

FishFORCE

Growing recognition of FishFORCE's role and achievements

▶ Message from Michael de Lange

Chief Operating Officer: Centre for Law in Action (CLA) and FishFORCE Fisheries Law Enforcement Academy, Nelson Mandela University

We are delighted to share the latest developments and achievements from the Nelson Mandela University FishFORCE Academy as we continue our vital mission to strengthen fisheries law enforcement across Southern Africa.

We are particularly proud to report on a successful training workshop held with Department of Forestry, Fisheries and the Environment (DFFE) Minister Dr Dion George and Deputy Minister Narend Singh in August 2025 on the West Coast.

This intensive two-day workshop provided an invaluable opportunity to showcase the comprehensive training programmes that FishFORCE has developed and delivered to law enforcement officials from DFFE. The workshop covered critical areas of fisheries law enforcement, including the organised nature of marine resource crimes, anti-corruption measures, crime scene protection, fisheries trade monitoring and compliance, and species and vessel identification techniques.

The engagement with ministerial leadership underscores the growing recognition of FishFORCE's role in building capacity within South Africa's fisheries enforcement sector. With expert facilitators from Nelson Mandela University, the dedicated FishFORCE team led sessions on everything from legal frameworks to practical identification skills and gamification. These demonstrated the academy's multidisciplinary approach to combating fisheries crime and illegal, unregulated and unreported (IUU) fishing.

This ministerial workshop represents not only a celebration of the academy's achievements

over the past nine years but also a commitment to continuing collaborative efforts in protecting South Africa's precious marine resources for future generations.

Since establishing FishFORCE in 2016, Director Prof Hennie van As has consistently highlighted the urgent need for specialised law enforcement training in the fisheries sector. As he has noted in various media interviews, "an increase in the depletion of sea life has necessitated the country's first 'fisheries law enforcement' academy dedicated to protect marine living resources". Prof Van As has also emphasised that Africa loses more than R288-billion a year to fisheries crime, making FishFORCE's work critical to both environmental and economic security.

The academy's growing recognition is evident in its nomination by the Southern African Development Community (SADC) and its member states as a regional Centre of Excellence (CoE) to train Monitoring, Control and Surveillance (MCS) and other law enforcement officers operating in the fisheries sector. Prof Van As's expertise has also been recognised at the highest levels, having been appointed to lend his legal expertise to SADC to combat illegal and unregulated fishing in the region, serving on the Board of Directors of the SADC Fisheries Monitoring Control and Surveillance Coordination Centre (MCSCC) as a legal expert by the SADC Ministers of Agriculture, Food Security, Fisheries and Aquaculture.



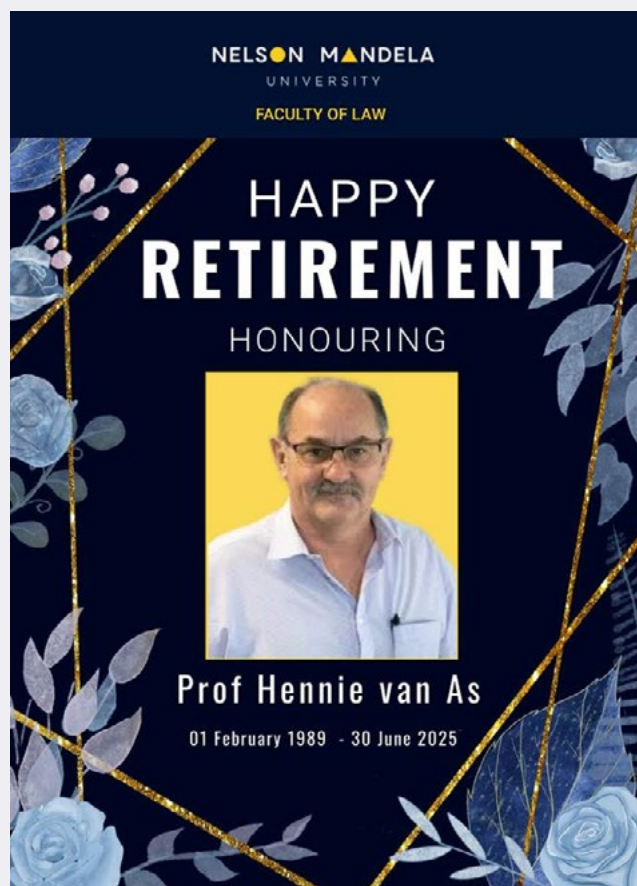
Michael de Lange

The Professor Hennie van As

The inimitable Prof Hennie van As retired from Nelson Mandela University at the end of June 2025 but remains active in FishFORCE. At his farewell, Faculty of Law Executive Dean Dr Lynn Biggs thanked Prof Van As for his outstanding contribution:

“Today, 30 June 2025, marks the retirement of Prof Hennie van As, Professor of Public Law, and Director of the Centre for Law in Action (CLA) and the FishFORCE Fisheries Law Enforcement Academy. Prof Van As joined the university on 1 February 1989 and over the past 36 years has contributed immensely to legal scholarship, justice reform and capacity-building across the African continent and beyond. His visionary leadership of the CLA since 2005, and founding the pioneering FishFORCE Academy, has not only elevated the reputation of Nelson Mandela University but has also created meaningful impact in law enforcement and fisheries protection.

