

**PERFORMANCE AUDIT REPORT ON THE  
EFFECTIVENESS OF MONITORING,  
SURVEILLANCE AND CONTROL SYSTEM OF  
FISHING ACTIVITIES BY THE MINISTRY OF  
FISHERIES AND MARINE RESOURCES**

**DECEMBER 2021**



## **FOREWORD**

In submitting this Performance Audit Report for tabling in Parliament, we refer to section 11 of the Audit Service Act of 2014, which clearly indicates the role of the Audit Service Sierra Leone (ASSL) thus: "To audit and report on all public accounts of Sierra Leone and public offices including the Judiciary, the central and local government institutions, the University of Sierra Leone and other public sector institutions of like nature, all statutory corporations, companies and other bodies and organisations established by an Act of Parliament or statutory instrument or otherwise set up wholly or in part out of public funds".

Section 11 (2c) of the Audit Service Act of 2014 gives the mandate to the Audit Service to carry out value-for-money and other audits, to ensure that efficiency and effectiveness are achieved in the use of public funds. Section 65 (6) of the Public Financial Management Act of 2016 states: "Nothing in this section shall prevent the Auditor-General from submitting a special report for tabling in Parliament on matters that should not await disclosure in the annual report".

In line with our mandate as described above, we have the pleasure and honour to submit a detailed performance audit report relating to the effectiveness of monitoring, surveillance and control system of fishing activities undertaken by the Ministry of Fisheries and Marine Resources.

A handwritten signature in blue ink, appearing to read "A. Aziz", is positioned above the name "Abdul Aziz". The signature is stylized with a long horizontal stroke extending to the right.

Abdul Aziz

**ACTING AUDITOR-GENERAL**



## **ABBREVIATIONS AND ACRONYMS**

ASSL	Audit Service Sierra Leone
CMA	Community Management Association
FAO	Food and Agriculture Organisation
IMBO	Institute of Biology and Oceanography
IUU	Illegal Unreported Unregulated
JMC	Joint Maritime Committee
IPV	Inshore Patrol Vessels
JOC	Joint Operation Committee
MCS	Monitoring Control Surveillance
MFMR	Ministry of Fisheries and Marine Resources
SDGs	Sustainable Development Goals
SIK Vessel	Sorie Ibrahim Koroma Vessel
VMS	Vessel Monitoring System
WARFP	West African Regional Fisheries Project
WASSCE	West African Senior School Certificate Examination

## DEFINITION OF KEY TERMS

Terms	Meaning
Illegal Fishing	<p>Fishing conducted by national or foreign vessels in waters under the jurisdiction of a State, without the permission of that State, or in contravention of its laws and regulations;</p> <p>Fishing conducted by vessels flying the flag of States that are parties to relevant regional fisheries management organisations, but operate in contravention of the conservation and management measures adopted by that organisation by which the States are bounded, or relevant provisions of the applicable international law.</p> <p>In violation of national laws or international obligations, including those undertaken by cooperating States to a relevant regional fisheries management organisation.</p>
Unreported Fishing	<p>This refers to fishing activities which have not been reported, or have been misreported, to the relevant national authority, in contravention of national laws and regulations</p> <p>Fishing activities undertaken in the area of competence of a relevant regional fisheries management organisation which have not been reported or have been misreported, in contravention of the reporting procedures of that organization</p>
Unregulated Fishing	<p>This takes place in the area of application of a relevant regional fisheries management organisation that are conducted by vessels without nationality, or by those flying the flag of a State not party to that organisation, or by a fishing entity, in a manner that is not consistent with or contravenes the conservation and management measures of that organisation.</p> <p>In areas or for fish stocks in relation to which there are not applicable conservation or management measures and where such fishing activities are conducted in a manner inconsistent with State responsibilities for the of living marine resources under international law.</p>

<b>Industrial Fishing</b>	Industrial fishing means any large-scale fishing or related activities using an industrial fishing vessel. Industrial fishing vessel means a decked fishing vessel with an internal engine or engines of not less than 100 horsepower when combined, and that is 20 meters in length overall or more.
<b>Artisanal Fishing</b>	Means small-scale, or commercial fishing, using an artisanal fishing vessel and gear where the owner is directly involved in the day-to-day running of the enterprise.
<b>Semi-industrial Fishing</b>	Means a fishing or related activities using a semi-industrial fishing vessel, including-  “decked semi-industrial fishing vessel” with a length overall of less than 20 meters and that is decked, and powered by an inboard engine; and  “un-decked semi-industrial fishing vessel” with a length overall of not less than 10 meters and not more than 20 meters less and powered by outboard engines of at least 40 horsepower and include Ghana type boats and standard 5-10.



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## **EXECUTIVE SUMMARY**

Fisheries are an essential source of food and employment in the economy. In 2017 and 2018, the fisheries sector generated revenue totalling Le70.9 and Le94.59 billion, respectively. This sector contributes about 10% of the GDP in Sierra Leone and is recognised as the most important activity along the coastline of Sierra Leone. There are three types of fishing practised in Sierra Leone: Industrial, Semi-industrial and Artisanal Fishing. As at December 2020, a total of 232 semi-industrial, industrial and artisanal fishing vessels had been registered in Sierra Leone.

The Ministry of Fisheries and Marine Resources (MFMR) is responsible for the management of the fisheries and marine resources of Sierra Leone and the administration of laws and regulations regarding the exploitation of fisheries resources in the country. While the Ministry is responsible for the overall management of the fishing sector in Sierra Leone, the licensing of artisanal fishing crafts is the responsibility of the local councils. The specific unit within the Ministry responsible for fishing activities is the Monitoring Control and Surveillance (MCS), which is also charged with the responsibility to ensure sustainable management, the enforcement of the Act, regulations and any other enactment relating to the regulation of fishing activities.

The audit was motivated by the numerous challenges faced by the sector in the areas of illegal, unreported and unregulated (IUU) fishing which stems from the inadequate systems of monitoring, surveillance and controls. There has also been series of media publications and documentaries on similar issues, ranging from the lack of monitoring and control by the relevant authorities; the number of licensed vessels exceeding the available resources; fishing fleet from other countries taking advantage of weak monitoring systems in Sierra Leone and the loss of revenue due to illegal, unreported and unregulated fishing.

It is against this background and the Auditor- General's mandate as enshrined in section 119 (2) of the 1991 Constitution of Sierra Leone, that the Audit Service Sierra Leone (ASSL) carried out this audit to ascertain the systems put in place by the MFMR for the period 2016-2020, and to ensure the effectiveness of monitoring, control and surveillance of fishing activities.



The following is a summary of the main findings, conclusion and recommendation arising from the audit:

## **MAIN FINDINGS**

### **General Observations**

- Monitoring and surveillance plans for the period 2016-2020 were not made available to the auditors despite several written and verbal requests. The non-existence of these plans was confirmed by outstation fisheries officers during audit interviews.
- Offices provided at Shenge, Goderich and Konakriddie through the West African Regional Fisheries Project (WARFP) were used as residential facilities by outstation officers. The facilities looked more residential than offices, due to the absence of electricity and basic working equipment such as computers and radio communications to facilitate Monitoring Control Surveillance (MCS) activities.
- Personnel involved in the monitoring, control and surveillance of fishing activities were not provided safety insurance in accordance with the FAO code of conduct. Instead, outstation fisheries officers were given the sum of Le75,000 (equivalent to \$7.5) per day for surveillance activities on artisanal fishing vessels.

### **Monitoring of Fishing Activities**

- Outstation fishing officers were not present to monitor activities of artisanal fishing vessels in landing sites. In addition, Tissana Wharf and Yongoro landing sites in Shenge and in Lungi, respectively depended on information given to them by harbour masters. Moreover, fishing vessels were without valid licences. It was also noted that artisanal fishing vessels buy carton fish from industrial fishing vessels at sea and sell at the landing sites. This is as a result of the inadequate number of personnel available to monitor landing sites. The ratio of landing sites to fisheries officers is 259:2, 127: 2, 118:2 and 178:1 for Goderich, Tombo, Shenge and Konakriddie respectively.
- Personnel responsible for monitoring the system were not on duty during the team's visit to the Joint Maritime Committee (JMC). This was one of the issues aired out by the Head of Operations of the JMC in his interview. He also said that allowances for personnel working at the Joint Operation Centre (JOC) were no longer provided due to the folding up of the West African Regional Fishing Project that was responsible for the payment of allowances.

- Analysis of the JMC monthly report also revealed that the Vessel Monitoring System (VMS) was not in operation for two months and the VMS was off for more than a month, due to Internet unavailability. It was also revealed that the 17KVA standby generator was unable to supply complete voltage at the JOC, resulting to shutdown of the Uninterrupted Power Supply (UPS) facilities at work stations.
- The Fisheries Directorate staff list 2019 showed that eight of ten fisheries officers were unqualified to undertake the role of fisheries observers according to the set criteria of the Ministry. Moreover, there was no evidence of training of fisheries observers. Interviews with the manager of an industrial vessel also confirmed that in the past, their company had problems with the competency of the fisheries observers assigned to them; the captain had to train the fisheries observer on how to undertake their duty, which improved their performance.
- Fishing companies paid the equivalent of \$500 per fishing observer which was deposited into a bank account that was operated by a representative of both the Ministry and owners of the industrial fishing vessels. The auditors requested for details of the bank account which was not submitted for inspection.

### **Control Mechanisms to Ensure Compliance**

- Artisanal fishermen visited in the coastal areas were still using monofilament net, because the approved nets promised to be sold to the communities on a cost recovery basis by the MFMR was not forthcoming. That was the main reason given by fishermen during interviews. A contract amounting to Le4,008,170,000, for the purchase of the prescribed nets accepted for fishing in Sierra Leone had already been signed since 2019.
- A list of registered artisanal vessels showed a total of 905 vessels registered to pay license fees to the MFMR. In 2019, 2.7%, 8% and 1.62% of licence fees were collected from Tombo, Shenge and Goderich respectively, whereas no license fees were paid in Konakridee. In 2020, 7.4%, 2.2%, 19.5%, and 5.3% of license fees were collected in Tombo, Shenge, Goderich and Konakridee respectively.
- There were fishing vessels constructed without the knowledge of the MFMR and this may have led to the existence of an inaccurate database of fishing vessels; hence, a challenge in managing the fishing activities.



- Defaulting fishing companies were always fined lesser than what is quoted in sections 18 (1) and 4(2) of the Fisheries and Aquaculture Act of 2018 and Regulations of 2019 respectively. This is because the Committee may determine what fishing companies should pay rather than what is on the regulation.
- The MFMR did not take action on defaulters of fines. According to fishing companies interviewed, the reason they gave for the non-payment was that the amount charged as fines was more than the cost of a new boat. Some fines levied on fishing boats were way above the cost of the fishing boats. Those fines were not paid and the Ministry did not take further action on defaulters for non-payments.
- Foreign fishing vessels were to submit a performance bond prior to the issuance of their licence. At the time of the audit, no evidence for payment of performance bond by foreign fishing companies was presented for inspection.
- A review of letters sent to fishing companies revealed that there had been instances where the Ministry failed to conduct proper investigations before issuing a fine.

### **Surveillance of Fishing Activities**

- Analysis of community surveillance reports disclosed that no surveillance was carried out on the activities of artisanal fishing activities in 2019. In 2020, only 12 days of surveillance was conducted in Shenge, Konakridda, Goderich and Tombo due to the unavailability of logistics such as fuel to operate Inshore Patrol Vessels (IPVs).
- The surveillance reports submitted by the MFMR showed a total of 22 monitoring activities conducted for the period under review which was about 18 % of the intended surveillance. This was as a result of the non-budget for these activities. 80% of surveillance activities conducted during the scope of the audit was funded by the WARFP.

### **Overall Conclusion**

Monitoring and surveillance plans both at national and outstation levels were not available to guide the process of implementation. Operational structures of outstation offices where fishing activities take place were not effectively functioning. Basic equipment and facilities to enable swift transfer of information and movement were not available at the time of audit. Incentives such as insurance against accident or any incident that may

happen during monitoring duties, to motivate monitoring staff were not available. Other reasons for the ineffective monitoring, control and surveillance of fishing activities are as follows:

- Failure to ensure that the activities of artisanal fishing vessel are monitored.
- Inefficient operation of the VMS for the period under review and the unavailability of personnel needed to effectively operate the system.
- Fisheries observers lack the required skills and educational background to adequately monitor the activities of industrial fishing companies.
- Failure to ensure that artisanal fishing vessels operating in Sierra Leone acquire fishing licence.
- Failure to ensure that fishing companies present performance bond before issuance of licence and failure to ensure the payment of fines for offence committed.
- Failure to ensure proper investigations for offences committed by operators of fishing vessels.
- Inadequate provision of logistics to outstation offices and unavailability of activity budget.

