

EAST AFRICAN COMMUNITY  
LAKE VICTORIA FISHERIES ORGANISATION



GUIDELINES FOR BEACH MANAGEMENT UNITS  
(BMUs) ON  
*LAKE VICTORIA*

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## **LIST OF ACRONYMS**

AIDS	Acquired Immune Deficiency Syndrome
BFPB	BMU fisheries Patrol Boat
BMU	Beach Management Unit
BMUC	Beach Management Unit Committee
CAO	Chief Administrative Officer
CBOs	Community Based Organizations
CAS	Catch Assessment Survey
CFO	Chief Fisheries Officer
DAS	District Administrative Secretary
DDC	District Development Committee
DFO	District Fisheries Officer
FAO	Food and Agricultural Organization
HIV	Human Immune Deficiency Virus
LVFO	Lake Victoria Fisheries Organization
MCS	Monitoring, Control and Surveillance
NGOs	Non Governmental Organizations
PDP	Parish Development Plans
PMEP	Participatory Monitoring and Evaluation Process
SI	Statutory Instrument
STDs	Sexually Transmitted Diseases
WDC	Ward Development Committee
WES	Ward Executive Secretary

## DEFINITIONS

“Assembly”: means, a formal gathering of all the registered Beach Management Units members.

*“Authorised Officer”: means, any person to whom authority to enforce the fisheries legislations and rules has been given in writing by the Director of/Commissioner for Fisheries.*

“Beach”: means, the geographical limit of the area of jurisdiction of BMU where fish is landed together with attendant settlements of riparian communities deriving services from the fisheries either directly or indirectly within a given Parish/Ward/Sub-location.

“Beach Management Units (BMUs)”: means, an Organization of *fisher folk at the beach* (boat crew/baria, boat owners, managers, charterers, fish processors, fish mongers, local gear makers or repairers and fishing equipment dealers) *within a fishing community.*

“Boat owner”: means, an individual or entity whose name appears in the current vessel license/vessel register.

“Committee”: means, members democratically elected by the BMU *Assembly* to perform specific tasks.

“Chairperson”: means, an individual, democratically elected by the BMU *Assembly* for the purpose of leadership of fisheries management of that beach.

“Charterer/Renter”: means, any individual or entity that leases or rents out a vessel for fishing operation.

“Chief Fisheries Officer”: means, the officer for the time being in charge of the Fisheries Department as defined in the Fish Act.

“Crew member”: means, an individual who goes in a boat for fishing operation.

*“Designated fish landing site”: means, places recognized by the Fisheries Departments, for the purposes of landing fish.*

*“Extension workers”: means, government or non-governmental technical staff working with communities.*

*“Fishing Community” :means, a group of persons living together in a locality and who derive their livelihood directly from fishing activities.*

*“Fish landing site”: means, the place along the beach where boats land for purposes of disposing off their catch.*

“Fisher”: means, an individual who is authorized to fish and takes part in fishing conducted from a fishing vessel, platform whether fixed or floating or from the shore.

“ Fisher folk”: means, all those persons engaged in fisheries activities.

“Fisheries”: means, *all fisheries activities, which* includes the management, catching, processing, and marketing of fish and other aquatic resources.

“Fisheries Act”: It is legislation enacted by an Act of Parliament for the management of fisheries resources.

“Fisheries Management”: means carrying out the tasks of determining access rights, harvesting regulations, market regulations, *quality assurance, conservation, reduction of post harvest losses*, monitoring, control and enforcement.

*“Fisheries Management Authority”: means, the legal institution, which has been assigned by a state with a mandate to perform fisheries management functions.*

“Frontline workers”: means, all extension workers and administrative staff below the Divisional level.

*Gazetted fish landing sites”: means, places prescribed by the Minister within which fish may be landed or disposed off.*

Local Government: means, Government administration other than Central Government.

“Manager/Supervisor”: means, an individual or entity, acting on behalf of the owner for the operation of a fishing vessel or a fishing operation.

# **GUIDELINES FOR BEACH MANAGEMENT UNITS (BMUs) ON LAKE VICTORIA**

## **1. INTRODUCTION**

Lake Victoria is the second largest lake in the world with a surface area of 68,800 km<sup>2</sup> – shared between Tanzania (51%), Uganda (43%) and Kenya (6%) – and has a shoreline of approximately 3450 km. More than 30 million people live in its 194,200 km<sup>2</sup> catchment and it is an important source of water for their domestic use, industry and small-scale agriculture. The lake is also an important transport corridor between the major towns along its shores.

The fishery of Lake Victoria is the most productive lake fishery in the world, with annual production estimated at 500,000 mt and worth US \$600 million. It also provides income and employment to over 175,000 full time fishermen (Frame Survey, 2002). However, there is evidence that the socio-economic benefits derived from the lake are already in decline. If these fisheries resources are to be exploited sustainably, they have to be managed more effectively.

### **1.1 Institutional Background**

The three Partner States sharing Lake Victoria formed a regional organization known as the Lake Victoria Fisheries Organization (LVFO). Its' objectives are to (i) Foster co-operation among the Contracting Parties, (ii) Harmonize national measures for the sustainable utilization of the living resources of the lake, and (iii) develop and adopt conservation and management measures to assure the lake's ecosystem health and sustainability of the living resources. It does this through a variety of institutional arrangements involving participants from the three Partner States.

Progress has been made on a number of fronts. Legislation, which is becoming increasingly harmonized across the three riparian states, aimed at prohibiting many of the fishing activities that pose the greatest threats to fish stocks and their sustainable use is in place. Unfortunately, these regulations are still too frequently violated by resource users and the threat to the sustainability of fish stocks continues.

Managers and decision makers responsible for the fisheries of Lake Victoria, like managers of many other major fisheries around the world, have recognised for some time that regulations can rarely be imposed from above, particularly where trained manpower and resources are in short supply. The approach now preferred is co-management.

Co-management is a partnership that harnesses the knowledge and capacities of those who have a shared interest in the sustainability of a fishery towards

promoting this common end. Central to this is the relationship between resource users and government but it includes the private sector (processors, net makers, ice manufacturers etc.) and civil society, each of which has critical potential contributions to make at different stages. Initiatives to promote co-management through the formation of resource user groups, known as Beach Management Units (BMUs), started in Tanzania in 1998. Their spread within the three riparian states has occurred – due to national differences in legislation, institutional arrangements and funding sources – at different rates and along differing pathways.

