

MINUTES 6th MEETING
IMPLEMENTATION COMMITTEE
OF THE
MAHÉ PLATEAU TRAP AND LINE FISHERY CO-MANAGEMENT PLAN

SFA Conference Room, Fishing Port
Wednesday 8 July 2020
09:00 A.M.

Introduction

The sixth meeting of the Implementation Committee for the Co-Management Plan (ICCP) of the Mahé Plateau demersal trap and line fishery was held at the Conference Room of the Seychelles Fishing Authority, Fishing Port, on the 8th July 2020.

Opening to the meeting

Mr. Jude Talma, Permanent Secretary (PS), Ministry of Fisheries and Agriculture (MFAg), opened the meeting, welcomed its participants and asked them to introduce themselves.

Adoption of the Agenda

The meeting was chaired by Mr Jude Talma, PS, MFAg. The Agenda (Appendix 1) was approved noting that items could be raised under Other matters. The list of participants is presented in Appendix 2.

Developments since the last meeting

The Chairperson outlined the developments that had happened since the last meeting (ICCP6/WD/2). Since the last meeting held 26 June 2019, the Co-management Plan was presented and approved by Cabinet in July 2019, the Fisheries Comprehensive Plan was finalised and published in November 2019, the Co-management Plan was approved by the Minister in January 2020 and gazetted on the 6th February 2020. There had been some misinterpretations of the Plan and how it should be gazetted which delayed the process. A 6th ICCP meeting planned to be held on 25 March 2020 had to be postponed because of the covid19 pandemic. Around the same time, the MFAg had prepared a plan to assist local artisanal fishers cope with impact of COVID-19 and lock-down restrictions on their fishing operations and markets, which was still in operation. Also, in the intervening period, there had been work on the Co-management Plan regulations which would be presented later in the meeting. More recently, MFAg, Department of Trade, Customs and SFA have been revising fish export regulations further information on which would be covered under Other Matters.

In following discussions, SFA updated the meeting on the status of items relevant to the Co-management Plan that existed in the Comprehensive Plan: a new vessel marking and classification system; a new licencing framework for fishing vessels and fishing activities; and, the introduction of a card system as part of a review of the fuel subsidy system to prevent abuse. These were still work in progress. Fisher representatives informed that the lettering proposed as identification markings for smaller boats such as mini-Mahés was too long and large and made some suggestions on how it should be. SFA pointed out the need for markings to not only meet local needs but also FAO international specifications. The size of the lettering would likely be reduced and suggestions that adhered also to international specifications would be taken on board.

In relation to the time taken between cabinet approval and the gazetting of the management plan, the meeting was informed that Australian Fisheries Act had provisions to keep the Fisheries Management Authority (and

consequently stakeholders) aware of the progress, and also to overcome bottlenecks and delays (see Appendix 3). *The ICCP agreed that some similar provisions should be included in the current legislation relating to the approval of Management Plans.*

Consideration of the MPTLFCP draft Fisheries Regulations, 2020.

The SFA informed the meeting that the measures that had been approved in the gazetted Management Plan would have to be adhered to in the substance and detail of what was stated in the Plan and endorsed by the Cabinet of Ministers. Any addition or modification would have to be considered during the subsequent annual revision of the plan.

On the scope of the management plan regulations, the Chairperson drew attention to whether the measures would also apply for fishing outside of the Mahé Plateau and the outlying islands. The issue was the possibility of avoiding the MPTFCP fisheries regulations by claiming that the fish had been caught outside of the Mahé Plateau. This was a problem that was considered to mainly apply for the sports and semi-industrial fishery. Extending the proposed MPTLFCP to all other areas of the EEZ would preclude the options of management plans for other areas outside of the Mahé Plateau without the consultation of the relevant stakeholders. Following a fair amount of discussion, the ICCP agreed to proceed with the MPTLFCP draft fisheries legislation with its current Mahé Plateau zone of competence and seek to close possible problems of fish caught outside through testing the regulations in court. Enforcement would proceed to consider that the fish (minimum size, bag-limits) was caught within the MPTLFCP area and the burden would be placed, within the current regulations, on the person or the vessel to prove that the fish was caught outside of the Mahé Plateau, in a court of law, if they wished to challenge the fine. The MFAg would be also reviewing its policy on how extend the measures beyond the Mahe plateau.

