



USAID/COMFISH Project

PENCOO GEJ

Collaborative Management of Sustainable Fisheries in Senegal

**Evaluation of the Legal and the
Institutional Capacity of Local
Artisanal Fishing Councils in
Senegal:**

Initial Findings from Four CLPAs



August, 2011

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Cover Photo: Women cleaning fish at the beach

Credit Photo: Caroline A, Karp

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1. INTRODUCTION

This report presents ten findings from an initial evaluation of a selected number of Senegal's Local Artisanal Fishing Councils (*Conseils Local de Pêche Artisanale* - CLPAs) to sustainably manage coastal fisheries and marine habitats. The evaluation sought to determine to what extent the CLPAs have adequate legal authority, institutional capacity and (human and financial) resources to effectively participate in a co-managed effort to restore and sustainably manage coastal fisheries.

The materials considered in this study include archival research; review of public laws and documents; meetings with key technical staff from COMFISH and its partner agencies; and field-based assessments of four CLPAs, two fish processing facilities and several fishing villages (July 26-29). Presentations at the COMFISH Workshop (July 20-22) were very helpful in understanding some background issues and priorities regarding fisheries management. S.Kande's report to COMFISH on attitudes toward and the status of the CLPAs¹ was especially helpful. Conversations with Dr. Ibrahima Niamadio (WWF) and Mr. Saidou Kande (DPM) during the visit to the CLPAs and fishing villages (July 26-29) were invaluable.

¹ See Kande, S. and S. Diouf. Report to COMFISH (Jul 25, 2011).

2. MAJOR FINDINGS

FINDING 1. Senegal has pursued a deliberate strategy of decentralizing national responsibility for fisheries and natural resource management. Deregulation, decentralization and privatization of government functions were generally intended to “improve administration and delivery of public services, increase democracy, create wealth and empower the poor². The performance-based goals of the fisheries-related policies were to promote development of a market economy, commodification and export of marine resources, and increased foreign access to Senegal’s EEZ after Senegal ratified UNCLOS in 1984^{6,7}. These policies were implemented in Senegal by reducing national regulation of fisheries, seafood dealers and distributors; adoption of distorted trade agreements with the European Union and others that exported Senegal’s natural capital without comparable growth in human or social capital³; over-capitalization of the artisanal fleet; and explicit delegation of fisheries management functions to local and regional stakeholder groups such as the CLPAs⁴, subject to approval by locally-elected mayors and/or préfets and sous- préfets appointed by the Ministry of the Interior.

As USAID noted with respect to decentralizing land administration in Senegal, “*Decentralization, implemented over the past 45 years, has not, in general, resulted in greater local control, more productive and/or sustainable land use, or greater security of family or individual tenure...[T]he capacity of these councils is weak and they are not always capable of responding to rapidly-changing conditions such as demographic pressures, urbanization, economic activities, and patterns and performance of agricultural production. In addition, rural councils have not recognized or promoted women’s access to or rights in land, a step that could, in some areas, increase both productivity and household incomes as well as sustainable land management practices.*”⁵ Similar observations can easily be made of the devolution of national responsibility for fisheries management. For instance, over-exploitation of many of Senegal’s pelagic and demersal finfish and invertebrate

² Béné, C. and A. Neiland. *From participation to governance: a critical review of the concepts of governance, co-management and participation and their implementation in small-scale inland fisheries in developing countries*. WorldFish Center Studies and Reviews 29 (2006); Ribot, J. *Democratic decentralization of natural resources*. WRI (2002); and World Bank. *Poverty Reduction Strategy Paper for Senegal 2006-10* (2006). Avail online @ <http://go.worldbank.org/DGKYW6LAL0> (accessed Aug 11, 2011)

³ UNEP, *The Fisheries Sector in Senegal. Round II A Synthesis Report* (2009) @ www.unep.ch/etu/publications/Synth_Senegal.PDF (accessed Jul 9, 2011)

⁴ Pursuant to the Fisheries Code of 1998 (Jun 10, 1998), as amended

⁵ USAID Senegal Profile: *Property Rights And Resource Governance*. Avail on-line @ <http://usaidlandtenure.net/usaidltp/products/country-profiles/country-profile-senegal/?searchterm=senegal> (accessed Aug 12, 2011)

fisheries⁶ coincides with increased local control of fisheries management and does not appear to have resulted in significant improvement in human welfare for the Senegalese. (See Finding 2, below.)

