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LEGAL CONTROL OF SUSTAINABLE FISHING IN NIGERIAN EXCLUSIVE ECONOMIC ZONE: CHALLENGES AND SOLUTIONS

Imam-Tamim, Muhammad Kamaldeen, * Oke, Ridwan**

Abstract

At a time of economic recession when Nigeria needs to boost its economy through non-oil production sector, fishery sub-agro-industry has been considered as one viable alternative. Freshwater fishing is generally expected to supply the largest yield in the country's commercial fishing sector due to the large expanse of both inland and seashore waters that Nigeria is blessed with. Aquaculture is expected to only serve as a backup booster. However, in Nigeria, the reverse is the case. Yields from the Nigeria's Exclusive Economic Zone water have been abysmally low, thereby depriving the nation of the economic returns expected therefrom. This study thus examines, from the legal perspective, the challenges hindering the viability of fishing in Nigeria's EEZ and consequently stunting this economic subsector. The study is essentially a qualitative legal doctrinal research. The research is conducted by carrying out documentary content and thematic analyses of both primary and secondary legal textual sources that were sourced from the University of Ilorin library as well as online search databases. The study finds that there are legal frameworks regulating fishing in Nigerian waters but they are largely ineffective as a result of various legal challenges.

Keywords: Sustainable fishing, Aquaculture, Exclusive Economic Zone, fishing in Nigeria.

1.0 Introduction

Nigeria is blessed with a wide and long coastline (approximately 900

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¹ SeaAroundUs, 'A global database on marine fisheries and ecosystems' <www.seaaroundus.org> accessed 11 February 4, 2015.

² Federal Department of Fisheries, *Federal Republic of Nigeria: Inland Fisheries (Fish Quality Assurance) Regulations* (Government Printers 1995).

kilometres) and an Exclusive Economic Zone (EEZ) of between 217,313 sq. km¹ and 296,320 sq. km². The large expanse of Nigeria's territorial water harbours lots of fishery resources of high commercial export value.³ With the existence of the water resources, fishery industry is considered as one of the major employers of labour especially for people who live along the coastal line.⁴

Despite the fact that Nigerians are identified as the largest consumers of fish in the world with an estimated annual consumption rate of over 1.5 million tons of fish; and despite the fact that Nigeria is expected to be among the largest exporters of fish in Africa, the domestic production of fish in the country is abysmally low. For instance, the estimated potential yield of fish production in Nigeria for 1990 was put at 1.2 million metric tonnes.⁵ However, based on a 2015 official report by the Federal Department of Fisheries, out of the 1.5 million tons of fish consumed annually by Nigerians, 900,000 metric tons is imported, while the Nigerian domestic production is only around 450, 000 metric tons.⁶ It is reported that the progressive decline in the domestic fish production in Nigeria has been observed by the Federal Department of Fisheries since 1992.⁷

Some data collected have however shown that there is steady increase in the domestic production of fish in Nigeria,⁸ this has been attributed to the involvement of more Nigerians in the aquaculture sector of domestic fish production in the country. However, the development of the aquaculture

³ F.M. Nwosu and E.O. Ita and U.I. Enin, 'Fisheries Management in Nigeria: A Case Study of the Marine Fisheries Policy' [2011] (1) (3) *International Research Journal of Agricultural Science and Soil Science*, 70.

⁴ A.A. Eyo and Y.B. Ahmed, 'Management of Inland Capture Fisheries and Challenges to Fish Production in Nigeria' <<http://aquaticcommons.org/4088/1/624.pdf>> accessed 11 February 2015.

⁵ L.O. Chukwu, 'Environmental Hazards to Small-Scale Fisheries Resources Management in Nigeria' <<http://aquaticcommons.org/3864/1/13P252.pdf>> Accessed 11 February 2015.

⁶ Federal Department of Fisheries, *Fisheries Statistics of Nigeria Projected Human Population; Fish Demand and Supply in Nigeria from 2000 – 2015* (Federal Department of Fisheries 2008), 56.

