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ADVANCING REFORMS TO PROMOTE SUSTAINABLE MANAGEMENT OF GHANA'S SMALL PELAGIC FISHERIES

An Applied Political Economy Analysis (PEA)

May 2019

CONTRACT INFORMATION

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ON THE COVER

Ghanaian woman drying fish. Credit: Heidi Schuttenberg

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ACRONYMS

ADR	Alternative Dispute Resolution
BRIDGE	Biodiversity Results and Integrated Development Gains Enhanced
CDD	Center for Democratic Development
CEWEFIA	Central and Western Fishmongers Improvement Association
CLO	Community Liaison Officer
CSO	Civil Society Organization
CSR	Corporate Social Responsibility
DAA	Development Action Association
EU	European Union
F2F	Fisher-to-Fisher Consultative Dialogue
FDF	Fisheries Development Fund
FPSO	Floating Production Storage and Offloading Platform
GBV	Gender-Based Violence
GIFA	Ghana Inshore Fisheries Association
GITA	Ghana Industrial Trawlers Association
GNCFC	Ghana National Canoe Fishermen Council
IGF	Internally Generated Funds
IUU	Illegal, Unreported, and Unregulated Fishing
MCS	Monitoring, Control, and Surveillance Division
MOFAD	Ministry of Fisheries and Aquaculture Development
MMDA	Metropolitan, Municipal, and District Assemblies
MMDCE	Metropolitan, Municipal, and District Chief Executives
MP	Member of Parliament
NAFPTA	National Fish Processors and Traders Association
NDC	National Democratic Congress
NFMP	National Fisheries Management Plan
NGO	Non-Governmental Organization
NPA	National Petroleum Authority
NPP	New Patriotic Party
NPS	National Pre-mix Secretariat
PEA	Political Economy Analysis
SFMP	Sustainable Fisheries Management Project
STWG	Scientific and Technical Working Group
USAID	United States Agency for International Development
VSLA	Village Savings and Loan Association
WARFP	West Africa Regional Fisheries Program

EXECUTIVE SUMMARY

Ghana is facing a crisis of sustainability in its small pelagic fisheries that threatens the food security and livelihoods of a large segment of the population. While the technical solutions to the problems in these fisheries have been known for some time, the necessary actions have not been implemented. To understand this persistent gap between the presence of solutions on paper and the absence of action in practice, USAID implemented this Applied Political Economy Analysis (PEA). The goal of the PEA is to provide a deeper understanding of the political, economic, and social factors driving the behavior of key actors in the fisheries sector to inform future USAID programming decisions.

BACKGROUND

GHANA'S SMALL PELAGIC FISHERY—A VALUABLE RESOURCE AT RISK

In Ghana, fisheries are both a way of life and pillar of economic and food security. Fish provide around 60 percent of animal protein in the Ghanaian diet, making Ghana the country most reliant upon fish for nutrition in Africa. They also contribute, directly and indirectly, to livelihoods for nearly 3 million people, or around 10 percent of the nation's population.

There are three main categories of fishing in Ghana—artisanal/small-scale, semi-industrial/inshore, and industrial trawlers. Over 80 percent of Ghana's fishers are in the artisanal/small-scale canoe fleet, which targets small pelagic fish. Small pelagics are the sardinella, mackerel, and anchovies that inhabit the mid-water column and are the most important fishery for food security.

In principle, the artisanal fishery should not conflict with the industrial trawlers, which are largely owned and operated by Chinese companies, and licensed under shell companies run by Ghanaian owners. Interviews and published reports indicate that these politically influential Ghanaian owners benefit financially from their sponsorship of the Chinese trawlers. Industrial trawlers are primarily licensed to target demersal fish, which live near the sea floor beyond the range of most artisanal canoes; however, growing evidence suggests that industrial trawlers are intentionally deploying their gear illegally and using illegal types of gear to target small pelagic fish. The catch is flash frozen and illegally transferred to specially designed canoes that bring the fish to shore for marketing. This illegal catch and transshipment, known as *saiko*, is perceived to be a significant threat to the artisanal fishery and is a symbol of unfair and unmanaged fishing practices that are driving an escalation in fishing effort—both legal and illegal—in a race to catch increasingly scarce fish.

Landings of small pelagic stocks are currently estimated at just 14 percent of highest recorded levels and are dangerously close to the 10 percent threshold that is scientifically considered to signal a collapsed fishery. While the conflict between impoverished small-scale fishers and industrial trawlers is a current flashpoint in fisheries management, the decline in small pelagic fish stocks has its roots in larger structural problems. The number of small-scale fishing canoes has grown to an unsustainable level and proposed limits to the number of trawlers have not been implemented. Rather than implementing strategies that would ensure sustainable stocks for the long term, the government has favored policies that drive overfishing by subsidizing fuel and motors and extending tax-free treatment to imported fishing inputs such as nets, ropes, and cork floats. At the same time, illegal practices have become

commonplace among all fishing sectors, with limited law enforcement efforts by either formal or traditional authorities.

SOLUTIONS KNOWN, BUT NOT IMPLEMENTED

The technical solutions for reducing fishing capacity and effort in Ghana are understood and broadly articulated in the National Fisheries Management Plan 2015-2019 and the proposed Policy Framework on Fisheries Co-Management. Little action, however, has been taken to implement the vision outlined in these policy documents. In the meantime, over-exploitation of Ghana’s small pelagic stocks has only worsened as the scientific evidence documenting this decline has continued to strengthen. This PEA examines the reasons for inaction and the political, economic, and social opportunities for engagement that could catalyze change.

Many of the obstacles to successful fishery reforms are a reflection of the constraints produced by the Ghanaian political system. Ghana’s two leading political parties—the New Patriotic Party (NPP) and the National Democratic Congress (NDC)—have followed similar patterns of political patronage for more than two decades, including the use of subsidies, discretionary regulatory enforcement, and privileged access to jobs. The coastal region of Ghana, sometimes referred to as the “Florida of Ghana” because of its closely contested electoral results, has significant populations of fisherfolk who benefit from these preferential policies. Politicians of both parties are reluctant to alienate these swing voters. The concentration of political power in the executive branch further reinforces this patronage system. All District Chief Executives (the equivalent of mayors) and one third of District Assembly members are appointed by the President. The behavior of elected representatives and government officials, including the decision-makers responsible for the management of Ghana’s fisheries, is strongly conditioned by these political realities.

METHODOLOGY

The PEA was recommended by a “pause and reflect” exercise with USAID’s ongoing Sustainable Fisheries Management Project (SFMP). This collaborative review of the program’s context and theory of change identified key questions about threats to Ghana’s artisanal fisheries and the social, political, and economic barriers to achieving needed reforms in fisheries management. With support from USAID’s BRIDGE program, an interdisciplinary team was assembled from USAID/Washington DC and USAID/Ghana and a literature review of the sector was prepared based on scholarly research, governmental and nongovernmental reports, and media sources, framed within [USAID’s Applied PEA](#) analytic categories. Over a three-month period, the team held regular teleconferences to focus the PEA, prioritize research questions, identify key stakeholders, and craft tailored sets of interview questions. In November 2018, team members split into two groups and conducted over 40 interviews and focus groups in Accra and Ghana’s four coastal regions. While in the field, the PEA team conducted a preliminary analysis of the interviews, distilling the key findings and initial recommendations for future programming. These initial conclusions were further refined through supplemental research and input from an expert PEA consultant and iterative review by key partners.

KEY FINDINGS

I. BRIGHT SPOTS

The recently declared closed season for 2019 is a tangible first step recognizing the urgent need to address dwindling small pelagic stocks.

Across the coastal areas, good progress has been made in registering and embossing canoes. This advances the goal of registering the entire canoe fleet in order to cap their numbers and establish a moratorium on new entrants in the canoe fishery.

There are new possibilities for key stakeholder dialogue that converge with a critical window of opportunity to incorporate the input of fisher associations and resource users in the proposed Policy Framework on Fisheries Co-Management and amendments to the 2002 Fisheries Act.

In coastal communities, there is increasingly an appreciation that small pelagic fisheries have declined significantly and the situation must change. This understanding is bolstered by a practical synthesis of the science in the work of the Scientific and Technical Working Group (STWG) at the Fisheries Commission and university-based research, which provide an improved scientific basis for estimating current small pelagic stocks and explaining the benefits of different management measures, including implementing a closed season during the time that small pelagic species spawn.

Key informants from all four coastal regions agreed that—despite some remaining weaknesses—civil society organizations and associations of fishers and fish processors are becoming increasingly effective. Many interviewees attested to the importance and effectiveness of USAID’s efforts to train, build capacity, and foster dialogue with women’s organizations, fisher associations, civil society, industry groups, and the Fisheries Commission.

2. REGULATORY CAPTURE AND SAIKO

According to multiple key informants, front companies for Chinese-operated industrial trawlers are owned by politically influential, yet unnamed, Ghanaians, whose interventions with legal and regulatory authorities allow industrial trawlers to engage in transshipment of saiko and other forms of IUU fishing. These instances of political interference reflect situations in which MOFAD and the Fisheries Commission are vulnerable to regulatory capture.

While Ghanaian companies are the owners of these vessels on paper, Chinese companies are the de facto “beneficial owners.” The behavior of Chinese trawler operators indicates they are not concerned about the potential collapse of Ghana’s fisheries. The economic gains realized by industrial trawlers in Ghana accrue overwhelmingly to the Chinese beneficial owners and to the small number of Ghanaian owners who file for the licenses, with few benefits to the general Ghanaian population or the majority of fishers.

Reports of absent law enforcement and the appearance of regulatory capture have damaged the credibility of MOFAD and the Fisheries Commission, often undermining public confidence. Perceptions of injustice among artisanal fisherfolk in relation to both the illegal practices of Chinese trawlers and the

failure of the government to respond to them with legal sanctions create a flashpoint that hampers efforts to reach broader agreements on key fisheries management issues.

3. THE ARTISANAL SECTOR IN DECLINE

Artisanal fishing communities are experiencing livelihood insecurity and dysfunction in the relationships among formal and informal authorities with responsibilities for fisheries management. Fisherfolk at many of the landing beaches visited said that it has become much harder to catch fish, incomes are down, and operating expenses cause some fishers to go into debt. Illegal fishing practices are driven both by declining small pelagic fish stocks and a belief that the government's enforcement of laws against IUU fishing is unjust and selective, especially in view of the non-enforcement of the ban on saiko.

The Marine Police note they have very limited resources to enforce the laws relative to the more than 300 landing beaches along the coast, making it difficult to apply the fisheries regulations in a way that is visible, uniform, and even-handed. Chief fishermen also encounter resistance and resentment when they try to apprehend artisanal fishers in violation of the law.

In most communities, the paramount chief and traditional authorities are respected figures with the potential to play a stronger role in fisheries management, but interviews found them to have generally weak engagement. In some communities, there was conflict between the chief fisherman and the chiefs. Chief fishermen also are sometimes viewed by discontented fishers as complicit if they work with government and law enforcement officials and, in some cases, chief fishermen have been implicated themselves in illegal fishing.

Despite the formal expectation that district assemblies should enact by-laws to support sound fisheries management, there is little evidence of local government engagement in securing the fishing livelihoods of their constituents. District assembly members are often unengaged unless they perceive a tangible benefit. For example, in some communities, fisherfolk said the profits from subsidized pre-mix fuel was placed under the control of the district assembly chief executive.

While these problems of local governance vary among the fishing communities, what they have in common is a demonstrated need for strengthened fisheries co-management arrangements based on greater transparency and accountability, with arrangements that are tailored to regional differences.

4. WOMEN'S VOICES AND FAMILY RESILIENCE

Women are at the heart of fishery value chains and fishing communities, but despite this central role in the sector, their voice and organizational representation is only just beginning to realize its potential. Effectively engaging women in fishery management is essential for achieving successful reforms and necessary to guard against negative impacts on fishing families and increases in gender-based violence (GBV).

In Ghana, women play key roles in processing and trading small pelagics and they are sometimes financiers of men's fishing trips. Women also directly harvest oysters, as in the Densu estuary where they have demonstrated best practices in fisheries co-management as part of SFMP. Both the long-term health of fisheries and proposed fishery reforms will directly affect the livelihoods of women working in fisheries, with ripple effects on families since women's income often supports school fees and health

expenses. Interviews suggested that the current declines in fish catch result in rising tensions and GBV in some families.

Given that the health and management of small pelagic fisheries directly affect the lives of women in fishing villages, women have clear interests that warrant a key role in fishery management discussions. Currently, their influence appears to vary across communities. Interviews indicated that the interests of women are often weakly represented at the community level in landing beach committees and local government. However, relatively new organizations have been created to address the needs of women fish processors and traders and have provided gradually improving, but uneven, representation of women's interests. With their relative strengths and weaknesses, the Central and Western Fishmongers Improvement Association (CEWEFIA), the Development Action Association (DAA), and the National Fish Processors and Traders Association (NAFPTA) need to work in complementary fashion if women's interests are to gain greater visibility and produce concrete results. Increasing the collective participation of women would produce a strong multiplier effect on coalition-building in support of fisheries reforms.

Increasing women's participation would also enable another lever for catalyzing changes in fishing behavior—the influence of purchasing power and market leverage to create incentives for making legal and sustainable catches the preferred standard for seafood products.

5. MINISTRY OF FISHERIES AND AQUACULTURE DEVELOPMENT (MOFAD)

The MOFAD annual budget, currently \$11.85 million, is low in relation to the sector's contributions to employment and food security as well as its regulatory and law enforcement obligations. Ghana's small-scale fisheries contribute an estimated \$340 million in annual revenues or around 3 percent of GDP. This low funding level appears to reflect a lower prioritization of fisheries compared with other sectors and ministries. It also seems to result from an inability within the Ministry to adequately itemize and explain its budget, weakening parliamentary support for its budget requests and activities. Within MOFAD, despite the critical need for improved enforcement, the current budget allocation for the Monitoring, Control, and Surveillance (MCS) Division is just 5 percent of MOFAD's annual budget. These budgetary inadequacies can be viewed in juxtaposition to the budget allocation for the pre-mix fuel subsidy, which is nearly four times MOFAD's budget, demonstrating the government's disproportionate investment in fishery inputs over sustainable fisheries management.

Beyond the inadequacies and inefficiencies in MOFAD's budget, a number of interviewees also said that the current culture at the Ministry and Fisheries Commission discourages ethical behavior and initiative and limits open discussion with staff. The failure to benefit from the contributions of qualified professional staff undermines the ability of the Fisheries Commission to fulfill its mission.

The Fisheries Commission has poor relationships with many local communities, a problem acknowledged by leadership at the Fisheries Commission itself. Dealings with artisanal fisher groups are considered to be sometimes prickly and difficult, and both sides acknowledge that in many areas there is little public trust in the Fisheries Commission's capacity to reliably carry out its mandate. On some issues, the Fisheries Commission has worked well locally with civil society organizations, but the Fisheries Commission needs a stronger regional and local presence, especially as it pertains to the Fisheries Enforcement Unit.

6. LACK OF TRANSPARENCY AND ACCOUNTABILITY IN FISHERIES MANAGEMENT

The management of Ghana's fisheries is subject to the effects of the country's party politics and patronage. The most frequent example, mentioned by many interviewees, is the case of pre-mix funds, which are said to be party-controlled resources used by both parties for political patronage and personal profit.

Fishing licensing fees and fines are placed in the Fisheries Development Fund (FDF), but fines are far below the amounts prescribed by law because of the non-transparent nature of the Alternative Dispute Resolution (ADR) used to expedite court cases involving heavy fines against trawler companies. These cases are commonly subject to political interference, followed by the reduction (or ultimate non-payment) of fines. The amounts and use of the Fisheries Development Fund itself are opaque.

The Fisheries Commission Board is an interagency body representing all sectors, with two seats on the board reserved for the fishing industry, one for industrial interests and one for artisanal fisherfolk. Leaders from the artisanal sector said, however, that without consultation MOFAD appointed a person unknown to them as the representative of the artisanal sector.

7. CONFLICT BETWEEN FISHERIES AND OIL AND GAS

Fishers are of the view that developments in the oil and gas sector have resulted in the depletion of fish stocks and note the many oil supply vessels in the area of Sekondi. The areas around oil rigs are subject to 500-meter exclusion zones, but the lights of oil rigs attract fish, which the fishermen sometimes follow into the exclusion zones.

Oil spills have raised community concerns over impacts on water, health, infrastructure, and fish populations. The chiefs of the Western Region have advocated that 10 percent of oil revenues be allocated for the development of infrastructure and livelihood opportunities in the region.

Oil and gas companies have tried to set up offices with Community Liaison Officers in the six coastal districts of the Western Region, but according to nongovernmental researchers it is still difficult for the public to access information. Oil and gas companies have started to engage communities directly in consultations on the implementation of corporate social responsibility projects. However, some projects are implemented without any consultative process, and communities often lack the funds or expertise to engage in the consultation processes.

