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SUSTAINABLE FISHERIES MANAGEMENT PROJECT (SFMP)

Supporting The Fisheries Commission's Community Fisheries Watchdog Committees: Design Document

APRIL 2016



Hen Mpoano



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ACRONYMS

CRC	Coastal Resources Center at the Graduate School of Oceanography, University of Rhode Island
CBFMC	Community Based Fisheries Management Committees
FC	Fisheries Commission
FEU	Fisheries Enforcement Unit
FSCBP	Fisheries Subsector Capacity Building Project
FWCs	Fisheries Watchdog Committees
IUU	Illegal Unreported Unregulated
MCS D	Monitoring, Control and Surveillance Division
MOFAD	Ministry of Fisheries and Aquaculture Development
MOU	Memorandum of Understanding
MP	Marine Police
NGOs	Non-Governmental Organizations
OPLAN	Operational Plan
PPP	Public-Private Partnerships
SFMP	Sustainable Fisheries Management Project
SSG	SSG Advisors
TNA	Training Needs Assessment
URI	University of Rhode Island
USAID	United States Agency for International Development
WARFP	West Africa Regional Fisheries Program

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SUMMARY OF PROPOSED STEPS FOR A FISHERIES WATCHDOG COMMITTEE QUICK START ACTION PLAN

In a workshop held by USAID/Ghana SFMP in March 17-18, 2016, representatives of the Ghanaian Government, enforcement agencies, fishermen and fish processors discussed and agreed on the formation of a Ghanaian community-based enforcement initiative to help halt and reverse the decline of Ghana's fish stocks. The workshop outcomes echoed the earlier decision made by the Minister of Fisheries and Aquaculture Development to institute community fisheries watchdog committees. At the workshop, participants agreed that there is sufficient legal space to launch the initiative and mobilize volunteers with limited mandate, including:

- Conducting seaborne and land-based patrols
- Leading and supporting community-based education campaigns to combat illegal fishing
- Reporting illegal activities to enforcement agencies and assisting in evidence collection
- Serving as witnesses in court.

They also recognized the need for changes in the current legislative and executive instruments to broaden the mandate of community-based volunteers in the future to include more explicit enforcement roles, such as monitoring and inspecting fishing activities at landing sites and local markets and assisting in or conducting arrests and seizures.

The Sector Minister, Hon. Sherry Ayittey, has issued a directive to immediately launch the initiative. In light of this, the following action plan gives recommendations on the steps that need to be taken in the short term to launch the program, as well as steps that can help promote continued evolution of the program and long-term success. In line with the Government of Ghana's current plans, we refer to the program as community-based Fisheries Watchdog Committees (or FWCs).

The lists below provide a quick guide to the actions that need to be undertaken to launch the FWCs in the near-term as well as proposed longer-term actions. The proposed long-term actions may be undertaken simultaneously with the quick start actions. However, the pilot initiatives are expected to generate experience and lessons that will enrich and strengthen the long-term policy and regulatory aspects of the FWCs.

Quick Start Actions for FWC Capacity Building and Launching of Pilot Initiatives

- Develop and seek the Minister's approval for the following:
 - Mandates, specific roles and functions of FWC volunteers, as well as guidance on how volunteers should coordinate with (and report to) other government and enforcement agencies
 - List of initial pilot sites
 - Education and communication strategy for educating communities about the FWC initiative and mobilizing volunteers
 - Monitoring and evaluation plan for pilot period
 - Determination of benefits and incentives to be received by volunteers
 - Resources to support the execution of the Quick Start Plan
 - Lead persons from MOFAD, FEU, MCS, and Marine Police
- Communications and media outreach to be led by MOFAD with support from USAID/SFMP (SFMP) and WARFP

- Select pilot sites
- Select first set of volunteers in pilot sites
- Launch event (creating a nationwide media hype and general public awareness of the FWCs)
- Training and provision of logistical support to volunteers in pilot sites
- Ongoing Monitoring and Evaluation of FWC pilots

Laying Long Term Foundations for the Ghana FWC Program

- Develop consensus on the scope and mandate of the FWC program in the long-term. Seek approval from the MOFAD Minister.
- Seek Minister's approval on initial set of draft provisions for the amended Fisheries Act, to include specific provisions for FWC volunteers in the Fisheries Act
- With support from SFMP and WARFP, MOFAD to shepherd process of approval for draft provisions to be included in the amended Fisheries Act
- Update capacity building and training for volunteers to include expanded scope and mandate
- Update community education campaign to explain expanded responsibilities of FWC volunteers
- Revisit benefits and incentives of volunteers, given expanded responsibilities
- Continue capacity building and strengthening of FWC organizations and volunteers, as well as partner institutions at the national, regional, and local levels of governance
- Continue monitoring and evaluation of program

BACKGROUND

In May 2015, the USAID/Ghana SFMP and WARFP co-sponsored a study tour to the Philippines for key stakeholders from the Ghanaian fisheries sector. The participants learned about the Philippines' experience with seasonal closures, community-level enforcement to combat illegal fishing, and public-private partnerships for sustainable fisheries management.

