

The disparities arising in the policing of consumptive and non-consumptive marine activities.

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Introduction (Background and Rationale)

- SA coastline is approximately 300km
- Links the East and West coasts of Africa
- These shores are rich in biodiversity
- Many activities currently occurring in these waters
- Both consumptive and non-consumptive





- Marine ecotourism is an important non-consumptive activity.
- Seen as a form of tourism that is based on the ecology of natural environments.
- Involves education and interpretation of those environments, and is managed to be ecologically sustainable.
- Increasing demand, worldwide, to experience marine animals in their natural environment.
- Resulted in an increase in activities such as shark-diving and boat-based whale watching.

Shark-diving

- Aliwal shoal MPA premier dive destination.
- 40 000 divers visit the MPA each year.
- In 2007, expenditure of R12 405 274 in the MPA from Tiger shark diving alone.
- Income and employment generated for the local economy.

Boat-based whale watching

- Developed commercially in 1999.
- 15 permits issued.
- Makes significant contribution to SA economy.
- Western Cape and overberg great sites for whale watching with 200 visitors/day.
- 2 operators in Gansbaai reported earnings of R3.5 mil.

- Increasing number of seafood and sushi restaurants along the coast.
- Local commercial fisheries also benefit from the rich waters.
- 2005 → 835 000 = R5.1 billion
- 2006 → 18% of fish and fish products exported = R787 million

- Although the coastline is rich in marine wildlife and is beneficial for the economic development there is a need for legislation that ensures the sustainable use of the marine resources.
- The Marine Living Resources Act (1998) is one such piece of legislation, instituted by the South African government.
- The Act outlines rights, regulations and procedures regarding the use of the marine environment.
- Responsibility of DEAT to ensure that the legislation is enforced.

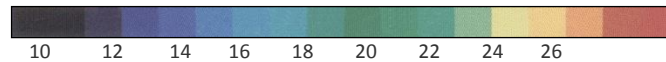
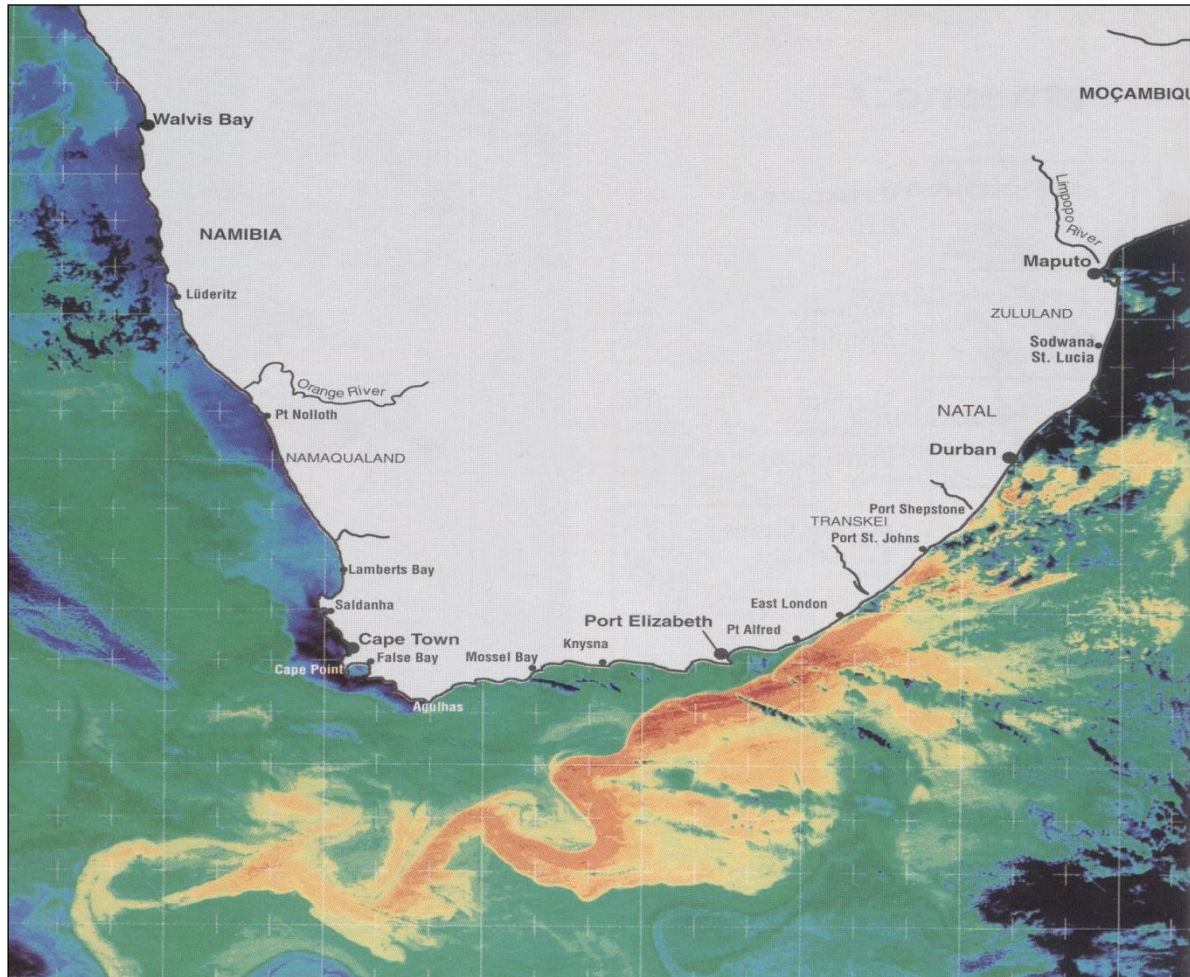
- It is increasingly evident that these policies are falling short.
- Illegal, unregulated and unreported (IUU) fishing has become one of the biggest threats to the sustainability of fisheries along the coastline.
- IUU fishing thrives where governance is weak and penalties include small fines and little or no jail time.
- In contrast non-consumptive activities have high permit fees and illegal operations incur huge fines and sometimes lengthy jail time.