In recognition of the importance of accelerating the speed with which a network of BMUs around the lake is established and of the advantages of lesson sharing and greater harmonization of procedures, the LVFO set up the Fisheries Co-management Working Group. Its specific objectives are to:

- (a) Review the status of BMUs and co-management institutions in the Partner States;
- (b) Develop guidelines for establishment and operation of BMUs including the institutional structures (organs), functions of the different Organs, and members of BMU and BMU committees;
- (c) Propose mechanisms for building the capacity of BMUs to enable them to participate in management of fisheries;
- (d) Coordinate the establishment of co-management institutions to include all relevant stakeholders of the fishing industry of Lake Victoria;
- (e) Determine the different institutions to be included in co-management institutions and their functions;
- (f) Mobilise, sensitise and train fisherfolk in co-management;
- (g) Develop modalities for funding BMU activities and co-management institutions in general; and
- (h) Propose mechanisms for monitoring, evaluation of co-management operations and documenting the impact of co-management.

One of the first outputs from this Working Group are these Harmonized BMU Guidelines.

The document was developed by involvement of grass-root Lake Victoria fisheries stakeholders and through the governments administrative structures up to the regional level with the guidance of LVFO. It will be presented to the Council of Ministers of the three Partner States for approval. The document will then be taken back to stakeholders for their comments and testing before it is returned to the Council of Ministers for adoption.

## **1.2 Relationship of Harmonized BMU Guidelines to National BMU Guidelines**

In contrast to research, where common procedures are essential to produce comparable results, approaches to BMU support have to differ between the



Partner States to accommodate differences in their institutional and administrative arrangements. Accordingly, these Harmonized BMU Guidelines will not remove the need for National BMU Guidelines. Rather they are intended use the growing field experience with BMUs to provide a framework to encourage appropriate convergence between the procedures for BMU formation and support followed in the three Partner States.

### **1.3 Aims of the Document**

It is intended that these Guidelines will promote the empowerment and active participation of stakeholders at all levels in fisheries governance. In particular, it seeks to define how, through the creation and development of BMUs, fishers can manage and their own affairs more directly and involve them in the formulation and implementation of fisheries development plans that affect them.

The specific aims of this document are to:

- a) Increase awareness of the characteristics and importance of co-management for achieving the sustainable exploitation of fisheries resources on Lake Victoria
- b) Create a shared understanding on the membership of a BMU and the procedures for its formation.
- c) Clarify the composition of a BMU Committee (BMUC), the procedures through which its members are elected and those through which they can be removed.
- d) Define the roles and responsibilities of the BMU and the other organizations required to support it at different stages and with which it must interact.

## **2. CO-MANAGEMENT OF LAKE VICTORIA FISHERIES: PROSPECTS AND PITFALLS FOR BMUs**

An effective co-management arrangement is widely seen as being the best hope for the sustainable management of fisheries on Lake Victoria and the successful establishment of a network of BMUs around the lake is the first step towards this. While the value of achieving this goal is unarguable, there is still a considerable way to go and many difficulties can be anticipated along the way.

### **2.1 Fisheries Management in Lake Victoria**

Up until the late 1990s, the governments of the three Partner States sought to manage Lake Victoria's fishery resources using methods of direct command and control. A combination of high catch rates from the dramatically expanded Nile Perch stocks and high prices from international markets attracted levels of fishing effort (legal and illegal) that were unsustainable and, using the existing management approaches, uncontrollable.

It was realized by LVFO that Tanzania had initiated the involvement of all stakeholders in the management of fisheries resources on their side of the Lake and that the results had often been positive. This being a shared resource, LVFO then appealed to the three Partner States to embrace BMUs as the common foundation for a co-management approach to the management of Lake Victoria's fisheries.

## **2.2 Benefits of BMUs in Fisheries Co-management**

The primary advantage of co-management is that, within the right institutional and legislative framework, it allows the knowledge and understanding of all stakeholders to be reflected in the decision-making and their diverse capacities to be harnessed in implementation. This has the potential to improve the sustainability of fisheries resource exploitation, increase the efficiency of management and improve equity outcomes.

Resource users have a greater indigenous knowledge of their local environment and the fishing practices employed there than the distant administrators of a top-down system. Once so empowered, organised and motivated by a sense of ownership and funded through a share in revenue collection, this allows them to: respond to signs of local overexploitation or to damaging fishing activities; and, nationally, to lobby for appropriate changes in policy.

Seeking and incorporating the views of fishers on the design and implementation of management interventions also boosts the legitimacy of the agreed regulations. This increases the willingness of many fishers to adhere to them and to assist in ensuring that others do likewise, through local monitoring, control and enforcement. This increases both the level of resources devoted to this activity and the efficiency of the government's own activities. Increased local data collection/information exchange between resource users and government agencies also reduces government costs and further improves management decision making.

Co-management arrangements can enhance the position of disadvantaged groups by giving them direct representation in decision making. By empowering fisher communities and giving them access to the benefits that can be derived from collective action, they can also serve to increase the security of fisher livelihoods (by reducing thefts, piracy and inter-group conflicts), the potential sustainability of fishing activities (and hence catches), while improving value added (through better handling facilities) and prices obtained by fishers (through collective bargaining with traders). Furthermore, by acting as a focal point, community organisations can also enable service providers to build awareness and capacity across a wide variety of issues, such as HIV/AIDS, alternative income generating activities and savings mobilisation.

### **2.2.1 Background and Current status of BMUs in the Partner States**

While the general concept of BMUs has now been around for some time, there were (and to some extent still are) differences in the way in which this concept has been given form. Initially, there was no legal backing for BMUs and arrangements tended to be *ad hoc* compromises between alternative interpretations of the concept and the different local administrative structures into which BMUs needed to fit.

Kenya is in the advanced stage of fitting the BMU into her legal structure and has made considerable progress in forming BMUs, which replaced Beach Leadership Committees. The model used for BMU formation has changed over time. At first, BMU Executive Committees were formed through a straight election. The Draft Harmonized BMU Guidelines are currently being used to reconstitute some of these Committees. Redrafting of national legislation in support of BMUs is due to be completed in July 2005. There are now 306 BMUs in along the Kenyan shores of Lake Victoria, though these are at different stages of reformation.

