

# NELSON MANDELA

UNIVERSITY



## FishFORCE

*Fisheries Law Enforcement Academy*

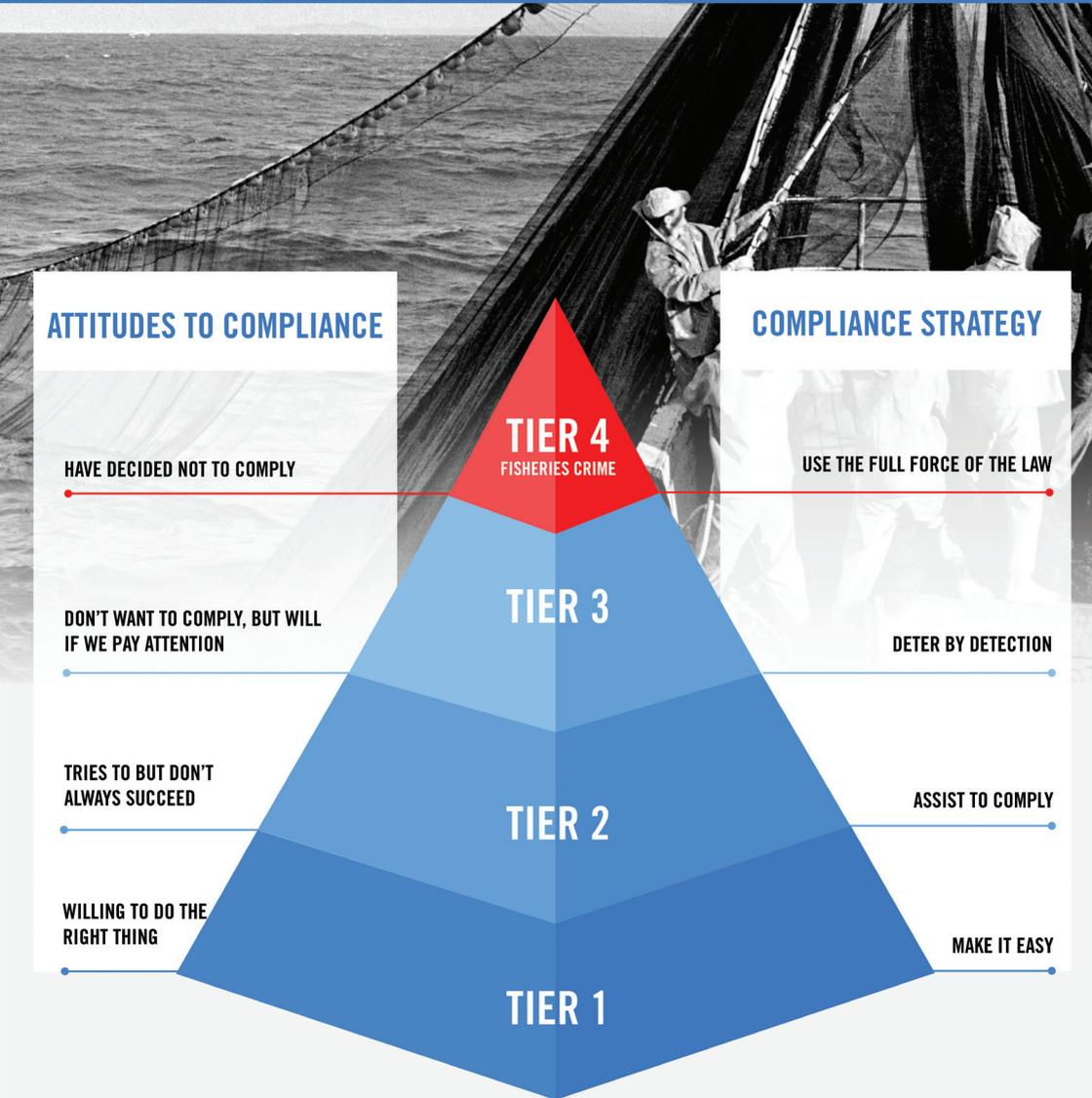
8 November 2017



Norwegian Ministry  
of Foreign Affairs

# FISHERIES COMPLIANCE STRATEGY\*

FISHCRIME INFOGRAPHICS #1



**PROTECT CLEAN GREEN FISHERIES**

# ABOUT FISHFORCE

“Fisheries crime and the illegal harvesting, processing and trading of fish and seafood globally is so huge that it is in effect a parallel economic system that is undermining sustainable economic growth. Countries are being deprived of taxes; citizens of jobs, food and income; and fisheries and environments are being destroyed.”