⁷ Chukwu, (n.5).

⁸ Federal Department of Fisheries (n 6). The data shows the figures of the fish production and consumption in Nigeria from year 2008 to 2015.

⁹ E. Ozigbo, and others, 'Review of Aquaculture Production and Management in Nigeria' (2014) 4(10) *American Journal of Experimental Agriculture*.

¹⁰ Chukwu (n.5).

industry is as a result of the sharp decline in the production capacity of the industrial ocean fishery sector,⁹ which is battling with various challenges that threaten the sustainability of fishery production in Nigeria.¹⁰ Thus, the yield realised from fishing in the Nigeria's EEZ, continental shelf and territorial water has been depleted due to certain challenges. There are various international instruments that are targeted at the protection and sustainability of marine resources including fishes that are deposited in the waters including the EEZ. Nigeria has also enacted some laws to regulate fishing in the country's seas. Notwithstanding these laws, both the biomass and the ecosystem of the marine environment are still struggling for survival.

This paper, thus, identifies what are the challenges to sustainable fishing in the EEZ water of the country. The paper will also highlight both the international instruments and the Nigerian local laws on fishing with a view to embarking on a vertical comparative analysis of the legal approaches to the protection of marine resources especially fishes by encouraging a responsible environmental use that will ensure the sustainability and protection of the marine resources. The paper also aims at identifying the challenges to the effectiveness of the laws with a view to knowing what solutions could be recommended for ensuring the viability, sustainability and protection of the marine environment and the marine resources.

2.0 Challenges to sustainable fishing in the Nigerian EEZ

Marine resources, especially the fishes are generally vulnerable species because unlike many other biodiversity resources, they are easily affected by both natural and anthropogenic stressors that could quickly deplete their numbers and vastly reduce their production and reproduction. But more than the natural environmental factors, the anthropogenic factors have greater negative impact on the sustainability and protection of fishes

as marine resources. The more common among these factors include overfishing, pollution, unorthodox and obnoxious fishing methods. These problems will be discussed hereunder.

2.1 Overfishing/Over-Exploitation:

Fish is a veritable source of protein and is more favoured than meat. It is also believed to be cheaper than meat. Thus, there is always steady increased demand for domestic production and consumption of fish in Nigeria. This is manifest from the data in Table 1. This is added to the fact that Nigeria is the highest producer of fish in Africa, which could translate to higher export demand.¹¹ The demand for fish in Nigeria has thus always exceeded the corresponding supplied stock.¹² Therefore, in order to meet the demand, the fisher folks and the industrial fish producers need to exert more effort in their production process and capacity, which directly leads to overfishing. How the fisheries react to fishing pressure has been well documented. For instance, Welcomme found a direct relationship between increasing effort in fish production and reduction in the size of fish species caught, rate of mortality, growth rate and number of species caught.¹³ This position confirms an earlier finding on reduction of fisheries in Lake Victoria due to overfishing.¹⁴

Similar problem has been identified in the Nigerian waters. For instance, in 1997 and 2004, studies on some Nigerian water areas found that overfishing had led to reduction in the length and weight of fishes, changes in composition and poaching of juveniles, which have in turn reduced the

¹¹ P. A. Ekunwe and C. O. Emokaro, 'Technical Efficiency of Catfish Farmers in Kaduna', ([2009] 5 (7) *Nigeria Journal of Applied Sciences Research*, 802-805.

¹² B. P. Omobepade, and others, 'Profitability Analysis of Aquaculture in Ekiti State, Nigeria' (2015) 11 (1) *Nigerian Journal of Agriculture, Food and Environment*, 114-119.

¹³ R.L. Welcomme, *Inland Fisheries: Ecology and Management* (FAO Blackwell Science 2001), 358.

¹⁴ G. Fryer, 'The conservation of the Great Lakes of East Africa: A lesson and a warning' (1972) 4 *Biological Conservation*, 256-262.