The SFA Legal adviser proceeded to walk the meeting through the MPTLF draft fisheries regulations clause by clause (ICCP6/WD/3). The main matters that came up were:

- There were still some definitions to be tidied up
- Minimum length clause of the regulation should be strengthened by also including possession or sale of such fish
- There was need to include fishing competitions in the restrictions on the sale of fish, as this would otherwise be a significant source of ambiguity.
- Reservations were expressed on clause 12 which puts the onus on the person purchasing the fish to know whether it was caught by a valid licence holder in a commercial fishery and in compliance with these regulations. This, for example, would neither be realistic nor just for an average housewife buying her fish from a fisher or a seller on any normal day.
- In relation to institutional arrangements, there was need for the Implementation Committee to receive a response from the Ministry responsible for Fisheries within a set period with respect to its reports and recommendations. Since the Implementation Committee was required to meet at least once every 3 months, the response would have to be received in less than three months.
- The section on Offenses should include a graded system of fines for repeat offenders. It should also allow for spot fines when these have been enabled in the primary legislation (the Fisheries Act currently under revision).

There was significant discussion on the banning of the export of bourzwa. Points raised included:

- Nobody in the ICCP seemed to have been aware of an export ban previous to its declaration – this runs against the process of consultation and co-management embodied in the Mahé Plateau Co-management Plan which the Cabinet had approved and had already been gazetted at the time;
- Bourzwa is a fish for special occasions and not one like karang which was far more important for national food security;

- Bourzwa is a lead species into some overseas markets – these markets expected a minimum amount of high value or iconic fish like bourgeois as part of their much larger consignment of other species, in order to close the deal;
- Usually only small to moderate amounts of bourgeois are exported commercially and SFA should improve data collection in this area ;
- The abuse of its export in large quantities could usually be traced to particular wealthy, foreign recreational or sports fishers; and
- Banning the export of bourgeois does nothing to rebuild and sustain the stocks of the fish. The emphasis should be placed rather on measures such as those in the management plan on minimum sizes, bag limits for recreational and sports fishers, and prevention of sale by recreational and sports fishers. These would also be supported by reviewed licencing conditions and capacity/effort limitation.

The ICCP was not in favour of this decision of banning the export of bourzwa. The meeting was advised that the Trade Department is also taking up matters related to the ban of bourzwa export in relation to WTO principles and obligations. In collaboration with SFA, MFAg and Fish Inspection and Quality Control Unit of the Seychelles Bureau of Standards (FIQCU), the Department of Trade is also reviewing the Custom Management (Export permit) Regulations.

At the end of this agenda item, the SFA Legal Adviser undertook to update the regulations and circulate it to the ICCP members following the meeting.

5. A proposed workplan for the implementation of the Co-management Plan in 2020

Mr Aubrey Harris, Consultant, presented a workplan for the implementation of the Co-management Plan in 2020 listing key activities (see ICCP6/WD/4) that would be required to take place before a coordinated launch of the plan. A date for the launch of the plan was central to any consideration, and that had nominally been placed as Monday 28 September 2020. It was important that the launch was at a time that:

- the MPTLFCP regulations could be gazetted that same day or gazetted previously with a delayed date of enforcement coinciding with the day of the launch and;
- a Fisheries Liaison Officer had been recruited by SFA and was already well involved in liaising with fishers and fisher associations; and
- a Communication Strategy was in place at least a week before the launch and producing coordinated messages, radio and television interviews, school visits, and aids such as posters, t-shirts etc. ; and
- the SFA enforcement section was primed, very visible and in a position to effectively enforce the regulations.

During the discussions, it was brought up that while recruitment of the Liaison Officer could fit the time frame of the workplan that of having a communication strategy in place and actively engaging the stakeholders and the public one week before the launch of the Plan was unlikely to be possible. Also gazetting of the regulations may or may not be possible depending on the workload of the Attorney-General's Office. Nevertheless, it was generally agreed to try to keep to the proposed deadline of a launch on the 28th September 2020 (Appendix 4) and review the progress at the next meeting of the ICCP.

In relation to the 2020 working modalities of the ICCP, in view of the covid-19 situation, it was recognised that there was a need for remote conferencing or mixed meetings where some members would be physically present and others would participate remotely. This matter will be followed up by the Secretariat and individual members will be contacted about Skype or other internet facilities they had access to from their usual work or home locations. The Secretariat (with the possible assistance of SWIOFish3) should set up such mixed remote conferencing facilities for the next meeting.