In particular, the participants learned about the successful Philippine Bantay Dagat (Sea Watch) program, in which fisherfolk and volunteers from local coastal communities aid in the enforcement of fishery laws. Bantay Dagat volunteers are trained and deputized by the Philippine Government. The volunteers conduct patrols independently and jointly with Marine Police; gather information and evidence relevant to violations of fishery laws; arrest violators of fishery laws; conduct inspections of fishing vessels; coordinate with local police in filing cases against violators of fishery laws; serve as witnesses in court proceedings; and conduct education campaigns in local communities on fishery laws and marine conservation. Meanwhile, in Ghana in 2015, the Greater Accra Association of Chief Fishermen approached MOFAD to explore ways that fisherfolk might be involved in fisheries enforcement at the community level, in support of the FEU.

In March 2016, SFMP held a workshop in Ghana, bringing together representatives of the Ghanaian Government, enforcement agencies, fishermen and fish processors to discuss the design of a Ghanaian community-based fisheries enforcement initiative, modeled on the Philippine Bantay Dagat program. Workshop participants crafted a practical 2- to 3-year vision, outlining the key elements of a successful initiative that would involve fishing communities, enforcement groups, and government agencies for the co-management of fisheries in Ghana.

The workshop participants arrived at consensus on two important steps that would expedite and pave the way for the creation and operationalization of an FWC Initiative in Ghana:

1. Clarify and build consensus on the roles and mandates of FWC volunteers; and
2. Begin with an FWC pilot initiative. Here, it is recommended that Ghana launch the initiative in 1-2 experimental pilot sites, with volunteers serving only those roles explicitly supported by the current Fisheries Act.

There is strong interest and support among various fisheries stakeholder groups to pilot the FWC Initiative in the near term, and SFMP can support the launch and establishment of the first pilots. There is also sufficient legal space under current Ghanaian law to allow for the piloting of an FWC initiative in Ghana.

However, more advanced roles and functions for Fisheries Watchdog Committee volunteers, such as apprehending violators of fishery laws, would benefit from a legislative amendment to the Fisheries Act, to provide specific legal support (see Annex 1 for suggested language). Importantly, a more explicit enforcement function for FWC volunteers is not envisioned at this time – and will not be part of the program’s pilot stage – but may be considered with an amendment to the Fisheries Act and supervision by the FEU.

The support and authorization of the Minister was deemed essential to launching the FWC, as well as to formulating draft amendments for inclusion in the planned revision to the Fisheries Act.

QUICK START ACTION PLAN

This document provides guidance and recommended actions for the immediate launching of the Ghana FWC initiative. These recommendations are informed by the outcomes of the design workshop in March 2016 and the Philippine experience with the Bantay Dagat initiative.

Prerequisites for a Successful Fisheries Watchdog Initiative

The following are key elements of a successful Fisheries Watchdog initiative that would involve fishing communities, enforcement agencies and government representatives for the co-management of fisheries and marine resources in Ghana:

- An enabling policy and legal framework to support the work and mandate of community enforcement organizations composed of trained and deputized volunteer members. Volunteers would largely be drawn from competent civil society organizations, such as the Ghana National Canoe Fishermen Council (GNCFC) or the National Fish Processors and Traders Association (NAFPTA), as per the recommendations of the associated SFMP-prepared *Review of the Ghanaian Legal Context*. However, MOFAD and SFMP should also explore the legal space for engaging volunteers not currently engaged with a civil society organization, in order to broaden the reach of and to diversify the FWCs. (It is possible, for example, that the Fisheries Watchdog Committees themselves could be formalized and classified as “competent” organizations, allowing for a larger and more diverse recruitment of volunteers.)
- Clear mandate, roles, and functions for FWC volunteers and for their supervisors and support teams within government and Ghanaian enforcement agencies
- Holistic training to develop and enhance the knowledge, skills and attitude of FWC members to ensure the active participation of local communities in fisheries resource management
- Effective institutional capacities and coordination between the government & enforcement agencies responsible for the program
- Appropriate resources and financing to operate and sustain the program

- Strong local leadership and local political support
- Adequate incentives and benefits for volunteers (to prevent attrition and reduce turnover over time)
- Clear geographic jurisdictions
- Regular monitoring and evaluation processes, including the creation of a learning platform to ensure the dissemination of best practices
- An analysis of the potential risks and safety concerns for volunteers and their families. These findings should be used to refine the program.

These prerequisites are indispensable for the design of the Ghanaian FWC Initiative. By addressing these points, Ghana can avoid mistakes made in the formation of Community Based Fisheries Management Committees (CBFMC) under the erstwhile Fisheries Subsector Capacity Building Project (FSCBP) and failures experienced in other countries, such as the Philippines.

