

REPUBLIC OF MOZAMBIQUE
MINISTRY OF THE SEA, INLAND WATERS AND FISHERIES (MIMAIP)

**Elaboration of the Strategy for
Monitoring, Control and Surveillance (MCS) system in Mozambique**

Final report on the general results of the for studies:



Study 1 :Elaboration of an MCS strategy for semi-industrial and industrial fisheries



Study 2: Elaboration of an MCS strategy for Small-scale fisheries



Study 3: Long-term sustainable financing of the MCS industrial, semi industrial and small-scale components



Study 4: Update the National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (NPOA-IUU)

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Table of contents

1	INTRODUCTION	7
2	STUDIES 1 & 2 - ELABORATION OF MCS STRATEGIES FOR INDUSTRIAL, SEMI-INDUSTRIAL AND SMALL-SCALE FISHERIES)	7
2.1	DIAGNOSTIC	7
2.1.1	Findings common to all sectors of fisheries	7
2.1.2	Findings specific to industrial and semi-industrial fisheries	8
2.1.3	Findings specific to small scale fisheries	9
2.2	MCS STRATEGY FOR ISIF AND SSF FISHERIES	10
2.2.1	Vision	10
2.2.2	3 strategical objectives	10
3	STUDY 3 – LONG-TERM SUSTAINABLE FINANCING REGARDING THE MCS INDUSTRIAL, SEMI-INDUSTRIAL AND SMALL-SCALE COMPONENT	11
3.1	INTRODUCTION	11
3.2	DEFINITIONS, INTERNATIONAL OBLIGATIONS AND BEST PRACTICE	12
3.3	PRESENT AND FUTURE MCS SYSTEM LEGAL AND INSTITUTIONAL PROVISIONS	12
3.4	FISHERIES SECTOR	13
3.4.1	Industrial and semi-industrial fisheries (ISIF)	13
3.4.2	Small-scale fisheries (SSF)	13
3.5	MCS ACTUAL AND REQUIRED BUDGETS	13
3.5.1	Fisheries management costs	13
3.5.2	ISIF and SSF Budget Shares	14
3.5.3	Budget for the proposed MCS Strategy	14
3.6	SUSTAINABLE FINANCING OF MCS BUDGET	15
3.6.1	Fishing rights, fishing licences and cost recovery	15
3.6.2	External financing sources	15
3.7	FINANCIAL MECHANISMS AND INSTITUTIONAL STRUCTURE	16
3.8	PERSPECTIVES	16
4	STUDY 4 – UPDATE OF THE NATIONAL ACTION PLAN TO DETER AND ELIMINATE IUU FISHING (NPOA IUU)	16
4.1	BACKGROUND	16
4.2	INTERNATIONAL/REGIONAL FRAMEWORK AND REFERENCE STANDARDS FOR IUU FISHERIES PREVENTION	17
4.3	IUU FISHERIES STATUS IN MOZAMBIQUE	17
4.3.1	Diagnosis elements from studies 1, 2 and 3	17
4.3.2	A low level of control/sanction of IUU fisheries	17
4.4	SWOT SYNTHESIS	18
4.5	NPOA IUU CONTENT, ASSESSMENT AND GUIDANCE FOR UPDATING	18
4.6	MAJOR UPDATE OBJECTIVES AND ACTIONS FOR NPOA IUU (2020-2025)	18
5	APPENDICES	20
5.1	ANNEX A - RISK ANALYSIS	20
5.2	ANNEX B - MCS ROADMAP	20
5.2.1	Key decision points - common to SSF and ISIF strategies:	21
5.2.2	Key decision points- ISIF strategy:	23
5.2.3	Key decision points- SSF strategy:	24
5.3	ANNEX C - DETAILED BUDGET TABLES FOR THE PROPOSED MCS STRATEGY	26
5.4	ANNEX D - BINDING AND VOLONTARY INTERNATIONAL INSTRUMENTS	28
5.5	ANNEX E - KEY ELEMENTS TO BE DEFINED FOR THE NEW DNOP AGENCY	29
5.6	ANNEX F - FISHING INFRINGEMENTS	31
5.7	ANNEX G - SWOT ANALYSIS FOR NPOA IUU	31
5.1	ANNEX H – NPOA IUU CONTENT, ASSESSMENT AND GUIDANCE FOR UPDATING	31

List of tables

TABLE 1 - ANNUAL BUDGET ESTIMATES FOR THE MCS STRATEGIES (USD).....	15
TABLE 2 - GENERAL PRESENTATION/STRUCTURE OF NPOA IUU ASSESSMENT/UPDATING TABLES (CAZALET, 2019)	18
TABLE 3 - ISIF RISK ANALYSIS	20
TABLE 4 - SSF RISK ANALYSIS	20
TABLE 5 - BINDING AND VOLUNTARY INTERNATIONAL INSTRUMENTS.....	28
TABLE 6 - PROVISIONS OF A GOVERNMENT FISHERIES SURVEILLANCE AGENCY	29
TABLE 7 - UPDATED FISHING INFRINGEMENT (<i>MODIFIED FROM DNOP 2018/2019</i>).....	31
TABLE 8 - SWOT ANALYSIS OF NPOA IUU IMPLEMENTATION (CAZALET, 2019).....	31

List of acronyms

Acronym	Definition
ADNAP	National Fisheries Administration (MIMAIP) / Administração Nacional das Pescas
AIS	Automatic Identification System
CAP	Fisheries Management Commission / Comissão da Administração Pesqueira
CCP	Fisheries Communities Councils
CEPAM	Centre of Marine and Coastal Environment Research
CEPAQ	Centre for Aquaculture Research / Centro de Pesquisa em Aquacultura
CFP	Common Fisheries Policy
CP	Contracting party
DAMAI	Department of Sea and Inland Affairs / Departamento de Assuntos do Mar e Águas Interiores (in charge of MCS within the provincial DPMAIP)
DEPI	Directorate for Studies, Planning and Infrastructure / Direcção de Estudos, Planificação e Infraestruturas
DB	Databases
DNOP	National Directorate for the Operations / Direcção Nacional de Operações
DPMAIP	Provincial Directorate of the Ministry of the Sea, Inland Waters and Fisheries / Dirección Provincial del Ministerio do Mar, Águas Interiores e das Pescas
EC	European Commission
EEZ	Exclusive Economic Zone
ERS	Electronic Recording and Reporting System
ESA-IO	Eastern Southern Africa-Indian Ocean
EU	European Union
EUR	Euro
FAO	Food and Agriculture Organisation
FMC	Fisheries Monitoring Centre
FMP	Fisheries Management Plan
FFP	Fisheries Development Fund / Fundo de Fomento Pesqueiro
FPA	Fisheries Partnership Agreement
GPRS	Global Packet Radio Service protocol
HR	Human Resources
IDEPA	National Institute for Fisheries and Aquaculture / Instituto Nacional de Pesca e Aquacultura
IDPPE	National Institute for The Development of Small Scale Fisheries
IF	Industrial fisheries
IIP	Fisheries Research Institute / Instituto Nacional de Investigação Pesqueira
IMO	International Maritime Organization
INAHINA	National Institute for Hydrography and Navigation / Instituto Nacional de Hidrografia e Navegação
INAQUA	National Institute for The Development of Aquaculture
INIP	National Institute for Fish Inspection / Instituto Nacional de Inspeção do Pescado
IOC	Indian Ocean Commission
IOTC	Indian Ocean Tuna Commission
ISIF	Industrial and semi-industrial fisheries
IUU	Illegal, unreported and unregulated fishing
LOA	Length Overall
MCS	Monitoring, Control and Surveillance
MCSCC	SADC MCS Coordinating Centre
MIMAIP	Ministry of Sea, Inland waters and Fisheries
MoU	Memorandum of Understanding
MPA	Marine Protected Area
NGO	Non-Governmental Organisation

PAD	Project Appraisal Document (World Bank)
PESPA	Strategic Plan for Artisanal Fisheries Sector / Plano Estratégico do Subsector da Pesca Artesanal
PRSP	Plan Régional de surveillance des pêches (IOC) / <i>Regional Fisheries Surveillance Plan (IOC)</i>
PSMA	Port State Measures Agreement
RFID	Radio Frequency Identification Device
RFMO	Regional Fisheries Management Organisation
SDAE	District Service for Economic Affairs / Serviço Distrital de Assuntos Económicos
SIF	Semi-Industrial Fisheries
SSF	Small-scale Fisheries
SWIO	South West Indian Ocean
US	United States of America
USD	US Dollar
VHF	Very High Frequency
VMS	Vessel Monitoring System

1 INTRODUCTION

The general aim of the consultancy entrusted to Oceanic Développement was to strengthen the Monitoring, Control and Surveillance (MCS) system in Mozambique and to ensure the sustainability of the financing of the surveillance actions. To achieve this, the work was divided into four studies:

- Elaboration of a MCS Strategy for semi-industrial and industrial fisheries (ISIF);
- Elaboration of a MCS Strategy for small scale fisheries (SSF);
- Study for a long-term sustainable financing regarding the MCS industrial, semi-industrial and small scale component;
- Update the national action plan to deter and eliminate IUU fishing (NPOA IUU).

An analysis of the present situation based on risk analysis per fisheries an audit of the whole MCS system (institutional, legal, operational...) was carried out during four field missions which were held from June 2018 to June 2019.

The first two studies were the subject of two field visits, at the central level and in the provinces supported by the SWIOFish1 funding program (Provinces of Maputo, Sofala, Tete and Nampula). The other two studies were conducted at the central level in Maputo.

Two workshops were also conducted, one in November 2018 in Nampula and one in June 2019 in Beira.

2 STUDIES 1 & 2 - ELABORATION OF MCS STRATEGIES FOR INDUSTRIAL, SEMI-INDUSTRIAL AND SMALL-SCALE FISHERIES)

2.1 Diagnostic

In both studies, the results of diagnostic and audit can be grouped into three categories: The findings common to all sectors of industrial fishing that artisanal fisheries, and finally those specific to each sector.

2.1.1 Findings common to all sectors of fisheries

2.1.1.1 Institutional organization

- Strong determination to better manage the MCS. Most of the actors met showed their lucidity on the state of the country's MCS system and a strong determination to improve it.
- consequent technological weakness. Computer networks are rare and unreliable. Almost everywhere, provision of energy and internet access is problematic. Nobody uses professional email address, which causes problems of confidentiality and credibility. There are very few relational databases. Most of the records in use in the MCS system are paper-based, in best cases on spreadsheet tabs.
- MCS responsibilities are shared between many actors (DNOP, ADNAP, Maritime Administration, DPMAIPs, Districts) but the roles of each institution are sometimes poorly defined which causes confusion and redundancies.
- The fisheries managements plans are outdated and are not transcribed into operational documents for those who must implement them.
- No fisheries surveillance plan to give clear guidance to stakeholder in the surveillance community. The procedures for handling inspections and offenses are unclear and do not guarantee that fundamental rights of citizens are protected (contradictory procedure and ability to hierarchical or judicial appeals).
- Monitoring and evaluation mechanisms (M&E) are not adapted: The absence of precise objectives by management or surveillance plans induces many gaps in the M&E system at all levels of MCS: monitoring (data collection), control (especially issuance of licenses) and monitoring (for example, it was impossible to obtain credible data reflecting the reality of surveillance activities for previous years).

2.1.1.2 Inadequate funding system for operational coordination

Current mechanisms for mobilizing operational funding (operating costs of MCS activities) are not adequate. The deadlines for implementing this funding are incompatible with the necessary responsiveness of surveillance activities.

2.1.1.3 *functioning of the Fisheries Monitoring Center (FMC)*

- The DNOP VMS service limits its activities to the operation of the VMS whereas it could act as a true FMC in charge of coordinating all the fisheries surveillance tasks in the country. The VMS service is split into two entities (ADNAP and DNOP) with a misidentification of responsibilities in both institutions.
- Lack of staff training
- Lack of access to relevant data.

2.1.1.4 *Poorly trained and unrecognized surveillance officers*

Staff qualification is very heterogeneous. They lack career opportunities, common initial training and recognition like other law enforcement agencies.

2.1.1.5 *Incomplete, poorly known, and poorly enforced regulation*

- The rules of access to the resource requests to be specified, particularly with regard to the targeted species, bycatch and accidental catch in order to avoid the circumvention of the regulation.
- The regulation is not sufficiently understood by the actors of the MCS. Whether at the central level, in the provinces or the districts, everywhere approximations have been found in the best cases, and sometimes frank deficiencies on the part of law enforcement officers (inspectors or district technicians) or to promote it (extensionnists).

2.1.1.6 *Extreme weakness of DPMAIP capabilities*

- Provinces are poorly staffed (number of agents, qualification and age). The DPMAIPs and particularly the DAMAIs are for the most part understaffed, with regards to the missions they must ensure.
- The DAMAIs are not efficiently organized to perform all the missions entrusted to them, and in particular to effectively carry out the routine work that is the core of their activity (permanent presence in the field, routine inspections, awareness and support of districts and CCPs for licensing and dissemination of regulatory knowledge). In some provinces, the inspection services are unnecessarily concentrated at hours away from the coast, where their activities should be carried out (Tete and Nampula provinces), while in other provinces, inspectors are scattered all along the coast, making impossible the necessary team work of the inspectors and the rationalization of the assets (province of Cabo Delgado for example).
- DAMAIs are totally under-equipped in terms of inspection equipments and means of transport and intervention (land vehicles and nautical means)
- Inadequate operating budget and financial mechanism incompatible with the necessary flexibility of the operation and maintenance of equipment.
- variable quality of different fisheries inspectors. The prerogatives of agents under different statutes are poorly defined. There is no uniform or visual identity. Training and qualifications vary

2.1.1.7 *No Surveillance at sea, whatever the area*

The waters under Mozambique's jurisdiction are virtually unmonitored: Apart from VMS, there is no effective means of surveillance. At the level of the physical surveillance, in the near coastal area, there are only very few functional nautical means, for the zones further off as the fishing zone of Sofala Bank, there is nothing, nor for the rest of the EEZ. The experience of the Antilla's reefer also shows that Mozambique does not currently have the financial, technical and operational capacity to operate this type of vessel. The skills needed to conduct an offshore vessel, as well maintenance and planning of its use are not available at present in the MIMAIP. Electronic surveillance is no more efficient: there are 3 separate chains of AIS stations, which are not interconnected. Their data is not accessible to the FMC, which allows no correlation with other data sources such as VMS. Radar surveillance is sporadic and limited to approaches to major ports. This data is also not shared with the FMC.