FINDING 2. Senegal ranks as 144/169 in terms of the *Human Development Index*. Population continues to increase at ~3% per year and the median age is 17.9. Fifty% of the population lives in the Dakar metropolitan and peri-urban area⁷ where 98% have access to potable water and 79% to sanitation⁸. *Life Expectancy at Birth* increased from 52 in 1990 to 56 (UNICEF) or 59.78 in 2010 (CIA Factbook). However, the absolute number of households living in poverty has increased since 2005 and Senegal currently ranks as 189/226 in terms of GDP/capita (PPP)⁹. The World Bank estimates that economic growth would have to increase by 7% per year to halve poverty by 2015¹⁰.

FINDING 3. Many internally-funded fisheries and environmental projects are currently underway in Senegal¹¹ which produces opportunities for productive collaboration and conflict. Table 1 presents partial list.

⁶ Lourdes, M. and D. Pauly (ed.). *West African Marine Ecosystems: models and fisheries impacts*. Fisheries Centre Research Reports 12(7) 221 pages. Published by the Fisheries Centre, University of British Columbia (2004); UNDP. pp.40-42; 62-65 in *Changement Climatique, Sécurité alimentaire et Développement humain Sénégal - Rapport National Sur le Développement Humain* (2010) citing data from JICA (2006) and Ly (2009).

⁷ UNICEF (2010) @ http://www.unicef.org/infobycountry/senegal_statistics.html (accessed Jul 11, 2011); Index Mundi @ <http://www.indexmundi.com/g/r.aspx?c=sg&v=30> (accessed Aug 12, 2011)

⁸ USAID and WB *Water and Sanitation Programme*. PEPAM project (P109986) [\$57M from 2010-15]. @ http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/AFR/2011/07/09/F8DA94A6D5FA7039852578C80066A2D6/1_0/Rendered/PDF/P1099860ISR0Di009201101310236863544.pdf

⁹ Index Mundi @ <http://www.indexmundi.com/g/g.aspx?c=sg&v=67>. GDP/cap (PPP) declined from \$1,800 USD (2005) to \$1,600 USD (2008), and increased to \$1,900USD in 2010. The current growth rate is 2.5% per year, which makes the MDG goal impossible to meet,

¹⁰ World Bank. *Poverty Reduction Strategy Paper for Senegal 2006-10*. Avail online @ [http://siteresources.worldbank.org/INTPRS1/Resources/Senegal-PRSP\(Sept2007\).pdf](http://siteresources.worldbank.org/INTPRS1/Resources/Senegal-PRSP(Sept2007).pdf) (accessed Aug 11, 2011). [See §4.1.3.2. *Renovation of fishing and development of aquaculture* (#147-153) re. the WB's findings and recommendations about Senegal's fisheries sector.]

¹¹ Ministère de l'économie maritime. Projects administered by MEM. Avail on-line @ <http://www.ecomaritime.gouv.sn/> (accessed Aug 12, 2011). List does NOT include USAID, EU SAGPS/COM/STABEX, FAO-PMEDP, Worldfish or WWF- funded fisheries projects.