## **Recommendations**

The MFMR should collaborate with key stakeholders to address the issues raised above and implement the under mentioned recommendations relating to these issues as follows:

- The MCS department should ensure that they develop a general monitoring and surveillance plan as well as plans for the outstation offices in order to monitor progress, also identify problems that will arise, and which have the potential to prevent them from achieving their objectives.
- The MCS should ensure that operational infrastructure for outstation offices are budgeted for and these offices are provided with basic communication facilities through which data can be easily transferred from one office to another, and fuel for official vehicles and IPV.
- The Permanent Secretary should collaborate with the Human Resources Management Office to map-out strategies for the provision of insurance for staff involved in monitoring and surveillance.
- The Director of Fisheries should ensure that adequate staff is provided at outstation offices and logistics to facilitate the monitoring of fishing activities. Since fishing activities take place in the coastal areas where these offices are located, it is important that they have the required facilities to enhance revenue collection.
- The JMC should have its own budget and funding in order to allow them carry out their activities effectively without depending on funding from projects.

- The Director of Fisheries through its Human Resources Manager should establish recruitment procedures that will take into account best practices, qualification requirements for fisheries observers. Relevant training programmes for Fisheries Observers should also be provided.
- Fisheries observers should be paid and controlled by the Ministry, since they are part of the work force of the Ministry of Fisheries and Marine Resources.
- The Ministry should give the artisanal fishermen appropriate time to procure the appropriate net and thereafter institute heavy penalties on defaulters.
- The Director of Fisheries should develop a strategy that will empower the outstation offices to track down unlicensed vessels sailing along their territory. Regular cost-effective surveillance should be carried out to target non-licensed vessels fishing in the Sierra Leone waters.
- The authorities at the MFMR should sensitise fishermen on the importance of informing the Ministry when constructing a boat, and thereafter monitor coastal fishing areas to ensure that fishermen intending to construct a boat informs the officers representing the Ministry in those areas in order to conduct due diligence as specified by the Fisheries and Aquaculture Act of 2018.
- The Fines Committee should ensure that the amount stated on the Fisheries and Aquaculture Act is levied for offence committed.
- The Director of Fisheries should ensure that they implement the regulations concerning the non-payment of fines for fishing companies that do not adhere to payment plans.
- The Director of Fisheries should ensure that foreign fishing companies provide a performance bond to mitigate the loss to the country due to non-compliance.
- The Director of Fisheries should ensure that proper investigations are carried out before informing the operators of fishing vessels of their offences.
- The Director of Fisheries together with the Director of MCS should ensure that surveillance activities are carried out at least twice a month. The PS of the Ministry should also escalate the issue of the budget for surveillance activities to be approved, and funds provided in a timely manner by the Ministry of Finance. There should also be funds set aside for spontaneous surveillance that may come up through intelligence.



## **1 INTRODUCTION**

### **1.1 BACKGROUND**

Fisheries are essential source of food, employment, economic activity, and recreation for citizens. Fish is the largest single source of dietary animal protein consumption in Sierra Leone, accounting for 80% of protein intake. The fisheries sector of Sierra Leone currently produces about 150,000 tons of fish per year with an estimated first sale value of US\$125 million. The sector generated Le-70.9 billion (US\$ 9.6 million) in 2017 and Le-94.59 billion (US\$ 11.78 million) in 2018<sup>1</sup>. It contributes about 10% of the GDP and is the most important activity along the coastline of Sierra Leone. There are three types of fishing practised in Sierra Leone: Industrial, Semi-industrial and Artisanal Fishing.

Sustainable fisheries are essential in supporting global food security. Goal 14 of the Sustainable Development Goal (SDGs) gives the need to conserve and sustain the use of the oceans, seas and marine resources for sustainable development. This is further translated in the Government of Sierra Leone Medium-Term National Development Plan 2019–2023, where the Government aims to improve the productivity and sustainable management of fisheries and the marine sector.

Managing fisheries resources is vital for both current and future generations. The Ministry of Fisheries and Marine Resources (MFMR) is responsible for managing the fisheries and marine resources of Sierra Leone and for the administration of laws and regulations governing the exploitation of fisheries resources in the country. Although the Ministry is responsible for the overall management of the fishing sector in Sierra Leone, the licensing of artisanal fishing crafts is the responsibility of the local councils. The specific unit responsible for monitoring fishing activities is the Monitoring, Control and Surveillance (MCS), also charged with the responsibility to ensure sustainable management, and the enforcement of the Act, regulations and any other enactment relating to the regulation of fishing activities

Table 1 below shows the number of industrial and semi-industrial fishing vessels that acquired licence from January to December between 2016 and 2020. A total of 179, 148, 150, 57 and 232 were licensed for 2016, 2017, 2018, 2019 and 2020 respectively. The number of industrial licensed fishing companies for 2019 was not submitted during the audit. Registration of Artisanal fishing vessels commenced in 2019.

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<sup>1</sup>National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. Page 15



**Table 1: Total number of industrial and semi-industrial licensed fishing companies for 2016-2020**

Type of Vessels	Years				
	2016	2017	2018	2019	2020
Artisanal	-	-	-	27	80
Industrial	161	134	136	-	125
Semi-industrial	18	14	14	30	27
<b>Total</b>	<b>179</b>	<b>148</b>	<b>150</b>	<b>57</b>	<b>232</b>

Source: Analysis of database of fishing companies received from MFMR

## 1.2 MOTIVATION OF THE AUDIT

The fisheries sector is one major source of revenue generation for individuals, businesses and the government of Sierra Leone. If managed well, it has a huge potential to contribute to reduce poverty and the overall development of the economy. The country's fishing industry has however not been without challenges in recent years. These challenges includes but not limited to illegal, unreported and unregulated fishing, which is as a result of inadequate systems of monitoring, surveillance and controls.

There have been series of media publications and documentaries on the monitoring of illegal, unreported and unregulated (IUU) fishing which impacts on the revenue loss in Sierra Leone. Below are extracts of publications and documentary which motivated the audit topic:

- In a publication done by the Environmental Justice Foundation (EJF) on 22nd April 2016, it was stated that the European Union Commission warned Sierra Leone with a “yellow card” due to inadequate level of development and engagement against illegal, unreported and unregulated fishing (IUU). The publication also added that due to lack of monitoring and control by the relevant authorities, the number of licensed vessels exceeded the available resources.<sup>2</sup>
- In a BBC documentary aired on 25th March 2019, it was revealed that fishing fleet from other countries such as China, takes advantage of weak and porous monitoring systems in Sierra Leone. The documentary also revealed the deplorable extent to which Chinese fishing trawlers are exploiting Sierra Leone's inability to police its waters; Local fishermen struggle to make a living out of their meager daily

<sup>2</sup> Apr 22, 2016 EJF calls for urgent action by the Sierra Leone government to protect its fisheries resources

catch and raised serious concerns that the country's fish stock may be in serious decline. It also showcases Chinese fishing trawlers using illegal methods such as double trawling to cast their nets wider, which then rakes and gulps everything from the sea.<sup>3</sup>

- France 24, an international television broadcaster on 1st April 2019, stated in its online news that monitoring and surveillance of fishing vessels had reduced as a result of withdrawal of development aid<sup>4</sup>.
- The African Young Voices newspaper on 10th January, 2020 titled; "Sierra Leone is losing over one hundred million Dollars from its fishing industry" highlighted that due to weak monitoring and surveillance systems, the Government is losing revenue estimated at 200 million Dollars. It also stated that unregulated industrial fishing vessels also deprive local fishermen from carrying out their vocation and hamper much needed fish supplies to local markets<sup>5</sup>.
- A write up on the Calabash Newspaper on 8th June 2020 by Amin Kef Sesay, indicated that the illegal, unreported and unregulated issues are causing problems in the fishing sector in Sierra Leone. This he said undermines the regional, national and international efforts to make fisheries sustainable. <sup>6</sup>

It is against this background that the Audit Service Sierra Leone (ASSL) decided to conduct an audit to ascertain the systems put in place by MFMR to ensure the effectiveness of monitoring, control and surveillance of fishing activities.

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<sup>3</sup> <https://www.bbc.com/news/av/world-africa-47698314>

<sup>4</sup> <https://www.france24.com/en/20190401-sierra-leone-bans-industrial-fishing-month>

<sup>5</sup> <http://www.ayvnewspaper.com/index.php/2020/01/10/sierra-leone-is-losing-over-one-hundred-million-dollars-from-its-fishing-industry/>

<sup>6</sup> <https://thecalabashnewspaper.com/fao-heightens-efforts-to-combat-illegal-unreported-unregulated-fishing/>



## **2 AUDIT DESIGN**

### **2.1 Audit Objective**

The objective of the audit was to assess the effectiveness of the measures put in place by the Ministry of Fisheries and Marine Resources in ensuring monitoring, control and surveillance of activities for sustainable fishing.

### **2.2 Audit Questions**

1. To what extent does the monitoring system capture all information on fishing activities?
2. Does the control mechanism in place adequately support the monitoring and surveillance systems?
3. To what extent have the surveillance of fishing activities maintain compliance with the controls imposed on fishing activities?

### **2.3 Audit Scope**

This audit focused on all monitoring control and surveillance activities on both artisanal and industrial fisheries by the MFMR and its related entities, in ensuring sustainable fisheries practices in Sierra Leone. The audit covered the period from 2016 to 2020. It considered information from the head office of MFMR, JMU office, and outstation offices at Goderich, Tombo, Konakridee and Shenge.

### **2.4 Audit Methodology**

The audit was conducted in accordance with the International Standards of Supreme Audit Institutions (ISSAIs) which were issued by the International Organisation of Supreme Audit Institutions (INTOSAI). Those standards require that the audit is planned and performed in order to obtain enough and appropriate evidence to provide a reasonable basis for the findings and conclusions based on the audit objective. During this engagement, we collected data through interviews with key personnel of the MFMR, reviewed key documents; physically verified equipment used in monitoring and surveillance of fishing activities and observed fishing activities of artisanal fishermen and conducted statistical analysis of the data collected.

#### **▪ Documents Review**

Monitoring reports, surveillance reports, fishing licences, cashbooks, minutes, receipts and databases were reviewed to obtain sufficient; appropriate audit evidence on the operations, processes and procedures involved in the monitoring control and surveillance of fishing activities, and to source corroborative information from interviews and physical inspection. List of documents reviewed is shown in Appendix 1.

## ▪ Interviews

Personnel from the MFMR and stakeholders involved in the Monitoring Control and Surveillance were interviewed to ascertain their roles and responsibilities, and also corroborate information from documents reviewed and physical observations conducted. The details of personnel interviewed are shown in Appendix 2

## ▪ Physical Inspection

Observations of fishing activities on landing sites were carried out and patrol boats, and equipment used for monitoring were also inspected. Landing sites at Shenge, Konakridee, Goderich and Tombo were visited. Landing sites visited are listed in Appendix 3

## 2.5 Sample Selection

According to Table 2 below, there are 935 landing sites located in the eight outstation offices. During the audit, the team visited four outstation offices with the highest number of landing sites, at Goderich, Tombo, Shenge and Konakridee. Bonthe is excluded from the plan because majority of the team members declined shuttling to the island due to the risks associated with travelling by sea.

<b>Table 2: List of fisheries outstation and landing sites</b>	
<b>Fisheries outstation</b>	<b>Number of landing sites</b>
Goderich	259
Tombo	127
Konakridee	178
Kambia	41
Bonthe	180
Shenge	118
Sulima	12
Gbonda	20
<b>Total</b>	<b>935</b>

Source: Information analysis from MFMR

## 2.6 Source of Assessment Criteria

The criteria used to assess the effectiveness of the measures put in place by the Ministry of Fisheries and Marines Resources in monitoring control and surveillance of fishing activities were obtained from the relevant Acts, regulations and policies as mentioned in Appendix 4.

### **3 DESCRIPTION OF THE AUDIT AREA**

This chapter gives a brief description of the subject matter including government undertakings during the period under review. It outlines the regulatory framework governing the monitoring, control and surveillance of fishing activities by including its functions and structure. It also gives an analysis of revenue generated and expenditure incurred by the Ministry for the period under review. A detailed system description together with the roles and responsibilities of the key players are also presented.

#### **3.1 MONITORING CONTROL AND SUPERVISION OF FISHING ACTIVITIES**

Monitoring, Control and Surveillance (MCS) are important component in the management of fishing activities. Effective implementation of MCS activities will automatically mitigate illegal, unreported and unregulated fishing in Sierra Leone.

- Monitoring is the continuous requirement for the measurement of fishing effort characteristics and resource yields.
- Control is the regulatory conditions under which the exploitation of the resource may be conducted.
- Surveillance is the degree and types of observations required to maintain compliance with the regulatory controls imposed on fishing activities.<sup>7</sup>

#### **3.2 REGULATORY FRAMEWORK**

- **The Fisheries and Aquaculture Policy, 2016 and 2018**

This Act makes provision for the long-term conservation, management, development and sustainable use of fisheries resources and ecosystems in Sierra Leone; to provide for the development of aquaculture for the benefit of the people of Sierra Leone and for other related matters.

