Inception Report:
Development of a Fisheries and Aquaculture Policy for Malawi and National Fisheries Policy in Swaziland
CU/PE1/MZ/10/001/NEG

March 2011
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This mission was carried out by Robert Lindley, Hara Mafaniso and Shaheen Moolla

Megapesca Lda, Portugal

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<tbody>
<tr>
<td>ACP</td>
<td>African, Caribbean and Pacific Group of States</td>
</tr>
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<td>ADB</td>
<td>African Development Bank</td>
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<tr>
<td>ASWAp</td>
<td>Agriculture Sector Wide Approach</td>
</tr>
<tr>
<td>BVCs</td>
<td>Beach Village Committees</td>
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<tr>
<td>CAS</td>
<td>Catch Assessment Survey</td>
</tr>
<tr>
<td>CPUE</td>
<td>Catch Per Unit Effort</td>
</tr>
<tr>
<td>DOF</td>
<td>Department of Fisheries</td>
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<tr>
<td>EIA's</td>
<td>Environmental Impact Assessments</td>
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<td>EU</td>
<td>European Union</td>
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<tr>
<td>FAO</td>
<td>Food and Agriculture Organisation</td>
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<td>FP</td>
<td>Fisheries Policy</td>
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<tr>
<td>FX</td>
<td>Foreign Exchange</td>
</tr>
<tr>
<td>HACCP</td>
<td>Hazard Analysis and Critical Control Point</td>
</tr>
<tr>
<td>HIV/AIDS</td>
<td>Human immunodeficiency virus / Acquired immune deficiency syndrome</td>
</tr>
<tr>
<td>IT</td>
<td>Information Technology</td>
</tr>
<tr>
<td>IUU</td>
<td>Illegal Unreported Unregulated,</td>
</tr>
<tr>
<td>KE1</td>
<td>Key Expert 1</td>
</tr>
<tr>
<td>KE2</td>
<td>Key Expert 2</td>
</tr>
<tr>
<td>KE3</td>
<td>Key Expert 3</td>
</tr>
<tr>
<td>KOBWA</td>
<td>Komati Basin Water Authority</td>
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<tr>
<td>LMDA</td>
<td>Lake Malawi Development Authority</td>
</tr>
<tr>
<td>MNFAP</td>
<td>Malawi National Fishery and Aquaculture Policy</td>
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<td>MTF</td>
<td>Malawi Traditional Fisheries</td>
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<tr>
<td>NGOs</td>
<td>Non Governmental Organisations</td>
</tr>
<tr>
<td>ORT</td>
<td>Other Recurrent Transactions</td>
</tr>
<tr>
<td>QC</td>
<td>Quality Control</td>
</tr>
<tr>
<td>SACU</td>
<td>Southern African Customs Union</td>
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<tr>
<td>SADC</td>
<td>South African Development Community</td>
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<tr>
<td>SMART</td>
<td>Specific, Measurable, Attainable, Relevant and Time bound</td>
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<tr>
<td>Abbreviation</td>
<td>Full Form</td>
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<tr>
<td>--------------</td>
<td>-----------</td>
</tr>
<tr>
<td>SWOT</td>
<td>Strengths, Weaknesses, Opportunities, Threats</td>
</tr>
<tr>
<td>TA</td>
<td>Technical Assistance</td>
</tr>
<tr>
<td>TNA</td>
<td>Training Needs Analysis</td>
</tr>
<tr>
<td>TO</td>
<td>Technical Officer</td>
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<tr>
<td>ToR</td>
<td>Terms of Reference</td>
</tr>
<tr>
<td>VDCs</td>
<td>Village Development Committees</td>
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1 INTRODUCTION

This report describes the initial activities and findings of a mission to Malawi and Swaziland by the Senior Inland Fisheries Policy Expert (KE1) and the Inland Fisheries and Aquaculture expert (KE2), and the Inland Fisheries Policy Expert (KE3) during March 2011. The mission is being carried out under the EU funded Strengthening Fisheries Management in ACP States project (9ACP RPR 128) programme implemented by ACP Fish II. The overall objective of the project is to contribute to the sustainable and equitable management of fisheries in the ACP regions and the specific objectives are:

1) To support Malawi’s Department of Fisheries (DOF) in revising and validating the Malawi National Fishery and Aquaculture Policy (MNFAP) and producing guidelines for fisheries policy elaboration in the future.

2) In Swaziland to produce a final draft of the Fisheries Policy and validate it in a participatory manner.

In this input the main tasks undertaken by the consultants were meeting and working closely with the Fisheries Departments Focal Points and other staff in both Malawi and Swaziland, identifying, collating and reviewing background documents and meeting other persons in the Government and private sector. The full Terms of Reference (ToR) are shown in Annex 1. After home office preparations, the Senior Inland Fisheries Policy Expert (KE1) arrived in post in Malawi on March 13th, 2011, the Inland Fisheries and Aquaculture (KE2) arrived in post on in Malawi 8th March 2011. As at 21 March 2011 both KE1 and KE2 experts were still in Malawi. The Inland Fisheries Policy Expert arrived in Swaziland on 7th March and left on 12th March.

2 BACKGROUND TO THE FISHERIES POLICIES OF MALAWI AND SWAZILAND

In Malawi the current Fisheries Policy (FP) was drafted 11 years ago and is now inadequate for the future directions of the Fisheries Department. Since the FP was drafted it has become apparent that the near shore fisheries of Lake Malawi are fully exploited and apart from a pelagic deepwater resource that has proved difficult to pursue, there is little opportunity to expand catches from the established fisheries on Lake Malawi and other lakes and rivers. Additionally the legislation is recognised to have shortcomings. Since the Fisheries Department joined the Ministry of Agriculture the emphasis has shifted towards a more commercial approach to aquaculture and fisheries, food security and income generation. The Fisheries Policy should reflect this.

The purpose of the project in Malawi therefore is to revise the FP and validate the revised version with stakeholders so that it better reflects the needs of the sector in Malawi, and to provide guidelines for future regular revisions.

In Swaziland the Fishery Policy is presently undergoing revision but the emphasis in fisheries is changing towards using commercial operations so the new policy should reflect this. As in Malawi the main purpose of the project in Swaziland is to revise the FP and validate the revised version with stakeholders so that it better reflects the needs of the sector.

3 COMMENTS ON TERMS OF REFERENCE

There are no comments on the Terms of Reference pertaining to activities in Malawi.

In Swaziland, during the course of the in-country visit, it was brought to the consultants attention that there is a possibility of protracted industrial action by people employed in the private and public sectors.
The Senior Agriculture Office, and the focal point, has advised that planned industrial action is confirmed for 12th April 2011, the date that the workshop in Swaziland was expected to be undertaken. As a result of this industrial action the workshop will be rescheduled for the 7th April, unless in the meantime the Industrial Action is cancelled which seems unlikely.

After consultations with the team in Swaziland approximately 35 participants have been identified, as opposed to the 80 postulated in the ToRs.

MALAWI

4 METHODOLOGICAL APPROACH TO THE ASSIGNMENT

The consultants are undertaking a multi-sectoral evaluation of the fisheries sector and its current and likely future environment.

Initially this evaluation of the fisheries sector involves the collection of information from the Fisheries Department, sister organisations in the Ministry of Agriculture and Food Security, other government Ministries and Departments, NGOs, the private sector, and donor organisations and consultations with stakeholders.

Workshops will be held in 4 locations (Mzuzu, Salima, Zomba and Chikwana) with up to 25 participants in each, (corresponding to Ecological Regions on the Lake and surrounding areas) to consult with stakeholders on the revision of the policy, following a Logical Framework Approach.

The areas to be examined are:

a) National Development Policy Framework, to ensure the policy fits in with other national policies, particularly but not exclusively, the Malawi Vision 2020, the Malawi Growth and Development Strategy, the Malawi Poverty Reduction Strategy and the Ministry of Agriculture and Food Security Strategic Plan.

b) A literature and statistical sector review of the fisheries of Malawi

c) A review of the Legislation

d) Scientific and technical support to the sector

e) Governance and institutional framework

f) Trade and tariff position

g) Economic partnership

A SWOT analysis based on the information collected will provide the basic tool for evaluation of the current fisheries framework, and ultimately lead to a revised draft fisheries policy framework, which will be drafted and circulated prior to a two day validation workshop.

Current policy proposals will also be evaluated and incorporated as appropriate.

Particular attention will be paid to cross-cutting issues between different ministries and departments.

These activities will lead to the identification of gaps in the current policy and the application of the Logical Framework Approach to the expression of the fisheries policy framework will ensure relevance.

The eventual policy will be Specific, Measurable, Attainable, Relevant and Time bound. (SMART)
5  SET UP AND MEMBERS OF THE TECHNICAL TEAM

The Focal Point in Malawi is the Chief Fisheries Officer (Planning) and in addition there are two other Malawi based members of the Technical Team, the Assistant Chief Fisheries Officer (Planning) and the Principal Fisheries Officer (Planning) from the fisheries administration in Lilongwe.

The external experts assisting the Technical Team in the project are a Senior Inland Fisheries Policy Expert, and an Inland Fisheries and Aquaculture expert.

6  PROPOSED WORK PLAN (INCLUDING TRAVEL PLAN OF EXPERTS)

Since the arrival of the experts in Malawi they have been engaged with the Technical Team in the collection and collation of data, through a review of documentation and interviews with state and non state persons in the fisheries sector. The work has included interviews at Fisheries Department, Ministry of Agriculture and Food Security, Treasury, Environment Ministry, Irrigation Department, Gender Department and one field trip encompassing Mangochi Fisheries station, the Fisheries Research Unit at Monkey Bay and Maldeco Fisheries. Retail and wholesale markets for fish in Lilongwe and at roadside locations have also been visited.

In addition a SWOT analysis of aspects of Fisheries has been undertaken. The results of this analysis are given in Annex 3.

During this period the timetable of activities for the rest of the mission has been developed in conjunction with the Technical Team. Some of the dates of activities towards the end of the mission have yet to be fixed including the actual data and venue for the validation workshop in May.

The activities in the timetable are those in the ToRs however due to the reduced timescale during which the programme has to be completed, Phase I and Phase II have been telescoped into one.

One of the major activities foreseen in the ToRs is the holding of four Stakeholder workshops. The Technical Team indicated that these would be held in four locations in Malawi chosen by their environmental consideration. These are Mizuzu in the North of the Lake, Salima in the Central area, and Zomba and Chikwawa in the South and extreme South of the country respectively. Undertaking the workshops in this manner, it is expected that stakeholders from lake, riverine and wetland areas, village aquaculturalists, processors and commercial operators; indeed the whole spectrum of stakeholders involved with fisheries and aquaculture can be included. An outline format for the workshops has been prepared by the KE1 and circulated to all in the Technical Team for refinement, and is attached in Annex 2.