Proposed Mandates for Ghana's FWC Volunteers

FWC volunteers in Ghana could be expected to undertake the following roles during the project pilot:

- **Conduct seaborne and land-based patrols for visibility and monitoring.** This requires a complement of trained volunteers from the communities capable of conducting regular seaborne or land-based patrols for a specific number of hours to ensure high visibility of law enforcers in order to pre-empt or deter any potential violations. A defined and structured manual of operations shall guide the volunteers, outlining the various tasks of patrol teams, how to conduct operation planning, required logistical and technical resources, the relevant provisions of the fishery laws, how to de-escalate conflicts, and how to minimize risks, especially if volunteers do not have the legal mandate to apprehend violators. It is also important that the jurisdiction or the area of operations of specific FWC teams is defined and identified at the outset. Teams in neighboring areas should be encouraged to collaborate and should be introduced to each other before the start of operations.
- **Educate fishers on fisheries and other relevant environmental laws.** Volunteers are expected to have knowledge of the laws and to be capable of sharing and communicating these laws with and to various stakeholders within the community. **Listen to stakeholders and collect feedback and information.** Volunteers should engage with fishing communities to understand their complaints and concerns related to enforcement of and compliance with fishery laws, or other relevant matters, and to receive tips and reports of illegal fishing. Volunteers should also relay feedback and information back to the fishing communities in response to their concerns and reports regarding concrete actions to be undertaken by the government and law enforcement.
- **Coherent reporting of infractions to the Police and fisheries authorities.** A protocol should be developed to enable volunteers to perform this role effectively and to ensure the integrity of the information volunteers give to the police authorities. Aside from having a good knowledge of the law, volunteers should be equipped with the technical skill to use the required legal forms for gathering and reporting information on violations. They should also be able to use photo and video devices to document infractions.
- **Assist in gathering evidence on fisheries infractions to facilitate conviction of violators.** FWC members should be trained to gather evidence during patrols or incidents of apprehension led by government law enforcement agencies. There are specific legal requirements in gathering or seizing evidence, leading to a lawful

warrantless arrest. Failure to comply with such requirements is a ground for the inadmissibility of evidence in Court.

- **Serve as witnesses in court proceedings.** As part of the patrol team that conducted an arrest in the course of a seaborne or landbased patrol, volunteers may be required to participate in the prosecution of cases, as witnesses. Volunteers who have personal knowledge about an active case should be ready and prepared to take the witness stand in support of the prosecution.
- **Ensure that all canoes or vessels at the landing site or beach are registered,** and maintain a list of active fishermen at specified sites.

While the roles and mandate outlined above can be performed by volunteers during the initial program pilot and under existing Ghanaian law, FWC volunteers could in the long-term perform additional duties, given the right support. This long-term mandate for the Fisheries Watchdog Committees would be built on the following assumptions:

- An amendment to the Fisheries Act recognizing community-based law enforcement and specifying the mandate of the FWCs.
- Learnings from the FWC pilots incorporated into the government's long term planning for the program.
- Adequate and appropriate technical, logistical and financial support from government and other stakeholders.

If these conditions are met, over the long term, the FWC volunteers could potentially have the following additional responsibilities:

- **Conduct monitoring and inspection of various fishing activities** at the beach, fish landing sites or local markets to ensure compliance with established rules and regulations on fishing, processing, handling and sanitation, among others.
- **Conduct warrantless arrest and seizure** of articles used as instruments in illegal activity or illegally caught fish, in coordination with a composite team, including FEU agents.
- **Undertake fish examination** conducted by a qualified and trained volunteer posted in strategic areas in the community and duly supervised by the appropriate government authority.
- **Actively coordinate with various institutions in the enforcement chain** (law enforcement, prosecutor and the Courts) to ensure high probability of arrest and prosecution of violators.
- **Actively promote community-based fisheries management and conservation** through various activities designed to elicit the participation of fishing communities and other relevant stakeholders.

Important note: While this design document outlines possible roles and responsibilities for FWC volunteers in the short and long terms, MOFAD and SFMP will need to work together to clearly specify a complete list of the expected responsibilities and activities of volunteers both during the pilot phase of the program and following a possible Amendment to the Fisheries Act that would make specific legal provisions for the program. Important questions include the following:

- 1) During the pilot phase of the program, what should be the specific roles, functions, and activities of FWC volunteers? What is the primary mandate of the FWC volunteers during the pilot phase?