The 2017 Act specifically makes provision for the establishment and function of a monitoring compliance and surveillance unit within the Ministry of Fisheries and Marine Resources.

- **The Fisheries and Aquaculture Regulations, 2019**

The Fisheries and Aquaculture Regulations, 2019 guides corporations and individuals applying for fishing licence on how fishing should be carried out to ensure sustainable use of fisheries resources. It gives the

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<sup>7</sup> An introduction to monitoring, control and surveillance systems for capture fisheries



requirement and procedures of acquiring a licence, the type of fishing gears to be used and conditions in which fishing should be done. It also gives the fines that should be levied for each offence committed.

- **The Finance Act 2017, 2018, 2020**

The Finance Act guides the Ministry on how assessment for revenue should be done for fishing activities in terms of collection and calculation.

- **The Public Financial Management Regulations**

The Public Financial Management Regulations guides the Ministry of how revenue should be collected and paid. It states that revenue should be collected and paid into the treasury main account.

- **Local Government Act, 2004**

Through this Act, the function of collection of licence fees has been devolved to local councils.

### **3.3 VISION AND MISSION OF THE MFMR**

#### **3.3.1 Mission**

The Ministry of Fisheries and Marine Resources has its mission to plan, develop, rationally manage and conserve all living aquatic resources for the benefit of the country. To achieve this, the Ministry promotes good governance, including co-management practices, establish sustainable monitoring, control and surveillance procedures. It also establishes the livelihood enhancement of the fishing communities, support commercial fisheries development, increase the contribution of the fish resources to the national economy. The Ministry adheres to and actively participate in regional and international fisheries management organisations and adopt best practices in the management of the resources, including code of conduct for responsible fisheries.

#### **3.3.2 Vision**

The Fisheries Sector Policy is to promote responsible and sustainable fishing practices through good governance, while contributing to poverty reduction and wealth creation in Sierra Leone. The policy envisages significant contribution by the sector to social welfare in an equitable manner, sustainable economic growth and wealth generated through the environmentally sound and prudent exploitation of the nation's fish resources.

### **3.4 ORGANISATIONAL STRUCTURE OF THE MFMR**

The Minister is the political head of the Ministry of Fisheries and Marine Resources. The Permanent Secretary is the head of administration and the Director of Fisheries is the head in charge of technical matters.

There are five technical units in the MFMR:

- Monitoring Control and Surveillance Unit – in-charge of compliance
- Statistics and Research Unit
- Marine Artisanal Unit – in-charge of fisheries extension and governance of marine artisanal fishing in the coastal districts of Sierra Leone.
- Fish Quality Unit - responsible for proper fish handling and processing.
- Aquaculture and Inland Fisheries Unit.

(See Appendix 5 for the organogram of the Ministry)

### 3.5 REVENUE COLLECTED FROM LICENCES OF INDUSTRIAL, SEMI-INDUSTRIAL AND ARTISANAL FISHING VESSELS

The Ministry of Fisheries and Marine Resources collects revenues from the following streams:

- i. licences from industrial, semi-industrial and artisanal vessels;
- ii. export and import fees, local discharge, fisheries protection statistics and research fees,
- iii. entry clearance fees,
- iv. transshipment and
- v. fines.

Revenue collected from licenses and fines were considered for this audit. Table 3, 4 and 5 show the license fees collected for industrial, semi industrial, artisanal and fines for the period under review. The MFMR started collecting license fees from artisanal fishing vessels in 2019.

Table 3: License fees from Industrial and semi-industrial vessels	
Year(s)	Fees (Le)
2016	37,517,072,376.43
2017	48,380,778,032.24
2018	58,912,666,070.04
2019	84,551,523,031.00
2020	77,724,442,378.56

Source: Cashbooks

Table 4: License fee from Artisanal Vessels	
Years(s)	Fees( Le)
2019	18,252,019.00
2020	109,002,020.00

Source: Receipts issued to artisanal fishing vessels

Table 5 : Fines collected	
Year(s)	Amount (Le)
2016	1,827,828,515
2017	2,058,625,681
2018	5,321,104,544
2019	1,022,291,675
2020	549,324,950

Source: Cashbook and summary of fines paid into Consolidated Fund submitted by the MFMR

### **3.6 SYSTEMS IN PLACE FOR MONITORING, CONTROL AND SUPERVISION**

#### **■ Monitoring**

##### *Monitoring of fishing landing sites*

Monitoring of landing sites are conducted by Fishing Officers, Dock Observers, Numerators and Council Officers. Dock Observers give feedback on the daily onshore activities (local fish discharge, transshipment and other related operation at major landing sites). Numerators collect data on fishing activities whilst the Fishing Officers monitor and supervise the overall activity of the outstation offices.

##### *Monitoring catches of fishing vessels*

There are assigned Fishing Observers on board every licensed industrial fishing vessel that provides data on daily catch through high frequency radios to the Ministry. These data are used to inform management decisions.

##### *Monitoring through satellite based Vessel Monitoring System*

During pre-licenses inspection of fishing vessels, all industrial fishing vessels are expected to install a satellite monitoring system, which should be on at all times, so that the Ministry can remotely monitor the movement of the vessels.

#### **■ Control**

The Monitoring, Control and Surveillance unit informs the Ministry of any offences committed by vessels for which fines are levied. The Fisheries Act and Regulations provide strategies to ensure that control measures are being followed during exploitation of fisheries resources.

#### **■ Surveillance**

There is a joint surveillance team known as the Joint Maritime Committee (JMC) that carries out surveillance of the activities of industrial and semi- industrial fishing vessels. It comprises members from different ministries, department and agencies namely: Maritime (Navy), Air Wing, Sierra Leone Ports Authority, Sierra Leone Police, Immigration Department, Sierra Leone Maritime Administration, Office of National Security and National Revenue Authority. Joint surveillance is ideally conducted twice monthly, using the one 24-meter vessel patrol boat. The JMC management team meets every Wednesday to discuss the day-to-day management of the JMC. The JMC steering group meets fortnightly. Surveillance of artisanal fishing vessel is conducted by Fisheries Officer together with members of the Community Management Association.



### **3.7 ROLES AND RESPONSIBILITIES OF KEY PLAYERS**

These are the key players and their accompanying role, although not in any particular order:

- **Local councils**

The Ministry has the overall responsibility for the management of the fisheries sector. The licensing of artisanal fishing crafts (KRU canoes, STD 1-3 and STD 3-5) is a function that has been devolved to the local councils by the 2004 Local Government Act.

- **Fishermen Organisations**

A number of local union of fishermen have merged into an umbrella body called the Sierra Leone Artisanal Fishermen Consortium to act as a united force in addressing the issues relating to artisanal fishermen. The consortium is collaborating with the local councils in the licensing of artisanal fishing crafts and working with the Ministry in the promotion of responsible fishing in the artisanal sector.

Prior to June 2018, there were three recognised fishermen's union that represented the interest of the small-scale fishermen:

- i) Sierra Leone Artisanal Fishermen's Union – SLAFU
- ii) Sierra Leone Amalgamated Artisanal Fishermen – SLAAFU
- iii) The Sierra Leone Indigenous Artisanal Fishermen's Union- SLIAFU

- **Community Management Associations (CMA)**

The Community Management Associations (CMAs) are community structures set up purposely for the management of fisheries and other coastal resources at the community level. Thirty-seven (37) Community Management Associations which have representations from the Fishermen organisations have been formed nationwide to complement government's effort in ensuring responsible fisheries governance. These coastal resources management structures have been set up in eight coastal district council areas. The CMAs, together with government and interested NGOs are responsible for the management of the four established MPAs which are expected to graduate to Territorial Use Right Fisheries (TURFs). All 37 CMAs have developed community by-laws endorsed by local authorities and enforcement of the by-laws has commenced.

- **University of Sierra Leone (Research and Training Institutions)**

Under a Memorandum of Understanding, the Ministry of Fisheries and Marine Resources and the Institute of Marine Biology and Oceanography (IMBO) at the University of Sierra Leone conduct

joint fisheries research on all aspects of fisheries, including the small scale. The Njala University also conducts research, undergraduate and graduate courses in fisheries management and aquaculture.

- **Fisheries Advisory Body**

The Fisheries and Aquaculture Act, 2017 makes provision for the establishment of the Scientific, Economic and Technical Committee to advise the Ministry on fisheries management matters. This body comprises representatives of key stakeholders including staff of the Ministry, fishermen's unions, researchers from University, private sector, former Directors of Fisheries, etc.

- **Joint Maritime Committee (JMC)**

The Maritime Wing of the military provide patrol boats to enhance a safe and secure environment for licensed trawlers and other vessels in or approaching our waters. It shall also among other tasks, protect the Sierra Leonean waters from illegal dumping of toxic and noxious substances, and any other tasks directed by the Military Aid to Civil Power (MACP) Policy. Further tasks include all aspects of unlawful activity on the seas.

- **Sierra Leone Police (Marine Division)**

The Marine Division of the Sierra Leone Police is responsible for search and seizure at sea and to make arrests for all criminal activities wherever that is applicable in accordance with the laws of Sierra Leone.

- **Sierra Leone Maritime Administration**

The Administration is responsible for maritime safety/security and prevention of pollution in the marine environment by vessels.

- **National Revenue Authority**

The Authority is responsible for all collectable revenue in the marine environment, consistent with the Customs Act and any other statutory provision.

## **4 FINDING & RECOMMENDATION**

This chapter presents detailed audit findings that will ascertain the level of effectiveness of the mechanisms put in place by the Ministry of Fisheries and Marine Resources whilst monitoring control and surveillance is carried out on fishing activities. It also brings out the causes and effects associated with the findings, and gives recommendations that could mitigate or eliminate the identified weaknesses in the management process. The first part of this chapter gives general findings that cut across monitoring, control and surveillance, whereas the rest of the findings are related to the four audit questions.

### **4.1 General Findings**

#### **4.1.1 Monitoring and Surveillance Plans**

Monitoring and surveillance plans are important in managing fishing activities because it guides in the implementation of activities and achievement of goals. It is a tool that is useful for guiding the day-to-day decisions, evaluating progress and changing approaches when moving forward. It can also be used to assess the performance of outstation officers in the collection of license fees.

During the audit, neither a monitoring, nor a surveillance plan for the period 2016-2020 was made available to the auditors despite several written and verbal requests. An interview with the outstation fisheries officers confirmed that they do not have monitoring and surveillance plans. The absence of monitoring and surveillance plans affects the ability of management to measure performance and also identify weaknesses where objectives are not achieved.

#### **Recommendation**

The Director of MCS should ensure that they develop a general monitoring and surveillance plan as well as plans for the outstation offices in order to monitor progress and also identify problems which have the potential to prevent them from achieving their objectives.

#### **Management Response**

*There is a National Fishery Inspection plan for 2020-2025. For fishery patrol, the MCS Unit develops a plan for each patrol based on intelligence received. Outstations officers should conduct inspection at least three times per quarter.*

#### **Auditor's Comment**

Even though the scope of the audit was Financial Years 2016-2020 for which monitoring or surveillance plans were not made available for inspection, the issue will however be followed up.

#### **4.1.2 Operational Infrastructure of Outstation Offices to Undertake MCS Activities**

Chapter 6 of the Food and Agriculture Organisation (FAO) Fisheries Technical Paper, No. 415 highlighted that to ensure a successful MCS system; an office space is required for field staff and supporting administrative staff. It also suggests the availability of radio communication, computer system with internal communication and transportation for monitoring purposes.

During the audit, the team observed that office spaces were provided at Tombo, Shenge, Goderich and Konakrdee through the WARFP project. Those office spaces were used as residential facilities by outstation officers with the exception of the office at Tombo. Our observation further showed that the facilities looked more residential than office environments. This was due to the absence of electricity and basic working equipment such as computers and radio communication sets used to facilitate MCS activities.

The project also provided Toyota Hilux vehicles with registrations AHC570, AHC571, AHC567 and AHC573 to Goderich, Tombo Shenge and Konakrdee outstation offices respectively, for monitoring purposes. During visit by the audit team, these vehicles were not made available for verification. Those assigned to Shenge and Konakrdee were grounded due to mechanical problems, according to the Fisheries Officers.

It was also noted that IPVs were assigned to these outstations but as at the time the team visited Goderich, only one IPV was being used for both Goderich and Konakrdee outstations. There were two IPVs in Tombo and Shenge with the most recent was assigned on 12th February, 2021. In an interview with the Fisheries Officers these IPVs were however parked due to unavailability of fuel to operate them.