Apart from the 100 stakeholders attending the 4 workshops, priority among those to be consulted over the period 21st March to 3rd April are:-

- Fishermen & fishing communities
  - Fishing & fisheries stakeholders – Salima region
  - Beach Village Committees & BVC Associations – in Salima Region

- Government Departments and Ministries
  - Ministry of Agriculture and Food Security
  - Environmental Affairs Department
  - Water Department – particularly on water use
o NAC - for HIV/AIDS
o Gender (again) – for gender Mainstreaming
o Ministry of Development Planning and Cooperation – general planning advice
o Ministry of Local Government – decentralisation
o Policy Coordination Unit in Office of President & Cabinet
o Department of Public Service Management – manpower
o [In Blantyre - Malawi Bureau of Standards – particularly on fish quality control issues. Dependant on travel to Blantyre by one of the KEs]

- NGOs
  o World Fish Centre
  o World Vision International

- Courtesy Visits (delayed because of absences)
  o Min Agriculture

This is not an exhaustive list, and will be added to as it becomes apparent what other stakeholders need to be consulted.
Table 1: Prospective timetable for the rest of the mission (derived from discussions with FP & TA in initial meetings)

<table>
<thead>
<tr>
<th>Team Members/Week</th>
<th>21-27 March</th>
<th>28 March – 3rd April</th>
<th>4 – 10 April</th>
<th>11-17 April</th>
<th>18 April–1 May</th>
<th>2 – 8 May</th>
<th>9-16 May</th>
<th>17 – 22 May</th>
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<tr>
<td><strong>Malawi Technical Team</strong></td>
<td>Planning for the four stakeholder workshops. Invitations, administration. Working with the external experts on all relevant matters</td>
<td>Planning and arrangements for Validation Workshop Working with the external expert on all relevant matters</td>
<td>Attend stakeholder workshops at Mzuzu and Salima</td>
<td>Stakeholder workshops at Zomba and Chikwawa</td>
<td>Review draft FP with experts Assist with preparation for validation workshop. Confirm participant list etc.</td>
<td>Validation workshop</td>
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<td><strong>Senior Inland Fisheries Policy Expert</strong></td>
<td>Day field trips as required Further consultations and data collection with the Technical Team Courtesy visits</td>
<td>Further consultations and research as required. Preparation of Zero draft of fisheries Policy. Arrangements for Validation Workshop</td>
<td>In Swaziland</td>
<td>In Swaziland</td>
<td>Modification of Zero draft of FP to include outputs of the stakeholder workshops. Review draft FP with Technical Team Preparation for and holding of Validation workshop. Validation workshop. Preparation of draft Final Report</td>
<td>Preparation of Final report</td>
<td></td>
<td></td>
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<tr>
<td>Inland Fisheries and Aquaculture expert</td>
<td>Day field trips as required</td>
<td>In S Africa</td>
<td>Preparation for stakeholder workshops</td>
<td>Stakeholder workshops at Zomba and Chikwawa. Preparation of report on workshop outputs</td>
<td>Preparation of Validation workshop.</td>
<td>Preparation for and holding of Validation workshop.</td>
<td>Preparation of draft Final Report</td>
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<td></td>
<td>Further consultations and data collection with the Technical Team</td>
<td></td>
<td>Two workshops; at Mzuzu and Salima</td>
<td></td>
<td>Modification of Zero draft of FP to include outputs of the stakeholder workshops. Review draft FP with Technical Team Production and distribution of draft FP to participants of Validation workshop.</td>
<td></td>
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<tr>
<td></td>
<td>Courtesy visits</td>
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7 RESULTS OF INITIAL DOCUMENT REVIEW, CONSULTATIONS AND TNA\textsuperscript{1} ETC

This Review of the Fisheries Policy for Malawi is fortunate in that the review receives almost universal support from those that have been consulted on the matter. Ministries, Departments and other stakeholders have all indicated that the review is welcome and overdue, for a variety of reasons.

A standard format currently being applied to all policy documents produced in Government was provided. This review will follow that format for the Fisheries Policy. See Annex 4.

Similarly the Review Mission has been given formats for this Interim report and for the Final Report which will be followed.

From information collected the capture fisheries on Lake Malawi are definitely under stress. The shallower areas of the lake which have the highest biodiversity and are fished by large numbers of lake dwellers (95% of the catch) are fished at Maximum Sustainable Yield or above, whilst effort is increasing (mainly through technological developments in gear, rather than an increase in absolute numbers of boats or fishers). A static catch with increasing effort (CPUE decreases) is a danger sign for an established fishery. Small pelagic fishes and their pelagic predators in the deeper waters do not seem to be so threatened, and there is an untapped resource (40,000 tonnes/year) of deep living pelagic fish that current technologies do not allow to be exploited\textsuperscript{2}. There is thus an urgent need to maintain and improve current management initiatives on Lake Malawi fisheries so as to avoid overfishing the shallower ecosystems or the pelagic zone in the future and to extend exploitation on under-utilised species.

Another result of the initial review of the documents collected is that it has identified that there are numerous bodies charged with responsibility for various elements of management that affect fisheries. One of the main targets of the rest of the first period of the mission will be trying to properly define the limits of the responsibilities of these bodies and try and incorporate mechanisms for cooperation for best benefit. An example is water resources, which are controlled by a standing committee which allocates permissions for use. Fisheries has, up to now, generally ignored these inconveniences, particularly with regard to village level aquaculture; but in the future, with the Green Belt initiative, which seeks to dramatically increase the amount of irrigated land for commercial use in Malawi, and the the Agriculture Sector Wide Approach (ASWAp)\textsuperscript{3} programme likely to promote commercial aquaculture, they will have to be comprehensively incorporated into development initiatives.

Aquaculture has the potential to address declining or static fish production from capture fisheries. The species grown currently (Chambo, \textit{Oreochromis shiranus} & \textit{O. karongae}) in cages in the lake and in village aquaculture is not generally very productive (in terms of kg/ha/yr) and at some stage a decision is going to have to be made as to the introduction of species better suited to aquaculture. (Currently it is policy that no new species can be introduced). Failure to do this may possibly condemn Malawi Aquaculture to secondary importance as the development of new strains of indigenous species suitable for aquaculture will take many years and in the end may well be unsuccessful. Fisheries department staff still feel constrained to countenance such a move, partly due to international protocols & conventions, but from interviews with other stakeholders it has

\textsuperscript{1} Training Needs Analysis
\textsuperscript{2} Menz, A. 1995. The fishery potential and productivity of the pelagic zone of Lake Malawi/Niassa. Scientific Report of the UK/SADC Pelagic Fish Resource Assessment Project. Natural Resources Institute. 386 p
\textsuperscript{3} Malawi’s prioritised and harmonised Agricultural Development Agenda: 2010-2014
become apparent that continuing to concentrate on Chambo is perceived as a great restraint to development of the sector.

Related to this is the likely increase in imports of Tilapia (Oreochromis niloticus) and Panga (Pangasius spp) from China and Vietnam respectively, which has already happened in neighbouring countries. Both countries provide a cheap, well presented and generally wholesome product, which will compete directly with the production of Malawi aquaculture and capture fisheries. It will be necessary for the plan to address this problem of future competition from imports, by addressing trade and tariff issues in fisheries.

There are many other issues in the processing sector, but since large scale exports seem to be a distant possibility, and domestic demand is strong, there is a window of opportunity to address the issues prior to them becoming critical.

Interviews with the private sector, both in production MALDECO (the largest commercial fishing fleet operator and sole large scale commercial Aquaculture producer, and with village level operators (women retailers and processors) would indicate that their perception of the Fisheries Department is not very positive. The problem stated is that Fisheries Department is not fully addressing the needs of the private sector and other stakeholders. This manifests itself in several ways, including a lack of liaison between the Fisheries Department and the private sector leading to misunderstandings, a resentment of paying license fees for no apparent benefits, and a “they don’t care, why should I cooperate” attitude to the department.

Although at this time no Training Needs Analysis (TNA) has been undertaken, and neither is one called for in the ToRs, it is apparent that there is a severe shortage of trained manpower in the Fisheries and Aquaculture industries. Commercial development of aquaculture will require a pool of manpower from which to draw recruits, and currently companies “poach” from Government, which is the only source (apart from imported labour). Additionally the Fisheries Department itself is stretched by gaps in its establishment which take time to fill and an overburden of work, partly caused by trying to do too much with too little resources. The Fisheries Department has no recent Human Resources plan. That said the Fisheries Department is in remarkably good shape overall, with dedicated and well trained staff in important positions, and a well thought out and delivered training programme up to Technical Officer level. Amongst the higher echelons of the department the staff are stretched, and have trouble keeping up with their onerous duties.

These manpower problems overflow into research as well, with applied research suffering as a result.

A functional review of the Fisheries Department is currently being undertaken and it would be hoped that the results of this review will become available in time to be incorporated into the draft Fisheries Policy in time for the validation workshop in May 2011.

It is also important to be realistic about funding in the sector. Currently the recurrent budget not including salaries, (ORT=Other Recurrent Transactions) is under funded due to the ceiling put on the budget by Treasury. Then within the Ministry of Agriculture and Food Security the allowed ORT budget is divided up among the various departments in the ministry.

There is a need for more funding in fisheries since, for example, even routine research activities cannot be undertaken and the research vessel is not performing it’s proper functions. Realistically this extra ORT funding is unlikely to come soon, partly due to continued imposition of ceilings from the Treasury but also because the Committee in the Ministry of Agriculture and Food Security does not allocate enough of the cake to Fisheries. No research or development programmes are currently funded from ORT, and it seems unlikely that sufficient funds will be made available from this source in the future for significant new programmes. In this case donor funds will have to be sought for this purpose.
Salaries and ORT for the decentralized extension services are paid in full, allowing monitoring and data collection to continue, and the routine extension work.

Of note is that the Fisheries Department does not have any ongoing donor funded Fisheries Development Programmes, nor any unfunded proposals prepared. Apart from Donor Funded regional and global programmes, such as ACP II Fish, the activities of FAO, Worldfish and a regional World Bank Project, which can be used for support of various specific activities, there is little available support. This is not a good situation, since donor funded initiatives have in the past provided much of the actual development activities, and significantly contributed to training through their associated skills development programmes.

HIV/AIDS is an important issue in fisheries, partly because it affects those in Government and hence the effectiveness of the programmes that the Fisheries Department delivers, and also because HIV/AIDS disproportionately affects those in the processing and marketing sector for lake fish, who are mainly marginalised women. Indeed gender issues in fisheries are important too and need more emphasis, particularly because of the HIV/AIDS element, but also because of the migratory nature of (male) fishermen in pursuit of fish (either in the semi/industrialised fishery or in the artisanal sector).

Finally the legislation relating to much of the sector needs updating to incorporate developments both within and outside the country.

8 KEY ISSUES TO BE ADDRESSED/SOLVED (IF ANY)

Whilst recognising that many aspects in fisheries in Malawi are very long established and remain very positive, there is room for improvement in many areas.

From the discussions, interviews and literature search so far the key issues to be addressed when revising the Fisheries Policy are:

- Institutional weakness in the Fisheries Administration, research and training caused by
  - Lack of financial resources
  - Staffing shortcomings and capacity constraints in existing staff
  - Effects of HIV/AIDS
  - No formal training plan & career progression
  - Shortcomings in the legislation
  - Lack of clarity of responsibilities vis a vis other responsible bodies, Ministries and departments on many matters
  - [indirectly] Weaknesses in other bodies on which Fisheries Department relies to deliver programmes and services.
  - There is a need for an overarching responsible body for Lake Malawi, a lake Malawi Development Authority or similar
  - Lake Malawi waters lie in the territory of Malawi, Mozambique and Tanzania. A Transboundary Commission or similar is needed to address inter-national issues.
  - The effects of decentralisation, which are still not fully appreciated nor understood, though do affect the delivery of services, particularly extension work in the districts.

\(^4\) No doubt more will be identified as the project progresses
• Fisheries Research needs to better address identified requirements:
  o The need to fund research (the current use of the fisheries Research Sub-Fund is preoblematical)
  o More clarity on the purpose of research
  o Applied research concentrating on needs of the industry & the population
  o Better liaison between research bodies, both Malawian and external, possibly through a standing committee
  o Better use of home-grown knowledge in fishing communities
  o Better application of the fruits of research
  o Staff shortages and capacity issues in research

• Fisheries Management must be improved:
  o The Fishery is open entry and a fair and transparent licensing system must be developed to restrict effort in the future. The mechanisms for this will require considerable investigation by Fisheries Department since it is not clear at the moment how this can be implemented.
  o Management plans for the various stocks should be developed, so as to provide justification for management actions
  o Catch data collection programmes be maintained and improved and the data analysis made available to stakeholders.
  o An observer system for the industrial fishery should be developed
  o Research should provide a biological basis for fisheries management. Catch data is not enough on its own.
  o Co-management and Participatory management schemes need strengthening, not least to assist in enforcement
  o No significant management or data collection is being done in the riverine environment

• Aquaculture requires urgent action for commercialisation:
  o A decision, based on rational debate and research, needs to be made on the introduction of exotic species to the aquaculture sector
  o A shift in emphasis from village level to commercial aquaculture is needed
  o Tariffs, taxes and problems of Foreign Exchange availability now constrain the industry
  o Aquaculture research should more closely reflect the needs of commerce
  o There are several issues relating to fish feedstuffs that require action
  o Technical issues in aquaculture, including seed production, enhancing growth rates and feed conversion ratios, sex reversal etc
• Processing & Quality control is currently underemphasised:
  o The likely influx of imports from Asia (already starting) needs to be looked at, particularly where it relates to QC issues
  o Local fish quality needs improvement, mainly through training and education, since if the consumer accepts poor quality fish as the norm then there is little incentive to improve.
  o There are many problems with the Competent Authority, trading standards, laboratories and enforcement which have to be addressed.
  o In the long term the possibilities of exports of the products of aquaculture needs to be covered
  o Local fish marketing, processing, and distribution.

