal development and human impact assessment
- ▶ Data collection and fisheries information dissemination.

- 5.2 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 the recommended level of sustainability or in cases where conflicting interests have arisen.
- 5.3 Regional offices should be established, in collaboration with local communities, users and traders. These would facilitate extension activities, data collectors and various co-ordinations.
- 5.4 The formation of local fishermen's co-operatives will be encouraged.

6. 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.

- 6.1 The ministry will be empowered through the declaration of a marine fisheries and coastal regulation.
- 6.2 Management of the resource will be achieved through the promulgation of specific regulations made possible in terms of the regulations.
- 6.3 The fisheries legislation shall not be in conflict with the national constitution.
- 6.4 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.).
- 6.5 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.
- 6.6 Wherever possible, the ministry will promote the ratification and adoption of relevant and appropriate international conventions by the president of Puntland State via parliament.
- 6.7 The ministry needs to be supported by appropriate technical and legal advisory bodies.
- 6.8 The ministry will foster co-operation with neighboring countries concerning straddling and migratory stocks.

7. FUNDING and 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:

- ▶ • Annual license fees from access rights
- ▶ • Foreign access rights
- ▶ • Trader license fees
- ▶ • Fines for transgressions and
- ▶ • Boats registration fees-will be deposited in the central state account.

- 7.1 Leasing the right to fish will cost prescribed annual fees.
- 7.2 This fee will be determined annually in advance and proportionately related to the reasonable estimated average landed value of the yearly catch.

- 7.4 All fishing vessels will be required to register and subject to annual renewal.
- 7.5 Such registration will call for a fee but annual renewal will be at nominal cost.
- 7.6 All fishing vessels are required to have proven seaworthiness.
- 7.7 Traders will be required to take out an annual fish trading right for a fee.
- 7.8 No other levies or taxes should be raised from fishermen, without approval of the minister.

8. 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 public shall be informed.

- 8.1 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.
- 8.2 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.
- 8.3 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.
- 8.4 The ministry will ensure that proper and adequate information about the coastal and marine resources is made available to users and other stakeholders.
- 8.6 Public awareness of marine resource issues will be promoted, especially amongst Community Based Organization (CBOs) of Puntland.
- 8.7 Training will be provided to those responsible for aspects of fishery and coastal zone management, both governmental and private sector.

9. ENVIRONMENTAL PROTECTION

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.

- 9.1 The natural environment must be protected from pollution, transport of hazardous chemical, industrial wastes and other effects that may be harmful
- 9.2 Natural habitats of importance to fisheries in general (such as nurseries, nesting sites) must be protected.
- 9.3 Marine Protected Areas shall be established where appropriate and related laws and regulations must be promulgated accordingly.
- 9.3 Fisheries operations must minimize their by-catch of unwanted and endangered species shall be specified in the fisheries regulation.

- 9.4 The harvesting of any one species must not cause substantial depletion in any other species.
- 9.5 All threats to biodiversity must be investigated and positively avoided
- 9.6 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 and anti-fouling paints.

10. INTEGRATED COASTAL ZONE MANAGEMENT

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

- 10.1 For the present purpose, coastal zone is defined as strip of land reaching the watershed area of the coast.
- 10.2 Any land below HWS (The Seashore) cannot be alienated and will always remain property of the people of PL, managed by the government.
- 10.3 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.
- 10.4 Sites of high cultural, historic or natural heritage values may be given the status of protected area.
- 10.5 Free and reasonable access to the Seashore zone should be guaranteed to all citizens.
- 10.6 Any development in the Coastal zone (such as structures, harbors, waste discharge, mining etc), require approval (permission to occupy- PTO) of the ministry.
- 10.7 A fee will be charged for such approval, which will be deposited in government budget.
- 10.8 All coastal zone developments require a preliminary impact assessment and if necessary a full impact assessment.
- 10.9 Any impact assessment costs will be borne by the developer
- 10.10 The ministry may devolve some of these responsibilities to local port authorities, and municipalities, however, the basic policy and conditions must still be applied.
- 10.11 Levies charge for PTO's may be shared between the local authority and the central government of PL State.
- 10.12 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.

