

<p><b><u>GOVERNMENT OF THE REPUBLIC OF VANUATU</u></b></p> 	<p><b>FISHERIES DEPARTMENT SÉRVICE DES PECHES</b> Private Mail Bag 9045, Port Vila, VANUATU</p> <p>Tel: 678 23119</p>	<p><b><u>GOUVERNEMENT DE LA REPUBLIQUE DE VANUATU</u></b></p> 
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## **BREIF GUIDELINE FOR FISHERIES AUTHORIZER OFFICER**

**Title: Authorized Officers**

**Presented by: William Naviti, Acting Director, Vanuatu Fisheries Department**

### **Background**

The management, development and conservation of all fisheries resources in Vanuatu is the obligation of the Fisheries Department mandated through the fisheries act. Fisheries in Vanuatu are categorized into two broad categories of offshore fisheries and inshore or coastal fisheries. The coastal fisheries is managed under a centralized fisheries management system where the regulation and enforcement of fisheries laws and regulation is done through a centralized office base in Port Vila and Luganville and sub centres in each provincial government headquarters.

### **Issue**

Vanuatu archipelago comprised of more than 80 inhabited islands stretching about 1,300 kilometres from the northern to the southern tip of the archipelago. Given the geographical nature of Vanuatu combined with limited Department staffing and funding constraints, regulating and enforcement of fishing activities throughout all the islands using a centralized fisheries management system is a huge challenge for the Fisheries Department.

### **Way forward**

To ensure sustainability of coastal fisheries resources, fisheries activities in all the islands should be effectively regulated and enforced. This could be achieved through working closely with local authorities such as provincial governments, communities and resources owners who owns and use the resources on a regular basis. The Fisheries Act No. 10 of 2014 provides for the appointment of 'authorized officers' who could assist the Department in executing such duties to monitor and enforce fisheries laws and regulations at the provincial or community level.

**Purpose**

Community fisheries Authorized officers will be the ears and eyes of the Department assisting in ensuring sustainability of coastal fisheries resources through reporting, enforcement and monitoring of fishing activities to ensure utilization of fisheries resources abide by the provisions of the fisheries laws and regulations.

**Legal implication**

Part 10 of the Fisheries Act No. 10 of 2014 provides for the power of the minister to make appointment of 'authorized officers' on the recommendation of the Director of Fisheries. The Department aims to use this provision to make appointments of outstanding members of communities that could carry out the roles and duties of authorized officers as stipulated under section 109 of the act. Any persons or community members appointed in accordance with the fisheries act is protected under the act when exercising his/her duties.

The current powers of authorized officers as stipulated under the act are broad and more tailored towards enforcement of offshore fishing activities. The Department in collaboration with the 'JICA Grace of the Sea Project team' has developed a policy paper that will assist the Department in the process of making appointments of members of the community as community fisheries authorized officers. The paper is attached as Attachment A.

**Financial implication**

The appointment of community members as authorized officers will be on a voluntary basis with limited cost to the Department. The cost will include awareness materials, ID cards for the authorized officers and training to be conducted by the Department.

**Conclusion**

Part 18 of the fisheries act on the appointment of authorized officers has only been used once in the past to make appointments of community fisheries authorized officers. It is still in the early stages of implementation and Fisheries Department will work to perfect the system noting the rich traditional governance system of resource management that existed and found in our rural communities throughout the archipelago.

**Attachment A**

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## COMMUNITY-BASED AUTHORIZED FISHERIES OFFICER (CBAFO)'S GUIDE LINE

Initiated and developed under the Fisheries Department/JICA's Project "the Promotion of  
Grace of the Sea in Coastal Villages"

### 1 DEFINITION

By definition under the Fisheries Act No. 10 of 2014 any fisheries officer, any police officer not below the rank of sergeant and any person or category of persons designated as authorized officers under section 108 Part 18, has the duty to enforce Fisheries legislations and policies.

Where there is no Fisheries officers at a particular location due to its remoteness and other factors the Minister shall assign a community representative, under the recommendation of the Director of the Vanuatu Fisheries Department, as "Authorized Fisheries officers (AFO)". The AFO shall be appointed through the official process by way of an order from the Minister of ALFFB and must be gazette for his function to be legally recognized.

### 2 POWERS OF THE AFO

- 2.1 The power of the AFO is as specified in section 109 of the Fisheries Act No. 10 of 2014
- 2.2 Under this guideline the power of the community-based Authorized Fisheries Officer appointed by order from the Minister of ALFFB, is subject to the TOR attached to this guideline.

### 3 ELIGIBILITY

- 3.1 **Community-based resident** - The nominee is permanently based and reside with the community.

- 3.2 **Community Experience:** Already conducting voluntary activities related to resource management in the community.
- 3.3 **Sex and age:** Male or Female of age between 25 & 60
- 3.4 **Academic experience:** Secondary school graduate or vocational institution or higher (optional)
- 3.5 **Language:** Able to communicate, write and read Bislama. Understanding English and French would be an advantage.
- 3.6 **Support from the community:** Well recognized and respected person in the community and have the trust of the community council of chiefs
- 3.7 **Enthusiastic and motivated person:** Willingness to carry out his responsibility at any time of the day when needed or call upon by the community or the Fisheries Department.

