

# National Report

## Nigeria

### 1. Context

Nigeria is a Federation consisting of 36 States and a Federal Capital Territory.<sup>1</sup> The legislative powers of the Federal Republic of Nigeria are vested in the National Assembly for the Federation, which entails a Senate and a House of Representatives. The National Assembly has power to make laws for peace, order and good government of the Federation or any part thereof with respect to any matter included in the Exclusive Legislative List set out in Part I of the Second Schedule to the Constitution of the Federal Republic of Nigeria 1999<sup>2</sup> (hereinafter in this document the “1999 Constitution”). According to item 29 of that list, “fishing and fisheries other than fishing and fisheries in rivers, lakes, waterways, ponds and other inland waters within Nigeria” fall within the remit of the Federation. Therefore, management of marine fisheries is the exclusive responsibility of the Federal Government.

#### 1.1 Institutional framework

The Federal Department of Fisheries (FDF) of the Federal Ministry of Agriculture and Rural Development (FMARD) is the federal institution responsible for the management of marine fisheries resources in Nigeria.

FDF does not have an in-house Legal Counsel and thus has to rely on the Legal Unit of the FMARD to deal with any fisheries-related legal matters, including drafting fisheries legislation and providing legal support for the ratification of fisheries-related international treaties.

FDF is headed by a Director of Fisheries. Four Divisions have been established under the FDF and include a Fisheries Monitoring, Control and Surveillance Division (FMCS Division) based in Lagos. The FMCS Division is divided into four branches: the Marine Fisheries Resources Monitoring and Control Branch, the Marine Surveillance Branch, the Fishing Vessel Monitoring and Tracking System Operation Branch and the MCS Advisory and Liaison Services (Networking) Branch.

To date, no formal mechanism has been established to foster cooperation and coordination between national agencies involved in fisheries law enforcement at sea and in port. However, in practice, there is some level of collaboration between FDF and the Navy and the Maritime Police. During the first Task Force meeting of the Fisheries Intelligence and MCS Support in West Africa Project<sup>3</sup>, it was agreed that Nigeria would establish a National Enforcement Unit on Illegal, Unreported and Unregulated (IUU) fishing. It is envisaged that this Unit would be composed of 6 members: FDF, the Nigerian Navy, the Nigerian Customs Service (NCS), the Nigerian Ports Authority (NPA), the Nigeria Maritime Administration and Safety Authority (NIMASA), and the National Bureau of Interpol (NCB). Other members

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<sup>1</sup> Sections 2 and 3 of the Constitution of the Federal Republic of Nigeria 1999

<sup>2</sup> Section 4 of the Constitution of the Federal Republic of Nigeria 1999

<sup>3</sup> This is a regional project funded by NORAD and benefitting FCWC member countries. The first Task Force meeting was convened in Accra, Ghana, in July 2015.

could be co-opted depending on the issues to be debated, notably, the Maritime Police (prosecution) and the Ministry of Justice.

There are currently 22 trained fisheries inspectors in FDF.

There are four major ports alongside the Nigerian coastline which are used by industrial and artisanal fishing vessels, namely, Lagos, Borokiri, Ebughu and Igbokoda. While fishing harbours have been established in the last three, there is no dedicated fishing terminal in Lagos port, which renders port control of fishing vessels more difficult. In addition, FDF does not assure a continuous presence in Lagos port as fisheries officers are not permitted to remain within the port area beyond their inspection duties. This restriction is in line with the global policy of the NPA aiming at streamlining the number of agencies authorized to establish an office within the port area.

## **1.2 Fisheries policy and legal framework**

### **1.2.1 International obligations**

The Federal Republic of Nigeria has ratified the 1982 United Nations Law of the Sea Convention (UNCLOS) in 1986 and the 1995 United Nations Fish Stocks Agreement (UNFSA) in 2009. To date, it has not yet ratified or acceded to the two other major binding international fisheries instruments, namely, the 1993 FAO Compliance Agreement and the 2009 Port State Measures Agreement (PSMA). It adheres to international best practices as reflected in the voluntary international fisheries instruments such as the 1995 Code of Conduct for Responsible Fisheries (CCRF) and the international plans of action adopted under its framework, including the 2001 International Plan of Action on Illegal, Unreported and Unregulated Fishing (IPOA-IUU).