Table 1: Funded fisheries and environmental projects current underway in Senegal

PROJECT	GOAL	FUNDING and DATES
<p>PNDPC (Programme National de Développement de la Pêche Continentale)</p> <p>Regions: St Louis, Louga, Kaolack, Tambacounda and Sédhiou.</p>	<p>Address domestic food security by:</p> <ul style="list-style-type: none"> - Finalize Inland Fisheries Code - Restore degraded ecosystems and regenerating inland fisheries resources; - Enhance and promote inland fisheries products - Remove illegal fishing gear - Establish co-management and surveillance brigades; - Build processing areas and distribution channels for products from inland fisheries. 	<p>2005-4B cfa [75M cfa for 2011] = ~\$10M USD (@ 450cfas/\$)</p>
WB-GIRMaC	<ul style="list-style-type: none"> - Contribute to devpt of EB fisheries mgmt - Devpd mgmt plans are prepared for white shrimp (<i>Penaeusnotialis</i>) and Yeet (<i>Cymbium</i>spp.) - Contributed to writing the LPS and revising Fisheries Code; implemented 4 pilot co-management projects at local level; built fishermen's storage at the pilot sites 	<p>Phase I 2005-2010 \$6MUSD; Phase II 2010-2015</p>
WB-GEF: GDRH (Projet Gestion Durable Des Ressources Halieutiques)	<ul style="list-style-type: none"> - Develop projects at 8 sites for approval by 4 CLPAs - Establish –AGR (FRAP) for retraining of artisanal fishermen - Develop artificial reefs - Develop co-managed fishery that meets MSC eco-certification - Micro-credit avail in target communities to develop non-fisheries projects that result in poverty alleviation 	<p>2009-2012</p> <ul style="list-style-type: none"> • \$9.5M USD • \$6M USD (GEF grant) • \$3.5M USD (IDA Credit) to the FRAP fund
WB- PRAO (Projet Regional Peche En Afrique De L'ouest)	<p>(COPE-Senegal)</p> <ul style="list-style-type: none"> - Contribute to recovery and sust mgmt of ≥ 7 overexploited fisheries; Increase annual net profits for Senegal and ave income of fishery-dependent households -Reduce IUU fishing 	<p>Jun 2010 - Jun 2015.</p> <p>\$15M USD of which \$777,000 dollars lent to the Sub-Regional Fisheries Commission (CSRP) for its activities and sub-regional program.</p>
Japan- JICA/COGEPAS (Cogestion des Pêcheries Artisanales au Sénégal)	<ul style="list-style-type: none"> - Strengthen mgmt capacity of artisanal fisheries (in Lompoul, Cayar, Joal et Djifère.) - Worked w/ Joal, Sindia, Mbour CLPAs to => Sep15-Oct15 ban on poulpe 	<p>2009-2013</p> <p>2B cfas or ~\$4.5M USD (@ 450cfas/\$)</p>

PROJECT	GOAL	FUNDING and DATES
	- Comparative study of monofilament and cotton nets and study of gear used by settled and migrant fishermen	
PNI (Programme National d'Immatriculation Informatisée)	Reduce overcapacity in fishing by <ul style="list-style-type: none"> - physical and electronic tagging of all fishing and transport vessels - create central, computerized database of registration data - 12 regional offices w/ offices, staff, computers 	2008-2010 1.32B cfas or ~ \$2.9USD financed by: Switzerland (23.18%); Spain (25.28%); EU in the COM - Stabex (15.78%); World Bank through the GIRMAC (26.63%); Senegal (9.10%)
PVTTPM (Projet de vulgarisation des technologies de transformation des produits de la mer)	-Improve product quality, working conditions for women processors, environment and hygiene at processing plants - Support production, distribution, sale of processed seafood by women processors via FENAGIE	
GTFS-Italy (Appui aux Organisations de Producteurs pour la Valorisation des Filières Porteuses)	- Reduce poverty in rural communities - Intensify, diversify value chains (train >1000 women in processing, business mgmt, organ, functional literacy) - strengthen capacity of producer organizations (via GIEs affiliated w/FENAGIE) - build processing and storage sites; introduce improved techniques for certification	3 years WackNgouna (Kaolack region); Toubacouta (Fatick region); Leona (Louga region)

FINDING 4. The CLPAs have been delegated clear and adequate legal authority to develop local and regional fisheries management plans. Plans adopted by the CLPAs are subject to approval by locally-elected mayors OR local officials appointed by the Ministry of the Interior (préfet and sous- préfet) AND/OR by the national Department of Marine Fisheries (*Direction des Pêches Maritimes* or DPM) depending on whether the species management plan raises potential user conflicts or has trans-boundary or security implications. The roles, organization and operations of the CLPAs are described in the Fisheries Code (1998, as amended), the *Lettre Politique Sectorielle* (2007) and subsequent *Arretes* and *Decrees*¹².

¹² Title II§12 of the National Fishing Code Law 98-32 of April 14, 1998 says "local councils of artisanal fisheries may be established in the regions. The conditions of their creation, composition, powers and procedures may be defined by regulation". Decree 98-498 (June 10, 1998) implements §12 by describing the distribution and composition of CLPAs. The *Arrete portant creation, organization et fonctionnement des conseils locaux de Peche artisanale maritime* (2008) formally recognizes 8 CLPAs.