Prof Van As’s dedicated service to justice, his mentorship of students and staff, and his strategic collaborations have left an indelible mark on the Faculty of Law and beyond. On behalf of the Faculty and University community, I extend sincere thanks and best wishes to Prof Van As he embarks on this new chapter, may his retirement be as purposeful and fulfilling as his distinguished academic career.”



Globalisation, Illicit Trade, Sustainability and Security Webinar

The Globalization, Illicit Trade, Sustainability and Security (Glitss) case study webinar series highlighted diverse and concrete responses to various forms of illicit trade. It brought together experts to present short case studies on initiatives addressing the illicit trade in marine resources, money laundering and firearms. Each presentation focused on practical developments, policy implications and institutional challenges relevant to their respective domains.

Lucas Tosi Rodriguez from the University of Lausanne introduced the webinar, while Prof Hennie van As presented Nelson Mandela University’s FishFORCE project. This combines inter-agency cooperation, capacity building and intelligence-led enforcement to combat marine poaching, with a focus on abalone and rock lobster.

Dr Georgios Pavlidis, from the Jean Monnet Center of Excellence, examined the creation of the new European Anti-Money Laundering Authority and its potential to reshape the European Union’s institutional landscape in the fight against illicit financial flows. He highlighted the Authority’s mandate, its supervisory role, and its relevance to combating trade-based money laundering and proceeds from organised crime.

Prof Boban Misoski, from Cyril and Methodius University, explored recent legislative reforms in North Macedonia aimed at regulating illicit firearms production and trade. His presentation reflected how these legal changes are being implemented, and the ongoing challenges faced by law enforcement and the judiciary in prosecuting such offences effectively.

GLITSS
Globalization, Illicit Trade, Sustainability and Security

GLITSS Case Study Webinar Series

Working Group 3
Responses to Illicit Trade: Webinar 1

Presenters:
Prof. Hennie Van As, Nelson Mandela University
Dr. Georgios Pavlidis, Jean Monnet Center of Excellence
Prof. Boban Misoski, Cyril and Methodius University

Discussant:
Lucas Tosi Rodriguez, University of Lausanne

28 August, 2025
12:00 - 13:15 CET

Join via the link in the description.

COST
EUROPEAN COOPERATION IN SCIENCE & TECHNOLOGY

Funded by the European Union

Training workshop presented to Minister and Deputy-Minister of DFFE



On 18-19 August, FishFORCE presented a workshop for the Department of Forestry, Fisheries and the Environment (DFFE) Minister Dr Dion George and Deputy Minister Narend Singh at Buffelsfontein Game and Nature Reserve. The workshop covered the training courses developed by FishFORCE, and what has been offered to DFFE since its inception in 2016. Cheslyn Liebenberg from the DFFE Fisheries Branch presented the welcome and introduction, and Dr George closed the workshop.

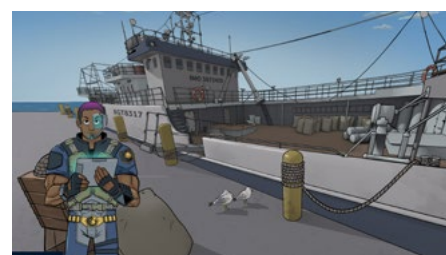
Facilitators:

1. Prof Hennie van As presented the introduction to FishFORCE and discussed courses offered. He spoke about the organised nature of crimes involving marine living resources, anti-corruption measures, identification and inspection of vessels, and taking statements
2. Michael de Lange, FishFORCE, Nelson Mandela University, presented on the use of gamification for fisheries control officer training
3. Phil Snijman, FishFORCE facilitator, presented on the law for fishery control officers
4. Petro van der Westhuizen, FishFORCE facilitator, presented on crime scene protection and presentation of evidence.
5. Victor Ngcongco, FishFORCE facilitator, presented on the identification of marine species and the vessels and gear used in illegal fishing.
6. Mzondeleli Dlulane, DFFE Director: Enforcement – Oceans and Coast, presented on case management
7. Markus Burgener, Traffic and Facilitator, FishFORCE, presented on fisheries trade monitoring and compliance.

Delegates and facilitators at the FishFORCE training workshop presented to DFFE Minister Dr Dion George and Deputy-Minister Narend Singh.

Michael de Lange, FishFORCE, Nelson Mandela University, presented on the use of gamification for fisheries control officer training at the DFFE workshop:

The game-based education termed “gamification” facilitates learning via a virtual environment that encourages critical thinking that in turn leads to problem solving. FishFORCE collaborated with Cape Town based animation, gaming and immersive technologies company SeaMonster to develop a virtual law enforcement game specifically designed for law enforcement officers (LEOs) in the fisheries crime environment. The game presents scenarios which the LEOs must navigate, gaining awareness and practical knowledge in an entertaining way.