11. 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

- 11.1 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.
- 11.2 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
- 11.3 The ministry will ensure that statistics, information and advice is made freely available to stakeholders.
- 11.4 Other facilities, such as icing, storage and Jetties and fish markets are to be undertaken by the ministry as well as private enterprise wherever necessary.

12. SURVEILLANCE and COMPLIANCE

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

- 12.1 The ministry will be responsible for the surveillance of fishing activities in the PL 's territorial waters and subsequently proclaimed EEZ
- 12.2 The ministry will seek support, technical assistance and collaboration from other agencies, state and elsewhere, to increase its capacity for surveillance and compliance. (e.g. Ministry of interior and Puntland Coast Guard)
- 12.3 Transgressors must be apprehended and charges laid at the nearest Police station, for submission to the subsequent court procedures.
- 12.4 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 doesn'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 / sports women 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.

Annex 8: Puntland fisheries regulation from Somali Republic Fisheries Law n. 23

**DAWLAD GOBOLEEDKA
PUNTLAND**



**THE GOVERNMENT OF
PUNTLAND**

Ministry of Fisheries, Ports and Marine Transport

Puntland Fisheries Regulation

From

Somali Republic Fisheries Law No. 23

BOSASO

April 2004

Contents

Part I

Preliminary

- Art. 1 Citation
- Art. 2 Interpretation

Part II

Administration

- Art. 3 Ministry responsibility
- Art. 4 Fisheries management principles
- Art. 5 Fisheries development measures
- Art. 6 Fisheries management plan
- Art. 7 Fisheries Management Measures
- Art. 8 Fisheries data and information dissemination.
- Art. 9 Scientific research
- Art. 10 Limitation of fishing

Part III

Registration

- Art. 11 Registration of fishing vessels
- Art. 12 Fisheries access agreements

Part IV

License provisions

- Art. 13 General license
- Art. 14 Fishing and entry into Puntland waters
- Art. 15 Issuing of license
 - Art. 15.1 Issuing of National Fishing license
 - Art. 15.2 Issuing of foreign fishing lessons
- Art. 16 Validity of foreign fishing license
- Art. 17 License not transferable
- Art. 18 License to be kept on board
- Art. 19 Application for license
- Art. 20 Fees and other payments
- Art. 21 Other license
- Art. 22 Aquaculture Authorization
- Art. 23 Condition of aquaculture authorization
- Art. 24 Protection of aquaculture facility

- Art. 25 Suspension of operations and closure of facility
- Art. 26 Obligation of fishermen
- Art. 27 Authorized Officer
- Art. 28 Fishery advisory council
- Art. 29 Protected Marine species
- Art. 30 Control and inspection
- Art. 31 Powers of the authorized inspector

Part V

Offences, Penalties and confiscation of property

- Art. 32 Offences
- Art. 33 Penalties
- Art. 34 Confiscation of property

Part VI

Administrative resolutions

- Art. 35 Resolutions

Part VII

Regulations

- Art. 36 Regulations
- Art. 37 Delegation of Powers
- Art. 38 Entry into force

PUNTLAND STATE OF SOMALIA
(Fisheries Regulations)

Where as, the government of Puntland State of Somalia is aware of potential for developing the Fishery Resource of Puntland and its obligations to manage them for permanent benefit of the country;

Now therefore, the following is hereby proclaimed:

Part I

Preliminary

Art. 1 Citation

This document may be cited as Fisheries Regulation of Puntland state of Somalia.

Art. 2 Interpretation

For the purpose of this Regulation, unless the context otherwise requires:

- 1) "Minister" means the minister of Fisheries, Ports, and Marine Transport of Puntland State of Somalia.
- 2) "Ministry" means the ministry of fisheries, Ports and Marine Transport of Puntland State of Somalia.
- 3) 'Aquatic Organism" means any aquatic plant or animal with the exception of birds and includes any fish, crustacean, coral, aquatic reptile, its shells, eggs or aquatic mammals and other naturally occurring living organism.
- 4) "Puntland State of Somalia Waters" territorial sea means the area of water up to 12 Miles from the coast of Somalia measured in accordance with the United Nations Convention on the Law of the sea of 10 Dec. 1982.
- 5) Contiguous Zone- Means a zone contiguous to Puntland territorial sea, described as the contiguous zone. This zone may not extend beyond 24 nautical miles from the base line, which the breadth of the territorial sea is measured.
- 6) Economic Exclusive Zone (EEZ), means the area of water beyond and adjacent to the territorial sea of Puntland Somalia up to 200 nautical miles from the coast of Somalia, measured in accordance with the United Nations conventions on the law of the sea of 10, Dec, 1982.
- 7) "Fishing" Means for catching, taking or killing fish or other aquatic organism by any method.
- 8) "Fishing License" shall mean the permission granted to any body who requested fishing, processing, merchandising and researching of marine products.
- 9) "Fishing Vessels "Means any craft, boat, Raft, barge etc used for fishing.
- 10) "Issuance of License" Minister of Fisheries, Ports and Marine Transports shall grant to the applicant the prescribed fishing license.
- 11) "Inspector", Means person who is designated as inspector

- 12) "Owner" is meant for and in relation to a licensed Fishing vessel, any person by whom the vessel is owned and any chatterer or sub-chatterer
- 13) "Protected Marine Species" means the Marine mammals, endangered species and other aquatic organisms, which are prohibited to fish for.
- 14) "Target Species" In respect of which the license has been granted
- 15) "Ship's Log" means a ship's log book required to be maintained on board of the licensed vessel.
- 16) "Flag State" Means the state in which the vessel is recognized by international law as being registered.
- 17) "Foreign Fishing Vessel" Means any vessel used for fishing and operated for financial and non-financial rewards, i.e. Scientific Research, Processing, Storing and carriage of fish, also include any vessel used in support of auxiliary fishing operations including vessel transporting fish or fish products.
- 18) "Catch" means the biomass caught by fishing gear such as trawl, hook, pur-seiner,
- 19) "By-catch" means any species taken incidentally together with to the target
- 20) "landing Areas" the part of the catch that is actually brought on land.
- 21) "Target species" in respect of which the license has been granted.
- 22) "Stowage" means fishing gear should be stowed below deck, and removed from the place normally used for fishing.

Part II

Administration

Art. 3 Ministry Responsibility

The Ministry shall be responsible for the management and Development of the fisheries resource in Puntland and for administration of this Regulation

Art. 4 Fisheries Management Principles

- 1) The ministry shall ensure that the aquatic and coastal resources of Puntland State of Somalia are conserved and managed properly:
 - (a) To ensure that the living resources are not endangered by exploitation.
 - (b) With the objective of ensuring that those resources produce the optimum sustainable yield taking into account relevant environmental, economic, and social factors, including the development needs of Puntland and of the Region, Fishing patterns, the interdependence of stocks, and the interests of other states in shared, straddling and migratory stocks and generally recommended international minimum standards.

- 2) The Ministry shall ensure that the access by other states to living resource in Puntland waters shall be controlled and managed to ensure that the combined exploitation of any particular resource by both national and foreign fishing vessels during any period that not exceed any total allowable catch (TAC) for the resources for the period determined by the ministry taking into account the best scientific evidence available to the ministry and other relevant factors, including the effects of harvesting of associated or dependent species.
- 3) The ministry will develop a fisheries marine policy and strategy which will be the basis an integral part of this regulation.

Art. 5 Fisheries Development measures

- 1) The Ministry shall, in-cooperation with other appropriate agencies and other departments of Puntland state promote the development of traditional and industrial fisheries and other related industries through such measures as: -
 - a) Providing extension and training services.
 - b) Conducting research and surveys.
 - c) Promoting cooperation among fishermen.
 - d) Promoting marine product markets.
 - e) Providing infrastructure facilities and
 - f) Providing aqua-culture practices.