- 2) During the pilot phase, which of the activities above must be conducted with the supervision of or in partnership with FEU? Which activities can the FWC volunteers conduct independently? For example, can FWC volunteers issue warnings to illegal fishers without the supervision of FEU officers?
- 3) During the pilot phase, what additional activities – if any – might FWC volunteers engage in when directly partnered with FEU officers?
- 4) If an Amendment were approved to the Fisheries Act making specific legal provisions for the FWC volunteers and program, how, specifically, would the volunteers' mandate and activities change? What new activities and roles might be expected of FWC volunteers with an Amendment to the Fisheries Act?
- 5) With an Amendment to the Fisheries Act, which of the FWC volunteers' original activities and functions, as well as their new, more advanced roles and activities, would require direct on-site supervision from an FEU officer, or must be carried out in composite teams with the FEU? Which roles and functions may now be conducted independently by the FWC volunteers?

Jurisdiction

Each community, defined as a landing site or fishing village as listed in the canoe frame survey, could have one FWC responsible for all of the landing sites within the community.

Once a committee is formed, the jurisdiction between neighboring FWCs will be defined on a topographic map and boundaries will use natural or man-made features on the shoreline to define limits, such as a river mouth, rocky point, church or mosque, road or cell tower, etc. The physical limits of the areas of operation of every committee shall be agreed upon in consultation with the Regional Fisheries Associations and the Metropolitan, Municipal or District Assembly. However, adjoining communities can have joint operational activities. The primary marine jurisdiction for land and seaborne patrols will be perpendicular to the shoreline at these boundary points. It should be acknowledged, however, that seaborne patrols might enter neighboring waters and land patrols can cross jurisdictions along the shoreline, for example, when there is a hot pursuit. In such cases, the FWC should coordinate with adjacent committees as needed.

The seaward extent of an FWC's jurisdiction should generally be defined as the inshore exclusive canoe fishing zone but can extend further seaward to the edge of the Ghana's EEZ if illegal fishing is occurring outside the inshore exclusive zone and if the committee can safely patrol beyond the exclusive zone.

The committee shall operate within the landing site or beach for which it has been formed.

Selecting Volunteers and Preparing and Conducting Trainings

Selection of FWC Volunteers

In the Philippines, membership is open to both females and males who are at least 18 years old. Other criteria in the Philippines include the following:

- Know how to read and write
- Be a legitimate or registered fisherfolk
- Be a legitimate resident of the municipality Advocate environmental tenets
- Be mentally and physically fit to perform as a Bantay Dagat
- Be willing to commit time to serve and perform functions of a Bantay Dagat

In addition to the above, Ghana may choose to restrict membership to fisherfolk who are members of a local civil society group. Also, Ghana may consider expanding membership to fisherfolk who have keen interest in managing their fishery resources even if they cannot read or write.

Designing a Capacity Building Program for FWC Volunteers

As a first step, MOFAD – with support from SFMP – will need to design and prepare a capacity building and training program for FWC volunteers, to enable them to effectively perform their roles and functions.

The training program should cover the entire enforcement chain, including information and education; patrolling and detection (e.g., monitoring and surveillance); apprehension; prosecution; and sanctions.

Recognizing that there have already been capacity building initiatives for fishery law enforcement in Ghana in the past (i.e. CBFMC), an FWC capacity building strategy would benefit from a Training Needs Assessment (TNA). The TNA should determine what trainings have been conducted in the past, if any, and identify gaps in terms of the specific capacity building and training needs of FWC members. Where possible, the government and SFMP should draw on, adapt, supplement, and update existing training materials when designing a training program for FWC volunteers.

In the Philippine experience, community-based enforcement initiatives are most effective when they are planned and executed by composite teams involving elements and officers from national or local enforcement agencies (e.g., national and local police, navy, and coast guard) alongside community enforcers. Building rapport, respect, and healthy working relationships within these composite teams is therefore crucial. To address this need, personnel and officers from national or local enforcement agencies should be trained as trainers to conduct trainings for FWC volunteers. This approach helps to ensure the necessary buy-in and involvement of formal enforcement institutions in new, community-based enforcement programs, as they would have the moral and professional obligation to ensure that their trainees are able to perform their tasks safely and effectively. Meanwhile, trained FWC volunteers will look up to their trainers as mentors, building bonds between the FWC and traditional law enforcement. As the program progresses, experienced FWC volunteers could also become trainers and mentors for new FWC recruits.

Through SFMP, Philippine consultants experienced with the training programs for the Bantay Dagat program could be tapped to provide advice and oversight on the planning of a capacity building program, conduct of a TNA, conduct of a Training of Trainers, and conduct of FWC volunteer trainings. If requested by MOFAD and approved by SFMP, they could help Ghana fast track the FWC capacity building process and avoid potential problems and failures experienced in the Philippines, making quick adjustments (as necessary) to the design of the program and providing inputs (materials) for the training modules.

Local NGOs and individuals in Ghana with experience in capacity building for fishery law enforcement should also be tapped to provide inputs and advice for training design and implementation.