Delegates Trained

2016–2024



**TOTAL
DELEGATES
TRAINED**

2 111



535

Law Enforcement by
Peace Officers for Fisheries
Control Officials (FCOs)



309

Taking of Statements



309

Identification of marine
species and vessels and
gear used in illegal fishing



268

Law for fisheries control
officers, inspectors and
other enforcement officials



213

Enforcement of marine and
coastal legislation



74

Fisheries trade monitoring
and compliance

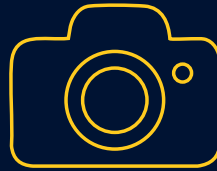
Delegates Trained

2016–2024



26

Crime scene protection and collection and presentation of evidence



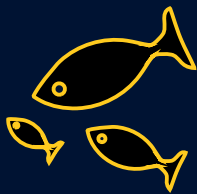
47

Basic Crime Scene Photography Workshop



64

Prevention of Corruption (FishFORCE and UNODC E4J)



169

Port State Measure Agreement (PSMA)

97

HMCOs & Catch Data Monitors Coastal Monitoring Protection Programme

MODULES:

- Introduction to criminal investigation
- Law for fisheries control officers, inspectors and other enforcement officials
- Taking of statements and report writing
- Enforcement of marine and coastal legislation
- Identification of marine species and vessels and gear used in illegal fishing
- Law enforcement by peace officers for FCOs



1. **Representatives from SAPS and the newly formed Border Management Authority at the FishFORCE International Anti-Corruption Conference**
2. **Speakers and presenters at the FishFORCE International Anti-Corruption Conference included, from left, Nick Funda (SANParks), Dr Chris Ndzengu (NPA Asset Forfeiture), Prof Hennie van As (FishFORCE), Dr Molefhi Phorego (Research Associate, Nelson Mandela University), Adv Paul Hoffman (Institute for Accountability in Southern Africa), Adv Cameron Cordell (researcher and consultant) and Jan Stanjko (University of Maribor, Slovenia)**
3. **The FishFORCE Anti-Corruption Conference, with the former Chief Justice, Raymond Zondo, alongside Nelson Mandela University Vice-Chancellor Professor Sibongile Muthwa**

International Anti-Corruption Conference

The Centre for Law in Action (CLA) and FishFORCE Academy hosted a two-day Anti-Corruption Conference from 14-15 April 2025. The conference was dedicated to addressing corruption in South Africa and fostering a culture of transparency, integrity and accountability. Senior government officials and policy makers attended, including representatives from the National Prosecuting Authority (NPA), the South African Police Service (SAPS) Directorate for Priority Crime Investigation, Members of Parliament and international representatives from Slovenia.

Corruption, and its effects, are extensive and destructive, having been found to manipulate human judgment, distort the organisational culture of institutions, undermine economic and political development, increase poverty and compromise human rights. Corruption also corrodes the integrity of economic and political systems, which in turn causes extreme inequalities, destroys public trust and confidence in government and threatens environmental protection.

The conference themes were:

- Looking backwards – the impact of corruption
- Mechanisms available to fight corruption
- Measures implemented elsewhere – Europe, Albania, Guatemala and Botswana
- Looking forward – possible sustainable solutions.

CLA was honoured to have the former Chief Justice, Raymond Zondo attend the conference and deliver the keynote address. Justice Zondo is renowned for his leadership in South Africa's State Capture Inquiry, a judicial commission of inquiry established in 2018 to investigate allegations of widespread corruption and undue influence over state institutions by private individuals and businesses.

Specialised training on the Prevention of Organised Crime Act

Research conducted by FishFORCE has shown that despite a need for more investigators trained to investigate cases so that prosecution can follow in terms of the Prevention of Organised Crime Act (POCA), there are not enough prosecutors who can deal with the intricacies of POCA prosecutions. The academy therefore engaged with the NPA and SAPS to bolster investigations and prosecutions in terms of legislation aimed at addressing organised crime, primarily to protect marine living resources.

Auditors KPMG provided specialised training, based on its Operation Blood Orange money-laundering investigation. It looked at the importance of conducting parallel financial investigations, as well the impact of the investigations. This included what evidence should be obtained, what could be investigated to enhance money-laundering charges, and the predicate offences that could then emerge through these investigations. KPMG shared its Blood Orange experiences to enhance law enforcement knowledge, presenting innovative thinking that challenged the known techniques in investigations.

Three workshops were delivered in Port Elizabeth, Cape Town and Pretoria in May 2025, primarily aimed at prosecutors from the NPA, SAPS officials from the Stock Theft and Endangered Species units, and Organised Crime and Environmental Management Inspectors from DFFE. Training sought to increase capacity to investigate and prosecute organised crime. The training was conducted over three days and topics included:



KPMG shared its Blood Orange experiences to enhance law enforcement knowledge, presenting innovative thinking that challenged the known techniques in investigations.