One reason for the inadequate infrastructural can be attributed to the unavailability of budgeted funds by the Ministry of Fisheries and Marine Resources for monitoring purpose. Until 2019, there was no budget for MCS activities. The outstation offices, vehicles and IPVs were all provided and operated through the WARFP. The project is however in its final stages and funds have been reduced. Another reason could be the non-prioritising of expenditure on very important commodities (e.g. fuel) for operational activities.

#### **Recommendation**

The Director of MCS should ensure that the operational infrastructure for outstation offices are budgeted for and these offices are provided with basic office equipment and communication system via which data can be easily transferred from one office to another.

#### **Management Response**

*There are office spaces at Shenge and Konakrydee. Although Goderich is residential, an office space is however provided at the Fish Receiving facilities which is yet to commence fully. All Outstation Offices are fully equipped with radio communication set to transmit*



*relevant fishing information, desktop computers and relevant office equipment. Additionally, each stations officer has a laptop assigned to him or her.*

#### **Auditor's Comment**

The response of the MFMR is noted. During the verification, we noted that the officers were provided laptops and a communication system was available but non-operational. We also noted that specific rooms had been allocated to be used as offices in Shenge and Konakridda. Goderich on the other hand had no office space as at the time of verification. The issue therefore remains partly unresolved.

#### **4.1.3 Insurance for Staff Involved in Monitoring and Surveillance**

Section 8.1.5 of the FAO Code of Conduct for responsible fishing explained that each member state should ensure that health and safety standards are adopted for everyone employed to engage in fishing operations. Such standards should not be less than the minimum requirements of relevant international agreements on conditions of work and service.

During review of staff personnel files and interview with the Human Resources Office, it was noted that staff (industrial and artisanal) engaged in the monitoring, control and surveillance of fishing activities are not provided with safety insurance. This was also confirmed through interview with the staff involved in monitoring and surveillance activities. The outstation Fisheries Officers, for instance, were given Le75,000 per day (equivalent to \$7.5), instead of insurance cover, whenever they carried out surveillance activities, usually for a period of 12 days. The absence of safety insurance to monitoring officers will deter them from carrying out their duties effectively due to fear of life threatening occurrences.

#### **Recommendation**

The Permanent Secretary should collaborate with the Human Resources Management Office to map-out strategies in which insurance could be provided for staff involved in monitoring and surveillance.

#### **Management Response**

*Unfortunately, no insurance is provided. The Le 75,000 is meant for dry ration during patrol.*

#### **Auditor's Comment**

The issue remains unresolved and will be kept in view for follow up.

## 4.2 Monitoring of Fishing Activities

### 4.2.1 Artisanal fisheries activities

One of the responsibilities of the outstation Fisheries Officers is to monitor the daily activities of artisanal fishing vessels and to ensure that they conduct fishing activities in accordance with the laws and regulations of fisheries in Sierra Leone.

During the team's visit to Goderich, Tombo, Shenge and Konakridee, it was observed that there were little or no monitoring activities of artisanal fishing vessels.

The team visited landing sites at Shenge (Tissana, Baoma, Shenge Wharf) Konakridee (Yongoro, Mahera, Cotton Tree, Banda) Goderich (Sussex, Lakka, Hamilton, Number Two, Baw Baw, Shella) and Tombo (Bureh, Kent, John Obey, Mama, Small Wharf) between the 4th -16th March 2021, during active fishing activities, and observed the following:

- Outstation Fisheries Officers were not present to monitor activities of artisanal fishing vessels in landing sites.
- Active landing sites like Tissana Wharf in Shenge and Yongoro in Lungi depended on information given to them by Harbour Masters (who are not paid or supervised by MRMR).
- The use of fishing gears such as monofilament nets prohibited by the 2018 Fisheries and Aquaculture Act still continued.
- 80% of the fishing vessels were without valid licences.
- Artisanal fishing vessels bought carton fish from industrial fishing vessels at sea and sell at the landing sites, contrary to section 31 of the 2019 Fisheries and Aquaculture Regulations. See Figure 1 below.

Figure 1: Artisanal fishermen selling carton fish bought at sea from industrial fishing vessels to market women at Tombo.



Picture taken on 16th March 2021 at 8.05am



- At Baw Baw wharf the vessels which the team met were registered as Kuta vessels (which are under the supervision of the MFMR). According to the fishermen, officials of the Ministry do not go there to monitor their activities.
- At Mahera, draw chain method of fishing was seen used, which is against the fisheries rules and regulations as seen in figure 2 below.

Figure 2: Draw chain fishing at the Mahera beach and harvest of juvenile fishes



Pictures taken on 10th March 2021

An analysis of the number of landing sites compared to the number of Fisheries Officers per station show that with the number of Fishing Officers available for monitoring, each should be able to monitor approximately 130, 64, 59 and 178 landing sites for Goderich, Tombo, Shenge and Konakridee respectively, which is impossible taking into consideration the facilities available.

Table 6 : Landing sites and number of monitoring staff allocated to outstations			
Outstation	Number of landing sites	Number of personnel for monitoring activities	Average site per monitor ( number of landing sites divided by the number of personnel for monitoring activities )
Goderich	259	2	130
Tombo	127	2	64
Shenge	118	2	59
Konakridee	178	1	178

In addition to the inadequacy of personnel, the Fisheries Officers at the outstation offices visited also added that, the unavailability of fuel to operate the IPVs is also a cause for lack of monitoring of landing sites. The

Officer in Tombo also added that since he took over as Fisheries Officer in July 2020, he has never visited Banana Island to monitor due to the same reason stated above. The time for fishing activities is another contributing factor to the ineffective monitoring of the activities of artisanal fishing vessels as there is guide to let monitors know the landing schedules of fishing vessels. These fishing vessels do not have a specific time to go to sea. In a discussion with fishermen of areas visited, they said that their fishing activities depend on the tide of the sea; if the sea is rough, they will not go until it is calm. Since there is no specific time for fishing, there is a risk that fishermen may land in the night and in prohibited areas just to evade inspection.

The ineffective monitoring of fishing activities allows artisanal fishermen to engage in destructive fishing practices, and fishing without valid licences are in contravention of the rules and regulations of fishing in Sierra Leone. That can lead to destruction of the ecosystem and overfishing.

### **Recommendation**

The Director of Fisheries should ensure that adequate staff are provided at outstation offices and logistics (e.g. fuel) to facilitate the monitoring of fishing activities. In addition, he should ensure that the coastal areas where fishing activities take place have the required facility to enhance revenue collection.

### **Management Response**

*The outstation officers are to cover a wide range of landing sites and coastal communities and cannot be at the wharves at any given point in time. However, there are some enumerators and fisheries assistants to complement their activities in their absence. Harbour masters are utilized due to inadequate resource.*

### **Auditors Comment**

We noted management's response. The issue however remains unresolved and will be followed in subsequent audits.

#### **4.2.2 Operation of the Vessel Monitoring System**

The Vessel Monitoring System (VMS) is one of the mechanisms used by the Ministry of Fisheries and Marine Resources to monitor the activities of industrial fishing vessels. The VMS provide regular data to the fisheries authorities on the location, course and speed of industrial vessels that are registered and licensed to the Ministry.<sup>8</sup> The JOC which is made up of agencies from different MDAs is responsible for the daily running of the VMS. According to the Head of Operation of the JMC, the VMS is being monitored on a twenty-four-hour basis and a three shift system is in place for the running of the system with four staff for each shift.

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<sup>8</sup> ec. europa.eu





During physical observation of the VMS room, the team noted that staff responsible for monitoring the system were not on duty, thereby leaving the system unattended. The Head of Operation of the JOC in his interview expressed their challenges with stakeholders, especially in the area of staffing. In a Memorandum of Understanding (MOU) between stakeholders of the JMC, it was agreed that the MDAs that were part of the JMC should provide the staff for the day-to-day running of the JMC. According to an interview with the coordinator for the West African Regional Fisheries Programme (WARFP), the project was providing allowances to the staff manning the JOC, but due to reduction of funds, they stopped paying these allowances. It was confirmed through the monthly JOC reports that the payment of allowances stopped in July 2020.

Analysis of the JMC monthly report showed the following:

- VMS was not in operation for two months from June 2018. It only resumed on 21st August 2018 due to non-payment of subscription.
- JOC room was manned without internet facility on 12th May 2020, but it was restored the next day by the service providers.
- The VMS was off from 16th May to 11th June 2020 (nearly a month) due to unavailability of internet.
- The 17KVA standby generator was unable to supply complete voltage at the JOC, thereby resulting to the shutdown of the Uninterrupted Power Supply (UPS) facilities at work stations as stated on the 5th July 2019 monthly report.

The JMC does not have a designated budget for its operations; it has to depend on funds provided by the Ministry of Fisheries and Marine Resources through the WARFP. The project is on the process of folding up, which implies that the burden of funding the operations of the Committee will lie solely on the MFMR. The effective running of the JOC is important for the monitoring of the VMS in order to apprehend offenders of the rules and regulations of fishing in Sierra Leone.

### **Recommendation**

The JMC should have its own budget in order to allow them carry out their activities effectively without depending on funding from projects.

### **Management Response**

*At the time of the auditor's visit, the JOC was constrained with internet connectivity, hence the absence of some personnel on duty at the time. Truly, due to the non-availability of overnight allowances, personnel at the JOC are constrained to be effective as they should be.*



## **Auditor's Response**

Management's response is noted. The issue however remains unresolved.

### **4.2.3 Qualification and Training of Fisheries Observers**

Fisheries observers are the representatives of government at sea to ensure that industrial fishing vessel carry out their activities in accordance with the laws and regulations of Sierra Leone. These observers are professionally trained scientists, with a Bachelor's degree in natural sciences and rigorous training<sup>9</sup>. According to the guidelines for developing an at-sea fishery observer programme, it is extremely important to deploy Observers that are trained in all aspect of their role, capable of acting with tact and with a full understanding of their position and legal authority to undertake their work<sup>10</sup>.

In an interview with the Director of Fisheries, it was noted that prior to 2020, the Ministry did not have set criteria for the employment of Fisheries Observers. Criteria have been however set which include; the West African Senior School Certificate Exams (WASSCE) and the ability of the individual to stay long at sea. Additionally, it was revealed that Fisheries Observers are offered trainings upon employment.

Upon request for the recruitment files of the Fisheries Observers for the period 2016 to 2020, to ascertain their qualification to perform the required roles, only files for 10 Fisheries Observers recruited by the Ministry were presented. Whereas no information was presented for staff who were not recruited by the Ministry.

During review and analysis of personnel files of Fisheries Observers together with the Fisheries Directorate Staff List 2019, we noted that of the ten Fisheries Observers that were recruited by the Ministry, only two had qualification whilst the other eight were unqualified and untrained to undertake the role of Fisheries Observers according to the set criteria of the Ministry. No evidence of training was submitted. Interview with the manager of an industrial vessel also confirmed that in the past, their company had problems with the competency of the Fisheries Observers assigned to them. He said the captain had to train the Fisheries Observer on how to undertake their duty, but in the recent years their performance has improved.

The above problem can be attributed to lack of planning and management of the recruitment process and failure to provide Fisheries Observers with the relevant training needed to undertake their work.

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<sup>9</sup> <https://www.fisheries.noaa.gov/topic/fishery-observers>



Fisheries Observers and at-sea monitors are the eyes and ears on the water. They collect first-hand data from industrial vessels on what is caught and thrown back to support science, conservation and management activities of the MFMR. If Fisheries Observers are not qualified and trained to undertake their activities, they might not be competent to collect high quality data for monitoring fisheries, assessing fish population, setting fishing quotas and informing management of the Ministry. Without these, there would be loss of revenue for government.

### **Recommendation**

The Director of Fisheries through its Human Resources Manager should establish recruitment procedures that will take into account best practice qualification requirements for Fisheries Observers. Relevant training programmes for Fisheries Observers should also be provided. This will ensure efficient and effective monitoring of fisheries in the country.

### **Management Response**

*There is a difference between fisheries observers and fisheries officers with clear terms of reference. Clarity should be provided as to what category is been referred to. There is evidence to show that all fisheries officers and observers are adequately trained.*

### **Auditor's Comment**

Our observation was specific to fishing observers and not fishing officers. During the verification however, no document was tendered as evidence of training in relation to fishing observers. The issue therefore remains unresolved.

#### **4.2.4 Payment of Fisheries Observers**

Prior to the enactment of the 2018 Fisheries and Aquaculture Act, Fisheries Observers were being paid directly by the industrial fishing vessels they monitor. There is a risk that these Observers will be loyal to the company that pays them rather than the one that they represent, for fear that if they report any wrong-doing and the company is found liable, it will affect their payment.

The Fisheries and Aquaculture Act of 2018 gives the Director of Fisheries the right to recover the costs of operating an observer programme by imposing fees on operators of vessels or license holders in respect of all or any class or category of vessels licensed under this Act or licensed vessels in any fisheries waters at such level and in such manner as may be prescribed.