In Tanzania, BMUs were established as sub-committees of the village sub-committee on security. Their composition was initially limited to 10-20 fishers with a commitment to conserving the fishery<sup>1</sup>. Their roles and responsibilities have since developed considerably, though legislation has not yet fully caught up with this. There was a large push to establish BMUs in 1998, with a total 555 being reached at one stage. However, a recent evaluation of the status in BMUs in Tanzania (conducted by the DFOs) indicated that there have been problems at many beaches, with 32% having to be disbanded completely and only 27% of BMUs still being considered active. There are now 424 BMUs on Lake Victoria in Tanzania.

Uganda is reviewing the 1964 Fish Act to incorporate BMUs into her legal structure. The Department of Fisheries Resources under section 43 of the Principal Act gazetted Fish (Beach Management) Rules 2003 No.35 to provide a legal framework for BMU establishment and operation. Awareness raising is ongoing to sensitize stakeholders at all levels about BMU formation and operations. However, though there has been recent progress supported by LVEMP, there are still only around 64 BMUs on the Ugandan section of Lake Victoria.

## **2.3 POTENTIAL RISKS FOR BMUs**

It is hoped that the model of BMU formation and development outlined below, when provided with the appropriate legal supports, will provide a robust basis for BMU governance that should ensure these institutions will most often perform as needed. It must, however, be recognised that the pre-conditions for success will

<sup>1</sup> Draft guidance and legislation would, once adopted, extend the BMU to cover all fishers.

not always be met. Fundamental to this will be balance of incentives facing both illegal fishers and BMU committees charged with restricting their activities.

For a variety of social, economic and ecological reasons fishers from some beaches engage in considerably higher levels of illegal fishing activity than those from others and adopting legal practices may be less rewarding or infeasible for different reasons. Here, the assembly of the BMU, may not seek to elect representatives that are committed to the eradication of illegal practices. Alternatively, if such individuals are elected, they may find themselves in sustained and often personal conflict with a sizable fraction of their relatives, neighbours or friends. It is believed that such conflicts, particularly over the removal of beach seines, may have contributed to the collapse of some BMUs in Tanzania; and similar conflicts can be expected elsewhere.

Such institutional failures are made all the more likely where there is no adequate reward to BMUs that are successful. Critical to this is their need to generate revenue that can support beneficial community activities or investments. Thus if local governments avoid giving BMUs a role in revenue collection or their fishers are landing their catches elsewhere, they may find their funding insufficient.

### **3. STRUCTURE OF THE BMU**

The way in which a BMU is constituted has a fundamental influence on how far resource users and other fisheries stakeholders have ownership of its actions or a commitment to its objectives. If the institution is seen to be unaccountable and serving narrow interests, it is unlikely to stimulate widespread adherence to rules or procedures. The procedures outlined below are designed to maximise the broad-based support for the institution by promoting democracy, equity, transparency and accountability.

A BMU is made up of the BMU Assembly and the BMU Committee that it elects.

#### **3.1 Membership of the BMU Assembly:**

- (a) BMU membership should be constituted by boat owners, crew members, managers/supervisors, chattering, artisanal fish processors and traders, fishing gear and equipment dealers /repairs, boat makers, agents of industrial fish processors and other fisheries related institutions operating at the particular beach.
- (b) To be a member of a BMU, a person must register him/herself and be vetted by the local authority/fisheries officer at inception having fulfilled the stakeholder criteria in (a) above.<sup>i</sup>
- (c) Non-citizens should be in possession of a valid work permit provided by the Immigration Department and must comply with requirements for non-

citizens in the National Fisheries Acts before they apply for membership of BMUs.

### 3.2 Membership of the BMU Committee

The BMU Committee will have 9-15 members democratically elected by the BMU Assembly. The committee will consist of the Chairperson, Vice Chairperson, Secretary, and Treasurer, plus any other post defined by National Guidelines or by the BMU Assembly. Sub-committees to be headed by members of the main committee may be formed as need arises and depending on the bye-laws of the BMU.

The representation of the BMU committee should be as close as possible to the following distribution:

- (a) 30 % boat owners;
- (b) 30 % crew (fishing labourers/barias who do not own boats);
- (c) 30% other stakeholder groups (including fish processors, boat makers, local gear makers or repairers, fishing equipment dealers and managers);
- (d) 10% fish mongers/traders.

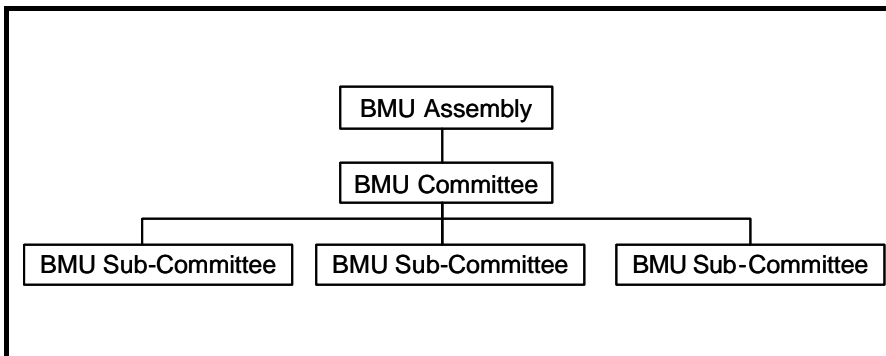


Figure 1 BMU Organogram

## **4. PROCEDURE FOR FORMING A BMU**

### **4.1 Guidelines on BMU Location**

- (a) All BMUs must be at a gazetted or designated fish-landing site.
- (b) BMUs will be located within existing local government boundaries.
- (c) Each BMU operational area will have a well-defined boundary agreed in consultation with local government/local fisheries staff.
- (d) A BMU must have at least 30 boats. A fish-landing site with this number or more can qualify as a BMU in its own right. Those with less than 30 boats must join with other landing sites nearby until this total is reached or exceeded. These landing sites will then form a joint BMU which will be registered under the name of the beach with the largest number of boats.
- (e) This formation of joint BMUs may sometimes be difficult for geographical or administrative reasons (for instance on some smaller islands). Here guidance will be provided by Local Government Administration and the Fisheries Department officials.