- Investigation of organised crime cases
- Racketeering
- MLRA, Tops List, Marine TOPS
- The organised nature of crimes involving marine living resources
- When cases should be investigated as organised crime
- The impact of organised crime.

A fourth workshop was delivered in George in August 2025 for the SAPS Directorate for Priority Crime Investigation (Hawks) Serious Corruption Investigation members from Bellville and George respectively. Topics included:

- The impact of organised crime and the organised nature of crimes involving marine living resources
- Overview of the POCA
- Racketeering concepts: the "chain idea"
- Prosecution in terms of Section 2 of the POCA:
 - The benefits
 - Why is there a resistance to investigate or to prosecute in terms of Section 2?
 - What is needed to prosecute in terms of Section 2
- Innovative thinking: Challenging the known techniques in investigations.



Above: Colonel Roderick Botha Unit Commander – Serious Corruption Investigation, George Directorate for Priority Crime investigation (Hawks).

Below: Martin le Roux, advocate and retired state prosecutor, NPA

Coastal Monitoring Protection Programme

The Coastal Monitoring Protection Programme was presented in the Eastern Cape and KwaZulu-Natal in 2023, and in the Western Cape in 2024. FishFORCE presented the programme to Honorary Marine Conservation Officers (HMCOs) for the DFFE. It provides further on-the-ground assistance to the Department and its Fishery Control Officers (FCOs). The public's interest in becoming custodians of the marine environment was

overwhelming, and appointments were made based on Section 9 (2) of the Marine Living Resources Act, 18 of 1998 (MLRA) to enlist members of the public to become HMCOs.

Any member of the public with an interest in the conservation of marine living resources may be appointed, provided they are suitable candidates who fit the criteria for appointment and that there is no conflict of

interest. FishFORCE and DFFE recognise the constraint in terms of resources and manpower and the value of involving members of coastal communities as volunteers. These individuals may assist in managing the coastline and help to control over-exploitation of marine living resources. Community involvement has been successfully piloted and implemented in Indonesia and Mexico.



FishFORCE facilitator Stephen Holloway presented to HMCOs on the Coastal Monitoring Protection Programme in the Western Cape

Taking Statements and Writing Reports Course

Taking of Statements and Report Writing course was presented in Walvis Bay, Namibia, from 28 July to 1 August 2025 to upskill enforcement officers. The aim was to guide delegates on how to compile statements, adhering to the requirements and standards set by the courts and the relevant prosecuting authorities, in line with Article 9 of the SADC Protocol on Fisheries (2001).

There are few examples of successful prosecution, which may be due in part to the low prosecutorial-judicial capacity. However, the recent prosecution of fishing-related crimes in some SADC countries suggests that, with adequate will, violations can begin to be addressed. This needs to be addressed so as to capacitate Monitoring, Control and Surveillance (MCS) officers to collect credible statements that support strong prosecution of fisheries crimes.

The training was presented to Fisheries Observers from the Fisheries Observer Agency in Namibia and Fisheries inspectors from the Ministry of Fisheries and Marine Resources (MFMR).



Taking of statement and report writing in Walvis Bay Namibia 28 July to 1 August 2025



Illegal nets and fish caught in one of South Africa's protected areas

Monitoring, Control and Surveillance Training Programme

Law enforcement capacity and anti-corruption to address IUU fishing

A regional monitoring, control and surveillance (MCS) training programme, Law Enforcement Capacity and Anti-Corruption to Address IUU Fishing, was presented from 21-25 October 2024 in Botswana, Gaborone. Representatives from five SADC countries: Botswana, Eswatini, Lesotho, Namibia and South Africa attended.

The scourge of corruption permeates the fisheries industry globally, and is particularly prominent in the SADC region. Corruption is increasingly recognised as a major challenge for the sustainable management of fisheries. It occurs at all points along the supply chain. High levels of corruption and low levels of effective prosecution – of environmental crimes in general and crimes in the fisheries sector in particular – are an issue. In part,

this is due to the low priority given to these crimes by prosecutors, and the low sentencing guidelines for them. Across the region, experts note that the fines and sentences imposed are not effective deterrents.

The FishFORCE Academy therefore, in partnership with the SADC Secretariat and the Interim Project Management Unit (IPMU) of the SADC Fisheries Monitoring Control and Surveillance Coordination Centre (MCSCC), introduced a capacity-building programme.

A research report titled “Unravelling the Web of Wildlife Crime: Assessing Impact, Regulating Practices and Strengthening Enforcement Measures” was developed with the aim of becoming training material to

sensitise the judiciary and communities. The report documented the impact of fisheries crimes on biodiversity, the rule of law, food security, peace and development and on national and rural economies in general. The University of Namibia rolled the report out as a community engagement session on 24 September in Swakopmund and on 18 October in Walvis Bay.