Local authorities are not powerful enough to resolve oil and gas conflicts, and the central government is often not inclined to engage on them. Fisher associations are relatively well organized and often have informal means of engaging in direct negotiations with the oil and gas companies. Interviewees said, however, that both public sector and private sector engagement on conflicts between artisanal fishers and the oil and gas sector have been relatively ineffective and require clearer and better-defined mandates.

KEY CONCLUSIONS AND RECOMMENDATIONS

The reforms needed to reverse the decline in Ghana's small pelagic fisheries are contingent on the interactions of a diverse array of forces and stakeholders. Fundamental problems of flawed institutional performance, limited financial resources, non-transparency in decision-making, weak law enforcement,

constraints on the administration of justice, and a lack of accountability militate against the reform agenda, even as diverse actors in the fisheries value chain accelerate stock declines in pursuit of their livelihoods.

The potential costs of a collapse of the artisanal fishing industry are considerable. In addition to the loss of direct employment for more than 200,000 men and women, the knock-on effects on hundreds of thousands of other jobs in the fisheries value chain could result in a sharp drop in purchasing power and worsen food insecurity, with a strong likelihood of higher crime rates. Political instability could also result. Three of the four coastal regions are well known for their swing votes in Ghana’s closely contested presidential elections. Health risks would likely increase, especially for vulnerable populations such the elderly and children. The potential could also increase for conflict with neighboring countries over shared marine resources as well as maritime piracy, already a growing threat in the Gulf of Guinea.

These possibilities are counterbalanced, however, by the influence of numerous stakeholders who are becoming better organized and more vocal in favor of fisheries sector reforms. This includes the GNCFC and NAFPTA, the largest fisher and fish processors organizations, supported by CSOs and allies among traditional authorities, academic researchers, and the media. USAID’s development partners have expressed their willingness to work on collaborative strategies to address problems in the fisheries sector. If these groups are able to coalesce in support of reforms, the technical solutions to reverse the decline in Ghana’s artisanal fisheries are available for implementation. The timing for advancing reforms is also propitious, as the closed season, the Policy Framework on Fisheries Co-Management, and the amendments to the 2002 Fisheries Act are all on the table to be enacted and put into practice in 2019.

Table A below shows the dynamics of the forces and stakeholders working against or in favor of reforms. This is followed by a summary version of the report recommendations and two infographics. Infographic A presents the main challenges in the artisanal fishing sector and summarizes the report’s overarching recommendations. Infographic B identifies the main issues impeding reforms and details responses and recommendations. A full version of the report’s recommendations appears on page 35.

TABLE A: DYNAMICS OF FORCES/STAKEHOLDERS AGAINST OR IN SUPPORT OF REFORM

FORCES/STAKEHOLDERS AGAINST REFORM	FORCES/STAKEHOLDERS IN SUPPORT OF REFORM
Regulatory capture: The industrial trawl sector, heavily dominated by Chinese companies, is poorly regulated, with alleged linkages to Ghanaian political interests	Fisher associations, including women’s groups, are a growing force for advocacy and reform. These are bolstered by diverse elements of civil society such as traditional authorities, universities, think tanks, and the media
Poverty, weak law enforcement, and the appearance of selective enforcement results in low public confidence and widespread noncompliance with fisheries management laws	Legislative agenda for reform: Two major legal and regulatory measures are scheduled for 2019: 1) Policy Framework on Fisheries Co-Management and 2) Amendments to the Fisheries Act of 2002
MOFAD and Fisheries Commission weaknesses: Inadequate budget (especially Monitor, Control and Surveillance Division) and dysfunctional organizational culture undermine effective management, proper oversight, and staff morale	The 2019 Closed Season has now been agreed by all major stakeholder organizations
Patronage, partisan politics, and lack of accountability erodes fisheries management, enforcement, and legitimacy of governance in the sector	The Fisheries Commission has committed professional staff and good potential for meaningfully increasing internally generated funds

FORCES/STAKEHOLDERS AGAINST REFORM	FORCES/STAKEHOLDERS IN SUPPORT OF REFORM
<i>Collective action dilemma: Why should poor fishermen obey fishing laws that foreign companies flout and government officials fail to enforce?</i>	Potential international collaboration with development partners on mechanisms to leverage better fisheries management (e.g., EU yellow card and subsequent ongoing dialogue on IUU)
	Supply-side accountability mechanisms such as the Ghana Audit Service
	<i>Growing popular awareness and agreement that small pelagic fisheries are near collapse and the problem must be addressed</i>

SUMMARY OF RECOMMENDATIONS

OVERARCHING RECOMMENDATIONS

1. USAID should continue supporting strategies that aim to increase the voice of fisherfolk, including women, and bring greater transparency, effectiveness, fairness, and accountability to fisheries management.
2. USAID should continue to support more participatory and representative fisher associations, more frequent government consultations with stakeholders, and legal reforms that prevent arbitrary decision-making and promote collaborative management.
3. USAID should broaden the range of strategies used to produce the organizational change and increased accountability that is needed at MOFAD and the Fisheries Commission, with expanded engagement with other potential proponents of fisheries reforms elsewhere in the government.
4. USAID should leverage its influence and convening power to strengthen donor coordination and diplomatic strategies that increase incentives for government and industry stakeholders to agree on needed reforms.

SHORT-TERM RECOMMENDATIONS

- I. USAID should extend SFMP for one more year to:
 - Encourage and support MOFAD’s efforts to prepare for and successfully implement the artisanal and industrial closed seasons in 2019.
 - Encourage and support MOFAD in making the closed season an annual practice that is collaboratively managed to rebuild small pelagic stocks.
 - Work through F2F, engagement with women’s organizations, and other forums to help broker a comprehensive agreement between government, industry, and civil society around annual closed seasons and linked issues of IUU enforcement, beginning with the issue of saiko.
 - Work with MOFAD and other stakeholders to help finalize the approval of the Policy Framework on Fisheries Co-Management and help draft and finalize the Amendments to the Fisheries Act of 2002.

- Work with the Fisheries Commission to complete registration of all canoes in coastal marine areas and issue smart-cards for each canoe.

SPECIFIC RECOMMENDATIONS TO ADDRESS KEY ISSUES

Increasing the Voice of Fisherfolk in Fisheries Management:

1. Continue building the capacity of artisanal industry groups (GNCFC, NAFPTA, CEWEFIA), civil society organizations, and researchers to strengthen their voice and influence in discussions with government decision makers to be commensurate with their large membership.
2. Continue and expand efforts to strengthen the participation, representation, and influence of women in fisheries management and businesses. Particular attention should be paid to the impact of fisheries reforms on women and family resilience.

Transparency and Accountability of the Operations of Industrial Trawlers:

3. Future USAID investments should focus on reducing or eliminating saiko transshipment by industrial trawlers. Potential interventions include:
 - Supporting awareness and advocacy regarding saiko, including media coverage of the costs and consequences of illegal fishing by industrial trawlers.
 - Encouraging the Government of Ghana, MOFAD, and the Fisheries Commission to engage with and adopt the principles of the Fisheries Transparency Initiative (FTI), the Open Governance Partnership (OGP), and the Extractive Industries Transparency Initiative (EITI).
 - Supporting improvements in enforcement capacities and technologies, for example, VMS analysis and electronic observers.

Building Capacity for Enforcement, Improved Transparency, and Accountability at the Fisheries Commission:

4. Support increased Fisheries Commission budgets with: 1) technical training; 2) advocacy from potential proponents of fisheries reforms from within the government; and 3) external advocacy from sector actors with a stake in successful reforms, including industry associations, CSOs, other donors, and resource users.
5. Explore opportunities to support the Fisheries Commission in efforts to increase internally generated funds.
6. Encourage the Fisheries Commission to request an independent audit and make public the licensing fees, fines and penalties, and total amounts collected and utilized by the Fisheries Development Fund.
7. Encourage the Fisheries Commission to make fishing license information available to the public, including beneficial ownership data; foster mechanisms to improve harvest and catch reporting; and make catch data available to the public.
8. Work with the Fisheries Commission to implement deconcentrated fisheries management that includes resource users (particularly women), traditional authorities, and local government.

9. Work with the Fisheries Commission to ensure that enforcement is visible, responsive, and non-selective, based on cost-effective methods and minimized political interference in prosecution.
10. Work with the Fisheries Commission to help develop cost-effective, collaborative monitoring structures in the context of co-management to extend the capacity of the MCS Division's enforcement efforts.
11. Support the Fisheries Commission in strengthening prosecution of fisheries crime by reforming the use of the alternative dispute resolution (ADR) mechanism to require final settlement conditions to be returned to the court to ensure they comply with judicial guidelines.
12. Support an organizational change process in the Fisheries Commission focused on building the culture, structures, and leadership practices needed to empower staff to implement key management measures and engage in open dialogue.

Collaboration with the DRG Office to Respond to Lack of Transparency and Accountability:

13. Explore mechanisms for engaging the Ghana Audit Service (GAS) to conduct financial and/or performance audits of the Fisheries Development Fund and explore the promotion of strategies such as town hall meetings to support smart policies for the accountable distribution and sale of pre-mix fuel.
14. Explore possibilities for increasing public knowledge about threats to the sustainability of the artisanal fisheries sector, including industrial and artisanal IUU fishing practices.
15. Explore linkages with the local government work USAID has done through the Ghana Strengthening Accountability Mechanisms (GSAM) project, USAID's Accountable Democratic Institutions and Systems Strengthening (ADISS) project, and USAID's support for MMDAs on Internally Generated Funds (IGF). Linkages might include: 1) locally focused anticorruption efforts and 2) fostering greater local and parliamentary accountability on fisheries issues.
16. Consider developing a focus on fisheries reforms and management as an important national issue for public attention in the 2020 elections and beyond, providing fisher associations, civil society organizations, and media outlets a platform for advocacy and awareness raising.

Partnerships with the Oil and Gas Industry:

17. Explore the potential for partnerships with the oil and gas industry. The regeneration of small pelagic fish stocks would benefit both artisanal fishers and decrease conflicts between oil and gas operations and fishers over shared marine space.

Building on and Sustaining PEA Work and Thinking and Working Politically (TWP):

18. Continue the PEA/TWP approach, integrating it into procurement and implementation in order to provide ongoing collaborating, learning, and adapting for the development of strategy and tactics that align fisheries reform efforts with the evolving context.

SMALL PELAGIC FISH STOCKS IN GHANA ARE DEPLETED:

*What is happening and what can **donors and implementers** do?*



Fishing Industry



Artisanal fishers use illegal methods to capture dwindling fish stocks and believe that enforcement is selective and unjust

Chinese-operated industrial trawlers engage in illegal fishing; regulatory capture

Increasing numbers of artisanal canoes

Women play an important role in buying, processing, and trading

Paramount chiefs and traditional authorities have weak engagement in fisheries management

District assemblies are not enacting by-laws in support of sound fisheries management

OVERARCHING RECOMMENDATIONS:

Adopt strategies to increase the voice of fisherfolk, including women; cap fleets; and seek greater transparency, effective management, and enforcement

Marine Police have limited resources to enforce laws and encounter resistance

Fisheries Commission capacity is weak and organizational culture is ineffective in implementing laws; has poor relationships with local communities and/or no presence



Systems of Governance

OVERARCHING RECOMMENDATIONS: *Continue to support fisherfolk associations and civil society organizations, government consultations with stakeholders, and legal reforms that prevent arbitrary decision-making and promote collaborative management*

Fisherfolk associations and civil society organizations are growing stronger

Ministry of Finance and Aquaculture Development lacks sufficient funding; has an ineffective organizational culture; has damaged credibility by not addressing IUU fishing by trawlers



Institutions

OVERARCHING RECOMMENDATIONS: *Broaden the range of strategies to produce organizational change and increased accountability at MOFAD and the Fisheries Commission, with expanded engagement to other potential proponents of fisheries reforms elsewhere in the government*

Ghanaian elites run shell companies that Chinese trawlers operate under license



Power & Politics

OVERARCHING RECOMMENDATIONS: *Leverage influence and convening power to develop partnerships and diplomatic strategies that increase incentives for government and industry stakeholders to agree on needed reforms*

Power is concentrated in the executive branch

Political parties influence votes through manipulation of subsidies, jobs, and regulatory enforcement

GHANA'S SMALL PELAGIC FISHERY A VALUABLE RESOURCE AT RISK

Ghana is facing a crisis of sustainability in its small pelagic fisheries that threatens the food security and livelihoods of a large segment of the population.

While the technical solutions to the problems in these fisheries have been known for some time, the necessary actions have not been implemented.

Here's why, and what can be done...

FINDINGS

What are the main issues preventing reform?

Regulatory Capture

- Illegal trawling by Chinese (saiko) threatens artisanal livelihoods
- Interests of Ghanaian elites weakened the political will to manage and enforce laws on trawler activities

Declining Artisanal Sector

- Catching fish by any means
- Enforcement is confounded by mistrust and resistance
- Fisherfolk—men and women—and traditional authorities aren't effectively engaged in management decisions and enforcement

Budget and Culture Limitations

- Ministry and Fisheries Commission budget hampers implementation of co-management, enforcement and other mandates
- Organizational culture discourages truth-telling and accountability

Politicized Management and Lack of Accountability

- Misuse of resources
- Political patronage overwhelms enforcement
- Fisheries Commission lacks transparency and internal controls



Industrial Trawlers



Fishers, Processors, Traders, & Civil Society Associations



Government Agencies



Elected Officials & Political Patronage

DETAILED RECOMMENDATIONS

What can we do about it?

Target Saiko Fishing

- Engage with international partners
- Support NGOs and media advocacy
- Strengthen enforcement capacity

Closed Season and Other Reforms

- Engage fisherfolk more effectively to strengthen reform process
- Implement 2019 closed season
- Empower women and mitigate risk of gender-based violence

Advocacy, Enforcement, and Empowerment

- Strengthen capacity to advocate for budget increase and generate internal funds
- Focus on visible, responsive, and unbiased enforcement
- Empower staff and regulate in cooperation with fisherfolk to strengthen management

Support Demand for Greater Accountability

- Enhance cooperation among international actors, including donors
- Greater transparency through media
- Demand accountability of local government for fisheries management
- Enlist Ghana Audit Service to conduct financial and performance audits

I. BACKGROUND

THE CRISIS OF GHANA'S SMALL PELAGIC FISHERIES

Ghana is facing a crisis of sustainability in its small pelagic fisheries that threatens the food security and livelihoods of a large segment of the population. The World Bank estimated in 2011 that more than 370,000 fishers, fish processors, traders, and boat builders are directly employed by the sector. Indirect economic linkages expand the sector's contribution to employment to nearly three million people or around 10 percent of Ghana's population. Fish provide around 60 percent of animal protein in the Ghanaian diet, making Ghana the country most reliant upon fish for nutrition in Africa.

In the coastal areas of Ghana, the fishing industry has deep cultural roots, encompassing a way of life and a network of social relationships in addition to its central role as a source of income. In general, men do the fishing and women handle processing and marketing. Processing is done by smoking, salting and drying, frying, and canning. Women also sometimes play a central role as financiers by funding fishing trips, which ensures their access to the catch.

There are three main categories of fishing in Ghana—artisanal/small-scale, semi-industrial/inshore, and industrial. Over 80 percent of Ghana's fishers are in the artisanal/small-scale canoe fleet, which targets small pelagic fish. Small pelagics are the sardinella, mackerel, and anchovies that inhabit the mid-water column and are the most important fishery for food security. However, there has been a sharp decline in small pelagic landings over the past two decades, from about 140,000 metric tons (mt) in the mid-1990s to around 20,000 mt in 2016, reflecting significant overfishing (Nunoo 2018). A collapse of fish stocks is possible if these trends are not reversed.

The main reason for the decline in small pelagic stocks is overfishing, including the use of illegal fishing practices. Over the past decade, the number of artisanal fisher canoes has increased from 10,000 to nearly 14,000. The Government of Ghana subsidizes fishing in various ways. For the small-scale sector, pre-mix fuel is heavily subsidized; imported fishing inputs such as nets, ropes, and cork floats receive tax-free treatment; and outboard motors are distributed at subsidized prices (Tobey et al., 2016). As stocks have declined, many canoe fishers have turned to illegal fishing techniques, including light fishing, fine mesh nets, dynamite, and the use of chemicals. Additionally, there is a conflict between artisanal canoes and industrial trawlers over the small pelagic stocks.

ILLEGAL, UNREPORTED, AND UNREGULATED (IUU) FISHING BY INDUSTRIAL TRAWLERS

The overwhelming majority of industrial trawlers are owned and operated by Chinese companies licensed under shell companies run by Ghanaian owners. According to multiple informants and published reports, these politically influential owners are widely believed to benefit financially from their sponsorship of the Chinese trawlers (Akapalu, Eriksen & Vondolia, 2018; Environmental Justice Foundation 2018). In principal, the artisanal fishery should not conflict with the industrial trawlers, which are licensed to catch demersal species like groupers, snappers, octopus, and cuttlefish. Industrial trawlers, however, use equipment and nets to illegally target small pelagic fish such as sardinella and mackerel. This places them in direct competition with artisanal fishers for the shrinking small pelagic fish stocks. The catch is flash frozen in slabs and transshipped to shore by canoes that have no fishing equipment of their own but are capable of handling heavy cargo.