Regionally, the Federal Republic of Nigeria has ratified the 1991 Convention on fisheries cooperation among African States bordering the Atlantic Ocean (ATLAFCO) in 1999.

The Federal Republic of Nigeria is a member of the International Commission for the Conservation of Atlantic Tuna (ICCAT)<sup>4</sup> and of the Fisheries Committee for the West Central Gulf of Guinea (FCWC). The former is a Regional Fisheries Management Organisation (RFMO), which has the authority of adopting binding conservation and management measures. As a result, the Federal Republic of Nigeria is required to incorporate the obligations stemming from these measures into its domestic law. To date, Nigeria is not exploiting its tuna fishery, but has plans to do so in the near future. Members of the FCWC have adopted the Convention on minimum requirements for access to the fishery resources of the FCWC area in 2013 and the Convention on the pooling and sharing of information and data of the FCWC area in 2014. Nigeria has yet to sign the latter and to transpose the provisions of these two conventions into its national law.

### **1.2.2 Fisheries policy documents**

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<sup>4</sup> The Federal Republic of Nigeria became a member of ICCAT in 2007. However, it started to attend ICCAT's meetings in 2012. Nigeria is part of Panel 1 on tropical tunas (yellowfin, bigeye and skipjack tunas) and Panel 4 on other species (bonito, swordfish, billfish, and other species).

A draft National Fisheries Policy (NFP) has been prepared and awaits review and approval by the National Assembly.

The draft NFP stipulates that the principal commercial marine species are over-exploited, including the shrimp fishery. The situation is further exacerbated by incidence of IUU fishing by both the national and foreign fleets (e.g. incursions in the Nigerian economic exclusive zone (EEZ) by unauthorized foreign-flagged fishing vessels). The annual demand for fish in Nigeria is about 2.66 million tons, whereas the local production is not more than 0.7 million tons. Therefore, there is a deficit of 1.1 million tons. In order to fill the gap, fish is imported. Nigeria is the largest importer of frozen fish in Africa. Fish is imported by reefers and increasingly by container vessels.

The overall goal of the draft NFP is to achieve increased domestic fish production from all sources on a sustainable basis to the level of self-sufficiency. Principal objectives of the draft NFD include:

- secure equitable percentage of the annual agriculture budget to reflect the sub-sectoral importance of food fish;
- establish an up-to-date fisheries information network system;
- promote the diversification of the resource base of industrial fisheries in order to target the under-exploited resources of the EEZ through special licensing concessions;
- pursue a deliberate policy of annual import reduction by 25% of fish and fishery products over a period of 5 – 10years.

One of the strategies to attain the objectives set out in the draft NFP is to promote the development of industrial fisheries. This would include the building of an industrial fishing terminal in the port of Kirikiri in Lagos. It is noteworthy that 80% of the industrial trawlers are based in Lagos and that 60% of all imported fish are landed in Lagos harbour.

It is also envisaged to start exploiting the tuna fishery in the Nigerian EEZ through partnerships with foreign private companies and through bilateral fisheries agreements.

The need to enhance monitoring, control and surveillance (MCS) of fishing activities and to improve fisheries law enforcement is recognized by FDF.

### **1.2.3 Fisheries legislation**

The main fisheries law is the Sea Fisheries Act 1992 supplemented by implementing regulations, including the Sea Fisheries (Licensing) Regulations 1992 and the Sea Fisheries (Fishing) Regulations 1992. Nigeria received support from the ACP Fish II Programme, funded by the European Union, to review and update its fisheries legal framework in the period 2011-2012. A draft Sea Fisheries Bill was prepared. The draft bill has yet to be presented to stakeholders before it can be submitted to the National Assembly for discussion and review. This will be done when funds will be made available to FDF.<sup>5</sup>

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<sup>5</sup> As of 28 July 2015, the 2015 FDF's budget had not been discharged by the Federal Government.

A final review of the draft Sea Fisheries Bill may be undertaken prior to being submitted to Parliament to ensure that issues related to IUU fishing have been adequately addressed, including introduction of port State measures.

