



*OAU DRIVE, TOWER HILL, FREETOWN*

# **PARLIAMENTARY DEBATES**

**[HANSARD]**

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**OFFICIAL HANSARD REPORT**

**FIFTH SESSION - FIRST MEETING**

**THURSDAY, 1<sup>st</sup> JUNE, 2017**

*SESSION – 2016/2017*



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**VOLUME: I**

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First Meeting of the Fifth Session of the Fourth Parliament  
of the Second Republic of Sierra Leone.

Proceedings of the Sitting of the House  
Held Thursday, 1<sup>st</sup> June, 2017

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*THE CHAMBER OF PARLIAMENT OF THE REPUBLIC OF SIERRA LEONE*

**Official Hansard Report of the Proceedings of the House**

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**FIFTH SESSION – FIRST MEETING  
OF THE FOURTH PARLIAMENT  
OF THE SECOND REPUBLIC**

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**Thursday, 1<sup>st</sup> June, 2017.**

**I. PRAYERS**

*[The Clerk of Parliament, Mr Sulaiman Ibrahim Sesay, Read the Prayers]*

*[The House met at 10:30 a.m. in Parliament Building, Tower Hill, Freetown]*

*[The Deputy Speaker, Hon. Chernor R. M. Bah, in the Chair]*

The House was called to Order

*Suspension of S. O. 5[2]*

**HON. LEORNARD S. FOFANAH:** Mr Speaker, Honourable Members, I crave the indulgence of the House to delete item 4[a] and [b] from the Order Paper.

**THE SPEAKER:** Honourable Members, I am sure there is no objection to that suggestion.

COMMUNICATION FROM THE CHAIR

**II. CORRECTION OF VOTES AND PROCEEDINGS FOR THE PARLIAMENTARY SITTING HELD ON TUESDAY, 30<sup>TH</sup> MAY, 2017.**

**THE SPEAKER:** Honourable Members, we go through the record of Votes and Proceedings for the parliamentary sitting, held on Tuesday, 30<sup>rd</sup> May, 2017. As usual, we go page by page. Page 1? Page 2? Page 3? Page 4? Page 5? Page 6? There being no correction or amendment, could someone move for the adoption of the record of Votes and Proceedings for the parliamentary sitting, held on Tuesday, 30<sup>th</sup> May, 2017 as presented?

**HON. BENNEH BANGURA:** Mr Speaker, I so move.

**THE SPEAKER:** Any seconder?

**HON. MARAH LAHAI:** Mr Speaker I so second.

*[Question Proposed, Put and Agreed To]*

*[Record of Votes and Proceedings for the parliamentary sitting held on Tuesday, 30<sup>th</sup> May, has been adopted as presented]*

**III. PAPER LAID**

THE MINISTER OF FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION

**DR MOHAMED GIBRIL SESAY** *[Minister of Foreign Affairs and International Cooperation]*: Mr Speaker, Honourable Members, be it resolved that this Honourable House ratify the following Agreement which was laid on the Table of the House on Tuesday, 30<sup>th</sup> May, 2017:

Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.

Mr Speaker, Honourable Members, in a bid to meet some of our international obligations as well as to advance Sierra Leone interest, my Ministry laid in this Parliament on Tuesday, 30<sup>th</sup> May, 2017 the United Nations Food and Agricultural Organisations 2009 Agreement on Port State Measures for accession. Mr Speaker, illegal, unreported and unregulated fishing has been a major problem for us in this country. It is an environmental threat and poses a threat to the management of our fishing stocks. This trend includes operating without authorisation, harvesting protected species, using fishing gear and violating quota limit.

Mr Speaker, Honourable Members, besides those challenges, it also poses great threat to local bio-diversity and food security. It is also a conduit for other crimes, including money laundering, smuggling and violation of labour Standards. In a bid to tackle this menace, the Food and Agricultural Organisation [FAO] adopted in 2009 the Port State Measure to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. The Agreement envisages that the parties in their capacities as port states would apply the Agreement in an effective manner to enhance monitoring, regulation of the activities of foreign investors seeking entry to ports of states parties to the agreement.

However, Mr Speaker, Honourable Members, it can only come into effect after ratification by 25 countries. So far, only 15 have done so. The Agreement seeks to promote collaboration between fishermen, port authorities, coast guards and navies to strengthen inspections and control procedures at ports and vessels. Most importantly, it also allows states to prevent landing of catches derived from illegal fishing by vessels regardless of the flag they fly. The port state measures is also an effort by states parties to better comply with the 1995 FAO code of conduct for responsible fisheries, which seeks to promote the long term sustainability of the resource. It is the first legally binding International Treaty that focuses specifically on the problem of illegal, unreported and unregulated fishing. States signing the Agreement would commit to include foreign fishing vessels wishing to enter the port will require permission from

designated ports ahead of time. Transmitting the information on the activities and the fish they have on board. They will give the authorities and opportunity to spot any red flags in advance. Ports states will conduct regular inspections of ships according to common set standards review of ship papers, survey of fishing gear and examining catches and checking a ship's record to see whether they violate fishing standards. The Agreement will let you ensure that ports are adequately equipped and inspectors are properly trained.