Interview with selected fishing companies revealed that they pay the equivalent of US\$500 per Observer which is deposited into a bank account that is operated by a representative of both the Ministry and the industrial

fishing vessel owners. The team requested details of the bank account from the Ministry in order to ascertain payments of salaries to observers and to confirm the amount paid by fishing companies on behalf of the observers. The information was however not submitted for inspection.

### **Recommendation**

Since fisheries observers are part of the work force of the Ministry of Fisheries and Marine Resources; it is recommended that they should be paid and controlled by the Ministry.

### **Management Response**

*There is an existing bank account with Rokel Commercial Bank Ltd, the bank details are as follows; name Sierra Leone Industrial Fishing Companies Association, Account number 02-011012228-01 BBAN Number: 002001002101222881.*

### **Auditor's Comment**

During the verification, bank statements and Pay-In-Slips were not provided for verification. The issue therefore remains unresolved.

#### **4.2.5 Data Collection by Enumerators**

Enumerators collect data from artisanal fishing vessels and the information collected is used by management for decision making. These data should be collected every day at every landing site. The data collected are the total weight, sample of catch, value of fish, price and type of gear used by fishing vessels. During the team's visit to landing sites at Goderich, Tombo, Konakrdee and Shenge, there were no enumerators on sight during the landing of artisanal fishing vessels.

Figure3: Specimen of fish during physical observation by the team at Tombo



Figure 4: Artisanal fishing vessels landing during the team's visit at Tombo



Pictures taken 16th March, 2021 at 8:10

At Konakrīdee, the team interviewed an enumerator that was contracted through the WARFP; he collected data using an app that is installed in a mobile phone provided by the project. He is also being paid and provided internet to transfer data directly to head office.

Interviews with enumerators that are employed by the Ministry revealed that they are challenged in the area of logistics and personnel to carry out their duty. They do not have means of transportation to move to and from landing sites. In areas that are far from their location, they claimed that they had to use their own monies for transportation. During the rainy season, they did not have rain gears to protect them from the rain.

Another challenge is the use of A4 papers for filling data in a water environment. It was also noted that there is difficulty in getting the fishermen to allow them to touch their catch or allow them collect information, because they do not know the reason for the collection of data. They fear that the information collected will be used to increase the license fees they pay.

If the enumerators do not have the adequate logistic needed to collect data, there is a risk that the information sent to head office may be falsified and not represent the true condition at landing sites.

## **Recommendation**

The Director of Fisheries should ensure that transportation is provided for enumerators to facilitate movement from one landing site to another. The fishermen should also be sensitised about the importance and use of



information collected by these enumerators and the use of ipads or other gadgets to replace the use of papers in a water environment should be considered urgently.

#### **Auditor's Comment**

There was no response by the management of the MFMR in relation to the finding. The issue therefore remains unresolved.

### **4.3 Control Mechanisms to Ensure Compliance**

#### **4.3.1 Use of Monofilament Nets**

According to section 6c of the Fisheries and Aquaculture Regulations of 2019, a person shall for the purpose of fishing not use or attempt to use a monofilament net. The abolition of the monofilament was due to the fact that when such a net is cut off and remains at sea, it will not rot but will trap fishes under water that would have been caught and used for economic purposes.

During the team's visit to Goderich, Tombo, Shenge and Konakridee, it was observed that the fishermen in the mentioned coastal areas were all using monofilament nets. In an interview with the Chairman of the Community Management Association (CMAs) in Shenge, it was revealed that the reason these fishermen were still using the aforementioned net was because the Ministry failed to provide the required net to them on a cost recovery basis as agreed at a meeting.

**Figure 5: Monofilament net ready for use at Shenge**



Picture taken on 4th March, 2021

To mitigate the problem of monofilament nets, the Ministry signed a contract amounting to Le4,008,170,000 in 2019 for the purchase of the prescribed nets accepted for fishing in Sierra Leone. According to the Deputy Director of Fisheries, these nets were to be sold on a cost recovery bases to fishermen.



## Recommendation

The Director of Fisheries should give the artisanal fishermen appropriate time to procure the appropriate net and thereafter institute heavy penalties on defaulters.

## Management Response

*The nets are now available. The delay was due to the late disbursement of fund while the late delivery of the net was as a result of COVID 19 pandemic.*

## Auditor's Comment

During the verification, delivery notes with respect to the procured nets were produced. We however noted that few nets were distributed to Bonthe, whilst a large quantity was still in store and yet to be made available to the artisanal fishermen. The issue therefore remains partly unresolved.

### 4.3.2 Licences of Artisanal Vessels Fishing

Section 14 of the Fisheries and Aquaculture Regulation states that no persons shall engage in the use of a fishing vessel (local or foreign) for fishing activities without a valid licence or authorisation issued by the Director of Fisheries.

A review of the list of registered artisanal vessels compared with the number of licence issued for 2019 and 2020 showed that a total of 905 vessels were registered to pay license fees to the MFMR. In 2019, 2.7%, 8% and 1.62% of licence fees were collected from Tombo, Shenge and Goderich respectively, where as in Konakridee, no license fees were paid. In 2020, 7.4%, 2.2%, 19.5%, and 5.3% of licence fees were collected in Tombo, Shenge, Goderich and Konakridee respectively as shown in Table 7.

Table 7: Total number of license fees collected by district for 2019 and 2020					
District total registered		Number of licenses issued		% of licence in respect to total registered	
		2019	2020	2019	2020
Tombo	489	13	36	2.7	7.4
Shenge	137	11	3	8	2.2
Goderich	185	3	36	1.62	19.5
Konakridee	94	-	5	0	5.3
Total	905	27	80		

Analysis of receipt books and data on registration of artisanal fishing vessels

One reason may be the system of collecting license fees from artisanal fishing vessels. The Fisheries Officers collect the fees from artisanal fishermen and deposit such into the account department at the MFMR.

Fishermen with whom the team had discussions said that in 2019, they paid half of the license fees; this was confirmed in an interview with the Fisheries Officers at Goderich and Shenge. There was however no evidence submitted to show that these funds were deposited at the account office. The system used for the collection of license fees poses the risk of misappropriation of funds by these officers.

The Fisheries Officers at outstation offices we visited also said that low payment of license fees was as a result of the method of fishing called “ALLEN” (movement of artisanal fishing vessels from one coastal area to another). Another reason according to them is the interference of community stakeholders and the limited number of surveillance that was carried out.

Discussions with fishermen operating artisanal fishing vessels revealed that the reasons they are reluctant to pay license fees is the high percentage increase in licence fees in 2019. According to the fishermen, they were paying a maximum of Le500,000 when license fees for their type of vessels were being collected by local council authorities. When the Ministry started collecting in mid-2019, the least license fee was however increased to Le1,000,000.

It was also gathered from another set of fishermen that they are challenged by the fact that license fees cannot be paid in instalments; therefore, they have to be giving the harbour masters money to keep until they have the total amount, which can be risky and daunting.

The low collection of license fees from artisanal fishing vessels is a loss in revenue to government. If the total amount of registered vessels would have paid their license fees, Le2,268,250,000 should have been collected for 2019 and 2020 as seen in Appendix 6.

### **Recommendation**

The Director of Fisheries should develop a strategy that will empower the outstation office to show which area the vessels sail towards, so that when all these unlicensed vessels travel to those areas they could be arrested for non-payment of license fees. Regular cost effective surveillance should be carried out to target non-licence vessels fishing in the Sierra Leone waters. Stakeholders should be sensitized on the importance of the fishing vessels to pay license fees and the need for them not to interfere with the process. A strategy that will minimise the risk of misappropriation of funds should also be developed.

### **Management Response**

*License of artisanal vessels is shared between the local council and the ministry following the devolved functions. KRU canoes, STD, 1-3, 3-5 which forms the bulk of artisanal boats are licensed by the local council authorities and STD 5-10 and the Ghana boats*





are licensed by the ministry. The License fees collected in 2019 at the Konakrydee station was as a result of the ban placed on the recruitment of personnel by the ministry and therefore minimal amount of fees was collected.

## **Auditors Response**

Management response is noted. The issue remains unresolved and will be followed up in subsequent audit.

### **4.3.3 Recording on Artisanal Licence**

Artisanal vessel licenses are categorised based on the type of fishing methods being practiced. These vessels are licensed annually with the ministry of Fisheries and Marine Resource. Licenses fees collected are expected to be remitted into the consolidated revenue account according to section 46 of the Public Financial Management Regulation which emphasises that a revenue collector should collect revenue when it is due and make payment into the Treasury main account.

A review of the artisanal fishing license receipts and the consolidated revenue bank statements disclosed that a total of Le80,250,000 collected from artisanal fishing vessels were not traced as payments into the CRF. The table below shows total revenue collected and actual revenue paid into the CRF.

<b>Table 8: Artisanal Revenue not trace within the Consolidated Bank Statement</b>						
<b>Outstation</b>	<b>Revenue for 2019</b>	<b>Revenue for 2020</b>	<b>Total Revenue Traced for 2019</b>	<b>Total Revenue Traced for 2020</b>	<b>Revenue Not Traced 2019</b>	<b>Revenue Not Traced 2020</b>
	Le	Le	Le	Le	Le	Le
Goderich Outstation	2,500,000	43,500,000	-	32,000,000	2,500,000	11,500,000
Tombo	10,250,000	54,500,000	-	15,000,000	10,250,000	39,500,000
Shenge	5,500,000	4,500,000	-	0	5,500,000	4,500,000
Konaridee	0	6,500,000	-	0	0	6,500,000
<b>TOTAL</b>	<b>18,250,000</b>	<b>109,000,000</b>			<b>18,250,000</b>	<b>62,000,000</b>
<b>Grand Total Not Traced</b>					<b>Le 80,250,000</b>	

## **Recommendation**

The senior account officer should provide evidence to ascertain that the funds collected as artisanal license fees were deposited in to the treasury account; otherwise the whole amount should be refunded.



## **Management Response**

*We have noted your recommendation on the collection and payment of artisanal license fees collected by the outstation officers. We also note that the figures presented on table 8 are bit unclear to ascertain the amount not trace for the period 2019 and 2020. However, all fees collected for artisanal fishing license were actually deposited at the BSL and evidences of the deposit slips are available for audit inspection.*

## **Auditor's Comment**

During the audit verification, the Bank of Sierra Leone deposit slips were provided for payment of artisanal license fee for Goderich and Tombo amounting to Le51,000,000. The balance of Le29,250,000 is still not accounted for. The issue therefore remains partly unresolved.

### **4.3.4 Construction of New Artisanal Vessels**

Prior to importation, construction, or acquisition of a new fishing vessel or gear, or conversion of a vessel into a fishing vessel, the authorisation of the Director of Fisheries shall first be obtained as stated in section 13 of the Fisheries and Aquaculture Act of 2018.

During the audit, the team observed that new fishing vessels were being constructed at the Sussex wharf and Tombo at the outstation compound as seen in figure 6 below. In an interview with the Fisheries Officers of the outstation offices visited, it was revealed that they are not informed when new boats were constructed in the districts they were stationed. The Fisheries Officers further added that the boat owners believe in a myth that if you inform someone when constructing a boat, fishing activities will not be successful.

The other reason boats are being constructed without formally informing the Ministry is inadequate monitoring by the Ministry in ensuring that fishing activities are done according to the Fisheries and Aquaculture Act of 2018. Lack of sensitisation maybe another reason as vessel owners are not aware of the importance of informing the Ministry when constructing a fishing vessel. When the MFMR is not informed on the construction of new boats by owners, an accurate database of fishing vessels will not be available, this will make it difficult to manage the fishing capacity and also minimise illegal, unreported and unregulated fishing activities. It may also create an avenue for boat owners to evade the payment of license fees which is a huge loss to government.

Figure 6: Boats under construction at Sussex and Tombo



Pictures taken at Sussex (left) on 15th and Tombo (right) on 16th March, 2021

### **Recommendation**

The MFMR should monitor coastal fishing areas to ensure that fishermen intending to construct a boat inform the officer representing the Ministry in this areas in order to conduct due diligence as specified by the Fisheries and Aquaculture Act of 2018. They should also sensitise fishermen on the importance of informing the Ministry when constructing a boat. Authorities should also consider levying a heavy fine on owners who would not inform the Ministry of vessel construction.

### **Management Response**

*The ministry in collaboration with local councils have put measures which will ensure that persons with the intention to construct new boats should apply through the council and authorized by the ministry before they can do so. We have developed a canoe registration data base to collaborate with the local council's register on boat construction.*

### **Auditor's Comment**

Management's response is noted. There was however no evidence of collaboration between the Ministry of Fisheries and councils were made available for verification. The issue therefore remains unresolved.