Throughout the training delivered in 2024, the academy was able to maintain the “golden thread” of promoting multi-agency and regional collaboration, training several South African agencies as well as SADC member states and their representatives. Multi-agency and regional cross-border collaboration is key to achieving the project's goals. To ensure the



FishFORCE facilitator and expert investigator, the late JD Kotze, checking legal documentation for a fishing vessel in Tanzania. Kotze passed away at the end of 2024 – a great loss to FishFORCE and the fisheries law enforcement fraternity in southern Africa

continuity and sustainability of FishFORCE activities in the region, work packages were distributed to partner countries to provide some form of autonomy to deliver various activities that include:

- Analysis of training needs for Zimbabwe and Malawi (inland fisheries)
- Awareness workshops for the judiciary and prosecutors in Namibia and Kenya
- Awareness workshop to sensitise communities on the impact of illegal fishing on society, the economy, sustainability and the environment in Namibia (noted above)
- Multi-agency training session delivered in Namibia on the identification and inspection of industrial fishing vessels.

Various research outputs and papers presented at conferences have also been delivered, namely:

- Van As, HJ "The development of Lacey-type provisions to combat transnational organised crime in the trafficking of illicit aquatic living resources in Southern Africa"
- Van As, HJ and Phorego, M "Unravelling the web of wildlife crime: assessing impact, regulating practices and strengthening enforcement measures"
- Van As, HJ "The tensions between small scale and recreational fishers in South Africa" (work in progress)
- Van As, HJ et al "Legal requirements of public consultation in the marine spatial

planning process: comparative perspectives from Ghana, Namibia, Barbados and South Africa" (submitted)

- Van As, HJ "The Law of the Sea contemporary norms and practice in Africa: the role of the United Nations Office on Drugs and Crime (UNODC)" (work in progress)
- Van As, HJ "Protection of the largemouth yellowfish in the Vanderkloof Dam" (work in progress)
- Van As, HJ "Abalone poaching: is it not time for an amended approach" (work in progress)
- Human Rights and Constitutional Accountability Conference to mark 30 years of Constitutional Democracy, Stellenbosch, 28-29 November 2024. Dr Molefhi Phorego delivered a paper titled: "Ministerial accountability for granting fishing licences to rural coastal communities: The case of Port St Johns" (co-author: Prof Hennie Van As)
- Southern Africa Law Teachers Colloquium, Pretoria, 4-5 September 2024. Dr Molefhi Phorego delivered a paper: "Redefining public participation in the exploitation of marine fishery resources as a part of the legal curriculum through inclusive legal education"
- Prof Hennie van As read: "Link between harvesting illegal marine living resources and international organised crime", Judicial Dialogue Colloquium on illegal harvesting

of marine living resources, Gqeberha, 26 March 2024.

- Prof Hennie van As read: "The potential of Ocean Accounts Frameworks to influence local government budget allocations to reduce fisheries crimes", Bali, 3-5 July 2024
- Prof Hennie van As read: "Addressing crime in the fisheries sector", third international conference on maritime security in the Gulf of Guinea, Stellenbosch, 5-6 September 2024
- Michael de Lange read: "Illegal fishing as transnational organised crime and the FishFORCE approach", Nelson Mandela University Research Week: Inclusive and Sustainable use of Coastal and Marine Resources: Fisheries from Nursery to Governance, Gqeberha, 10 September 2024.

The FishFORCE operational helpdesk assisted with 93 post-training support cases to date, with recent examples including:

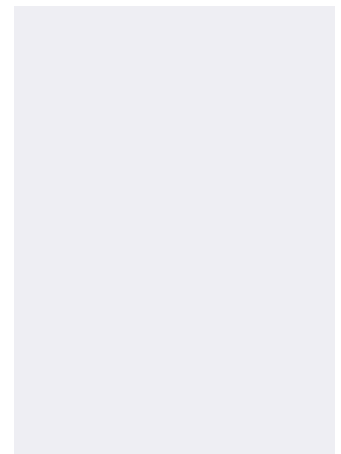
- Support to SAPS to have DNA analysed at the University of Stellenbosch in preparation for court cases. There was one positive result and the case was transferred to the regional court
- Active investigative support to DFFE on five cases of fraud involving West Coast rock lobster
- Two cases in Port Elizabeth. The helpdesk checked statements and formulated around 40 charges.

CLA and FishFORCE Activities in 2024

Training, Conferences and Multi-Agency Collaboration

FishFORCE and the Centre for Law in Action (CLA) delivered the following training sessions in the first quarter of 2024:

- Introduction to Law Enforcement by Peace Officers for NMBM, 29 January to 2 February and 5-9 February 2024 in Gqeberha
- Principles of Advanced Law Enforcement by Peace Officers for the Eastern Cape Liquor Board, 13-15 February 2024 in East London
- Law Enforcement by Peace Officers for Drakenstein Municipality, 4-8 March and 11-15 March 2024 in Paarl
- Law Enforcement by Peace Officers for Cape Nature, 11-15 March 2024 in George
- Law Enforcement by Peace Officers for BMA, 11-15 March 2024 in Gqeberha
- Identification of Marine Species and Vessels and Gear used in Illegal Fishing for DFFE, 11-15 March 2024 in Kleinmond
- Crime scene protection and collection and presentation of evidence for DFFE, 8-12 April at the Wildlife Forensics Academy in Buffelsfontein.