Also, Mr Speaker, Honourable Members, when the vessel is denied access, port states must communicate that information publicly and national authorities of the country whose flag the vessel is flying must take follow up measures. Becoming a party to this international Agreement an effective port states measures involves cost. However, there are numerous direct and indirect economic benefits as well. At the core of the Agreement is the principle of cooperation which implies that the benefit to individual nations will increase as small states join. Nations have to make policy changes to implement ports state measures. Sierra Leone and other African countries are highly targeted by vessels involve in this illegal activities. Thus, the ports state measure Agreement is a cost effective way to ensure national and international action to prohibit vessels that are suspected of illegal fishing activities.

Mr Speaker, Honourable Members, by ratifying the Ports States Measures Agreement, state parties demonstrate to the international community that they take their responsibilities seriously. It also leads to benefit from the state required by state parties to keep illegally caught fish out of their ports as well as ensuring continued access to important markets. The access to these markets will boost demand and increase income through ports operation expenditures in ports and development of associated industries.

Mr Speaker, Honourable Members, this Agreement makes provisions for developing countries to benefit from support required for such needed capacity building to comply with the Agreement. The Agreement further provides a framework for inter-agency effort which will help save time and money. Another key support mechanism is the

establishment of ad hoc working group by states parties, tasked with setting up a fund and to mobilise support for capacity development.

Mr Speaker, Honourable Members, with its focus on regions and nations working together, the Agreement provides a framework for information sharing and cooperation. Parties to the Treaties in this regard are obligated to strengthen the transparency of the enforcement efforts by collecting and sharing information across jurisdiction. These steps can help all state parties working to eliminate illicit fishing.

Mr Speaker, Honourable Members, building a reputation as a lawful and transparent port states can boost foreign investment and this can significantly contribute to developing the country's domestic fleet, which will boost ports operations such as supplies, repairs, processing and additional services. The port states measures are therefore a cost effective tool to combat illegal fishing practices. Port inspections are less expensive and safer than monitoring, pursuing and inspecting vessels at sea. At the same time, inspections reduce the incentives for illicit fishing because they make it more difficult to sell illegally caught fish. As small nations agree to abide by the treaty and harmonise their ports state measures, these illegal fishing practices will no longer be low risk and high reward business, but a high risk and low reward enterprise. This is the FAO's ultimate goal for adopting the ports state measures and it is also our country's ultimate goal.

In conclusion, Mr Speaker, Honourable Members, I humbly submit for unanimous passage of this Government Motion. By acceding to this Agreement, Sierra Leone stands to benefit from its cooperative monitoring mechanisms access to important market and capacity building of the fishery industry.

Mr Speaker, Honourable Members, be it resolved that this Honourable House ratify this Agreement, which was laid on the Table of this House on Tuesday, May 30<sup>th</sup> 2017.

*[Question Proposed]*

**HON. DAUDA J. B. KALLON:** Mr Speaker, Honourable Members, I rise this morning to support the ratification of this Agreement before this Honourable House and to advance



the following reasons for my position. It is now a common saying in this country that we are losing plenty of money due to illegal fishing activities that are going on in this country. This is because we have not, as a nation, been able to tighten the nuts on those illegal vessels that are involved in this practice nationwide.

Mr Speaker, Honourable Members, I have been a member of the two Committees under which this Agreement falls; i.e., the Fisheries Committee and the Foreign Affairs Committee. Every year we go on an oversight exercise, we always realise that it is very difficult to be able in the first place to establish the statistics of fishing vessels that we have in the country. This is one area where we have to lay emphasis on that the Ministries concerned should be able in the first place to know the number of fishing vessels we have in the country. We should also be in the position to know the nature of their registration and their operations within our waters.

Mr Speaker, Honourable Members, the Ministry of Fisheries usually come to this House to inform us that we are losing over **USD 30 to USD 50 million** to illegal, unreported and unregulated fishing activities. Therefore, the problem is known, but what is the solution? How do we make sure that we clampdown these criminals? One of the reasons why I am talking about knowing the number of vessels is that we have to know the activities they were registered for. This is very important. We should know the number of vessels within the country that are registered. They are making use of our water, but the proceeds are taken out of this country. They have what is known as transshipment; and during transshipment, a good number of what we referred to as by-catch fish products they did not register for and which are of high commercial value are being transhipped. Those fish that they did not register for are usually repackaged, rebranded and then they are being sold into countries where we do not have access as a nation to sell our fish. And in the process, they are realising huge sums of money and we are losing a lot. Therefore, there is a need for us to know the number of registered vessels in the country and what specific species they have registered for. If we do this, we would be able to monitor them properly.

Secondly, Mr Speaker, Honourable Members, we have our inspectors or observers on-board, but what are their functions and how effective are they? One would easily say from experience that these monitors are there but they are not working either because they are being paid by the agent whom they are supposed to report on their activities. They are expected to report what is happening out there to the authorities within the Ministry. These same people are paying the observers to overlook certain things happening out there. In that regard, the observers are unable to report effectively on what is happening out there. This is a big concern and there is the need for us to look at the issue of the observers and see how best we can have observers within the vessels who can monitor effectively and report appropriately.