#### **4.3.5 Mechanism to Easily Identify Licensed Artisanal Vessels**

Licences are normally issued to a particular vessel, the individual fisher and a specific type of fishing gear to control all three aspects of the fishing activity. The licence is the field document that verifies the vessel identification, the fisher, and tells the officer the fishing rights and privileges of that vessel, its area of operations, its authorized fishing gear and often, the species permitted to catch.



The team observed that there was no mechanism to distinguish between licensed and unlicensed artisanal fishing vessels, and to access information on vessels licensed in other outstations. During an inspection together with the Fisheries Officer at Shenge, we noticed a situation where the officer had to ask the vessel owner whether his vessel had been licensed. The owner responded that he had licensed at Tombo. The officer then called Tombo outstation to clarify, but nobody could be reached. Later on, an officer called and confirmed that the vessel had been licensed.

There is a risk that outstation officers could connive and falsify information on the status of artisanal vessels with the method used to access information, thereby allowing fishing vessels to operate without licence.

### **Recommendation**

The Director of Fisheries should ensure that a mechanism is in place to recognise licensed and unlicensed vessels at any time without consulting a third party. A unique identification code/sign, that is difficult to duplicate, could be developed to ascertain registered vessels, so as to enhance monitoring of fishing activities.

### **Auditor's Comment**

There was no response by the management of the MFMR in relation to the finding. The issue therefore remains unresolved.

#### **4.3.6 Fines**

Fines are one of the methods used by the MFMR to ensure compliance of fishing vessels to the rules and regulations of fishing in Sierra Leone. Table 9 below shows the fishing companies that committed offences for the period under review, the type of offence, the fine they should pay according to the Fisheries and Aquaculture Regulation of 2019 and what they have paid so far.

The following were revealed during a review of the JMC monitoring reports, letter informing industrial vessels of offences, and cashbook.

#### **▪ Under-charged Fishing Vessels**

Section 18 (1) and 4(2) of the Fisheries and Aquaculture Act of 2018 and Regulations of 2019 respectively, prohibits any other fishing vessels apart from artisanal fishing vessel to fish in the Inshore Exclusion Zone (IEZ). The fourth schedule of the Fisheries and Aquaculture Regulation of 2019 states: "The administrative fines/penalty to be levied against defaulters shall be US\$1,500,000 minimum and a maximum of US\$ 1,800,000."

Analysis of the cashbook and the letter from the Ministry to the defaulting fishing companies revealed that instead of quoting the amount specified on the Act, a lesser amount was quoted for fishing companies to pay. The letter also showed that the fines committee of the Ministry makes decision on the fines to be levied on fishing companies. Table 9 shows example of fishing vessels that were charged lesser than what the regulation specified for the offence they committed.

<b>Table 9: Fishing vessel, offence and fine levied</b>			
<b>Name of fishing vessel</b>	<b>Offence Committed</b>	<b>Fine levied</b>	<b>Fine for crime according to regulation</b>
PEGASOQ	Fishing in the IEZ	US\$30,000	US\$1,500,000
GLOBAL 12	Fishing in the IEZ	US\$30,000	US\$1,500,000
LUYANKAI 317	Fishing in the IEZ	US\$30,000	US\$1,500,000
HONG CHANG 2	Fishing in the IEZ	US\$500,000	US\$1,500,000
Total		US\$620,000	US\$6,000,000

Source: JMC reports, letter sent to fishing vessels and minutes from fines committee

The amount levied is discussed at the fines committee meetings, and they conclude on what fishing companies should pay, which is in contravention of the Fisheries and Aquaculture Act of 2019. This clearly indicates that fishing companies are not levied the fees according to the Fisheries and Aquaculture Regulations of 2019. The government has lost US\$ 6,000,000 revenues that could have been used for developmental purposes.

A fine was levied on Global 12 fishing vessel on 11th March 2019, for fishing in the IEZ, that same company committed the same offence on 15th August 2019, less than six months after the first offence was committed. This is because the US\$30,000 charges paid did not deter them from committing the same offence, which implies that what they were benefiting from fishing in the IEZ is more than the fine they are charged by the Ministry.

## **Recommendation**

The Fines Committee should provide explanations with regard to the levy of lesser fines contrary to the Fisheries and Aquaculture Act. The Committee should also ensure that the amount stated on Act should be levied for offence committed.

## Management Response

*The ministry is not aware of any situation where defaulters are requested to pay less than the stipulated fines.*

## Auditor's Comment

During the audit, correspondence conveyed to the defaulting companies were provided by the MFMR which showed instances of lesser fines on fishing vessels. The issues therefore remain partly unresolved.

### ▪ Action on Defaulters

The number of offences listed in the JOC's monthly report, compared to those on the cashbook of the MFMR showed that the fishing vessels were not adhering to payment of fines after committing an offence. Table 10 below shows fishing companies that had committed offences, and had not paid fines levied on them as at the time of the audit.

It was also noted that fishing companies that had agreed to a payment plan approved by the fines committee did not adhere to these plans and the MFMR did not take any action against those culprits.

<b>Table 10: Fishing companies, offence committed and date</b>		
<b>Name of fishing vessel</b>	<b>Offence</b>	<b>Date of offence</b>
LIAO DAN YU 6607	No fisheries observers on board	24th September, 2018
LIAO DAN YU 6615	No fisheries observers on board	24th September, 2018
	No captain log book	
LIAO DAN YU 6608	No fisheries observers on board	24th September, 2018
	No captain log book	
YUAN YU 701	Undersize mesh	24th December, 2018
	Failure to send catch report	
LU YAN KAI YUAN YU-977	Fishing in the IEZ	16th April, 2020
LU YAN KAI YUAN YU-318	Fishing in the IEZ	19th April, 2020
LU YAN KAI YUAN YU-316	Fishing in the IEZ	20th April, 2020
MENGXIN 21	Failing to have high frequency radio on board	26th April--May, 2020
MENGXIN23	Failing to have high frequency radio on board	26th April--May, 2020
MENGXIN 24	Failing to have high frequency radio on board	26 April May, 2020

Source: Monthly monitoring reports from JMC

In an interview with selected fishing companies, it was gathered that they do not pay because the fines levied are higher than the cost of the vessels; therefore, they will rather let go the vessel. They added that during the



meeting with stakeholders, before enacting the regulation, they stated their concerns regarding the high cost of fines levied but it was not considered.

According to the Deputy Director of Fisheries, after fishing companies accept that they will pay a fine, a payment plan is agreed between the Ministry and the fishing company. After the agreement, the vessel will continue fishing activities, but if the fishing company fails to adhere to these plans, the Ministry will not take action but will continue reminding them through letters, as the one dated 13th December 2018, sent to Huaang Fishing Companies. It was clarified that the reason for the high fine was to deter fishing companies from committing offences.

When fishing companies commit offences and do not pay the fine levied upon them, it is a loss of revenue for the country that could have been used for developmental purposes to improve the lives of Sierra Leoneans.

### **Recommendation**

The Director of Fisheries should ensure the implementation of the regulation relating to non-payment of fines, which is a default penalty not exceeding one percent per day of the total amount of the fine. This will enhance adherence to fishing policies by vessel owners.

### **Management Response**

*The fines are to serve as deterrent to inhibit illegal activities. Defaulting companies usually make payment plan and the ministry often send in reminders to honour their plan.*

### **Auditor's Comment**

The response has not addressed the audit recommendation. The issue therefore remains unresolved.

#### **4.3.7 Payment of Performance Bond**

Section 14 of the Fisheries and Aquaculture Regulations of 2019 requires the Director of Fisheries to ensure that foreign fishing vessels submit a performance bond prior to the issuing of licence. The bond is supposed to act as a financial guarantee for the fulfilment of all obligations arising out of the licence, fines, penalty and for violations against these regulations. For instance, if a fishing company was fined and refuses to pay, the performance bond would have been used to cover the cost.

During the audit, the Ministry of Fisheries and Marine Resources did not ensure that foreign fishing companies submit a performance bond before the issuance of licence. Examination of license files submitted to the team





did not show any evidence of the same. This was also confirmed through interview with the Deputy Director of Fisheries.

This is not happening because the MFMR does not ensure that performance bonds are made available before the issuance of licence. Hence, the non-payment of fines is increasing.

### **Recommendation**

The Director of Fisheries should ensure that foreign fishing companies provide a performance bond to mitigate the loss to the country due to non-compliance.

### ***Management Response***

*This is well noted. The ministry will ensure that this is done next year.*

### **Auditor's Response**

The response is noted and will be followed in a subsequent audit.

### **4.3.8 Investigations of Offence by MFMR**

When a fishing vessel commits an offence, the Director of Fisheries receives the report, and a senior personnel of the Ministry conducts a post inspection to look for evidence that corroborate with the ones presented. The post inspection report is presented to the Fines Committee (FC) to discuss allegations and evidence, after which the Director of Fisheries informs the operator of the vessels of the alleged offence committed.

The team noted that the MFMR did not conduct thorough investigations into allegations levied against fishing companies. A case in point was evidenced in a correspondence between the MFMR and the Atlantico fishing company. A review of a letter dated 14th March 2020, sent to Atlantico fishing company on the subject; (Conclusion on the Investigation of Fishing Vessels, Jian mei 3,5 and 6) revealed that the MFMR had concluded their investigations after going through all their internal processes and concluded that the offence was committed by the vessel. The fishing company's three vessels were fined US\$ 1,500,000 in that regard for tampering with the transponder. The investigation report was later on contested by the company, claiming that they did not tamper with the transponders. On 4th December 2020, the MFMR wrote another letter informing the company that another inspection conducted had concluded that the transponders were not tampered with, but they were rather old and faulty as they were removed from another vessel that had stopped fishing in Sierra Leone.

An instance like the one above could affect the integrity of the conclusions of the MFMR. Confiscating vessels without proper investigations is a disadvantage, as they will lose revenue for the period they are apprehended without being found liable.





## **Recommendation**

The Director of Fisheries should ensure that proper investigations are carried out before informing the operators of an offence committed by fishing vessels to avoid a situation where a vessel is held but not found culpable.

## **Management Response**

*The ministry institutes fines based on available evidence. The fisheries Act makes provision for companies to contest or accept the fines base on the available evidence. In the situation were the fines are contested, the ministry seeks advice from the Director of Public prosecution of the law officers department.*

## **Auditor's Comment**

The responses do not address the findings and recommendations of the auditors. The issue therefore remains unresolved.

### **4.4 Surveillance**

Coordinated and effective surveillance are necessary to prevent the illicit activities of the fish stock within Sierra Leone. According to the Director of Fisheries and Director of Monitoring Control and Surveillance units, in ensuring compliance with regulatory control imposed on fishing activities, it is ideal to conduct surveillance activities at least twice a month or when suspicion of illegal fishing is identified by the VMS.

#### **4.4.1 Surveillance of Artisanal Fishing Activities**

Surveillance of artisanal fishing activities should be carried out by the outstation Fisheries Officers in collaboration with the Community Management Association. Analysis of community surveillance reports submitted by outstation offices of coastal areas visited showed that no surveillance was carried out in 2019. In 2020, 12 days' surveillance was conducted in Shenge, Konakridee, Goderich and Tombo between May and July. Surveillance is not conducted frequently due to the unavailability of logistics such as fuel to operate IPV's. Fisheries Officers also said that whenever surveillance is conducted, the amount of artisanal licences acquired afterwards increase because during surveillance, they issue warning or seize vessels that are not licensed.

## **Management Response**

*Surveillance activities were carried out in 2019 and report are available. As of the time of the visit, the officers have just conducted one 12 days' community surveillance. However, after the visit additional 12 days' surveillance was conducted. A total of 24 days for 2020 in each outstation. It should be noted that aside from the community surveillance, outstation officers regularly undertake sensitization to ensure responsible fishing practices.*

### **Auditor's Comment**

During the verification, adequate evidence was not provided to suggest that 24 days of surveillance was conducted as claimed in the response. The issue therefore remains unresolved.

### **4.4.2 Surveillance of Industrial Fishing Activities**

The surveillance of the activities of industrial fishing vessels is conducted by the JMC together with selected personnel of the MFMR.

Through analysis, 24 surveillance activities were expected to be conducted by the MFMR per year. For the period under review, it is expected that at least 120 monitoring activities should have been conducted from 2016-2020. The surveillance reports submitted by the MFMR showed that a total of 22 monitoring activities were conducted for the period under review which is about 18 % of the intended monitoring surveillance.

<b>Table 11: Expected and actual surveillance for 2016-2020</b>		
<b>Year</b>	<b>Expected number of surveillance to be conducted</b>	<b>Actual surveillance conducted</b>
2016	24	3
2017	24	3
2018	24	3
2019	24	5
2020	24	8
<b>Total</b>	<b>120</b>	<b>22</b>

Source: Monitoring reports submitted by the MCS unit

In an interview with the Director of MCS Unit, it was revealed that the reasons for the inadequate surveillance are the unavailability of funds. It was also noted that there have been times when the MFMR or JMC receive intelligence on illegal activities but there were no funds were available to act on them. Analysis showed that 80% of the surveillance that were conducted during the scope of the audit was funded by the World Bank through the WARFP which will end in 2021.