2.1.2 *Findings specific to industrial and semi-industrial fisheries*

These general observations are supplemented by findings specific to the industrial and semi-industrial fishing sectors.

2.1.2.1 *Risk analysis*

The risk analysis highlighted two different situations:

- Fisheries conducted by historical operators (such as industrial and semi-industrial shrimp trawlers). These operators have been established in Mozambique for a long time and have developed a complete ecosystem around their fishing activity involving long-term financial and social investments, benefiting the whole country. These fisheries pose a moderate risk due to the commitment of these operators to stay in the country and develop their activities in a sustainable way. It is also these fisheries that are best known and followed by the administration.
- Fisheries practiced by new operators, such as tuna fishing from Beira or the recent activities of the Global Reach group operated from Nacala. These fisheries pose a much greater risk, in particular because their activities are poorly apprehended by the administration and poorly supervised (license conditions, fishing gear and targeted species). This category includes Kapenta fishing on Cabora Bassa Lake. Indeed, even if this fishery has historical players that present a low risk for the same reasons as those mentioned above, there are new operators, for which the risk of non-compliance with regulations is very high, mainly because the opacity of licensing conditions, as evidenced by the recent increase in the number of vessels authorized in this fishery, even though the state of the resource argued for a reduction in the number of licenses or at least refusal to grant new fishing authorizations. The impact of artisanal illegal fishing is also a factor that aggravates the situation for this fishery. Thus, even if the fishery carried out by the historical operators of the Kapenta, treated separately, represents a low to moderate risk, the whole fishery on the contrary must be considered as posing a high risk, with a real risk for the stocks to collapse if concrete measures are not taken quickly. Risk analysis for ISIF is given in annex A, table 3.

2.1.2.2 A fisheries policy that does not consider risks

- It seems that the FMPs are only theoretical documents that are not implemented concretely to help define a coherent fisheries policy. Analysis of the situation of recent years highlights a fisheries policy that ignores the history of fisheries in the country and risk analysis.
- Recent regulatory reforms are perceived by incumbents as a threat to the sustainability of their business despite the role they play in the economic and social development of the country for many years (Increase in the price of licenses, constraints on the nationality of business capital, lack of resource conservation measures, opacity of the mechanism for allocating fishing rights, weak means of fight against the illegal fishing, etc ...).
- On the other hand, new operators, they too often supported by foreign capital, obtain, under opaque conditions, fishing rights unrelated to the current fisheries management plans, with conditions of access to the resource insufficiently supervised and little or not controlled at all.

2.1.2.3 Low Frequency of collection of catch data

The key to a successful MCS system is the collection of data, including data on catches. However, with regard to industrial and semi-industrial fishing, the frequency of submission of these data is very insufficient to enable the monitoring services (ADNAP) and those responsible for surveillance (DNOP, DPMAIPs) to carry out effective controls. Access to this data for surveillance assets is also problematic.

2.1.3 Findings specific to small scale fisheries

The artisanal fishing sector has nearly 55,000 fishermen and nearly 350,000 people if we consider all the professionals involved in the collection, processing and sales sectors. This sector represents about 90% of the captives debarred in the country. This is therefore a major challenge for the country in terms of resource management.

2.1.3.1 Risks analysis

- Whatever the province considered, the risk analysis for artisanal fisheries gives the same alarming results. Artisanal fishing on Lake Cabora Bassa is no exception to this rule, quite the opposite. Risk analysis for SSF is given in annex A, table 4.

2.1.3.2 Licensing rate and compliance rate close to zero

With the exception of a few particularly well managed CCPs, the licensing situation is particularly alarming. Licensing rate among small-scale fishers is very low, close to zero in some areas. This refusal to take licenses is explained by several factors, the most frequent of which are:

- Almost total absence of control
- Refusal to pay taxes to the state (communities where the political opposition is dominant)
- Refusal to pay licenses due to recent rate increases
- The procedure for taking a license is complicated if you are not available on delivery days organized by the districts

2.1.3.3 District powerlessness to manage CCPs

The districts, which are the first field contacts to help with structuring CCP desperately short of capacity in this direction: In most of cases, they lack of vehicles to visit the CCP. Staff is rare and poorly trained especially in regulation and they receive very few support from DPMAIPs

2.1.3.4 Generalized use of harmful fishing gear

Everywhere, harmful fishing gear is blooming. Communication efforts are not enough to convince fishermen to put their activity into sustainability rather than seek immediate profits at the risk of destroying the resource sustainably. Where mosquito nets are not used, the meshes of the filest are too small. Most extensionists and inspectors do not even know the the size of regulatory mesh.

2.1.3.5 Inability of the administration to support the development of CCPs

ADNAP's Participatory Management Department does not have sufficient resources to efficiently conduct its CCP development policy. Presently, the Department is not sufficiently endowed (in terms of equipment, personnel and budgets) to supervise and facilitate the action of more than 300 CCPs of the country representing nearly 1,100 communities of fishermen. As a result, the following objectives are not achieved:

- Divuligation of Fisheries Management Plans through communication to the CCPs
- Co-management meeting at district level should be held twice a year
- Training of SDAE officials and of extensionists
- sensitization campaigns for CCPs, communities and schools

The fisheries inspectors of the DPMAIPs also do not have the capacity to effectively support the development of the CCPs (insufficient staff, low budget and means of transport in too small quantities)

2.1.3.6 heterogeneous development of CCPs

Most CCPs are ineffective even if some show a good level of structuring.

In particular:

- Few CCPs have adopted internal regulations
- Very few CCPs have premises to host their meetings and carry out their work
- Very few CCPs have means of transport or craft
- The majority of CCPs have virtually no resources beyond the percentage normally charged on the issue of licenses.
- Some members of CCPs are far from being exemplary (refusal to take their licenses, use of prohibited fishing gear) which does not contribute to establishing a culture of compliance with laws and regulations

2.2 MCS Strategy for ISIF and SSF Fisheries

2.2.1 Vision

Vision statements correspond to what stakeholders (government, private sector, civil society) agree the country's MCS system to be ideally, in 10 or 20 years time: "An efficient and effective MCS framework in the coastal and inland waters of Mozambique, which supports the sustainable management of fisheries resources and maximizes social and economic development benefits, while minimizing impacts on vulnerable habitats, species and ecosystems. "

2.2.2 3 strategical objectives

2.2.2.1 Strategic Objective 1 – Strengthen the MCS system at national, provincial, district and community levels

- Strengthened Central Services

- Strengthened Provincial Services
- Strengthened District Services
- Strengthened Community (CCP) MCS capacities
- Trained and well equipped MCS teams
- State of the art and well managed MCS tools, equipment and systems
- Monitoring and Evaluation of the MCS system and its implementation, by fishery, component and for each MCS Plan
- Develop and implement MCS Plans:
 - Implement active participatory surveillance
 - Eradicate domestic unlicensed fishing
 - Eliminate destructive fishing practices
 - Fishing gear marking plan for all static fishing gear
 - Coastal Fisheries Surveillance Plan and capacities

2.2.2.2 Strategic Objective 2 – Ensure a persuasive legal framework capable of eliminating IUU fishing activities

A review of the primary and secondary fisheries legislation is undertaken in the Study 3 of this project. The central question remains the implementation of this corpus of rules, especially with regard to SSF segment which is very complex and dense, as well by its socio-economic dimension (number of fishermen, ships, effort and landed volumes) than geographical (very wide spatial distribution and nomadic fisheries).

2.2.2.3 Strategic Objective 3 – Develop international and regional cooperation

Mozambique has been actively participating in every forum, and has offered to lead by hosting both the SADC MCS Coordinating Centre and the Secretariat of the SWIOFC. The adoption of regional policy resolutions can only benefit from Mozambique's renewed efforts to strengthen its SSF MCS system.

In this respect, it seems worth pointing out that adherence to the principle of a regional FMC cannot be a substitute for the priority objective of effectively implementing a national MCS center.

Indeed, the fact that the SADC MCS Coordinating Centre should be installed in Maputo will undoubtedly allow potential synergies with national FMC. To assure the good coordination and support from the regional FMC, the implementation of an effective MCS policy, including the setting up of an effective and operational National Fisheries Monitoring Center must be priorities.

2.2.2.4 A roadmap and a five-year plan for implementation

The study resulted in the drafting of a roadmap and a five-year plan for the implementation of the MCS strategy, based on key decision points to be taken by the different national stakeholders. Again, some of the proposed measures relate to both strategies (ISIF and SSF), while some measures apply only to one or the other sector.

Each proposed measure is accompanied by an importance indicator and a priority indicator as well as a provisional timetable for implementation.

The roadmap details the strategic objectives of MCS strategies for industrial and semi-industrial fisheries, as well as those for small-scale fisheries.

The roadmap is summarized in the tables in Annex B.

A draft budget proposal for the implementation of the roadmap is contained in Annex B.

3 STUDY 3 – LONG-TERM SUSTAINABLE FINANCING REGARDING THE MCS INDUSTRIAL, SEMI-INDUSTRIAL AND SMALL-SCALE COMPONENT

3.1 Introduction

The overall objective of **STUDY 3** is to identify long-term financing options to support the MCS strategies for the SSF and ISIF.

The report presents a review of international best practice in terms of MCS system requirement and of Mozambique's present and new legal provisions, which determine what is needed and what is presently envisaged by the government.

Long-term financing options are introduced by i) a review of the fisheries sector annual productive value, in terms of vessels, gear, production, trade and employment and ii) a detailed summary of the budget requirements of the ISIF and SSF MCS Strategies proposed in studies 1 and 2. Finally, options for sustainable financing and detailed by potential funding sources and financing mechanisms.

3.2 Definitions, International obligations and best practice

The Sustainable Development Goal #14 (SDG14) aims to "Conserve and sustainably use the oceans, seas and marine resources for sustainable development". For fisheries specifically, Goal #14.4 sets a very specific outcome: SDG 14.4: By 2020, to effectively regulate harvesting and end overfishing, illegal, unreported and unregulated fishing and destructive fishing practices and implement science-based management plans, in order to restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield as determined by their biological characteristics. In Mozambique, the over-exploitation of resources and IUU fishing activities would not only affect SDG14, but for fisheries-dependent communities in particular, they would also have negative impacts on the SDGs for poverty reduction (SDG1), food security (SDG2), nutrition (SDG3) and indirectly on sustainable economic growth (SDG8) and access to education (SDG4). There are many international instruments whose implementation helps to achieve the SDGs. A list of main instruments is given in Annex 5.3. Numerous regional initiatives complement this system (AU-IBAR, NEPAD, SADC, IOC and RFMOs), promoting regional cooperation and emphasizing capacity development.

MCS activities, together with Scientific Research and Fisheries Management Plans (FMPs), are essential parts of the Fisheries Management system. M, C and S components may be supervised or delivered by different administrative services, as is the case for Mozambique, with ADNAP monitoring catches and providing control through the delivery fishing licences according to FMPs provided by the Fisheries Research Institute (IIP), and the DNOP in charge of surveillance. Most importantly, all MCS activities must be closely coordinated. Surveillance activities may be the most visible, they would be totally ineffective if monitoring and control measures were not fully operational. For this reason, all MCS actual and potential costs, revenues, budget needs and financing options are reviewed in Study 3.

3.3 Present and future MCS system legal and institutional provisions

Mozambique's national legislative framework for fisheries management is currently being revised. The MCS Policy (2008) defines institutional responsibilities for its implementation, which appear to remain largely valid. The new Fisheries Law was adopted by act n° 22/2013 of November 1, 2013 and its main implementing text has been drafted but it has not yet been formally adopted. It will reform and update the 2003 REPMAR decree, which is therefore still in force today. Several texts of application for the new law have already been adopted, such as the 2017 decree regarding fishing rights and licences.

A number of new legislative provisions set the rules applicable to local government organization (delegation of powers) in the various areas of intervention, including fisheries management and MCS. The National Fisheries Administration (Administração Nacional das Pescas – ADNAP) and IDEPA (previous IDPPE and INAQUA) have been integrated as provincial departments into the DPMAIPs. At District level, matters related to the MIMAIP are dealt with by the District Service for Economic Affairs (Serviço Distrital de Assuntos Económicos – SDAE), in collaboration with the respective Provincial DPMAIP.

One way to strengthen the DNOP's fisheries surveillance activities and clarify its budget allocations would be to create a separate legal entity based on the principle of delegation of power for a specialized mission. The DNOP would thus become an administrative authority designated as a legal entity, under the control of the central administration, but with no hierarchical link.

The legal bases would be similar to those leading to the creation of the ADNAP and its provincial delegations. For the DNOP to be transformed into an agency, it will be necessary to clarify the missions with regards to those of the ADNAP, in particular the fishing monitoring center (FMC) presently with the ADNAP will need to be transferred to the new fisheries surveillance agency or strengthened DNOP. Key elements to be defined for the new DNOP agency are given in annex 5.4. A review of the MCS legal bases gives elements to improve the legal framework.

The concept of fishing rights for access fisheries resources introduced by the new fishing law of 2013 and implemented by the decree of December 2017¹ will need a very strong MCS system in order to be applied effectively, in particular regarding the new license fees regimes.

3.4 Fisheries sector

To summarise, there is an urgent need for: (i) FMPs to be developed or revised and take into account catches made by the SSF fleet, including for Kapenta fisheries; (ii) A national fisheries and aquaculture census is urgently needed, to provide baselines not only for SSF activities, but also to re-adjust statistics for ISIF and non-commercial activities; (iii) It would be also very important to have a precise baseline of the sector before the new REPMAR comes into effect with its new definition of vessel length boundaries of the IS, SIF and SSF categories.

3.4.1 Industrial and semi-industrial fisheries (ISIF)

The data available for the period 2013-2017 show a more stable and globally compliant industrial fishing (IF) sector, targeting mainly shrimp found in Mozambique's waters. However, it is prawn and gamba resources targeted by SIF vessels appear to be over-exploited and consequently fishing activity and most probably licence numbers may need to be decreased in order to allow for stocks recovery. It is also important to note that prawn stock recovery also depends strongly on the control of SSF fishing activities targeting juveniles in coastal nursery areas.