Above: Example of training session material for DFFE in Buffelsfontein. **Below:** Training on crime scene protection and collection and presentation of evidence for DFFE at in Buffelsfontein





Species ID in September 2024 in Hout Bay for Honorary Marine Conservation Officers (HMCOs) from the Western Cape.

FishFORCE and CLA delivered the following training sessions in the second quarter of 2024:

- Enforcement of Marine and Coastal Legislation for DFFE 15-19 April
- Principles of Advanced Law Enforcement for Professional Municipal Staff (Environmental Health Professionals [EHPs]) for NMBM, 15-17 April
- Law Enforcement by Peace Officers (LEPO) for EHPs Refresher for NMBM, 18-19 April
- LEPO for EHPs for Mopani District Municipality, 15-19 April and 22-26 April
- Basic Crime Scene Photography workshop (Drones) for SAPS, 13-17 May
- Basic Crime Scene Photography workshop for DFFE, 3-7 June

- LEPO for DFFE/SANParks and CapeNature, 24-28 June
- LEPO for Drakenstein Municipality, 24-28 June
- Train the Trainer: Detection of labour abuses and forced labour on board fishing vessels, 26-28 June
- Introduction to the Principles of LEPO, 1-5 July
- Open LEPO, 8-12 July
- Crime scene protection and collection and presentation of evidence for DFFE, 22-26 July
- Law for Fisheries Control Officers, Inspectors and Other Enforcement Officials for HMCOs, 22-26 July
- Introduction to Criminal Investigation for HMCOs, 22-26 July.

In the third quarter, FishFORCE and CLA delivered the following training sessions:

- Taking of Statements for HMCOs, 12-16 August
- Enforcement of Marine and Coastal Legislation for HMCOs, 26-30 August
- Identification of Marine Species and Vessels and Gear used in Illegal Fishing for HMCOs, 2-6 September
- LEPO for EHPs for Alfred Nzo District Municipality, 2-6 September
- Identification of Marine Species and Vessels and Gear used in Illegal Fishing for HMCOs, 30 September to 4 October.



Training workshop for Fisheries Control Officers in Kleinmond, July 2024

Internationalisation

Judicial Dialogue on Illegal Harvesting of Marine Living Resources – Mozambique and South Africa

FishFORCE acknowledges the strategic importance of including and engaging with prosecuting authorities and members of the judiciary who are relevant to the protection of marine living resources. Its goal is to create awareness about fisheries organised crime so that the prosecuting authorities and members of the judiciary can better understand the magnitude of the crimes they are tasked to judge. FishFORCE, together with respective university partners, is rolling out awareness workshops to members of the judiciary. These focus on the impact of fisheries crime and IUU fishing on society, the economy and the environment.

The first dialogue was hosted by FishFORCE partners Eduardo Mondlane University in Maputo, Mozambique, on 14 December 2023, and was well attended by over 40 magistrates and prosecutors. The dialogue was hosted together with the Center for Legal and Judiciary Training in Mozambique.

The second dialogue was hosted by Nelson Mandela University in Gqeberha on 26 March 2024 and was attended by over 70 participants. These included regional magistrates, local prosecutors focusing on marine living resources cases and various law enforcement agencies from the Marine and Ocean Crime Priority Committee (Operation Phakisa). The dialogue was hosted together with the South African Judicial Education Institute. The objectives were to:

- Highlight the nature and extent of harvesting illegal marine living resources and organised crime
- Discuss applicable legislation and adjudication strategies.

International Labour Organisation

FishFORCE has partnered with the International Labour Organisation (ILO) to register and develop a new short learning programme, "Detection of labour abuses and forced labour on board fishing vessels". As part of this initiative, FishFORCE together with the ILO will be offering a train-the-trainer workshop for faculty academics to attend during the June recess period.

Regional Technical Team Meeting

The 17th Meeting of the Regional Technical Team (RTT) for the SADC Regional Fisheries Monitoring Control and Surveillance Coordination Centre (MCSCC) was held from 17-20 June 2024 in Maputo, Mozambique. The RTT reviewed the progress made in implementing the roadmap of the Interim Project Management Unit (IPMU) on operationalising the

centre. It also provided inputs into the second phase of Si Ager project and the Sustainable Aquatic Foods projects to support the MCSCC, and reviewed implementation of projects supporting the MCSCC. Team members also took part in the orientation session for the MCSCC Board of Directors and provided insights into its work.

Evidence-based research to support regional policy processes

Three training case studies were developed to support regional policy processes in respect to fisheries crimes and illegal fishing in the SADC Region. They are:

1. RINASCENTE NO 9, SAGANO AND VOLOPAS – Unregulated crab fishing in the Western Indian Ocean by vessels with opaque ownership and history of human right violations and illegal fishing
2. GREKO 1 and GREKO 2 – Notorious IUU fishing operations and criminal offences in Somalia, Kenya and Tanzania
3. NAHAM 4 – Illegal, unreported and unregulated fishing, theft, identity fraud and fisheries crimes

National inter-agency model developed for Madagascar

An inter-agency model has been developed for Madagascar to promote cooperation with other agencies. This is an important tool for fisheries enforcement officers to build systems to combat IUU fishing and associated crimes, and enable them to benefit fully from developing a cooperative approach. This inter-agency model is geared to strengthen cooperation to address organised crime in the fisheries sector.