Problem statement and Objectives

- The legislation is solid but falls short in implementation and policing.
- Large disparities between the policing of consumptive and non-consumptive activities.
- The main objective was to highlight these disparities and show how they affect the sustainability of the marine environment in South Africa.

- Outline the important aspects of the marine and coastal policy in the country that relate to consumptive and non-consumptive use of marine resources.
- Establish the necessary steps that individuals, or fisheries should take in order to conduct any consumptive or non-consumptive activities within the marine environment by looking at the current legislation.
- Establish the extent to which consumptive and non-consumptive activities are being conducted legally.
- Establish why it is so difficult for non-consumptive activities to acquire permits that allow for the above mentioned activities to occur legally.
- Establish why large numbers of illegal activities in consumptive fishing are not adequately prosecuted and in some cases not prosecuted at all.
- Establish whether or not the policies that have been instituted by the government are being implemented adequately enough to ensure the sustainability of the marine environment.
- Use the gathered information to draw awareness to the extent of illegal, unregulated, and unreported activities in the marine environment along the South African coastline.

Study Area



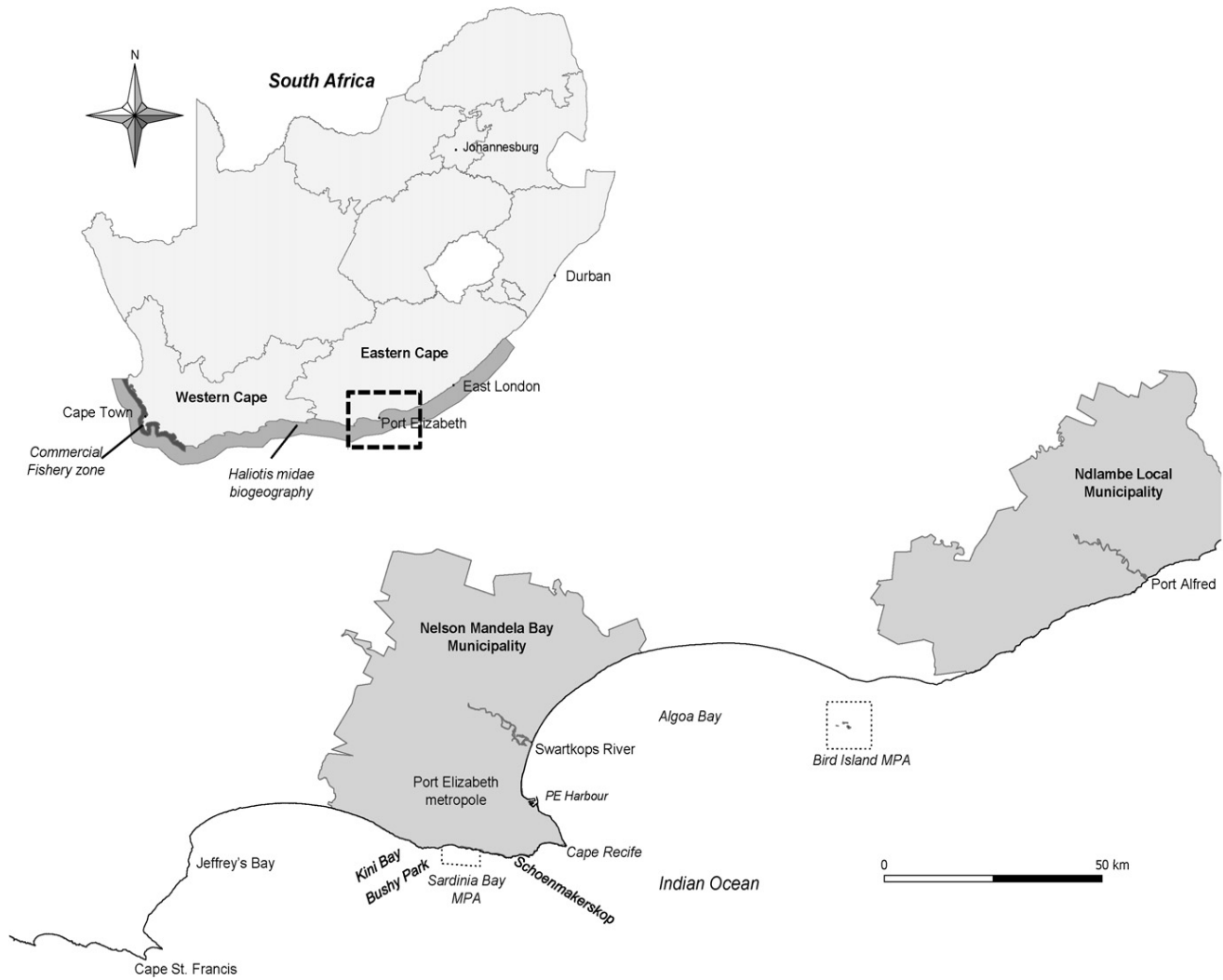
Methodology

- Desktop study.
- Key informant interviews with boat-based whale watching operators, shark diving operators, sardine run experts and legal experts.
- Interviews were kept informal to reduce risk of ethical issues.
- BE CAREFUL!!!

Results

Consumptive

- Abalone (locally known as perlemoen) is under severe pressure due to highly organised illegal fishing.
- Boom in illicit abalone trade due to:
 1. the abolition of the restrictive Apartheid laws and the transition to democracy in 1994