Semi-industrial fishing (SIF) mainly consists of boats targeting Kapenta on Lake Cahora Bassa and other large lakes, and of some 30 to 40 vessels fishing demersal marine species in the linefish fishery (*linha*). The current absence of FMPs and the ineffective MCS for the Kapenta fishery in Cahora Bassa are most likely leading to an imminent collapse of the resources. The parallel market induced by illegal fishing is also likely to influence market prices, notably for export.

The situation regarding the foreign ISIF fleet is worrying because of the lack of reliable data including for tuna and related species, which constitutes a significant non-compliance with IOTC rules. The detailed analysis undertaken in Study 1 reveals serious discrepancies in the official records for most ISI fisheries, which need to be corrected urgently for Mozambique to comply with its Flag State and Port State obligations.

3.4.2 Small-scale fisheries (SSF)

Production volumes and first sale value show the study noted that SSF fisheries production contributes by far the largest tonnage and revenue to the national economy. Therefore, an effective and sustainably financed MCS system to ensure that SSF fisheries are sustainably managed is of the utmost priority.

The situation of the artisanal fleet is critical. There has been a collapse in licensing rate since 2015, while fishing activities seem to have increased everywhere. 2015 was the last year when sufficient MCS effort was deployed to count and register fishing gear. From 2016 onwards, the numbers of SSF licences reported in official statistics illustrate a lack of effective MCS capacity at all levels (DPMAIPs, District SDAE services, and CCPs). Current official statistics do not represent SSF activities accurately. Licensing coverage is low, the entire MCS system is weakened, and license revenue is lost. The 5-year Fishery Census due in 2018 has not been done. In the past, census information provided a baseline for the new Policy and the development of MCS activities. A Census, extended to ISIF vessels, gear and crew is urgently required.

In addition, international MCS best practice dictates that subsistence fishing should not allow commercial sales, even occasionally, in order to avoid IUU fishing activities and environmental degradation. The present system results in unfair competition between official professional artisanal and the current status of subsistence fishers.

3.5 MCS actual and required budgets

3.5.1 Fisheries management costs

1. The recent de-concentration of fisheries administrations from central to provincial level, has created important changes in costs and revenues at all levels;

¹ Decreto n.º 74/2017 de 29 de Dezembro 2017 (Regulamento de Concessão de Direitos de Pesca e de Licenciamento da Pesca) modified by Decreto n.º 60/2018 de 1 de Outubro

2. Ministerial budget freeze and budget reductions from 2015 have resulted in a loss of staff, skills and operational means that will need to be re-built;
3. An important consequence of these recent developments is a dramatic decrease in data acquisition and data quality, which would be essential for a detailed budget estimation;
4. Finally, the change in fisheries management regime to fishing rights and multi-annual concessions introduced in 2017 and 2018 is too recent to appraise. But rights regimes are known to be more costly to manage than open access or output controls, which have prevailed in SSF and ISIF management respectively until now.

There is no detailed official budget of past or current MCS expenses to be found. The recent 5-year period has been exceptional for the MIMAIP, characterised by a budget freeze and from 2017 a major budget decrease at both central and provincial levels. In addition to the overall budget decrease, budget cuts in recent years explain the present lack of MCS operational capacity in the field, which was observed everywhere in Studies 1 and 2.

Altogether, on the basis of the sector budget in 2014 and investments programmed in 2015, a budget of 7 million USD per year was estimated to be necessary for Mozambique to develop and maintain a performant MCS system. It is the annual lower basis of our financial analysis. The higher estimate of 10 million USD per year is obtained from a 40% MCS costs increase linked to the fisheries management reform.

3.5.2 ISIF and SSF Budget Shares

The first priority for all levels of government must be to put MCS systems in place that ensure a 100% licensing rate and catch declaration in order to eradicate IUU activities; together with adequate and dedicated monitoring and evaluation (M&E) system. For catch declarations, priority will be given to fisheries with high IUU risk ratings.

Reaching 100% licence coverage will take more time for SSF, and realistic targets will have to be set, at local, district and Province level for the next 5 years, which will guide the allocation of dedicated resources. In each Province, priority must be given to SSF activities exporting their catch (directly or through collectors – who should also be licensed), aiming to eradicate IUU sources for exported products within 3 years.

Operational budget will need to reflect the split of tasks between Central and Provincial levels. The proposals for Staff recruitment for Province (DAMAI / DPMAIP) will have to be validated and programmed over several years, with a priority given to training of existing staff that ensure career and skills development (Services). The other priority is to provide adequate equipment (Goods), including some which may be centrally procured, and the necessary annual budget to ensure their working order and replacement.

The sharing of investment budgets and financing of specific investments between Central and Provincial levels will be a matter for government to decide and program. Equipment, operations and maintenance costs will need to be estimated for each Province, on the basis of up-to-date statistics for the number of fishers, gear and vessels to be licensed, controlled/ inspected

3.5.3 Budget for the proposed MCS Strategy

The MCS Strategies proposed in Studies 1 (ISIF) and 2 (SSF) have been translated into 5-year Operational Plans summarised as roadmaps outlining the recommended measures along with priority level (High, Medium, Low), institution(s) responsible and timeframes, for three strategic objective (SO) (see annex 5.1):

- SO 1: Strengthen the MCS system at national and provincial levels;
- SO 2: Ensure a persuasive legal framework capable of eliminating IUU fishing activities;
- SO 3: Develop international and regional cooperation.

Costs are estimated by activity and summarised into three categories, the costs common to both ISIF and SSF MCS development and operations, and costs that are specific to ISIF and to SSF MCS systems separately.

The estimated overall budget estimates are given in the table below, noting that the proposal for a patrol vessel for ISI fisheries detailed in Study 1 is to first rent a 24-30m patrol vessel at an annual cost of USD700 000 and then to buy a second fishing vessel and refit it to purpose at a total cost of USD500 000.

Table 1 - Annual Budget estimates for the MCS Strategies (USD)

Draft Strategy Budget	Investment costs	Operational costs / year
SSF and ISIF strategies	3 692 100	909 000
ISIF Strategy*	61 000	1 880 000
SSF Strategy	400 000	345 000
Total	4 153 100	3 134 000

* See Study 1 for ISIF patrol vessel

3.6 Sustainable financing of MCS budget

A 2016 KPMG study looked at a number of revenue sources that allowed MIMAIP and all its components to balance their expenses through their own revenue generation (receitas próprias). However, our estimates of budget needs to support MCS strategies appear to be much larger than expected in that study. Two complementary tax collection avenues have been opened in the new legislation following the KPMG report of 2016, one through fishing rights (taxas de direitos de pesca) and the other through licence fees (taxas de licença de pesca).

Contrary to the KPMG report of 2016, we do not foresee that the fisheries sector should pay for itself, for a number of reasons, especially because of the social and nutrition benefits that fisheries bring to the people of Mozambique. Therefore we also examine complementary external sources for the sustainable financing of the MCS strategies. External finances may combine loans at discounted rates with grants and fiscal revenue. We recommend that these new mechanisms be considered as soon as possible to contribute to restore marine ecosystems that provide essential fish and shellfish habitats and have very high natural capital values. Habitat restoration and ecosystem protection is urgently needed to phase out destructive practices such as xicocotas and reduce fishing activities for presently over-exploited fisheries resources, in order to restore their full sustainable production potential.

3.6.1 Fishing rights, fishing licences and cost recovery

The SSF MCS Strategy is expected to play a crucial role to ensure that some rent is collected in order to support its management system, but also to ensure that natural resources from coastal and inland waters bodies are exploited sustainably and continue to enable development of local community livelihoods.

Fishing rights detailed in the Decree n°74/2017 are relatively short-term, 3 to 12 years depending on the fishery, and are not tradeable but are transferable. In accordance with the 'user-pays' principle, some of the revenue from the concession fee should be directly retained and can become a significant and sustainable source of finance. To this effect, the decree includes provisions for the distribution of the taxes collected (art. 46) including 20% for the financing of fisheries control/inspection. Training and strengthening fisheries administrators and tax collection officials will be essential to a successful application of the new system. The same remarks apply to the new licensing regime.

As previously mentioned, the new law does not introduce fishing rights for SSF. Yet, there is ample academic research and examples of SSF fisheries that demonstrate how exclusive collective area-based rights provide an opportunity for fishers to invest in the future of their resources, and help strengthen local organizations and capacity for collective action that are essential for fisheries co-management and for anticipating and adapting to change.

The revenue from the collection of fishing rights and licences could be around USD 4.4 million per year. Cost recovery costs should also be considered. If the calculation of newly introduced licenses and fees was simplified and their combined percentage for ISIF vessels was 12% of the 1st value of the catch, as well as a modest annual license fee for SSF gear – say - 250 Mts per 100,000 Mts of catch value (the current rate is barely 9Mts per 100,000 Mts), licences could generate enough additional annual revenue to cover the operational costs necessary to support the ISIF and SSF MCS strategies estimated at US \$ 2.4-3.4 million.

3.6.2 External financing sources

Mozambique's marine resources are diverse and abundant enough to sustain and fund a performant and comprehensive fisheries management system, but it is likely that some are in a depleted state at present. In

In addition, natural resource production is always variable and susceptible to environmental change and to natural disasters such as the two cyclones that have hit the coast of Mozambique in 2019. As a result, it will also be important to look for fisheries-independent sources of MCS funding, such as through a 'green tax' or a voluntary form of support from the Oil & Gas industry for marine fisheries and from mineral extraction operators for the MCS and fisheries management of freshwater fisheries. Other external financing can take the form of loans and grants, as for the World Bank's SWIOFish1 project.

3.7 Financial mechanisms and institutional structure

A successful implementation of the MCS Strategies depends on a reactive, well trained and efficient institutional structure. Most often, MCS operations are delivered by one of two type of institutions, a ministerial department such as the DNOP, or a semi-autonomous government body or agency such as the ADNAP, or a combination of the two. There are clear operational advantages to the DNOP being given budgetary autonomy, in particular to ensure a transparent and timely funding of its operations. However, it is important to note that, from a sustainable financing point of view, there is no specific type of institutional structure that guarantees success. Some countries have organised their MCS activities to be managed by semi-autonomous government bodies or agencies. This is the case of Papua New Guinea, Madagascar or the Seychelles, for example. For countries with policies that favour strong government oversight MCS systems are often kept within central ministries, this is the case of Mauritius, South Africa or France. In all cases, the key element of an effective fisheries MCS system is adequate and regular funding and strong oversight, monitoring and evaluation.

3.8 Perspectives

Fisheries management activities need sustainable financing to develop, operate and adapt, to ensure that natural resources are managed for the people of Mozambique and future generations.

It is important to note that the effective implementation of the new fisheries taxes (access rights and fishing licences) introduced by the 2017 Decree will take time. Effective implementation is known to require a strong institutional framework to be in place. Therefore, it will be important for both DNOP and ADNAP and the DPMAIPs institutional technical capacity to be strengthened and together with the fiscal administrations at all (central, provincial and local) levels. Compliance will need to be improved; as well as transparency and accountability that are essential to win legitimacy and thereby cooperation from all stakeholders involved. Most importantly the newly created use and access rights will require more precise definitions through a participatory and equitable approach and traditional or customary rights will need to be explicitly recognised in terms compatible with the new taxes².

Therefore, for the coming years, a mix of financing mechanisms and sources both internal and external to the sector will be critical to ensure the development of MCS and of all essential fisheries management capacities.

4 STUDY 4 – UPDATE OF THE NATIONAL ACTION PLAN TO DETER AND ELIMINATE IUU FISHING (NPOA IUU)

4.1 Background

The overall objective of STUDY 4 is to update the national plan of action to deter and eliminate Illegal, Unreported and Unregulated fishing (NPOA IUU) adopted in 2009, taking into account the new international provisions on combating IUU fishing and adapting in with the new Fisheries Code and its implementing regulations. This action plan should also incorporate the objectives set out in all the relevant national documents with links regarding MCS aspects. The scope of the study is based on : 1) a process of integrating international legal tools of varying legal value, their transposition and their compliance in the *corpus* of national rules ; 2) Assessment of 2009-2014 NPOA IUU implementation ; 3) Propositions for concrete updating of NPOA IUU 2020-2025, while recalling that definition and implementation of future national plan are part of a political process, marked by the will of action of competent authorities, by the means and capacities at their disposal, especially financial and by inter-ministerial arbitrations and coordination. This is the most important step, as it must bring together a maximum

² Mohammed, E.Y., D. Stenbach and P. Steele. 2018. Fiscal reforms for sustainable marine fisheries governance: Delivering the SDGs and ensuring no one is left behind, Marine Policy 93 : 262–270.

of public and private representatives concerned to ensure consistency, readability and legitimacy in the finalization and ambitions of the future plan.

Elements and results of the first three studies were also very important and necessary for the realization of the Study 4 to provide the essential diagnostic and evaluation data of the MCS situation, implementation and sustainable funding prospects. The assessment of the NPOA's results would be based on existing data at the time of completion of the Study and not just in the implementation period (2009-2014). The scope highlighting the actions carried out and measurable by the responsible authorities, but also with regard to the gaps and bottlenecks which limit its enforcement, possibly including the total absence of data, information's for certain types of actions/objectives

4.2 International/regional framework and reference standards for IUU fisheries prevention

The founding text is the International Plan of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing (IPOA IUU) adopted on March 02, 2001 by the FAO Committee Of Fisheries. This voluntary (non-binding) instrument devotes the definition of IUU fisheries and gives general objectives, principles and strategies to provide comprehensive, effective and transparent measures to prevent, deter and eliminate these practices. It constitute a framework for States, including Mozambique, and also for all stakeholders concerned, to develop their own national action plans. The responsibilities of States are both general (applicable to all) but also differentiated according to their situation (flag, port or coastal State) while recalling the essential rules and principles of international cooperation. International trade provisions allow also for action on post-harvest practices to strengthen IUU fisheries prevention tools. The IPOA is finally based on other binding and voluntary international texts/agreements described in the Study, to which States are encouraged to apply/sign/ratify and which set a number of additional obligations, notably in the area of compliance (See Table 5 in Annex D).