So says Professor Hennie van As, Director of the Centre for Law in Action (CLA) and a professor of Public Law in the Faculty of Law. Towards addressing fisheries crime, a Fisheries Law Enforcement Academy called FishFORCE was established at Nelson Mandela University in 2016. It is a partnership between the University, the Norwegian Ministry of Foreign Affairs and South Africa’s Department of Agriculture, Forestry and Fisheries (DAFF).

“FishFORCE’s main purpose is to combat sea fisheries crime and related criminal activities,” says Prof van As. “We have started training Fisheries Control Officers (FCOs), police officers and prosecutors in South Africa, and we will be doing the same in other countries along the East African coastline. We are also assisting with training along the Indian Ocean Rim, including countries such as Indonesia.”

Norway committed NOK 23-million (Norwegian Krone) over five years for the establishment of FishFORCE. Norwegian Ambassador, Ms Trine Skymoen, and the University’s Deputy Vice-Chancellor: Institutional Support, Dr Sibongile Muthwa, signed the agreement in June 2016 at a high-level conference on Operation Phakisa and the Oceans Economy, held in Port Elizabeth.

Countries are being deprived of taxes; citizens of jobs, food and income; and fisheries and environments are being destroyed

Academic, government and industry leaders in the marine and maritime space from South Africa and Norway, committed to work together to combat fisheries crime.

FishFORCE has the buy-in from the world’s largest international police organisation, INTERPOL and the United Nations Office on Drugs and Crime (UNODC) because the oceans link all nations, and porous harbours or borders are a danger to all.

FishFORCE is working to achieve knowledge- and intelligence-led investigations and increase successful prosecutions of criminals engaged in fisheries crime. It also enables fisheries law enforcement officers to obtain formal qualifications, including higher certificates, diplomas and postgraduate diplomas, with access to further academic qualifications.

“FishFORCE is critical for South Africa where, as is the case in most developing countries, the training of Fisheries Control Officers (FCOs), police officers and prosecutors involved in fisheries law enforcement is conducted on an ad hoc basis. There are no courses specifically



designed to train them to fulfill their enforcement duties,” says Prof van As.

FishFORCE is also a collaboration of the South Africa Police Service, Defence Force, Navy, National Prosecuting Authority and Home Affairs to develop a combined offensive to deal with fisheries crime.

“In the past, the regulating, policing and law enforcement in the fisheries environment had been too compartmentalised and full of loopholes because of the large number of different players involved. As a result, criminal syndicates took advantage of this,” says Prof van As.

South Africa’s legislation gives certain Municipal Law Enforcement Officers the powers of FCOs. FishFORCE is providing the required training to Municipal Law Enforcement Officers.

Research by the United Nation’s Food and Agricultural Organisation (FAO) estimates that Southern and East Africa lose in the region of R12.2 billion to illegal and unreported fishing every year. The FAO further estimates that 85% of fish stocks worldwide are now fully exploited, and illegal fishing is one of the main contributors.

“We need to face up to the fact that traditional legal approaches to combatting illegal fishing and the associated illegal activities have met with limited success,” says Prof van As. “An alternative approach that is gaining momentum is to approach illegal fishing as a transnational organised crime, and to investigate the policing, legal and policy implications of using transnational criminal law and procedure to strengthen fisheries law enforcement.”

Since its establishment, FishFORCE has registered seven short learning programmes (SLPs), hosted a total 18 training sessions between August 2016 and October 2017, with 364 officials from Department of Agriculture, Forestry and Fisheries (DAFF), City of Cape Town, SANParks and SARS having received training to date.

The Academy also attended the FishCRIME Symposium last year, in Indonesia, and again this year, in Austria.

In November 2016, the University and FishFORCE co-hosted a high-level conference in Mombasa, Kenya, together with the University of Nairobi and the Kenyan Department of Fisheries. Senior government authorities from Kenya, Somalia, Mozambique, Tanzania, Indonesia, Mauritius and Seychelles came together to discuss the combatting of fisheries crime, including significant poaching by Chinese fishing boats.

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# OUR PARTNERS

## THE NORWEGIAN MINISTRY OF FOREIGN AFFAIRS (MFA)

The Norwegian Ministry of Foreign Affairs (MFA) is principal funder of the project titled "Development of a training programme for fisheries law enforcement officers (FishFORCE)".

The financial support provided by the MFA over a period of five years amounts to NOK 23 907 000 (Norwegian Krone) or R41million and is provided to ensure the following outcomes of the project are met:

- Technical expertise is built
- Coordination and cooperation between agencies and mechanisms for cross-border investigation of multi-crimes are strengthened



Norwegian Ministry of Foreign Affairs

- Expertise is harnessed, research is stimulated and law enforcement activities in the fisheries crime field are promoted

Furthermore, the Norwegian Government has identified South Africa as a partner country focusing on global challenges, such as climate changes, peace and reconciliation and oceans policy, which is where the FishFORCE project fits in.