9 RECOMMENDATIONS

The Revised Fisheries Policy will need to cover all of the issues raised above.

The Policy will align its Vision (of the Policy) and Mission to be as close to that of the Vision 2020 of the Malawi Government, and the Malawi Growth and Development Strategy as possible. Similarly, since the Fisheries Department is now part of that ministry, the broad objectives and strategies of the Department of Agriculture and Food Security will be incorporated. It is possible, almost word for word in some cases, to do so. The fundamental principles under which the Fisheries Policy is operating are also very closely aligned to those of the Ministry of Agriculture and Food Security since they derive from the same sources.

Policy areas are:
  a) Economic Growth,
  b) Poverty Alleviation and
  c) Food Security

The three main policy objectives will be:
  1. Increase in the contribution of the fisheries and aquaculture sectors to economic growth
  2. Increase in the contribution of the fisheries and aquaculture sectors to poverty alleviation
  3. Increase in the contribution of the fisheries and aquaculture to food security.

The three main strategies will be:
  1. Sustainable development of Capture Fisheries production
  2. Sustainable increase in Aquaculture production
  3. Resolving QC & post harvest issues

There are a series of common elements which support each of these main strategies, creating an enabling base, which are
  a) Strengthening cross-sectoral collaborations
  b) Institutional & governance development
  c) Enhancement of research and development
  d) Development of human resources and skills
e) Improving the legislative base

And each of the individual main strategies will have further technical strategies specific to their objectives, based on the findings of the review.

Developing the above will generate the Revised Fisheries Policy which will follow the format supplied to the Technical Team.
SWAZILAND

10 METHODOLOGICAL APPROACH TO THE ASSIGNEMENT

The methodological approach stated in the proposal by Megapesca will be followed.

First in-country visit to Swaziland (7th March – 12 March 2011)

Between 7 and 12 March 2011, KE3 travelled to Swaziland and met with officials employed in, the Ministry of Agriculture and Department of Fisheries. A summary record of the meetings held and documents received are provided below:

10.1 Meeting with the Principle Secretary and Under Secretary of the Ministry of Agriculture – 08 March 2011

The Principal Secretary, Dr Robert Thwala, and the Under Secretary, Mr Bongani Masuku, welcomed Mr Moolla to Swaziland and confirmed their gratitude to the European Union funded ACP II Fish Programme for facilitating and funding this project. Mr Freddy Magagula of the Department of Fisheries proceeded to confirm the context of the project and its objectives as set out in the project Terms of Reference (ToR).

Mr Leone Tarabusi represented the ACP Fish II Programme and provided the meeting with a background to the ACP Fish II Programme objectives generally and confirmed the objectives of the project in Swaziland. Mr Tarabusi also introduced Mr Moolla and provided the meeting with an outline of Mr Moolla’s objectives and intentions for the week ahead (8th-12th March 2011).

The Principal Secretary emphasised the following key policy objectives for the fisheries and aquaculture policy as outlined by the Prime Minister and the Minister of Agriculture:

- The present group of subsistence fish farmers need to be incorporated into the commercial sector; and
- The fisheries and aquaculture sectors need to be “commercialised”.

10.2 Courtesy meeting with the EU Commission Swaziland Office – 08 March 2011

Mr Leone Tarabusi arranged a courtesy visit to the European Union Commission Delegation to the Kingdom of Swaziland where we met with Mr Raniero Leto. Mr Tarabusi explained to Mr Leto the objectives of the ACP Fish II Programme and the project in particular.

Mr Leto agreed that the briefing was important so that the EU Commission Delegation was aware of EU funded work being conducted in the country and also indicated that they may be interested in attending the validation workshop. Mr Leto noted that in Swaziland between 25% and 50% of citizens depend on food aid so the issue of food security is critical.

10.3 Meeting with Mr Leone Tarabusi, ACP Fish II Programme

Mr Tarabusi held a brief meeting with Mr Moolla and Mr Magagula to confirm:

- The Terms of Reference and that no changes are required.
- The proposed activities and meetings for the remainder of Mr Moolla’s in-country visit.
- The proposed timeline and submission of the interim technical report and report format.
- His office’s ongoing support for the project.
10.4 Meeting with the Komati Basin Water Authority and visit to Maguga Dam – 9 March, 2011

The Komati Basin Water Authority (KOBWA) is a joint dam water management project with South Africa. The dam provides water to South African consumers, including farmers. The purpose of the meeting with KOBWA was to determine whether it was broadly feasible to consider such a water body for commercial cage fish farming. KOBWA confirmed that the Maguga dam

- Holds approximately 334 million cubic metres of water;
- Currently has tilapia, eels and catfish;
- Has an average water depth of 30m;
- Has an average water flow rate of 12,000 litres/second;
- Has a “high” e-coli presence in the water; and
- Is used for recreational purposes.

10.5 Field visits to three local fish farming projects – 9 March 2011

Three field visits to local fish farming projects were undertaken. The first visit was to a farm that has only recently been stocked with 250 tilapia fingerlings, (Photo 1) which were provided at no cost to the farmer by the fisheries department. The fish that are eventually harvested will be used for own-consumption and the remainder will be sold. The pond was dug using basic hand-held implements and took approximately 2 months to complete.

![Photo 1: Recently stocked pond with 250 tilapia fingerlings](image)

The second field visit was to a pond which has yet to be filled and was only recently dug (Photo 2). This pond will also be stocked with approximately 250 tilapia fingerlings. The fisheries department provides each farmer with some basic initial training on fish farming and thereafter attempts to provide the farmers with support but as the department employs only 1 field officer in each of the 4 districts and there are currently an estimated 1,000 fish farming ponds in the four districts, the provision of regular support and monitoring is almost impossible.
The third site that was visited (Photo 3) provided an example of a potential small-scale commercial venture whereas the first two ponds were decidedly subsistence in nature. The farmer, Mrs Nzimanze, operates a small-scale commercial farm with chicken broilers (some 400 were sold the previous week), pigs which are bred for sale to local abattoirs and dairy cows. Mrs Nzimanze has had one pond dug by machine and filled with water. She intends to build another two ponds on her land, stocking each pond with a minimum of 250 tilapia fingerlings which will be sold in approximately 3 years time into the domestic market. Tilapia sell for approximately R15,00 / kg (€1,54).
10.6 Meeting with the Ministry of Natural Resources, Department of Water Affairs – 9 March, 2011

A meeting was held with the Department of Water Affairs, located within the Ministry of Natural Resources to determine whether the department prohibited fish farming in any of its water bodies with particular reference to the major dams or required any specific processes to be followed should a person wish to commence with a fish farming project. The department confirmed that there are no prohibitions or requirements in this regard and would support cage farming in its dams provided that water quality would not be compromised.

10.7 Meeting with the Ministry of Commerce, Department of Licensing and telephone conversation with Ministry of Finance – 10 March, 2011

The Ministry of Commerce’s Department of Licences is responsible for licensing all business undertakings in Swaziland. In terms of the 1975 Trade Licence Order, a trade licence is required for any person to undertake a commercial trade or business. The trade licence is valid for one calendar year and must be renewed annually. The import and export of agricultural products requires permits, which are issued by an import and export committee located in the Ministry of Finance. These permits are valid for 12 months and are not consignment specific. The importation of fish from within the Southern African Customs Union (SACU) does not require an import permit.

10.8 Meeting with the Department of Fisheries – 10 March, 2011

Subsequent to the initial set of consultations held with officials and fish farmers, an informal discussion was held with Messrs Magagula, Msibi and Mavuso of the Department of Fisheries.

The key concerns of the department are to reduce the incidences of illegal fishing, ensure greater levels of food security, continue to allow access to sport/recreational fishing and how to comply with the political directive that the fisheries sector is made to be increasingly “commercialised”.

Mr Moolla suggested the creation of categories of fishers and fish farmers and to perhaps consider defining designated areas for these different activities. Mr Moolla noted that these different categories could co-exist and not necessarily compete with each other. In this way, and provided each category was regulated, illegal fishing could be displaced with higher levels of regulated fishing and the various categories could co-exist and complement the various government objectives.

The policy framework as outlined in Annex 5 was considered as a possible solution. Mr Msibi suggested that further detail be provided to this framework.
10.9 Meeting with the Environmental Authority of Swaziland – 11 March, 2011

A short meeting was held with the Environment Authority of Swaziland to determine what environmental laws (such as EIA’s) may apply to fish farming ventures. Like South Africa, Swaziland has an umbrella Environmental Management Act and Regulations. Swaziland also has a set of Waste Regulations in place which regulate the management of waste. In terms of Swaziland’s environmental laws, before a fisheries policy can be finally adopted and promulgated into law, it will have to first be subject to a **strategic environmental assessment** to make sure that the policy itself complies with Swaziland’s environmental laws.

10.10 Second Meeting with the Department of Fisheries – 11 March, 2011

A second informal meeting was held to discuss the activities, programme and administrative issues related to the second in-country visit scheduled from 4 to 15 April 2011. Mr Magagula agreed to recommend a suitable administrative assistant to assist the KE1 and KE3 to attend to logistical and administrative obligations pertaining to the hosting of the validation workshop. It was agreed that during the next visit the following major objectives would have to be achieved:

- During the first 4 days of the visit, the final draft policy would be discussed, amended and agreed on within the Department of Agriculture. This would involve both the Principal Secretary and Under Principal Secretary.
- During the period immediately before the validation workshop, the final draft policy would be discussed and agreed with the principal government stakeholder departments such as the departments of water affairs, commerce, finance and environment.
- Hosting the validation workshop and making final changes to the policy based on the outcomes and recommendations of the workshop.
- Finalisation of the Fisheries and Aquaculture Policy and formal submission to the Environmental Authority for assessment under the Environmental Management Act.

Annex 6 contains a list of documents collected & officials consulted.

11 SET UP AND MEMBERS OF THE DEPARTMENT OF FISHERIES TECHNICAL TEAM

The Department of Fisheries comprises a total of 7 employees. Mr Freddy Magagula is supported by two colleagues who have considerable insights into, and knowledge of the domestic fisheries and aquaculture issues. They are Messrs Johannes Msibi and Boy Mavuso. Mr Magagula, Messrs Msibi and Mavuso will comprise the Department of Fisheries Technical Team and will work with KE1 and KE3 on this mission.

12 PROPOSED WORKPLAN INCLUDING TRAVEL PLAN OF EXPERTS

The remainder of the project will comprise the following phases:

- **Review of the draft fisheries policy and applicable documents** (Acts, policies and regulations). KE3 will review and update the draft policy based on the consultations undertaken on 8, 9, 10 and 11 March 2011 and review the documentation provided. KE3 will complete the drafting process in consultation with KE1, the Department of Fisheries Technical Team and Mr Tarabusi of the ACP Fish II Programme. This work will be undertaken between 13 March 2011 and 1 April 2011.
- **Consultations on the draft policy.** The first in-country visit confirmed a number of important government ministries and agencies such as KOBWA and the Environmental authority that will need to be consulted prior to the validation workshop. The intention is
to review and prepare the final draft version of the policy by 1 April 2011 in consultation with the Department of Fisheries Technical Team. KE1 and KE3 will then continue formal consultation processes with stakeholders during the second in-country visit scheduled to commence on 3 April 2011.

- **Validation workshop.** The intention is to host the validation workshop on either the 13th or 14th of April 2011. This will allow KE1 and KE3 to make any changes to the policy and present the final version to the Fisheries Department and ACP Fish II Programme prior to departing from Swaziland.

**13 RESULTS OF INITIAL DOCUMENT REVIEW AND CONSULTATIONS**

The initial documentary review and consultation process has resulted in the proposed policy framework set out in Annex 5. Swaziland’s fisheries laws are out-dated and require urgent review to provide the requisite regulatory and institutional support required to effectively implement any policy framework for fisheries and aquaculture.