### **4.2 Step by Step BMU Formation Procedure**

The following steps should be taken during BMU formation:

#### ***Step 1: Awareness raising of political and technical officials***

Awareness raising/sensitization of Regional, National, District and Sub-county/Location/Ward governments, NGOs, FBOs, CBOs through workshops, meetings and dissemination of information (e.g. Fisheries Act and subsidiary legislations, BMU guidelines).

#### ***Step 2: Training of Change Agents***

Frontline extension agents (Government staff, NGOs, FBOs, CBOs) will be trained in the principles of co-management and in BMU operations so they can act as change agents.

#### ***Step 3: Awareness raising of communities***

Awareness raising of the Communities at all fish landing sites and village governments will be carried out by trained change agents supplemented by information through radio and documents.

#### ***Step 4: Identification of landing sites for BMU formation.***

Identify and seek agreement of communities, local and central government officials on the locations that qualify as gazetted/designated fish landing sites for the formation of the BMUs.

**Step 5: Registration of BMU members**

The District Fisheries Officers will coordinate and provide technical guidance during registration of stakeholders who qualify to be members of the BMU.

Registration books and forms will be used to record all members' details, using the format given in Annex I of these Guidelines. These will be provided through the office of the District Fisheries Officer and, on completion, will be verified by the signature of the Parish Chief/Assistant Chief/Ward Executive Secretary as the case may be.

The Registration book will be made available for inspection by any BMU member and government officials.

A complete list of BMU members will be publicly displayed at the respective fish landing site.

The BMU register will be updated annually.

At registration, the Returning Officer, through the Parish chief/Ward Executive Secretary/*Fisheries Officer in-charge*, will inform all BMU members of the date, time and venue of the election of the BMU Committee.

**Step 6: Decision on Number of BMU Committee Members and Posts**

The Returning Officer (CAO/DAS/DFO), will call a meeting of the BMU Assembly to determine the number of BMU Committee members and office bearer positions. The Returning Officer will give prior notice of the date, time and venue of the meeting.

The number of BMU Committee members will be 9-15. The BMU Assembly will determine the number of posts on the BMU Committee but each committee must have those posts indicated in section 3.2 above.

**Step 7: Nomination Procedure**

BMU Committee members shall be nominated during the meeting called to agree on the number of posts (Step 6:).

A person shall qualify for election as BMU Committee member if that person:

- (a) Is a citizen of the country where the beach is located;
- (b) Is ordinarily a resident of that beach for not less than one year;
- (c) Is 18 years of age and above;
- (d) Is a registered Beach Management Unit member in that beach;
- (e) Is able to read and write;
- (f) Ardent conservation of the fishery resources and does not engage in illegal fishing activities;

- (g) Is of sound mind.
- (h) Has no criminal conviction.
- (i) Has a minimum of five proposers/seconders from their stakeholder group (boat owners, crew members, fishmongers and others).

In each stakeholder group, all nomination forms are completed within two weeks prior to the date of the BMU Committee election.

The three nomination forms provided in the Annex II of the BMU Guidelines will be issued to candidates competing for committee membership through the returning officer.

Completed forms will be submitted to the Parish chief/Ward Executive Secretary/*Fisheries Officer in-charge*.

**Step 8: Election of BMU Committee Members**

- (a) The BMU Committee will be elected at a meeting of the BMU Assembly;
- (b) The *Director of Fisheries*/District Administrative Secretary/Chief Administrative Officer shall be the Returning Officer and may delegate to the District Fisheries Officer/WEO/Sub-county Chief who may delegate to Fisheries Officer/VEO/ Parish Chief;
- (c) The BMU Committee will contain the number of members agreed in Step 6:.
- (d) The BMU Committee will include all those posts indicated in section 4.2 and any others agreed by the BMU Assembly.
- (e) All elections must be held between 7.00 am to 6.00 pm.

There are two (2) rounds in the election process:

In the first round, each stakeholder group (boat owners, crew members, fishmongers and others) will form an electoral college to elect their own representatives as committee members.

- (a) The Returning Officer will appoint one polling assistant to supervise elections in each stakeholder group.
- (b) Voting will be by secret ballot
- (c) The number of committee members selected by each electoral college must be in accordance with the percentage composition set out in section above;
- (d) Where a BMU incorporates more than one fish-landing site, BMU Committee membership should be drawn from all landing sites forming the BMU according to a formula devised by the Returning Officer. This formula should seek to ensure that the Committee reflects, as far as possible, the relative size of the different landing sites.



After round one, the Returning Officer will convene and preside over the BMU Assembly to announce the results and open nominations for round two.

On the same day, there will be a second round of voting by the BMU Assembly to elect the office bearers from among the newly elected committee members.

- (a) A committee member can be nominated for more than one post.
- (b) The three forms provided in Annex II of these Guidelines will again be completed.
- (c) The election process commences from the nominations.

After round two, the Returning Officer will announce the results to the BMU Assembly.

The records of those voting and the nomination forms will be kept and stored safely by the Returning Officer to ensure accountability.

**Step 9: *BMU Rules of Procedure***

In addition to the standard operating procedures provided in these guidelines, each BMU is required to make its own rules of procedure which are in line with the national fisheries' acts, to govern its internal operations. These rules of procedure must be made within three months from the date of BMU Registration.<sup>ii</sup>

**Step 10: *Oath of the Chairperson***

The Chairperson so appointed shall before assuming his/her duties take an oath before a magistrate in the presence of the CAO or his/her appointed representative in the form prescribed in Annex IV below.

**Step 11: *BMU Capacity Building***

In order to establish an effective lake-wide network of BMUs, substantial capacity building is required. The Fisheries Department in collaboration with BMU committees and other agencies should facilitate the identification of the training needs and training providers.

## **5. OPERATING A BMU**

### **5.1 Meetings of the BMU**

The Chairman should convene and preside over a BMU Assembly meeting at least once every three months and over a BMU Committee meeting at least once every month.

The BMU Committee shall, in consultation with the BMU Assembly, develop Guidelines, Rules and Procedures for the conduct of the BMU. These require the

approval of at least one third of the registered BMU members at a meeting of the BMU Assembly.

## **5.2 Role of the BMU Assembly**

- (a) The BMU Assembly is the supreme organ of BMU;
- (b) It is empowered to elect, approve and remove the BMU Committee members;
- (c) BMU management and development plans, budgets, audited accounts and bye-laws must be presented to the Assembly by the BMU Committee for approval.