Mr Speaker, Honourable Members, a number of illegal vessels usually come at night from the Kent Area, Tombo, Banana Island, etc. The activities of these illegal vessels are posing serious threat and depleting our waters. Therefore, it is very important that for us to make sure that laws are passed in this House to regulate those vessels. In other words, we have to put regulations in place so as to mitigate or eliminate these illegal activities.

Mr Speaker, Honourable Members, in order for us to benefit from our marine resources, there is a need for us to work towards the attainment of the European Union Market. What are the standards or requirements being set for us to access the EU Market? One of the key areas that expert have been working is on the area of sanitation. We must make sure that our fishing companies adhere to the rules and regulations that will make sure that the fishes they catch are properly processed. The fishes should be processed in an environment that is safer for the consumption of Sierra Leoneans and for the international market. If you visit some of these fishing companies, you would realise that majority of these companies do not have the conducive working environment. Their storage facilities are very poor and the sanitary aspects are also very poor. This is affecting us badly in making sure that we move forward.

Mr Speaker, Honourable Members, there is also the issue of unreported companies that are operating in areas where they have no business to process fish. There are a lot of

mushroom companies in this country. I do not want to call names, but when we went on an oversight visit last year, we realised that majority of the companies we visited were far below international standards. And Mr Speaker, majority of them produced valid registration certificates from the Ministry of Fisheries. It behoves us as a nation to be able to stand against some of these small scale companies who are not in compliance with the standards set by the Ministry.

Mr Speaker, Honourable Members, I want to inform this Honourable House that this Agreement is not only going to benefit us in terms of accessing money or help us to control our marine resources, but would help us to increase our health condition in this country. Therefore, I want to call on this Honourable House to give unconditional support to the ratification of this Agreement, so that we can give conditions within which these fishing vessels should operate. We have to make sure that we create the enabling environment for our fish to access the international market.

Before I take my seat, Mr Speaker, Honourable Members, I want to make this general appeal that there is a company which is a consultancy firm that has been working with us in Parliament. The name of the company is PRECON. PRECON has been working together with the Committee on Fisheries and the Ministry to make sure that we qualify for the EU certification.

Mr Speaker, Honourable Members, the issue of the EU Certification is very important for this nation. As the Acting Chairman for Foreign Affairs and International Cooperation Committee, I want to make it abundantly clear that this Honourable House supports the ratification of this Agreement, so that we monitor, protect, preserve, control and manage our marine resources. Thank you very much.

**HON. HELEN KUYEMBEH:** Thank you, Mr Speaker. Mr Speaker, Honourable Members, I rise to lend my voice to the Agreement that was laid on the Table before us. This Agreement is seeking the effort of Government in terms of making sure that we deter and control illegal fishing within our waters. I want to support what my colleague was saying. He must have been emotional, but honestly this is a very serious situation and I was a little bit taken aback that we were making such serious

undertones and not quite giving it the attention it needs. This Agreement needs extreme attention and I would crave your indulgence to please treat it with the seriousness it deserves.

Mr Speaker, Honourable Members, illegal fishing we are talking is very serious and I want to inform this Honourable House that we are under austerity measures. Whether the austerity measures are over or not we were under austerity measures. We are presently in a situation where we need revenue to undertake development activities and provide the necessary social services that are needed in this country. One of the ways that would get revenue is by ensuring that we prevent illegal fishing. Like my colleague was explaining a couple of minutes ago, which most of you were taking as a joke, we need funds to undertake development. This is not a joking matter and we must move ahead as a nation. I have had the opportunity to talk to officials in the Ministry of Fisheries and also people who are installing the Fibre Optic in water. We have people who were working on the Fibre Optic and they told me that they found illegal boats out there fishing in our waters and we cannot even detect them. We cannot detect those boats at all, Mr Speaker. As a matter of fact, there are mechanisms out there that we could utilise to detect those illegal boats poaching in our water.

Mr Speaker, Honourable Members, I am not a technical person, but I want to assure this House that we have all what it takes to detect those poachers. The information I am sharing with you I got it from reliable sources that there are instruments out there we could use. Instead of sitting here and give undertones that are not helpful to this country, I think the business of this House is to ensure that we prevail on Government and give Government the necessary information, so that they can contact those institutions that could help us to deter those illegal boats that come offshore and access our fish.

Mr Speaker, Honourable Members, another thing the Honourable Member mentioned briefly that I want to dilate on is our inability to access the European Market. I have been to the European Parliament and this is something that has been extensively discussed extensively in the European Parliament that Sierra Leone is in a position to

benefit so much from our Fishing Industry. We should not even be talking about poverty if we only the necessary mechanisms have been put in place. This is because we cannot access the European market and other markets that are developed because our fishing market is nothing to write home about. As a country, we have not done our homework well in terms of ensuring that we garner all the fishes we have; and more importantly, we have not put the mechanisms in place that will enable us to access the necessary markets that will give us the foreign exchange that will improve our economic status and hence give us enough foreign exchange.