## **2. Port State Measures Agreement**

FDF has recognized the importance of the PSMA in the fight against IUU fishing. However, it was felt that more information and additional time were needed for the FDF to make an informed decision on whether or not Nigeria should ratify the PSMA. Furthermore, the Legal Unit of the FMARD informed FDF that a recent study has shown that too many international treaties ratified by Nigeria have never been or been poorly implemented. As a result, from now on, the Federal Government not only requires that technical ministries prepare robust technical documents in support of treaty ratification, but also that they devise a clear strategy or action plan outlining the measures to be taken to ensure treaty implementation. Moreover, the Legal Unit suggested that a national workshop or information meeting with partner agencies (e.g. NPA, NCS, NIMASA and the Navy), key members of the National Assembly (e.g. Heads of relevant commissions) and other stakeholders be convened to explain the nuts and bolts of the PSMA and the strategy for its implementation. This participatory approach is intended to improve interagency cooperation and coordination for effective treaty implementation and is in line with good governance's best international practices.

### **2.1 Ratification process**

The principles and various steps of the treaty ratification process are found in the Constitution of the Federal Republic of Nigeria 1999 and the Treaties (Making Procedure, Etc.) Act 1993.

#### **2.1.1 Principles**

Nigeria is a Federal State and as such, treaty making in federation is within the jurisdictional purview of the Federal government.<sup>6</sup> The 1999 Constitution and the Treaties (Making Procedure, Etc.) Act 1993, however, do not spell out clearly which authority is responsible for treaty making with other nations. Section 1 (2) of the Treaties (Making Procedure, Etc.) Act 1993 provides that "All treaties to be negotiated and entered into for and on behalf of the Federation by any Ministry, governmental agency, body or person, shall be made in accordance with the procedure specified in this Act or as may be modified, varied or amended by an Act of the National Assembly". The Act needed to go further by specifying without any ambiguity who can negotiate a treaty on behalf of the Federal Government, whether the Minister, Permanent Secretary or Director General of an agency or the Minister heading the supervising ministry in charge of the agency.

Treaties are classified into three categories:

- a) Law-making treaties, being agreements constituting rules which govern interstate relationship and cooperation in any area of endeavour and which have the effect of

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<sup>6</sup> External affairs, which include treaty making, is among the matters contained in the Exclusive Legislative List set out in Part I of the Second Schedule to the Constitution of the Federal Republic of Nigeria 1999 (see item 26).

- altering or modifying existing legislation or which affects the legislative powers of the National Assembly; these treaties or agreements must be enacted into law;
- b) Agreements which impose financial, political and social obligations on Nigeria or which are of scientific or technological import; these agreements need to be ratified;
- c) Agreements which deal with mutual exchange of cultural and educational facilities; these agreements may not need to be ratified.<sup>7</sup>

According to this classification, the PSMA will fall within the category of law-making treaties.

The Federal Ministry of Justice is the depositary of all treaties entered into by the Federal Government of Nigeria

As clearly stated in section 12 of the 1999 Constitution<sup>8</sup>, Nigeria follows the dualist theory for the implementation of international law at the national level. This means that international treaties do not automatically become part of domestic law. It requires the enactment of an act of Parliament for the implementation of national law in Nigeria.<sup>9</sup>

### 2.1.2 Steps of ratification process

The ratification of a treaty, agreement or convention includes the following steps:

#### 1. Ratification

- a) Decision by FDF – FDF to decide whether Nigeria should ratify the PSMA;
- b) Inform the Legal Unit - FDF to inform the Legal Unit of the FMARD of its decision to initiate the ratification process;
- c) Advise the Attorney General's Office (AGO) – The FDF/FMARD to inform the AGO of its intention to ratify the PSMA;
- d) Preparation of a Cabinet Memorandum – A Cabinet Memorandum outlining the reasons underpinning the ratification of the PSMA is to be prepared by the FDF and the Legal Unit in consultation with the AGO. It should present the major provisions of the treaty to be ratified and spell out the benefits for the Federal Republic of Nigeria to ratify that treaty;
- e) Submission of Cabinet Memorandum to the President in Council - The Cabinet Memorandum together with the text of the treaty is submitted to the President in Council<sup>10</sup> for examination and deliberation;

<sup>7</sup> Section 3 of the Treaties (Making Procedure, Etc.) Act 1993

<sup>8</sup> Section 12 of the 1999 Constitution provides that “No treaty between the Federation and any other country shall have the force of law to the extent to which any such treaty has been enacted into law by the National Assembly”.