## **5.3 Disqualification of a BMU member**

A BMU member shall be disqualified on the following grounds:

- (a) If is a habitual offender in fisheries malpractices; or
- (b) Repeatedly displays behaviour damaging to BMU objectives.

Reasons for disqualification must be given to a BMU Assembly meeting and approved. Dismissal will be effective once approved during the General Assembly meeting with sound reasons presented and two thirds of those attending the meeting in favour of the dismissal. The member must hand in his/her identity card to the BMU committee and should not be allowed to continue operating at the given beach.

## **5.4 Role of the BMU Committee**

The BMU Committee derives its powers from and serves the BMU Assembly.

### **5.4.1 General role of the BMU Committee**

The BMU Committee will perform the following functions:

- (a) In collaboration with central government or local government, maintain and keep a register of all boat owners and their fishing equipment, fishers and BMU members operating from the beach.
- (b) Decide on local markings for identification of fishing gears and outboard engines by licensed fishers;
- (c) Participate in vetting of boat owners and fishers for licensing and, in collaboration with government officials, ensure licenses are granted to those registered with the BMU;
- (d) Propose bye-laws for endorsement by the District Authorities and enforce them;
- (e) Identify fish breeding areas on the basis of indigenous knowledge and identify and clearly demarcate prohibited fishing zones;
- (f) Undertake Monitoring, Control and Surveillance in collaboration with the relevant authorities;

- (g) Assist in the collection of data for Frame Surveys, catch monitoring and socio-economic investigations, using agreed formats;
- (h) Inspect and record visiting boats and give permission to land where appropriate;
- (i) Improve sanitation and hygiene at landing sites (see Annex V).
- (j) Network with other BMUs to ensure marketing and fair pricing of fish and fish products;
- (k) BMU committee should be part of the development organ in their areas of jurisdiction;
- (l) Preparation of annual workplans, budgets and present them to the BMU Assembly for approval;
- (m) Formulate funding proposals, make financial reports and present them to the BMU Assembly for approval.

#### **5.4.2 Role of the BMU Committee Office Bearers**

##### ***Role of the Chairperson***

- (a) BMU Chief Executive Officer;
- (b) Convene and preside over BMU Assembly and BMU Committee meetings;
- (c) BMU spokesperson;
- (d) The Accounting Officer of the BMU.

##### ***Role of the Secretary***

- (a) Convenes meetings after consultation with the BMU Chairperson;
- (b) Minute clerk to the BMU Assembly and BMU Committee;
- (c) Keeping minutes of BMU meetings and all BMU correspondence;
- (d) Writing monthly, quarterly and annual performance reports for submission to the BMU Assembly;
- (e) Keep and update all records of BMU members, fishers, equipment, statistics and other records.

##### ***Role of the Treasurer***

- (a) Prepares and makes payments authorized by the BMU Committee;
- (b) Keeps BMU financial transactions and Books of Accounts;
- (c) Receives cash and make deposits to BMU Bank Account;
- (d) Keeps records of assets and liabilities of the BMU;
- (e) Prepares monthly, quarterly and Annual BMU Financial Reports (Revenue and Expenditure); and
- (f) Submits financial reports to the BMU Committee and the BMU Assembly for scrutiny and approval.

#### **5.5 Disqualification of BMU Committee Members**

A BMU Committee Member may be removed on the following grounds:

- (a) Is medically proven to be of unsound mind;
- (b) Fails to attend six consecutive meetings;
- (c) Engages in illegal fishing activities;
- (d) Fails to perform adequately the duties required of their office;
- (e) Fails to call BMU Assembly meetings for six months (or less as determined by the Assembly);
- (f) Is convicted for criminal offence.

A BMU Assembly meeting to consider the dismissal of any Committee Member (including the Chairperson) can be called by the office of the District Fisheries Officer (DFO) in response to a written request, signed by a third of the registered BMU members and citing the grounds for dismissal. The Committee Member will be dismissed if a secret ballot of those attending the BMU Assembly shows at least two thirds are in favour of this. The District Fisheries Officer will write a dismissal letter, copied to the Director of Fisheries/Commissioner for Fisheries, Chief Administrative Officer and Sub-county chief.

The dismissed Committee member, including the Chairperson, will have 15 days from the date of dismissal, in which to lodge an appeal to the Commissioner/Director for Fisheries copied to the Returning Officer. The decision of the Director/Commissioner for Fisheries will be given within thirty day's of receipt of the letter of appeal and will be final. The Chairperson so dismissed should return his Authority Card to the issuing office.

## **5.6 Finances and Acquisition of Assets**

### **5.6.1 Funding BMU Activities**

The BMUs will generate some of the funds from the fisheries industry for funding their operations. Some of the possible sources of funding include:

- (a) Membership fee, as approved by the BMU Assembly;
- (b) Where a country operates a fisheries tendering systems, BMUs may compete to operate such tenders;
- (c) Service charges on the use of BMU assets;
- (d) Landing site user fees;
- (e) Fines levied for infringements of bye-laws;
- (f) Establishment of micro-projects e.g. transport of cargo/passengers, fishing project for income generation.

### **5.6.2 BMU Assets**

The BMU can acquire assets but the BMU Committee must first seek approval of the BMU Assembly before acquisition of asset.

### **5.6.3 Management of BMU Finances and Assets**

- (a) A BMU should establish a bank account and financial management system to support its operations;
- (b) The signatories on the BMU account should be the Chairperson, Treasurer and any other Committee Member endorsed by the BMU Assembly.
- (c) The annual operating budget of a BMU should be approved by the Assembly;
- (d) A BMU must keep records of their assets and liabilities;
- (e) BMU accounts must be maintained in a form that allows them to be audited by an appropriate institution