This illegal catch and transshipment, known as *saiko*, is perceived by fisherfolk to be a significant threat to the artisanal fishery and is a symbol of unfair and unmanaged fishing practices that are driving an escalation in fishing effort—both legal and illegal. By one estimate, an average saiko canoe can carry up to 26 tons of fish, the equivalent of 400 artisanal fishing trips (Environmental Justice Foundation, 2018).

The estimates of the total size and impact of the illegal take of small pelagics by saiko vary considerably. It is estimated that up to 40 percent of the overall trawler take is “by-catch,” but there is considerable variation in the content of individual frozen slabs of saiko catches. Juvenile demersal fish (also illegal) are caught with small pelagics and the relative proportion of each varies from slab to slab. Moreover, it is unclear what percentage of the small pelagics is comprised of the four target species that make up 80 percent of artisanal small pelagic landings. These empirical uncertainties, however, stand in contrast to the strong belief of artisanal fishing communities that saiko is a serious threat to the sustainability of Ghana’s artisanal fisheries.

These two problems—illegal, unreported, and unregulated (IUU) fishing and overfishing among all fishing sectors—are the main threats to Ghana’s fisheries. Small pelagic stocks are currently estimated at only 14 percent of highest recorded landings and are dangerously close to the 10 percent threshold that researchers consider indicative of a collapsed stock (Froese et al., 2012).¹ The Scientific and Technical Working Group (STWG) of the Fisheries Commission estimated in 2017 that small pelagic stocks could collapse in three to seven years.

Implications of Illegal, Unreported, and Unregulated (IUU) Fishing

Global fisheries face an existential threat in the decades ahead as a result of IUU fishing:

- IUU fishing harms legitimate fishing activities and livelihoods, jeopardizes food and economic security, benefits transnational crime, and undermines ongoing efforts to implement sustainable fisheries policies.
- IUU fishing poses risks to both biodiversity and the rule of law.
- IUU fishers reduce expected government revenues through lost fees and taxes.

U.S. National Intelligence Council, “Global Implications of Illegal, Unreported, and Unregulated (IUU) Fishing,” 2016

Reversing the Decline in Small Pelagic Fish Stocks: A Closed Season

In an effort to try to reverse these alarming trends, the Ministry of Fisheries and Aquaculture Development (MOFAD) announced as a top priority in July 2018 plans for a closed fishing season to take place in August 2018. This would coincide with the time of year when small pelagics spawn, thus offering the best possibilities for a significant regeneration of fish stocks. The closed season was not

¹ In a recent technical paper on “Rebuilding of Marine Fisheries,” the Food and Agriculture Organization notes in its discussion of the literature on the concept of collapse that, “Perhaps more important than the reference level [maximum landings] is the rate and length of the decline of the resource, biomass or catch...” It also notes that complementary research indicates the importance of changes in reproductive diversity and social behavior in the resilience of fish populations (Garcia et al., 2018). Small pelagic stocks occupy an important ecological position. Lazar et al. (2017) note that, “the collapse of the pelagic stocks [would] have a domino effect on both higher and lower trophic species.”

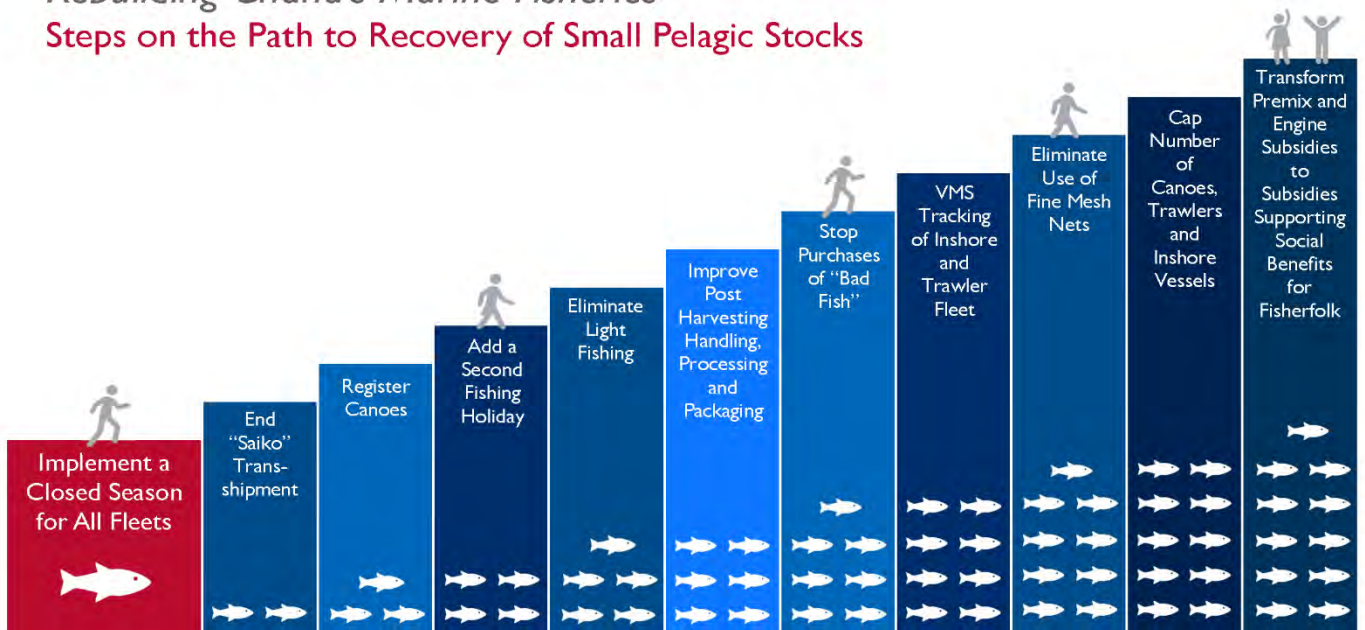
viewed as the sole solution to the artisanal fishery’s decline but a major step that could have a measurable impact and set an important precedent in fisheries management. If implemented on an annual basis, in combination with other measures for the proper management of the sector, MOFAD projected that the closed season could restore the small pelagics fisheries to 90,000 mt by 2030. Figure 1 shows the importance of a closed season as a cornerstone for reversing the decline of the artisanal fishery, while identifying the suite of additional reforms that are needed for it to be fully effective. In Figure 2, the black line shows the precipitous decline of the small pelagic fisheries in the past 20 years and the blue bars track MOFAD’s projections of the increase in these stocks by 2030, if key reforms are implemented in the sector.

The announcement of the closed season was made with little advance preparation or notice, evoking an unexpectedly strong protest from fisherfolk and fisher associations, most notably the Ghana National Canoe Fishermen Council (GNCFC). As a consequence of this political resistance, Ghana’s Cabinet withdrew the fishing ban for 2018, but MOFAD’s Minister declared her commitment to implementing the closed season in 2019.

FIGURE 1: SUITE OF STEPS TO REBUILD GHANA’S MARINE FISHERIES

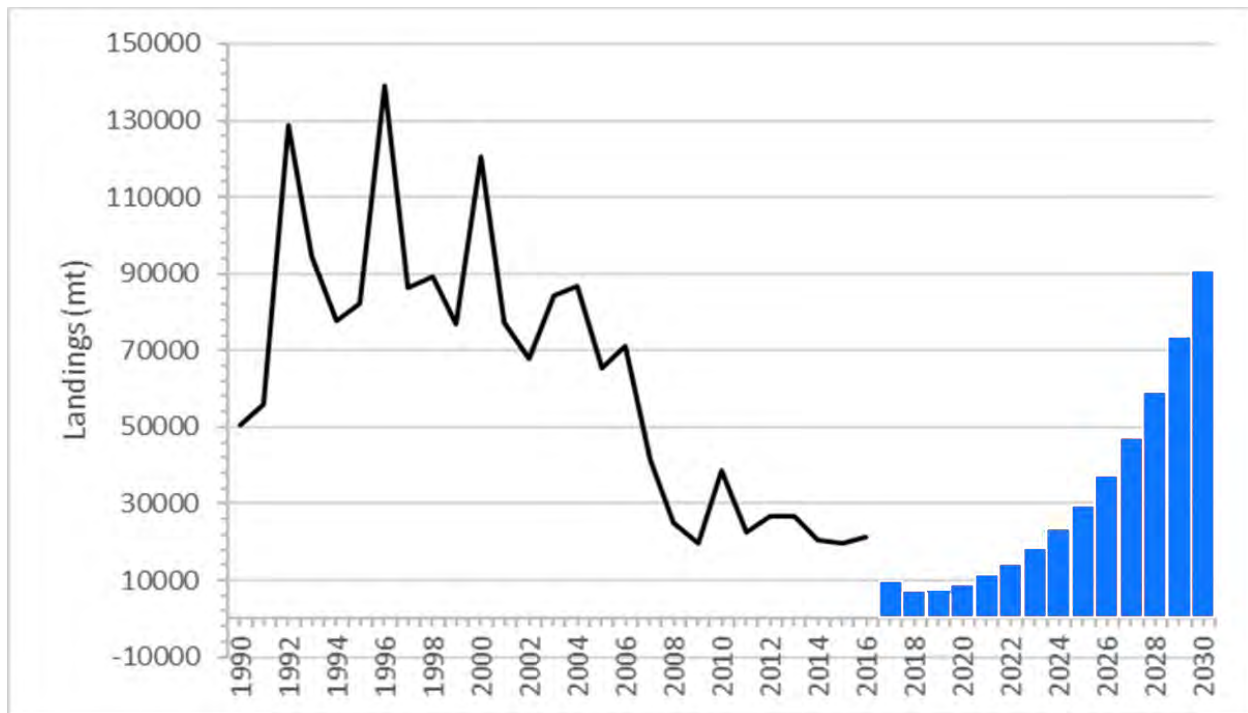
Rebuilding Ghana’s Marine Fisheries

Steps on the Path to Recovery of Small Pelagic Stocks



Source: SFMP

FIGURE 2: REVERSAL OF THE DECLINE IN SMALL PELAGIC FISHERIES BY 2030 BASED ON PROPOSED REFORMS



Source: F. K. E. Nunoo, Ministry of Fisheries and Aquaculture Development, 2018

The failure to implement the closed season further focused awareness on the potential costs of a collapse of the artisanal fishing industry. In addition to the loss of direct employment for more than 200,000 men and women, the knock-on effects on hundreds of thousands of other jobs in the fisheries value chain could result in a sharp drop in purchasing power and worsen food insecurity, with a strong likelihood of higher crime rates. Health risks would likely increase, especially for vulnerable populations such as the elderly and children. The potential could also increase for conflict with neighboring countries over shared marine resources as well as maritime piracy, already a growing threat in the Gulf of Guinea (ICC International Maritime Bureau, 2018).

Political instability could also result from the fallout of an artisanal fishery collapse. Three of the four coastal regions (Western, Central and Greater Accra) are well known for their swing votes in Ghana’s closely contested presidential elections and are sometimes referred to as “the Florida of Ghana.” In 2016, all three were won by President Nana Akufo-Addo’s New Patriotic Party, with just over 50 percent of the vote. While the closed season debate highlighted the electoral risks of hastily announced fisheries reforms, a collapse of the artisanal fisheries might carry larger political implications.

Most artisanal fisherfolk groups did not object, in principle, to the idea of a closed season. Instead, they said they felt insufficiently prepared to deal with its economic consequences and timing, which coincided with the August bumper season, annual festivals, and the payment of school fees. But the capacity that small-scale fisherfolk and NGOs demonstrated for organization and mobilization against the closed season was new and noteworthy. Their demonstration of political clout indicated that there may be new possibilities for stakeholders to hammer out a consensus on fisheries sector reforms and mechanisms for effective co-management of the fishing industry.

REVERSING THE DECLINE IN SMALL PELAGIC FISH STOCKS: REFORMING THE LEGAL AND POLICY FRAMEWORK

Working with USAID's Sustainable Fisheries Management Project (SFMP) and key fisher associations and institutions, MOFAD has drafted a "Policy Framework on Fisheries Co-Management" to provide a roadmap for moving forward on a new model of collaborative management for the sector. Other reforms that are being discussed among stakeholders include new fishing gear requirements, the elimination of illegal nets, cessation of destructive fishing practices (light fishing, chemicals, dynamite), the registration program for artisanal and small-scale canoes, and ending saiko transshipment.

In fact, the main elements of the necessary technical reforms in the fisheries sector have been known and widely discussed for at least a decade. In 2012, a special committee formed by the Fisheries Commission noted the urgent need to address the negative effects of saiko catches by industrial trawlers, but the situation has worsened since that time. In November 2013, the European Commission (EC) issued a "yellow card" sanction on Ghana for IUU fishing activities by Ghana flagged vessels. This involved "fishery products (mainly tuna species) illegally caught or transshipped." Faced with the prospect of significant export losses, the government of Ghana responded with legislative measures in the Fisheries (Amendment) Regulations of 2015 (L.I. 2217) and the Fisheries Management Plan (2015-2019). The government also established a Fisheries Enforcement Unit (FEU). The Fisheries Management Plan, however, has been weakly implemented since the election year of 2016 and the subsequent change in ruling parties. The FEU has limited resources that are insufficient to cover Ghana's 540-kilometer coastline.

It is this persistent gap between solutions on paper and the resolution of problems in practice that provides the underlying rationale for this Applied Political Economy Assessment (PEA). The failures to address the sustainability challenges in Ghana's artisanal fisheries are not scientific or technical but are primarily grounded in the political, economic, and institutional context and characteristics of the sector. Hence, this PEA is directed toward providing a deeper understanding of the way these factors influence the behavior of key actors in the fisheries sector to inform future USAID programming decisions.

The Institutional Setting of Ghana's Fisheries Sector

The Ministry of Fisheries and Aquaculture Development (MOFAD) is responsible for overall management of Ghana's fisheries resources and issues relating to the fishing industry. This includes obtaining approval and financial resources for implementing management plans, supervision of the implementing institutions, and overseeing collaboration between the Fisheries Commission and international organizations.

The Fisheries Commission is the lead implementing institution for the promotion and development of fisheries under MOFAD. The objective of the Commission is to regulate and manage the utilization of Ghana's fishery resources and coordinate policies in relation to them.

The Fisheries Act of 2002 requires the Commission to advance the development of artisanal fisheries and design fisheries management plans. The Fisheries Management Plan of 2015-2019 calls for reducing pressures on fish stocks, protecting marine habitats and biodiversity, enhancing exports and value addition, strengthening fisheries co-management, and meeting Ghana's international commitments.

The Fisheries Regulations stipulate requirements for the licensing and registration of semi-industrial and industrial fishing vessels, specify the legal parameters for net size and fishing gear, and ban harmful practices such as light fishing, the use of chemicals and dynamite, and pair trawling. The Regulations ban the transshipment of fish at sea, with only narrow exceptions. The Monitoring, Control, and Surveillance (MCS) Division of the Fisheries Commission, with the assistance of the Marine Police and the Fisheries Enforcement Unit (FEU), is charged with combating illegal, unreported, and unregulated (IUU) fishing.

UNDERSTANDING THE POLITICAL FRAME OF REFERENCE

Since 1992, Ghana's political system has revolved around competition between its two main political parties, the National Democratic Congress (NDC) and the New Patriotic Party (NPP). The NDC has roots in the revolutionary populist politics of the 1980s, but by the 1990s it already had turned toward party brokers, along with allied business associations and unions, and became reliant upon financial support from relatively affluent party members. In return for this support, party backers and their business interests benefited from loans, grants, and tax exemptions (Opoku, 2010).

The NPP, the political party on the right, was organized primarily around conservative urban elites. The NPP promised a pro-business government that would remove barriers to the private sector and develop domestic industries. But the imperative to maintain party support, with the electorate evenly divided, a four-year electoral cycle, and relatively few floating voters meant that the NPP could not afford to alienate any of its constituencies. High prices for gold and cocoa and increasing foreign aid helped to fund the NPP government during the 2000s. Patron-client relationships provided benefits at various levels and scales—jobs, contracts, development projects, water, health, schools—and responded to the short-term exigencies of securing and maintaining power (Lindberg, 2010).

As a result, despite their differing origins and ideologies, the political practices of the NDC and the NPP followed similar patterns that have become increasingly entrenched over time. These patterns have been strengthened institutionally by the concentration of political power in the executive branch, which effectively turns presidential elections into winner-take-all contests. Parliament, local government (Metropolitan, Municipal, and District Assemblies or MMDA), and oversight agencies (audit, procurement, corruption) are institutionally weak, poorly resourced, and/or subject to executive branch influence or control.