<sup>9</sup> For further consideration on the treaty making process in Nigeria, see: Dr. Olutoyin, B. I., “Treaty Making and its Application under Nigerian Law: the Journey so far”, International Journal Business and Management Invention, Vol. 3, March 2014, [www.ijbmi.org/papers/Vol\(3\)3/Version-3/B033307018.pdf](http://www.ijbmi.org/papers/Vol(3)3/Version-3/B033307018.pdf)

<sup>10</sup> Also known as the Federal Executive Council

- f) Decision by President in Council – The President in Council may approve or disapprove the ratification of the treaty considered. Upon approval, the conclusions of the President in Council are sent to the AGO;
- g) Instruments of ratification – The AGO prepares the instruments of ratification and submits them to the President for signature. The signed instruments of ratification are then sent by the AGO to the Depositary of the Treaty (the Director-General of FAO for the PSMA);
- h) Publication - The AGO gives notification on the conclusion of any treaty to the Federal Government Printer for the purposes of publication;

## 2. *Domestication of international treaties (known as process of transformation)*

- i) Preparation of enabling legislation – The FDF, in close consultation with the Legal Unit of the FMARD and the AGO, is to prepare an enabling bill to make the treaty part of domestic law;
- j) Submission to National Assembly – The enabling bill is to be sent to the National Assembly for discussion and approval. It should, *inter alia*, specify the mechanisms, procedures and measures to be put in place or to be adopted to ensure adequate implementation of the treaty.

## 2.2 Benefits to the Federal Republic of Nigeria to ratify the PSMA

### Consistency with Nigeria's international obligations

The Nigerian Federal Government has asserted its willingness to fight effectively against IUU fishing. As a member of ICCAT, Nigeria is involved, through the adoption and implementation of ICCAT recommendations, in the effort of this RFMO to eliminate IUU fishing in the Atlantic Ocean. The Nigerian Federal Minister responsible for fisheries, jointly with his peers, urged the FCWC members and the organisation to take all the measures necessary to fight against IUU fishing in the sub-region through the Accra Declaration<sup>11</sup> adopted by the Third Ordinary Session of the FCWC Ministerial Conference in 2009. As a member of FAO, Nigeria supports the declarations and efforts of this organisation to eliminate IUU fishing through, notably, the adoption of the IPOA-IUU in 2001 and the Model Scheme on Port State Measures to combat IUU fishing in 2005. These two voluntary instruments form the basis upon which the PSMA was devised. The ratification of the PSMA would therefore be in line with the Nigerian Federal Government's fisheries international commitments.

### Coherence with sectoral policy and strategy

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<sup>11</sup> It includes the implementation of the Regional Plan of Action against IUU fishing adopted by the FCWC.

While the ratification of binding international fisheries instruments is not specifically stated in the draft NFAP, it would nonetheless be consistent with the operational objective under the draft NFAP's Policy Area 1 aiming at combatting IUU fishing through more appropriate regulations and more effective monitoring, control and surveillance (MCS). The ratification of the PSMA would also contribute to improve regional cooperation and strengthen national cooperation and coordination between national agencies involved in fisheries law enforcement.

### Strengthening capacity

The PSMA recognizes the special requirements of developing States in relation to the implementation of port State measures consistent with the agreement (article 21). To this end, it provides that Parties, which are developing States, should receive assistance for the purposes of: (i) enhancing their ability to develop a legal basis and capacity for the implementation of effective port State measures; (ii) facilitating their participation in any international organizations that promote the effective development and implementation of port State measures; and (iii) facilitating technical assistance to strengthen the development and implementation of port State measures.