Primary stakeholder members raised the matter of their participation in the ICCP meeting competing against their other work commitments and sought to have a meeting allowance. It was recalled that in previous discussions this had been considered as their contribution towards their own interests within their respective stakeholder groups or industries. They countered that this did not seem fair as they did not have the fixed salaries of most secondary stakeholders and that time spent at the ICCP often equated to income that they lost. *The ICCP agreed that there should be a meeting allowance for primary stakeholders, and asked SFA and SWIOFish3 to work out the modalities of such an allowance.*

The Chairperson informed that a suitably knowledgeable and active recreational fisher, Mr Faizal Suleiman, had expressed the desire to be a recreational fisher representative at the ICCP. Since an alternate was also required, some members nominated Mr Joel Nageon to also represent recreational fishers though it was not known if he would be willing. *The ICCP endorsed the proposal of the Chairperson for Mr Suleiman to be the Recreational Fisher Representative, and for Mr Nageon, to be the Alternate.* The Secretariat would contact these two persons in this regard.

7. Other matters

During the meeting, it was learnt with much sadness that Mr Florent Pool, a member of the ICCP, had just passed away. The Chairperson, Mr Jude Talma, asked the meeting to hold a minute of silence in respect for and recognition of Mr Pool's contribution to the ICCP, to the Roche Caiman Fisher Association as its Chairperson, and to the Seychelles for a lifetime of hard work as a trap fisher. The ICCP extends its condolences to his daughter, Brigitte, and other family members of Mr Pool.

The Chairperson briefed the meeting on the revision taking place of the Custom Management (Export permit) Regulations in relation to fish exports. It had been recognised that there had been non-commercial trading that was unfair to the commercial sector. SFA was missing some crucial data required to make detailed analyses and needed to improve its data collection in this area. The regulations will limit non-commercial export of fish to a maximum of 20 kgs. It will ensure that all fish exports above 20 kgs are classified as commercial export and will require an export permit. All commercial exports will require both Sanitary and Phytosanitary (SPS) certification and a new National Catch Certification system. There were some areas such as on Eden Island where problems were most encountered, including informal fish mongering and the regulations will prevent such practices. Customs will be monitoring not only commercial flights but also private and charter flights etc.

Comments were made during the discussions on trade that followed, that the quality of fish in Seychelles was dropping and that nowadays usually 2-2.5 tonnes of fish of a local longliner landing were of low-quality or unsuitable for human consumption. Seychelles had lost its previous high standards where catches landed were invariably of A-A⁺ quality. Processors now spend much time sorting fish of many grades which increased their risks and that of the market. It appeared that some sectors of the Seychelles fishing industry had adopted catch and handling standards of other countries not known for high quality exports.

The SWIOFish3 coordinator, Dr Jan Robinson, raised the following matters:

- A stock assessment expert will be reviewing the status of the main fish stocks of the MPTLCP this year. The possibility of establishing a subcommittee of the ICCP for this purpose and also to work with the expert may need consideration at the next meeting.
- TORs were being produced to study the socio-economic impacts of measures introduced by the MPTLFMP
- A panel including an SFA representative was in the process of reviewing EOIs received to produce Seychelles national report to the Fisheries Transparency Initiative (FiTi).
- SWIOFish3 was providing support for fishers to attend the Seychelles Maritime Academy (SMA)

- Reminded the meeting of plans for ICCP members to have in peer-to-peer exchange on the implementation of other fisheries management plans in the region, later in the year when travel conditions allow.
- Advertisements for a Fishery Liaison Officer and to produce a Communication Strategy had already been placed in the Nation. Selection and recruitments would be followed up over the next weeks.
- SWIOFish3 was supporting the SFA MCS section. Under the MCS plan a surveillance vessel was under consideration.
- The Marine Spatial Plan (MSP) was now legally gazetted and consisted of areas for sustainable marine resource management other than the Mahé Plateau. Government was seeking advice on options for how to effectively manage these areas

FBOA informed that it had spent a lot of pro-bono time with the Nature Conservancy (TNC) of the MSP and considered that stakeholders should be compensated for their contributions.