Art. 6 Fisheries Management Plan

- 1) The ministry shall prepare and keep under review plans for the management and development of fisheries in Puntland Waters, shall base the fisheries development program on such plans.
- 2) Each plan shall:
 - a) Identify each fisheries resource and assess the present state of its exploitation.
 - b) Specify the objectives to be achieved in the management of the fishery.
 - c) Specify the management and development measures required to achieve the objectives; and in particular.
 - d) Specify the licensing program to be followed for the fishery, the limitations if any, to be applied to the national fishing operations and amount of fishing, if any, to be allowed to foreign fishing vessels.
- 3) In the preparation of each fisheries management and development plan, the ministry shall:
 - a) Have regard to and guided by the principles set out in Article 8 hereof.
 - b) Consult with persons engaged in the fishery, local authorities, other persons and government departments affected by the plan; and
 - c) Present a draft of the plan to the Fisheries Advisory Council for its opinion.
- 4) The minister shall consult wherever feasible with the fisheries management authorities of other states in the region, and in particular, with those sharing the same or related stock, with a view to harmonizing and improving fisheries management in the region as a whole.

- 5) The ministry shall publish a summary of each plan in the official bulletin.

Art. 7 Fisheries Management Measures

- 1) The ministry will make regulation, prescribed measures for the proper management of fisheries.
- 2) Prescribed management measures will include but are not limited to
 - (a) Seasonal closure for designated areas, species of fish or restrict methods of fishing.
 - (b) Limitations on the methods and gear, including mesh size, age and other characteristics and species, of fish that may be caught, landed or traded.
- 3) Regulate the landing of fish and provide for the management of fish landing areas and;
- 4) Control of the production, harvesting or removal of any aquatic animal and plant from PL fishery waters.
- 5) The ministry will regulate and prescribe management measures which will prohibit the possession, purchase, sale, import and export of any gear, fish or other aquatic organism.

Art. 8 Fisheries Data and Information Dissemination

- 1) The Ministry shall combine statistical data and administer public information regarding Puntland Fishery Activities.
- 2) The Ministry shall analyze and publish statistical and other information on fisheries.
- 3) Every person engaged in fishing, and related activities shall supply such information regarding those activities in such form, as an authorized officer may require.
- 4) The Ministry may consult with the Fisheries Management Authorities of other states with a view to the harmonization or coordination of management measures and the exchange of information on fisheries.

Art. 9 Scientific Research

- 1) No vessel shall be used in Puntland waters of Somalia for research related to living Resources except with the authorization of the ministry under sub -Article 12 hereof or in accordance with a fishing license.
- 2) The Ministry may in writing authorize any person or vessel to fish for the purpose of scientific research subject to such conditions as the ministry may prescribe by the regulation otherwise specify.
- 3) The ministry shall support and encourage national research capabilities to meet a high scientific standard.

Art. 10 Limitation of fishing

- 1) Where proper management of fisheries requires limitations of the number of persons or of vessels, nets or areas or other means employed in a fishery, The Ministry may by notice in the official bulletin limit such number or means and the limitation may include.

- a) Refusal issue or renew licenses
- b) Imposition of special license and catch fees;
- c) Preferential licensing in other fisheries.

Part III Registration

Art. 11 Registration of Fishing Vessels

- 1) The ministry may grant fishing license for the seawater in Puntland.
- 2) The Ministry shall grant to the applicant the necessary fishing license and shall make a separate register for the licenses granted by these regulations.
- 3) No person shall use any vessel for fishing in Puntland waters unless there is a valid certificate registration for the vessel.
- 4) A certificate of registration in the prescribed form may, on application and on payment of the prescribed fee, be issued by an authorized officer to the owner of the vessel.
- 5) Any person who uses any vessel for fishing in Puntland fishery waters without a valid certificate of registration for that vessel shall be guilty of an offence.
- 6) The application for fishing license may be submitted and shall state briefly the following:
 - a) Name, description of the vessel, flag, and country of registration.
 - b) Name of the owner, lease, if any, captain /skipper of the vessel.
 - c) Call signs and navigation equipment and facilities on board of the vessel.
 - d) Description of the fishing activities requested by the applicant.
 - e) The type of the fishing.
 - f) Indication of fishing.
 - g) The method of fishing and the equipment.
 - h) Location where the production is to be carried and the description of the marketing, the last destination of the product and utilization of the product.
 - i) Location for fishing.
 - j) The number of fishes or other aquatic animals, which may be caught.
 - k) The period in which the license is to be valid.
 - l) The description of the assistant captain, the management, the names and the certificates of the other assisting persons.
 - m) The description of the cooperation or other Puntland interests.
 - n) Any information requested by the ministry.
 - o) Bank guarantee statement and insurance.