By ratifying the PSMA, Nigeria would be entitled to make a request for assistance to implement port State measures under article 21 of the PSMA. Financial and technical support will be made available once the PSMA will have entered into force.<sup>12</sup>

### Protection of fish export against trade measures

While Nigeria imports large quantities of fish to meet local demand, it also exports fish and fishery products (in particular shrimps<sup>13</sup>) to international markets, mainly to the European Union<sup>14</sup>. Should Nigeria decide to open its tuna fishery, it may also soon be in a position to export tuna to international markets. By ratifying the PSMA, the Nigerian Federal Government would send a positive signal to the countries where fish and fishery products from Nigeria are exported and thus demonstrate that Nigeria is committed to taking practical measures to strengthen its port control system so as to avoid that illegally-sourced fish or fishery products made out of such fish are landed or transhipped in Nigerian ports. This is crucial to secure long-term and continuous access of fish and fishery products from Nigeria to world markets. In this regard, one should keep in mind that the EU adopted Council Regulation (EC) No. 1005/2008 establishing a Community system to prevent, deter and eliminate IUU fishing (known as the EU IUU regulation) in 2008. This Regulation, which is designed to prevent illegally-sourced fish from entering the EU market, authorizes the EU to identify and list any third countries that it considers as non-cooperating in the fight against IUU fishing. Consequences of being recognized as a non-cooperating third country

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<sup>12</sup> The PSMA will enter into force thirty days after the date of deposit with the Depositary of the twenty-fifth instrument of ratification, acceptance, approval or accession (article 29).

<sup>13</sup> Principally peeled shrimps

<sup>14</sup> According to the figures provided by FDF, Nigeria exported: a total of 4,302 mt of fish and fisheries products, including 4,082 mt to the EU in 2010, a total of 4,674 mt of fish and fisheries products, including 4,376 mt to the EU in 2011, a total of 4,622 mt of fish and fisheries products, including 3,967 mt to the EU in 2012, a total of 4,661 mt of fish and fisheries products, including 4,118 mt to the EU in 2013 and a total of 4,576 mt of fish and fisheries products, including 4,156 mt to the EU in 2014.

include: (a) prohibition to export to the EU market fishery products caught by fishing vessels flying the flag of that country; catch certificates accompanying such products must not be accepted; (b) prohibition for EU Member States to authorize the conclusion of chartering agreements with such countries for fishing vessels flying their flag; and (c) prohibition of joint fishing operations involving fishing vessels flying the flag of an EU Member State with a fishing vessel flying the flag of such countries (article 8 of the EU IUU regulation). It is noteworthy that several countries<sup>15</sup> in the West African region have been pre-identified as non-cooperating third country under the EU regulatory framework. One of the reasons mentioned in the pre-identification notices was the failure by those countries to have ratified major international fisheries instruments, including the PSMA.

## **2.3 Implementation of the PSMA**

As was documented above, the current policy of the Nigerian Federal Government is to refrain from ratifying any new treaty, unless it is provided with a detailed plan of action laying down the measures to be taken to ensure an effective implementation of the treaty to be ratified. It is the responsibility of the FMARD and FDF to prepare such a plan and identify such measures.

### **2.3.1 Constraints**

The following constraints to the implementation of the PSMA have been identified:

- a) The port control system is not sufficiently robust. There is currently no foreign fishing vessels<sup>16</sup> authorized to fish in the waters under Nigerian jurisdiction. However, foreign-flagged reefers carrying imported frozen fish for local consumption use the port of Lagos to land their products<sup>17</sup>. The bulk of the national industrial fishing fleet, mostly shrimp trawlers, operates out of Lagos. While Lagos is the major fishing port in Nigeria, there is no dedicated fishing terminal making the control of fishing vessels and reefers more difficult. In addition, the FMCS Division is not allowed to maintain a team of fisheries inspectors permanently within Lagos port area as it is contrary to current NPA's policy. Moreover, information about offloading of fish consignments from container ships is not made readily available to the FMCS Division.
- b) There is a lack of cooperation and coordination between national agencies involved in law enforcement at sea and in port. There is little cooperation between the NPA and the FDF to ensure an adequate flow of information between these two agencies with respect to the movement of fishing vessels, reefers and container ships carrying fish consignments in and out of Lagos port. Neither is there much cooperation or coordination of effort with other agencies carrying out ship inspections in the

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<sup>15</sup> Togo and Ghana have both been pre-identified as non-cooperating countries under the EU IUU regulations.