Proposed Training Plan

- **Training Needs Assessment.** A Training Needs Assessment should be conducted for the initial pilots as a preliminary step, to assess existing materials and to design a tailored capacity building program for FWC volunteers.

- **Production of Training Materials.** Each of the training topics mentioned below will be supported by training materials such as training modules, powerpoint presentations, hand-outs, quizzes and exams, audio visual presentations, etc. There are available materials used in the Philippines, which could be made available on request from the MOFAD and may only require translation to English and adaptation for the Ghanaian context. This could significantly fast track the process of producing the required training materials.
- **Production of Information and Education Materials.** Please see section below on Community Outreach and Education.
- **Orientation and Education of Judges and Prosecutors.** It is important for SFMP and MOFAD/FC to inform judges and prosecutors about the FWC initiative so they are aware of and informed about the mandate, operation and concerns of the Fisheries Watchdog Committees. This is to strengthen the link between the FWC and the courts. All institutions within the enforcement chain should be able to function effectively to ensure high probability of enforcement and prosecution, and supportive prosecutors and judges will help to make the FWCs more effective.
- **Training of Trainers.** A Training of Trainers will develop the skills of a core set of trainers selected from Ghanaian law enforcement agencies – and eventually from experienced FWC volunteers – who will train the community volunteers. The training program will benefit from their experience and expertise as law enforcers and will help to develop good working relations between law enforcers and the volunteers.
- **FWC Volunteer Trainings.** The following are the suggested topics for the basic deputation training of FWC volunteers:
 - **Seminar on Environmental Awareness.** Orientation on basic environmental principles and key concepts related to the marine ecosystem.
 - **Ghana Fisheries Briefing.** Overview of the current fisheries situation in Ghana, focusing on the various issues affecting the management, conservation and utilization of fishery resources.
 - **Co-Management in Fisheries.** Discussion of the key elements and principles of co-management with emphasis on the role of communities/resource users in protecting and conserving fisheries and aquatic resources.
 - **Fisheries Law Enforcement.** Discussion of law enforcement in general as part of the duty of the State, the law enforcement chain and the specifics of how fisheries law enforcement is conducted in Ghana. Issues and challenges shall also be presented to contextualize the creation of the Ghanaian FWCs.
 - **Salient Features of the Fisheries Act of Ghana.** Overview of the key provisions of the Fisheries Act on the utilization, management and conservation of fishery resources, institutional arrangement in fisheries sector as well the specific provisions on illegal fishing practices and corresponding penalties.
 - **Fishing Gears and Vessel Identification.** To orient participants on the different fishing gears and fishing vessels used in Ghana.
 - **Identification of Illegally Caught Fish.** A general discussion of how to detect a fish caught with the use of explosives or other illegal methods.
 - **Legal Forms.** To familiarize participants with the legal forms needed in the conduct of seaborne patrols and the gathering of information and evidence. Participants should also learn how to make an affidavit or sworn statement.
 - **Role and Mandate of an FWC Volunteer.** Participants are expected to know the roles and functions of an FWC volunteer, as well as the specifics of performing these functions.

- **Operations Planning and Execution.** This is a specialized topic on how a seaborne patrol should be conducted based on specific operation plans (OPLANs). The different aspects of making an OPLAN will be discussed such as threat mapping, objective or mission, instruction and execution. This will be conducted with practical exercises.
- **Communicating and Listening to Stakeholders.** Information and knowledge are only useful if they can be clearly communicated to target audiences. FWC members require skills to listen to and communicate back key messages to diverse stakeholders, including fishing communities, to accelerate learning and adaptation.

The FWC volunteer deputation training will likely take about three days, complemented by subsequent trainings and refresher courses to improve and expand the skills of FWC volunteers over time. New volunteers should also be paired with more seasoned FWC members, to receive “on-the-job” mentorship and training.

Pilot Initiatives

Criteria for Selection of Pilot Sites

To jump-start the pilot initiatives, a set of criteria for selecting pilot sites is needed. The following are the suggested criteria for selection of pilot areas:

- **Administrative feasibility.** The pilot sites should be located in areas that are easily accessible for coordination, monitoring and management by the implementing government agency. Also, the pilot sites should be in relative proximity of each other, enabling greater cost efficiency in launching activities in both sites and sharing experiences and equipment across sites, if needed.
- **Status of fishery resources.** Sites where the damage and risks posed by illegal fishing are visible to local fishing communities may yield more motivated volunteers than sites where the visible impacts of illegal fishing and poor fisheries management are negligible.
- **Presence of local fisherfolk organizations.** Recruitment of volunteers is made easier by the presence of fisherfolk organizations that are active and involved in environmental management and protection.
- **Supportive local government.** Supportive local governments can facilitate the organization of local volunteers and help ensure the effective implementation of the pilot.
- **Site is representative of the greater Ghanaian context** and lessons learned at the pilot site – and the pilot approach – will be applicable and scalable to other sites in

Pilot Site Selection Process

The following steps are suggested in the selection process for pilot sites:

1. Develop criteria for selecting pilot sites
2. Short list pilot sites
3. Conduct a rapid appraisal of shortlisted sites
4. Select pilot sites
5. Conduct a baseline survey/needs assessment at each pilot site
6. Secure local government and fisherfolk association support and commitment
7. Conduct community education and sensitization
8. Mobilize and select volunteers
9. Launch FWC pilot initiatives and capacity building for volunteers

Ghana. If the site is highly atypical, learnings from the pilot will be less applicable in designing a nationwide approach.

