

Implementation of user rights in Lake Albert fisheries, Uganda

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Abstract

This paper presents the fisheries user rights system that is practiced in Lake Albert in Uganda. The Lake Albert fishery is an open access fishery by all standards. Controls are implemented in the fishery through the issuance of licenses. These licenses are issued on an annual basis, and they are species-specific, meaning that the fisher has to own a license for each fish that he/she intends to fish. The processes of the issuance of licenses involves the registration of the fishers and an application on their part expressing their interest to operate in the kind of fishery for which a license is issued. In order to get licenses, the fishers have to log in online; this kind of licensing is referred to as e-licenses. Since the fees collected are deposited in the government consolidated fund, the fishers require tax identification numbers before they can log on to the licensing portal. Licenses are given on a first come first served basis, and the amount of fee is directly charged (taxed) on the transport vessels for fish and fisheries products. Before fishers are granted licenses, they are vetted to remove those who have engaged in illegal fishing practices. The research noted in 2006 that the decline in the stocks of fish in the main water bodies, Lake Albert inclusive, is mainly due to the increased number of illegal fishing practices in these water bodies. In order to develop a practical response to this issue, the Government withdrew fisheries licensing from the local government and transferred it back to the central government (Ministry of Agriculture, Animal Industry and Fisheries). Since the Ministry has had the Licensing system re-strategize with the main objective of reducing illegal fishing activities, thereby rebuilding the declining stocks. This paper, therefore, acknowledges that much as User Rights are exclusive in nature, the practice in the Ugandan context in the fisheries licensing system is very important for the promotion of sustainable fisheries management. It is also worth noting that this system is costly - in both time and financially. In addition to the above-mentioned disadvantages, it is also socially exclusive in that those who cannot pay for the licenses are incentivised to fish illegally. Nonetheless, it can contribute to the sustainable exploitation of the fisheries resource, thus supporting several of the Sustainable Development Goals (SDGs) most especially goal 14 (1), which advocates for the Global protection of aquatic life which is very important for human life on earth.

1. INTRODUCTION

1.1 Description of the Fishery

Lake Albert is an inland lake that is situated between the boundary of two countries, the Democratic Republic of Congo (DRC) and Uganda. About 54 percent of the lake is estimated to be in Uganda, and about 46 percent is in DRC. It is one of the Great African lakes and is situated at the far end of the western part of the East Africa Rift Valley, making it a rift valley lake. The lake is estimated to be 160 km long and 30 km wide. Lake Albert is currently the second-largest contributor to the fish production in the country, accounting for 30 percent. This ranges between 144 000 MT to 160 000 MT annually. The waters generally consist of a multi-species fishery, with the main commercial species being Nile tilapia, Nile perch and the small sardine like ragogi and muziri. About 80 percent of the total catches from the lake consist of Ragogi and Muziri, 6 percent represent Nile perch (not that the Nile perch species of Lake Albert consists of two forms that differ in biological and morphological characteristics: the larger *Lates Niloticus* grows to adult size at about 2 meters and occurs mainly in the shallower parts of the Lake, whereas the smaller *Lates Macrophthalmus* grows to about 70 cm and occurs mainly in the deep waters) (Lake Albert Policy Brief 2012) and the remaining 14 percent is shared between Nile Tilapia and the other species. In addition, there is a reasonable quantity of other species such as Alestes and Hydrocynus. Overall, more than 20 species from the Lake are harvested on a commercial basis.



Figure 1. Map of Uganda showing the location of Lake Albert.

Source: <https://www.un.org/Depts/Cartographic/english/htmain>

1.2 Economic contribution and Social Implication of the Fisheries

The fisheries sector in Uganda contributes about 5 percent to the National GDP, 1.5 percent of which is estimated to derive from the Lake Albert fishery. As noted above, the Lake Albert Fishery is currently the second-largest source of capture fish in the country. It contributes about 30 percent to the total capture fisheries production in the country.