Mr Speaker, Honourable Members, I am personally surprised at some Members of Parliament because instead of finding solutions to this problem, they are here giving undertones.

**THE SPEAKER:** Honourable Member, do not repeat that again.

**HON. HELEN KUYEMBEH:** Thank you, Mr Speaker. I withdraw that statement. We should be paying attention and giving the right information to the public. As lawmakers, we should know what we are doing and we should be able to help Government by bringing out issues and suggest possible solutions to problem of this nature. We should be seen supporting Agreement of this nature by giving it enough credence, so that it will be able to utilise the resources we need to utilise. We have a very buoyant fishing industry in this country, but we are not benefiting from it at all. If the fishing industry is given the attention it deserves, we will derive economic benefits from it. Thank you very much, Mr Speaker.

**HON. ALHAJI SERAY DUMBUYA:** Thank you, Mr Speaker for giving me this opportunity to contribute to this Agreement. I am doing so because my mother was a fishmonger. This Agreement is necessary and will help to reduce illegal fishing in the country and it will help to protect our natural resources and even control the persistent violation of our territorial waters. The objective is to take full control of our waters and maintain and protect our territorial waters as stated by International Law. This is an Agreement that will benefit the people of this country. This is because our natural resources have been stolen away from us and our nationals are also culprits to this

exercise. A lot of Sierra Leoneans are in the fishing industry and these Sierra Leoneans are also guilty of taking our fish to neighbouring countries like Guinea and Liberia at the detriment of this country.

Mr Speaker, Honourable Members, the objective of this Agreement is to take full control of our waters; and by doing so, we need to legislate and make sure that we conform to International Law. The benefit of this Agreement is to increase revenue by taxing or punishing violators, both Sierra Leoneans and foreign nationals. I believe the Agreement has covered every aspect and I want to thank the Minister for that.

Mr Speaker, Honourable Members, I am not impressed because officials of the Ministry of Fisheries are not here at all.

**THE SPEAKER:** Honourable Member, the Permanent Secretary [PS] is here.

**HON. ALHAJI SERAY DUMBUYA:** Well, I expect more officials from that Ministry. Usually, most of these Agreements are to be implemented by Ministries, but their staff do not usually avail themselves to benefit from our discussions. As I said earlier, this Agreement is meant to increase revenue by punishing violators. It will allow our marine resources to develop and grow if we really consolidate the contents of this Agreement.

Mr Speaker, Honourable Members, when I was a student in Czechoslovakia, we use to see in their local market our local fish [S.O 2] Herring and Mina. We tend to wonder where these countries were getting these fishes. I want to believe that we had an Agreement with the Russian Government in those days, but the bad effect of that Agreement is that these countries were catching little fishes like the minas and the herrings. Such activity has the tendency to create unnecessary scarcity because once those little fishes are taken away from the waters, they will deprive the country from benefitting from the development of these resources.

Mr Speaker, Honourable Members, this Agreement is a step in the right direction and I believe we should hastily ratify it. I thank you, Mr Speaker.

**HON. HASSAN A. SESAY:** Thank you, Mr Speaker. I want to first of all thank the Ministry of Foreign Affairs and International Cooperation for bringing this very valuable

document to this House for ratification. Many a time, when we talk about natural resources, people talk about diamonds, gold etc. They tend to pay little attention to resources like the marine resources we have in this country. This is a very valuable resource for our country because what we have been losing over the years, if we have been able to bring that into the main stream, maybe we will not be relying on resources like gold, diamond, etc. Probably we might not have depleted those resources as we have done now. However, by bringing this Agreement to this House for ratification means that this Government is trying to look into the problems that have been affecting the fishing industry in this country. Also, Government is considering possible options that are important to our development; not only in terms of what we have to produce, but what we are producing will benefit this nation as a whole.

Mr Speaker, Honourable Members, if we look at people who are poaching in our waters through illegal fishing, you will realise that this Government is losing huge amount of revenue that could have been used for development purposes. We know very well because there are lot of people who are fishing in our waters without paying taxes. Also, this Government, through the Ministries of Trade, and Fisheries and Marine Resources have spent a lot of money with PRECON to improve the quality of our fishing. They have been trying to ensure that Sierra Leone access the EU Market which we have not been able to do. If these moneys are spent without control, we will continue to lose a lot of revenue. One of the ways through which we could help to revive the fishing industry is through the ratification of this Agreement. As I stated earlier, we will continue to lose revenue if we fail to do something and we will continue to spend money without realising anything.

Mr Speaker, Honourable Members, I want to restate here that we have to improve the quality of our marine resources if we are to realise any benefit from it. This is why PRECON came to this Parliament to work with the Committee on Fisheries and Marine Resources. PRECON wanted a healthier collaboration with Parliament, so that the Government actualises what they have been trying to achieve.