The Constitution requires the president to appoint at least 50 percent of the cabinet from Parliament, as well as 30 percent of members of the MMDA and all of their Chief Executives (MMDCE). The president can also create new districts, a mechanism that helps to generate votes for the ruling party but which leaves new districts underfunded and with low technical capacity. The number of appointed ministers and deputy ministers is on the rise; nearly a quarter of MPs serve in executive branch appointments. The Minister and Deputy Minister of the Ministry of Fisheries and Aquaculture Development, for example, are both members of parliament. The heads of key public sector agencies are often party supporters.

Those who are able to gain office as party loyalists expect to be repaid through decisions that produce material benefits or legal protection for their constituents or themselves. In the fisheries sector, this takes the form of subsidies such as fuel, boat motors, and fishing gear. Many informants also noted frequent political interference in law enforcement and the administration of justice. Overburdened law enforcement units and officials in the judiciary may choose not to enforce laws and regulations when they impinge on the interests of powerful political or economic actors directly linked to the party in power. Polls show that citizens have low levels of trust in law enforcement and the courts, and it is regarded as common practice when powerful interests implicated in violations of the law are treated with impunity.

The historic alternation in power of the NDC and NPP, with both parties vying for control of the networks of influence extending from the executive throughout the branches of government, comprise the "political settlement"² in Ghana that scholars and analysts generally refer to as *competitive clientelism*. The dependence of each party on various local groups and alliances for support further contributes to "a large number of distributional demands being placed on ruling elites in return for that support" (Whitfield, 2018).

The incentives and behavior of elected representatives and government officials are conditioned by these fundamental, structural features of Ghana's political dynamics. The winner-take-all nature of the system also means that policy decisions may be unstable and contingent, as they are subject to reversal or disregard when power shifts from one party to the other.

² USAID's Applied PEA guide defines *political settlement* as: "The expression of a common understanding, usually forged among elites, about how political power is to be organized and exercised, and how the nature of the relationship between state and society is to be articulated" (Rocha Menocal, 2011).

II. METHODOLOGY

PROCESS AND ROLES

The PEA was recommended by a “pause and reflect” exercise with USAID’s ongoing Sustainable Fisheries Management Project (SFMP). This collaborative review of the program’s context and theory of change identified key questions about threats to Ghana’s artisanal fisheries and the social, political and economic barriers to achieving needed reforms in fisheries management. With support from USAID’s BRIDGE program, an interdisciplinary team was assembled from USAID/Washington DC and USAID/Ghana and a literature review of the sector was prepared based on scholarly research, governmental and nongovernmental reports, and media sources, framed within USAID’s Applied PEA analytic categories (see the literature review in Annex II). Over a three-month period, the team held regular teleconferences to focus the PEA, prioritize research questions, identify key stakeholders, and craft tailored sets of interview questions.

The PEA assessment team included eight team members with interdisciplinary backgrounds covering fisheries, natural resource management, democratic governance, economic growth, and related areas of the natural and social sciences. The “applied” nature of the PEA was reflected in the team composition. Most of the team members were drawn from USAID/Washington DC (Office of Forestry and Biodiversity in the Bureau of Economic Growth, Education, and Environment; Cross-Sectoral Programming in the Center of Excellence on Democracy, Human Rights, and Governance, Office of Sustainable Development in the Bureau for Africa) and USAID/Ghana (Office of Energy and Natural Resource Management and the SFMP manager), supported in each case by a more extended team with direct interests in the PEA assessment results. The team also included a PEA expert consultant and a local fisheries expert whose previous work included a focus on the intersection of Ghana’s artisanal fisheries and the oil and gas sector.

IDENTIFYING QUESTIONS

Based on the SFMP pause and reflect exercise, the literature review, and team discussions prior to the field work, the assessment team developed one main research question, with ten supporting questions, to guide the assessment. These questions explored issues of participation, representation, voice, institutional performance, legitimacy, gender equity, corruption, and rule of law. In summary form, they are as follows:

MAIN QUESTION

What are the realistic political components (e.g., alliances, coalitions, budgetary commitments) and enabling and constraining factors for a viable pathway forward for reforms to stop overfishing and illegal fishing (e.g., closed season, gear requirements, canoe registration and eventual cap, reform of the premix subsidy, co-management), especially with respect to small pelagics in the artisanal/small-scale sector?

SUPPORTING QUESTIONS³

- I. What is the potential for stronger fisher associations with greater voice and political influence?

³ Full text versions of the supporting questions are in Annex I.

2. How can participation and representation of women be increased to influence fisheries reforms?
3. How can the support of opinion leaders for fisheries reforms influence high-level policymakers?
4. How can governance roles/responsibilities be strengthened to support fisheries co-management?
5. How can the Fisheries Commission address monitoring, enforcing rules, and co-management?
6. What are the economic/political drivers of illegal industrial trawler activities (e.g., saiko)?
7. How do bureaucratic/party politics affect possible implementation of proposed fisheries reforms?
8. How do subsidies and rents affect excess fleet capacity and law enforcement?
9. How are the Fisheries Enforcement Unit and Marine Police performing their tasks?
10. What are the areas of conflict/collaboration between artisanal fishers and the oil and gas sector?

FIELD WORK

From November 5-16, 2018, the eight-person team from USAID/Washington DC and USAID/Ghana divided in two and conducted 40 interviews and focus groups in Accra and Ghana's four coastal regions. The team met with government officials, national and international civil society organizations, industry associations, parliamentarians, assembly representatives, paramount chiefs, chief fishermen, fish mothers, research experts, journalists, and resource users. The scope of the assessment was limited by the relatively short time frame for the field work, which in a few cases did not coincide with the availability of potential key informants. See Figure 2 for the areas visited by the PEA assessment team.

ANALYSIS

While in the field, the PEA team conducted a preliminary analysis of the interviews, distilling the key findings and initial recommendations for future programming. These initial conclusions were further refined through more in-depth triangulation by an expert PEA consultant and iterative review by key partners. The answers to the research questions clustered around a number of key issues that are the focus of the following section on the report's main findings and are distilled in the recommendations for future USAID programming.

FIGURE 3: AREAS VISITED FOR PEA INTERVIEWS AND FOCUS GROUPS IN THE COASTAL REGIONS OF GHANA



III. FINDINGS

I. BRIGHT SPOTS: BUILDING BLOCKS FOR REFORMING FISHERIES MANAGEMENT

A CLOSED SEASON IN 2019

Although efforts for a closed season in 2018 fell short, a great deal of energy was generated around the closed season debate. As one longtime observer put it, “No one would have been talking about a closed season three years ago. Now everyone knows there’s a problem.”

After the conclusion of the field work for this PEA, on February 5, 2019, a consensus was reached between MOFAD and the three fishing industry segments for a 2019 closed season from May 15 to June 15 for the artisanal fleet, and August and September for the industrial fleet. This establishes a very important precedent of a first closed season for the artisanal fleet and extends the closed season for the industrial fleet. The trawler closed season focuses in particular on the peak spawning period for small pelagics, a de facto recognition of the impact of saiko. The artisanal closed season, though not optimal in its timing, will also have an impact since it is still within the spawning period and coincides with the tail of the minor upwelling. Most importantly, it will build the basis for closed seasons in subsequent years.

In order to have a lasting impact, the closed season for each industry segment needs to be institutionalized on an annual basis. Fishery stakeholders agreed to be open to different closed season dates in 2020, reflecting their initial commitment to this longer-term goal.

CANOE REGISTRATION SUCCESSES

Across coastal areas, good progress has been made in registering and embossing canoes. This advances the goal of registering the entire canoe fleet in order to cap their numbers and establish a moratorium on new entrants in the canoe fishery. Canoe registration also facilitates the identification of offenders engaged in illegal fishing practices. Saiko transshipment canoes, however, are not registered or licensed.



A REGISTERED CANOE ON THE BEACH IN VOLTA REGION

NEW CAPACITIES FOR STAKEHOLDER DIALOGUE

There are new possibilities for key stakeholder dialogue that converge with a critical window of opportunity to incorporate the input of fisher associations and resource users in the proposed Policy Framework on Fisheries Co-Management and amendments to the 2002 Fisheries Act. Both of these measures should have important consequences for artisanal fishing communities. If this new legal and regulatory regime can be successfully brought to completion, it has the potential to lead to a more effective and participatory system of deconcentrated fisheries management, with a greater field presence, and more effective and legitimate enforcement mechanisms.

AWARENESS OF THE PROBLEM

There is broad agreement in coastal communities that the fisheries have declined significantly and the situation must change. The continuing decline in fish landings and the recent increase in poverty has increased the sense of insecurity among many fisherfolk communities. Although there was some variation among the different sites visited, participants in interviews and focus groups expressed their awareness that the decreasing yields from fishing expeditions are indicative of the precarious state of the small pelagic fisheries. Media coverage has helped to contribute to public awareness, including radio and print discussions of problems in artisanal fishing management and the negative effects of saiko.

PRACTICAL SYNTHESIS OF THE SCIENCE

The work of the Scientific and Technical Working Group (STWG) at the Fisheries Commission has provided a scientific basis for estimating current small pelagic stocks and explaining the benefits of implementing a closed season during the time that small pelagic species spawn. Despite limited resources and outreach capacity, the Fisheries Commission made efforts, with the assistance of SFMP, to sensitize communities to the scientific basis and need for a closed season. For example, fish processors at Elmina said that the Fisheries Commission brought a cross-section of fisherfolk leaders to Accra for a discussion of the rationale for the proposed closed season. Researchers at the University of Ghana and the University of Cape Coast have helped to increase the relevant knowledge base about the current status of small pelagic stocks.

INCREASINGLY EFFECTIVE CIVIL SOCIETY ORGANIZATIONS AND FISHER ASSOCIATIONS

Key informants from all four regions agreed that—despite remaining weaknesses—there is a new level of engagement on key issues in the fisheries sector by the leading fisher associations, including the Ghana Industrial Trawlers Association (GITA), Ghana Inshore Fisheries Association (GIFA), and most notably, the Ghana National Canoe Fishermen Council (GNCFC), which represents thousands of artisanal fishers. This pattern of increased engagement extends to the groups representing women traders and processors, including the National Fish Processors and Traders Association (NAFPTA), the Central and Western Fishmongers Improvement Association (CEWEFIA), and the Development Action Association (DAA).

At the end of the third year of its operations, the SFMP assessed that building the capacity of fisherfolk organizations was a top priority for achieving greater policy impact. Many interviewees attested to the importance and effectiveness of SFMP's efforts to train, build capacity, and foster dialogue with fisher associations, civil society, industry groups, and the Fisheries Commission. Although still a work-in-progress, SFMP's investments in organizational strengthening (human resources, planning), financial management, and technical skills have helped to make these organizations more effective.

The Fisher-to-Fisher Consultative Dialogue (F2F), which brought together the GNCFC and Fisheries Commission, has been especially successful. The second phase of F2F, which should include the representation of women traders and processors, will begin in early 2019 and will push forward on such issues as counting and capping the canoe fleet, licensing canoes, introducing a second fishing holiday (adding Sunday to Tuesday), and addressing illegal fishing techniques such as light fishing, chemicals and the use of small mesh nets.

Dialogue among fisher associations is sometimes difficult but is likely to increase. Despite the divergence in the positions of the GNCFC and GITA on saiko, the association leaders said they still had good relations. NAFPTA and the CEWEFIA already work on common issues with the GNCFC. The Fisheries Commission has generally followed a bilateral model in its discussions with the fisher associations, but the success of the Fisher-to-Fisher dialogues and the willingness of fisher associations and CSOs to enter into multistakeholder discussions indicated there may be new opportunities to hammer out a lasting consensus on the closed season and linked issues of IUU fishing enforcement.

2. REGULATORY CAPTURE AND SAIKO: INDUSTRIAL TRAWLERS EFFECTIVELY OWNED AND OPERATED BY CHINESE COMPANIES, DESPITE LICENSING UNDER GHANAIAN

FRONT COMPANIES, ENGAGE IN SAIKO TRANSSHIPMENT. THIS IS MADE POSSIBLE BY WHAT KEY INFORMANTS REFERRED TO AS “POLITICAL INTERFERENCE,” OR REGULATORY CAPTURE.

According to multiple key informants, the front companies for industrial trawlers are owned by politically powerful and influential, yet unnamed, Ghanaians, whose interventions with legal and regulatory authorities allow industrial trawlers to engage in illegal fishing practices, such as saiko catch and transshipment, with near impunity. In these instances of political interference, MOFAD and the Fisheries Commission are vulnerable to regulatory capture, i.e., “advancing the political or commercial concerns of the very people, companies, or entities it is supposed to be regulating.”

BENEFITS FOR FOREIGN OPERATORS AND FEW GHANAIS

While Ghanaian companies are on paper the de jure owners of these vessels, Chinese companies are the de facto “beneficial owners.” The behavior of Chinese trawler operators indicates they are not concerned about the potential collapse of Ghana’s fisheries. The economic gains realized by industrial trawlers in Ghana accrue predominantly to the Chinese beneficial owners (and their Ghanaian partners who obtained their licenses), with few benefits to the majority of fishers or the general Ghanaian population more broadly.

License fees for industrial trawlers in Ghana are far below those of other West African countries. Most saiko fishers do not pay taxes on their landings or operations. Saiko fish are also cheaper than artisanal catches, creating downward pressure on market prices and artisanal incomes. The value of the rents obtained by the Ghanaian front company owners is not publicly known.

The negative impact of industrial trawler activities and saiko extend beyond economic and biological effects. According to the nongovernmental organization, Friends of the Nation, the Fisheries Enforcement Unit has not been able to prosecute a single case of saiko. One key informant familiar with cases of failed law enforcement said that “the calls [i.e., political interference] often come as soon as there is an attempted arrest.” Another experienced and well-placed observer said of the trawlers, “The government has allowed itself to be taken hostage by certain constituencies.” Development partners also expressed serious concerns about the impact of industrial trawlers and the illicit influence of businessmen and party members (Akpalu, Eriksen & Vondolia, 2018).

PATRONAGE AND INFLUENCE

Reports of absent law enforcement and regulatory capture have damaged the credibility of MOFAD and the Fisheries Commission. As an example, the Fisheries Commission placed observers on industrial trawlers a few years ago in response to European Commission concerns about illegal transshipments. Three key informants reported that the roster of trawler observers includes young men who appear to have been selected as a matter of patronage rather than qualifications.

Several interviewees said that Chinese diplomats have interceded with high officials on behalf of the trawlers, even though there is no official record of Chinese vessel ownership in Ghana's registration records. These diplomatic contacts occur in the larger context of Chinese investments in Ghana, which include about \$50 million for the Jamestown Fishing Port Complex.

The government's handling of industrial trawlers could be determined by the interests of hundreds of thousands of voters in

coastal regions dependent on artisanal fishing, if they find effective political expression. Civil society advocates said that ultimately the issue of illegal fishing by Chinese trawlers needs to be nationalized in the same way that reports about *galamsey* and the devastating effects of illegal small-scale mining galvanized the attention of the nation and forced politicians to act.

At the grassroots level, chief fishermen were reportedly "really angry" about lax regulation of Chinese trawlers and asked how in that context they could be asked to crack down on illegal artisanal fishing or to endorse the idea of a closed season. The perceptions of injustice in relation to both the illegal practices of Chinese trawlers and the failure of the government to respond to them with legal sanctions create a flashpoint that undermines efforts to reach broader agreements on key fisheries management issues.

3. THE ARTISANAL SECTOR IN DECLINE: LIVELIHOOD INSECURITY, INEFFECTIVE LAW ENFORCEMENT, AND DYSFUNCTION IN LOCAL GOVERNANCE ARE INCREASING FRUSTRATIONS AT LANDING BEACHES.

PERVASIVE USE OF ILLEGAL FISHING METHODS

At sites visited in all four coastal regions, there were reports of the use of illegal fishing practices by artisanal fishermen. Light fishing, chemicals, dynamite, and monofilament nets are being used to varying degrees all along the coast. These practices are driven both by declining small pelagic fish stocks and a belief that the government's enforcement of laws against IUU fishing is both unjust and selective. These dissatisfactions produce a drive to "catch fish by any means."



WOMAN CARRYING FROZEN SLABS OF SAIKO AT ELMINA

CATCHES ARE DOWN

Fisherfolk at many of the landing beaches visited said that it has become much harder to catch fish, incomes are down, and operating expenses cause some fishermen to go into debt. On a normally busy midweek fishing day at Tema, the largest artisanal canoe landing dock in the country, there were hundreds of idle canoes that in the past would have been out on fishing expeditions. A woman fish wholesaler who was interviewed estimated that up to 70 percent of fishermen no longer go out fishing regularly because of the high costs of fuel and equipment compared to the small size of their catch, which is “either very small fish or no fish at all.”