2. MANAGEMENT OF THE FISHERY AND RIGHTS-BASED APPROACHES

2.1 Management of the Fishery

The fisheries of Lake Albert is managed based on an input control mechanism. The main fishing methods and fishing gears are controlled to ensure that the stocks are sustainably harvested. All active fishing methods such as boat and beach seining, tycoonning (beating the waters to scare fish into fishing gears), cast netting etc. are illegal as prescribed in the Fish Act and other subsidiary legislations. For non-active methods, there are size restrictions; for instance, the minimum allowed size of the gillnets is restricted to 4.5'' inch and above. For longliners, the size of hooks allowed is 9 and below. Fishing in fish breeding areas is prohibited, and fishing using baskets, dynamites, chemicals and other traps is also prohibited. Fishing should occur more than 200 m off the shorelines. In addition to these methods of control, licensing is also prominently used. On the Democratic Republic of Congo (DRC) side, closed season fishing is also practiced.

2.2 Brief History of former rights approaches used in the fishery

In 2008, the Directorate of Fisheries Resources (DFR) came back on its decision to delegate licensing of fishing activities to District Local Governments, and recentralized this function within the national

government, with the main objective of revitalizing the declining stocks from all the water bodies by using licensing as a fisheries management tool rather than a means to generate revenue. This initiative was taken because of the continuous decline of the fish stocks that was attributed mainly to the breakdown in co-management structure and rampant illegal fishing activities comprising mainly the use of illegal fishing gears. It was also noted that the District Local Governments were using licensing as a revenue-generating activity rather than fisheries management. The recalled licensing activities necessitated the development of a new strategy that, amongst many factors, required that fishing boats should have their registered numbers on a permanent marking similar to the vehicle number plates: the Fishing Vessel Identification Plates (FVIPs). The FVIPs are a good identification mark on boats since they are more permanent and are difficult to forge, unlike the paint marking that was previously used. However, these plates are expensive, and since 2011, when the implementation of the new Licensing strategy began, only about one-third of the required Fishing Vessel Plates have been procured.

2.3 Rights-based approach: Allocation and Characteristic

Currently the single most common mechanism that allows the Fishers to carry out fishing activities is the possession of a valid fishing license. It is a paper-based document that is given to the fishers. It is species-specific, meaning that for each fishery that a fisher wishes to engage in, they require a specific license.

3. CONTRIBUTION OF RIGHTS-BASED APPROACHES TO ACHIEVING SUSTAINABILITY

3.1 Sustainable use of the resources

The fish stocks in Lake Albert are generally overfished. The Nile Perch that used to be one of the main commercial stocks now contributes less than 6 percent to the total catch of the Lake. Other species, such as *Alestes barimose* and *Hydrocynus*, are no longer considered economically viable for fishing.

4. MAIN CHALLENGES AND WAY FORWARD

4.1 Challenges of the fishery

- a) Changing and cumbersome system of licensing (Acquisition of Tax Identification Numbers, Possession of internet, having the knowledge to use the internet, electricity etc.)
- b) Delays in procurement of Licensing Inputs (Fishing Vessel Identification Plates, Certificate of Vessel Ownership (CVOs))
- c) Limited enforcement that makes those who have paid for the fish license equal to those who have not yet paid
- d) Unharmonised policies, laws, regulations with the neighbouring DRC
- e) Conflicts –Political Insecurity in Eastern Congo
- f) Political interference at all levels

4.2 Improving fisheries sustainability in the future

- a) Establishment of a Regional Fisheries Management Organization (RFMB) for the Fisheries that border DRC. This could be done in many ways, for example, expansion of the mandate of the LVFO or creation of a different organization altogether
- b) Harmonization of fisheries policies, laws and regulation with DRC (closed season in DRC and nothing in Uganda)
- c) Conflict resolution between the users: Mukene/ ragogi fishers (Light fishers and the Gill netters / longliners)
- d) Conducting a comprehensive licensing as provided for in the law

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