Mr Speaker, Honourable Members, if we fail to ratify this Agreement, Government will continue to lose more revenue than what is expected to gain and those who are fishing illegally in our waters will be having a field day. That is why I think this House must support the ratification of this Agreement. If this Agreement is ratified, Government will continue to maximise what we need to get from our marine resources that we have been losing over the years.

Mr Speaker, Honourable Members, I want to commend this Government, through the Ministries of Foreign Affairs and Marine Resources for bringing this Agreement to this House for ratification. Therefore, I want to call on all my colleagues in this House to make sure that we hastily ratify this Agreement. Thank you very much, Mr Speaker.

**HON. IBRAHIM BEN KARGBO:** Thank you very much, Mr Speaker. Mr Speaker, Honourable Members, I want to state here that the Ministry of Foreign Affairs and International Cooperation is doing the right thing. Mr Speaker, if anybody attempts to ask why the Minister of Fisheries is not presenting this document is simply because the whole arrangement has an international cooperation component and this is why the Ministry of Foreign Affairs is handling the presentation of this Agreement.

Mr Speaker, Honourable Members, when the former President of this country, Dr Siaka P. Stevens decided to establish the Ministry of Fisheries as a result of the clarion call to protect our fishery sector. Legislations came to this House time and time again when the fisheries' activities were under agriculture. The President's decision to have a Ministry in charge of fisheries was a very good decision. Mr Speaker, we have been lamenting about the poor use of our marine resources almost on a daily basis. We have also been coming here to pass legislations that geared towards finding possible solutions to address this issue. However, one of the problems, we are always facing in this country is implementation. The question one would like to ask is that are we going to ensure that this Agreement is implemented as intended? Implementation is the most important aspect of any legislation.

Mr Speaker, Honourable Members, we have already said that we are in the bad books of the European Union when it comes to marketing our fish. This is because even



though we have been making the point that something ought to be done to address this issue, we have not done much to make sure that we effectively meet the standards of the EU Market. Therefore, may I state here that even though we are aware of the need to protect our fishery industry, we also want to ensure that nobody interferes with the marine sector. In that regard, we must find ways through which we can put a Monitoring and Evaluation system [M&E] that can ensure that the laws, Agreements and other legislations are effectively implemented.

Mr Speaker, Honourable Members, years gone by in the area of International Cooperation, there was an effort by the government of Sierra Leone; under Dr Siaka P. Stevens to ensure that Sierra Leone collaborates with other International Organisations. If you heard the word 'France-off' at that time, was an effort to bring the Sierra Leone component or the Fishery Sector with the Russian and French component of the fishery sector and 'France-off' was part of that arrangement. 'France-Off' was a shareholder of the Fishing Company at Kissy, but again it collapsed.

Mr Speaker, Honourable Members, transshipment of fish in the middle of the ocean had been part of the things that did not help us at all in terms of benefitting from our marine resources. Nobody has been able to address this issue. We tried again to ensure effective monitoring facilities to make sure that we address these issues, but we are still seeing the Asians with their vessels and Trawlers to take our fish away without accounting for it. If you look at the legislation, it is clearly stated that if you fish around our territorial waters and catch any fish, a certain percentage should be landed here and export the other percentage. The question is to what extent have we been monitoring this to make sure that that percentage is given? In fact, it was abandoned at one time and no percentage of fish caught around our territorial waters was landed here at all.

Mr Speaker, Honourable Members, we are talking about the big time fishermen, what about our own people who are small scale fishermen? We allow these big trawlers to come here and they interfere with the activities of artisanal fishermen. These big fishing companies usually destroy the fishing nets of the artisanal fishermen and they have

nowhere there to lodge their complaints. Therefore, I want to state here that the whole concept of improving the fishing sector is never in dispute. What has always been in dispute is how to put mechanisms in place to ensure that the laws we pass in this House are effectively implemented. I am very certain that after the Minister would have gone through this process, the relevant ministries in charge of the fishery industry in this country will put together the necessary mechanisms to ensure that what is going to be passed here today becomes a reality and is effectively implemented. This is very important for the development of this country.

MR Speaker, Honourable Members, I want to inform this Honourable House that the Ministry of Foreign Affairs and International Cooperation has done the right thing by bringing this Agreement to Parliament. However, I want to also state that after this whole process, the Ministry of Fisheries should put in place the necessary mechanisms to make sure that this Agreement is fully implemented. We cannot continue to come up with the right policies and then when it comes to implementation, we simply cannot implement those policies. What the Minister has done this morning is to introduce an acceptable policy. The Ministry of Foreign Affairs has done the right thing and if this Agreement is ratified today, we are very certain that the implementation process will be very effective and efficient. This is because we are talking about the possibility for us to generate millions of United States Dollars from the fisheries sector.

Mr Speaker, Honourable Members, we have never benefited much from the fisheries sector. We are talking about a country that badly needs money and we are also talking about a sector that can actually generate income for the development of this country. I am very certain that the Ministry of Foreign Affairs has come here with an open mind and with the full understanding that all of us should work together to make sure that we effectively benefit from this sector. The two ministries and other relevant agencies should collaborate effectively to ensure that we generate the funds that we badly need to run this state.