Art. 12 Fisheries Access Agreements

- 1) The Ministry, with the necessary consultations, may enter into agreements with the other States and with International Organizations to which State have delegated the power to negotiate fishing agreements and with association representing foreign fishing vessels operation providing for the

allocation of the fishing rights to the vessels from those states, organizations or associations.

- 2) The total fishing rights allocated under agreement entered into under this article shall not exceed the total catch or amount of fishing allocated to foreign fishing vessels under any applicable fisheries management and development plan.
- 3) Any agreement entered into under this article shall include provision establishing the responsibility of the foreign State Organization or association to take all necessary measures to ensure compliance by its vessels with terms and conditions of the agreements and with regulations relating.

Part IV Licensing Provisions

Art. 13 General licensing provisions

- 1) Without prejudice to any act or circular made under this regulation, no person other than persons fishing for their consumption, shall catch or assist in catching fish in Puntland fishery waters other than under and in accordance with the terms and conditions of a valid license issued to him under this regulation.

Art. 14 Fishing and entry permit into Puntland waters by foreign fishing vessels

- 1) No foreign fishing vessel shall fish, attempt to fish or participate in fishing operations in Puntland waters without a valid license issued under this regulation.
- 2) Where any foreign fishing vessel enters Puntland waters without a valid license issued, the fishing gear or the vessel shall, at all times, while it is in such waters, be stowed into the prescribed manner.
- 3) Where any foreign fishing vessel is used in Puntland waters and contrary to article 13 of this regulation, the master and owner of the vessel shall each be guilty of an offence.

All foreign fishing vessels seeking fishing rights in Puntland waters will require an entry permit from relevant authorities.

Art. 15 Issuing of license

Art. 15.1 Issuing of foreign fishing vessel license

- 1) An application for a license for a foreign fishing vessel shall be submitted to the Ministry in the prescribed form.
- 2) The Minister may issue a foreign fishing vessel license if:
 - a) He has determined that there are fishery resources surplus to the Puntland fishing industry which may be harvested under this license, and
 - b) He has determined the quantity of the surplus that may be harvested and indicates that quantity as a condition of issuing the license.
- 3) A foreign fishing vessel license shall be subject to a condition requiring it to comply with any

management measures and the payment of prescribed fees, royalties or charges.

Art. 15.2 Issuing of National Licenses

Exemptions

- 1) The following national fishing vessels shall be exempt from licensing but not from registration where they are:
 - a) Not motorized
 - b) Motorized and do not exceed four meters overall length; or
 - c) Used exclusively for recreation fishing

Applications

- 2) Every application for a national fishing vessel license shall be made in writing to the Director and shall contain the information set in this regulation.

Form of licenses

- 3) Every national fishing vessel license shall be in writing in the form set out in this regulation.

Fees

- 4) The fees payable in respect of a national fishing vessel license, other than a license to which sub-article (X) hereof applies, shall be determined by the Director and published in a circular distributed to all current licenses and other interested parties.
- 5) The fees payable in respect of a vessel determined by the minister to be a national vessel pursuant to Art. (X) (x) of the proclamation shall be determined in writing by the director taking into consideration the proportion of foreign ownership of the business organization owning or chartering the vessel, but shall be no less than the fee payable under sub-article (x) hereof.

National fishing vessel license

- 6) No. national fishing vessel may unless it has been exempted under sub Article(x) hereof be used fishing except under the authority of a valid fishing license issued under this Article or of an authorization under Article 11 hereof.
- 7) The minister may make regulations exempting any category of local vessel from the requirement of this Article, subject to such conditions as the minister may prescribe.
- 8) A licensing shall, upon proper application in accordance with the Article 20 hereof, grant a license in respect of a national fishing vessel if the licensing officer is reasonably satisfied that:
 - a) the issue of the license is consistent with the applicable fisheries management and development;
 - b) The applicant is able and willing to comply with the conditions of the licence.