The Ministère de l’Economie Maritime (MEM) is currently reviewing revisions to the Fisheries Code made with support from the World Bank GIRMaC project that will significantly modernize Senegal’s approach to fisheries management by stressing ecosystem-based management, conservation of marine biodiversity, reduction in post-harvest losses and regulation of recreational and sports fishing¹³. In addition the MEM is currently negotiating Decrees with the Ministries of Interior and Finance to clarify the CLPAs’ authority and relationships with the préfets, municipal governments and the DPM, and to transfer 60% of pirogue licensing fees back to the CLPAs¹⁴. Table 2 summarizes the authority of the CLPAs based on these laws and implementing regulations.

Table 2. Authority of the *Conseils Local de Pêche Artisanale* (CLPAs) to Manage Coastal Fisheries

CLPAs are empowered:

- a) to provide advice, upon request of the Minister of Marine Fisheries or his representative, on all matters relating to fishing craft and local marine culture;
- b) to provide information to artisanal fishers and fish farmers on all measures relating to fishing and marine culture in their community;
- c) to organize local fishermen to reduce and resolve conflicts between fishing communities and fishermen using different fishing methods;
- d) to organize the artisanal fishermen to enable them to assist the DPM in monitoring and control of fishing activities. (Based on Decree 98-498 (Jun 10, 1998))

In addition, various ministerial orders adopted since 1998 authorize the CLPAs:

- e) to propose interim measures for the development and management of artisanal fisheries resources and their habitats;
- f) to propose plans to sustainably manage local fisheries and conserve the marine ecosystem at the local level;
- g) to provide information to those involved in artisanal fishing on all measures relating to fishing and marine culture in their community;
- h) to advise on the management of community infrastructure;
- i) to participate in the management of socio-economic impact of management actions and conservation of all members of the community;
- j) to give notice of permit applications, and to perform business functions related to fishing.

(Based on *LPS* (2007) and *Arrete portant creation, organization et fonctiennement des CLPAs* (2008))

¹³ NOTE: Senegal ratified UNCLOS in 1984 and adopted FAO’s Code of Responsible Fisheries in 1995.

¹⁴ Pers. Communication. S.Kande (DPM).

FINDING 5. Twenty-two of 32 CLPAs proposed by DPM in 2005 have been recognized by the DPM (see Figure 1). Twelve (12) of these 22 CLPAs have active partners or some level of donor support, although Kande and Diouf characterize 14 of 22 CLPAs as “inactive” or “non-functional” as of Jul 2011 based on surveys with CLPA members and villagers.