#### **4 REQUIRED KNOWLEDGE AND EXPERIENCE**

AFO should have the minimum knowledge and experience to be able to undertake the following:

- a) **Fisheries laws:** having a sound knowledge on fisheries laws and regulations relating to coastal resource management.
- b) **Basic resource management skills and knowledge:** AFO is able to demonstrate and explain the life cycle and characteristics of the main target species and factors affecting the resource fluctuation including the fishing pressure. Knowing the lifecycle of important commercial species and species protected by the Fisheries Act would be desirable. Other species may not be desirable but fair or minimum knowledge is required
- c) **Diversification of the fishing methods:** able to assist Fisheries Department staff to conduct workshop for the new fishing methods (fish aggregating devices, trolling, bottom line) and management plan making
- d) **Aquaculture:** able to assist Fisheries Department staff to conduct training on the aquaculture of marine shellfish, tilapia, and freshwater prawn (pond construction, management of water, feed, other indicators, and marketing of the products)
- e) **Recording on the fishing activities:** able to collect data, manage the data and analyzing data through provided simple computer database program.
- f) **Alternative livelihood measures:** able to introduce practical alternative livelihood measures (e.g. shell polishing, road market, distribution and processing of fish), and also able to conduct simple profitability analysis (income and expense)
- g) **Planning and monitoring:** able to conduct simplified problem analysis and action plan making (plan of operation).
- h) **Training experience:** Have attended additional short term training workshop on fisheries development and resource management (*optional*).

#### **4.0 DUTIES AND RESPONSIBILITIES**

The AFO duties and responsibilities would be outline in detail on his TOR, which would include some or all the following:

4.1 Maintain regular communication with the Fisheries Department for technical advice and information

4.2 Assist in awareness rising on fisheries resource management policies

- a) Assist in disseminating the Fisheries Department policies to the rural communities.
- b) Informing the Fisheries Department on community needs regarding fisheries development through the Fisheries Development Offices based in the provinces.

4.3 Assist in awareness rising on the fisheries related laws and regulations

- a) Assist in disseminating fisheries posters, pamphlets, brochure relating to fisheries regulations
- b) Assist to conduct awareness meetings and workshops on fisheries laws and regulations
- c) Promote and advocate the importance of introducing new resource management measures as such as:
- d) Establishment of more resource management areas (e.g. marine protected areas, taboo areas, buffer zone).
- e) Minimum (or maximum) size or weight limits on species that have significant importance to the culture and livelihood of communities.
- f) Selection of the fishing methods that could be detrimental to reef fish resources other than gear specified in the fisheries regulation.
- g) Promote the establishment of the fishing season by species and fishing gears and methods (e.g. closed season in long and short term, ban on the night diving)

4.4 Assist the Fisheries Department and Fishermen associations in the collection of catch data and the recording of fishing activities by individual landing / storage / distribution site to enhance resource management

4.5 Promote and encourage alternative fisheries (diversification of the fishing methods) activities off-the-reef fisheries to reduce the fishing pressures on the coastal resource

4.6 Has the Power to Seize and issue penalty notices on the advice of the Fisheries Department

#### **5 NOMINATION PROCESS FOR THE APPOINTMENT**

5.1 Interested community submit a written letter of interest to the Director of Fisheries.

5.2 The Fisheries Department conducts an investigation or assessment to establish the need to appoint a community-based fisheries authorize officer based on the following criteria:

- i). Serious environmental and conservation concerns
- ii). Geographically distant away from the closest fisheries office.

5.3 The Director of Fisheries gives his final approval for the community's eligibility to have an authorize officer in their area.

5.4 Community scrutinizes and submits the recommendation of the potential candidates.

5.5 Fisheries Department conducts the validation review and assessment based on the above sections (2) & (3).

5.6 In the case where the community is unable to decide on the suitable candidate the Fisheries Department has the duty to intervene and conduct further community consultation.

5.7 Successful candidate will be official appointed by the Director of Fisheries Department through an order from the Minister of Agriculture and gazette at the State Law Office.

## **6 TERMINATION OF APPOINTMENT**

The Director of Fisheries Department reserves the right to terminate the appointment through a Ministerial order if:

- a) The AFO fails to carry out its duties diligently and effectively or Incompetent
- b) Abuses its power for personal gain
- c) Mis-conduct when carrying out his/her activities
- d) Involve in criminal activities
- e) Any other offences that would undermine the work on resource management
- f) Voluntary resignation

## **7 AFO PRIVILEGE AND INDENTITY**

AFO has the privilege to wear at all time the AFO identity barge or card that carries the following information:

- a) Name of Authorized Fisheries Officer
- b) Department logo
- c) Person's photo
- d) Period of validity
- e) Minister of ALFFB and the state law.

## **8 COMMENCEMENT**

The appointment of the authorized officer will come into effective as from the date of official gazette.