RESENTMENT AGAINST LAW ENFORCEMENT

Artisanal fishermen not only believe that industrial trawlers are unfairly and illegally targeting small pelagics but also view the attempted arrests of artisanal fishermen engaged in light fishing and other infractions as arbitrary. Given how widespread the use of light fishing and other IUU fishing practices is among artisanal fishers, any specific attempt by the Fisheries Enforcement Unit (FEU) or Marine Police to arrest an offender appears to be selective and unfair. At times, resentments against enforcement efforts at the landing beaches have led to protests and violence.

In interviews, the Marine Police provided a contrasting perspective on essentially the same problem. The Marine Police said they simply have very limited resources to enforce the laws relative to the more than 300 landing beaches along the coast. As a consequence, it is not possible to apply the fisheries regulations in a way that always appears to be visible, uniform, and even-handed. Chief fishermen also encounter resistance and resentment when they try to apprehend artisanal fishers in violation of the law. In interviews, chief fishermen in both the Volta Region and the Western Region said they could not arrest violators because it was too dangerous. They each said that they would need a stronger police presence if they were to be able to enforce regulations.



ARTISANAL FISHERMEN PROTEST ATTEMPTS TO BAN LIGHT FISHING.

DYSFUNCTION IN TRADITIONAL AND FORMAL GOVERNANCE

Many of the conflicts between artisanal fishers and both formal and informal authorities are linked to fractures and poor coordination among key actors within communities and local government. In most communities, the paramount chief and traditional authorities are respected figures with the potential to play a stronger role in fisheries management, but interviews found them to have generally weak engagement. In some communities, there was conflict between the chief fisherman and the chiefs, and in others the chief held formal meetings but relied on the chief fisherman to make substantive decisions.

While chief fishermen are often influential, their powers are at times constrained by party politics—a chief fisherman can lose influence in the community if “his party” loses, bringing about a change in government. Chief fishermen are also sometimes viewed by discontented fishers as complicit if they work with government and law enforcement officials and have been implicated in illegal practices themselves.

Despite the formal expectation that district assemblies are to enact by-laws in support of sound fisheries management, there is little evidence of that taking place. Interviewees stated that district assembly members are often missing in action unless they perceive a tangible benefit. One specific example that was cited is the profit from sale of the pre-mix fuel used by canoe fishermen for their outboard motors. Subsidized pre-mix is delivered by the government to landing beach committees, which then sell the pre-mix at a profit, with the proceeds available to be used for the benefit of the community. According to key informants, however, this process is often manipulated. For example, one chief fisherman said that pre-mix profits had been placed under the control of the MMDA chief executive. When the landing beach committee repeatedly wrote asking for a statement of the pre-mix account, there was no response.

While these kinds of problems of local governance are frequent throughout the coastal regions, their characteristics vary from location to location. What they have in common is a demonstrated need for co-management based on greater transparency and accountability based on arrangements that are tailored to regional differences.

4. WOMEN’S VOICES AND FAMILY RESILIENCE: DESPITE WOMEN’S KEY ROLES AS PROCESSORS, TRADERS, HARVESTERS, AND FINANCIERS, THEIR VOICE AND ORGANIZATIONAL REPRESENTATION IS ONLY JUST BEGINNING TO REALIZE ITS POTENTIAL. RESOURCE SCARCITY AND ITS EFFECTS ON FAMILY POWER DYNAMICS RAISE CONCERNS ABOUT GENDER-BASED VIOLENCE.

Women are at the heart of fishery value chains and fishing communities, but despite this central role in the sector, their voice and organizational representation is only just beginning to realize its potential. Effectively engaging women in fishery management is essential for achieving successful reforms and necessary to guard against negative impacts on fishing families and increases in gender-based violence (GBV).

WOMEN AND FISHERIES

In Ghana, women play key roles in processing and trading small pelagics and they are sometimes financiers of men’s fishing trips. Women also directly harvest oysters, as in the Densu estuary where

they have demonstrated best practices in fisheries co-management as part of SFMP. Both the long-term health of fisheries and proposed fishery reforms will directly affect the livelihoods of women working in fisheries, with ripple effects on families since women's income often supports school fees and health expenses.

EFFECTS OF FISHERY HEALTH AND MANAGEMENT DECISIONS ON WOMEN AND FAMILIES

Women have been affected by the insecurity caused by declining fish stocks and will be affected by management decisions implemented to remedy this critical situation. For example, fish mothers interviewed at different landing sites stated that their first priority is to secure funds to support other women in need. Women in several locations expressed general support for the closed season but had strong concerns about how they would survive it financially.

Women and families have varying degrees of resilience for coping with these changes based on the availability of other income-generating activities and access to supportive financial tools. Despite some success with Village Savings and Loan Associations (VSLA), many women need better access to savings, loans, and other financial tools, such as insurance, to manage and maintain their businesses and households. Engaging women in management planning and announcing management interventions early will increase women's resilience by allowing them to influence program design and allowing them time to prepare. As one fish mother said, "we need to start saving now if there is going to be a closed season next year."

The crisis of Ghana's artisanal fisheries also raises concerns about gender-based violence. Declining catches and lost income are increasing the insecurity of women and placing significant stresses on family resilience. One recent news report told of fishermen in Elmina who experienced repeated failures in fishing expeditions, with one young fisherman saying, "I cannot go home with empty hands and excuses" (Graphic Online, 12 November 2018). The experience of other countries shows that the combination of resource scarcity, a sense of powerlessness, and changing family power dynamics is often a precursor to increases in gender-based violence. Until Ghana's artisanal fisheries show signs of recovery, this is an area of potential concern for women in the country's coastal regions.

WOMEN'S EMPOWERMENT AND REPRESENTATION IN FISHERY MANAGEMENT DECISIONS

Given that the health and management of small pelagic fisheries directly affect the lives of women in fishing villages, women have clear interests that warrant a key role in fishery management decisions. Interviews indicated that the interests of women are often weakly represented at the community level in landing beach committees and local government. Only a very small minority of members of landing beach committees are women, and communication and information sharing between chief fishermen, fish mothers, and other women on issues such as the closed season varies significantly by location.

However, relatively new organizations have been created to address the needs of women fish processors and traders and have provided gradually improving, but uneven, representation of women's interests. With their relative strengths and weaknesses, the Central and Western Fishmongers Improvement Association (CEWEFIA), the Development Action Association (DAA), and the National Fish Processors and Traders Association (NAFPTA) need to work in complementary fashion if women's interests are to gain greater visibility and produce concrete results. Increasing the collective

participation of women would produce a strong multiplier effect on coalition-building in support of fisheries reforms.

CEWEFIA is a well-established organization in the Central and Western Regions that implements programs to advance the socioeconomic well-being of women and children, accompanied by a focus on training in governance skills for women, and advocacy for dialogue with district assemblies, MPs and government ministries. One goal is to prepare women to serve as members of district assemblies, where women are severely under-represented (only 5 percent of MMDA councilors are women). DAA is an NGO that works in the Greater Accra and Central Regions on issues of poverty and socio-environmental justice. DAA has provided training for women processors and has actively advocated responsible fishing practices; under SFMP, DAA opened a new training center for women that offers a unique resource to advance women's economic empowerment.

NAFPTA has only been in existence for three years, but it has the advantage of being the only national organization to represent women processors and traders. Because NAFPTA was created with the support of the prior MOFAD minister and the World Bank during the run-up to the 2016 election, it was regarded by some as a political creation. According to interviewees, a delay in delivering government-supported soft loans promised to NAFPTA members added to public skepticism about its real institutional strength. However, key informants said that NAFPTA has recently worked hard to establish itself as an independent NGO, and it has collaborated closely with the GNCFC to develop a common policy agenda between artisanal fishers and women processors and traders.

FISH PROCESSING AND TRADE AS LEVERAGE POINTS FOR CHANGE

Increasing women's participation also introduces another element for driving change—the influence of purchasing power and market leverage for fisheries reform. While the process of reforming Ghana's small pelagic fisheries to achieve sustainability is underway, fisherfolk will not be able to increase family incomes by catching more fish; however, they can increase income by improving the value of their fishery products.⁴ With supportive enabling conditions in place, this value addition can reinforce purchasing preferences for legally caught fish. The combination of value addition with fisheries management is an important pathway for achieving long-term sustainability in Ghana's small pelagic fisheries.

As an initial step in this process, women have pushed back against IUU fishing by refusing to purchase “bad fish,” including those caught through the use of chemicals and dynamite, as well as juveniles caught with undersized nets. With education and more transparent pricing, Ghanaian consumers might prefer to buy fish that is legally caught, without chemicals, and would be willing to pay a bit more. There is already a movement to increase fish value based on healthier fish processing techniques.

It is currently less clear how this approach will translate into countering illegal saiko. According to staff at CEWEFIA, 90 percent of the saiko that is landed is transported upcountry and processed and sold by women in the hinterland, who are yet to be sensitized to the illegal origins of saiko catches. From the

⁴ Once reforms are implemented and established, fish stocks are expected to rise and fishing families can expect larger and more reliable catch in the future. For example, implementing a closed season during the small pelagic spawning period and eliminating illegal fishing gears will allow more fish to be caught once stocks recover.

standpoint of consumers in these regions, saiko is a sought-after commodity, as it is well-frozen in durable blocks that ensure its food safety.⁵

5. THE MINISTRY OF FISHERIES AND AQUACULTURE DEVELOPMENT (MOFAD) HAS INADEQUATE RESOURCES AND A DYSFUNCTIONAL ORGANIZATIONAL CULTURE: THE BUDGET OF MOFAD DOES NOT REFLECT THE IMPORTANCE OF FISHERIES TO THE COUNTRY (IT IS FAR OUTSTRIPPED BY OUTLAYS FOR THE PRE-MIX SUBSIDY), AND IT IS INSUFFICIENT FOR IMPLEMENTING CO-MANAGEMENT AND OTHER MANDATES. MOFAD'S BUREAUCRATIC CULTURE DISCOURAGES OPEN DISCUSSION AND PROFESSIONAL COMPETENCE.

UNDERVALUING THE FISHERIES SECTOR

The MOFAD annual budget, currently \$11.85 million, is low in relation to the sector's contributions to employment and food security as well as its regulatory and law enforcement obligations. Ghana's small-scale fisheries contribute an estimated \$340 million in annual revenues or around 3 percent of GDP. With the multiplier effect of direct and indirect economic linkages, the total value of these fisheries reaches approximately \$1 billion a year (Belhabib et al., 2015). MOFAD's low funding level reflects what appears to be the lower prioritization given to fisheries compared with other sectors and ministries. Key informants pointed out that the Ministry of Fisheries and Aquaculture Development is seen as a relatively weak player in the give and take of the government's bureaucratic and parliamentary politics.

Part of this, according to several interviewees, is the result of the Ministry's inability to adequately articulate and document the value of the functions that it performs. The Ministry does not effectively itemize and explain its budget, weakening its ability to justify its activities to parliament. As one benchmark of this failure, global good practice recommends reinvesting 10 percent of the value of a fishery into its management. Current funding levels indicate that Ghana reinvests only 1 percent.

Further, the Ministry's internal budget prioritization does not reflect the fishery sector's most pressing needs. For example, despite the critical need for improved enforcement, the current budget allocation for the Monitoring, Control, and Surveillance (MCS) Division is just 5 percent of MOFAD's annual budget. There was near-unanimous agreement among interviewees that the Fisheries Enforcement Unit and Marine Police are severely lacking in both personnel and equipment.

The Ministry is also inefficient in the use of its existing resources. Currently, low fishing license fees, uncollected fines, and opaque practices surrounding the Fisheries Development Fund represent an unrealized opportunity to supplement budgets with internally generated funds (IGF).

These budgetary considerations can be viewed in juxtaposition to the pre-mix subsidy, which many observers criticized as an inefficient policy that contributes significantly to excess capacity in the fishing sector. As pointed out in a report on subsidies written for SFMP, "Providing a subsidy on the most costly operational component of fishing can only lead to greater fishing effort resulting in more boats

⁵ While consumers in northern Ghana benefit from the availability of saiko, the continuation of the practice of saiko transshipment remains a threat to the sustainability of the entire small pelagic population, with the economic and social costs described above. A "managed" approach to continuing saiko would require establishing consensus through a transparent and open dialogue among all the affected stakeholders in the fisheries sector, relatively few of whom would be likely to support the idea.

and more rapid depletion of fish stocks. It also results in lower catch per unit effort which reduces income per fishing vessel” (Tobey et al., 2016). Nevertheless, the Government of Ghana spends around \$44 million annually on the pre-mix subsidy, or nearly four times MOFAD’s entire annual budget.

PROBLEMS OF ORGANIZATIONAL CULTURE, COMMUNITY RELATIONS, AND TECHNICAL GAPS

Beyond the inadequacies and inefficiencies in MOFAD’s budget, a number of interviewees also said that the current culture at the Ministry and Fisheries Commission discourages ethical behavior and initiative and limits open discussion with staff. Professional staff who have expressed critical viewpoints or declined to implement what they believed to be improper decisions have been sidelined. Conversely, technical staff have at times been unable to execute what they considered to be sensible measures. This represents a lost opportunity to benefit from the contributions of qualified professional staff who care deeply about the mission of the Fisheries Commission and the important issues it addresses.

The Fisheries Commission also has a low reputation and poor relations with many local communities, a problem acknowledged by leadership at the Fisheries Commission itself. Viewed from Accra, relations with artisanal fisher groups are considered to be sometimes prickly and difficult, and both sides acknowledge that in many areas there is little public trust in the Fisheries Commission’s reliability and capacity to carry out its mandate. On some issues, the Fisheries Commissions has worked well locally with civil society organizations but overall, despite its regional offices, the Fisheries Commission needs a stronger regional and local presence. During interviews, complaints were frequent about the absence of the Fisheries Enforcement Unit.

Staff at the Fisheries Commission also acknowledged that the lack of resources contributed to gaps in technical knowledge and expertise. For example, there is very limited catch enumeration. Similarly, although the regulation of fishing gear is an important aspect of addressing IUU fishing, gear experts at the Fisheries Commission had retired but not been replaced.

6. FISHERIES MANAGEMENT IN GHANA IS HAMPERED BY A LACK OF TRANSPARENCY AND ACCOUNTABILITY: PARTY POLITICS AND RENT-SEEKING BY POWERFUL INDIVIDUALS HINDER SOUND DECISION-MAKING AND AFFECT THE INTERESTS OF HUNDREDS OF THOUSANDS OF GHANAIS WHOSE LIVELIHOODS ARE DEPENDENT UPON EFFECTIVELY MANAGED FISHERIES.

PARTY POLITICS

The management of Ghana’s fisheries is subject to the effects of longstanding patterns in the country’s party politics and patronage. One of the most the most frequently criticized components of fisheries management is the pre-mix subsidy, which one observer called “the Achilles heel of the fisheries sector.” Multiple local leaders and fisherfolk stated that pre-mix funds are party-controlled resources that have been used by both parties for political patronage and personal profit. According to both news reports and interviews, pre-mix is diverted for illicit sale for other purposes (e.g., industry, vehicles) or withheld from communities not aligned with the current ruling party.

In 2017, the Ghana National Canoe Fishermen Council sent a petition to the Minister of Fisheries and Aquaculture Development stating that “self-proclaimed NPP functionaries” were overthrowing the “lawfully constituted landing beach committees” and taking “charge of the sale and management of

premix fuel.” The MOFAD Minister responded that the National Petroleum Authority (NPA) was the institution with a tracking system and therefore better placed to act on the diversion of premix fuel (Citifmonline, November 29, 2017). Nevertheless, interviews suggested that both the diversion of pre-mix for the benefit of those controlling the resource and selective disbursement of pre-mix based on patronage and party affiliation continued. One community leader interviewed in the Volta region reported the smuggling of pre-mix to Togo. A number of fishermen in the Volta region also appeared to confirm that the allegation asserted in the 2017 GNCFC petition still held true, reporting that while they had been involved with the distribution of, and had benefited from, the pre-mix subsidy prior to the 2016 election, they were cut out from managing pre-mix and discriminated against in receiving pre-mix thereafter based on their real or perceived affiliation with the opposition party.⁶

LAW AND GOVERNANCE

Fishing licensing fees and fines are placed in the Fisheries Development Fund (FDF). Fines are far below the amounts prescribed by law because of the non-transparent nature of the Alternative Dispute Resolution (ADR) used to expedite court cases against trawler companies in violation of the law. These cases are commonly sent by judges to the out-of-court Settlement Committee under ADR, which often is subject to political interference and the reduction (or ultimate non-payment) of fines (Akpalu, Eriksen & Vondolia, 2018). The amounts and use of the Fisheries Development Fund itself are opaque.

Two experienced and well-placed interviewees said that saiko is a source of income for Ghanaian “big men” and “politicians,” and for that reason it is extremely difficult to enforce legal prohibitions on the transshipment of fish from trawlers to canoes. Several key informants pointed out that canoe owners (not canoe fishermen) also are highly profitable business people. Some of the canoe owners who engage in saiko are also “big men” who are making a lot of money from the business.