- **Local stakeholders are supportive** of new management interventions such as seasonal closures, modification of existing fishing gears and fishing practices, establishment of marine protected areas, and of the FWC concept in particular.
- a. **Fisherfolk are organized as part of “competent” local organizations.** In line with the *SFMP Review of the Ghanaian Legal Context*, FWC volunteers will predominantly be drawn from “competent” civil society organizations, such as fisherfolk associations.

Community Outreach and Education

Community buy-in and well-informed stakeholders are crucial for a successful community-based enforcement program. A simple education and outreach plan directed toward local fishers, foreign fishers, tourism operators, and the local community should be created and effectively disseminated by law enforcers, government, and civil society. As part of this, there should be a concerted effort to listen to feedback from stakeholders, and formally document this information with the FWC organizers to immediately address important issues or design reactive strategies. The following are examples of activities that could be used to inform communities about fishery laws and the FWC initiative:

- Community meetings about the FWC initiative at schools, local markets, fish landing sites, and other local meeting areas;
- Public pilot launch events and volunteer selection ceremonies for the FWC initiative;
- High-visibility of FWC volunteers, aided by a FWC uniform and participation of FWC volunteers in community events;
- Development and distribution of simple fact sheets describing the FWC initiative, as well as fishery laws, restrictions, and fines or sanctions;
- Engagement of enforcement officers and FWC volunteers in outreach activities;
- Posting regulations at high visibility sites such as key ports and fishing cooperatives;
- Radio and television spots on the Fisheries Watchdog Committees and fishery laws;
- Outreach to local primary and secondary schools with exhibits, videos, and informal discussions, led by FWC volunteers and enforcement officers;
- Information materials available at local government offices;
- Pamphlets provided at airports and tourism kiosks;
- FWC merchandise (T-shirts, flags, caps, etc.)

Monitoring and Evaluation

As for any program pilot, the progress and performance of the FWC program will need to be monitored over time, and lessons learned should be collected and used to inform and improve the continued evolution of the program. Monitoring and evaluation of the FWC pilots will require the establishment of a baseline and the selection and monitoring of indicators to measure program performance.

The progress of the FWC over a specific period of time can be measured in terms of the following:

- **Sea-borne patrol monitoring form.** A monitoring form could be devised that lists a volunteer’s name, number of patrol hours, date and time, specific coordinates of the patrol area, amount of fuel used, etc.
- **Operation Plan (OPLAN).** Every sea-borne patrol or series of seaborne patrols should have a defined operation plan. This entails the conduct of threat mapping,

identification of the mission or objectives for the specific operation, concept of the operation, instructions from the law enforcement authority, and the administrative and logistical needs for such an operation. This can be supervised by the local law enforcement agency. Each operation can be evaluated based on the operation plan to be duly approved by the supervising government law enforcement agency.

- **Capacity building and skills appraisal.** There should be a systematic review of the skills development of the volunteers. This can be done in part through peer appraisal, during the debriefing of each operation. Refresher and additional trainings should be provided to volunteers over time, based on learning needs, evolving roles, and performance.
- **Performance Evaluation for Volunteers.** A regular – monthly or biweekly – performance evaluation for volunteers will be critical to rewarding high performers and removing poorly performing or problematic volunteers. These performance evaluations could be the responsibility of FEU supervisors and/or seasoned FWC volunteers acting as mentors, team leads, and/or on-the-job trainers for new recruits. Regular, informal volunteer performance evaluations would also, in aggregate, serve as valuable data on the overall performance of the program.
- **Monitoring and recording of sightings and encounters with violators** and subsequent actions taken such as warnings and education, apprehensions, and actual sanctions imposed.
- **Monitoring of trends in volume of catch** (e.g., biomass of target fish species).
- **Monitoring social-economic indicators** (e.g., improvement in livelihoods and income) of volunteers and pilot communities.
- **Monitor threats to and safety of volunteers.** As a community-based volunteer enforcement program is likely to create some tension within local communities, the program should develop a process for tracking threats to and the safety of volunteers. Bimonthly or quarterly surveys could be shared with volunteers, to collect information on any perceived safety risks, threats, and overall volunteer morale.