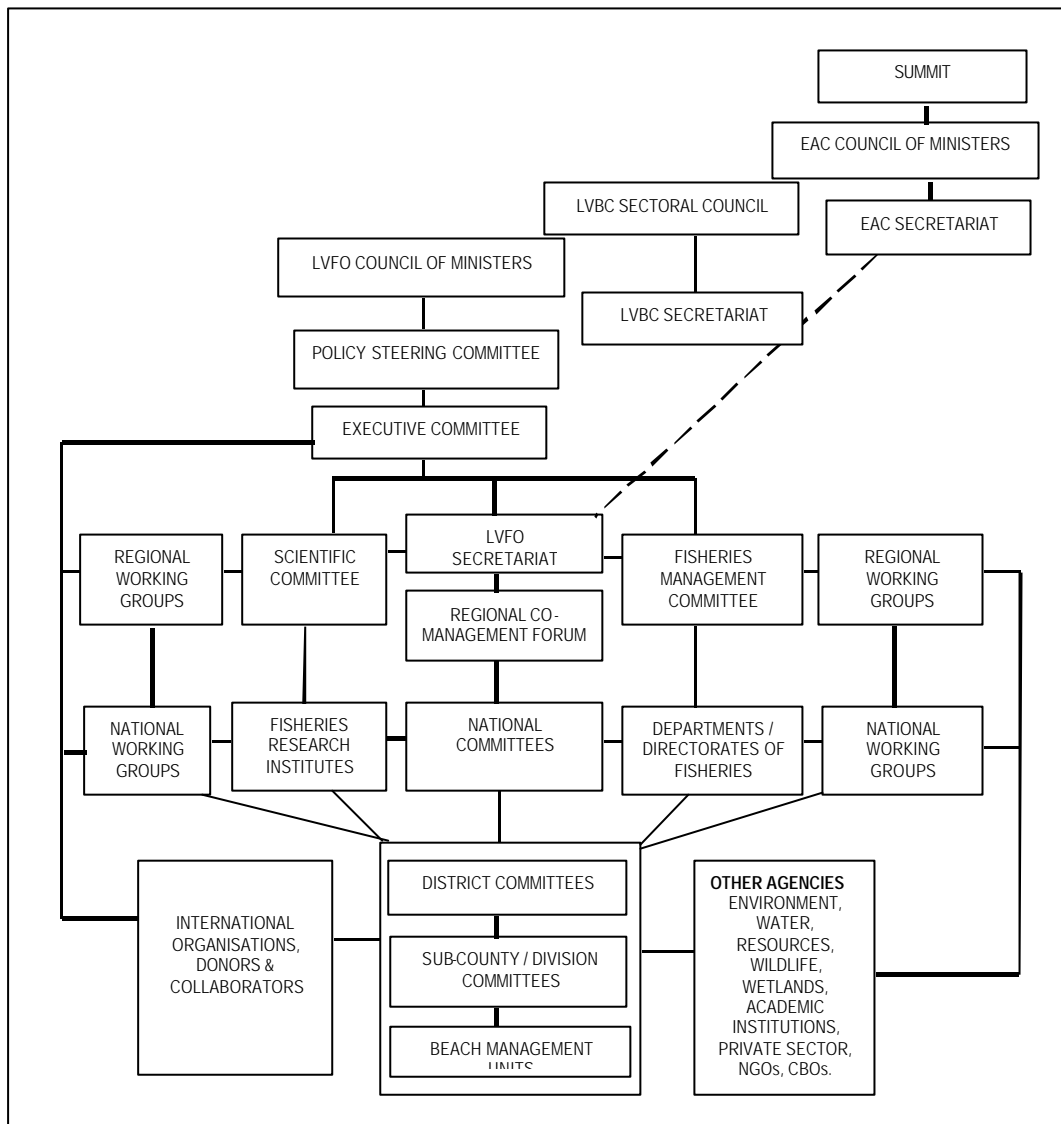
### **5.7 Formation of Higher BMU Associations.**

The BMU may associate with other BMUs to form higher BMUs for purposes of developing lake wide management plans.

## **6. LINKAGES WITH OTHER STAKEHOLDERS**

The BMU Committee *shall in the performance of its functions consult and cooperate with local governments, relevant agencies of central government and lead agencies*

For effective participation of various stakeholders in fisheries co-management, each party must understand its own role, that of others and the relationship and links between them. The roles by various stakeholders are summarized below:



**Figure 2 Institutional Linkages for Co-management of Lake Victoria Fishery**

### 6.1.1 The Role of the Fisheries Departments

The Department of fisheries is vested with overall responsibility for fisheries administration, which includes:

- (a) Policy formulation and issuance of policy guidelines, formulation of fisheries legislation and enforcement at national level.
- (b) Provide technical assistance for fisheries development to various stakeholders;
- (c) Set standards and prepare guidelines to ensure fish quality and safety;
- (d) Design fisheries information collection systems for implementation by relevant Local Authorities/Government Departments and BMUs;

- (e) Issue registration certificates to BMUs and monitor their performance.
- (f) Mobilize donor support for development projects.

#### **6.1.2 The Roles of Local Authorities and District Technical Staff**

- (a) Implementation of national fisheries policies and ensure enforcement of fisheries laws and regulations in partnership with resource users;
- (b) Production of development plans and access to central government grants to support, among others, capture fisheries and post-harvest fisheries sector;
- (c) Assist in resolving of conflicts between resource users and within lower level co-management institutions;
- (d) Support the development of BMUs through awareness raising and training programs;
- (e) In collaboration with BMUs, develop and implement fisheries management plans;
- (f) Approval of BMU bye-laws and assist in implementing ordinances and bye-laws;
- (g) Monitor and evaluate the performance of the BMUs in accordance with prescribed performance criteria issued by Department of Fisheries;

#### **6.1.3 The Roles of Research**

- (a) Disseminate research results to guide development of fisheries management strategies.
- (b) Develop appropriate technologies for sustainable fisheries management e.g. curbing post harvest losses, improved aquaculture and acceptable fishing methods.
- (c) Develop appropriate control measures for invasive aquatic weeds;
- (d) Provide information to guide co-management and socio-economic development of the fishing communities.

#### **6.1.4 The Roles of NGOs**

- (a) Train BMUs and local government, based on training needs assessment;
- (b) Participate in co-management institutions at all levels;
- (c) Disseminate information on co-management and fisheries technologies;
- (d) Provide credit support on appropriate; gears, fishing methods, boat designs, propulsion and processing technologies;
- (e) Assist fishing communities in developing their savings capacity;
- (f) Assist with the development of alternative income generating activities within fishing communities;
- (g) Provide some rural development services e.g. schools, dispensaries, etc.;
- (h) Advocacy for fisheries stakeholders' rights and positively influence national policies and laws;
- (i) Advocacy for control of HIV /AIDS and other STDs within fishing communities;
- (j) Advocacy against child labour,.