Art. 16 Validity of Foreign Fishing License

- 1) A fishing license under the regulation shall be valid for such period not exceeding one year as may be prescribed by a regulation or specified in the license.
- 2) Where a vessel licensed, the terms of any applicable agreement under article 14 hereof, or if there is no such agreement beyond one year, The term of the license issued under article 13 here of shall not extend beyond one year.

Art. 17 License not transferable

No fishing license issued under this regulation is transferable to a second party except with a written authorization or written approval from the Ministry of Fisheries, ports and marine transport.

Art. 18 License to be kept on board.

The fishing license shall be carried on board of the licensed fishing vessel and made available to any authorized officer upon request.

Art. 19 Application for License

Any application for license under this regulation shall be made in the form and manner described by this regulation

Art. 20 Fees and other payments

- 1) Any fee or other payments due, under provisions of this regulation, shall be payable in respect of any fishing license as may be provided for by an agreement under article 12 hereof.
- 2) Where the fees payable in respect of a foreign fishing vessel licence are paid periodically and a payment is not made by the fifteenth day after the due date, the licence shall be automatically suspended.

Art. 21 Other Licenses

- 1) The Ministry may make registrations requiring license for: -
 - a) Any kind of fishing with or without using vessel and/or
 - b) The use of a vessel for any kind of activity.
- 2) A licensing officer may upon application in accordance with article 21 hereof issue a license authorizing the applicant to conduct any kind of fishing or related activity for which the license is required by the regulation under sub article (1) hereof.

Art. 22 Aquaculture Authorization

- 1) No person shall, in any water other than a personal aquarium facility, culture fish or other aquatic organisms except under the authority of a valid authorization issued under this regulation.

- 2) No authorization shall be granted under this article 21 unless:
 - a) The applicant has rights to occupy any land or any areas of the sea and to abstract any water required for the aquaculture activities, and
 - b) The minister is satisfied following consultation with the fisheries advisory council and the authorities responsible for other uses of the sea and for the environment, that the proposed activities will not cause undue pollution or interference with other uses of the sea or with the environment.

Art. 23 Conditions of aquaculture authorization

- 1) An authorization under article 21 hereof shall be for such term not exceeding ten years, and subject to extension and to such conditions, including the payment of such fees, as the ministry may determine from time to time
- 2) The ministry may vary the conditions of an authorization under article 21 hereof at any time in order to protect the environment from contamination or to prevent the spread of disease or to protect the quality of the organisms in the aquaculture facility.

Art. 24 Protection of aquaculture facility

- 1) No person shall fish in any aquaculture facilities authorized under article 21 hereof except with permission from the management of the facility.

Art. 25 Suspension of Operations and Closure of Facility

- 1) The ministry may order the suspension of operations and closure of an aquaculture facility authorized under article 21 hereof at any time;
 - a) Where any condition of the authorization has been violated.
 - b) Where such action is necessary to protect the environment from contamination or to prevent the spread of disease or to protect the quality of the aquatic organisms in the facility.
- 2) Where an order is made under sub-article (1) hereof the minister may allow a reasonable time to the management facility to correct the condition leading to the closure or suspension of operations and if such conditions are not or cannot be corrected, the ministry may cancel the authorization under article 21 hereof.

Art. 26 Obligation of the fishermen

- 1) Any person granted fishing license shall:
 - a) Abide by the laws of the country and regulations of the ministry.
 - b) Submit permanent reports regarding fishery activities, quantities, types including by-catch products, the location and the method of fishing, the type of fish and other aquatic animals which can be merchandised or processed.

Art. 27 Authorized Officer

The minister may appoint any public officer to be an authorized officer for the purpose of this Regulation.