Through reviews of the budget of the Ministry, it was also discovered that there was no fund was budgeted for 2016, 2017 and 2018 MCS activities. The Ministry only started including funds for monitoring activities in their 2019 budget. Another problem noted was that the crew operating the 24-meter patrol vessel was on strike from May 2019-March 2020, due to non-payment of salary. These crew members had not been paid salary since 2015, but were only receiving allowances through the WARFP.



Inadequate surveillance activities may lead to increase in illegal, unreported and unregulated (IUU) fishing which will in turn have significant environmental, economic and social impact on the country. It can affect the environment through the loss and depletion of targeted stocks and broader impacts on habitats and ecosystems arising from: overfishing and use of illegal fishing methods.<sup>11</sup> Economic impact can be loss of revenue, whereas social impact can be related to potential social dislocation arising from overexploitation of stocks relied upon by coastal communities.<sup>12</sup>

### **Recommendation**

The Director of Fisheries together with the Director of MCS should ensure that surveillance activities are carried out at least twice a month. The PS should escalate the issue of the budget for MSC activities to be approved and funds provided in a timely manner by the Ministry of Finance. There should also be funds set aside for spontaneous surveillance that may come up through intelligence.

### **Management Response**

*The ministry conducted more than 22 surveillance patrol days with the SIK. A total of 97 days' patrol were done per vessel for the period under review. The maritime wing RHIB patrol boat was also utilized in addition to PVSIK to conduct monitoring activities. Joint operations with the sub region was also conducted.*

### **Auditor's Comment**

During the verification, the MFMR did not submit evidence in support to the audit response. The issue therefore remains unresolved.

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<sup>11</sup> Assessment of Impacts of Illegal, Unreported and Unregulated (IUU) Fishing in the Asia-Pacific page 33

<sup>12</sup> Assessment of Impacts of Illegal, Unreported and Unregulated (IUU) Fishing in the Asia-Pacific page 33

## 5 CONCLUSION

The conclusion of this chapter is in line with the audit objective. It reflects our explanations and views based on analysis and findings supported by audit evidence as presented in the previous chapter.

Monitoring, control and surveillance are very important in the achievement of sustainable fishing in Sierra Leone. The Ministry of Fisheries and Marine Resources is charged with the responsibility of ensuring that fishing vessels undertake their activities with due regard for the laws and regulations that govern fishing activities in Sierra Leone. In doing so, systems should be put in place that will effectively monitor control and surveillance activities of these vessels to mitigate illegal, unreported and unregulated fishing.

The MFMR have systems to monitor control and surveillance fishing activities; however, these systems have not been effectively implemented for optimal results. Monitoring and surveillance plans, in outstations nationwide were not available to guide the process of implementation. Operational structures at outstation offices where fishing activities take place were not effectively functioning. Basic equipment and facilities to enable swift transfer of information and movement of officers were not available as at the time of conducting this audit. Incentives such as insurance against accident or any incident that may happen during the implementation of duties, to motivate staff involved in monitoring and surveillance were not available.

The following are specific conclusions on the problems identified that have derailed the effective implementation of MCS activities.

### ▪ Inadequate Monitoring of Fishing Activities

Activities of artisanal fishing vessels have not been adequately monitored. Fishermen operating vessels were engaged in activities that contravene the Fisheries and Aquaculture Act and Regulations without due consideration of being held accountable. This is evident to the observations of the auditors in Goderich, Tombo Konakridee and Shenge. The Fisheries Observers who are charged with the responsibilities of monitoring the activities of the fishing vessels were not capacitated both in numbers and logistics to cover all landing sites under their supervision.

The operation of the VMS has not been efficient for the period under review, because many a time it has not been in operation for over a month. The WARFP has been the major sponsor of the JMC through the MFMR; the project is in its final stage and this will affect the operations of the JMC, if steps are not taken to source funds.



Fisheries Observers are a very important component in the monitoring of fisheries activities. They collect information that will be used to make management decisions and also are the eyes and ears of the Ministry at sea. If they do not have the required educational background, it is easy for them to be manipulated because they will have no idea about what is being done by vessel operators.

The Fisheries Observers were being paid by fishing companies for the period under review, which makes them loyal to the fishing companies instead of the Ministry. This affected the quality of information they submit to the Ministry.

Enumerators do not have the capacity to adequately collect data. Mobility is a major challenge for them as they are not provided with transportation to conduct their work. Neither do they have gears to enable them work during the rains. The operators of fishing vessels are not sensitised on the importance of the data collected by enumerators.

#### ▪ **Control Mechanisms to Ensure Compliance not Adhered to**

Despite clearly stated in the Fisheries and Aquaculture Regulations of 2019 that it is prohibited to use monofilament nets, fishermen in all the coastal areas were using these nets without fear of being held culpable. This was evident through observations made by the team during visit to these areas.

The audit revealed that only a small number of artisanal vessels conducting fishing activities in Sierra Leone are actually licensed. Fisheries Observers are not ensuring that these vessel owners pay their license fees due to the method of fishing and also the minimum number of surveillance conducted. The percentage increase made by the Ministry when they started collecting licences also affected the collection rate. The method also used to collect license fees from artisanal fishing vessel does not promote accountability.

The fines charged on industrial fishing companies are in contravention with the Fisheries and Aquaculture Regulations of 2019. Defaulters do not pay fine levied against them. Payment plans are approved but not being adhered to. The fishing companies just agree to these payment plans because they know that even if they do not pay, they will still continue fishing, because the only action taken by the Ministry is sending them reminder letters.

Performance bonds are not collected from foreign vessels fishing in Sierra Leone. Therefore, there is no financial guarantee for any deviation from the laws and regulations of fisheries in Sierra Leone. In an event a

foreign vessel commits an offence and flees, or refuses to pay, the liability will be on the MFMR and the people of Sierra Leone.

The MFMR has a process of conducting post investigations to ascertain the correctness of the evidence submitted by either the surveillance team or the JOC. Evidence from correspondence between MFMR and fishing companies show that they do not ensure proper investigations before issuing letters, informing operators about an offence committed by fishing vessels.

▪ **Inadequate Surveillance of Fishing Activities in Sierra Leone**

Both artisanal and industrial fishing activities have not been under adequate surveillance. Fisheries Officers are not provided with logistics needed to undertake regular surveillance activities; as a result, the artisanal fishermen are fishing in areas prohibited by law. Majority of the surveillance conducted was funded by the WARFP due to the unavailability of funds. Even where funds are provided, they are not on time, making it difficult to respond to impromptu information of illegal activities by fishing vessels.

The above problems have rendered the mechanism put in place for monitoring control and surveillance of fishing activities ineffective and have led to loss of revenues for government. The management of the MRMR should therefore collaborate with key stakeholders to address the issues raised in this report. This will ensure an effective system of control; improve accountability and operational effectiveness of fishing activities in the future.

## 6 APENDICES

### 6.1 Appendix 1: Documents Reviewed and Reasons for Review

Document reviewed	Reasons for review
The National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing	To understand MFRM operations with reference to Monitoring, Control and Surveillance.
The Personnel Files of MFMR Fisheries	Observers to obtain relevant information pertaining to staff employment qualification and the type and content of training offered.
The Fisheries Directorate Staff List of MFMR 2019	To ascertain the number of Fisheries Observers, their grade, date of appointment, duty station etc.
The Qualification Criteria for Fisheries Observers	To ascertain whether Fishery Observers meet the qualification standards set by the Ministry.
The Fisheries and Aquaculture Act, 2018	To understand the laws governing monitoring,, control and surveillance.
World Bank West African Regional Fisheries Project (WARFP) Document	To ascertain relevant information regarding monitoring, control and surveillance.
The Memorandum of Understanding (MOU) between All Stakeholder Institutions of the JMC	To understand the various stakeholder groups and their respective roles and responsibilities for monitoring, control and surveillance.
JMC Monthly Monitoring Reports	To know the number of vessels that were arrested by the vessel monitoring systems and the patrols conducted by SIK Vessel
Internet Clippings	To determine relevant assessment criteria and best practices regarding monitoring, control and surveillance.

Document reviewed	Reasons for review
Fishing Canoe License Book	To know the number of artisanal licensed boats.
JMC Minutes	To know what was discussed in meetings and steps taken to address challenges faced by the committee
Industrial Fishing Vessel License Book	To confirm the number and amount of industrial vessels.
2016 Canoe Survey	To know the number of registered canoes.
Cashbook 2018-2020	To determine revenue collected for licence and fines for fishing vessels.
Expense Analysis	To know the amount of money spent on monitoring, control and surveillance.
Project Cashbook	To know the amount of money expended on monitoring, control and surveillance.
FAO Code of Conduct for Responsible Fishing	To ascertain the best practice for responsible fishing



## 6.2 Appendix 2: Persons Interviewed and Reasons for Interview

Person interviewed	Reasons for interview
Director of Fisheries	<ul style="list-style-type: none"> <li>▪ To understand roles and responsibilities</li> <li>▪ To know the systems in place for monitoring, control and surveillance</li> <li>▪ To determine the criteria for the recruitment of Fisheries Observers</li> <li>▪ To know the monitoring mechanisms instituted for Fisheries Observers</li> <li>▪ To ascertain the operations of fishing companies based on license assessment</li> <li>▪ To know the projects implemented under the review period and successes and challenges.</li> </ul>
Head of Monitoring, Control and Surveillance	<ul style="list-style-type: none"> <li>▪ To understand roles and responsibilities; to know the systems in place for monitoring, control and surveillance; to ascertain whether information is being shared between national and international monitoring system.</li> <li>▪ To know the equipment available for monitoring, control and surveillance.</li> <li>▪ To determine the personnel involved in monitoring, control and surveillance; to know whether fishing companies operate based on their license fee assessment.</li> <li>▪ To ascertain whether the public have access to information on monitoring activities and successes and challenges.</li> </ul>
Head of Statistics, Research and Policy Unit	<ul style="list-style-type: none"> <li>▪ To understand the roles and responsibilities, and the system in place to collect data.</li> </ul>

Person interviewed	Reasons for interview
	<ul style="list-style-type: none"> <li>Analyse and measure information; to know how the database on fisheries maintained;</li> <li>To ascertain whether information is being shared between national and international monitoring systems and the system/strategies used in sharing this information.</li> <li>To determine if a comprehensive fish stock assessment has been undertaken for the review period.</li> <li>To know the policies used; to determine the research conducted and to know the successes and challenges.</li> </ul>
Senior Human Resources Officer	<ul style="list-style-type: none"> <li>To understand how Fisheries Observers are recruited; to know the recruitment criteria for monitoring.</li> <li>To ascertain the training programmes available for Monitoring Officers; to determine how often training is conducted for officers involved in monitoring, control and surveillance.</li> <li>To know whether there is any health insurance, incentives, health benefit or safety gears for Monitoring Officers at sea.</li> <li>To determine the ratio of Fisheries Observers to vessels; successes and challenges.</li> </ul>
Head of Operations, Joint Maritime Committee	<ul style="list-style-type: none"> <li>To understand the roles and responsibilities; to know the processes involved in monitoring and surveillance of fishing activities;</li> </ul>

Person interviewed	Reasons for interview
	<ul style="list-style-type: none"> <li>▪ To understand how information generated from the VMS is collected, analysed and distributed;</li> <li>▪ To know how are activities of the JMC funded;</li> <li>▪ To determine what activities undertaken by fishing vessels are regarded as default and the next step of action when defaulters are identified.</li> <li>▪ To ascertain how often are surveillance activities carried out; to know what equipment is available for the monitoring and surveillance of fishing activities and successes and challenges.</li> </ul>
Fisheries Officers	<ul style="list-style-type: none"> <li>▪ To understand how artisanal fishing activities are monitored.</li> <li>▪ To ascertain how license fees for artisanal vessels are assessed, collected and reported; to know the facilities available for monitoring.</li> <li>▪ To know how and when activities are reported; to know whether there is any health insurance, incentives, health benefit or safety gears for monitoring officers at sea;</li> <li>▪ To determine the number of landing sites supervised, successes and challenges.</li> </ul>
Enumerators	<ul style="list-style-type: none"> <li>▪ To understand how data is collected from artisanal fishing activities.</li> <li>▪ To determine how many landing sites data is collected from.</li> <li>▪ To know how data collected is recorded and reported and challenges faced.</li> </ul>