### **6.1.5 The Roles of Development Partners.**

- (a) Advise governments and BMUs on long-term development strategies.
- (b) Assist governments to build capacity of BMUs through fisheries research and management.
- (c) Support and strengthen NGOs in fisheries management and development;
- (d) Support in strengthening relationships among border fishing communities;
- (e) Provide resources to assist in the implementation of plans and programmes.

## **7. MONITORING BMU PERFORMANCE.**

### **7.1 Participatory Monitoring and Evaluation Process (PMEP)**

The entire BMU membership should participate in monitoring and evaluating their performance. At the end of each year the BMU Assembly should look at what they had set out to achieve in their annual work plan, how much has been achieved and reasons for non-achievement. This should be recorded and guide the BMU in developing subsequent plans.

### **7.2 External Monitoring and Evaluation of BMU**

Monitoring will be at different levels of governance including; internal monitoring, (BMU) and external monitoring (district level, national fisheries departments and at the regional level). A checklist to guide the external Monitoring and Evaluation of the BMU performance is provided in Annex VII. All BMUs should be monitored by District Fisheries Officer/District Administrative Secretary/Chief Administrative Officer at six monthly intervals after initial establishment or major restructuring. The monitoring interval can be extended to 12 months for those BMUs that are found to be making satisfactory progress.

## **8. Adoption and Review of the Guidelines**

The draft guideline will undergo a process of review by the different stakeholders before being processed through different organs of LVFO and finally adopted by the LVFO Council of Ministers. The guidelines once adopted by the Council of Ministers will be passed to the Partner States for implementation. Thereafter guidelines will initially be reviewed after two years and thereafter every four years, when any modifications necessitated or allowed by changes in National legislation and National Guidelines can be incorporated.



**Annex I. Annual Register Form for BMUs**

**Form 1**

**ANNUAL REGISTER FORM YEAR \_\_\_\_\_ BMU**

**District: ..... Sub-county /Division.....**

**Parish / Location/Ward..... Village: .....**

**Registration form for BMU MEMBERS**

No.	Name of Member	Nationality	Occupation	Age	Sex

**Form 2**

**ANNUAL REGISTER FORM YEAR \_\_\_\_\_ BMU**

**District: ..... Sub-county /Division.....**

**Parish / Location/Ward..... Village: .....**

**Registration Form for Boat Owners and Fishing Equipment**

No.	Name of Boat Owner	Reg. No. of Boat	Previous landing of operation	Type of Boat	Size in Meter	Intended Use (Fishing/trans port)	Type of gear	Number of Gear	Gear sizes	Outboard engines			Gear Markings	Principal Target Species
										Model	Hp	Serial Number		

**Annex II. Nomination Forms for Elections**

ELECTION OF BMU  
CHAIRPERSON/COMMITTEE MEMBER

NOMINATION FORM FOR ELECTIONS

*Form 1*

NAME OF BMU:.....

DISTRICT:.....SUB-COUNTY/DIVISION:.....

PARISH/VILLAGE:.....

We the undersigned, being registered members, nominate the under mentioned person as a candidate for the position of .....

Candidate's Surname	Other Names	Place of Residence	Occupation	BMU Registration Number	Age	Sex

	Name	Place of Residence	BMU Registration No.	Signature
Proposer	_____	_____	_____	_____
Secunder	_____	_____	_____	_____

We, the undersigned, being registered members, support the foregoing nomination.

	Name	Place of Residence	BMU Registration No.	Signature
1	_____	_____	_____	_____
2	_____	_____	_____	_____
3	_____	_____	_____	_____
4	_____	_____	_____	_____
5	_____	_____	_____	_____
6	_____	_____	_____	_____
7	_____	_____	_____	_____
8	_____	_____	_____	_____
9	_____	_____	_____	_____
10	_____	_____	_____	_____

Form 2  
ELECTION OF BMU

CHAIRPERSON OR COMMITTEE MEMBER

NAME OF BMU: .....

DISTRICT:..... SUB-COUNTY/DIVISION:.....

VILLAGE:.....

PROPOSED BMU CANDIDATE

I, ..... Consent to my nomination as a candidate for  
the position of .....election and my name and place of residence  
for serving papers are

.....  
Name in full (Block Capitals)

Place of Residence .....

Date ..... Candidate's Signature .....

Form 3

DECLARATION OF A PERSON SEEKING TO BE NOMINATED AS A CANDIDATE FOR ELECTIONS AS

..... AT ..... BMU.

DISTRICT:.....

SUB-COUNTY/DIVISION:.....

VILLAGE:.....

I, ..... Declare that:

I am a citizen of .....

I have been ordinarily resident at .....Beach for at least one year.

I have attained the age of 18 years.

I am registered as a member of ..... Beach with registration number .....

I can read and write.

I do not undertake illegal fishing practices.

I am of sound mind.

I am not a convicted criminal.

I declare to the best of my knowledge the above information is true and correct on this ..... day of ..... 20.....

.....  
Candidate's Signature

**Annex III. BMU Certificate of Registration**

THE REPUBLIC OF .....

FISH/ FISHERIES ACT

BMU CERTIFICATE OF REGISTRATION

This is to certify that .....BMU of  
..... Beach of ..... village  
.....Parish/Ward.....Sub-county/Division  
..... District  
is registered this .....day of .....20.....  
as a BMU (BMU), Registration No. ....

Having fulfilled all the requirements under the Fish/Fisheries Act and the BMU Guidelines 2004.

.....  
Chief Fisheries Officer/*Director of Fisheries.*

**Annex IV. Oath of Swearing in of BMU Chairperson**

**Oath of Swearing in of BMU Chairperson**

“I, ....., do sincerely and solemnly promise and swear that I will be faithful and bear true allegiance to the Sovereign State of ..... and that I will faithfully serve the Government of ..... In the office of BMU Chairperson of .....BMU .....Village .....Sub-county/Division .....District. So help me God.”

**Signed:**

**Magistrate :**

**Name .....**                      **Signature:**  
.....

**BMU Chairperson:**

**Name: .....**                      **Signature:**  
.....

## **Annex V. Safety Guidelines for Fishing Operations**

1. The BMU shall ensure:

- a) Fishers and fish transporters shall at all times use life saving devices such as life jackets and life buoys during fishing operations;
- b) The vessels used in fishing transport must be sea-worthy, have a water line clearly marked and shall not be loaded above the water line.