On that note, Mr Speaker, Honourable Members, I want to support the ratification of this Agreement and I would also like my colleagues to do same. I thank you very much.

**HON. UMAR PARAN TARAWALLY:** Mr Speaker, Honourable Members, I want to look at this Agreement from a different direction because according to the Standing Orders of this House, Agreements are brought to this House for either we ratify or throw them out. In other words, by the Standing Orders of this House, we cannot amend or modify Agreements. The responsibility of this House is to look at the Agreement and either support wholeheartedly by ratifying them or do otherwise. Sometimes we ratify them with certain reservations.

Mr Speaker, Honourable Members, with the Agreement that is before us this morning, if this House has the authority to amend or modify some of these articles, I would have liked to do so. However, because we do not have that power to do so, I would like to state here that in future, the House should be considering amending the Standing Orders to give us the power to look at Agreements in their draft stage. As the representatives of the people, we would like to make our inputs. Nobody tells you that if you are discussing international Agreements, you are forbidden to look at the draft of that Agreement. These Agreements per se are being negotiated and signed on behalf of the people of Sierra Leone. Therefore, nobody is forced into signing them and that is the point I am trying to make here.

Mr Speaker, Honourable Members, if you look at Part V, article 20 of this Agreement it talks extensively about the role of flag states, I wish it could have first and foremost dealt with the issue of requirements for ships of convenience to fly flags of particular countries. For the past years, Sierra Leone had envisaged a situation wherein our flags are being flown by ships that have caused havoc on the high seas and the bad name has come to this nation. These are the situations we may want to avoid and because we may want to avoid such situations, international Agreements of this nature which have standard minimum rules upon which every state should draft its own legislations should clearly and uniformly look at issues that are very critical to the sector. However, because we do not have the authority to do same that is why I am just thinking aloud that I wish we have the power. There is a very effective institution within the Marine Sector and the Honourable Member from Tonkolili made mentioned of PRECON.

**THE SPEAKER:** Honourable Member, I ruled against Honourable Dauda Kallon on that issue because nobody can confirm their effectiveness here.

**HON. UMAR PARAN TARAWALLY:** I withdraw, Mr Speaker. However, there is an actor within the Marine Sector known as PRECON that has been engaging Parliament, the Government of Sierra Leone and other stakeholders. I noticed that most of the issues that PRECON had been engaging Parliament and the Government of Sierra Leone are being captured in this Agreement. This tells us that if we work with the provisions of this Agreement and we enforce them, we will be moving towards certification for the European Union Market.

Mr Speaker, Honourable Members, transshipment is also a very big problem in this country. When I was a member of the Committee on Marine Resources, we had live stories and eye witness reports of transshipment in which Sierra Leone lost a lot of resources and the fish they got were taken to the nearby countries well packaged and labelled under those countries. I want to inform this Honourable House that products from Sierra Leone taken to nearby countries are usually sent to EU Market under the names of those countries. This is gross injustice to the people of this country. This particular Agreement that has come to address such menaces can be viewed as a very good Agreement if the Government and people of Sierra Leone are prepared to ensure that we put the necessary mechanisms in place to take this forward. This Agreement will ensure that each and every actor within the marine resources sector conforms to the local or domestic legislation.

Mr Speaker, Honourable Members, we may want to see a situation wherein our domestic legislations undergo complete reform in order to bring them in line with such an international Agreement. We do not want any ensuing conflict between the international standard and the domestic standard. I am sure we would be moving towards our destination. I thank you very much, Mr Speaker.

**HON. CLAUDE D. M. KAMANDA:** Mr Speaker, Honourable Members, I rise to make my contribution because I come from the Western Rural Area; and secondly, I

presumed that after the ratification of this Agreement, the social media might misconstrue its intent.

Mr Speaker, Honourable Members, having gone through this Agreement, I was worried when I read Article 3[4] on Page 4, under application. With your leave, Mr Speaker, it reads: **“This Agreement shall be applied in a fair, transparent and non-discriminatory manner consistent with international law.”** I then further went to the definitions to know the meaning of DESO and it states on Page 3, Article 1[j]: **“DESO means, any vessel ship of another type both equipped to be used for or intended to be used for fishing or fishing related activities.”** As somebody coming from the rural area, I was worried about this, especially for our fishermen. However, when I went further to Article 21 on Page 15, my fear was allayed. There are six paragraphs that are dealing with the requirement of developing states. I will paraphrase it for the benefit of the public. With your leave, Mr Speaker, Paragraph 1 states: **“Parties shall give full recognition to the special requirement of developing states in relation to the implementation of the port states measures consistent with this Agreement. To this end, parties shall either directly or through FAO order specialised Agency of the United Nations [UN] or other appropriate international organisation or body, including regional fishing management organisation to provide assistance to developing state parties in order to**  
**[a] to develop a legal basis and capacity; and**  
**[c] facilitate technical assistance to strengthen the development and implementation of the port state measures.”**