**14 KEY ISSUES TO BE ADDRESSED OR NOTED**

The following key issues should be noted:

**Possible Labour Union Strike**

There is a possible nation-wide employee strike scheduled for April. Mr Magagula has undertaken to advise should the trade unions confirm any dates for industrial action. This may require a change to the proposed workplan.

**Commercialisation of fisheries**

The Fisheries Department has emphasised that the King of Swaziland, the Prime Minister and Minister of Agriculture have confirmed that the fisheries policy must make provision for the “commercialisation of Swaziland’s fisheries sector”.

**Current fisheries regulatory framework**

Swaziland’s principal fisheries act and regulations were promulgated in 1937. These instruments require updating.

**15 LIST OF ANNEXES:**

Annex 1: Terms of Reference
Annex 2: Malawi: Outline for Stakeholder Workshops
Annex 3: Malawi: SWOT analysis
Annex 4: Malawi: Format for the Fisheries Policy as provided to the Technical Team
Annex 5: Swaziland: Proposed Policy Framework for Swaziland’s Fisheries and Aquaculture Policy
Annex 6: Swaziland: List of Documents and Persons Consulted
Annex 7: Details of the Time Inputs of the Experts
# ANNEX 1: TERMS OF REFERENCE

**ACP Fish II – Strengthening fisheries management in ACP states**

9 ACP RPR 128 accounting no. RPR/006/07 – EDF IX

Revision of National Policy for Fisheries and Aquaculture in Malawi and National Fisheries Policy in Swaziland

Terms of Reference

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1. BACKGROUND INFORMATION

1.1 Beneficiary country
The direct beneficiary countries for the implementation of this contract are Malawi and Swaziland.

1.2 Contracting Authority
ACP FISH II Coordination Unit
36/21 Avenue de Tervuren
5th Floor
Brussels 1040
Tel: +32 (0)2 739 00 60
Fax: +32 (0)2 739 00 68

1.3 Relevant country background
The Southern Africa (SA) region for the purposes of the implementation of the ACP Fish II programme, operating through the Regional Facilitation Unit in Maputo, is made up of fisheries administrations in Angola, Botswana, Comoros, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Swaziland, Zambia, and Zimbabwe. The local programme implementation foresees also a coordination and collaboration with key Regional Fishery’s Bodies (RFB), Regional Fisheries Management Organizations (RFMO) and Regional Economic Organization (REO) such as Indian Ocean Tuna Commission (IOTC), the South West Indian Ocean Fisheries Commission (SWIOFC), the South East Atlantic Fisheries Organization (SEAFO), the Indian Ocean Commission (IOC), Southern Africa Development Community (SADC) and the Common Market for Eastern and Southern Africa (COMESA) Within the region, countries subject to this contact are Malawi and Swaziland.

Malawi with a population of 15 million of people (2009) is among the world's least developed countries ranking 160/182 in the UNHD index and has a per capita GDP of SUS 800 (PPP⁵, 2007). The country is dependent on substantial economic aid. The economy relies mainly on the primary sector - 90% of export revenues come from agriculture - which accounts for more than one-third of GDP. Fisheries sector contribution to the national economy is estimated to be 4% of GDP, and sector is employing a significant proportion of the population as fishers, processors and traders and plays an important role livelihood and food security in rural areas. Malawi Growth and Development Strategy (MGDS) emphasises macroeconomic governance, decentralisation, rule of law and promotion of human rights. The Ministry of Local Government and Rural Development has embarked upon a policy of decentralisation that calls for a process of devolving political powers to the District Assemblies.

The Kingdom of Swaziland is a small landlocked country in southern Africa, with an area of 17,364 km², bordering with South Africa and Mozambique. The country has a population of 1,185,000 million and is a medium income developing country with a GDP per capita of SUS 4,789 (PPP) in 2007. The economy is fairly diversified, with agriculture, forestry and mining accounting for about 13% of GDP, manufacturing (textiles and sugar-related processing) representing 37% of GDP and services constituting 50% of GDP. Fishery contribution is low and not estimated. Swaziland started one of its most significant political reforms supporting the decentralization process in 2004, when Government requested UNDP support for the development of such a policy. The programme included capacity building initiatives for various government officials, as well as training and sensitization activities. Government’s commitment to decentralization is also reflected in the allocation of a sum of US$1.3 million to the decentralization process in the 2006/07 public budget. To address the challenges confronting the country, the authorities of Swaziland have prepared the National Development Strategy (NDS, 1997-2022), and devised the Poverty Reduction Strategy and Action Plan (PRSAP), whose overall objective is to reduce the incidence of poverty in Swaziland from its current level of 66 per cent to 30 per cent by 2015, in line with the MDG and eliminate it by 2022.

1.4 Current state of affairs in the relevant sector

¹ Purchasing Power Parity
Fisheries sector in Malawi

The country is landlocked and has a total area of 118,484 km², of which 23% is covered by water. The largest water body is Lake Malawi with a surface area of about 29,000 km², and a length of about 700 km. Other water bodies include Lakes Malombe, Chilwa and Chiuta and major rivers like Shire, Lintiepe, Bua, Dwangwa, Rukuru and Songwe. The fisheries sector, which contributes approximately 4% to national GDP, is a source of job creation, directly employing about 60,000 fishers, and indirectly about 350,000 people who are involved in fish processing, fish marketing, net making, boat building and engine repair. Fisheries play an important role in ensuring food security for rural population.

The fisheries sector in Malawi encompasses capture fisheries and aquaculture. Capture fisheries, which is the major sector, entails both small-scale (the so-called artisanal sector) and large scale commercial fishing activities. Fishers in the small-scale commercial sector employ gears such as beach seines, open-water seine nets, fish traps, gillnets, handlines and longlines and use dugout canoes and plank boats with or without outboard engines. Annual fish landing averages is about 45,000 t, comprised mostly of small and large cichlids, Lake sardine (Engraulicypris sardella) and catfishes. Large-scale commercial activities, which are highly mechanised and capital intensive, are undertaken in the southern part of Lake Malawi. Principal fishing methods used are pair trawlers and stern trawlers for catching bottom and pelagic species at depth between 50 and 100 m. Yearly estimated catch for this sector is 5,600 t, composed mainly of small cichlids (Lethrinops and Copadichromis spp.), which account for approximately 21% of the total annual fish landings from the Lake. Malawi has furthermore developed an aquaculture sector with potential for both small and large scale undertakings in particular pond aquaculture and cage culture. The species currently farmed are the Tilapias (Tilapia rendalli, Oreochromis karongae and Oreochromis shiranus) and Northern Africa Cat Fish (Clarias gariepinus). The private sector has shown interest in investing in commercial aquaculture. Fish farms have been established and have started to produce aquaculture products. MALDECO Aquaculture limited, which is currently the largest fish farm in the country, produces tilapia fish, the so called Chambo (Oreochromis karongae) using cage culture in Lake Malawi. The Department of Fisheries is promoting fish farming through integrated agriculture, i.e. Integrated Aquaculture-Agriculture (IAA).

Fish available on local markets can be sold fresh, iced, frozen, smoked, sun-dried or preboiled and then dried. Much of the fish is consumed in rural areas, mainly near lakes and rivers and thus provides an important source of animal proteins for some of the poorest people in the country. Fish processing and trading is a major occupation among many fishing communities including women in Malawi since most of the fish sold to distant markets is in dry form for easy storage. Some of the small-scale commercial fishing companies have their own fish handling, processing and marketing facilities at their landing bases.

The Fisheries Administration (FA) is under authority of the Department of Fisheries (DoF) of the Ministry of Agriculture and Food Security (MAFS). The activities of the Department are guided by the Fisheries and Aquaculture Policy of 2001 (to be reviewed under the present contract), the Fisheries Conservation and Management Act of 1997, and the 2003 Fisheries Strategic Plan that outlines the different strategies for the development and management of the sector.

Fisheries sector in Swaziland

The Fisheries Sector in Swaziland is wholly inland and relatively small and not well developed. The country is reasonably well-watered but there are no natural lakes, swamps or floodplains of a significant importance. The main fishing areas are in the dams constructed principally for hydropower and in other smaller dams spread all over the country in the lowlands, used for water supply for both human and livestock consumption. Aquaculture is still an infantile stage - currently there are 80 ponds of an average extension of 200 m² - but it does have a high potential for expansion and significantly improve the contribution of the fisheries sector to food security, poverty alleviation. The most common fish species exploited are the tilapias (T. mossambicus and T. rendalli) and catfish (Clarias gariepinus). Capture fishery is very small and updated data are not available, however fish production is very low and almost 100% of fish with economic value is imported from neighbouring countries.

The fisheries administration is under the authority of the Ministry of Agriculture and Cooperatives (MAC) Fisheries Section (FS). The FS is divided in two units, the Fisheries Management Unit (FMU) and the Fish Farming Unit (FFU). The department has in total 7 staff, including 4 field officers working on the four
regions of Swaziland (Lubombo, Hhohho, Shysilweny and Manzini). The mandate of the FS is to ensure an optimal and sustainable exploitation of the country's fisheries resources and to promote the consumption of fish at both household and national levels in order to enhance national food security. FS is also in charge for the research which is normally carried out through external funded programmes and by students from the University of Swaziland for their dissertation projects.

The FS started in 2009 a project for developing a national fisheries policy with its own limited resources. A first draft has been prepared but still need to be turned into a definitive version and to be validated by local stakeholders. With provision of some Technical Assistance under this contract the documents is estimated to be ready by the end of 2010. The fisheries legislative framework is out of date: the main pieces are the Freshwater Fisheries Act and the Freshwater Fisheries Regulation, both of 1937. Other legislation relevant to fisheries is the Environmental Management Act of 2002 and the Water Act of 2003. After the finalization of the policy document the next step will be the revision of the legislation.

1.5 Related programmes and other donor activities:

In Malawi there are currently two projects ongoing, both targeting the Lake Malawi fishery:

- The Lake Malawi Artisanal Fisheries Development Project, largely funded by the African Development Bank, started in October 2003 and is aiming at improving fish production, marketing development, credit delivery, and at strengthening institutional capacity. The project is terminating in December 2010.
- The Lake Malawi/Niassa/Nyasa Conservation and Development Project, funded by the World Bank started in 2010, aims at improving the livelihood of people living around the Lake and natural resource management. The main components are: (i) developing a common approach to the sustainable management of the Lake’s resources; (ii) improving livelihoods and the sustainability of fishing and farming practices in and around the Lake and critical catchments; and (iii) supporting measures to reduce the sediment and nutrient inflow into the Lake.

In Swaziland there are no donor funded activities ongoing in the sector.

In the conduct of the assignment, the consultant is expected to liaise with the mentioned programmes or institutions when appropriate in order to gather relevant information and to ensure cooperation with the projects/programmes and to avoid overlapping of activities. Representatives of the programmes/projects will be also involved in the consultation and validation process, when relevant.

2. OBJECTIVE, PURPOSE & EXPECTED RESULTS

2.1 Overall objective

The overall objective of the ACP Fish II Programme is to contribute to the sustainable and equitable management of fisheries in ACP regions, thus leading to poverty alleviation and improving food security in ACP States.

2.2 Purpose

In line with the objectives of the ACP Fish II Programme, as stated above, the purpose of this contract is to strengthen the FA capacity of planning and implementing sound and effective policy instruments, both in Malawi and Swaziland.

The purposes of this contract are:

- To support the Malawi’s DoF in revising the Malawi National Fishery and Aquaculture Policy (MNFAP); and
- To support the Swaziland FS in devising and validating the final version of the Swaziland Fisheries Policy (SFP).
2.3 Results to be achieved by the Consultant

In Malawi:
- Revision of the MNFAP is carried out and a final document of the policy is devised;
- At least four national consultation meetings (1 day, 25 participants each) to collect meaningful input from the stakeholders are carried out;
- A national workshop (25 people, 2 days) to endorse the final draft of the MNFAP is implemented; and
- Guidelines for fisheries policy elaboration for the use the Malawi DoF are devised.

In Swaziland:
- The final draft of SFP is devised; and
- A national workshop (1 day, 80 people) for the validation of the policy in Swaziland is carried out.