2. BMU shall ensure the integration of local fishing vessels into search and rescue operations.

## **Annex VI. Fish Quality Assurance and Sanitary Guidelines for the Beach**

### **FISH QUALITY ASSURANCE AND SANITARY GUIDELINES FOR THE BEACH**

1. Requirements for Handling Fish
  - a) Fishing vessels and fish transport boats shall always be cleaned and well maintained;
  - b) Fish transport boats shall not be used for transport of people and other cargo;
  - c) Fish shall be handled properly to prevent contamination, spoilage and preserve wholesomeness;
  - d) Fish shall not be placed on the bare ground/dragged along on the ground;
  - e) Fresh fish shall be properly iced after catching, transshipment and during transportation in clean containers;
  - f) Persons handling should not have open wounds or cuts in the hands and rest of body.
  - g) Should have a health certificate.
  
2. Requirements for Fish Landing Sites
  - a) There shall be sufficient toilet facilities for operators at the fish landing site;
  - b) There shall be portable water;
  - c) There shall be suitable unloading, display, and landing facilities for fish which shall be kept clean;
  - d) There shall be suitable and clearly marked areas for waste disposal.
  
3. All persons at the beach shall use toilets for human waste disposal.
  
4. BMU shall establish and maintain hygienic and sanitary conditions in the beach.



**Annex VII. BMU Monitoring Forms**

**BMU MONITORING FORM**

**MONITORING & EVALUATION OF BMUS**

NAME OF BMU: \_\_\_\_\_ WATER BODY: \_\_\_\_\_

DISTRICT: \_\_\_\_\_ SUB-COUNTY/WARD/ LOCATION: \_\_\_\_\_

PARISH: \_\_\_\_\_

NAME OF MONITOR: \_\_\_\_\_ POST OF MONITOR: \_\_\_\_\_

MONITOR'S EVALUATION OF BMU (ring one of the three grades below):

Good                      Satisfactory                      Not satisfactory

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECOMMENDED ACTIONS:

MONITOR'S SIGNATURE: \_\_\_\_\_

Impact/indicator	Information Source	Score	Comments
<p><b>1. Administration</b></p> <p>1.1 All fisheries stakeholders listed in BMU register</p> <p>1.2 BMU Committee meetings held at least once a month</p> <p>1.3 BMU Assembly meetings held at least once a quarter</p> <p>1.4 BMU Committee includes 30% boat crew and appropriate Youth and Women's Secretaries.</p> <p>1.5 Views of women &amp; boat crew expressed in BMU committees.</p>	<p>Check fisheries operators &amp; BMU register.</p> <p>BMU minutes of meetings</p> <p>BMU meetings</p> <p>BMU application form submitted to CFO/Director of Fisheries.</p> <p>BMU minutes of meetings</p>		
<p><b>2. Financial management system</b></p> <p>2.1 BMU Bank Account Operating</p> <p>2.2 Cash book balance monthly</p> <p>2.3 All income and expenditure Recorded</p> <p>2.4 Quarterly &amp; annual financial reports show detailed balance sheets</p> <p>2.5 Quarterly and annual budgets approved by BMU Assembly</p> <p>2.6 Annual audit of accounts undertaken</p>	<p>Bank book, statements</p> <p>Ledger book</p> <p>Ledger book</p> <p>BMU minutes of meetings</p> <p>BMU minutes of meetings</p> <p>District/Sub-county/Ward report</p>		

<p><b>3. Planning</b></p> <p>3.1 Fisheries information collected according to agreed schedule.</p> <p>3.2 Monthly fisheries information compiled &amp; discussed by BMUC</p> <p>3.3 Fisheries bye-laws made</p> <p>3.4 Local Fisheries management plan approved by BMU Assembly</p> <p>3.5 Annual work plan approved by BMU Assembly</p> <p>3.6 Local government development plans include BMU priorities</p> <p>3.7 BMU plans include lake-wide management priorities</p>	<p>CAS forms</p> <p>BMU minutes of meetings</p> <p>Sub-county council/ Divisional office records</p> <p>Fisheries management plan; BMU minutes of meetings</p> <p>Annual work plan; BMU minutes of meetings</p> <p>BMU minutes of meetings; Parish DPs/Sub DDC/Ward Development Committee.</p> <p>BMU minutes of meetings; PDPs</p>		
<p><b>4. Association with other BMUs for planning &amp; management</b></p> <p>4.1 Regular meetings held with other BMUs</p> <p>4.2 Areas of jurisdiction of BMUs agreed</p>	<p>BMU minutes of meetings</p> <p>BMU Operational Procedures endorsed by Local Government/frontline workers</p>		
<p><b>5. Implementation of management plan</b></p>			

5.1 MCS patrols completed each month	MCS forms and reports		
5.2 Prohibited fishing zones identified and enforced.	Bye-laws; lake management plan; BMU minutes of meetings.		
5.3 Vetting of licensees is transparent and fair	DFO reports to CAO/DDC/DAS; BMU minutes of meetings		
5.4 Visiting boats inspected, recorded & permission to land granted	Records of visiting boats		
5.6 Number of public toilets established at landing site in accordance with local bye-laws.	Bye-laws; lake management plan; BMU minutes of meetings plus physical checks.		
<b>6. Sustainable funding</b>			
6.1 Fees collected in accordance with BMU guidelines	Fee receipts; ledger book; BMU bank statements.		
6.2 Receipts given and recorded by BMU for all charges.	Fee receipts; ledger book; BMU bank statements.		
<b>7. Impact of co-management</b>			
7.1 Reduction each year in number of illegal fishing boats	MCS forms; BMU minutes of meetings.		
7.2 Reduction each year in numbers of illegal fishing gears.	MCS forms; BMU minutes of meetings.		
7.3 Reduction each year in vehicle numbers trading illegal fish each year.	CAS; BMU minutes of meetings		
7.4 Increase each year in catch per net per night of gill net of minimum legal mesh size for	CAS; BMU minutes of meetings; BMU record books		

respective water body.			
7.5 Increase in fish catch (total for BMU) each year	CAS; BMU minutes of meetings; BMU record books		
7.6 Increase in income of fishers each year.			

**Performance Score: Good = 3, Satisfactory = 2, Not satisfactory = 1**

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