<sup>16</sup> The notion of "fishing vessel" in this paragraph is to be construed in its narrow sense as referring to vessels harvesting fish. Thus, it does not include reefers or other support vessels that may be involved in fishing operations.

<sup>17</sup> Most reefers are operating under chartered agreements. They are issued with a category C licence in accordance with Nigerian sea fisheries regulations.



performance of their duties (e.g. NIMASA regarding the safety and seaworthiness of ships and NCS for the collection of duties on fish and fishery products<sup>18</sup>). Each agency sticks strictly to its mandate. There is no formal mechanism in place allowing inspectors from agencies other than the FDF to detect possible infringements of the fisheries law and inform the FDF in timely fashion. As mentioned above, there is some level of cooperation with the Navy, NIMASA and the Maritime Police for fisheries law enforcement at sea. But it seems that this is happening primarily on an *ad hoc* basis as there is no established mechanism to foster such cooperation.

- c) There is currently no strategic document to guide the FDF and FMCS' actions in the fight against IUU fishing.
- d) The principal marine fisheries legislation is out-of-date and as a result does not provide an adequate legal framework to address issues related to IUU fishing effectively.
- e) The FDF does not have an operational VMS to monitor the activities of fishing vessels and reefers licensed to operate within the waters under Nigerian jurisdiction and of Nigerian-flagged vessels authorized to operate outside these waters.
- f) The pool of trained fisheries inspectors is limited.

### **2.3.2 Strengths and opportunities**

The following strengths and opportunities have been identified:

- a) The Federal Republic of Nigeria has undertaken a review of the Sea Fisheries Act 1992 with the support of the ACP Fish II Programme over the period 2011-2012. Finalization of the draft law is one of the priorities of the FDF.
- b) As a FCWC Member State, Nigeria benefits from NORAD support through the Fisheries Intelligence and MCS support in West Africa project. This project should help Nigeria strengthen the effectiveness of its MCS system.
- c) Nigeria is in the process of developing a VMS. To date, a fisheries monitoring centre has been established and equipped. While no fishing vessel is fitted with tracking devices yet, it is the objective of the FDF to have an operational VMS in 2016.

## **3. Conclusions and recommendations**

In light of the above, it is clear that it is in the best interest of the Federal Republic of Nigeria to ratify the 2009 PSMA. This action would be consistent with Nigeria's international commitments and sectoral policy. Furthermore, it would send a positive signal to the

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<sup>18</sup> NCS has the mandate to collect custom duties on behalf of the Federal Government. The amount of duty to be collected with respect to fish and fish products is determined in relation to the volume of fish to be landed. Thus, it is part of NCS' routine work to assess the tonnage of fish consignments that are offloaded in Nigerian ports.

international community that Nigeria is fully committed to fighting IUU fishing. This is particularly important at a time where Nigeria is seriously thinking about exploiting its tuna fishery.

If FDF has recognized the importance of the PSMA in the fight against IUU fishing, it is of the view that additional information on the content of this agreement and on its implications for the country is needed prior to determine whether or not Nigeria should ratify the PSMA<sup>19</sup>. It was also suggested that a national workshop or information meeting with partner agencies, key members of the National Assembly and other stakeholders be convened to raise awareness, highlight the salient measures of the PSMA and present the strategy for its implementation.

While the Federal Republic of Nigeria enjoys some strength for the implementation of the PSMA, it is also confronted with a number of constraints. In particular, it is important that the Republic of Nigeria:

- complete the review of its fisheries legal framework;
- develop a strategic document to guide the actions of the FDF and FMCS in the fight against IUU fishing;
- improve the existing port control system;
- strengthen its MCS capacity.