Art. 28 Fisheries Advisory Council

- 1) There shall be a Fisheries Advisory Council to Advise on the Management and Development of fisheries and discharge such responsibilities as are conferred on it under this Regulation.
- 2) The Fishery Advisory Council shall be composed of the following persons:
 - a) An officer of the ministry who is responsible for administering and enforcing this regulation(director general of fisheries)
 - b) Representative of the departments responsible for ports and marine transport.(Director General of ports)
 - c) Representative of the coast guard.(coast guard commander)
 - d) Representatives of the ministry of planning and economic development.(DG of planning)
 - e) A representative of the Research and Training Division of the ministry (Director of research Department)
 - f) Selected representatives of persons engaged in artisanal fishing.(cooperative chairman)
 - g) Selected representative of operators of foreign fishing vessels fishing in Puntland waters.(Chairman)
 - h) A Selected representative of operators of national commercial fishing vessels.(Chairman or Chief executive officer)
 - i) Representatives of any other necessary institutions or organizations involved in marine and fishing activities.(coordinators or chairpersons)
- 3) The Fishery Advisory Council may invite other stakeholders to participate its meetings, and shall whenever it considers. Matters particularly affecting an area of Puntland or Government Departments, invite one or more persons engaged in fisheries in that area, or a representative from that department, to participate in its meeting
- 4) The Fisheries Advisory Council shall elect one of its members as chairman and shall determine its own rules of procedure.

Art. 29 Protected marine species (endangered Species)

- 1) No person shall fish for any marine or other endangered species in Puntland Waters of Somalia.
- 2) Any marine mammal or other endangered species caught accidentally shall be released immediately and returned with least possible injury to the waters from which it was taken.
- 3) Except with written permission of the Minister, no person shall take or destroy any coral reefs, mangrove trees or take any shell.

Art. 30 Control and Inspection

- 1) Whoever is practicing fishing activities may be subject to inspection or search whenever may be necessary. The inspection and search will be carried out by: Regional and District Authorities, any other authorized persons to inspect and search to any person doing fishing activities after a period approval of the Ministry.
- 2) Any body that violates the provisions of these regulations shall be taken to the nearest port of the country.
- 3) If any vessel or entity commits an offence in Puntland Water, Being licensed or otherwise, and crosses the boundary of the country, the vessel will be sued in accordance with the relevant international law.

Art. 31 Powers of the Authorized Inspectors

- 1) For the purpose of enforcing these regulations, any authorized inspector may without a warrant, enter, inspect, and search any premises.
- 2) Where fishery products are being cultivated, prepared, processed, landed or stored.
- 3) In which the inspector has responsible grounds to believe that evidence of an offence may be found.
- 4) Take samples of any fishery product found in any fishing vessel, premises or vehicles searched under this article.
- 5) Seize any fishing product that is unfit for human consumption, diseased or otherwise contaminated,
- 6) Destroy otherwise render harmless any fishery product which he has reasonable grounds to believe that it is unfit for human consumption, diseased or otherwise contaminated;
- 7) Control any importation for fishery product prohibited their importation, seize them if they don't comply with the requirements of the fishery product.
- 8) Stop and board any fishing vessel in Puntland and any national vessel outside such waters and he may inspect such vessel's cargoes, supplies, fishing gear and equipment.
- 9) Require to be produced and examine any fish, net or any other fishing gear.
- 10) An authorized officer may seize any vessel (together with its gear, store and cargo) vehicle or fishing gear which the officer has reasonable grounds to believe, has been using in commission of an offence or in relation to which an offence has been committed.
- 11) Any person arrested under this regulation shall be brought before court as soon as reasonably practicable.
- 12) An authorized officer in exercising any of the powers conferred on him by this article shall, on demand, produce such means of identification as may be necessary to show that he is an authorized officer for the purpose of this proclamation.