Person interviewed	Reasons for interview
Members of Community Management Association	<ul style="list-style-type: none"> <li>▪ To understand roles and responsibilities; to know how surveillance activities are undertaken.</li> <li>▪ To know how the protected zones are monitored.</li> <li>▪ To understand how the Association, help with the licensing of local canoes.</li> <li>▪ To determine the level of collaboration with the Ministry and Local Council.</li> <li>▪ To ascertain community by-laws that have been developed and the extent of enforcement; successes and challenges.</li> </ul>
Harbour Masters	<ul style="list-style-type: none"> <li>▪ To understand how the Association coordinate with the Ministry.</li> <li>▪ To determine whether fishing vessels register with the Ministry.</li> <li>▪ To know the mechanisms in place for fishing within the laws and regulations of the Ministry.</li> <li>▪ To know the challenges with regards the licensing of vessels.</li> </ul>
Artisanal Fishermen	<ul style="list-style-type: none"> <li>▪ To know if vessel is registered; to know the type of vessel;</li> <li>▪ To know how license fee is paid and the amount paid and for how long.</li> </ul>

### 6.3 Appendix 3: Landing Sites Visited

Location	Landing sites
Shenge	<ul style="list-style-type: none"> <li>▪ Tissana</li> <li>▪ Baoma</li> <li>▪ Shenge Wharf</li> </ul>
Konakridee	<ul style="list-style-type: none"> <li>▪ Yongoro</li> <li>▪ Mahera</li> <li>▪ Cotton Tree</li> <li>▪ Banda</li> </ul>
Goderich	<ul style="list-style-type: none"> <li>▪ Sussex</li> <li>▪ Lakka</li> <li>▪ Hamilton</li> <li>▪ Number Two</li> <li>▪ Baw Baw</li> <li>▪ Shella</li> </ul>
Tombo	<ul style="list-style-type: none"> <li>▪ Bureh</li> <li>▪ Kent</li> <li>▪ John Obey</li> <li>▪ Mama</li> <li>▪ Small Wharf</li> </ul>

#### 6.4 Appendix 4 Audit Questions, Sub- questions, Criteria and Source of Criteria

Question 1: To what extent does the monitoring system capture all information on fishing activities?		
Sub questions	Criteria	Source of Criteria
1.1 What are the systems put in place for monitoring of fishing activities?	<p>Adopt standards for collection, verification and timely exchange and reporting data on fisheries.</p> <p>An adequate system exists which captures and disseminates information that is timely and reliable thereby ensuring that public accountability obligations are met.</p> <p>Coordination and effective monitoring are necessary to prevent the depletion of the fish stock.</p>	Fisheries and Aquaculture Act, 2018
Are there adequate monitoring staff and equipment?	<p>There shall be appointed authorised persons, including authorised officers, inspectors and observers for carrying out functions relating to monitoring, control surveillance and enforcement in accordance with the objective and purposes of this Act.</p> <p>Monitoring, control and surveillance of all fishing and related activities within the scope of this Act by whatever appropriate means, including the management and operation of satellite based vessel management systems, transceiver units, satellite, radio and internet communications for data transmission relating to the activities and fish capture of foreign and national fishing vessels licensed to operate within Sierra Leone fisheries waters.</p>	Fisheries and Aquaculture Act, 2018
How qualified and trained are staff involve in monitoring?	It is extremely important to deploy observers that are trained in all aspects of the role and are capable of acting with tact and with a full understanding of their position and legal authority to undertake their work	Guidelines for developing an at-sea fisheries observer programme
Does MFMR provide health and safety for personnel involve in monitoring of fishing activities?	The States should ensure that health and safety standards are adopted for everyone employed in fishing operations. Such standards should not be less than the minimum requirements of relevant international agreements on conditions of work and service	Code of Conduct for responsible fishing

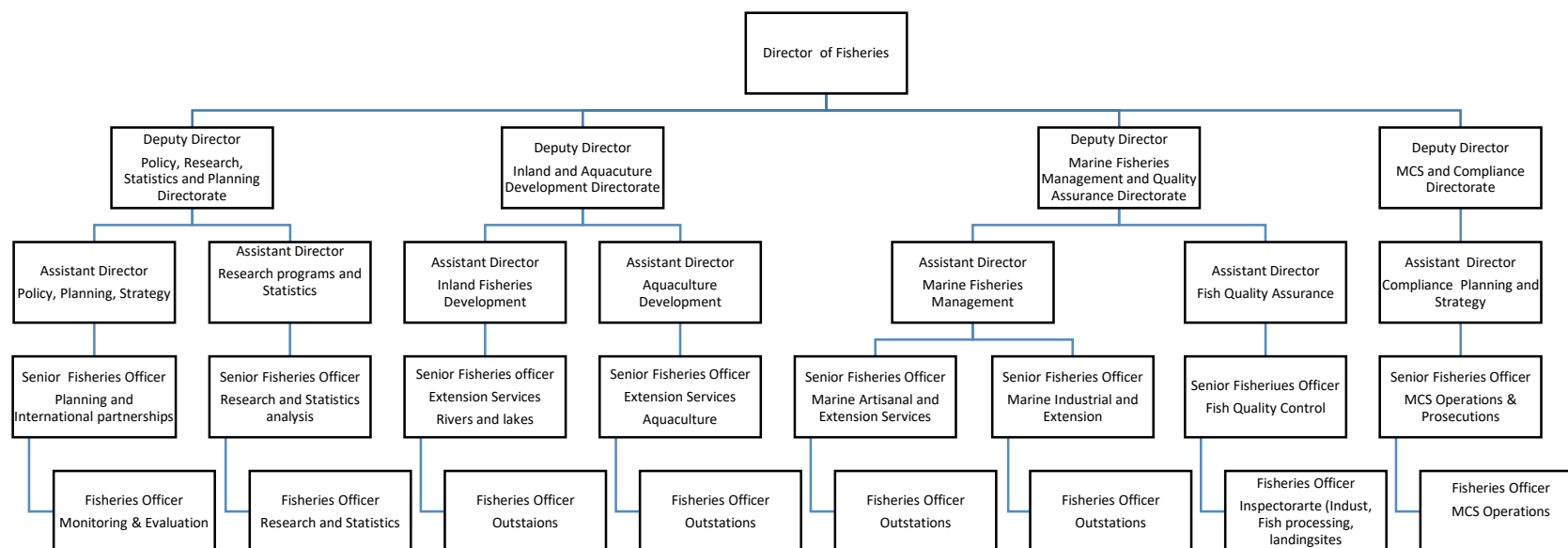
Audit Question 2: Does the control mechanism in place adequately support the monitoring and surveillance systems?		
2.1 What are the terms and controls under which resources are harvested?	<p>7.7.1 The State should ensure that an effective legal and administrative framework at the local and national level, as appropriate, is established for fisheries resource conservation and management.</p> <p>7.7.2 The State should ensure that laws and regulations are provided as sanctions applicable in respect of violations which are adequate in severity to be effective, including sanctions which allow for the refusal, withdrawal or suspension of authorisations to fish in the event of non-compliance with conservation and management measures.</p>	Code of Conduct for responsible fishing
2.2 Is there any mechanism to control the total annual harvest?	The State should take measures to prevent or eliminate excess fishing capacity and should ensure that levels of fishing efforts are commensurate with the sustainable use of fisheries resources as a means of ensuring the effectiveness of conservation and management measures.	Code of Conduct for responsible fishing
2.3 Are stakeholder involve in fishing activities aware of the controls?	The State should recognize the paramount importance to fishermen and fish farmers of understanding the conservation and management of the fisheries resources on which they depend; should promote awareness of responsible fisheries through education and training. They should ensure that fishermen and fish farmers are involved in the policy formulation and implementation process, also with a view to facilitating the implementation of the Code.	FAO Code of Conduct for responsible fishing

Question 3: To what extent does the surveillance of fishing activities undertaken maintain compliance with the controls imposed on fishing activities?		
3.1 How does the MFMR undertake surveillance of fishing activities to ensure that resources are not overexploited, minimise poaching and implement management arrangements?	The State should establish, within their respective competences and capacities. effective mechanisms for fisheries monitoring, surveillance, control and enforcement to ensure compliance with their conservation and management measures, as well as those adopted by sub-regional or regional organisations or arrangements.	FAO Code of Conduct for responsible fishing
3.2 Does the MCS unit have the infrastructure for adequate surveillance?	Section 19 (a); monitoring, control and surveillance of all fishing and related activities within the scope of this Act by whatever appropriate means, including the management and operation of satellite based vessel management systems, transceiver units, satellite, radio and internet communications for data transmission relating to the activities and fish capture of foreign and national fishing vessels licensed to operate within Sierra Leone fisheries waters	Fisheries And Aquaculture Act, 2018.



## 6.5 Appendix 5: Organogram of the MFMR Professional Wing

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## 6.6 Appendix 6: Expected and Collected Revenue from Artisanal Fishing Vessels

Tombo Outstation Revenue Analysis for 2020						
Type of Vessel	Fee	No. of Registered Boat	Expected Revenue	No. of Boat Licence Collected	Revenue Collected	Revenue not Collected
Standard 5-10	1,000,000	121	121,000,000	11	11,000,000	110,000,000
Ghana Boat	1,500,000	292	438,000,000	21	31,500,000	406,500,000
Canoe Support	3,000,000	76	228,000,000	4	12,000,000	216,000,000
<b>TOTAL</b>			<b>787,000,000</b>		<b>54,500,000</b>	<b>732,500,000</b>

Tombo Outstation Revenue Analysis for 2019						
Type of Vessel	Fee	No. of Registered Boat	Expected Revenue	No. of Boat Licence Collected	Revenue Collected	Revenue not Collected
Standard 5-10	500,000	121	60,500,000	2	1,000,000	59,500,000
Ghana Boat	750,000	292	219,000,000	7	5,250,000	213,750,000
Canoe Support	1,000,000	76	76,000,000	4	4,000,000	72,000,000
<b>TOTAL</b>			<b>355,500,000</b>		<b>10,250,000</b>	<b>345,250,000</b>

Goderich Out Station Revenue Analysis for 2020						
Type of Vessel	Fee	No. of Registered Boat	Expected Revenue	No. of Boat Licence Collected	Revenue Collected	Revenue not Collected
Standard 5-10	1,000,000	119	119,000,000	24	24,000,000	95,000,000
Ghana Boat	1,500,000	266	399,000,000	11	16,500,000	382,500,000
Canoe Support	3,000,000			1	3,000,000	
<b>TOTAL</b>			<b>518,000,000</b>		<b>43,500,000</b>	<b>477,500,000</b>

Goderich Outstation Revenue Analysis for 2019						
Type of Vessel	Fee	No. of Registered Boat	Expected Revenue	No. of Boat Licence Collected	Revenue Collected	Revenue not Collected
Standard 5-10	500,000	119	59,500,000	2	1,000,000	58,500,000
Ghana Boat	750,000	266	199,500,000	0	-	199,500,000
Canoe Support	1,000,000		-		-	-
Shovel Nose	1,500,000		-	1	1,500,000	
<b>TOTAL</b>					<b>2,500,000</b>	<b>258,000,000</b>

Shenge Outstation Revenue Analysis for 2020						
Type of Vessel	Fee	No. of Registered Boat	Expected Revenue	No. of Boat Licence Collected	Revenue Collected	Revenue not Collected
Standard 5-10	1,000,000	134	134,000,000	0	-	134,000,000
Ghana Boat	1,500,000	3	4,500,000	3	4,500,000	-
Canoe Support	3,000,000				-	
<b>TOTAL</b>					<b>4,500,000</b>	<b>134,000,000</b>

Shenge Outstation Revenue Analysis for 2019						
Type of Vessel	Fee	No. of Registered Boat	Expected Revenue	No. of Boat Licence Collected	Revenue Collected	Revenue not Collected
Standard 5-10	500,000	134	67,000,000	11	5,500,000	61,500,000
Ghana Boat	750,000	3	2,250,000	0	-	2,250,000
Canoe Support	1,000,000		-		-	-
<b>TOTAL</b>					<b>5,500,000</b>	<b>63,750,000</b>

Konaridee Outstation Revenue Analysis for 2020						
Type of Vessel	Fee	No. of Registered Boat	Expected Revenue	No. of Boat Licence Collected	Revenue Collected	Revenue not Collected
Standard 5-10	1,000,000	169	169,000,000	2	2,000,000	167,000,000
Ghana Boat	1,500,000	49	73,500,000	3	4,500,000	69,000,000
<b>TOTAL</b>			<b>242,500,000</b>		<b>6,500,000</b>	<b>236,000,000</b>

Konaridee Outstation Revenue Analysis for 2019						
Type of Vessel	Fee	No. of Registered Boat	Expected Revenue	No. of Boat Licence Collected	Revenue Collected	Revenue not Collected
Standard 5-10	500,000	169	84,500,000		-	84,500,000
Ghana Boat	750,000	49	36,750,000		-	36,750,000
<b>TOTAL</b>			<b>121,250,000</b>		<b>-</b>	<b>121,250,000</b>