Mr Speaker, Honourable Members, Paragraph 2 states that parties shall give due regard to the special requirement of developing poor states parties in particular the least developed among them and small Island Developing States to ensure that a disproportionate burden resulting in the implementation of this Agreement is not transferred directly or indirectly to them. According to Paragraph 3, parties shall either directly or through FAO assess the special requirement of the developing state parties

concerning the implementation of this Agreement. Paragraph 4 talks about parties to corporate and establish appropriate funding mechanism to assist developing states in the implementation of this Agreement by developing and enhancing capacity, access to technology and equipment. According to Paragraph 5, corporation with and among developing state parties for the purpose set out in this Article may include provision of technical and financial assistance to bilateral, multilateral and regional channels. Finally, Paragraph six also talks about the establishment of funding mechanism, including the establishment of a working group. This is for the listening public for them to know that we are protected as a country and as a state. Again, our fishermen are also protected in this Agreement. I thank you, Mr Speaker.

**HON. PC BAI KURR KANAGBARO SANKA III:** Thank you very much, Mr Speaker. Mr Speaker, Honourable Members, I am sure this is an international Agreement that is meant to protect all parties concerned. Sierra Leone, being on the ocean and blessed with marine resources, I am sure the Government has looked at this and they were part of the team that negotiated this Agreement. We have to give certain rules and accept certain rules so as to harmonise this Agreement. I want to state here that this is not a bilateral Agreement, but a multilateral Agreement. Therefore, if we suggest that we have to amend it or we have to look at certain provisions, it means that the Government of Sierra Leone cannot sign this Agreement or enforce it. My purpose here today is to congratulate Government, particularly the Ministry of Foreign Affairs for the interest they have for this country and for bringing this Agreement to this House.

Mr Speaker, Honourable Members, I am also concern when my colleague said that he had not seen the officials of the Ministry of Marine Resources here. Although the Permanent Secretary is here, but it would have been more appropriate for more officials of that Ministry to come and witness this proceeding. This is an Agreement that was signed by the Ministry of Foreign Affairs and International Corporation, but the implementation of this Agreement is in the hands of the Ministry of Marine Resources.

Mr Speaker, Honourable Members, I would have also suggested also for the presence of officials of the Maritime Administration and even the Navy who patrols our waters. I am

appealing to the Government of Sierra Leone to make this Agreements known to all those that are participating in the Fishery Industry. We have passed several legislations in this House and we have also ratified many Agreements here, but after that the public do not even know about them anymore. This is an important Agreement not only for the people living along the ocean, but it is also going to support those in the interior through the protein food they are going to get from the fish. So, it is not only for the fishermen, but for the consumption of Sierra Leoneans.

Mr Speaker, Honourable Members, I am very concerned about the Sustainable Development Goals [SDGs] because the second SDGs is meant to end hunger and when we talk about farmers, I think anybody that produces food is a farmer. Therefore, we have to protect our farming areas, which include ocean of this nation.

**THE SPEAKER:** Honourable Paramount Chief, I am sorry but I have just been informed that if this House is not averse, we should release the Minister before 12:00 noon because he has an assignment with the President.

**HON. PC BAI KURR KANAGBARO SANKA III:** Thank you, Mr Speaker. I want to appeal to the Government to ensure that this Agreement is enforced to the latter and work hard to harmonise the rules and regulations that are already in the books of Sierra Leone.

On that note, Mr Speaker, Honourable Members, I hope we would do everything possible to protect the interest of Sierra Leoneans. I also hope that Sierra Leoneans will benefit from the God given natural resources of this nation. I thank you and I am in support of the ratification of this Agreement.

**HON. SIDI M. TUNIS:** Mr Speaker, Honourable Members, the fishery sector is a multi-million dollar sector, but Sierra Leone as a nation is not benefitting from it. What we are deriving from the fishery sector is so minimal that sometimes it is even difficult to talk about it. Today, we have an Agreement before us that was signed in 2009, but up to 2017, it has still not come into effect simply because only 15 countries have ratified that Agreement.

Mr Speaker, Honourable Members, the port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing is very important but it requires cost. The Agreement is simply saying that vessels that are requesting entry into our waters and those that are already at our ports must be considered. The biggest challenge we have in this country is not with the vessels that are already at our ports or vessels that are sailing at our ports, the major challenges we have are with vessels that are at sea. What have we done as a country to ensure that those vessels stop poaching on our waters? We have ratified Agreement here before and I am sure during this particular parliamentary term, there was a Russian Agreement that we ratified here which required support in that direction. Unfortunately, the problem is so huge that we have not been able to do anything about it.

Mr Speaker, Honourable Members, the implementation of this Agreement requires a lot of money. Government is determined to ensure that our marine sector is protected and I am sure the resources are not just there to implement it. Therefore, if we ratify this Agreement today, I will call on the Ministry of Foreign Affairs and International Cooperation, and the Ministry of Fisheries and Marine Resources to ensure that there is proper follow-ups. This is because the terms and conditions of this Agreement require support for countries like Sierra Leone since Sierra Leone is amongst the least developed countries in the world.