In Zimbabwe, Namibia, Malawi and Kenya

Work packages were distributed to partner countries to assist them in delivering FishFORCE activities. These included:

- Training needs analysis – University of Zimbabwe
- Training needs analysis – University of Malawi
- Awareness workshops for the judiciary and prosecutors – University of Namibia and University of Kenya
- Awareness workshop to sensitise communities on the impact of illegal fishing on society, the economy, sustainability and the environment – University of Namibia
- Multi-agency training session delivered in Kenya – Identification and Inspection of Industrial Fishing Vessels – University of Kenya and University of Namibia.





Delegates at the training held in Botswana in October 2024

Cross-Border MCS Training Programme in Botswana

A SADC, FishFORCE Academy regional cross-border MCS training programme on preventing corruption in the fisheries sector was held from 21-25 October 2024, in Gaborone.

The first training session had been held in 2023 in Johannesburg and focused on the shared inland water bodies of strategic interest: Lake Kariba (Zambia and Zimbabwe), and Lake Malawi/Niassa/Nyasha (Malawi, Mozambique and United Republic of Tanzania). In 2024, the focus was on the SACU countries: Botswana, Eswatini, Lesotho, Namibia and South Africa. There were four delegates per country at the five-day cross-border training session in Gaborone. The first two days covered how to prevent corruption in the fisheries sector and the remaining three days detailed how to take statements.

IUU fishing is estimated to cost the global economy between US \$15-billion and US \$36-billion in direct losses annually. IUU fishing harms aquatic ecosystems and the sustainability of fish stocks, threatens the livelihoods and food security of coastal and lakeshore communities, and often overlaps with other transnational crimes such as forced labour and trafficking of drugs, arms and people.

Corruption facilitates IUU by threatening effective regulation and crime prevention at every stage of fishing operations. Although rarely covered in management or governance plans, corruption is increasingly recognised as a major challenge for the sustainable management of fisheries. It can occur at all points along the supply chain, from issuing unauthorised vessel registrations and illegitimate licences to intentional underreporting of fish at landing, to the sale of intentionally mislabelled fish. Corruption is regarded as the abuse of entrusted power or authority – public trust – for private gain. Corrupt actions, or policies shaped by corruption, may facilitate IUU fishing.

Compounding the problem, the global fisheries sector is a complex net of opaque activities composed of actors spread across multiple countries operating under different authorities and jurisdictions. This complexity provides numerous opportunities to break or avoid the law, or to engage in corruption. It also obscures the activities of corrupt public officials

who enable the wrongdoing. Some of this corruption is willing collusion, where a bribe is offered and the rules are subverted. At other times, the corruption may involve extortion by one of the parties, for example, where a fisherman may bring catch to a port but is not allowed to offload unless an official is given payment.

Corruption also occurs at all levels of management and oversight: at the international level, for example, when access agreements between countries are negotiated or at national and regional levels, for example, when officials manipulate statistics in exchange for bribes or due to conflicts of interest. It also can happen at the level of processors, distributors and retailers, for example, through bribes to avoid inspections or get exceptions to labeling requirements. It takes many forms, ranging from bribery and extortion in enforcement authorities to political donations in exchange for favourable policy decisions. When illegal activity, such as use of forced labour or tax evasion, is detected, it may go unpunished due to corruption.

As noted earlier in the newsletter, the ability of the SADC countries to deter IUU fishing is hampered by the low levels of effective prosecution of environmental and fisheries crimes; and nor are the fines and sentences in most cases an effective deterrent.

In most countries, it can be difficult to educate members of the judiciary about the issue and judges refuse to accept evidence related to fishing crimes. Weak prosecutorial-judicial capacity is another factor, and examples of successful prosecution are few and far between.

This is the context for a new capacity-building programme to address deficient enforcement capacities and issues of corruption in the fisheries sector of the SADC region. The programme is being introduced by the FishFORCE Academy at Nelson Mandela University, in partnership with the Southern African Development Community (SADC) Secretariat and the Interim Project management Unit of the SADC Fisheries Monitoring Control and Surveillance Coordination Centre (MCSCC). The objective is to upskill and provide guidance to enforcement officers on the use of anti-corruption techniques to prevent and combat fisheries crime. It will also prepare enforcement officers to compile statements adhering to the requirements and standards set by the courts and the relevant prosecuting authorities, in line with Article 9 of the SADC Protocol on Fisheries (2001).