A White Paper was published by the Norwegian Government highlighting the importance of the FishFORCE project.

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## THE DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES (DAFF)

The mandate of the department is, amongst other objectives, to fight fisheries crime. The project aims to, through training, post-training support and research, assist the department in achieving its mandate by increasing the effectiveness of law enforcement in the fisheries environment.

This partnership and the input from DAFF is a key driver in the success of the FishFORCE Project.

Furthermore, DAFF will actively participate in



agriculture,  
forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

the development of the Academy's long and medium-term strategies and serve as a reservoir of advice to the Academy's management as the department is mandated with marine fisheries management and law enforcement.

DAFF will also serve on the FishFORCE governance structures.

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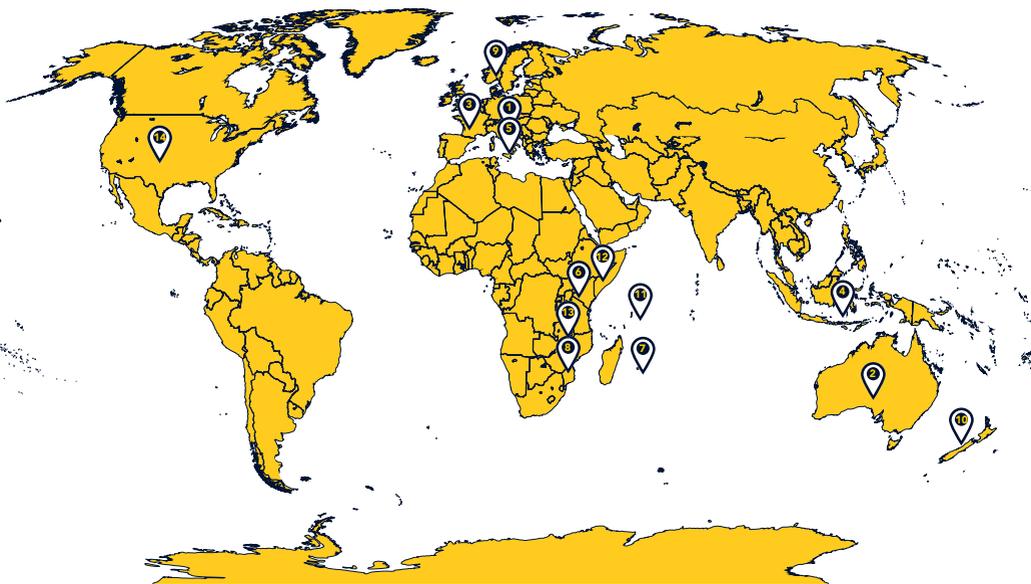
## OPERATION PHAKISA

Operation Phakisa will serve on the Board of the FishFORCE Law Enforcement Academy and serve as a strategic partner to the Academy, assisting with identifying key performance and risk areas in terms of sustainability, stakeholder relationships, operational activities and ethics and ensure appropriate strategies are implemented to mitigate these risks.



Along with DAFF, they will also actively participate in the development of the Academy's long and medium-term strategies. The FishFORCE Project has also been taken up into initiative 5 of Operation Phakisa.

# OUR GLOBAL CONNECTIONS



- |              |               |                 |              |
|--------------|---------------|-----------------|--------------|
| 1. Austria   | 5. Italy      | 9. Norway       | 13. Tanzania |
| 2. Australia | 6. Kenya      | 10. New Zealand | 14. USA      |
| 3. France,   | 7. Mauritius  | 11. Seychelles  |              |
| 4. Indonesia | 8. Mozambique | 12. Somalia     |              |

## Papers presented at various conferences around the world

1. *"Harnessing Humans in the FishFIGHT"* The International Symposium on FishCRIME  
12 - 13 October 2015, Cape Town, South Africa
2. *"Capacity-building needs of fisheries law enforcement officers- effective responses"*  
UNODC Expert Group 24 - 26 February 2016, Vienna, Austria
3. *"Addressing fisheries crime through the establishment of focused academies"* Global  
Fisheries Law Enforcement Conference 7 - 11 March 2016, Auckland, New Zealand
4. *"Contributing towards criminal justice: The private sector and fisheries law enforcement"*  
FishSA Conference entitled "Investing in the Ocean Economy, 6 June 2016, Cape Town,  
South Africa
5. *"FishCRIME 2016"*: The 2nd International Symposium on Fisheries Crime  
10 - 11 October 2016, Yogyakarta, Indonesia
6. *"Dealing with IUU Fishing and offences beyond fishing"* 2nd Regional Conference on the  
Establishment of a regional Convention Against IUU Fishing and its Related Crimes  
12 - 13 October 2016 Yogyakarta, Indonesia

# CONTACT US

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