Mr Speaker, Honourable Members, the problem we have always had in this country is that no sooner Agreements are being ratified, the documents are sent away without follow-ups. I will therefore call on the Ministry of Foreign Affairs to ensure that this time around they make follow-up for Sierra Leone to benefit from this Agreement.

Mr Speaker, Honourable Members, preventing illegal fishing or fishing vessels into our country is the most important thing to do. We do not have the time but this is such an important issue that we should really elaborate on it.

Finally, Mr Speaker, Honourable Members, by ratifying this Agreement, I will ask Government to go back to the drawing board, so that policies that are acceptable are implemented. This is because if we only ratify this Agreement without having the



acceptable policies in place, I believe we would only be wasting our time. This Agreement is a very good Agreement and I want to call on my colleagues to support it. Thank you very much.

**THE SPEAKER:** Thank you very much. I call on the Majority Leader of the House.

**HON. LEONARD S. FOFANAH:** Mr Speaker, Honourable Members, this Agreement received both the concurrence of the Marine Administration and the Attorney-General. It is therefore in consonance with our Fisheries Act and there is absolutely nothing in this Agreement that undermines our capacity in the administration of the fisheries department.

Mr Speaker, Honourable Members, I want to inform this Honourable House that we will make history if this Agreement is ratified. I want you to juxtapose this Agreement with the mining industries that we have in this country. When the mining industries started in this country, it was done in different phases and those phases were a source of encouragement to this country, like the diamond industry. When Kono was booming in terms of gold mining, those who witnessed the days of SLST will agree with me that the days of gold mining came and those days are almost gone. Today, we are talking about the iron ore mining in Lunsar, Port Loko District. That has even extended to other parts of the country.

Mr Speaker, Honourable Members, if the fishing industry is properly managed, it will help to replenish the minerals we have almost lost in this country. If you take stock of the marine resources we have in this country, you will find out that it extends from the South in Bonthe District to the North in Port Loko through Kambia District. We have a huge reserve of marine resources in those areas and we are in the process of preserving the marine industry if we ratify this Agreement. That is the essence of this Agreement we are about to ratify. The fact of the matter is that, this Agreement is not with a particular fishing company. In other words, it is sponsored by the United Nations and the Food Agricultural Organisation [FAO]. Therefore, it is not a question of coming to exploit our marine resources. These international institutions want to help us, so that we can be able to cater properly and administer our fishing sector.

Mr Speaker, Honourable Members, the issues that have been raised would be looked into properly in the course of implementing this Agreement. The implementation of this Agreement has not started yet, as you have heard from the Minister when he was making his presentation. This Agreement requires the passage from twenty-five states for it to be put into action. We are going to be the 16<sup>th</sup> country if we ratify this Agreement today. And Mr Speaker, we have also listened to the numerous advantages this Agreement would bring to this country. Therefore, I would like to inform this Honourable House that we are not doing this for nothing, but to protect the fishing industry for the benefit of our own children yet unborn. This Agreement will ensure that Sierra Leoneans will not continue to suffer the same consequences that we have suffered from the extractive industries.

With these few words, Mr Speaker, Honourable Members, I want to urge every Member of Parliament to ensure that this Agreement is ratified. I thank you very much, Mr Speaker *[Applause]*.

**MR MOHAMED GIBRIL SESAY:** Mr Speaker, Honourable Members, I thank you very much for the great contributions and for the concerns raised relating to some of the issues in the fishery sector. I want to inform this Honourable House that the ratification of this Agreement will trigger a lot of support for this country in relation to capacity building for implementation and for meeting some of the other challenges that we are facing in the fishing sector.

Having said that, Mr Speaker, Honourable Members, be it resolved:

That this Honourable House ratify the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. I thank you very much, Mr Speaker.

*[Question Proposed, Put and Agreed to]*

*[Government Motion by the Minister of Foreign Affairs and International Cooperation on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing has been ratified].*

**MR IBRAHIM S. SESAY [Clerk of Parliament]:** This is an announcement to Members of Parliament, from the Westminster Foundation for Democracy [WFD] and Parliamentary Assistance Coordinating Office [PACO] about an engagement meeting for induction programmes for new Members of Parliament and research support for Parliament. Whereas best practice shows that Parliament should start planning the induction and training programmes at least eight to twelve months before a Parliament is due for elections, WFD in collaboration with Parliamentary Assistant Coordinating Office, kindly request a meeting with Members of Parliament to solicit feedback on potential induction needs for next year Parliamentary induction programme. WFD would also like to use this engagement opportunity to get feedback from Members of Parliament on expected research products and services for a research unit within the Library, Research and Documentation Department. Date of meeting is Thursday, 1<sup>st</sup> June, 2017 after adjournment in Committee Room No. 1. Members are kindly requested to attend.

### **ADJOURNMENT**

*[The House rose at 11.55 a.m. and was adjourned to Tuesday 6<sup>th</sup> June, 2017 at 10:00 a.m.]*