At the scale of the Indian Ocean, Mozambique is also involved in several regional organizations and projects active in the prevention of IUU fisheries and strengthening of MCS resources, in particular, the following instances : 1) The Indian Ocean Tuna Commission (IOTC) ; 2) The Southern African Development Community (SADC); 3) The Southwest Indian Ocean Fisheries Commission (SWIOFC) ; 4) The Indian Ocean Commission (IOC).

IOC in particular is developing two major initiatives described in the study, the Regional VMS Protocol (SIGMA) and the new EEOFISH program (2019-2024). EEOFISH IS granted with 28 millions euros and its overall objective is to *enhance equitable economic growth by promoting sustainable fisheries in the EA-SA-IO region*. Mozambique is involved in this program, specifically for achievement of Results 2 (Regional Monitoring, Control and Surveillance Action Plans, notably to deter IUU fishing) and Result 3 (Actions for Concrete fisheries management and governance initiatives in small-scale inland and marine fisheries).

4.3 IUU fisheries status in Mozambique

4.3.1 Diagnosis elements from studies 1, 2 and 3

The evaluation of the administrative action and the legal arsenal in force in the fight against IUU activities made it possible to characterize the current situation of Mozambique around 3 main points : 1) A risk assessment applied to the various fisheries sectors (ISIF and SSF) and related financing issues ; 2) An assessment of priority needs of an institutional nature and more incidentally concerning the legal framework; 3) The need to implement MCS objectives and actions in a progressive and structural way, by integrating a coherent and coordinated implementation of the 3 fundamental components of MCS.

4.3.2 A low level of control/sanction of IUU fisheries

- The lack of regular surveillance, control and monitoring of offenses/fines

The evaluation of the level of infringements of the rules in force in the fisheries sector was a major objective of the study. However, the lack of data on this subject does not allow to answer precisely and chronologically, according to the process of application of the plan for the period considered (2009-2014), as well as for the following years. Recent data for the period 2018-2019) have provided more precise data on the nature of the infringements found, the shifts concerned and the pecuniary penalties actually imposed. See Annexe F table 7 .

- Difficulties in assessing inspection procedures and sanctions (fines) effectively imposed

For SSF and in most cases for ISIF there is no inspection/infraction report which would have made possible a global and comparative analysis of the control effort and the sanctions imposed. This did not allow to know precisely the procedure followed by inspectors during inspections and in case of discovery of infringement. Most of the offenses are treated administratively, directly by the fisheries officer, without any control of the administrative authority or ability for the offender to present a contradictory defence. The inspectors thus act on a total opportunity (nor enough transparency), without any specific framework, or limits to their own competences, as regards the choice of the amount of the fines, the decisions of confiscation of fishing gear or other conservatory measure. This is aggravated by the insufficient training/knowledge of inspectors and information/awareness of fishermen about the regulations in force.

- **The problem of unreported / unregulated fisheries**

Related to basic monitoring of fisheries (professional and non-professional vessels and fishers, a number of fishing activities are not identified, particularly in the SFF sector, which could have very low levels of authorization in certain provinces. This makes their evaluation, monitoring and control even more difficult since they are not subject to specific management actions including MCS. The weakness of data on these basic issues (as well as the effectiveness of sanctions) reinforces the need for a broad and extrapolated analysis of the potential and proven risks of IUU fisheries. The special situation of the SSF appears here to be very sensitive because it is the least well-monitored and regulated professional segment while it represents nearly 90% of the country's catches and the bulk of active fishermen, both onboard and non-on board. Under these conditions, the priority actions in favor of the SSF, with their full and regular identification and monitoring, must be confirmed and should constitute a major axis of action for the future updated NPOA IUU.

4.4 SWOT synthesis

The SWOT synthesis is given in Annex G, table 8

4.5 NPOA IUU content, assessment and guidance for updating

It will be carried out in a detailed and progressive approach to preserve the chronological presentation of the NPOA IUU establishing a list of 85 measures successively evaluate in tabular form presented here under. It should be noted that points 1, 3 and 4 can sometimes be considered together in the evaluation of the same measure. Indeed, it may appear that some measures indicated in blue are incomplete both in their temporal and material implementation process. Thus, a different color (green or maroon) may be used in the update column to indicate that the measure was completely or incompletely implemented and must be corrected in the next national plan. To facilitate the reading on a black and white support the Action name is indicated for all dispositions.

Table 2 - General presentation/structure of NPOA IUU assessment/updating tables (Cazalet, 2019)

Provision (Disposition) which simply recalls the nature of the measure concerned	Action and its assessment through color coded to consider either that it has been: 1) performed (fulfilled); 2) unrealized (missing); 3) carried out partially (incomplete); 4) requiring a specific update	Provides guidelines for updating the plan , also incorporating the reference to the key decision points of MCS Roadmap (see annex H.)
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4.6 Major update objectives and actions for NPOA IUU (2020-2025)

After having carried out the evaluation of the action plan and recommended updating guidelines, a concrete proposal for a new updated text for the period 2020-2025 was formulated as an appendix to the study 4. Draft text is based on the structure and content of the current plan (2009-2014) with additional elements indicated in blue (or between *...* for black and white printed copy). We have also added proposals for indicators that could be used to gauge the application of a particular measure, including, where appropriate, the temporality of the indicator in accordance with the duration of the planned 6-year plan. The indicators are coherent with the key decisions points of the MCS road map (see annex H) and correspond to “sub-actions mesurables” for the enforcement of the future action plan. We can summarize below the essential points of updating the plan:

- Update of contextual data (demography, fishing effort, professional segments, socio-economic weight, environmental status, sustainability of practices, threats, etc.) related to the situation of fisheries in Mozambique. This includes a specific focus on the role and importance of SSF fisheries and the priority

Commenté [EM1]: Insérer en Annexe H l'annexe en question

Commenté [s2R1]: En fait il s'agit du lien vers la Roadmap jointe en annexe B. Je ne sais pas s'il faut également joindre mon tableau d'évaluation du plan en annexe H ? Car comme il est long, ça fera 15pages de plus...

- objective of strengthening the management / regulation of these activities, as well as the means and effectiveness of the MCS for the prevention / sanctioning of IUU fisheries;
- Integration of new international legal texts, binding in particular, ratified by Mozambique;
 - Integration of new national legal texts, in particular legislative (Fisheries Act of 2013) and its implementing texts, while recalling the high priority to finalize and adopt the main decree still missing (REPMAR draft finalized and entry in in the first year of the plan - 2020);
 - Adoption of relevant administrative process for sanctions, including the ability to exercise grievous and hierarchical recourses (appeal) at central and local levels;
 - Strengthening transparency of fishing controls, by implementing regulations to define and clarify inspection procedures, procedures for dealing with offenses and their follow-up;
 - Reform of the penalty-setting (sanction) mechanism to improve its transparency, the control of rules implemented by the competent services and the rights of offenders;
 - Improvement of the participative management and recognition of community rights legally guaranteed and enforceable. This mainly concern SSF and their representative organizations (CCPs) to be strengthened in terms of management capacity and for the content and scope of competencies for contributing to MCS activities;
 - Reform of national MCS scheme, through bicameral MCS unit for interconnexion and/or coordination between the two main authorities in charge of MCS : DNOP for surveillance (with statutory evolution for functional and financial autonomy and decision-making power) and ADNAP for monitoring and control);
 - Make the currently functional VMS system to become fully operational at central level, in accordance with the new MCS scheme and the IOC's Regional VMS protocole (SIGMA);
 - Reorganization of surveillance strategy and means : chartering for middle-range, long-range patrol and implementation of air surveillance;
 - Creation of a structured corps of Fisheries Officers, reorganization of DPMAIP Inspection Services (DAMAI) and reinforcement of inspector's training;
 - Creation of a functional national data base system for acquisition, storage and dissemination of MCS data;
 - Strengthening the developpement of specific management plans for species/gear/sectors and/or areas;
 - Strengthening measures laying down the terms and conditions of licenses, in particular regarding by-catch rules (no define and no managed in actual legal framework), designated ports and landing obligations;
 - High priority for SSF to eradicate domestic unlicensed fishing and destructing fishing practices, with annual targets for licensing to gradually and progressively complete the objective of 100% by the end of this plan, ie in 2015. With this aim, strengthen fishing communities' organisations, their functions and capacities as a support for administration (regulatory texts needed);
 - Creation of a routine of first licensing of foreign/national vessel (linked with national fishing vessel register). Regarding SSF vessels/practices, enable the record of one RFID tag identification number for marking of fishing gear;
 - Adopting a National Fisheries Surveillance Plan (with provincial levels), based on PSMA last version ratified in 2014 by Mozambique;
 - Developing inspection reports DB, including simplified SSF Inspection report templates;

5 APPENDICES

5.1 Annex A - RISK ANALYSIS

Table 3 - ISIF Risk analysis

Fishery sector	Risk Level	Potential frequency
Overall Risk		
Industrial & semi-industrial Fisheries – Nampula Province, authorised vessels (national flagged vessels)	Medium to high	Medium
Industrial & semi-industrial Fisheries – Nampula Province, authorised vessels (foreign flagged vessels)	High	Medium to Frequent
Industrial & semi-industrial Shrimp Fisheries – Maputo and Sofala Province, historical operators vessels (national flagged vessels)	Weak to Medium	Rare to medium
semi-industrial Line fishing fishing fleet (baitboat) – All provinces, historical operators vessels (national flagged vessels)	Week to High	Rare to Medium
semi-industrial kapenta fishery (riggs) – Tete province, historical operators vessels (national flagged vessels)	Weak	Rare
semi-industrial kapenta fishery (riggs) – Tete province, new operators vessels (national flagged vessels)	Medium to High	Medium
Industrial & semi-industrial Tuna Fisheries – All provinces (foreign flagged vessels)	Weak to Medium	Rare to Medium

Table 4 - SSF risk analysis

Small scale fisheries (all provinces)	Risk Level	Potential frequency
Overall Risk		
Unlicensed fishing	High	frequent
Misrecording of catch	High	Frequent
Use of illegal fishing gears	High	Frequent
Fishing in prohibited areas and/or during prohibited periods	High	Frequent
Catch of forbidden species or undersized fish	High	Frequent

5.2 Annex B - MCS roadmap

5.2.1 Key decision points - common to SSF and ISIF strategies:

Strategy	Recommended measure			Resp. authority	Importance ³ (C; H, A)	Priority ⁴ H; A; L	Proposed timeframe for implementation ⁵					
			Details				Y1	Y2	Y3	Y4	Y5	
SO1 - Strengthen the MCS system at national level	Institutional strengthening	Define and clarify missions and responsibilities of ADNAP and DNOP	- ADNAP responsible for Monitoring and Control - DNOP responsible for surveillance	MIMAIP	C	H	↔					
SO1 - Strengthen the MCS system at national level	Institutional strengthening	ADNAP coordinate the management of fisheries	- Update of Fisheries Management Plan - Transpose each National FMP into provincial FMP	ADNAP (assisted by DPMAIPs)	H	H	↔	↔				
SO1 - Strengthen the MCS system at national level	Institutional strengthening	DNOP coordinate the Surveillance of fisheries	- Edit a National Fisheries Surveillance Plan - Transpose this NFSP into Provincial Fisheries Surveillance Plans	DNOP DPMAIPs	H	H	↔	↔				
SO1 - Strengthen the MCS system at national level	Institutional strengthening	Confirm responsibilities of DPMAIP to coordinate MCS at provincial level	Confirm DPMAIP powers (MCS planification & coordination)	MIMAIP	H	H	↔					
SO1 - Strengthen the MCS system at national level	Institutional strengthening	Reorganise DPMAIP Inspection Services (DAMAI)	-Recruitment -Training -Equipment and IT -Maintenance and replacement of operational Assets -MCS databases	MIMAIP	C	H	↔	↔	↔	↔		

³ Importance : C : Critical ; H : High, A : Average

⁴ Priority : H : High ; A : Average ; L : Low

⁵ ↔ key measures resulting from objectives needs - ↔ optional key measures that result from political choices

Strategy	Recommended measure			Resp. authority	Importance ³ (C; H, A)	Priority ⁴ H; A; L	Proposed timeframe for implementation ⁵				
			Details				Y1	Y2	Y3	Y4	Y5
SO1 - Strengthen the MCS system at national level	Institutional strengthening	Creation of a structured corps of Fisheries Officers	Define Statutes, hierarchy, career opportunities and mission	MIMAIP	A	L					
SO1 - Strengthen the MCS system at national level	Institutional strengthening	Reinforcement of inspector's training	- Definition of a minimum common curricula (initial training) - functional modules - specialized modules	DNOP	H	H					
SO1 - Strengthen the MCS system at national level	Institutional strengthening	Creation of a structured FMC	- Define missions - FMC operator and managers training	MIMAIP DNOP	C	H					
SO1 - Strengthen the MCS system at national level	Operational strengthening	Implementation of specific MCS plans	Implement integrated MCS plan for Cabora Bassa and Sofala Bank	MIMAIP DNOP ADNAP DPMAIPs	H	H					
S02 - Ensure a persuasive legal framework	Legal review	Inspector's prerogatives	Clarify respective prerogatives of different people involved in fisheries surveillance	MIMIAP	H	H					
S02 - Ensure a persuasive legal framework	Rules of procedure	Enforcement procedure	Improve transparency and control of sanction procedures	MIMAIP	H	H					
S02 - Ensure a persuasive legal framework	Rules of procedure	Inspections procedures	Write implementing decrees to define and clarify: <ul style="list-style-type: none"> inspection procedures the procedures for dealing with offenses and their follow-up 	DNOP	C	H					