3. ASSUMPTIONS & RISKS

3.1 Assumptions underlying the project intervention

The need for revising fisheries policies has been clearly identified as priority since the first need assessment workshop for Southern African Countries held in Maputo during November 2009. Following consultation with FA designated Focal Points (FP) of both Malawi and Swaziland and visits to the countries confirmed the need. The assumption is that the beneficiary state and stakeholders are well aware of the intervention and prepared to allocate official hours to its implementation.

Since ACP FISH II is a demand-driven Programme, it is expected that counterpart institutions take all the necessary measures to ensure the fulfilment of their obligations and responsibilities as set forth under this project. Failure to meet that requirement is likely to result in the project not achieving the expected results.

3.2 Risks

Risks for implementation of this contract are minimised, since the intervention has been indentified in cooperation with the FAs of both the countries and endorsed by them. However a sudden change in the political will of FAs and/or Governments (related whether to some changes of the institutional and political set up and/or to the lack of will to accept the necessary changes in tasks or responsibilities which may be brought about), might negatively affect the assignment implementation, limiting its impact. To prevent such a risk the participatory planning approach adopted in the development of this intervention will continue throughout the implementation of the assignment, to ensure the full ownership by local stakeholders and the development of activities and methodology always coinciding with the FAs approach.

4. SCOPE OF THE WORK

4.1 General

4.1.1 Project description

In Malawi commercially valuable fish species are sometimes fully exploited and no further increase in yield can be expected. Despite the adoption of co-management since the 1990s, the fisheries management system has been characterized by weak community participation, even though currently is slowly changing. The current MNFAP aims at maximizing the sustainable yield of commercially valuable fish stocks and the policy states that the primary responsibility of the DoF remains the protection of the existing fish resources by means of appropriate research, the collection and analysis of the relevant data and the application of appropriate control mechanisms. However the policy has been drafted nine years ago and nowadays the intuitional framework has changed:
- the DoF has just been moved from the Ministry of Natural Resources to the Ministry of Agriculture and Food Security. This change resulted in different policy approach, towards more food security and income generation;
• the new changes under the Decentralization Policy require a broad participation by all stakeholders and call for strengthening co-management.

Furthermore new technologies and approaches emerged in the last decade such as the development of cage culture as a fast growing venture, fish quality as a key feature in fish production and marketing. Finally, the Southern Africa Development Community (SADC) Protocol on Fisheries has just drawn up its action plan which needs to be considered in the revised policy. The SADC Protocol on Fisheries highlights issues on management of shared resources, marketing, governance and cooperation among different actors. All these aspects need to be intergraded in the new revised MFANP.

In Swaziland even though fisheries resources are limited and the contribution of the sector to the GDP is low, the fisheries has a significant potential to improve performance of the economic activities in the country and to address food security and livelihood at both household and national levels. Against this background the FS has started in 2009 a project for developing a national fisheries policy with its own limited resources. The project, considered one of the key priorities for the sector’s development, has been carried out by the staff of the Swaziland FS, which developed a draft policy document. Consultations have been made with the fisheries sub-sectors which include fish farmers, anglers, water management organizations and relevant Government departments. This exercise gave some good results and succeeded in providing a draft policy document highlighting the main issues to be addressed in the sector and the key objectives to be targeted. The document, although almost final, still needs being revised. The revision should be carried out by a fisheries policy expert (not available within the FS staff), in order to ensure that the policy has covered all relevant areas and to devise an high quality document which might lead eventually to its validation.

Therefore the purpose of the assignment will be supporting the FAs in the two countries in the process of revising and finalising the national policies in both fisheries sectors. The contract implementation will involve technical assistance delivered by the Consultant to DoF and FS. The contract will also encompass the organization and facilitation of the consultation and validation process in both countries to ensure ownership of the project and outputs by administrations and stakeholders.

4.1.2 Geographical area to be covered
Countries covered by the present contract are Malawi and Swaziland. The assignment will involve all the national territories within each country, focusing on areas where fisheries play a major social and economic role.

4.1.3 Target groups
Target groups of the present consultancy in both countries include fisheries administrations and concerned government agencies, civil society organizations having related to fisheries (e.g. NGOs), the fishing and aquaculture industry (producers, processors, and traders) and local communities. To ensure meaningful input by all key stakeholders, these groups will be consulted through the consultation/validation workshops described in the assignment and through meetings and interviews.

4.2 Specific activities
The Consultants will complete the following tasks:

In Malawi
1. Meet and work closely with the head of DoF of MAFS;
2. In consultation with the DoF, establish the project technical team and devise the work plan for the assignment;
3. Identify, collate and review background documents on the fisheries sector;
4. Examine the current policy framework, identifying gaps and particularly analysing the effectiveness of the instruments in providing for efficient and sustainable management of fisheries and aquaculture;
5. Organize at least four regional meetings (1 day, 25 participants each), in order to collect meaningful input from the stakeholders, as per work plan. The consultant is in charge of the meetings’ organisation and logistics.
6. Carry out further consultative meetings and interviews with stakeholders, if necessary
7. Review the existing Malawi National Fisheries and Aquaculture Policy, taking into account the findings/recommendations of the meetings and consultations and prepare, in close collaboration with the technical team, a first draft of the revised MNFAP;
8. Submit the draft of MNFAP and discuss it with the DoF
9. Elaborate guidelines for drafting fisheries policy for the DoF;
10. Organise a national workshop to present, discuss and endorse the draft MNFAP (2 days, 25 participants); the consultant is in charge of the workshop’s organisation and logistics (subcontracting for workshop organisation is allowed).
11. Review the draft of MNFAP according to the inputs provided through the national workshop in close collaboration with the technical team.
12. Present and discuss the final draft of the MNFAP with DoF.

In Swaziland

1. Meet and work closely with the head of FS of MAC;
2. In consultation with the FS, establish the project technical team and devise the work plan for the assignment;
3. Identify, collate and review background documents on the fisheries sector;
4. Examine the current policy framework, identifying gaps and particularly analysing the effectiveness of the instruments in providing for efficient and sustainable management of fisheries and aquaculture;
5. Carry out meetings, consultations, and field visits to relevant communities and fisheries in order to ensure meaningful input by key stakeholders;
6. Prepare, in collaboration with the technical team, the first draft of revised SFP and present it to the FS for discussion;
7. Carry out further consultation and field visits if needed;
8. Review, if necessary, the SFP including new findings/recommendation emerged during the meetings with FS and other stakeholders;
9. Organise a validation workshop (1 day, 80 participants) to present the final version of SFP; the consultant is in charge of the workshop’s organisation and logistics (subcontracting for workshop organisation is allowed).

Ideally the mission to Malawi and the mission to Swaziland should start the same day. Key Experts 2 and 3 will work under the coordination of the Team Leader, Key Expert 1.

In addition to the reporting requirements mentioned in section 7.1 of these terms of reference, the Consultant is required to prepare the following technical reports in English:

- an Interim Technical Report. This report will present the findings and conclusions of the assessment, along with the methodology and the work plan to be used to support the implementation of the assignment. It will be a short document, not exceeding 12 pages in length, to be submitted within 10 days of arriving in the countries to the RFU, CU and FAs;
- A Final Technical Report (FTR) per country, taking into account changes and comments from the RFU, CU and the FAs to be submitted within one month of the consultants leaving the countries. A draft FTR per country will be submitted before the Consultants leave each country on conclusion of his mission. Comments on the draft FTR may be made by the RFU, CU and the FAs within 14 days. If required second drafts will be submitted.

4.3 Project management

4.3.1 Responsible body

The Co-ordination Unit of the ACP Fish II Programme, on behalf of the ACP Secretariat is responsible for managing the implementation of this contract.
4.3.2 Management structure

The ACP Fish II Programme is implemented through the Co-ordination Unit (CU) in Brussels and 6 Regional Facilitation Units (RFUs) across the ACP States. The RFU in Maputo, Mozambique, covering ACP Member states in Southern Africa, will closely support implementation of this intervention and will monitor the execution of this contract pursuant to these terms of reference. All contractual communications should be addressed in original to the CU and copied to the RFU. Day-to-day supervision will be carried out by the RFU. For the purposes of this contract, the ACP Fish II Programme Coordinator will act as the Project Manager.

4.3.3 Facilities to be provided by the Contracting Authority and/or other parties

Not applicable.

5. LOGISTICS AND TIMING

5.1 Location

The activities of the assignment will be carried out in Malawi and Swaziland. In both countries, the Consultants will be based in the capitals (Lilongwe and Mbabane, as places of posting) with field missions to be carried out according to approved work plans.

5.2 Commencement date & Period of implementation

The intended commencement date is 15 January 2011 and the period of implementation of the contract will be four months from this date. Please refer to Articles 4 and 5 of the Special Conditions for the actual commencement date and period of implementation.

6. REQUIREMENTS

6.1 Personnel

6.1.1 Key experts

Key expert 1: Senior inland fisheries policy expert (Team leader)

Qualifications and skills

- A degree or equivalent in a relevant subject area (e.g. Fisheries Management, Natural Resources Management, Rural Development, Agriculture, Economics, etc)
- The expert should have a high level of proficiency/fluency in written and spoken English

General professional experience

- Minimum 10 years of relevant international experience in fisheries management and fisheries policy devising, with the special scope on inland fisheries and aquaculture
- Previous experience as a team leader (minimum over 3 assignments)
- Communication, report-writing and project/task management skills

Specific professional experience

- Previous experience in assessing and revising fisheries policies and regulations for inland fisheries and aquaculture (minimum over 3 assignments)
- Previous experience in assessment of decentralization policies and legislation (minimum over 3 assignment)
- Experience of carrying out assignments for the EU or other equivalent international development partners (minimum over 3 assignments)
The maximum number of missions for this expert outside the normal place of posting requiring overnights is 0.

There will be in-country field visits not requiring overnights for this expert.

**Key expert 2: Inland fisheries and aquaculture expert (Malawi)**

Qualifications and skills
- A degree or equivalent in a relevant subject area (e.g., Biology, Fisheries Management, Natural Resources Management, Rural Development, etc)
- The expert should have a high level of proficiency/fluency in written and spoken English
- Knowledge of local spoken language will be an advantage

General professional experience
- Minimum 3 years of relevant experience in planning and implementing inland fisheries and aquaculture projects
- Experience in consultative process with local communities
- Communication, report-writing and project/task management skills

Specific professional experience
- Previous experience in policy development of inland fisheries and aquaculture policy and management instruments (Minimum over 3 assignments)
- Minimum 3 years of experience in planning/implementing inland aquaculture interventions ideally with specific experience in cage culture and marketing aspects
- Minimum 3 years of experience in Malawi and/or surrounding countries
- Being from the region will be considered an advantage

The maximum number of missions for this expert outside the normal place of posting requiring overnights is 0.

There will be in-country field visits not requiring overnights for this expert.

**Key expert 3: Inland fisheries policy expert (Swaziland)**

Qualifications and skills
- A degree or equivalent in a relevant subject area (e.g. Natural Resources, Rural Development, Agriculture, Economics, etc)
- The expert should have a high level of proficiency/fluency in written and spoken English

General professional experience
- Minimum 5 years of experience in formulating/implementing of inland fisheries policies instruments
- Communication, report-writing and project/task management skills
Specific professional experience

- Previous experience in assessing and revising fisheries policies and capabilities to define priorities in inland fisheries sector (minimum over 3 assignments)
- Experience in planning and management of inland small scale aquaculture activities (minimum over 3 assignments)
- Minimum 3 year of experience in Africa; experience in the region will be an advantage
- Experience of carrying out assignments for the EU or other equivalent international development partners (minimum over 3 assignments)

The maximum number of missions for this expert outside the normal place of posting requiring overnights is 0.

There will be in-country field visits not requiring overnights for this expert.

