



MINUTES OF VANDERKLOOF FISHERY ADVISORY COMMITTEE

(APPROVED ON 18 JANUARY 2018)

MEETING INFORMATION

Objective:

Date: 08 June 2017
Time: 10:00 AM
Location: Boardroom at DWS Building, Vanderkloof

AGENDA

1. Welcome by Chairperson (DALRRD)

Welcoming of AG members by Ms. Ntombi Yende.

2. Attendance & Apologies

- **Attendance** register in Appendix 1.
- **Apologies:**
 - Mr. Thinus Jonker of Northern Cape Department of Agriculture, Land Reform & Rural Development - on leave in Zimbabwe.
 - Mr. Andre Swart of Northern Cape Department of Agriculture, Land Reform & Rural Development.
 - Mr. Dries Visser of the Department of Water and Sanitation. He has retired.
 - Mr. Abrie Coetzee of the Department of Water and Sanitation – on leave.
 - Ms. Roberta Burgess– Northern Cape Department of Agriculture, Land Reform & Rural Development.

3. Approval and/or corrections of Previous Meeting Minutes

Minutes of previous meeting (30 March 2017) approved without any objections.

4. Comment on the final draft of the Kraal Fishery Management Plan (Rhodes)

- Table 2, which contained names of AG members was removed and only Table 3 – which contains list of organizations represented in the AG remains. This decision is based on the fact that members may change but the organizations will likely stay the same.

- Figure 1: phase 2 of the operational protocol did not apply to the kraal fishery and the figure was adapted to fit the kraal fishery.
- Section 11, biological sampling will include determining the gonad state for bigger fish and fish weight will be determined by conversion.
- Total length of species listed in the EFMP will be aligned to the KFMP since it takes into account the latest information.
- It was agreed that the limit of largemouth yellowfish will be set at 5 fish per kraal per month, and thus equals to 55 largemouth yellowfish per month.
- It was agreed that the role of NC-DENC will be to ensure that permit conditions are adhered to, Rhodes University does not have the mandate to play that role. The role of the Fisheries Officer is to collect data.
- It was agreed that since the Kraal fishermen have been given ID cards that will enable them to access the security zone, those without cards will not be granted access. The fishermen representative will be elected prior and his details provided to DWS.
- The fishery Officer will be given an ID card and the Indemnity Agreement is applicable to Rhodes University and the Fishers.
- The final draft of the KFMP will be sent to AG members for final comments then it will be submitted to DENC for permit application
- Rhodes University and Masifundise have placed folders in the libraries (or public offices) in which soft copies of relevant documents (e.g. minutes of meetings and fishery plans) will be then made available for the fishers to peruse at their convenience.
- A meeting between DALRRD, Rhodes University, Masifundise and the "Top 6", regarding a few issues on the ground was held two days prior to the AG meeting, but the different parties could not reach consensus on the format of the meeting. This was brought up at the AG and it was announced that another meeting will be held on the Tuesday of the 13th of June 2017 to deal with those issues.

5. Progress on the experimental fishery planning (Rhodes)

- Rhodes University has appointed a Fishery Officer: Elethu Duna
- The second permit from NC-DENC is dependent on the finalization of the KFMP.
- Rhodes University presented a Rationalization Plan that will, for the time being, explore the fishery without a processing facility and fish shop. This plan proposes to sell the fish directly to fishermen who have freezers. The reasons for this plan are as follows: 1) the EIA process has not been finalized, 2) the financial separation from the fish shop is still unclear, pending the formation of a legal entity by the fishermen and 3) financial downsizing by government. There were no objections to the Rationalization Plan. Fishermen have the capacity to stock the fish and they also there is a shortage in the community of fish so there will be no access of fish due to the high demand.

- Rhodes University also presented a list of draft deliverables for this financial year, see Appendix 2. There were no objections to the deliverables.

5.1. Progress from SACRAA / SASACC on the Experimental Fishery

Report back from SACRAA / SASACC regarding DALRRD's assurance that the Experimental Fishery would be monitored correctly. It was decided by SACRAA and SASACC that they would go along with the project if 1) DEA issued a permit in support of the project, 2) DENC would give the assurance that upon non-compliance, their exemption would be withdrawn (DENC scientist will determine the level on non-compliance that would result in the withdrawal). The issue with DEA issuing a permit is the uncertainty about whether Rhodes University is an organ of state. Rhodes University legal department have stated that they are not an organ of state. It was suggested that the DENC / AG would request for a letter of endorsement for the project, without interrupting plan of the project.