5.2.2 Key decision points- ISIF strategy:

Strategy	Recommended measure			Resp. authority	Importance ⁶ (C; H, A)	Priority ⁷ H; A; L	Proposed timeframe for implementation				
			Details				Y1	Y2	Y3	Y4	Y5
SO1 - Strengthen the MCS system at national level	Operational strengthening	Implementation of regular at-sea surveillance	Charter a middle-range patrol vessel	DNOP	H	H					
SO1 - Strengthen the MCS system at national level	Operational strengthening	Implementation of regular at-sea surveillance	Charter of long-range patrol vessel	DNOP	H	A					
SO1 - Strengthen the MCS system at national level	Operational strengthening	Implementation of regular at-sea surveillance	Implementation of air surveillance	DNOP	H	A					
SO2 - Ensure a persuasive legal framework	Improve monitoring	Licensing rules	Strengthen licenses terms and conditions (By-catch, designated ports)	ADNAP	C	H					
SO2 - Ensure a persuasive legal framework	Improve monitoring	Catch declaration	Introduce the progressive obligation to use the electronic fishing logbook (ERS) for industrial fishing vessels	ADNAP	H	L					
SO3 -Int'l and Regional cooperation	Institutional strengthening	Develop int'l and regional cooperation	Participate to SADC Regional FMC	DNOP	H	A					
SO3 -Int'l and Regional cooperation	Institutional strengthening	Develop int'l and regional cooperation	Join IOC's PRSP regional plan of surveillance	DNOP	H	A					

⁶ Importance : C : Critical ; H : High, A : Average

⁷ Priority : H : High ; A : Average ; L : Low

Strategy	Recommended measure			Resp. authority	Importance ⁶ (C; H, A)	Priority ⁷ H; A; L	Proposed timeframe for implementation				
			Details				Y1	Y2	Y3	Y4	Y5
SO3 -Int'l and Regional cooperation	Institutional strengthening	Develop int'l and regional cooperation	Join IOC's Regional VMS protocole (SIGMA)	MIMAIP	H	H	←→				
SO3 -Int'l and Regional cooperation	Institutional strengthening	Develop int'l and regional cooperation	Implement FAO's PSMA agreement	MIMAIP	C	H	←→				
SO3 -Int'l and Regional cooperation	Institutional strengthening	Develop int'l and regional cooperation	Consider joining FiTi (Fisheries Transparency Initiative)	MIMAIP	H	L			←→		

5.2.3 Key decision points- SSF strategy:

Strategy	Recommended measure			Resp. authority	Importance ⁸ (C; H, A)	Priority ⁹ H; A; L	Proposed timeframe for implementation				
			Details				Y1	Y2	Y3	Y4	Y5
SO1 - Strengthen the MCS system at national level	Institutional strengthening	Develop and implement MCS Plans for Artisanal fisheries	- to eradicate domestic unlicensed fishing - to eradicate destructing fishing practices	ADNAP DNOP	H	H	←→				
SO1 - Strengthen the MCS system at national level	Institutional strengthening	Develop Fishing gear marking plan	Rely on new tech (RFID and mobile apps)	ADNAP	H	H					
SO1 - Strengthen the MCS system at national level	Institutional strengthening	Develop CCP MCS plan	- designate CCP Project managers	MIMAIP	H	H	←→				
SO1 - Strengthen the MCS system at national level	Institutional strengthening	implement CCP MCS plan	accompany the structuring of the CCPs	MIMAIP ADNAP DPMAIPs Districts	C	A	←→				

8 Importance : C : Critical ; H : High, A : Average

9 Priority : H : High ; A : Average ; L : Low

Strategy	Recommended measure			Resp. authority	Importance ⁸ (C; H, A)	Priority ⁹ H; A; L	Proposed timeframe for implementation				
			Details				Y1	Y2	Y3	Y4	Y5
SO1 - Strengthen the MCS system at national level	Operational strengthening	implement CCP MCS plan	Boost compliance culture in the fishing community (licences, fishing, gear, catch declaration)	MIMAIP DPMAIPs Districts	C	A					
SO1 - Strengthen the MCS system at national level	Operational strengthening	implement CCP MCS plan	improve the licensing rate for artisanal fishing	ADNAP DPMAIPs	C	H					
SO1 - Strengthen the MCS system at national level	Operational strengthening	implement specific SSF database	SSF licenses register, record of infringement and penalties...	ADNAP	C	A					
SO2 - Ensure a persuasive legal framework	Institutional strengthening	Boost compliance culture	Awareness / information campaigns for all incl. District levels	ADNAP	H	H					
SO2 - Ensure a persuasive legal framework	Operational strengthening	Legal review	Clarify CCP member's surveillance prerogatives	MIMAIP	C	H					
SO2 - Ensure a persuasive legal framework	Institutional strengthening	Legal review	Consider distinguish between subsistence fisheries and commercial artisanal fisheries	MIMAIP	H	H					
SO2 - Ensure a persuasive legal framework	Institutional strengthening	implement CCP MCS plan	Produce specific vulgarization supports for CCP awareness	ADNAP	H	H					
SO2 - Ensure a persuasive legal framework	Institutional strengthening	implement CCP MCS plan	Develop a simplified SSF inspection report (including associated DB and mobile app)	DNOP	H	A					

5.3 Annex C - Detailed budget tables for the proposed MCS Strategy

Strategy - common to SSF and ISIF	Purpose	Recommended measure	Details	Resp. authority	Importance[1] (C; H, A)	Priority[2] H; A; L	Investment cost	Running cost
SO1 - Strengthen the MCS system at national level	Institutional strengthening	Define and clarify missions and responsibilities of ADNAP and DNOP	- ADNAP responsible for Monitoring and Control - DNOP responsible for surveillance	MIMAIP	C	H	13,500	
SO1 - Strengthen the MCS system at national level	Institutional strengthening	ADNAP coordinate the management of fisheries	- Update of Fisheries Management Plan - Transpose each National FMP into provincial FMP	ADNAP (assisted by DPMAIPs)	H	H		
SO1 - Strengthen the MCS system at national level	Institutional strengthening	DNOP coordinate the Surveillance of fisheries	- Edit a National Fisheries Surveillance Plan - Transpose this NFSP into Provincial Fisheries Surveillance Plans	DNOP	H	H	19,000 10,000	
SO1 - Strengthen the MCS system at national level	Institutional strengthening	Reorganise DPMAIP Inspection Services (DAMAI)	- Recruitment - Training - Equipment and IT - Building renovation for extra sites - Maintenance and replacement of operational Assets MCS Central databases -with provincial	MIMAIP DPMAIPs DPMAIPs DPMAIPs DPMAIPs DNOP	C	H	396,000 79,000 100,000 2,200,000 50,000	29,000 20,000 820,000
SO1 - Strengthen the MCS system at national level	Institutional strengthening	Creation of a structured corps of Fisheries Officers	Define Statutes, hierarchy, career opportunities and mission Uniforms	MIMAIP DNOP	A A	L L	11,600 180,000	40,000
SO1 - Strengthen the MCS system at national level	Institutional strengthening	Reinforcement of inspector's training	- Definition of a minimum common curricula (initial training) - functional and - specialized modules	DNOP	H	H	230,000 115,000	
SO1 - Strengthen the MCS system at national level	Institutional strengthening	Creation of a structured FMC	- Define missions - FMC operator and managers training	DNOP DNOP	C	H	45,000 30,000	
SO1 - Strengthen the MCS system at national level	Operational strengthening	Implementation of specific MCS plans	- implement integrated MCS Plan for Cabora Bassa	DNOP	H	H	150,000	
SO2 - Ensure a persuasive legal framework	Legal review	Inspector's prerogatives	Clarify respective prerogatives of different people involved in fisheries surveillance Improve transparency and control of sanction procedures	DNOP	H	H	50,000	
SO2 - Ensure a persuasive legal framework	Rules of procedure	Inspections procedures	Write implementing decrees to define and clarify: · inspection procedures · the procedures for dealing with offenses and their follow-up	DNOP	C	H	13,000	

Strategy - ISIF	Purpose	Recommended measure	Details	Resp. authority	Importance [1] (C; H; A)	Priority [2] (H; A; L)	Investment cost	Running cost
SO1 - Strengthen the MCS system at national level	Operational strengthening	Implementation of regular at-sea surveillance	- charter a middle-range patrol vessel	DNOP	H	H		380,000
			- buy a middle-range patrol vessel	DNOP	H	H		700,000
SO1 - Strengthen the MCS system at national level	Operational strengthening	Implementation of regular at-sea surveillance	- charter of long-range patrol vessel	DNOP	H	H		490,000
SO1 - Strengthen the MCS system at national level	Operational strengthening	Implementation of regular at-sea surveillance	- implementation of air surveillance	DNOP	H	A		150,000
SO2 - Ensure a persuasive legal framework	Improve monitoring	Licensing rules	Strengthen licenses terms and conditions (By-catch, designated ports)	ADNAP	C	H	61,000	
SO2 - Ensure a persuasive legal framework	Improve monitoring	Catch declaration	Introduce the progressive obligation to use the electronic fishing logbook (ERS) for industrial fishing vessels	ADNAP	H	L		
SO3 -Int'l and Regional cooperation	Institutional strengthening	Develop int'l and regional cooperation	Participate to SADC Regional FMC	DNOP	H	A		
SO3 -Int'l and Regional cooperation	Institutional strengthening	Develop int'l and regional cooperation	Join IOC's PRSP regional plan of surveillance	DNOP	H	A		160,000
SO3 -Int'l and Regional cooperation	Institutional strengthening	Develop int'l and regional cooperation	Join IOC's Regional VMS protocole (SIGMA)	MIMAIP	H	H		
SO3 -Int'l and Regional cooperation	Institutional strengthening	Develop int'l and regional cooperation	Implement FAO's PSMA agreement	MIMAIP	C	H		
SO3 -Int'l and Regional cooperation	Institutional strengthening	Develop int'l and regional cooperation	Consider joining FITI (Fisheries Transparency Initiative)	MIMAIP	H	L		
Strategy - SSF	Purpose	Recommended measure	Details	Resp. authority	Importance [1] (C; H; A)	Priority [2] (H; A; L)	Investment cost	Running cost
SO1 - Strengthen the MCS system at national level	Institutional strengthening	Develop and implement MCS Plans for Artisanal fisheries	- to eradicate domestic unlicensed and - to eradicate destructing fishing practices	ADNAP	H	H		50,000
			together	DNOP				50,000
SO1 - Strengthen the MCS system at national level	Institutional strengthening	Develop Fishing gear marking plan	Rely on new tech (RFID and mobile apps)	ADNAP	H	H	70,000	10,000
SO1 - Strengthen the MCS system at national level	Institutional strengthening	Develop CCP MCS plan	- designate CCP Project managers	DPMAIPs	H	H		10,000
SO1 - Strengthen the MCS system at national level	Institutional strengthening	implement CCP MCS plan	accompany the structuring of the CCPs	DPMAIPs	C	A		50,000
				ADNAP				20,000
SO1 - Strengthen the MCS system at national level	Operational strengthening	implement CCP MCS plan	Boost compliance culture in the fishing community (licences, fishing, gear, catch declaration)	DPMAIPs	C	A		
SO1 - Strengthen the MCS system at national level	Operational strengthening	implement CCP MCS plan	improve the licensing rate for artisanal fishing	DPMAIPs	C	H		50,000
SO1 - Strengthen the MCS system at national level	Operational strengthening	implement specific SSF database	SSF licenses register	ADNAP	C	A	25,000	5,000
SO1 - Strengthen the MCS system at national level	Operational strengthening	implement specific SSF database	record of infringement and penalties...	DNOP	C	A	25,000	5,000
SO2 - Ensure a persuasive legal framework	Institutional strengthening	Boost compliance culture	Awareness / information campaigns for all incl. District levels	ADNAP	H	H	150,000	80,000
SO2 - Ensure a persuasive legal framework	Operational strengthening	Legal review	Clarify CCP member's surveillance prerogatives	DNOP	C	H		
SO2 - Ensure a persuasive legal framework	Institutional strengthening	Legal review	Consider distinguish between subsistence fisheries and commercial artisanal fisheries	ADNAP	H	H	40,000	
SO2 - Ensure a persuasive legal framework	Institutional strengthening	implement CCP MCS plan	Produce specific vulgarization supports for CCP awareness	ADNAP	H	H	50,000	10,000
SO2 - Ensure a persuasive legal framework	Institutional strengthening	implement CCP MCS plan	Develop a simplified SSF inspection report (including associated DB and mobile app)	DNOP	H	A	40,000	5,000

5.4 Annex D - Binding and voluntary International Instruments

Table 5 - Binding and voluntary International instruments

Year	International instruments	Mozambique legislation
Adopted 1992 into force 2001	UN Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea (UNCLOS) of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UN Fish Stocks Agreement - UN FSA) ¹⁰	Accession 10 Dec. 2008
Adopted 1993 in force 2003	UN Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (The Compliance Agreement ¹¹)	Accepted 9 Jan. 2009
1995	1995 FAO Code of Conduct for Responsible Fisheries was adopted in Resolution 4/95 by the FAO Conference on 31 October 1995 ¹²	Mentioned by Ministerial Diploma (Ministry of fisheries) No. 58/2009 of December 15, National Action Plan to Prevent, Prevent and Eliminate Illegal Unreported and Unregulated Fishing
2001	Voluntary International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU) ¹³	Mentioned by Ministerial Diploma (Ministry of fisheries) No. 58/2009 of December 15, National Action Plan to Prevent, Prevent and Eliminate Illegal Unreported and Unregulated Fishing
2007	Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels (Global Recor).	2011 Mozambique takes part in the Pilot project
2009	Agreement on Port State Measures (PSMA) ¹⁴ , 1 st binding international agreement specifically targeting IUU fishing	Signed 4 NOV 2010 Ratified 19 AUG 2014
2014	Voluntary Guidelines for Flag State Performance (VGFSP)	No mention in existing texts
2017	FAO Voluntary Guidelines for Catch Documentation Schemes (VGCS)	No mention in existing texts
Various dates	Resolutions and recommendations of IOTC, SWIOFC and other relevant regional fisheries bodies	IOTC; SIOFA

¹⁰ http://www.un.org/Depts/los/convention_agreements/convention_overview_fish_stocks.htm

¹¹ http://www.fao.org/fileadmin/user_upload/legal/docs/012s-e.pdf

¹² <http://www.fao.org/fishery/code/en>

¹³ <http://www.fao.org/3/a-y1224e.pdf>

¹⁴ http://www.fao.org/fileadmin/user_upload/legal/docs/037s-e.pdf

5.5 Annex E - Key elements to be defined for the new DNOP Agency

Table 6 - Provisions of a government fisheries surveillance agency

PRINCIPLES (constituent texts)	DEFINITION	CONTENT AND SCOPE (comments and/or risks to be taken into account)
Autonomy	Public institution (power attribution)	Legal capacity recognizes by the act of creation of the institution (staff, finances, heritage)
Mission	Public service and general interest	Under MIMAIP supervision <i>Risk of fragmentation of power and sovereign competences of the State but better adaptation and improved efficiency of public action</i>
Objectives	Detail content of entrusted missions	Provide a precise definition of the concept of fisheries surveillance, its nature and its scope (material, spatial, legal basis, etc.) and all activities/functions related to the exercise of the mission <i>Risk in case of incomplete or confusing definition of fisheries surveillance due to other components of MCS</i>
Assignment	Detail powers entrusted to the public institution created	Decision power, consultation, rules and surveillance plans (National and Provincial) elaboration and enforcement, other actors /associated institutions (participation) involved in surveillance, cooperation and agreements, etc. <i>Essential aspects to be determined in the mandate assigned to the agency</i>
Organic setting	Define the new institution's components, their respective functions and competencies in accordance with objectives and capacity of the institution.	<ul style="list-style-type: none"> - <u>General Direction</u> (Director and deputy/assistant - appointed) duties, responsibilities (internal /external), representation/delegation (territorial link with DPMAIP), coordination, planning of supervisory activities, appointment (local representatives); - <u>General and Executive Secretariat</u>: organization and operation, assistance, control and implementation of management decisions, communication and correspondence, logistical support (travel, meetings) and follow-up, relations with the public, etc. - <u>Advisory bodies</u> at different levels: direction/management, technical, administrative, etc. - <u>Services and Departments</u> to be determined (number and profiles, appointed by Ministry under proposition of General Director): planification (national and provincial), legal (including inspection and offenses procedures), ISIF/SSF (dissociate?), VMS (<i>Plan for a reform of Diploma Ministerial N° 286/2012 to integrate the role of DNOP in fisheries surveillance and clarify the sharing of competences with ADNAP</i>), asset management of the institution (heritage - movable and immovable property), administration and finance, human resources, etc.