### Indicative allocation of working days between Key Experts and activities

<table>
<thead>
<tr>
<th>Indicative task</th>
<th>Key Expert 1</th>
<th>Key Expert 2</th>
<th>Key Expert 3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Malawi</td>
<td>Malawi</td>
<td>Swaziland</td>
</tr>
<tr>
<td>Preparatory work</td>
<td>8</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>Field work</td>
<td>8</td>
<td>16</td>
<td>4</td>
</tr>
<tr>
<td>Policy drafting (MNFAP and SFP)</td>
<td>13</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>Workshop/consultations</td>
<td>8</td>
<td>13</td>
<td>4</td>
</tr>
<tr>
<td>Briefing, debriefing and FTR preparation</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total working days per KE</strong></td>
<td><strong>40</strong></td>
<td><strong>45</strong></td>
<td><strong>22</strong></td>
</tr>
</tbody>
</table>

6.1.2 Other experts

Not applicable

6.1.3 Support staff & backstopping

Backstopping and support staff costs must be included in the fee rates of the experts.

### 6.2 Office accommodation

Office accommodation of a reasonable standard and of approximately 10 square metres for each expert working on the contract is to be provided by the Consultant.

### 6.3 Facilities to be provided by the Consultant

The Consultant shall ensure that experts are adequately supported and equipped. In particular it shall ensure that there is sufficient administrative, secretarial and interpreting provision to enable experts to concentrate on their primary responsibilities. It must also transfer funds as necessary to support its activities under the contract and to ensure that its employees are paid regularly and in a timely fashion.

If the Consultant is a consortium, the arrangements should allow for the maximum flexibility in project implementation. Arrangements offering each consortium member a fixed percentage of the work to be undertaken under the contract should be avoided.

### 6.4 Equipment
No equipment is to be purchased on behalf of the Contracting Authority / beneficiary country as part of this service contract or transferred to the Contracting Authority / beneficiary country at the end of this contract. Any equipment related to this contract which is to be acquired by the beneficiary country must be purchased by means of a separate supply tender procedure.

6.5 Incidental expenditure

The Provision for incidental expenditure covers the ancillary and exceptional eligible expenditure incurred under this contract. It cannot be used for costs which should be covered by the Consultant as part of its fee rates, as defined above. Its use is governed by the provisions in the General Conditions and the notes in Annex V of the contract. It covers:

- Travel costs and subsistence allowances for missions, outside the normal place of posting, to be undertaken as part of this contract. Travel costs (car rental, fuel) for in country field visits to be undertaken as part of this contract. If applicable, indicate if the provision includes costs for environmental measures, for example CO2 offsetting.
- The cost of organization of the national consultations and workshops, including travel (car rental if necessary), accommodation, daily allowance for participants of workshops and venue cost
- The Provision for incidental expenditure for this contract is EUR 26900. This amount must be included without modification in the Budget breakdown.

Any subsistence allowances to be paid for missions undertaken as part of this contract must not exceed the per diem rates published on the Web site:
http://ec.europa.eu/europeaid/work/procedures/index_en.htm at the start of each such mission.

6.6 Expenditure verification

The Provision for expenditure verification relates to the fees of the auditor who has been charged with the expenditure verification of this contract in order to proceed with the payment of further pre-financing instalments if any and/or interim payments if any.

The Provision for expenditure verification for this contract is EUR 2700. This amount must be included without modification in the Budget breakdown.

7. REPORTS

7.1 Reporting requirements

Please refer to Article 26 of the General Conditions. There must be a final report, a final invoice and the financial report accompanied by an expenditure verification report at the end of the period of implementation of the tasks. The draft final report must be submitted at least one month before the end of the period of implementation of the tasks. Note that the final report is additional to any required in Section 0 of these Terms of Reference.

Each report shall consist of a narrative section and a financial section. The financial section must contain details of the time inputs of the experts, of the incidental expenditure and of the provision for expenditure verification.

7.2 Submission & approval of progress reports

Three copies of the progress reports referred to above must be submitted to the Project Manager identified in the contract. The progress reports must be written in English. The Project Manager is responsible for approving the progress reports.
8. MONITORING AND EVALUATION

8.1 Definition of indicators

The results to be achieved by the consultant are included in section 2.3. Progress to achieving these results will be measured through the following indicators:

1. Quality of consultants fielded and speed of mobilisation to the relevant country will indicate a positive start to the assignment;

2. Identification of issues and problems as recorded in the Interim Technical Reports for the two countries;

3. Reported involvement of stakeholders in review/elaboration of policy documents;

4. Number of consultations and workshops carried out in each country;

5. Level of attendance at the stakeholder meetings/workshops in each country;

6. Number and nature of comments received on the Draft Final Report;

7. Respect of project milestones time schedule and reports time delivery.

The Consultant may suggest additional monitoring tools for the contract duration.

8.2 Special requirements

Not applicable
ANNEX 2: MALAWI: OUTLINE FOR STAKEHOLDER WORKSHOPS

The Timetable For Each Workshop Will Have To Be Flexible.

The workshop will be following the Logframe Approach. The consultants will try to develop an objectives chart, first developing a problem tree from the perspective on one group of stakeholders. The objectives for fisheries which are identified during this workshop will be incorporated into the planning for the Fisheries Strategic Plan currently under development.

It is important that the Facilitator and the Technical Team do not attempt to influence the discussion and decisions of the workshop participants. This is their voice, their opportunity to influence the Review, and even if the workshop comes up with an unexpected or unwelcome result it must be acknowledged and accepted.

1. INTRODUCTORY SESSION.

This will probably be best done by the Malawi Technical Team, introducing the workshop and its purpose. [It is also an opportunity to get across any message that the Malawi Fisheries department wishes to emphasise].

- Welcome and Introductions. The workshop team introduce themselves. Each participant to introduce himself to the workshop.
- A summary of the existing policy.
- Comments on the change of emphasis towards commercial activities and food security since joining Agriculture.
- An upbeat assessment of the future of Fisheries and Aquaculture, including better management leading to increased production from the lake, Green Belt, ASWAp and other possible future developments.

End with an opportunity for questions or comments from the participants.

2. IDENTIFICATION OF STAKEHOLDERS. INFORMAL BRAINSTORMING SESSION.

Whole group. Facilitator leads. Writes down the list of stakeholders on a whiteboard/flipchart, as the participants suggest them. Facilitator can prompt.

2.1 Choice of key stakeholder. Consensus through discussion with the workshop participants.

The rest of the workshop will look at problems, objectives and strategies to overcome the problems from the point of view of this stakeholder (different stakeholders have different problems). It is recommended that the choice reflects the majority of the people at the workshop. Facilitator asks various participants to suggest a key stakeholder and invites discussion around the suggestions provided.

2.2 Problem identification. Brainstorming session. Cards/paper.

Each participant writes down the 5 most pressing problems from the perspective of the stakeholder chosen earlier, on 5 pieces of paper/card. These are stuck up around the room. Note that an absence of a solution is not a problem, a negative state is a problem. So “No fishing nets are available” is not a problem. “Low catches” is. It’s a difficult concept to get across.

End of first session. Coffee break.
3. CHOICE OF FOCAL PROBLEM. GROUP DISCUSSIONS. SPLIT WORKSHOP INTO 4 GROUPS.

Each group has to decide what the focal problem is from the huge number stuck around the room. After 10-15 minutes groups report back. In the meantime the facilitator has reduced the problems identified, by removing duplicates and near duplicates, and made a list written on a large bit of paper (or lots of single bits of paper/card with one problem on each one).

Now we may have 4 or 5 focal problems (we would hope to only have one, the same from each group, but it rarely happens that way).

Facilitator initiates discussion among all the participants as to which is the real problem for that group of stakeholders.

You may have to break for lunch here, depending on time available. During lunch allowances and travel costs can be paid out to participants.

4. CREATING THE PROBLEM TREE. LED BY FACILITATOR.

This is a long session and will pass over into the next one after lunch.

The idea is to place the Focal Problem in the middle and from it develop the cause and effect tree with the problems identified.

Substantial causes just below and substantial effects just above. Other causes and effects lead out from the substantial causes and effects.

This is best done in a whole group session, with the facilitator writing in the structure of the tree. The most important thing is to get agreement on the main problem and the immediate substantial causes. It is all too possible to be led astray and waste time at this stage with irrelevant discussions.

Another opportunity to break for lunch if not done earlier.

After lunch if the problem tree is not complete then finish it off.

5. CREATING OBJECTIVES.

Means and ends ladders round the focal objective. Groups.

Each group sits down and turns the various problems in the first level of causes and effects and the focal problem into objectives.

Each group reports to the workshop on the objectives it has come up with. Facilitator notes these on the flipboard/white board.

Only the focal problem and its immediate causes need to be turned into objectives in this workshop (otherwise there will not be enough time). This is done by turning the problems into objectives. So “fish rot before they get to market” (A problem) becomes “Quality fish is delivered to the consumer” (An objective). This is done for the focal problem and the main causes and effects.

The objectives should be further discussed at this stage when the groups re-form to ensure that they do coincide with the objectives that the group expect.

[if the workshop is really very well advanced then it is possible to expand the objectives beyond the focal objective and first level of cause and effect from the problem tree. The only reason that it is suggested that identifying objectives are limited to the focal objective and immediate causes and effects from the problem tree is that the workshop will run out of time. The more levels that can be done the better, but really there is likely not to be enough time].

Break
6. DISCUSSION ON THE ACHIEVEMENTS OF THE WORKSHOP.

Has the workshop been useful? Do the participants think they have identified the correct objectives? Anything they wish to add.

The workshop has at this stage achieved the basic things that we want to achieve. Stakeholders have told us, though their discussions and work, what objectives they wish the Fisheries Department to achieve. This influences the Fisheries Policy.

Is there time left? Are the workshop participants flagging?
If it's too late and they are keen to leave, then pack up now.

If they still look interested then do a quick and simple SWOT analysis on the topic of their main objective in their region. The workshop could be broken up into groups or do this as whole group, telling the facilitator what to write down. Assess what the results of the previous group activities have been and make a quick assessment of which is better and how much time is available.

If the workshop chose an Aquaculture objective as their main objective, choose Aquaculture as the subject of the SWOT analysis. If it’s a purely Capture Fisheries objective then choose Capture Fisheries. Whatever they chose as the focal objective, choose that.

The results may well turn up some threats or opportunities that have not been considered by them or the Fisheries Policy team.

Reporting

The report of the Workshop to be prepared by the facilitator is short.

   a) Date venue etc
   b) List of stakeholders attending
   c) The problem tree from the point of view of a chosen stakeholder (remember to note down which stakeholder was chosen).
   d) The (shortened) objectives tree
   e) Any pertinent comments on the workshop or points bought up that need recording.

There is no need for detailed minutes.
### ANNEX 3: MALAWI: SWOT ANALYSIS

**Initial Swot Analysis. Fisheries in Malawi.**

Subjectively assessed important points to note are in bold. Areas examined are those suggested in the methodology.