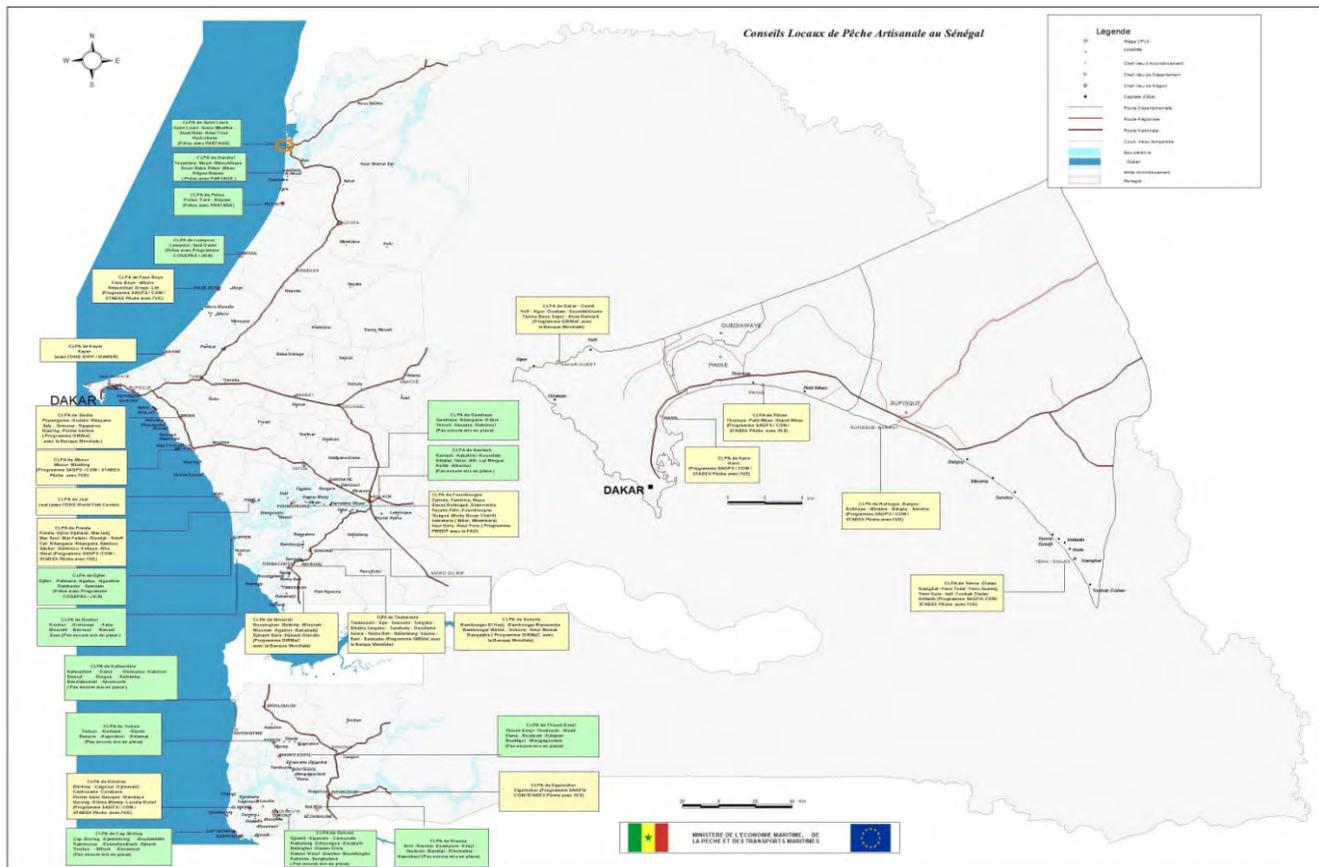


Figure 1. Map of CLPAs

FINDING 6. All of the CLPAs I visited (Cayar, Mbour, Sindia and Joal) have partners and/or program support from one or more international development agencies or private parties and CLPA members perceive Cayar, Joal and Sindia to be “functional”. However, none of these four CLPAs currently has the capacity to effectively develop, implement and/or enforce *ecosystem-based fishery management plans*. The Cayar CLPA is in substantially better shape than the other CLPAs in terms of its institutional development and ability to adopt and implement local regulations¹⁵. However, the Cayar CLPA, which

¹⁵ See Alioune, S. and J.Catanzano. *Self-regulation of Senegalese artisanal fisheries: A case study of Kayar* in Cunningham, S. and T.Bostock (eds.). *Successful Fisheries Management*. SIFAR/World Bank Study of Good Management Practice in Sustainable Fisheries (2005)

has been working on co-management of its fisheries since 1970, still focuses on management of single species and lacks the ability to enforce or monitor compliance with many of its own fisheries regulations¹⁶. The Cayar CLPA attributes this to seasonal in-migration of fishers from other villages; lack of formal deputization by DPM to enforce local rules; and lack of capital equipment such as patrol boats with 80 hp engines.

Two villages (Oakam and Pt.Sarene) effectively manage some local fisheries via their *Comites de Plage* (CLP), with support from GIRMaC and JICA, respectively. The Joal and M'Balling fish processing centers; the Han Village CLPA and all of the sites within the Dakar Ouest CLPA except Oakam but including Yoff, Ngor and Soubédioune, operate at or near subsistence levels in terms of work, living and environmental conditions despite some evidence of local organization and/or donor support.

FINDING 7. Capacity issues common to all of the CLPAs include:

All of the CLPAs (Cayar, Joal, Mbour, Sindia), the women's groups representing the Fish Processing Centers (M'Balling and Joal) and the CLPs in Oakam and Pt Sarene expressed confidence in their ability to manage "their fisheries", especially if certain funding, staffing and information requests were met. However, common concerns included:

- Many members of the CLPAs are unclear about the CLPAs' authority and responsibilities based on the 1998 Law, the *LPS* and subsequent Decrees. Differing understandings of CLPA authority by DPM, internatl donors, the prefects and municipal governments may contribute to confusion.
- Lack of communication about fisheries monitoring, surveillance and stock assessment data from the DPM and CRODT to the CLPAs. The Fisheries Technician at Cayar said that DPM was supposed to return synthesized landings and surveillance data w/in six months of receiving raw data from the DPM Technicians, although DPM had not returned any data or reports recently. [S.Kande, coordinator of CLPAs for DPM, solved this problem at Cayar, Mbour and Sindia by directing the Chefs de Peche to make their computers available to the DPM technicians so that surveillance and monitoring data could be compiled and distributed to the CLPAs more quickly.]