Part V

Offences, Penalties and Confiscation

Art. 32 Offences

- 1) The operator and master of a vessel each commit an offence where the vessel: -
 - a) Is a foreign vessel that requires a license to fish under article 13 hereof or authority to conduct scientific research under article 8 hereof, and is used for fishing in Puntland waters.
 - I Without the necessary license or authority; or
 - II In contravention of any condition of the license
 - b) Is a foreign vessel which doesn't have the license to fish under article 13 hereof or authority to conduct scientific research under article 8 hereof and is Puntland waters without its fishing gear stowed under described manner; or
- 2) A person commits an offence where that person in Puntland water: -
 - a) Conducts any fishing or related activities for which the license is required under article 19 hereof with out such a license or any contravention of the terms of such license;
 - b) Uses any explosive or poison to kill, stun, or disable fish or other aquatic organism in order to render them more easily to catch.
 - c) Fishes in contravention any management measure described under article 6 hereof,
 - d) Prevents or hinders an authorized officer exercising the power conferred under article 28.
 - e) Destroys and abandons any fish or other aquatic animals, fishing gear, explosives, poisons or any marine mammals or other things with the intent to avoid their seizure or the detection or an offence against these regulations.
 - f) Fishes any marine mammals or other protected species or having accidental catch any marine mammals or other endangered species, fails to release immediately, and return it to the least possible injury to the water from which it was taken.
 - g) Take or destroys any coral, mangrove trees or takes any shell without a written permission of the Minister.
- 3) Foreign medium and small fishing boats (dhows) which doesn't have the license under article 13 to fish or a written permission (valid registration under article 10) of the Ministry hereof and is used for fishing in Puntland waters.
 - a) Without the necessary license or authority or,
 - b) Valid Registration from Ministry of Fisheries, Ports and Marine transport

- 4) Fails to supply information such as pollution or other necessary information required under this regulation or supplies false or misleading information.
- 5) The operator and the master of the vessel each commits an offence of the waste or other related substance:
 - a) Take on board of the vessel
 - b) Dumped into the sea.

Art. 33 Penalties

- 1) A person who is convicted of an offence: -
 - a) Referred to in article 31 (1) (a) (i) hereof is liable to a fine from 50,000 – to – 100,000US\$ (Fifty thousand to One hundred thousand US\$USD).
 - b) Referred in article 31(1) (a) (ii), article 31 (1) (b) or article 31 (2) (a) or (b) hereof, is liable to fine not exceeding —US\$ 50,000 (Fifty thousand USD).
- 2) A person who uses following, is liable to a fine not less than 500\$ (five hundred) and not exceeding US\$ 1000 (one thousand \$USD).
 - a) Use explosive materials
 - b) Fish or possess materials or equipment in prohibited areas.
 - c) Fish in the closure period.
 - d) Fish the prohibited type of aquatic animals (endangered).
 - e) Fish with prohibited gear or equipment.
 - f) Destroys coral reefs, mangrove trees and shells
- 3) Referred to Article 29, 2, 3, is liable to a fine from 5000 – 10,000\$USD (One thousand to One thousand five hundred USD\$)
- 4) Penalties on small boats and dhows
 - a) Any infringement of articles 10 and 12 of fisheries regulations by small boats and dhows shall be punishable as follows:
 - b) With a fine of US\$ 200 upto US\$ 400 on small boats with engines up to 60 horsepower.
 - c) With a fine of US\$ 700 up to US\$ 1000 on dhows with engines from 61 up to 100 horsepower.
 - d) With a fine of US\$ 1100 up to US\$ 1500 on dhows with engines from 101 up to 200 horsepower.
 - e) With a fine of US\$ 1600 up to US\$ 5000 on dhows with engines above 201 horsepower.
 - f) If the offence is more serious or the offender commits again the same crime the matter shall be referred to the Competent Court.

- 5) A person who rejects to submit the required reports or fails to fulfill provisions of these regulations shall be punished with a fine US\$ 1000-5000(One to five thousand USD).
- 6) A person who fails to perform his duties and fails to fulfill any of the terms and conditions of the contract entered to; his license shall be withdrawn and canceled.

Art. 34 Confiscation of Property

- 1) Whoever commits an offence under this regulation, his equipment, vessel or other materials used during the committal of the offence may be forfeited.
- 2) All fishes and aquatic animals found on the board of the vessel may also be confiscated.
- 3) All the offences under these regulations shall come under the competence of the Puntland Competent Court.

Part VI Administrative resolutions

Art. 35 Resolutions

Unless the offence constitutes a crime punishable of more serious penalty, the Minister shall discuss the matter with concerned Authority.

Part VII Resolutions

Art. 36 Regulations

The Minister may make officially regulations regarding the proper management and development of any fishery activities.

Art. 37 Delegation of Powers

The Puntland Coast Guard shall have the powers and the responsibility for the enforcement of this regulation.

Art. 38 Entry in to force

This regulation shall enter into force as of the date published in the official bulletin of Puntland State of Somalia.