The Blue Economy Department is considering its nominations to the ICCP and will inform the Secretariat of its Representative and Alternate before the next meeting

The ICCP reviewed the attendance of meetings by the members and asked the Secretariat to inform the Sports Fishers Association and the La Digue Fishers Association, which had not attended sufficient consecutive meetings to date, that they would lose their membership if they did not attend the next meeting.

Pending from the last meeting, the Secretariat was asked to seek information from member fisher associations on the date of their last annual general meeting, and the proposed date of their next Annual General Meeting.

The ICCP agreed with the Secretariat's proposal that the ICCP meeting should seek to go paperless. Printouts would from now on only be made for members who advised the Secretariat of their need, at least a day in advance of the meeting,

8. Date and Place of the next meeting

The next meeting of the Implementation Committee will take place on Wednesday 12th August 2019 at the SFA Meeting Room, Fishing Port.

Appendix 1

Agenda

1. 1. Opening to the Meeting

Remarks by the Ministry of Fisheries and Agriculture (MFAg)/Seychelles Fishing Authority (SFA)

2. Adoption of the agenda

To be moved by the Chairperson

3. Developments since the last meeting

The MFAg will brief the meeting on developments since the 5th ICCP meeting (26 June 2019) such as approval by Cabinet, the Fisheries Comprehensive plan, gazetting of the MPTLFCP, postponement of meetings, and mitigation measures relative to the trap and line fishery that had to be taken because of the Covid19 pandemic.

4. Consideration of the MPTLFCP draft Fisheries Regulations, 2020

The SFA Legal Adviser will present draft fisheries regulations, as well as the actions/timelines for their coming into force. The scope of their application in relation to other areas outside of the Mahé Plateau will be considered. The ICCP will provide its comments and recommendations on the draft fisheries regulations.

5. A proposed workplan for the implementation of the Co-management Plan.

Following a brief review of the ICCP's work in 2019, a workplan for the implementation of the MPTLFCP in 2020 will be presented for the ICCPs consideration. Administrative and operational changes required to work effectively in 2020 will also be discussed.

7. Other matters

8. Date and place of the next meeting

Appendix 2

List of Participants

Members, other Stakeholders and Secretariat

Members	
Philippe Michaud	Department of Blue Economy
Jean Claude Hoareau / Amanda Agricole	Fish Tech
Beatty Hoarau	Fishers and Boat Owners Association
Wilna Accouche	Green Island Foundation
Ashley Dias	Ministry of Environment, Energy and Climate Change
Jude Talma	Ministry of Fisheries and Agriculture
Vincent Lucas	Seychelles Fishing Authority
Other Stakeholders	
Gerard Ernesta	Glacis Fisher Association
Leo Barret	Marine Conservation Society of Seychelles (MCSS)
Secretariat	
Aubrey Harris	Consultant (SFA)
Jan Robinson	Coordinator (SWIOFish3)
Yannick Roucou	Legal Adviser (SFA)
Johnny Louys	Monitoring Control and Surveillance Manager (SFA)
Elisa Socrate	Principal Fisheries Officer (SFA)

Appendix 3

Australia's Fisheries Management Act 1991 **Compilation No. 60, with amendments up to 2017** **Division 2—Plans of management**

Action after determining a plan of management

- (1) When AFMA has determined a plan of management for a fishery, it must:
 - (a) submit the plan to the Minister; and
 - (b) inform the Minister of the nature of any representations it received, and the consultations it conducted, before determining the plan.
- (2) The Minister must accept the plan if it appears to the Minister that:
 - (a) AFMA gave due consideration to any representations it received, and conducted adequate consultations, before determining the plan; and
 - (b) the plan is consistent with AFMA's corporate plan and current annual operational plan.
- (3) If the Minister does not accept the plan, the Minister must refer it to AFMA and inform AFMA why it was not accepted.
- (4) When the plan has been so referred to AFMA, AFMA must, as soon as practicable after receipt of the plan, take such steps as appear to it to be necessary to ensure acceptance of the plan by the Minister and again submit the plan to the Minister.
- (5) If the Minister again does not accept the plan, the procedures mentioned in subsections (3) and (4) continue to apply in relation to the plan until it is accepted by the Minister or withdrawn by AFMA.

Appendix 4

Proposed Workplan for the implementation of the Co-management Plan 2020-21