<table>
<thead>
<tr>
<th>AREA</th>
<th>STRENGTHS</th>
<th>WEAKNESSES</th>
</tr>
</thead>
</table>
| LEGAL AND INSTITUTIONAL FRAMEWORK | • Political will and support  
• Functional and relatively well funded Fisheries Department  
• Established Universities and other institutions  
• Sound and capable direction  
• Good infrastructure to support institutions  
• Successful decentralisation process  
• Fisheries Training Institute up to TA and TO  
• Certification of Fisheries Qualifications  
• Fishery policy is being revised  
• Move to Agriculture Ministry ups the profile and emphasis of Fisheries Department (Commercial and food security) | • Overstretched top management of Fisheries Department  
• Too many bodies involved, no overall authority on the Lake. Inter agency coordination weak  
• Legislation generally needs updating & this is a slow process  
• Pay and conditions lead to staff shortages (Research, Aquaculture & Extension)  
• No Human Resources plan  
• Failure to keep pace with developments in IT  
• Many Departments/Ministries do not fulfil their responsibilities under the legislation  
• Fisheries Department has little commercial experience  
• Unable or unwilling to fulfil international commitments  
• Lack of needs assessment, guidance or consensus on direction of applied research  
• Lack of clarity or guidelines on how decentralisation will work in the future (particularly BVCs, VDCs etc)  
• Policy and Strategy not reviewed often enough  
• Obtaining Donor funding (no donor proposals in pipeline)  
• Obtaining annual recurrent funding (ORT) |
<table>
<thead>
<tr>
<th>OPPORTUNITIES</th>
<th>THREATS</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Umbrella organisation – Lake Malawi Development Authority (LMDA) for integrated riparian management</td>
<td>• Inadequate funding of institutions (Fisheries and others)</td>
</tr>
<tr>
<td>• Update the legislation particularly related to international agreements and obligations (SADC, Sustainable fisheries, Ecosystem Approach, IUU fishing etc)</td>
<td>• HIV/AIDS (loss of staff, work hours/efficiency)</td>
</tr>
<tr>
<td>• Steady economic growth – investment</td>
<td>• Civil disturbance &amp; disobedience</td>
</tr>
<tr>
<td>• Mobilisation of women, particularly in processing and marketing</td>
<td>• Trained people leave Government to private sector or overseas</td>
</tr>
<tr>
<td>• Mitigation of HIV/AIDS</td>
<td>• Department falls behind the rest of the world due to not adopting New Technologies</td>
</tr>
<tr>
<td>• Trans-boundary Management Committee Established</td>
<td></td>
</tr>
<tr>
<td>STRENGTHS</td>
<td>WEAKNESSES</td>
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<tr>
<td>-----------</td>
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</tr>
<tr>
<td>• Local technologies appropriate to local conditions</td>
<td>• Value Chain is unhygienic and produces a contaminated product</td>
</tr>
<tr>
<td>• Good informal distribution network</td>
<td>• Legislation on many aspects of QC needs updating</td>
</tr>
<tr>
<td>• Strong local demand for fish</td>
<td>• Competent Authority (?) Bureau of Standards, not strong</td>
</tr>
<tr>
<td>• Infrastructure (Ice machines) from ADB project</td>
<td>• No emphasis on Fish Quality/HACCP by fisheries dept</td>
</tr>
<tr>
<td></td>
<td>• Not clear who should be doing what. Who is responsible.</td>
</tr>
<tr>
<td></td>
<td>• No clear individual responsibility in Fisheries Department</td>
</tr>
<tr>
<td></td>
<td>• No consumer information on fish products &amp; quality</td>
</tr>
<tr>
<td></td>
<td>• Poor codes of practice</td>
</tr>
<tr>
<td></td>
<td>• Poorly equipped laboratories cannot do the fisheries work</td>
</tr>
<tr>
<td></td>
<td>• Import rules and QC of Imports not clear or non existent</td>
</tr>
<tr>
<td></td>
<td>• Export Specifications unknown</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OPPORTUNITIES</th>
<th>THREATS</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Aquaculture products to produce top quality products for market</td>
<td>• Competition from much better processed and packaged imports (Tilapia from China, Pangasius from Vietnam in particular)</td>
</tr>
<tr>
<td>• Value added fisheries products may have market in rich urban centres</td>
<td>• Inability to reach export standards of overseas markets</td>
</tr>
<tr>
<td>• Better quality for better nutrition &amp; health</td>
<td>• Smoking technologies cause deforestation</td>
</tr>
<tr>
<td>• Development of niche products</td>
<td>• Seasonal problems with processing</td>
</tr>
<tr>
<td>• Mobilisation of women in the processing and marketing sector</td>
<td>• Poor product image</td>
</tr>
<tr>
<td>• Mobilisation of women in processing, leading to local marketing associations and cooperatives</td>
<td>• Poor management of infrastructure (ice machines)</td>
</tr>
<tr>
<td>• Exports – long term opportunity</td>
<td>• HIV/AIDS in the distribution system (mostly women)</td>
</tr>
<tr>
<td></td>
<td>• Low education levels in rural communities</td>
</tr>
<tr>
<td>STRENGTHS</td>
<td>WEAKNESSES</td>
</tr>
<tr>
<td>-----------</td>
<td>------------</td>
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<tr>
<td>• Whilst reducing rural poverty provides employment and food security</td>
<td>• Weak enforcement</td>
</tr>
<tr>
<td>• Community Participatory Fishery Management is established.</td>
<td>• Open entry fishery</td>
</tr>
<tr>
<td>• 95% of production is from small scale fisheries</td>
<td>• Management decisions and licensing system based on unreliable or out of date data</td>
</tr>
<tr>
<td>• Does not require subsidy from government</td>
<td>• Lack of Management plans for individual stocks</td>
</tr>
<tr>
<td>• Technically able fishermen</td>
<td>• Misdirected or misconceived development projects</td>
</tr>
<tr>
<td>• Local techniques for processing are suitable for the local market</td>
<td>• No observer programme for Industrial Fishery</td>
</tr>
<tr>
<td>• Fishermen have unrecognised traditional fisheries management knowledge</td>
<td>• Co-management not fully implemented and functional</td>
</tr>
<tr>
<td>• Traditional fisheries are very dynamic</td>
<td>• Fishermen not able to articulate management skills and knowledge</td>
</tr>
<tr>
<td>• Semi/Industrial fishery targets offshore</td>
<td>• Lack of transboundary consultation on fisheries</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OPPORTUNITIES</th>
<th>THREATS</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Untapped offshore deep water resources</td>
<td>• Overfishing shallow waters &amp; margins</td>
</tr>
<tr>
<td>• Improvement of value of catch (Ice etc)</td>
<td>• Lake use conflicts with Aquaculture</td>
</tr>
<tr>
<td>• Production increases can be absorbed by market</td>
<td>• FX for inputs to fisheries</td>
</tr>
<tr>
<td>• It is possible to manage for MSY and reverse overfishing declines</td>
<td>• Illegal gears – damage stocks</td>
</tr>
<tr>
<td>• Aquarium fish expansion</td>
<td>• Fishermen not law abiding</td>
</tr>
<tr>
<td>• Aquarium fish breeding in Malawi</td>
<td>• Rising effort &amp; declining CPUE</td>
</tr>
<tr>
<td>• Aquarium fish specialisation on valuable species</td>
<td>• Migratory fishermen are a threat to social cohesion (HIV/AIDS), marriage, promiscuity with young girls</td>
</tr>
</tbody>
</table>

For full report, please refer to the text within the image.
<table>
<thead>
<tr>
<th>AQUACULTURE</th>
<th>STRENGTHS</th>
<th>WEAKNESSES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• General political support (e.g. Presidents Initiative)</td>
<td>• Not enough trained staff both general aquaculture and research, nor for the commercial sector</td>
</tr>
<tr>
<td></td>
<td>• FAO/Global support &amp; trends</td>
<td>• No clear guidelines on use of lake resources (physical, limnological, fisheries etc)</td>
</tr>
<tr>
<td></td>
<td>• Research Stations &amp; Institutions for Aquaculture support</td>
<td>• No realistic development strategy for commercial aquaculture</td>
</tr>
<tr>
<td></td>
<td>• Hatcheries exist</td>
<td>• Aquaculture legislation is out of date and incomplete</td>
</tr>
<tr>
<td></td>
<td>• Some trained staff</td>
<td>• No local Code of Practice enforced for Aquaculture</td>
</tr>
<tr>
<td></td>
<td>• Long history of aquaculture at village level</td>
<td>• Current technologies (small scale &amp; village aquaculture) not ideal for commercialisation</td>
</tr>
<tr>
<td></td>
<td>• Interest and investment from private sector</td>
<td>• Misdirected or misconceived research &amp; development projects</td>
</tr>
<tr>
<td></td>
<td>• Rural household food security from integrated village aquaculture (fits in well with rural farming practice)</td>
<td>• No system to ensure quality of fish from aquaculture</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Lack of knowledge of local and regional markets (cannot commercialise)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Fisheries Department not “commercial” thinkers</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Not enough hatcheries for large scale development</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OPPORTUNITIES</th>
<th>THREATS</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Positive effects of introduction of suitable exotics (mostly economic)</td>
<td>• Cheap imports undercut local product</td>
</tr>
<tr>
<td>• Combine with ASWAp</td>
<td>• Erratic supplies of ingredients of feed.</td>
</tr>
<tr>
<td>• Global technology already developed</td>
<td>• High and very variable price of feed inputs</td>
</tr>
<tr>
<td>• Lots of room for cage culture and land based aquaculture</td>
<td>• High production costs (cannot compete with imports or in regional markets)</td>
</tr>
<tr>
<td>• Green belt programme &amp; irrigated land gives opportunities</td>
<td>• Negative effects of the introduction of exotics (unknown)</td>
</tr>
<tr>
<td>• Available water resources</td>
<td>• Disease threats &amp; pollution from high intensity aquaculture</td>
</tr>
<tr>
<td>• Move to commercial from village level</td>
<td>• Conflicts with other resource uses (Physical &amp; water use)</td>
</tr>
<tr>
<td>• Suitable climate</td>
<td></td>
</tr>
<tr>
<td>Reduce imports</td>
<td>Possible conflicts with other departments on policy</td>
</tr>
<tr>
<td>---------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>Lack of incentives for aquaculture</td>
</tr>
<tr>
<td></td>
<td>Currently only one dominant commercial actor</td>
</tr>
<tr>
<td></td>
<td>Negative consumer attitude to products of aquaculture</td>
</tr>
<tr>
<td></td>
<td>Wrong/Slow growing species being used</td>
</tr>
<tr>
<td></td>
<td>Security at farms and on cages</td>
</tr>
<tr>
<td></td>
<td>Bio-security – diseases, parasites</td>
</tr>
<tr>
<td></td>
<td>Environmental activism</td>
</tr>
<tr>
<td></td>
<td>Cost of capital, tariffs and FX</td>
</tr>
<tr>
<td></td>
<td>Feed quality and testing issues</td>
</tr>
</tbody>
</table>
**STRENGTHS**
- Have Research Infrastructure, vessel and data
- Long time series of data
- Established statistics collection systems and methodologies
- Trained staff and network of staff countrywide
- Generally temperate climate

**WEAKNESSES**
- Staff and funding shortage
- No thorough audit of data
- Much of research is not applied
- No overarching body to coordinate research
- 3 different data sets (MTF, CAS, Logbook)
- Uncertain funding for research vessel
- No riverine data
- Lack of inter-departmental coordination on lake issues
- Overlapping legislation between interested Ministries/Depts
- Political interference in decision making
- Results of research & data collection does not reach lake users
- Management plans not prepared regularly for target stocks

**OPPORTUNITIES**
- Untapped resources (35,000 T ?) away from the bio diverse margins of the lake
- To manage the stocks better to avoid overfishing
- Expand data collection into riverine areas
- Better distribution & use of data to manage fisheries better (particularly co-management actors)
- Climate changes (unknown)

**THREATS**
- Overfishing of Lake Resources
- Unplanned or badly planned physical development.
- Uncoordinated aquaculture developments
- Inappropriate Green Belt development
- Possible natural disasters
- Pollution (various sources). Lakes, rivers.
- Shoreline degradation of lake
- Overpopulation (Malthusian)
- Biosecurity issues with aquaculture
- Biodiversity in the margins of the lake threatened by overfishing of the pelagic resources in the deeper water.
- Climate changes (unknown)
ANNEX 4: MALAWI: FORMAT FOR THE FISHERIES POLICY AS PROVIDED TO THE TECHNICAL TEAM

DRAFT POLICY DOCUMENT FORMAT

Foreword
i. to introduce policy;
ii. why it is important;
iii. to link with national objectives;
iv. political commitment;
v. any other issue of political flavour deemed worth mentioning.

Preface
i. international commitments;
ii. implementation of the policy;
iii. broad statement of commitment and consultative process with stakeholders;
iv. any other issue deemed necessary.

List of acronyms and abbreviations

1. Introduction
   1.1 Background
       Previous or historical and
       Current situations
   1.2 Rationale
       In justifying the need for the Policy, there is need to include the following:
       • Clear Statement of Problem
       • Purpose/Aim of Policy

   1.3 Linkages with Other Relevant Policies
       In broader terms mention how the policy links with other existing policies (a
       statement), e.g. a policy on environment may be linked with Agriculture Policy, or
       cross-cutting issues, such as gender, or HIV/Aids may have links with policies in
       education, sports, etc.