<i>Avoid risks and confusion with the monitoring and control functions performed by the ADNAP</i>		
Sources of funding	Define financial endowment from the State, services, other forms of revenue (fines, licenses, partnerships agreements, programs management, etc.)	<p>Department of administration and Finance (budget management, planification and sharing, including heritage, goods and services) in accordance with the legal and regulatory provisions in force/ as well as potential new sources of funding for monitoring activities, at national and provincial level.</p> <p><i>Essential to clarify/integrate: 1) the nature of paid services for the benefit of the institution; 2) the origin and method of calculation of other forms of new or complementary financing, e.g. from fines or fishing licenses.</i></p>
Staff status	Define general status of public function and government agents (official and contractors, technical and administrative)	<p>Human Resources Division: Establish a specific framework for recruitment, contracting, promotion (planning and development strategy - including an electronic staff information system), technical and administrative training (annual plan, recycling)</p> <p><i>In accordance with the texts relating to the supervision of public service employees (Decreto Presidential 13/2007 and e.g. table under regarding staff for provincial delegations)</i></p>
Delegations	Local bodies of the DNOP, relays functions and central action at decentralised level (Provincial).	<p>Planification, coordination (horizontal and vertical), specific programs for surveillance (e.g. Caborra Bassa and Sofala Bank; chartering at sea, CCP's surveillances capacities, inspector's training program, etc.), statistic monitoring and links with other involved institutions at local level.</p> <p><i>Importance of local implementation of monitoring actions, in their coordination and in the evaluation of the effectiveness of the monitoring objectives (results)</i></p>

5.6 Annex F - Fishing Infringements

Table 7 - Updated fishing infringement (modified from DNOP 2018/2019)

Nature of the infringements	Number	Average value of fines (mt)
Fishing in prohibited area	9	406,500,00
Non transmission of statistical data	3	10,000,00
Disabling automatic localization device (DLA in Portuguese)	1	15,000,00
Non-compliance with the conditions and terms set out in the fishing license	2	286,250,00
Fishing without authorization (license)	9	418,600,00 ¹⁵
Fishing unauthorized species	2	380,182,00
Non functioning of the automatic localization device	3	199,000,00
Transshipment without prior authorization	2	Current procedure

5.7 Annex G - SWOT analysis for NPOA IUU

Table 8 - SWOT analysis of NPOA IUU implementation (Cazalet, 2019)

Positive To reach the goal	Negative To reach the goal
<p>STRENGTHS</p> <ul style="list-style-type: none"> Strong political will for a national MCS enhancement (NPOA IUU renewal) and its local variations Adoption of recent and renewed national legal texts (laws and regulations) and management plans with positive impact for implementation of the actual/future plan Adoption / ratification of relevant international texts and agreements on MCS (compliance) 	<p>WEAKNESSES</p> <ul style="list-style-type: none"> No regular monitoring / evaluation of the: 1) IUU fisheries situation; 2) global implementation of the NPOA IUU Weak institutional/administrative means (human, logistic) and financial resources for MCS activities Lack of data for catch/landing (SSF, ISIF) Administrative leafletting and coordination difficulties between different public authorities involved, both horizontally and vertically, and from the central to the local level
<p>OPPORTUNITIES</p> <ul style="list-style-type: none"> Improve International and regional cooperation in support of the national MCS strengthening policy/objectives/projects Improve: 1) administrative coordination and mission/responsibilities sharing; 2) organization, training and efficiency of inspection services; 3) integration of professional bodies and boost civil society (compliance culture) in the implementation and effectiveness of the MCS process Strengthen operational surveillance capacity (sea / air patrol) 	<p>THREATS</p> <ul style="list-style-type: none"> Lack of regulation and sanction (efficiency) of certain practices, including basic identification and monitoring of activities (e.g. problem of SSF and foreign fleets unlicensing) Persistence of destructive and unsustainable practices (xicocotadas, prohibited areas, periods, gears, overfishing, etc.) Difficulties of organization and representation of the professional sector (e.g. CCP's for SSF) Spatio-temporal constraints of access for surveillance / control (distance, difficulties of access, etc.)

5.1 Annex H – NPOA IUU content, assessment and guidance for updating

NPOA IUU (2009-2014)		
DISPOSITION	ACTION	UPDATING
	Fulfilled Missing Incomplete To be update	(Key decision points from MCS Roadmap)

¹⁵ 8 fines to 302,172,00mt and 1 fine to 1,350,000,00mt

Preamble	<p>To be update</p> <ul style="list-style-type: none"> - Reference to the new law of fisheries; - Reference to Sea Policy and Strategy, whose objectives Dcd3, Dcd6 and Dcd7 with priority of implementation (high 3 years, medium 3-7 years, long 8-15 years) 	<ul style="list-style-type: none"> - Lei n°22/2013 de 1 de Novembro 2013 Aprova a Lei das Pescas e revoga a Lei n.º 3/90, de 26 de Setembro. - Resolução n.º 39/2017 de 14 de Setembro 2017 Aprova a Política e Estratégia do Mar (POLMAR) - Plano Director Pescas 2010-19 <p style="text-align: center;">(H)</p>
1. Introduction	<p>To be update</p> <ul style="list-style-type: none"> - Global population of Mozambique ; - Number of people employed and economic value of the sector (focused on shrimp); <p>Missing</p> <ul style="list-style-type: none"> - Artisanal (SSF) sector and its socio-economic weight not cited / evaluated 	<ul style="list-style-type: none"> - Check the updating of socio-economic data (30 million people in 2019? – FAOSTAT) - Propose a more complete assessment of the economic weight of the fishing sector; - Integrate the SSF as the major segment of the fisheries economy (fishermen, production, etc.) <p style="text-align: center;">(H)</p>
2. Goal	<p>To be update</p> <ul style="list-style-type: none"> - Reference to other relevant and complementary international texts; - Founding principles of the fight against IUU Fishing 	<ul style="list-style-type: none"> - Add a reference sentence regarding these tools ; - Recall the principles enshrined in Article 9 of the IPOA IUU (but ever cited in point 3 under) <p style="text-align: center;">(H)</p>
3. IPOAA 3.1. Definition	<p>Fulfilled</p>	<p>Check the updating of Moz. international commitments</p> <p style="text-align: center;">(H)</p>
4. Situation of IUU fishing in Mozambique	<p>To be update</p> <ul style="list-style-type: none"> - Are the impacts levels of IUU fisheries still the same? 1) fishing without permits and incursions into waters under jurisdiction (tuna, SWF, sharks); 2) shrimp and prawns (no respect of fishing areas); - Partial assessment of the value of national fisheries and IUU losses - SSF and coastal habitats protections objectives <p>Incomplete 8 main vulnerabilities of the MCS system identified: To be update A) No central dedicated MCS unit at the central administrative level;</p> <p>Missing b) Lack of means (maritime/air surveillance); To be update c) Non-operational</p>	<ul style="list-style-type: none"> - Check the updating of IUU threats ; - Check the updating of fisheries values at national and categories level - Reference to Lei n.º 16/2014, de 20 de Junho e Lei n.º 5/2017, de 11 de Maio da Protecção, Conservação e Uso Sustentável da Diversidade Biológica <p>Add :</p> <ul style="list-style-type: none"> - The difficulties of coordination of the MCS between the central level and deconcentrated and decentralized levels; - Deficiency of involvement / capacity of fishermen communities and guarantee of rights at local / decentralized level (CCP);

	<p>VMS system; Missing d) weak human resources; e) weak system of sanction; f) weak process of investigation and prosecution;</p> <p>g) Weak system date collection, storage and analysis; h) Shortage of funds for MCS operations.</p>	<p>- Retain/remove (?) : No central dedicated MCS unit at the central administrative level</p> <p>- References to REPMAR draft for CCPs recognition and legal regime</p> <p>(H)</p>
<p>5. Coastal State responsibility</p> <p>5.1. International tools</p> <p>Measure 1</p>	<p>Fulfilled</p> <p>Commitment to ratify two major agreements:</p> <p>- Acordo de Cumprimento da FAO (AC, 1993);</p> <p>- Acordo NU para as Populações de Peixes (ANUPP, 1995)</p>	<p>- AC : Resolução n.o 20/2008 de 16 de Dezembro, official acceptance transmitted to FAO 09/01/2009</p> <p>- ANUPP : Resolução n.o 19/2008 de 16 de Dezembro, official acceptance transmitted to FAO 10/12/2008</p> <p>(SO3, SO2)</p>
<p>5.2. National law</p> <p>Measure 2</p>	<p>Fulfilled</p> <p>- MCS Legal framework analysis and review ;</p> <p>- Linked with regional approach and legal context (OIC and SADC) ;</p> <p>Incomplete</p> <p>- Harmonization efforts with neighboring countries (mutual recognition of legislation)</p>	<p>- Lei n°22/2013 and other legal instruments in force (références) ;</p> <p>- ECOFISH Activity 1 and 2 and Strategic actions ;</p> <p>- SADC Action Plan IUU, Protocol on Fisheries, Policy Framework and Reform Strategy for Fisheries and Aquaculture in Africa (PFRS)</p> <p>(SO3, SO2)</p>
<p>Measure 3</p>	<p>Incomplete</p> <p>- Eliminate the hierarchical recourse (appeal) to the Minister</p> <p>Missing</p> <p>- Delegate sanction process to a competent technical department within the Fisheries Administration: 1) analyzing the cases submitted; 2) establish sanctions</p>	<p>- Art. 84 Law : hierarchical appeal <i>under 8 days</i> but no precision of hierarchical authority (level central/delegated, both)</p> <p>- No particular relevance to abolish the principle of hierarchical appeal, due to administrative nature of investigation, finding and treatment procedure of the offense</p> <p>- The surveillance/control system stay integrated into the administrative action (central and deconcentrated);</p> <p>- Strengthens transparency and controls;</p> <p>- Implementing regulations to define and clarify: inspection procedures, procedures for dealing with offenses and their follow-up</p> <p>(H-SO2)</p>
<p>Measure 4</p>	<p>Fulfilled - Ministry of Fisheries - Missing- and a designated technical department responsible for determining the admissibility of cases (infringment) ;</p> <p>- Only the minister can override the sanctions (motivated decision, e.g. procedural error)</p>	<p>- Art. 84 Law : hierarchical appeal <i>under 8 days</i> but no precision of hierarchical authority (level);</p> <p>- No particular relevance to abolish the principle of hierarchical appeal, due to administrative nature of investigation,</p>