¹⁶ The Cayar CLPA has implemented the national law banning use of monofilament nets. However it does not currently receive summaries from DPM of monitoring/surveillance data collected by DPM Fisheries Technicians.

- Lack of communication about agendas, scheduled meetings, discussions and decisions from CLPAs to all members of the CLPAs; from the CLPAs to the CLPs; and between and within different *colleges* and *métiers*. Meticulous hand-written notes were taken by the Chef de Peche at the CLPA meetings, and at the meeting at the Joal Fish Processing Center. However these notes are not distributed or otherwise communicated to members. Access to computers, printers and CLPA members or staff who are comfortable with computers would, theoretically, enable the CLPAs to communicate decisions to all of their members as well as to constituents, DPM and other government offices. WWF's community radio stations present another good option.
- Lack of education about fisheries biology, new technologies and strategies used to manage fisheries, protect the environment and add value to local harvests.
- Widespread frustration with current system that requires the Prefet (who is appointed by the Minister of Interior) to be the President of the CLPA. The Draft Decree of 2011 will allow the CLPAs to nominate their own representatives and leaders and to present their advice to the Prefet or the Mayor to issue regional or local *arêtes*.
- Lack of funding. [Note that the Ministers of Maritime Economy and Finance negotiated transfer of 60% of pirogue license fees back to officially recognized CLPAs that have adequate banking and accounting systems in place]. Common budgetary concerns include:
 - Lack of adequate space for the CLPAs to hold meetings. The Pt Sarene CLP has new space built by JICA. All the other meetings were held in run down, poorly maintained, poorly ventilated spaces owned or controlled by DPM. There are many unoccupied colonial-era buildings in these villages, many within the Chef de Peche compounds, that seem solid but run-down.
 - Lack of adequate infrastructure needed to protect international or domestic value chains such as access to ice, refrigerated storage, and refrigerated trucks.
 - Lack of training about new technologies, e.g., processing and packaging.

- Lack of access to start-up funds to enable women in particular to diversify the local fisheries-based economy during periods of low landings. Women in Cayar, M’Balling and Joal expressed interest in micro-credit loans to start small stores that could generate income, employ their children and keep their daughters and sons in school longer.
- Lack of coordination among development agencies and NGOs with respect to goals for CLPAs.
 - Lack of adequate stock assessment and associated ethnographic and socio-economic data to support fisheries management plans.

FINDING 8. Relatively few women or younger men attended the CLPA meetings I attended in July 2011. This is potentially a serious problem in terms of achieving a consensus on management plans and compliance with those plans if the CLPAs do not adequately represent the *métiers* or territories they represent. A counselor at the Joal CLPA meeting, where there were no women representing the *mayereuses* or *transformatrices*, said that “women couldn’t attend because they did not own their time and had to work”. This is also likely to be true of men who would otherwise be fishing or working.

This raises the possibility that members of the CLPAs are very likely to be elders and/or elites since they are more likely to be able to attend frequent meetings. This is not a problem as long as constituents consider these councilors to be legitimate representatives and advocates.

FINDING 9. Two villages, Oakam (Dakar Ouest CLPA) and Pt Sarene (Sindia CLPA), represent examples of good community-based management. Both have been influenced by donors to focus on a single species --- slipper lobster by GIRMaC in Oakam and octopus by JICA in Pt. Sarene. Both villages have protected marine areas and/or artificial reefs which are really intended as ‘grow-out’ areas for their target species but which may serve broader ecological goals. In addition, both villages explicitly address coastal management and environmental issues, including waste management, managing vegetation and marking boundaries of the protected area and/or fisheries-related areas of the village itself.

FINDING 10. Han Village, the landing and processing site in downtown Dakar, and the rocky shore (corniche) on the margin of Ngor --all in the Dakar Ouest CLPA-- represent the poor examples of resource use, environmental protection and protection of human welfare. There was no evidence of any investment in managing fisheries or protecting human health or the environment in July 2011.

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