Program Costs and Potential Sources of Financing

Effective enforcement systems entail significant costs and therefore require funding. The Philippine experience has shown that most local community-based marine and fishery law enforcement initiatives receive very limited central government support and struggle to secure adequate funding to cover necessary program costs. In addition to the costs associated with launching the program, and selecting and training volunteers, this section details two other areas of ongoing costs for a Fisheries Watchdog program: (1) Providing basic incentives or benefits to volunteers, to retain and motivate volunteers over time, and (2) Providing for the basic equipment and logistical needs of volunteer enforcement units. Finally, this section then explores some possible additional sources of financing for a Ghanaian Fisheries Watchdog program.

Incentives and Benefits for Ghana FWC Volunteers

Experience from the Philippines has shown that incentive systems motivate volunteers and boost their morale, resulting in stronger, more sustained, and more effective enforcement efforts.

The following recommendations for creating a FWC volunteer incentive scheme draw on the experience of the Philippine Bantay Dagat program. It is recommended that these suggestions be tailored to the needs and aspirations of local volunteers in Ghana, drawing on their input and feedback over time.

- Provide volunteers with capacity building, paralegal training, and other trainings and seminars
- Deputize volunteers
- Provide them with a simple uniform – hat, shirt or pin
- Provide logistics for patrol operations (see below)
- Provide additional incentives (see below)
- Strengthen institutional linkages (e.g., with prosecutors; national enforcement; Local Government Units; local police; NGOs and private groups)

The local Bantay Dagat groups along the Verde Island Passage in the Philippines held a workshop several years ago to formulate their local incentive system. Below is the list of incentives recommended by the Bantay Dagat volunteers that could be reviewed and considered for the Ghana FWC:

- Alternative livelihoods, e.g., livestock raising; small enterprises for the wives of Bantay Dagat; recreational fishing for tourists; etc.
- Health/life insurance
- Scholarships for the children of volunteers
- Honorarium or daily allowance
- Rice, food subsidy
- Volunteers' cooperatives
- Fishing gear
- Annual recognition awards
- Social gatherings/networking
- Capital, credit
- Medical/dental missions

Basic Logistical Requirements and Operational Costs

In the Philippines, the annual capital and equipment outlay for a coastal municipality along the Verde Island Passage for the Bantay Dagat program can range between US\$12,000.00 to US\$20,000.00 per year depending on the number of teams operating in the municipal waters. Out of this cost, the motorized boats, which are usually outriggered boats with inboard engines account for around 30% of the annual outlay. Operations costs could range (ideally) from US\$20,000.00 to US\$40,000.00 depending on the number of patrols conducted and the size of the geographic territory.

In the Philippine coastal municipality of Mabini, Bantay Dagat community-based seaborne patrols are conducted daily. The municipal waters of Mabini cover an approximate area of 360 square kilometers, covering about 24 kilometers of coastline extending 15 kilometers seaward. A total of 18 Bantay Dagat members are currently active in the municipality and are provided Php 250.00/day (about US \$5-6) as a stipend. Every day, the Bantay Dagat spend around Php 1500.00 (about US \$32) for fuel and oil for the deployment of two small (4 meters in length) outriggered boats outfitted with 16 HP Briggs and Stratton engines and one five-man inflatable rubber boat with 25 HP OBM to patrol the municipal waters. Twice a week, two bigger (approximately 10-12 meters in length) outriggered boats outfitted with reconditioned car engines are also deployed to complement the three smaller boats for a total of five boats patrolling the municipal waters. During these two days, the Bantay Dagat spend around Php 5,000/day (US \$106) for fuel and oil.

In addition to the regular daily visibility of seaborne patrols, the local Bantay Dagat also allocate funds for other activities such as Information and Education campaigns; surveillance

and intelligence gathering; arrests, filing cases, and serving as witnesses during court proceedings; meetings, workshops, and operations planning; and continuous knowledge and skills development.

A detailed analysis of the expected costs for the Fisheries Watchdog Committees should be conducted as soon as possible. The analysis should be combined with site-specific needs assessments, to determine the required size and regularity of patrols, and should include operations costs, ongoing training and capacity building costs, costs for volunteer incentives over time, program launch and set up costs, IEC costs, monitoring and evaluation costs, and other costs to be determined.