To this end, it is recommended:

#### Legal framework

- a) that the FDF take all the necessary measures to ensure a swift completion of the fisheries legal review by presenting the draft Sea Fisheries Law to the stakeholders and by incorporating the ensuing agreed modifications in the draft law so as to submit it to the National Assembly for review and approval without undue delay. Since the preliminary draft was prepared in 2012, it is important that the Legal Unit of the FMARD reviews the draft law prior to its being presented to stakeholders to ensure that it is consistent with international law and addresses issues related to IUU fishing adequately.
- b) that the FDF prepare fisheries regulations to implement the new Sea Fisheries Act. It is critical that implementing regulations are adopted shortly after the enactment of the new fisheries law;
- c) that, once adopted by the Federal Executive Council, the FMARD and the FDF ensure that the Sea Fisheries Bill be examined by the National Assembly as a priority. This is particularly important in the Nigerian context where the fishery sector is not a priority of the Federal Government. Failure to exert adequate pressure on lawmakers by the MFARD may result in the Fisheries Bill not being examined by the National Assembly for months if not years.

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<sup>19</sup> It should be noted that, due to administrative constraints, representatives from Nigeria were unable to participate to the FAO regional workshop on the PSMA that was held in Cape Verde in July 2015.

### IUU strategic document

- d) to prepare a strategic document<sup>20</sup> to guide the action of the FMARD and FDF in the fight against IUU fishing. This document is intended to clearly identify IUU issues in Nigeria, set objectives and priorities, and defines strategic actions and technical measures to attain the set objectives. It should also include a monitoring mechanism to assess progress in its implementation and to allow for adjustments and introduction of corrective measures;

### Port control system

- e) that FDF start discussion with the NPA to ensure the continuous presence of fisheries inspectors within the Lagos port area;
- f) to strengthen interagency cooperation and coordination for effective port State measures in relation to fishing and fishing related activities. All agencies carrying ship inspections in Nigerian ports should be involved (NIMASA, NCS, NPA, Customs etc.). This would allow for a better flow and sharing of information in relation to fishing vessels between the various agencies and contribute to the effectiveness of the port control system;
- g) that adequate training be provided by the FMCS to “authorized officers” other than fisheries officers as defined under the fisheries law. This would broaden the pool of trained authorized officers and allow for higher level of inspections of targeted vessels based on risk assessment;

### Improve MCS capacity

- h) that the FDF take all the necessary measures to ensure that the VMS be operational by end 2016 and that all Nigerian-flagged industrial fishing vessels as well as all reefers licensed under the fisheries law are equipped with vessel tracking devices.

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<sup>20</sup> This strategic document may take different forms such as a national plan of action on IUU, a IUU strategy, or a MCS strategy.

## **Appendix 1 – Persons met**

### **Federal Ministry of Agriculture and Rural Development**

Mr. Aderemi Abioye	Fisheries Director, FDF, Abuja
Mr. Ibrahim Abubaicar	Fisheries Support Services, Assistant Director, FDF, Abuja
Mr. John Babatunde	Deputy Director, FDF, Abuja
Mrs. Olconji	Chief Fisheries Officer, FDF, Abuja
Mr. M. Ibrahim	Aquaculture), FDF, Abuja
Mrs. Mercy Otitel	Principal Fisheries Officer, FDF, Abuja
Mrs. Francesca Ojamiren	Principal Fisheries Officer, FDF, Abuja
Mr. Abubacar Ladan	Senior Fisheries Officer, FDF, Abuja
Mrs. Grace Ekanem	Head, Legal Unit, Abjua
Mrs. Rosemary Kogbodi	Legal Unit, Abuja
Mrs. Olabisi Adepegba	Deputy Director of Fisheries, Head, Fisheries Office, Lagos
Mrs. Aduke Kupolati	Director, MCS Division, Lagos
Mr. Papoola	Assistant Director, MCS Division, Lagos
Mr. Okpe	Chief Fisheries Officer, MCS Division, Lagos
Mr. Taiwo	Fisheries Officer, MCS Division, Lagos

### **Nigeria Maritime Administration and Safety Agency (NIMASA)**

Captain Waziri,	Director, Shipping and Development, Lagos
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### **Nigerian Ports Authority (NPA)**

Mr. A. Goje	General Manager, Management and Operations, Lagos
Mr. Obvude	Senior Manager, M&O, Lagos
Mr. A. Abubacar	Manager, M&O, Lagos

### **Nigeria Customs Service (NCS)**

Mr. Danaan	NCS, Apapa, Lagos
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