   1.4 Key Challenges and Barriers
       i. institutional challenges;
       ii. financing challenge;
       iii. human resource and management challenges.
2. Broad Policy Directions:

2.1 Vision: (of the Policy)
2.2 Mission: (of the Policy)
2.3 Principles:
2.4 Overall Goal:
2.5 Objective(s):

3. Policy Themes

3.1 Policy Area1/Sector1: (i.e. Priority Sector or priority area of focus).

(A brief introduction to the Policy Area/Sector/Theme)

3.1.0 Policy Area1/Sector 1 Goal
3.1.1 Objective (statement)

3.1.1.1 Strategy 1
3.1.1.2 Strategy 2
3.1.1.3 Strategy 3, etc

3.2 Policy Area2/Sector2:

(A brief introduction to the Policy Area/Sector/Theme)

3.2.0 Policy Area2/Sector 2 Goal
3.2.1 Objective (statement)

3.2.1.1 Strategy 1
3.2.1.2 Strategy 2
3.2.1.3 Strategy 3, etc

3.3 Policy Area3/Sector3:

(A brief introduction to the Policy Area/Sector/Theme)

3.3.0 Policy Area3/Sector 3 Goal
3.3.1 Objective 3 (statement)

3.3.1.1 Strategy 1
3.3.1.2 Strategy 2
3.3.1.3 Strategy 3, etc

4. Implementation Arrangements

4.1 Institutional Arrangements

4.2 Implementation Plan

4.3 Risk Identification
5. Monitoring and Evaluation

5.1 Means of monitoring

- Methods of monitoring and evaluation
- Frequency of monitoring and evaluation

5.2 Review of Policy

Annex I: Glossary, including definition of impact monitoring indicators
APPENDIX 1: IMPLEMENTATION PLAN

Overall Policy Goal:.................................................................................................................................................................

Overall Policy Objective:.................................................................................................................................................................

3.1 Policy Area/Sector:.................................................................................................................................................................

<table>
<thead>
<tr>
<th>Specific Goal</th>
<th>Specific Objective</th>
<th>Strategy</th>
<th>Responsibility for Implementation</th>
<th>Time Frame</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1.0 Goal</td>
<td>3.1.1 Objective</td>
<td>3.1.1.1  Strategy 1</td>
<td></td>
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<td>3.1.1.2  Strategy 2</td>
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<td>3.1.1.3  Strategy 3</td>
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</table>

NB: Financial resources needed and Activities relating to each strategy will be listed in the action plan
## Appendix 1: Implementation Plan (cont’d)

### 3.2 Policy Area/Sector:

<table>
<thead>
<tr>
<th>Specific Goal</th>
<th>Specific Objective</th>
<th>Strategy</th>
<th>Responsibility for Implementation</th>
<th>Time Frame</th>
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<tbody>
<tr>
<td>3.2.0 Goal</td>
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<td>3.2.1.1  Strategy 1</td>
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<td></td>
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<td>3.2.1.2  Strategy 2</td>
<td></td>
<td></td>
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<tr>
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<td></td>
<td>3.2.1.3  Strategy 3</td>
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</tbody>
</table>
Appendix 2: Policy Impact Monitoring and Evaluation

Overall Policy Goal: ........................................................................................................................................................................

Overall Policy Objective: .....................................................................................................................................................................

3.3 Policy Area/Sector: ........................................................................................................................................................................

<table>
<thead>
<tr>
<th>Specific Objective</th>
<th>Indicator</th>
<th>Source of Data</th>
<th>Current Situation (Baseline Data)</th>
<th>Desired Target</th>
<th>Key Milestones</th>
<th>Responsibility for Implementation</th>
<th>Time Frame</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1.1 Objective</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>3.2.1 Objective</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>3.3.1 Objective</td>
<td></td>
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</tr>
<tr>
<td>3.4.1 Objective</td>
<td></td>
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</tr>
<tr>
<td>3.5.1 Objective</td>
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<td></td>
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</tr>
</tbody>
</table>

NB: Financial resources needed and Activities relating to each strategy will be listed in the action plan.
ANNEX 5: SWAZILAND: PROPOSED POLICY FRAMEWORK FOR SWAZILAND’S FISHERIES AND AQUACULTURE POLICY

1. Introduction
   • Description of fisheries and aquaculture in Swaziland
   • The importance of fish to food security and socio-economic well-being
   • Broad outline of fish species and prevalence in Swaziland and nature and types of water bodies

2. Objectives of Policy
   • Increased levels of food security
   • To recognise the various categories of subsistence and commercial fishing and fish farming
   • To introduce policy framework to revise current outdated fisheries and aquaculture legislative framework which dates back to 1937
   • To encourage commercial investments in commercial cage fish farming in Swaziland’s dams

3. Regulatory and Institutional Governance Overview
   • Overview of the role and objectives of the Ministry of Agriculture & Cooperatives and the Fisheries Department
   • Overview of the current fisheries and aquaculture regulatory framework
   • Overview of the roles of related ministries and government bodies

4. Scope of Policy
   • Policy to apply to:
     o Sport and recreational fishing
     o Subsistence wild capture fishing
     o Fish farming, including subsistence, small scale and commercial fish farming

5. Sport and Recreational Fishing
   • Definition of sport and recreational fishing
   • Description of the size and extent of the practice and contribution to the economy, tourism and recreation
   • Description of principal water bodies exploited
   • Current regulatory and permitting framework
- Proposed policy changes to include:
  - Permit fees
  - Bag limits
  - Catch reporting
  - Limitation to designated water bodies
  - Prohibition on sale of fish caught
  - Encouragement of tag & release practice
  - Species limitation based on 2002/2003 fish survey

6. Subsistence Wild Capture Fishing
   - Definition of subsistence wild capture fishing
   - Description of the size and extent of the practice and contribution to the food security
   - Description of principal water bodies exploited
   - Current regulatory and permitting framework
   - Proposed policy changes to include:
     - Permits (zero rated)
     - Bag limits
     - Catch reporting
     - Limitation to designated water bodies?
     - Prohibition on sale of fish caught?
     - Species limitation based on 2002/2003 fish survey

7. Fish Farming
   - Description and definition or fish farming
   - Policy statement on the current role of fish farming and on the future role of fish farming in Swaziland

7.1. Subsistence pond-based fish farming
   - Description and definition
   - Nature and purpose
   - Role of Fisheries Department and extension services
   - Permits
   - Reporting of various basic indicators, including diseases/mortality rates

7.2. Small-scale commercial fish farming
• Description and definition
• Nature and purpose
• Role of Fisheries Department and extension services
• Permits
• Reporting of various indicators, including diseases/mortality rates, harvest rates, quantum of fish sold, prices achieved etc

7.3. Commercial cage-based fish farming
• Description and definition
• Nature and purpose
• Role of Fisheries Department and oversight function
• Permits
• Reporting of various indicators, including diseases/mortality rates, harvest rates, quantum of fish sold domestically and exported, prices achieved etc

7.4. Establishment of fish hatcheries
• Policy statement on fish hatcheries
• Role of the state-owned hatchery

8. Introduction of fish species to water bodies
• Legal framework requires updating to conform to the Convention on Biological Diversity.
• Recognition of concerns that it is widely suspected that ordinary Swazis do introduce fish species to water bodies.
• Policy statement on the need to inform people of the dangers to indigenous species and ecosystems.

9. Development of regulatory frameworks, fishery management institutions and management systems

9.1. Updating current fisheries laws and regulations
• Both the principal fisheries Act and regulations date back to 1937 and have never been amended.
• Both instruments require review and updating in order to conform to regional and international fishery management principles.

9.2. The Fisheries Department: Increasing Capacity
• The Fisheries Department has drafted a proposal to review its current organisational structure so that it is able to increase its current administrative and professional capacity

• The proposed organisational structure will complement the draft fisheries policy as proposed

9.3. Data management: Utilisation of fisheries management software programmes

• Noting the limited availability of human and financial resources, the management of data and information within a regulated fisheries and aquaculture environment will be critical.

• Swaziland may want to consider utilising fishery management software programmes that are largely available at little or no cost depending on current IT platforms.

10. Procedure for applying for permits

• This part should explain the procedures applicable when applying for the different categories of permits (sport or subsistence fishing and subsistence, small scale commercial and commercial fish farming)

• The purpose is to encourage compliance and to ensure simplicity and efficiency.
## ANNEX 6: SWAZILAND: LIST OF DOCUMENTS AND PERSONS CONSULTED

<table>
<thead>
<tr>
<th>Government Department / Ministry</th>
<th>Details of Official</th>
<th>Documents Collected</th>
</tr>
</thead>
</table>
| 1. Fisheries Department          | Mr Freddy Magagula (magagulafrd@gov.sz)  
                                   | Mr Johannes Msibi  
<pre><code>                               | Mr Boy Mavuso                                                                 |
</code></pre>
<p>|                                  |                                      | 1. Protection of Fresh Water Fish Act, 75 of 1937 h                                  |
|                                  |                                      | 2. Fresh Water Fish Regulations of 1937 h                                           |
|                                  |                                      | 5. Public Health Act, 1969 h                                                        |
|                                  |                                      | 6. Budget for Fisheries Department (2009-2014) h                                     |
|                                  |                                      | 7. Proposed organisational structure for the Department of Fisheries h                |
|                                  |                                      | 8. Livestock Development Policy, June 1995 h                                        |
|                                  |                                      | 10. Draft Comprehensive Agricultural Sector Policy, 2005 e                           |
|                                  |                                      | 11. Draft Fisheries Policy e                                                         |
|                                  |                                      | 12. Swaziland Fish &amp; Fisheries Survey, 2002-2003 e                                  |
| 2. Ministry of Natural Resources, the Komati | Ms Nonceba Noqayi (<a href="mailto:nonceba.noqayi@kobwa.co.za">nonceba.noqayi@kobwa.co.za</a>) | 1. Komati Basin Development Project, Overview 2008 h                                 |
|                                  |                                      | 2. Treaty on the Establishment and Functioning of the Joint h                         |</p>
<table>
<thead>
<tr>
<th>Government Department / Ministry</th>
<th>Details of Official</th>
<th>Documents Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basin Water Authority (KOBWA)</td>
<td>Rev Jameson Mncie</td>
<td>Water Commission between the Government of the Kingdom of Swaziland and the Government of the Republic of South Africa e <a href="http://www.kobwa.co.za">www.kobwa.co.za</a></td>
</tr>
<tr>
<td></td>
<td>Mr Angel Gwebu (<a href="mailto:angel.gwebu@kobwa.co.za">angel.gwebu@kobwa.co.za</a>)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mr Sibonangaye Mkhatshwa (<a href="mailto:sibonangaye.mkhatshwa@kobwa.co.za">sibonangaye.mkhatshwa@kobwa.co.za</a>)</td>
<td></td>
</tr>
<tr>
<td>3. Ministry of Natural Resources, Department of Water Affairs</td>
<td>Mr Trevor Shongwe, Chief Water Engineer</td>
<td>1. Swaziland Water Act, 7 of 2003 e</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Draft National Water Policy (undated) h</td>
</tr>
<tr>
<td>4. Ministry of Commerce, Industry &amp; Trade</td>
<td>Mr M Hlophe</td>
<td>Trade Licence Order of 1975 requested but not provided</td>
</tr>
<tr>
<td>~ Swaziland Environment Authority</td>
<td>Ms Constance Dlamini (<a href="mailto:cdlamini@sea.org.sz">cdlamini@sea.org.sz</a>)</td>
<td>1. The Environment Management Act, 5 of 2002 e</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. The Environmental Audit, Assessment and Review Regulations of 2000 e</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. The Waste Regulations of 2000 e</td>
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</tbody>
</table>
## ANNEX 7: DETAILS OF THE EXPECTED TIME INPUTS OF THE EXPERTS IN MARCH

| Workday | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | TOTAL |
|---------|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|
| Key Expert 1: Senior Inland Fisheries Policy Expert (Team Leader) | 1 | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | 21 |
| Key expert 2: Inland fisheries and aquaculture expert (Malawi) | 1 | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | 16 |
| Key expert 3: Inland fisheries policy expert (Swaziland) | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 8 |

### MALAWI:
- Preliminary meetings, data collection, review, mission planning
- Interim technical report
- Regional Meetings with stakeholders
- Drafting revised policies

### SWAZILAND:
- Preliminary meetings, data collection, review, mission planning
- Inception technical report

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Home Office
Malawi
Swaziland