		<p>finding and treatment procedure of the offense;</p> <ul style="list-style-type: none"> - Need to reform the sanction process to improve transparency, oversight and the rights of offenders (art. 92 L.) <p>(H-SO2, SO1)</p>
Measure 5	<p>Fulfilled</p> <p>Delete Art 43.2 Fisheries Law inspector is official responsible for deciding what action to take after the detection of a fishing offense.</p>	<ul style="list-style-type: none"> - Art. 72 Law 22/2013 sets out more precisely the framework of action of the inspectors - Necessary to specify the framework of the procedures and the contents of the report of offense (model) <p>(H-SO2, SO1)</p>
Measure 6	<p>Fulfilled</p> <p>Rephrase Article 59 in order to define a transgression as a repeat offense when a new offense of "equal or greater gravity"</p>	<p>Art. 81 Law : In the case of recidivism, the limits of the fine to be applied are doubled</p> <p>(SO2, SO1)</p>
Measure 7	<p>Fulfilled</p> <p>Rephrase Article 31 (2), fishing license is not issued if the applicant is identified as a repeat offender</p>	<ul style="list-style-type: none"> - Art. 43c : OK - Art. 33d : Also applicable to fishing rights (withdrawal of the right, not only renewal) <p>(SO2, SO1)</p>
Measure 8	<p>To be update</p> <ul style="list-style-type: none"> - Protect fishing rights of local communities <p>Fulfilled</p> <ul style="list-style-type: none"> - Responsible managing of SSF resources <p>To be update</p> <ul style="list-style-type: none"> - Empower SSF communities to produce their local regulations 	<ul style="list-style-type: none"> - Art. 23 : Participative management and recognition of community rights ; - Need to strengthen the organizational and management capacity of CCPs (MIMAIP, DPMAIP, Districts for projects Dir, Off. Man.); - Specify content and scope of CCP competencies for contributing to MCS activities <p>(SO2, SO1)</p>
5.3. Penalties		
Measure 9	<p>Fulfilled</p> <ul style="list-style-type: none"> - Define three categories of fishing offenses, from simple, serious and very serious - Classify offenses in these three categories, according to perceived benefits derived and damages inflicted on the resource and associated management efforts. 	<ul style="list-style-type: none"> - Art. 98, 99, 100 Law - Art. 103 (accessory penalties), 104, 105, 106; - Supplemented by penalties for aquaculture, hygiene/health safety and other crimes
Measure 10	<p>Fulfilled</p> <p>Redefine sanctions scheme: 1) min/max for each sanction, 20% range between max/min of the maximum value; 2) Define monetary sanctions as multiples of the value of the</p>	<ul style="list-style-type: none"> - Art. 103 (accessory penalties), 104, 105, 106; - Very punitive and dissuasive sanctions framework (but only administrative), which goes even beyond the recommendations but need to

	license; 3) Establish and clearly define in which cases pecuniary measures are applied	guarantee the means of application and reinforce the framework of the sanctions in terms of transparency, control and guarantee of the rights of the offenders (appeals)
Measure 11	Missing In case of seizure of fishing vessels for fishing without a license, apply following additional clauses : a) prohibit the resale of the ship ; b) Vessel can only be operated by the State as a research or patrol vessel ; c) If State has no use for the vessel, it must be dismantled, destroyed and sunk to produce an artificial reef.	Complete the law (except art. 85.3) or provide a regulatory text applicable to seizures of fishing vessels and their destination (H-SO2)
5.4. MCS unit Measure 12	Missing - Create an MCS unit, separate from the current departments of fisheries administration and management, with the power to cover all aspects related to the implementation of the Fisheries Law, from fleet control to inspection, investigation and sanction of infringement cases - Chief of Unit with a body of specialized technicians in adequate number.	Action/objective different than recommended guidelines: 1) DNOP Surveillance; 2) ADNAP Monitoring and control ; Propositions : - Clarify the recognition of this MCS scheme (interconnexion or coordination unit) and sharing of powers between these two authorities (and other institutions involved) memorandum of understanding; - Propose a statutory evolution to reinforce DNOP's capacities: functional and financial autonomy, decision-making power, development of complementary financing, etc. (H, SO1)
Measure 13	Missing Assign sufficient work equipment to the unit to allow the creation of four sub-units, which would include: a) VMS and communications (MCS Control Center) ; b) Operations ; c) Data and intelligence ; d) Instruction of proceedings and sanctions	- Define and clarify missions of MCS scheme and responsibilities, coordination between ADNAP (management of fisheries) and DNOP (surveillance of fisheries) - Join IOC's Regional VMS protocole (SIGMA) (H-SO1, SO3)
5.5. VMS Measure 14	Fulfilled Reach an agreement with the provider of the current system to remedy the technical problems within an established period of time or put the system effectively functional, or give up and face the consequences of a legal process based on non-compliance with the contractual terms.	- VMS functional but not operational - Join IOC's Regional VMS protocole (SIGMA) (H-SO3, SO1)

Measure 15	To be update Urgent functional VMS system	VMS center operational, linked with provincial levels (H-SO3, SO1)
Measure 16	To be update Duplicate the VMS interfaces for Provinces for inspectors and DLA installation of SIF vessels	DLA and/or VMS on SIF vessels (H-SO3, SO1)
Measure 17	To be update Install all depth and coastal zone automatic control alarms with automated reporting and initiate sanctioning of offenders based on VMS data	Effective automatic control system and sanctions through VMS data (H-SO3, SO1)
5.6. Input and output reports in the EEZ Measure 18	To be update - Introduce a requirement in the Law, for fishing vessels in transit : report to the Fisheries Administration (focal point) indicating date, time and position of entry/exit ; - Failure constitute a violation of the Fisheries Act.	- Updating Law in accordance with the provisions of international law (UNCLOS) and check with : 1) art. 42/50 from section VI of Ante-projecto da revisao da lei do mar; 2) art. 135 REPMAR (124 REPMAR Draft) - Eventually obligation of stowage of fishing gear during passage (SO3, SO2-M)
5.7. Means of Patrol Measure 19	To be update - Identify funds to acquire or charter (with the option to purchase) at least one medium-sized (\pm 100ft) patrol vessel (one week autonomy) ; - Regular fishing patrol in the Sofala Bank (crucial months) and other relevant types of fisheries in the EEZ when weather permitting)	- charter a middle-range patrol vessel (ISIF) - Supplemented by: 1) charter a long-range patrol vessel; 2) implementation of air surveillance (SO1-H)
5.7. Means of Patrol Measure 20	Missing Acquire two RIBs (fast) for coastal patrols on the North and South of the Sofala Bank, with potential operating with the vessel recommended in measure 19	Not recommended by the strategic proposals (done by middle-range patrol vessel), but conceivable in the medium-term as part of the process of progressive development of means of surveillance on Sofala Bank and beyond (M/L-SO1)
Measure 21	To be update Develop collaborative partnerships with Navy and Maritime Police for operation of the vessel (memorandum of understanding)	- Maintain this objective of implementation. Including other pertinent institutions (sanitary, etc.) - Integrate also partnership with the private sector to better achieving goal (H-SO1)
Measure 22	Missing Acquire land patrol for provincial fisheries dir. and services (9 for each)	Maintain this objective of implementation (M/L-SO1)
Measure 23	To be update	Update the necessary means (M/L-SO1)

	Planning of patrol operations and inspections on a routine basis	
5.8. Registration system for the acquisition, storage and dissemination of MCS data	Incomplete Common, integrated, country-level database system (central and decentralized combining data base) : a) Vessel (company name, owner, crew list, IICR, specifications, registration number, equipment, movement, VMS data links); b) License (value, payments, duration, type, conditions); c) quota allocated (where applicable), catch records, landing and transshipment data; d) Registration of offenses (vessel, type of offense, zone, identity of master, inspector, sanction, payments, number and location of the file).	- OK for ISIF but incomplete and need to be implemented and updated for fishing rights data; - Not OK for SSF and need to be implemented, with priority for vessel/fishermens identification (base monitoring); - Planned approach for progressive completion for SSF (% year objectives); - Reference to art. 52 Law regarding compulsory for fishing vessel captain for registration of declarative obligations and their provision to the administration (H/M/L-SO1)
Measure 24		
Measure 25	To be update Sufficient amount of computer for the central and decentralized offices to install and operate the database	- OK for central and to be updated - Not sufficient for decentralized and local level (H-SO1)
Measure 26	To be update - Withdrawal of current tax boarding system ; Missing - Put in place an observer program for enforcement contribution	- Maintain objective; - Progressive approach: ISIF following by SSF or propose to developpe a specific mecanism of observer (strenghten extantionist or another qualification – add eventually these category as observers for SSF sector) for SSF - OK with section IV REPMAR draft about fishing observers, but whose some attributions go beyond the traditional skills of an observer and should be reduced (see article 138 a.i.ii.iii.iv.v.) (M/L-SO1)
Measure 27	Missing Mechanism that allows the MCS unit to analyze compliance information from the observer program	Integrate other mecanism of control/monitoring (e.g. using cameras in ISIF vessels, etc.) (M/L-SO1)
Measure 28	Missing Introduce sea allowance and travel insurance for observers and inspectors of fishing going to sea, observer missions and sea patrols	Maintain objective; (M/L-SO1)
5.10. Human resources and	To be update	- Reorganise DPMAIP Inspection Services (DAMAI): Recruitment, training, equipment and IT,

<p>training of MCS staff</p> <p>Measure 29</p> <p>Measure 30</p> <p>Measure 31</p> <p>Measure 32</p> <p>Measure 33</p> <p>Measure 34</p> <p>Measure 35</p>	<ul style="list-style-type: none"> - Redefining tasks carried out by inspectors + human resources plan body of fishery inspectors ; - Recruitment and training plan for new staff. Option of removing older (very old) inspectors with very low level of service training (early retirement plan) ; - Do not recruit elements under 10th grade in terms of formal education ; - All inspectors undergo specific and specialized training for their tasks ; - Training course to familiarize with the operation and use of the fisheries ; - Design and implement a uniform for fisheries inspectors priority) 	<p>maintenance and replacement of operational assets, MCS databases</p> <ul style="list-style-type: none"> - Creation of a structured corps of Fisheries Officers: Define statutes, hierarchy, career opportunities and mission - Reinforcement of inspector's training: Definition of a minimum common curricula (initial training), functional modules, specialized modules <p style="text-align: center;">(H/M/L-SO1)</p>
<p>5.11. Planning and financing MCS activities effectively</p> <p>Measure 36</p> <p>Measure 37</p> <p>Measure 38</p> <p>Measure 39</p>	<p>To be update</p> <ul style="list-style-type: none"> - Routine (semiannual or annual) to plan MCS activities ; - Central and decentralized MCS units with a dedicated and affordable budget. Allow flexibility between lines access in necessary cases ; - MCS planning routine, with briefing to maritime and land patrols, and de-briefing sessions after each patrol ; - Routine of presenting reports and records of activities and results of MCS and use the existing information at the end of the routine cycles to be able to pronounce itself in the planning process. 	<ul style="list-style-type: none"> - Largely incomplete - Maintain this objective - Linked to the MCS sheme which need to define and clarify missions and responsibilities of ADNAP and DNOP <p style="text-align: center;">(H/M/-SO1)</p>
<p>5.12. Management Plans</p> <p>Measure 40</p>	<p>Fulfilled</p> <p>Implementation of fisheries management plans across the sector and sub-sectors (economic, social, biological and ecological objectives) in participative way</p>	<ul style="list-style-type: none"> - Imcomplete improvement - Implementation of specific MCS plans + Implement integrated MCS plan for Cabora Bassa and Sofala Bank - Update of Fisheries Management Plan <p style="text-align: center;">(H/M SO1)</p>
<p>Measure 41</p>	<p>Fulfilled</p> <p>Adapt/limit development of MP due to monitoring/management capacity : assesment and ajustement each 3 or 5 years</p>	<p>Transpose each National FMP into provincial FMP</p> <p style="text-align: center;">(H/M SO1)</p>
<p>Measure 42</p>	<p>To be update</p> <p>Shrimp MP: avoid bad SSF practices for spawning/recruitment, and for trawl mandatory turtles excluding devices</p>	<p>Law definition of prohibition, closure and art. 12j. 15 (conservation zone), 16 (environment protection) and 98g. (no TED represent a very serious offense)</p> <p style="text-align: center;">(H/M SO1)</p>
<p>Measure 43</p>	<p>Fulfilled</p>	<ul style="list-style-type: none"> - OK with IOTC legal/technic framework

	For tuna management = apply IOTC rules	- Tuna fishery development plan in 2013 (<i>Plano de Desenvolvimento da Pescaria de Atum - PEDPA</i>) ¹⁶ but different than a management plan (M/L-SO1)
Measure 44	Missing NPOA for sharks	- No specific MP, maintain objective - OK with IOTC legal/technic framework (M/L-SO1)
5.13. Licensing 5.13.1. Industrial and semi-industrial fishing Measure 45	To be update Routine to ensure that licenses for tuna fishing for vessels on IOTC positive list. Consider expanding the blacklist query of CCAMLR, NEAFC, NAFO, ICCAT and IATTC	Strengthen licenses terms and conditions (By-catch, designated ports and landing obligations) (H/M/L-SO1)
Measure 46	To be update Routine for verifying national vessel infringement records at the time of renewal of a license	- Complete eventually Art. 42 law to condition the renewal of the license to the absence of infringement the previous year - OK with art. 43c (H/M/L-SO1)
Measure 47	To be update Routine procedures for requesting the first license for foreign vessels (specific document)	- Check to new fishing law article (art. 98c. and 99 i.); - Define and clarify missions and responsibilities of ADNAP and DNOP, including effective process for information exchange on these issues, including maritime administration (H/M/L-SO1)
Measure 48	To be update Extend the periods for requesting licenses to allow the necessary checks to be carried out.	- Not complete - Update Law (art. 47) and other legal framework - Strengthen licenses terms and conditions (H-SO1, SO2, SO3)
Measure 49	To be update Request complete inspection of the vessel in a national port before the first license (repeat every two to three years).	- Not complete - Update Law (art. 47) and other legal framework - Strengthen licenses terms and conditions (H-SO1, SO2, SO3)

¹⁶ Plano de Desenvolvimento da Pescaria de Atum, ADNAP 2013, 29pp.

Measure 50	To be update Records of mandatory data submission and compliance with them before renewing fishing licenses.	- Not complete - Update Law (art. 47) and other legal framework - Strengthen licenses terms and conditions (H-SO1, SO2, SO3)
Measure 51	To be update Introduce the FAO standardized system for the marking and identification of fishing vessels using (IICR as a basis)	- OK for ISIF vessels - Check the content of the acronym "IICR" (not defined in the NPOA) with regard to FAO standard references ¹⁷ - See also REPMAR draft art. 168 and annex XI (H-SO1, SO2, SO3)
5.13.2. SSF Fishing Measure 52	To be update Continue efforts to return licensing functions to administrative units and highest possible licensing fee	- Implemented as a very high priority to eradicate domestic unlicensed fishing and destructing fishing practices; - Improve the licensing rate for artisanal fishing; - Complete measures regarding CCPs functions strengthening: 1) designate CCP Project managers; 2) accompany the structuring of the CCPs; 3) licenses register, record of infringement and penalties; 4) Clarify CCP member's surveillance prerogatives; 5) Subsistence fishing (H-SO1)
Measure 53	Missing Introduce an authorization for importer / buyer / processor / exporter for holotúrias and fins shark droughts. Recording the origin and destination of all products	- Specific regulation to be adopted - Remove "fins sharks droughts" (H-SO1)
5.14. National Action Plans Measure 54	To be update Taking into account the suggestions of the IUU-NAP for creation of a simple matrix with performance indicators, allowing for an assessment of the progress achieved in the annual work items of the NPOA-IUU, assessing progress at the end of each cycle, circulate the results comprehensively and use them to guide future planning	Maintain this action and reinforce capacities and tools for monitoring and control (H-SO1)
5.15. Cooperation between States	Fulfilled	Maintain objective (H-SO1)

¹⁷ <http://www.fao.org/3/a-i7783e.pdf> Document relating to the identification and marking of fishing vessels in which the abbreviation "IICR" does not appear. The term "International radio call sign" (IRCS) is usually used for vessels equipped with radios.