The Fisheries Commission Board is an interagency body representing all sectors that is supposed to provide advice on all issues related to the development and management of Ghana’s fisheries. Two seats on the board are reserved for the fishing industry, one for industrial interests and one for artisanal fisherfolk. Leaders from the artisanal sector said, however, that without consultation the Fisheries Commission appointed a person unknown to them as the representative of the artisanal sector.

At a more fundamental policy level, it does not appear that there has been dedicated monitoring of the slow and very limited implementation of the 2015-2019 National Fisheries Management Plan (NFMP). While the transition in governments after the 2016 elections caused a natural pause in advancing the NFMP, little progress has been made since that time.

CONCERNS OF OUTSIDE OBSERVERS

USAID’s development partners have expressed their concern over the problems of politicization and lack of accountability. The EU ambassador to Ghana has described IUU fishing in the country as “a free for all, in which the powerful grab the resources, the powerless suffer and...there will be no fish left for anyone” (ghanabusinessnews.com 26 July 2017). The World Bank concluded the first phase of its West Africa Regional Fisheries Project (WARFP) in September 2018, but has set conditions on continuing with

⁶ In his State of the Nation address in Parliament on February 21, 2019, President Akufo-Addo announced his continuing support for a recently instituted program of pre-mix fuel tracking and auditing, “which has insured that, since November 2018, there has been no report of pre-mix diversion, a marked improvement from the past.”

a second phase, including a reduction of trawler effort, transparent procedures for licensing, and improved selectivity of fishing gear for trawlers.

There is strong agreement across a diverse cross-section of stakeholders that the general public is not well-informed about the nature and scope of the management problems in Ghana's fisheries or the potential costs to the country of a fisheries collapse. In an interview, one journalist who covered the harmful effects of *galamsey* said that investigative journalists see the fisheries sector as a similarly important, as-yet-untold story. The media do not presently have the financial resources to conduct such a large investigative effort (big mining companies helped finance investigative journalism on *galamsey*). He said that the public would respond to the fisheries crisis if they were presented with "detailed, hard evidence" and that a full public understanding could have an important impact on high-ranking government officials.

7. GROWING CONFLICT BETWEEN FISHERIES AND OIL AND GAS: DESPITE COMMUNITY CONCERNS AND INCREASING CONFLICTS BETWEEN ARTISANAL FISHERIES AND THE OIL AND GAS SECTOR, THE ROLES AND RESPONSIBILITIES OF THE CENTRAL GOVERNMENT AND DISTRICTS IN MITIGATING CONFLICT AND PROMOTING COLLABORATION REMAIN UNCLEAR. NEITHER THE FISHERIES COMMISSION NOR THE DISTRICT ASSEMBLIES HAVE SUFFICIENT RESOURCES TO RESPOND EFFECTIVELY. STRONGER INTERAGENCY COORDINATION AND PRIVATE SECTOR COLLABORATION AS ENVISIONED IN THE NEW LOCAL GOVERNANCE ACT OF 2016 WOULD INCREASE OPPORTUNITIES FOR MEANINGFUL CONFLICT RESOLUTION.

MARINE SPACE AND COMMUNITY FEARS

In the Western Region there are conflicts over marine space between fishers and oil and gas operators. Fishers are of the view that developments in the oil and gas sector have resulted in the depletion of fish stocks and note the many oil supply vessels in the area of Sekondi. The areas around oil rigs are subject to 500-meter exclusion zones, but the lights of oil rigs attract fish. Fishermen say that ocean currents take their canoes at times into the exclusion zones around Floating Production Storage and Offloading (FPSO) platforms. Recently, Aker Energy hired 25 fisheries liaison officers (all fishermen) to be based on vessels with the assignment of protecting the FPSO and enforcing the 500-meter exclusion zone.

Oil spills have raised community concerns over impacts on water, health, infrastructure, and fish populations. The chiefs of the Western Region have advocated that 10 percent of oil revenues be allocated for the development of infrastructure and livelihood opportunities in the region, but they have yet to receive a favorable political response.

Oil and gas production has been associated with the influx of more Nigerians and other foreigners into Ghana, attracted by the opportunity for work, and some local observers believe this has contributed to an increase in the number of people engaged in social vices such as prostitution. All of these impacts contribute to what one key informant termed "simmering tensions" between fisheries and the oil and gas companies.

CORPORATE SOCIAL RESPONSIBILITY

Oil and gas companies have tried to set up offices with Community Liaison Officers (CLOs) in the six coastal districts of the Western Region, but according to researchers from the Center for Democratic Development (CDD) it is still difficult for the public to access information. CLOs undertake a limited number of projects, often with the collaboration and involvement of the district assemblies, but there is often no clear indication of how such projects are selected and implemented. Researchers have received reports from local communities that some assembly members take advantage of corporate social responsibility (CSR) projects for their own political gains.

Oil and gas companies have started to engage communities directly in consultations on the implementation of CSR projects. However, some projects are implemented without any consultative process or they are decided under circumstances that make it very difficult for community members to participate. Communities often lack the funds to pay for consultation processes. In Shama, for example, CDD had to pay for the consultation process.

WEAK OVERSIGHT AND CONFLICT RESOLUTION

In 2016, the Fisheries Commission stated that given its limited resources it was not capable of overseeing the impacts of oil and gas activities on the fisheries. Fisheries governance in Ghana is not decentralized, creating problems for the coordination of functions at different levels. In principle, there should be stronger interagency collaboration, in line with the provisions of the new Local Governance Act of 2016. The Act presents an opportunity to move to local-level, inter-sectoral governance for improved effectiveness. One key informant recommended that the Ghana National Petroleum Corporation (GNPC), the government agency responsible for managing the exploration and production of oil, set up an office in Takoradi, the capital city of the Western Region, to more effectively address the impacts of oil and gas operations.

According to CDD, local authorities are not powerful enough to resolve oil and gas conflicts, and the central government is not inclined to engage on them. Fisher associations are relatively well organized and often have informal means of engaging in direct negotiations with the oil and gas companies to resolve conflicts. To date, however, both public sector and private sector engagement on conflicts between artisanal fishers and the oil and gas sector have been relatively ineffective and require clearer and better defined mandates.

IV. CONCLUSIONS AND RECOMMENDATIONS

THE DYNAMICS OF REFORM

A collapse of Ghana's artisanal fisheries is likely to result in serious consequences for hundreds of thousands of Ghanaians in terms of unemployment, food insecurity, increased crime, and the potential for increased gender-based violence. It could also lead to more generalized instability in Ghana's coastal regions. While poverty is increasing for the vast majority of Ghana's artisanal fisherfolk, profits from the small pelagic fisheries are benefiting a small group of politically favored asset owners in both the industrial trawler and canoe sectors.

The achievement of the reforms needed to reverse the decline in Ghana’s small pelagic fisheries is contingent on the dynamics and interactions of a diverse array of forces and stakeholders, with strong influences on both sides of the ledger. Fundamental problems of flawed institutional performance, limited financial resources, non-transparency in decision-making, weak law enforcement, constraints on the administration of justice, and lack of accountability militate against the reform agenda. Many of these problems are recurrent features of Ghana’s political system.

They are counterbalanced, however, by the influence of numerous stakeholders who are becoming better organized and more vocal in favor of fisheries sector reforms. This includes the GNCFC and NAFPTA, the largest fisher and fish processors organizations, supported by civil society groups like Friends of the Nation, Hen Mpoano, and the Environmental Justice Foundation, as well as allies among traditional authorities, academic researchers, and the media. There are also advocates for reform within the rank and file of the Fisheries Commission and, potentially, among other parts of government and elected officials. USAID’s development partners have expressed their willingness to work on collaborative strategies to address problems in the fisheries sector. If these groups are able to coalesce in support of reforms, the technical solutions to reverse the decline in Ghana’s artisanal fisheries are available for implementation. The timing for advancing reforms is also propitious, as the closed season, the Policy Framework on Fisheries Co-Management, and the amendments to the 2002 Fisheries Act are all on the table to be enacted and put into practice in 2019.

These actors and actions offer a variety of entry points and potential leverage that USAID should consider in planning next steps and future options in fisheries sector programming. Table I summarizes the forces and stakeholders working both against and in support of reform. The recommendations that follow suggest short-term actions, responses to key issues, and opportunities for integrated programming that can contribute to improved project outcomes.

TABLE I

FORCES/STAKEHOLDERS AGAINST REFORM	FORCES/STAKEHOLDERS IN SUPPORT OF REFORM
Regulatory capture: The industrial trawl sector, heavily dominated by Chinese companies, is poorly regulated, with alleged linkages to elite Ghanaian political interests	Fisher associations, including women’s groups, are a growing force for advocacy and reform. These are bolstered by diverse elements of civil society such as traditional authorities, universities, think tanks, and the media
Poverty, weak law enforcement, and the appearance of selective enforcement results in low public confidence and widespread noncompliance with fisheries management laws	Legislative agenda for reform: Two major legal and regulatory measures are scheduled for 2019: 1) Policy Framework on Fisheries Co-Management and 2) Amendments to the Fisheries Act of 2002
MOFAD and Fisheries Commission weaknesses: Inadequate budget (especially Monitor, Control and Surveillance Division) and dysfunctional organizational culture undermine effective management, proper oversight, and staff morale	The 2019 Closed Season has now been agreed by all major stakeholder organizations
Patronage, partisan politics, and lack of accountability erodes fisheries management, enforcement, and legitimacy of governance in the sector	The Fisheries Commission has committed professional staff and good potential for meaningfully increasing internally generated funds
<i>Collective action dilemma: Why should poor fishermen obey fishing laws that foreign companies flout and government officials fail to enforce?</i>	Potential international collaboration with development partners on mechanisms to leverage better fisheries management (e.g., EU yellow card and subsequent ongoing dialogue on IUU)

FORCES/STAKEHOLDERS AGAINST REFORM**FORCES/STAKEHOLDERS IN SUPPORT OF REFORM**

Supply-side accountability mechanisms such as the Ghana Audit Service

Growing popular awareness and agreement that small pelagic fisheries are near collapse and the problem must be addressed

RECOMMENDATIONS**OVERARCHING RECOMMENDATIONS**

Based on these findings, USAID should frame its next generation of fisheries programming in relation to several key propositions:

1. The obstacles to implementing the necessary measures to address the decline of the small pelagic fisheries are largely political and institutional—including weak law enforcement, inadequate budgets, bureaucratic dysfunction, distortions and injustices resulting from patronage, and lack of accountability. USAID should, therefore, continue to directly take into consideration these political and institutional challenges through strategies that aim to increase the voice of fisherfolk, including women, and bring greater transparency, effectiveness, fairness, and accountability to fisheries management.
2. USAID should continue to strengthen domestic constituencies for reform by supporting more participatory and representative fisherfolk associations, more frequent and regularized government consultations with stakeholders, and legal reforms that prevent arbitrary decision-making and promote collaborative management.
3. Even with an improved policy environment and/or stronger political will, strengthening the effectiveness of MOFAD and the Fisheries Commission should remain a key focus of USAID's focus, and future work should broaden the range of strategies used to produce the organizational change and increased accountability that is needed. Work should include improved budgeting, organizational change to empower and protect talented staff, and expanded engagement with other potential proponents of fisheries reforms elsewhere in the government, including cabinet level officials, the National Development Planning Commission, the Ministry of Finance, and Parliament.
4. In order to overcome distortions caused by patronage and regulatory capture in the fisheries sector, USAID should leverage its influence and convening power to strengthen donor coordination and diplomatic strategies that increase incentives for government and industry stakeholders to agree on needed reforms. USAID should work closely with its development partners on coordinated strategies (similar to applying the EU “yellow card” to the problem of IUU fishing by industrial trawlers) to encourage the Government of Ghana to address issues of transparency and accountability. The Mission, political and economic sections, public affairs, and the Ambassador should strategically engage in dialogue with government and industry stakeholders, including the highest political level when appropriate, to encourage the implementation of key reforms by decision-makers.

Successful Advocacy in the Fisheries Sector: The Pair Trawling Ban

Soon after it began around the year 2000, the practice of “pair trawling” was increasingly recognized as a threat to the sustainability of Ghana’s fisheries. Pair trawling is done by attaching one net to two ships, whose lateral movement keeps open a wider net, greatly increasing the catch of both demersal and small pelagic species. Canoe fishermen, inshore fishermen, and Friends of the Nation complained vociferously that pair trawling had become an unregulated year-round practice that threatened a fisheries collapse. In December 2008, after the issue took on a national profile, the Atta Mills government launched Operation Stock Control “to deter and stop pair trawling activities in the country once and for all.” The commitment to end pair trawling became a key electoral issue for both political parties. Although effective enforcement took several years to implement, the successful ban on pair trawling demonstrated the potential of the voting power and advocacy of fisherfolk when critical fisheries issues are elevated to national attention.

SHORT-TERM RECOMMENDATIONS

5. USAID should extend SFMP for one more year to:
 - Encourage and support MOFAD’s efforts to prepare for and successfully implement the artisanal and industrial closed seasons in 2019. This should include an assessment of resilience and support needs by region, with a specific focus on women and families.
 - Encourage and support MOFAD in making the closed season an annual practice that is carefully and collaboratively managed to rebuild small pelagic stocks while maintaining livelihoods and food security in artisanal fishing communities.
 - Work through F2F and other forums, including women’s organizations, to help broker a comprehensive agreement between government, industry, and civil society around annual closed seasons and linked issues of IUU enforcement, beginning with the issue of saiko.
 - Work with MOFAD and other stakeholders to help finalize the approval of the Policy Framework on Fisheries Co-Management.
 - Work with MOFAD and other stakeholders to help draft and finalize the Amendments to the Fisheries Act of 2002. This should include the elimination of any ambiguities on illegal transshipments as well as clarification of roles, responsibilities, and the limits of discretionary actions within MOFAD and the Fisheries Commission.
 - Continue SFMP’s capacity-building work with key civil society organizations and artisanal industry groups like GNCFC, NAFPTA, CEWEFIA, and DAA seeking to engage and amplify the voice and influence of resource users. Building on the example of the effectiveness of past civil society advocacy campaigns such as the ban on pair trawling, these organizations should be at the center of an alliance for fisheries management reforms that capitalizes on their large membership.

- Work with the Fisheries Commission to complete registration of all canoes in coastal marine areas and issue smart-cards for each canoe. Smart-cards bear the registration number of the canoe, the landing site, gear type, and validity period. Smart-cards can be linked via QR codes to updated, smart subsidies that do not contribute to overfishing.

SPECIFIC RECOMMENDATIONS TO ADDRESS KEY ISSUES:

Increasing the voice of fisherfolk in fisheries management:

6. Continue building the capacity of artisanal industry groups (GNCFC, NAFPTA, CEWEFIA, DAA), civil society organizations, and researchers to: 1) strengthen their voice and influence in discussions with government decision makers to be commensurate with their large membership of resource users, 2) engage in participatory consultative processes within each organization to ensure that the views of members are fully represented, 3) increase government accountability, and 4) create new researcher-resource user partnerships to promote citizen science and knowledge-sharing for sound decision-making and sustainable practices in artisanal fisheries.
7. Continue and expand efforts to strengthen the participation, representation, and influence of women in fisheries management and businesses. Particular attention should be paid to the impact of fisheries reforms on women and family resilience. Efforts should continue a comprehensive approach to women's empowerment that includes addressing political, social, and economic barriers (e.g. competition for elected positions, participation in landing beach committees, access to loans), providing training, creating space in management processes, and strengthening the effectiveness of key industry and civil society organizations.

Transparency and Accountability of Foreign Operators of Industrial Trawlers:

8. Given the widespread, negative influence of saiko on small pelagic fish stocks and efforts to reduce IUU fishing in the artisanal sector, future USAID investments should focus on reducing saiko fishing by industrial trawlers. Potential interventions include:
 - Support advocacy to combat saiko fishing by industrial trawlers through increased national media coverage of the costs and consequences of illegal fishing and civil society advocacy campaigns to better inform Members of Parliament and MMDA councilors in coastal districts about legislative and regulatory actions to address the problem. The successful ban on pair trawling provides an example of effective advocacy.
 - Encouraging the Government of Ghana, MOFAD, and the Fisheries Commission to engage with and adopt the principles of the Fisheries Transparency Initiative (FTI). The Government of Ghana has already made progress on transparency in other sectors through the Open Governance Partnership (OGP) and the Extractive Industries Transparency Initiative (EITI), and it should extend this track record to its fisheries.
 - Support for improvements in enforcement capacities and technologies (e.g., VMS analysis, electronic observers, information sharing among Maritime Operating Centers, etc.), including expanded collaborations between Ghana's Fisheries Enforcement Unit and AFRICOM and EU partners.