CLA to facilitate UNODC and FishFORCE collaboration

The CLA was appointed to facilitate collaboration between FishFORCE and the UNODC to reduce crimes in the fisheries sector and IUU fishing in South Africa. Through its FishNET II project, funded by the Norwegian Agency for Development Cooperation, UNODC helps countries to address crimes in the fisheries sector. It bases its technical assistance on a “value chain” approach, which identifies the value chain stages, agencies involved, and possible entry points for different types of crime. This approach allows for the identification of numerous points along the chain where criminal offences typically occur. It also allows for the highlighting of potential entry points for law enforcement interventions in identifying, investigating and prosecuting crime throughout the sector.

In 2023 and 2024 FishFORCE Director Prof Hennie van As, whom the UNODC appointed as a consultant, undertook such an analysis for South Africa. At the completion of a workshop, fisheries sector roleplayers confirmed the findings of the analysis, recognising that their implementation would be fertile ground for collaboration between the UNODC and FishFORCE. The analysis helped to identify where technical assistance was needed to address vulnerability to criminal activity in the fisheries value chain. It also identified areas where cooperation between agencies, and also within departments, was lacking. In addition, the report raised awareness of the necessity of improved inter-agency cooperation. Addressing the vulnerabilities identified should enable agencies to work together to prevent crime in the sector.

Seven stages of the value chain were identified and analysed during the process: preparation; fishing; landing; processing; sales; transportation, and consumption.

South Africa has extensive legislative and other regulatory instruments to address most threats

and criminalities, but these are not always fully implemented and the technical capacity to undertake all the functions is sometimes lacking. There is also at times a reluctance to adopt innovative ways of doing this.

The study found that the South African fisheries sector is exposed to a wide range of crimes, that corruption permeates the industry and that this makes government agencies vulnerable to the corruption risks. There is also a lack of proper inter-agency cooperation, and a severe lack of funding, resources and capacity. This leads to the inability of agencies to fulfil their functions associated with fisheries, and a lack of at-sea surveillance of vessel movements and trans-shipments. There are also issues that the NPA should address, and the judiciary should be sensitised. Although South Africa’s Constitution lists access to justice as a basic right, many cases drag on too long.

The report includes the following recommendations:

- Training is needed for investigators and prosecutors to undertake strategic investigations and prosecutions that unravel the complexities of international organized crime, and target organised criminal syndicates. This must include training on the use of mutual legal assistance treaties.
- Abalone poaching is an axis around which organised crime syndicates flourish and extend their activities. The gangs are involved in drug, weapons and human trafficking as well as corrupting state agencies and whole communities. Their members are often closely associated with corruption, racketeering, defeating the ends of justice, money laundering and even murder. In a recent case (Brown) the accused’s sentences were overturned on appeal because of deficiencies with the application and execution of the search warrants. It proposed that the following activities are undertaken:

- Training in the application and execution requirements for search warrants
- Training in matters that lead to fewer mistakes, for example, making statements, and collecting and preserving evidence.
- The creation of a crime scene site at Nelson Mandela University’s Ocean Sciences Campus where practical training can be offered in the protection, preservation and collection of evidence. The proximity of the moot court will assist with practical training in the presentation of evidence and court procedures.

- When FCOs are on patrol aboard navy vessels they receive sailing orders with directives and objectives that must be achieved, for example, “to prevent and react to IUU fishing (poaching)”. The fisheries sectors and the number of inspections to be conducted are stipulated. Crimes in the fisheries sector, such as those related to working conditions, vessel safety, and human and drug trafficking are not listed as pertinent aspects to look out for. The FPV section’s sailing instructions and inspection checklists must be redesigned to compel FCOs to be on the lookout for crimes in the fisheries sector. The same applies for recreational fishers’ inspections and fish processing facilities.
- Mislabeling of seafood products is rife and occurs when relatively low value fish is substituted for more expensive species. It can also pose health risks. In one case, oil fish (also known as butterfish) was sold as swordfish. Oil fish contains high quantities of indigestible wax ester oil which causes illness in as many as half the people who consume it. This gives rise to fraud, conspiracy and transgressions of the Consumer Protection Act, Health Act and the Standards Act. Officials must be trained to conduct food sampling so that lab reports can be obtained. They must also be trained to protect the chain of evidence from sampling to presenting evidence in court.
- Training is necessary for officials as prosecutors and presiding officers in the conduct of disciplinary hearings. This would help to hold deviating officials responsible and decrease the time it takes to hold transgressors accountable.

There are several activities therefore where collaboration between FishFORCE and the UNODC has been identified for implementation. The combined purpose of the activities and the project are:

- Increased knowledge and skills
- Reduction in criminal activities
- Increased food security
- Decrease in IUU fishing and crimes associated with the fisheries industry.



SADC Monitoring Control and Surveillance Coordination Centre Board of Directors meeting, 26 September 2024, Johannesburg. Further information available at:

NELSON MANDELA
UNIVERSITY

*Fish*FORCE

In Partnership with:



Norwegian Ministry
of Foreign Affairs



FishFORCE Academy, Nelson Mandela University, Ocean Sciences Campus,
Summerstrand, Gqeberha.

T +27 41 504 4706

E info@mandela.ac.za fishforce.mandela.ac.za

Change the World