It is anticipated that the Ghanaian FWC enforcement units could evolve with a different mandate, organizational set-up and team configuration than the Philippine Bantay Dagat teams. For reference and basis however, it may be useful to refer to the list of logistical requirements of Bantay Dagat teams in the Verde Island Passage in the Philippines, below:

- Motorized boats
- Communications equipment
- Search lights and personal flashlights for conducting patrol operations at night
- Cameras for evidence gathering
- Regular gasoline supply
- Depending on the relative danger facing patrol units, presence of armed enforcement officers from national agencies in the composite teams
- Uniforms (at least three sets per member)
- Life jackets
- First aid kits
- Binoculars/telescopes
- High elevation observation stations
- Constant supply of food and water
- GPS
- Megaphones
- Other safety gear (e.g., flares, small life boats, etc.)
- Insurance

Possible Funding Sources

Participants during the recent design workshop in Accra identified the following as potential sources of funding to support the initiative:

- Foreign-funded projects, e.g., USAID Ghana SFMP and WARFP
- National Fisheries Development Fund
- Provision in Fisheries Act setting aside funding for the program
- Public-private partnerships
- Call-and-Contribute Fundraising Events
- Parliamentary appropriations
- Permits and licenses
- Fines and penalties
- Oil Fund
- User-fees
- Sponsorship package
- District Assembly contributions/appropriations
- Internal financing from communities

- Proceeds from the premix fuel

ANNEX

PROPOSED Long Term LEGAL FRAMEWORK FOR THE FWC INITIATIVE – Amending the Fisheries Act to Support an Eventual Enforcement Function for the Fisheries Watchdog Committees

Introduction

The USAID/Ghana Sustainable Fisheries Management Project (SFMP) plans to support the Government of Ghana through the Ministry of Fisheries and Aquaculture Development and the Fisheries Commission to design and deploy a community-based Fisheries Watchdog Committee (FWC) program to complement the work of the Fisheries Enforcement Unit set up under section 94(4) of the Fisheries Act, 2002 (Act 625).

The combined effect of articles 35(6) (d); 36(9); 41(k); 240(2) of the 1992 Constitution and sections 2(2)(o) and 94(4) of the Fisheries Act, 2002 (Act 625) is that the FWCs can be lawfully established in Ghana by the Minister of Fisheries. Further, especially where the FWC is in relation only to the activities of artisanal fishermen, Section 59 of the Fisheries Act provides that “...the Minister may on the recommendation of the Commission make such further provisions as the Minister considers necessary for regulating artisanal fishing.”

However, if it is imagined that the FWC volunteers will eventually play a more explicit enforcement function, the program would be further supported and strengthened by an express provision of law permitting and creating a mandate for the FWCs. In view of this, and within the context of the forthcoming review of the Fisheries Act, it is proposed that a specific amendment is made to section 94 to introduce the FWC concept and outline an expanded enforcement role for the Initiative, following an initial pilot phase.

Section 94 may be amended by the introduction of a new section to read:

1. Creation of the FWCs
 - a. The Enforcement Unit may include personnel from the Ghana Navy, Ghana Airforce, Marine Police and the Secretariat of the Commission as the Minister shall in consultation with the Minister of Defense determine.
 - b. The Enforcement Unit may also include any person (or groups of persons) who resides in a fishing community and has undergone appropriate training and deputation by the Fisheries Commission, to be referred to as Fisheries Watchdog Committee (FWC) volunteers.
 - c. The Minister may authorize any other person who has undergone the appropriate training as determined by the Fisheries Commission to serve as members of the FWCs.
2. Membership of the FWCs
 - a. Anyone who is involved in fishing, is 18 years of age or above, and has undergone the appropriate training and deputation process may qualify to be a member of the FWCs.
 - b. No person shall be eligible as a member of the FWCs unless he or she is recognized as a competent member of a civil society group operating in the District where he or she intends to serve as a FWC member.
3. Functions of the FWCs

- a. Members of the FWCs are hereby authorized to enforce the Fisheries Act, any existing Fisheries Regulations and any other law relevant to fisheries in Ghana.
- b. Functions for FWC members may include any other functions that this Act or any other law may confer on the FWCs.

4. Jurisdiction

- a. Members of FWCs may perform their functions within the Inshore Exclusive Zone, the territorial waters and the Exclusive Economic Zone under the supervision of law enforcement officers.
- b. Anyone arrested by a member of the FWCs for violations of any fisheries law shall be handed over to the police as soon as practical and without undue delay.
- c. Members of the FWCs are immune from prosecutions for actions faithfully undertaken under the mandate granted under this Act.

5. Sources of Funding

The funds to meet the expenditure of the FWCs shall consist of:

- a. Money approved by Parliament for the FWCs through the Commission;
- b. Such proportion of the monies in the Fishery Development Fund dedicated to monitoring, control and surveillance of the fishery waters under sections 38(b) and 38(e) of this Act;
- c. Voluntary contributions from individuals, Organisations and the private sector;
- d. Grants from bilateral and multilateral sources;
- e. Money from any other source approved by the Minister responsible for Finance.

6. Indemnity for the FWCs

Subject to the Constitution, no action shall be brought against a member of the FWCs in respect to any act done in good faith in the performance of their functions under this Act.

7. Powers of the FWCs

The powers granted authorized officers in section 96 of this Act are hereby conferred on the Fisheries Watchdog Committees when any member of the FWC acts under the command of authorized officers.