6. Feedback from Masifundise / top 6 right to engagements with kraal fishers

MDT will have a meeting on Tuesday the 13th of June with the committees of the Kraal Fishers from the 3 towns to discuss the issues that have been raised with the AG by some of the fishermen.

7. ToR and CoC for the AG

- SACRAA / SASACC is happy with the changes to Clause 5 of the draft ToR and CoC (Appendix 3).
- Clause 7 must also include threatening remarks. AG members were not able to reach a consensus on what constitute as a threatening remark.
- It was agreed that Clause 13 of the previous draft should be removed because it is covered under Clause 10 – with few amendments to Clause 10.

8. Report back from DWS regarding the risk assessment report and lights below dam wall

- DWS needs the final KFMP in order to include the second kraal on the risk assessment report as well as the Indemnity Agreement. Legal team from DWS requesting permits from DENC for the Kraal Fishery
- Regarding lights below the dam wall. Delays were with supplier registration. DWS suppliers need to be registered on the Central Suppliers Database, which they have. Additionally, suppliers must also be registered with SAP, suppliers are currently under SAP registration process. After this process has been completed, DWS will be able to issue a purchase order.

9. Additional matters

9.1. Indemnity

The Indemnity Agreement is with DWS and their legal team for amendment to include the second kraal.

9.2. Word from World Forum for Fisher People

The WFFP thanked the AG for letting them sit in the meeting and also commended the good work done by the AG.

10. Next meeting and closure

- Next AG meeting will be on the 18th of January 2018.
- The next sub-committee meeting will be announced to the sub-committee by end of July.

Appendices

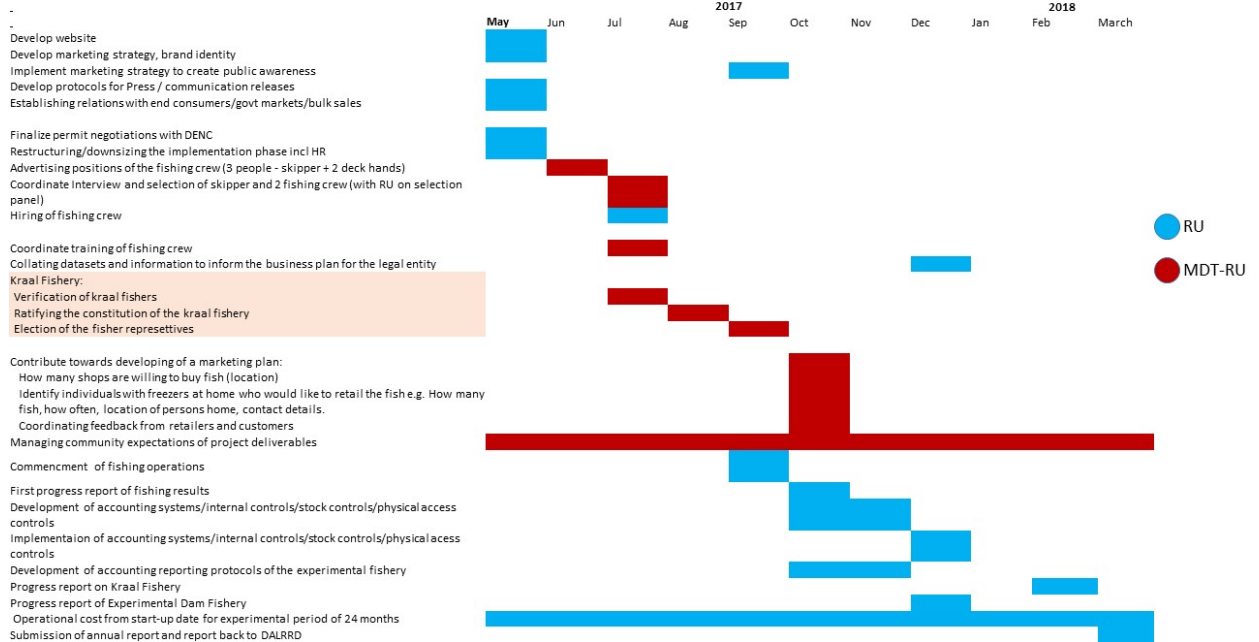
Appendix 1:

Name and Surname	Organization	Email Address	Contact No.
Aidan Wood	SACRAA/SASACC	tagfish@telkomsa.net	0828694939
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Appendix 2: Rhodes University Draft Deliverables