- Exploring appropriate USG and other channels to encourage the Government of China to withdraw the distant water fishing certificates of any Chinese companies engaging in illegal fishing by vessels under the Ghanaian flag. Chinese companies are the beneficial owners and operators of the vast majority of the approximately 75-80 registered industrial trawlers.

Building Capacity for Enforcement, Improved Transparency, and Accountability at the Fisheries Commission:

9. Support increased Fisheries Commission budgets with: 1) technical training on improved budget submissions and justifications; 2) advocacy from potential proponents of fisheries reforms from within the government, including cabinet level officials, the National Development Planning Commission, the Ministry of Finance, and Parliament and 3) external advocacy from sector actors with a stake in successful reforms, including industry associations, CSOs, other donors, and resource users.
10. Explore opportunities to support the Fisheries Commission in efforts to increase internally generated funds, for example by establishing higher fishing licensing fees based on prevailing international practices as well as fines and penalties for violators that are in line with the provisions of existing statutes.
11. Encourage the Fisheries Commission to request an independent audit and make public licensing information, beneficial ownership data, licensing fees, fines and penalties, and total amounts collected and utilized by the Fisheries Development Fund.
12. Encourage the Fisheries Commission to foster mechanisms to improve harvest and catch reporting and make catch data available to the public.
13. Work with the Fisheries Commission to implement deconcentrated fisheries management that includes resource users (particularly women), traditional authorities, and local government, with a focus on improved field presence and increased enforcement.
14. Work with the Fisheries Commission to ensure that enforcement is visible, responsive, and non-selective, based on cost-effective methods and minimized political interference in prosecution. Encourage the Fisheries Commission to broaden the presence of Monitoring, Control, and Surveillance personnel (Marine Police, Fisheries Enforcement Unit) at key landing beaches to carry out high-profile enforcement actions that send a clear message and deter future violations.
15. Work with the Fisheries Commission to help develop cost-effective, collaborative monitoring structures in the context of co-management to extend the capacity of the MCS Division's enforcement efforts. Artisanal fisherfolk should have representation on the subregional governmental committees who are in charge of monitoring the trawlers. As demonstrated in incidents resulting in the loss of life in Pram Pram, community efforts should be limited to monitoring, while actual enforcement remains the responsibility of state authorities.
16. Support the Fisheries Commission in strengthening prosecution of fisheries crime by reforming the use of the alternative dispute resolution (ADR) mechanism to require final settlement conditions to be returned to the court to ensure they comply with judicial guidelines.
17. Support an organizational change process in the Fisheries Commission focused on building the culture, structures, and leadership practices needed to empower staff to implement key management measures and engage in open dialogue.

Collaboration with the DRG Office to Respond to Lack of Transparency and Accountability:

18. Explore mechanisms for engaging the Ghana Audit Service (GAS) to conduct financial and/or performance audits of the Fisheries Development Funds and explore the promotion of town hall meetings, in collaboration with local civil society organizations, to discuss the development of responsive and accountable policies for the management of pre-mix funds. Public events and stakeholder dialogues could support the government's current efforts to ensure the transparent distribution and sale of pre-mix fuel, while also facilitating dialogue around new ideas to shift the pre-mix fuel subsidy to a smart subsidy that is more congruent with the long-term interest of fishery stakeholders.
19. Build on and expand SFMP's work to increase public concern about threats to the sustainability of the artisanal fisheries sector, including industrial and artisanal IUU fishing practices. Explore promotion of discussions of declining artisanal fisheries as a national economic and food security issue affecting all Ghanaians by facilitating in-depth media coverage of the sector, including investigative journalism.
20. Explore linkages with the local government work USAID has done through the Ghana Strengthening Accountability Mechanisms (GSAM) project, USAID's Accountable Democratic Institutions and Systems Strengthening (ADISS) project, which focuses on anticorruption at both the local and national levels, and USAID's support for MMDAs on Internally Generated Funds (IGF). USAID should also explore the relevance of the (non-USAID funded) Center for Democratic Development's (CDD) work in the Western Region that seeks to foster linkages and greater accountability of MPs and MMDA leadership to their constituencies on important local policy issues. Linkages might include: 1) locally focused anticorruption efforts and 2) fostering greater local and parliamentary accountability on fisheries issues.
21. Consider developing a focus on fisheries reforms and management as an important national issue for public attention in the 2020 elections and beyond, providing fisher associations, civil society organizations, and media outlets a platform for advocacy and awareness raising.

Partnerships with the Oil and Gas Industry:

22. Explore the potential for partnerships with the oil and gas industry. The regeneration of small pelagic fish stocks would benefit both artisanal fishers and decrease conflicts between oil and gas operations and fishers over shared marine space. Oil and gas companies could support research on the status of small pelagic stocks and provide assistance to communities in building resilience, for example, supporting livelihoods and coping strategies for future closed seasons.

Building on and Sustaining PEA Work and Thinking and Working Politically (TWP):

23. Continue the PEA/TWP approach, integrating it into procurement and implementation in order to provide ongoing collaborating, learning, and adapting for the development of strategy and tactics that align fisheries reform efforts with the evolving context. Examples from other regions/countries include the identification of areas where PEA fieldwork can clarify community priorities and incentives for the rule of law (Southern Africa), making changes to the situation model leading to new inputs to the theory of change (Senegal), and adjustments to project

implementation to address refined understanding of incentives for government and the private sector (Indonesia).⁷

⁷ These examples were provided by USAID mission staff during interviews in August/September 2018.

ANNEX I: RESEARCH QUESTIONS

I. MAIN QUESTION

What are the realistic political components (e.g., alliances, coalitions, budgetary commitments) and enabling and constraining factors for a viable pathway forward for reforms to stop overfishing and illegal fishing (e.g., closed season, gear requirements, canoe registration and eventual cap, reform of the premix subsidy, co-management), especially with respect to small pelagics in the artisanal/small-scale sector?

II. SUPPORTING QUESTIONS

1. How can strengthening fisher associations, increasing participation and representation within community groups, and having more fisherfolk engaged in decision-making contribute to artisanal fisherfolk having a more effective voice and greater influence in national policy deliberations, as measured by the extent to which reforms serve their interests? Why or why not? Is there a difference between women and men?
2. How would increasing the meaningful participation and representation of women in key decision-making groups in fisheries influence the sector's overall constituency and political dynamics for fisheries reforms?
3. How can the support of opinion leaders for fishery reforms contribute to support by high-level policymakers for fishery reforms? What other political factors affect the prospects and likely outcomes of this form of advocacy? How does this relationship change based on the specific policy reform being considered?
4. How can the roles and responsibilities at different levels of governance (national, local, community, traditional) be clarified and strengthened to support effective fisheries co-management?
5. What are the main factors that influence the capacity of the Fisheries Commission in becoming a responsive, accountable government agency that can: a) engage in collaborative management, b) effectively enforce rules, and c) deliver relevant monitoring and analysis?
6. In view of concerns among artisanal fishers about *saiko* and overfishing/illegal fishing by industrial trawlers, what are the economic and political drivers of industrial sector interests (e.g., ownership structures, short-term vs. long-term interests, etc.)?
7. How do bureaucratic and party politics enable or constrain the implementation and sustainability of the proposed reforms in the fisheries sector (e.g., inter-ministerial dynamics, executive prerogatives, NPP and NDC interests)?
8. How do rents and subsidies (premix, vessel ownership/interests, etc.) influence fleet capacity and weak enforcement of laws and regulations?
9. How can the performance of the Fisheries Enforcement Unit, Marine Police, and other formal and informal enforcement and security organs be enhanced in ways that support reforms in the fisheries sector?
10. What are the points of intersection, respective interests, and areas of conflict and collaboration between artisanal fisherfolk and the oil and gas sector?

ANNEX II: LITERATURE REVIEW

GHANA PEA PRELIMINARY LITERATURE REVIEW

Ghana's Political Settlement: Foundational Factors and Rules of the Political Game

POLITICAL ROOTS

In 1981, in the midst of an economic crisis, Ghana experienced a coup led by a junior military officer, Jerry Rawlings, who called for a “people’s revolution.” Rawlings’s Provisional National Defence Council (PNDC) ruled for the next decade, gradually leaving its radical discourse behind in favor of essential support from the World Bank, IMF, and international donors. The PNDC economic recovery program was based on fiscal reforms, new roads and electrification, and a renewed focus on Ghana’s traditional exports of gold, timber, and cocoa. By 1991, Rawlings’s military backing was weakening, and the PNDC shifted to retaining power through a strategy to generate popular political support. A consultative assembly was established to approve a new Constitution and the PNDC obtained backing from elite business groups through lucrative contracts for public works. In “converting itself into a political machine” to win multiparty elections in 1992, the erstwhile revolutionary PNDC, now rebranded as the National Democratic Party (NDC), was echoing the clientelistic strategies of Kwame Nkrumah’s post-independence government (Whitfield 2011).

With the advent of democratic electoral competition in 1992, the political opposition on the right, inheritors of the colonial/post-independence legacies of J. B. Danquah and Kofi Busia, was organized primarily around conservative urban elites under the banner of the New Patriotic Party (NPP). The patterns and structures that characterized Ghana’s new two-party politics followed a revolutionary interregnum, but emerged from longstanding political traditions.

Electoral politics opened new spaces for political debate and public grievances in the 1990s. The NDC government turned toward party brokers, along with allied business associations and unions, and cultivated financial support from better-off party members. In return, supporters and their business interests benefited from loans, grants, and tax exemptions (Opoku 2010). External support remained important. During the 1990s, official development assistance far surpassed very low levels of foreign investment.

In the elections of 2000, Rawlings faced term limits, and the New Patriotic Party was able to win a narrow victory. The NPP promised a pro-business government that would remove barriers to the private sector and develop domestic industries. In response, private sector investment increased. But the imperative to maintain party support with the electorate evenly divided among the two parties, a short four-year electoral cycle, and relatively few floating voters meant that the NPP could not afford alienating any of its constituencies. It failed to reduce public sector salary expenditures and subsidies for public utilities and petroleum products (Gyimah-Boadi 2009). High prices for gold and cocoa and increasing foreign aid helped to fund government expenditures. Patron-client relationships provided benefits at various levels and scales—jobs, contracts, development projects, water, health, schools—and followed the circumstantial political logic of the ruling party rather than inclusive discussions of public policy (Lindberg 2010).

Hence, despite their differing political origins and ideologies, the political practices of the NDC and the NPP in their respective eight years in office following the turn to electoral democracy in 1992 were roughly similar. These political roots have become increasingly embedded and institutionalized.

COMPETITIVE CLIENTELISM

In 2016, longtime presidential aspirant Nana Akufo-Addo of the NPP was elected president. The NPP's victory derived more from the loss of public support for the outgoing NDC government (in part because of corruption scandals) than increased backing for NPP policies. Nevertheless, most Ghanaians continued to express satisfaction with their country's democracy and civil liberties. In the 2017 Afro-Barometer poll, 33 percent of respondents said they were very satisfied and 46 percent said they were fairly satisfied with Ghana's democracy. Over the past two decades, annual GDP growth averaged in the vicinity of 5 percent, while annual population growth averaged around 2.5 percent (Wolfram Alpha).

But Ghana's economy has remained reliant on primary commodities (with oil and gas recently joining gold, timber, and cocoa) and the quality of democracy is significantly compromised by the marked concentration of political power in the executive branch. Both of these foundational characteristics contribute to the attenuated nature of Ghanaian democracy. From the perspective of thinking and working politically, the latter is the core of the problem.

The 1992 Constitution concentrates political power in the executive branch, effectively turning presidential elections into winner-take-all contests for the two major parties. Parliament, local government (Metropolitan, Municipal, and District Assemblies or MMDA), and oversight agencies (audit, procurement, corruption) are institutionally weak, poorly resourced, and/or subject to executive branch influence or control.

The Constitution requires the president to appoint at least 50 percent of the cabinet from Parliament, as well as 30 percent of members of the MMDA and all of their Chief Executives (MMDCE). The president can also create new districts (they have more than doubled in recent years), a mechanism that helps to generate votes for the ruling party but which leaves new districts underfunded and with low technical capacity. Although MMDAs are in principle institutional expressions of decentralization, funding is managed by the central government and MMDA employees are responsible to their central ministries rather than the MMDAs. The number of appointed ministers and deputy ministers is also on the rise; nearly a quarter of MPs serve in executive branch appointments. The appointed heads of key public sector agencies are often well-heeled party backers.

To enter these networks of power and influence through electoral campaigns or high-ranking appointments is an increasingly expensive matter. Those who are able to gain office as party loyalists expect to be repaid through decisions that produce benefits or rents for their constituents or themselves (Whitfield 2018). This has implications, at times, for law enforcement and the administration of justice. Overburdened law enforcement units and officials in the judiciary may choose not to enforce laws and regulations when they impinge on the interests of powerful political or financial actors directly or indirectly linked to the party in power. Polls show that citizens have low levels of trust in law enforcement and the courts, and it is regarded as common practice when powerful interests implicated in violations of the law are treated with impunity.

The historic alternation in power of the NDC and NPP, with both parties vying for control of these intertwined and influential relationships extending from the executive throughout the branches of government, comprise the political settlement⁸ in Ghana that scholars and analysts generally refer to as *competitive clientelism*. In the judgment of the authors of the latest DRG assessment prepared for USAID, these persistent patterns of clientelism in Ghana may be deepening (“risks are high that poor governance will continue”). The winner-take-all nature of the system also means that policy decisions may be unstable and contingent, as they are subject to reversal or disregard when power shifts from one party to the other.

Nevertheless, the political liberties and space for civil society activism in Ghana create significant countervailing forces in response to the exclusionary limitations of the country’s formal political system. Organizations such as Non-State Actors Ghana (a consortium of academia, CSOs, private sector, media, and traditional leaders) and Hope for Future Generations (focusing on women, children, and young people), along with more politically oriented organizations like the Center for Democratic Development, CitizenGhana, and the IMANI Center for Policy and Education are part of a numerous and diverse array of non-governmental and local organizations that implement projects, provide services, and contribute analyses that address issues of public interest. In the fisheries sector, Hen Mpoano, Friends of the Nation, and the Environmental Justice Foundation provide analysis and advocacy for Ghana’s coastal fisherfolk.

Ghana’s media are clamorous and vocal, although often highly partisan. Many media outlets are aligned with specific political interests and report and broadcast accordingly. Some media figures have received prominent government appointments.

The most fundamental and glaring lacuna of the Ghanaian political system is the weak representation of women. Women comprise only around 13 percent of MPs, 15 percent of MMDA chief executives, and a mere 5 percent of MMDA councilors. While a number of other African countries already have minimum standards for the participation of women in key institutions, the Government of Ghana is only now beginning to consider an Affirmative Action Bill to address the equal participation of women.

CHALLENGES FOR GHANA’S FISHERIES

Based on a common pool resource with low barriers to entry, Ghana’s fisheries are facing today an acute crisis of sustainability. Ghana’s fisheries provide livelihoods, income, and essential nutrition, contributing to national goals of poverty reduction and food security. The World Bank estimated in 2011 that more than 370,000 fishers, fish processors, traders, and boat builders are directly employed by the sector. Indirect economic linkages expand the sector’s contribution to employment to an estimated 2.2 million people or around 20 percent of Ghana’s population. Fish provides around 60 percent of animal protein in the Ghanaian diet, making Ghana the country most reliant upon fish for nutrition in Africa.

In the coastal areas of Ghana, the fishing industry has deep cultural roots, encompassing a way of life and set of beliefs that go beyond its core economic characteristics. Labor roles are gendered. In general,

⁸ USAID’s glossary of key PEA terms defines *political settlement* as: “The expression of a common understanding, usually forged among elites, about how political power is to be organized and exercised, and how the nature of the relationship between state and society is to be articulated” (Rocha Menocal 2011).

under the supervision and leadership of the local chief fisherman, men do the fishing. Women handle processing and marketing, with prices set by the *konkohene* or fish market queen. Processing is done by smoking, salting and drying, frying, and canning. Women also sometimes fund fishing trips to have access to the catch.

There are three main categories of fishing in Ghana—artisanal/small-scale, semi-industrial, and industrial. The artisanal/small-scale sector uses locally built dugout canoes with outboard motors, the semi-industrial (in-shore) fleet uses larger locally built wooden vessels with in-board engines, and the industrial (trawler and tuna) fleet uses foreign-built steel-hulled vessels for demersal species as well as tuna and related species in off-shore marine waters. The Government of Ghana subsidizes fishing in various ways. For the small-scale sector, pre-mix fuel is 50 percent subsidized; imported fishing inputs such as nets, ropes, and cork floats receive tax-free treatment; and imports of outboard motors are subsidized (Ameyaw 2017).

Over 80 percent of Ghana's fishers are in the artisanal/small-scale canoe fleet. Small pelagics (*Sardinella*, mackerel, anchovies) are the dominant species caught in the small-scale sector and the most important for food security. Canoe fisheries are the most important in terms of people engaged, number of vessels, and fish production—about 70 percent of the total catch (FAO 2016).