 2. the transformation of state structures such as the South African Police Service (SAPS) and Marine and Coastal Management (MCM), which is responsible for managing fisheries
 3. the weakening South African Rand (ZAR) against the U.S. dollar (USD) making the export price of abalone attractive
 4. weak border control systems that allowed illegal products to be exported easily
 5. the presence of an established and highly efficient Chinese organised crime network in the country that promoted the exchange of drugs for abalone



- IUU fishing has been attributed to the collapse of the traditional line fishery, abalone, Patagonian toothfish, and more recently, hake and pilchards.
- By 2000 about 19 of the commercially harvested species stocks were classified as “collapsed” and 50 more were classified as being overexploited.
- One of the highest profile cases of illegal fishing was exposed in May 2001 and implicated Hout Bay Fishing.
- Resulted in a joint investigation by Marine and Coastal Management (MCM), SAPS, and the Department of Justice.

Non-consumptive activities

- Sardine run occurs along the east coast of South Africa.
- Permit system introduced to regulate viewing and filming of the run.
- Tiger shark diving at Aliwal Shoal MPA.
- MCM is the authority responsible for monitoring and policing both the consumptive and non-consumptive activities within the Aliwal Shoal MPA.
- Divers and dive operators are required to apply for permits.

Key Informant interviews

- Legal experts.
- Boat-based whale watching operators.
- Shark diving experts.

Conclusion

- There seems to a skewed focus on marine crimes where more emphasis is placed on prosecuting non-consumptive crimes as opposed to consumptive crimes that ultimately have a more adverse effect on the environment.
- A combination of poor implementation and policing, and corruption.

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THANK YOU