Experimental Fishery - Van der Kloof Dam, Northern Cape

Implementation Phase - Annexure A New SLA apr 18



Terms of Reference and Code of Conduct for the Vanderkloof Fishery Advisory Group

Background Information

The Vanderkloof Fishery Advisory Group (from here on known as the Advisory Group or AG) was convened in 2014 by the Provincial Department of Agriculture, Land Reform and Rural Development (DALRRD) to develop the management plans for an experimental fishery on the dam and the kraal fishery. In the absence of legislation or policy, at either provincial or national government that explicitly guides the process to develop inland small scale fisheries or even on how to manage existing traditional inland fisheries, DALRRD invited relevant stakeholders to constitute the AG to make the necessary recommendations and develop the management plans.

The AG is essentially a co-management structure and operates similar to the principals of co-management as outlined by the FAO. To date relevant stakeholders have been included (thus it is an inclusive process), it is democratic in its essence, consultative and transparent.

The overriding principals of the AG are not only based on FAO fishery principals, but also of the constitution of the country. Therefore, the development of small scale fisheries in South Africa is not only about addressing the biological or sustainability (environmental) issues, but also about addressing issues outlined in the constitution of the county, such as social justice, transformation, equity and human dignity. It's about recognising that sectors in our society were denied access rights to our natural resources and now creating the space that fosters equitable access to state resources.

Objectives of the AG

To develop fishery management plans that is based on scientific and sustainable principles, but is also socially acceptable (this is in the absence of legislation and policy with regards to small scale fishery development).

Terms of Reference (ToR)

1. To develop an experimental fishery management plan for the dam fishery.
2. To oversee the implementation of the experimental fishery.
3. To make adaptive management decisions during the duration of the experimental fishery based on scientific data as and when it is generated.
4. To develop a management plan for the kraal fishery.
5. To oversee the process in which scientific data is gathered for the kraal fishery project and then make adaptive management decisions.
6. To support the fishers (both kraal and experimental) to investigate and develop diversification of their operations (tourism, recreational fishing, marketing, etc.)

Code of Conduct (CoC)

1. Decisions by the AG will be reached by through a process of consultation and discussions. If at the end of this process a decision cannot be made, the DALRRD has the right to make the final decision. The DALRRD also has the right to defer the issue at hand to a subcommittee of the AG or to another government department.
2. Members that don't agree with decisions taken should ensure that it is recorded in the minutes.
3. Once the AG has signed the final versions of the fishery management plans, the various stakeholders agree to uphold the document and implement it to the best of their ability.
4. The AG is a not a "watch dog" forum, its primary objective is to develop and assist with building the capacity of the local community. Therefore, members of this forum need to engage in a way that is conducive in achieving the objective and Terms of Reference of the AG.
5. The inner workings, dialogue, and general communications of the AG is not meant for public consumption nor to be communicated to outside individuals as it is still work in progress and as such confidential. The only communications that can be circulated outside the group are approved minutes and the approved versions of the fishery management plans. No other information can be circulated outside the group unless it is approved by the AG chair.
6. If there are any challenges identified by members of the AG, the course of action is to bring it to the attention of the AG and then to allow the AG to take action if and when necessary. The person who identified the challenge to the attention of the AG must give the AG time to respond and implement a solution. It is not for any member of the AG to air grievances in the public (media) or even to threaten to do so.
7. Frank and robust engagements within the AG are acceptable. However, making personal, threatening and / or insulting remarks will not be permitted.
8. The subcommittee can include members of the AG and any organisation or person outside of the group that the chair may feel is relevant.
9. The chair of the AG will be a representative of the DALRRD or a representative of any other government department that DALRRD may decide to nominate.
10. The chair of the AG has the right to request any member of the AG to leave the meeting or even the AG itself, if their actions (or continued actions) is counter to the spirit of the AG, is disruptive, divisive or undermining the process. Additionally, members of the AG must declare any conflicts of interest. The AG can discuss what constitutes a conflict of interest or a threatening remark. Once the decision has been made, the Chairperson can ask the member to recuse themselves.
11. The chair of the AG has the right to caution any member of the AG with regards to their conduct in the meeting and or write to the organisation / department which that member is from and inform that their representative has been cautioned.
12. Members of the AG cannot take unilateral actions with regards to issues relating to or even impacting the experimental or the kraal fishery. Members of the AG must report any such intended actions to the AG and only when agreement has been reached can such actions be taken.

13. Further input from Masifundise: Should any member of the AG require input / information / response from an organization represented in the AG, such a request should be acquired from / through members of that organization in the AG.