There has been a sharp decline, however, in small pelagics landings over the past two decades, from about 250,000 mt in the mid-1990s to 44,180 mt in 2014, reflecting significant overfishing/overcapacity and portending a collapse of fish stocks should these trends not be reversed (Lazar et al. 2017). Over the past decade, there has been an increase of around 13 percent in both canoes and canoe fishermen. As stocks and income have declined, many canoe fishers have turned to illegal fishing techniques, including light fishing, fine mesh nets, and the use of chemicals and dynamite.

Among artisanal fisherfolk, there is strongly voiced concern over *saiko*—an illegal fishing practice employed by industrial trawlers that targets small pelagics, which are then flash frozen for transshipment to canoes for landing at Apam and Elmina. Advocacy groups for canoe fisherfolk believe that *saiko* landings of small pelagics outstrip the total catch of the artisanal fleet, placing those fish stocks at risk.

These two problems—overfishing and illegal fishing—are the main threats to Ghana's fisheries.

These challenges have been made more difficult, to date, by inadequate regulatory structures, weak formal governance, eroding forms of traditional local fisheries management, poor enforcement of existing regulations, low or uneven public knowledge about the fisheries crisis, and political interference that has hamstrung the enforcement of existing rules and regulations.

Although the fisheries crisis is now at a particularly acute stage, a review of the literature makes clear that many of the main problems and challenges of Ghana's fisheries have been well recognized for quite some time, without satisfactory resolution.

WEAK INSTITUTIONAL RESPONSES, RENTS, AND DISJUNCTURES OF TRADITIONAL AND LOCAL GOVERNANCE

The Failure of Community-Based Fisheries Management Committees (CBFMC)

In 1997, the World Bank and the Government of Ghana held a workshop on artisanal fisheries management that led to an initiative for the development of Community-Based Fisheries Management Committees (CBFMC). Discussions addressed common pool resource dilemmas and concerns about sustainable fisheries, with a view toward multilevel governance (community, zonal, district, and national). The promotion of CBFMCs sought to empower traditional rulers and chief fishermen, involve local people in the development of by-laws, educate stakeholders on appropriate fishing practices and regulations, halt the decline in fish landings, and address illegal fishing. Between 1997 and 2003, 133 CBFMCs were created in 300 landing sites (Abane et al. 2013). Although in practice committee membership varied widely from community to community, it was envisaged to be:

- Chief fisherman or his representative
- Representatives of all ethnic groups involved in fishing in the community (one each);
- Representative of fishmongers/leader of fish processors;
- Representative of Inland Canoe Fishermen Council/Ghana Canoe Council;
- Two representatives of Unit Committees of the District Assembly, including one woman.

The participation of stakeholders was strong at the outset, but training for capacity building did not occur as planned. The CBFMCs lacked basic resources such as office space and office supplies. Complaints arose about lack of support from the Fisheries Commission (“The committee worked for about a year before it collapsed. After its inauguration, officials never visited this community.”) CBFMC members complained about time lost to other livelihood activities, a lack of honoraria, and the absence of funds for even basic refreshments for participants. Regional Fisheries Commission staff cited inadequate budget allocations from their Head Office.

In addition to these difficulties, there was no real linkage with District and Metropolitan Assemblies, even though the presence of an Assembly member “was pointed out to be strategic by all respondents.” Committees said that by-laws could not be enforced by the police and courts because they had not been gazetted. Some CBFMC members said that Assembly members did not attend even when they had been invited. While chief fishermen and active CBFMC participants understood the overall concept well, others in the communities had misplaced expectations that the CBFMCs would act as clearinghouses for fishing gear, fuel, and loans (Abane et al. 2013). Eventually, despite efforts by Friends of the Nation to revive the CBFMCs in several locations, they collapsed.

PREMIX FUEL: POLITICIZATION AND THE EXTRACTION OF RENTS

Premix fuel, a blend of gasoline and lubricating oil, is an essential commodity used by canoe fishermen for their outboard motors. It is a costly expense for fishermen, and its costs are significantly subsidized by the government. Fluctuations in price can be onerous for buyers, and the indebtedness incurred by poor fishermen in obtaining the fuel they need for fishing (especially during lean season) contributes to the catch-fish-by-any-means logic that leads to light fishing and other illegal fishing practices.

From the 1990s onward, the distribution and sale of premix has been a shifting and easily manipulated process that has been used by political appointees and their allies to generate a large stream of illicit

profits, negatively affecting both supply and prices for fishermen. In the mid-1990s, premix was originally supposed to be sold from a national ministerial committee to registered cooperatives formed by fishermen. However, some regional ministers created service centers made up of political appointees that also sold premix to fishermen and, in a further step, these service centers began to issue licenses to individuals to also deal in premix. These individuals sold the premix at higher prices, boosting their profits and effectively undermining the subsidy provided by the government. Private businessmen also became involved in the network of premix sales.

With the shift from the NDC to the NPP in 2000, the old premix regime was jettisoned and a new one installed based on a national premix committee, a regional coordinating committee, and a local premix committee, the latter body made up of 11 members. Under this design, “each of these committees was bedeviled with political issues” (Ekumah in Abane et al. 2013). In the Central region, the regional coordinating committee padded itself with political appointees, who began taking decisions unilaterally about distribution and supplies of premix. Privately owned outlets proliferated and more than quintupled in number. The diversion of premix netted vast profits for the beneficiaries.

Politicization reached down to the level of the local premix committees as well. At some landing beaches, the chief fisherman headed the local premix committee. But since this had to be a “party man,” a change in power of the national government meant the replacement of the chief fisherman (Ekumah in Abane et al. 2013).

Further institutional modifications to the handling of premix have followed. The National Premix Committee (NPC) was established by the NDC government in 2009 to oversee the administration and distribution of premix. Landing Beach Committees (LBCs) were formed for fishermen to run premix fuel stations at the landing beaches. Each LBC is required to select an Oil Marketing Company to supply them with premix fuel. Proceeds from the sale of premix fuel are intended for use in developing fishing communities.

In April 2017, the Ghana National Canoe Fishermen Council sent a petition to the Minister of Fisheries and Aquaculture stating that there had been “a violent and sudden invasion of fish landing beaches countrywide by groups rampaging and raving as self-proclaimed NPP functionaries,” overthrowing the “lawfully constituted landing beach committees” and taking “charge of the sale and management of premix fuel.” The Minister responded that the National Petroleum Authority (NPA) was the institution with a tracking system and therefore better placed to act on the diversion of premix fuel (Citifmonline, November 29, 2017).

Ministry of Fisheries and Aquaculture Development (MOFAD)

“The Ministry of Fisheries and Aquaculture Development is Ghana Government’s responsible organ for fisheries resource development and issues relating to the fisheries industry.

The Fisheries Commission, formed in 1993, is the lead institution for the promotion and development of fisheries and aquaculture in Ghana and is under the Ministry of Fisheries and Aquaculture Development. The objective of the Commission is to regulate and manage the utilization of the fishery resources of Ghana and co-ordinate the policies in relation to them. While the Commission advises the Minister on issues related to sustainable exploitation of fisheries resources, the Ministry is the agency responsible for implementing government’s policies on fisheries sector matters. There are Fisheries Commission offices in all 10 regions of Ghana, as well as at regional and district levels from where free extension services on fisheries and aquaculture can be obtained.

The Monitoring, Control, and Surveillance (MCS) Department of the Fisheries Commission is charged with combating Illegal, Unreported and Unregulated (IUU) fishing.”

www.mofad.gov.gh

TRADITIONAL AND LOCAL GOVERNANCE

In 2015, Benjamin Campion of Kwame Nkrumah University and George Darpah of the University of Ghana conducted a survey of 60 landing beaches in the Western and Central regions to look at the state of traditional governance, local governance, and collaborative rights-based management in local fishing communities (Department of Fisheries and Aquatic Sciences 2016). They found “a complete disconnect between government/local and traditional authority on one hand and the traditional authority and the fisheries practitioners on the other.” A different study of the Central region also found a significant breakdown of traditional practices. There, “fishers were unanimous about...the breakdown in respect of the application of social norms” (Akonor in Abane et al. 2013).

Campion and Darpah found illegal fishing to be “rife” in most landing beaches. This included light lures to attract fish, often in conjunction with the use of chemicals, carbide, and dynamite to kill as many fish as possible. Where traditional governance based on the authority of the chief fisherman and the *konkohene* was intact, illegal fishing was minimal and fair pricing was commonly the norm. But only 1 in 20 of the landing beaches surveyed was judged to fall into this exemplary category.

Traditional authority is especially eroding in the large urban “cosmopolitan” landing beaches, where traditional non-fishing on Tuesdays is no longer observed. At the top of the list of causes of the erosion of the powers of traditional authority is the political affiliation of the chief fisherman and chieftaincy disputes. Where the local leadership is split along party lines, community loyalties are similarly riven, undermining the authority of the chief fisherman.

The survey found that “the economic power of most female fisheries practitioners is weak” and “women are not involved in governance or administration of the landing beaches” (Department of Fisheries and Aquatic Sciences 2016).

Overall, there is a notable disconnect between the District Assemblies and the local fishing communities as well as between the Fisheries Commission staff and local fishermen. No by-laws are applied with respect to fishing activities at the landing beaches. Ghana's decentralization of local government did not include the Fisheries Commission. Fishermen feel that the local government administration is uninterested in their concerns, except during moments when their presence may enhance the officials' political interests.

THE EUROPEAN COMMISSION "YELLOW CARD"

In November 2013, the European Commission (EC) issued a "yellow card" sanction on Ghana for illegal, unregulated and unreported (IUU) fishing activities by Ghana flagged vessels. This involved "fishery products (mainly tuna species) illegally caught or transshipped." The EC went on to say that it had "established that Ghana had no information on where and in which foreign waters its fishing vessels actually operate" (European Commission Decision, November 26, 2013). Following the yellow card announcement, a local export firm, Myroc Food Processing (MFP), soon announced losses of US\$ 5 million and a workforce reduction. Subsequently, export losses totaling around US\$ 150 million were reported.

Working with the West Africa Regional Fisheries Program (WARFP), the government of Ghana responded with legislative measures, increased sanctions, improved monitoring and control, interagency collaboration and international coordination as reflected in Fisheries (Amendment) Regulations, 2015 (L.I. 2217) and the Fisheries Management Plan of Ghana (2015-2019). The government also established a Fisheries Enforcement Unit (FEU). The FEU was equipped with a staff of 55 people seconded from the navy, marine police, fisheries ministry, and the Bureau of Investigation. In October 2015, the EC removed Ghana from the IUU Watch List based on new "robust legal and policy frameworks to fight IUU fishing activities" (*Daily Guide* 12/15/17).

Speaking in August 2015, noting the progress that had been made, a MOFAD spokesman said "I would say that we are over 80 percent there. A big step was the establishment of the Fisheries Enforcement Unit." A program manager for Friends of the Nation expressed a contrasting view: "There is political interference with enforcement. Some politicians have vessels themselves. Some fishermen are funding political parties." (www.theafricareport.com, August 10, 2015).

HERE AND NOW: NEW HOPES FOR REFORMS IN GHANA'S FISHERIES SECTOR

Despite the persistent political challenges that have hobbled or undermined attempts to strengthen fisheries sector institutions and improve the sustainability of Ghana's fisheries over the past two decades, a wealth of lessons has been generated, and a great deal of capacity building has taken place in both governmental and nongovernmental organizations and local communities. Much of this has been accomplished through the numerous dialogues, research projects, training, capacity building, and policy forums that have taken place under the USAID/UCC Fisheries and Coastal Management Capacity Building Support Project and the Sustainable Fisheries Management Project (SFMP).

New initiatives are underway that hope to take advantage of stronger and more active civil society organizations and recent signs of increasing political will in support of reforms at the Ministry of Fisheries and Aquaculture Development. Since January 2017, the European Union has funded a three-year project called Far Dwuma Nkodo (securing sustainable fisheries) that works with the

Environmental Justice Foundation and Hen Mpoano to help drive a reduction in illegal fishing and give local fishers a voice in building a more sustainable fishing sector. It also includes promoting alternative livelihood options for small-scale fishing communities, helping them to diversify their local economies and to reduce their dependence on fishing.

In 2018, the Ministries of Fisheries and Aquaculture held a series of stakeholder consultations in support of a review of the legal framework for the fisheries sector and the preparation of a new Fisheries Act in 2019 governing the sector. As a result of those meetings, the Ghana National Canoe Fishermens Council (GNCF) and the National Fish Processors and Traders Association (NAFPTA) issued a joint ten-point communiqué expressing their consensus position on behalf of the artisanal fishing industry of the Central region.

These points included:

1. Ban on sale and importation of monofilament nets
2. Prohibitions against fishing with light, chemicals, and explosives
3. Ending saiko and stricter regulation of the industrial trawl fleet
4. Extension of the Inshore Exclusion Zone (IEZ)
5. Preservation and improvement of landing and processing zones
6. Transparency in the use of funds in the Fisheries Development Fund
7. Mitigation of impacts from the oil and gas sector
8. Legal basis for fisheries management and enforcement at the local level
9. Designation of Sunday as an additional fishing holiday (in addition to Tuesday)
10. Decentralization of structures for conflict resolution

USAID's Sustainable Fisheries Management Program (SFMP) has been working closely with MOFAD and the Fisheries Commission to address the problems of overfishing and illegal fishing through a series of reforms. This has included discussions about the possibility of a month-long closed fishing season to restore fish stocks, a registration program for the artisanal and small-scale canoes, and limited and regulated landing sites for industrial catches.

MOFAD's Minister announced in July 2018 plans for a closed fishing season to take place August 7-September 4, 2018. This would coincide with the time of year when small pelagics spawn, thus offering the best possibilities for a significant regeneration of fish stocks. The announcement, however, was made with little advance notice, evoking an unexpectedly strong protest from groups (and some politicians) representing all three fishing sub-sectors, especially among the artisanal/small-scale fishers and their allied non-governmental organizations. As a consequence, Ghana's Cabinet withdrew the fishing ban for 2018, but the Minister affirmed the closed season for implementation in 2019.

Most fisherfolk groups did not appear to object, in principle, to the idea of a closed season. They simply felt insufficiently prepared, they said, to deal with its economic consequences given the lack of advance notice. A cautionary note and the need for further investigation and extensive preparation is suggested by the 2015 Western and Central region survey, which found only 18 of 240 respondents in support of a closed season.

Perhaps the most noteworthy aspect of the closed season debate was the unprecedented capacity that small-scale fishing groups and NGOs demonstrated for organization and mobilization in relation to

reforms aimed at ensuring the sustainability of Ghana's fisheries. The coherence and political clout that these groups manifested indicated that there may be new possibilities for stakeholders to work together toward real reforms and effective mechanisms for effective co-management of the fishing industry.

Working with SFMP, WARFP, and a variety of key association and institutions, MOFAD has drafted a "Policy Framework on Fisheries Co-Management" to provide a roadmap for moving forward on co-management. The framework notes the initial experiences and problems encountered in community-based fisheries management and observes that, although fisheries is not a decentralized sector under Ghana Law, the Fisheries Act of 2002 provides for local government participating in and assisting with fisheries enforcement, resource mobilization, and vessel registration. The Fisheries Commission has the primary responsibility for the implementation of the policy.

The policy document anticipates a "transition from a more top-down consultative management framework to an approach that will transition into a system that allows some or full delegation of authority to resource users and other stakeholders in the decision making process." Institutional roles and responsibilities are briefly described for MOFAD, the Fisheries Commission, local government units, academia and civil society, traditional institutions (i.e., chief fishermen and councils) and women (*konkohene* and elders)⁹, industrial and semi-industrial sectors, and landing beach management committees.

The associations, institutions, and individuals involved in stakeholder meetings leading to the formulation of the Policy Framework on Fisheries Co-Management included:

- Ghana Industrial Trawlers Association (GITA)
- Ghana Inshore Fisheries Association (GIFA)
- Ghana National Canoe Fishermens Council (GNCFC)
- Ghana National Inland Canoe Fishermens Council (GNICFC)
- National Fish Processors and Traders Association (NAFPTA)
- Development Action Association (DAA)
- Hen Mpoano
- Friends of the Nation (FoN)
- University of Cape Coast (UCC)
- University of Ghana (UG)

⁹ The lumping together of "traditional institutions" and "women" in this manner is logical as a reflection of existing practices, and the text emphasizes that women "must be represented on co-management committees," but it points to the fundamental problem of the lesser role and level of participation given to women in fisheries management and decision making at the community level.

- Ghana Police Service (Marine Police)
- Fisheries Commission and
- Ministry of Fisheries and Aquaculture Development
- Fisheries Consultants (Mrs. Patricia Markwei, Mr. Emmanuel Mantey Mensah, Dr. Andrew Agyare, and Dr. Quieronica Quartey)

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