Measure 55	Disseminate relevant MCS contacts on the Ministry of Fisheries website (telephone numbers, fax and e-mail available 24/7) of employees who have access to all sectoral data (licenses, operations, statistics, infringements) and who can act as contacts to provide or receive information on IUU fishing operations.	
Measure 56	To be update Actively seek the establishment of MCS hotlines between countries on a bilateral basis, providing and collecting phone numbers, e-mail contacts, etc., to ensure that relevant officials in neighboring jurisdictions can be effectively contacted in case of emergencies.	Maintain objective To be improve (H-SO1)
Measure 57	Fulfilled Dialogue with IOTC to find a solution to overcome the current problems of unreported catches of tuna fisheries in Mozambique - some of which can be addressed through existing mechanisms for monitoring the State Ports and regional database system	Maintain objective (H-SO1)
Measure 58	To be update « Early as possible » basis and simple / standardized format for reporting violations, the results of administrative and / or judicial proceedings, and all other relevant information related to the fishing activities of foreign flagged vessels in Mozambican waters are reported to the Flag State and relevant RFMOs on an "as for doing so »	Maintain objective to be improve (H-SO1)
Measure 59	To be update Ensure full participation in existing regional programs for IUU fishing (e.g. EU-IOC, DFID-SADC) to stimulate regional cooperation to minimize the incidence of IUU fishing.	Maintain objective to be improve (H-SO1)
5.16. Publicity Measure 60	To be update Update and dissemination on the internet (website of the Ministry) of information related to the MCS activity	Maintain the objective, update and supplement existing information (H-SO1)
6. Flag State Responsibilities 6.1. Ship Registration Measure 61	To be update Procedure and minimum requirements applicable to Flag State for the first registration of a foreign ship: - Originals authorizations to fish abroad;	- Maintain the objective (partially compliant with art. 33 decree 2017 on commercial fishing license) - See elements measures 47 and art. 33 decree 2017 - Need to improve monitoring by relying on new technologies ADNAP to create / improve national

	<ul style="list-style-type: none"> - Moz. Law prevent (refusal licence) and sanction (fines) all false or incomplete statements - Record of infringements of the Flag State - Verification of the blacklists (RFMOs) related to the vessel 	<p>database systems, tools and registers, including National fishing vessel register and memorandum of understanding (MoU) between the maritime administration and the ministry of fisheries.</p> <p style="text-align: center;">(H-SO1, SO3)</p>
<p>6.2. Register of Fishing Vessels</p> <p>Measure 62</p>	<p>Incomplete</p> <p>Establish a separate register of Moz. vessels which have been authorized to fish outside the territorial waters</p>	<ul style="list-style-type: none"> - Not specifically implemented - Maintaining this goal, but advocate for an improvement of a national database for fishing vessels register as a whole (regardless of their fishing areas and nationality) and strengthen the role and missions of the ADNAP/DNOP in this regard, linked/coordinate with maritime administration. <p style="text-align: center;">(H-SO1, SO3)</p>
<p>Measure 63</p>	<p>To be update</p> <p>IICRs (IRCS ?) as identification keys for national and foreign fishing vessels registration</p>	<ul style="list-style-type: none"> - OK for ISIF vessels (see also measure 51) Complete with Maritime mobile service identity (MMSI) number if relevant (?) - not OK for SSF vessels (without radio equipment), introduce specific requirements for SFF ? <p style="text-align: center;">(H-SO1, SO3)</p>
<p>Measure 64</p>	<p>Incomplete</p> <p>Individualized file (standardized format) for the monitoring of infringements of fishing vessels entrusted to INAMAR, including: date, place and nature of the offense, identity of the master and / or the shipowner and corresponding penalty</p>	<ul style="list-style-type: none"> - No systematic and generalized monitoring file, very fragmented and often incomplete data; - Maintain objective, improve INAMAR 's interministerial dimension for better coordination between maritime and fisheries administrations and central/local levels, or... - Consider also objective of creation of an autonomous national entity responsible for inspecting maritime and inland waters activities, bringing together responsibilities currently assigned to DNOP, ADNAP and INAMAR (see Study 1 and 2 point 2.2.2) <p style="text-align: center;">(H-SO1, SO3)</p>
<p>6.3. Authorization to Fish</p> <p>Measure 65</p>	<p>To be update</p> <p>Develop a model of fishing license for national vessels actives in waters outside Mozambican jurisdiction. Limited to FAO statistical area 51, due to weaknesses of Mozambique in high sea MCS.</p>	<ul style="list-style-type: none"> - No information available on: 1) the active presence of Moz. vessels outside the EEZ; 2) a specific authorization model for this type of activity (art.33 decree 2017 and annex); - Maintain the goal, complete the definition of "<i>Pesca longinqua</i>" (art. 19.1.c. 2013 Fishing Law and 4.1.a.iv

		<p><i>Decree 2017</i>) active in high Sea or waters of third States using industrial fishing vessels, specifying the existing conditions/models for industrial fishing rights and license</p> <p>(H-SO1, SO3)</p>
<p>7. Measures related to the Port State</p> <p>Measure 66</p>	<p>Missing</p> <ul style="list-style-type: none"> - Develop a national Port Control strategy (based on 2005 FAO Model for IUU fishing and Annex 5) - Published and widely disseminated 	<ul style="list-style-type: none"> - No common Strategic document adopted. Local approach and strategies for inspections through PSMA implementation (no access to inspection reports); - Maintain objective and update with PSMA last version¹⁸ ratified in 2014 by Moz. - Adopt National Fisheries Surveillance Plan (with Provincial levels) under DNOP responsibility <p>(H-SO1, SO3, SO2 C, H, A)</p>
<p>Measure 67</p>	<p>Missing</p> <ul style="list-style-type: none"> - Industrial fishing limited to 3 ports (Quelimane, Beira and Maputo) for entry of national and all foreign fishing vessel - Prohibit the entry of industrial fishing vessels in all other fishing ports 	<ul style="list-style-type: none"> - Not enforced: industrial fishing vessels can access to other national ports, including other provinces (Cabo Delgado, Nampula, etc.). - Relevant to maintain objective? Propose a wider distribution of ports accessible to industrial fishing (update list) and provide the appropriate means - Maintain the limit for foreign vessels (IF and / or ISIF?) <p>(H-SO1, SO3)</p>
<p>Measure 68</p>	<p>To be update</p> <ul style="list-style-type: none"> - Change current group of port authorization cards in use (inconsistent and outdated) - Develop a form with all relevant information before allowing entry to port - Implementation at the level of the whole country and the shipping agencies - Ensure consistent use of IICR (ICRS ?) - Refuse entry to vessels that do not use appropriate form 	<ul style="list-style-type: none"> - No elements to assess the level of implementation: 1) no knowledge of an old or new standard model; 2) no example of completed models or subsequent reports of inspections - Develop inspection reports DB - including simplified SSF Inspection report templates that should be mandatory for each SSF inspection and should be available on a digital basis for recording and consultation - Check REPMAR draft art. 124 <p>(H-SO1, SO3, SO2)</p>
<p>Measure 69</p>	<p>Missing</p> <ul style="list-style-type: none"> - Memorandum of understanding (MoU) between INAMAR and the fisheries administration for consistency and cross- 	<ul style="list-style-type: none"> - Not adopted, check REPMAR draft art. 124, 125.1.I - Maintain objective

¹⁸ <http://www.fao.org/3/a-i5801e.pdf>

	<p>checking of entry / exit authorization procedures</p> <p>- MoU also for monitoring of infringements in vessel register file</p>	<p>- REPMAR draft art. 86 and 87 : qualification criteria for IUU vessels, their inscription on a national file and the corresponding prohibitions</p> <p>(H-SO1, SO2)</p>
Measure 70	<p>To be update</p> <p>- Dialogue between institutions involved in fishing vessels inspections</p> <p>- Procedure and data reporting mechanism</p> <p>Missing</p> <p>- Autorisation form by relevant institutions for living port before final autorisation given by INAMAR</p>	<p>- Difficult to accurately assess the nature of the exchanges (dialogue) without relevant indicators.</p> <p>- Develop inspection reports DB - including simplified SSF Inspection report templates that should be mandatory for each SSF inspection and should be available on a digital basis for recording and consultation</p> <p>(H-SO1, SO2)</p>
Measure 71	<p>To be update</p> <p>Provision of inspection results for flag States of relevant vessels and RFMOs: 1) Quarterly basis in case of routine/neutral inspection; 2) Within 24 hours in case of infringement found and proven</p>	<p>No information on this measure: green if applied, blue/maroon if incomplete and necessary to set up</p> <p>(H-SO1, SO2)</p>
Measure 72	<p>Fulfilled</p> <p>Export authorization form elaborated through the involvement of all relevant institutions</p>	<p>- licensed by competent authority (INIP for Sanitary Certificate) and renewed on the basis of regular audits (Study 3 point 4.4.)</p> <p>- art. 67 and 95 Law of Fisheries, art. 35 to 40 of the General Regulation for the Sanitary Control of Food Products of Aquatic Origin (Decree 76/2009 of 15 December) for the Sanitary Requirements for Sanitary Certification and by the Sanitary Certification Procedures (Order of June 2, 2004) and art. 125.1.m REPMAR draft</p> <p>- Integrate links with EU catch certification scheme (CCS) ?</p> <p>(H-SO1, SO2)</p>
Measure 73	<p>Fulfilled</p> <p>Tuna industry transshipments : 1) logistic implications ; 2) carried out at port or under supervision of fishing inspectors</p>	<p>- OK REPMAR Draft (art. 120, 121, 122, 124.3, 125.1.d, 164.d.i) for general approach</p> <p>- do not limit these provision to tuna fishing activities only</p> <p>(M-SO2)</p>
8. Trade Related¹⁹ Measure 74	<p>To be update</p> <p>Documentation schemes in land processing units contribute to prevent IUU fishing</p>	<p>- Law art. 12.1.m and 70 for general consideration but no specific elements</p>

¹⁹ See also **Study 3 point 2.3.6** about *Other IUU-relevant international obligations*

	(content, monitoring and control) and sensitize processing companies with this aim	- Check other regulations and complete if necessary (H-SO1, SO2)
Measure 75	To be update Severe penalties (law) for the import, export (attempt), processing products from IUU fishing	- No specific penalty in fisheries Law (art. 70 for commercial rules, art. 95-96 for sanitary rules and infringement, 100.h for sale of fishery products caught in prohibited zones or period) and REPMAR art. 87.2.c (H-SO1, SO2)
Measure 76	To be update No certification of dry shark fin products in cases of lack of information (true origin or IUU recognized) and prohibit access to markets	REPMAR 148.4 foresee prohibition of shark finning (H-SO1, SO2)
Measure 77	Fulfilled Ensure that illegal fishing gear and other illegal materials are "not" regularly available in the industry and make them at the retail level	- OK, art. 71 and 99 Law of fisheries - Reformulate more generally - Probably a mistake in the portuguese version who has forgotten the "not" in his wording (H-SO1, SO2)
9. Regional Fisheries Management Organizations Measure 78	Fulfilled To become a member of IOTC with immediate effect (contracting party)	OK, complete with other regional relevant organizations and projects (H-SO3)
Measure 79	To be update Implement positive collaboration mechanisms with the IOTC Secretariat, and ensure submission of catch data, inspection and infringement reports, etc.)	OK maintain objective No detailed information on the level of implementation of this provision (H-SO3)
Measure 80	To be update Seek support from the ANUPP Help Fund to support finance membership in IOTC and the development of MCS	OK maintain objective, complete with other potential funding sources (?) (H-SO3)
Measure 81	Fulfilled Develop unilateral tools to harmonize measures for the exploitation and management of tuna in Mozambique with IOTC recommendations	- Tuna fishery development plan in 2013 (<i>Plano de Desenvolvimento da Pescaria de Atum - PEDPA</i>) ²⁰ - Development and implementation since 2013 of a national tuna longliner logbook and plans to develop a specific logbook for purse seiners; - Implementation of a national Observer Scheme for the national fleet,

²⁰ Plano de Desenvolvimento da Pescaria de Atum, ADNAP 2013, 29pp.
See also IOC SmartFish Programme Report (SF/2012/14) on MCS Capacity in the ESA-IO Region. 2012

		<p>implementing Electronic Report System-ERS for EU Fleet, entry exit catch report system and Vessel Monitoring System, to cover all national and foreign tuna vessels;</p> <p>- Activities to accommodate provisions of relevant IOTC Resolutions as part of Mozambique's national legislation.</p> <p>(H-SO3)</p>
<p>10. Implementation of the NPOA-IUU</p> <p>Measure 82</p>	<p>Fulfilled</p> <p>Ensure the circulation of the IUU-NPA by all selected institutions and partners at national and regional level</p>	<p>OK maintain objective</p> <p>(H-SO3)</p>
<p>Measure 83</p>	<p>To be update</p> <p>Assess what measures can be implemented in 2009, and integrate measures remaining as fully planned and budgeted work items in the annual fisheries work plans</p>	<p>OK recalls the foundations of a national plan in its multi-year implementation process and the definition of priority actions with corresponding resources and institutional means</p> <p>(H-SO1, SO2)</p>
<p>Measure 84</p>	<p>To be update</p> <p>Provide for the implementation of mixed work groups to work on measures aimed at integrating the activities of more than one institution / body</p>	<p>OK to recall the necessary approach of cooperation and coordination between the different institutions and stakeholders involved</p> <p>(H-SO1, SO2)</p>
<p>Measure 85</p>	<p>To be update</p> <p>Assign responsibility to an organic unit (from Ministry of Fisheries) to integrate NPOA IUU into the management framework of administration</p>	<p>OK – DNOP (?) as a leading administration subject to strengthening its autonomy - or a joint entity (temporary, <i>ad hoc</i>) between the DNOP / ADNAP in charge of the coordinated application of the plan.</p> <p>(H-SO1, SO2)</p>