¹⁵ M.D.B. Seisay and T. A. du Feu, 'The effect of long term exploitation by gill net fishery on the multi-species fish stocks in Kainji Lake' (1997) 11 *Nigerian Germany Kainji Lake Fisheries Promotion Project Technical Report Series*, 58.

¹⁶ Nwosu (n.3), 70.

fish population.¹⁵ In fact, Nwosu, et al had declared a state of emergency on the Nigerian coastal water describing it as “ecological disaster zone” due to the various challenges facing the sustainability of the ecological system of the marine resources and overfishing is one of the problems the authors identified.¹⁶ The reasons for overfishing and overexploitation of the marine resources in Nigeria especially the EEZ has been traced to the advancement in the invention of fishing tools and production.¹⁷ According to Etim¹⁸ and Essen,¹⁹ the introduction of sophisticated fishing gears and crafts increased human's ability to overexploit and deplete the marine resources. The negative consequence of overfishing and overexploitation of the fisheries have been stated to include biological problems, sociological problems and economic problems.²⁰ Essentially, overfishing and overexploitation could lead to increase in poverty rate among the fisher folks because as overfishing depletes the stock yield, the catching reduces and result in lower income for the fisher folks. The vicious circular relationship between overexploitation of biodiversity and poverty has been well documented.²¹

2.2 Pollution

Pollution is another obvious problem that poses challenge to the sustainability of the fisheries in the Nigerian EEZ. Pollution has been identified as an attendant consequence of urbanisation and industrialisation.²² The urbanisation and industrialisation phenomenon has also spread to the coastal areas bringing along various levels of

¹⁷ I.E. Ekpo and M.A. Essien-Ibòk, 'Development, Prospects and Challenges of Artisanal Fisheries in Akwa Ibom State, Nigeria' (2013) 2(3) *International Journal of Environmental Science, Management and Engineering Research*, 75.

¹⁸ L. Etim, *The Tragedy of the Commons: Alleviating the Tragedy by Managing the Commons in Nigerian Waters* (University of Uyo Press 2010), 60.

¹⁹ A. A. Essen, 'Review of the Fisheries Resources of Akwa Ibom State and the Need for Effective Conservation' (1990) 1 *Trans. Nig. Soc. Biol. Conserve*, 116–129.

²⁰ Etim, (n.18) 60.

²¹ See I. Nathaniel, and A. Nathaniel, 'The Effects of Poverty in Conservation of Biodiversity: The Nigerian Experience' (2001) *Science in Africa* <<http://www.scienceinAfrica.co.za/2001/nov/nigeria.htm>> accessed 22 February, 2015.

²² Chukwu, (n.5), 253.

²³ Ibid.

environmental degradations to the water bodies.²³ Different types of pollutants are now constantly discharged into the coastal waters either as a result of on-shore/off-shore oil exploration or as a result of discharge of hazardous waste from industrial factory plants. Some of the pollutants emanate from domestic waste in form of sewage and garbage. These types of wastes have been found to lead to infectious contamination, eutrophication and reduction of oxygen needed by the fishes.²⁴ Another type of pollutant comes from industrial discharge of chemicals. Evidence of the presence of one or some of these hazardous wastes in fishes in Nigerian waters has been established by various studies.²⁵

2.3 Unorthodox and Obnoxious Fishing Practices:

In order for easier and abundant catches, the fishers always resorted to various bad and harmful fishing methods that have been stated to affect both the ecosystem and marine resources. They destroy the aquatic conservation. The fisher folks and poachers have some old methods of using explosives and poison as fishing tools to catch fish.²⁶ According to Orunoye, many artisanal fishers including children and poachers are found to use poisonous chemicals such as Gammalin 20 as well as poisonous roots, leaves and flower extracts to catch fish.²⁷ These methods have being said to pollute the water and lead to uncontrollable mortality of the fish stocks.²⁸

The trawler operators are also involved in the use of bad fishing practices to

²⁴ GEF, and others, 'Trans-boundary Diagnostic Analysis: Guinea Marine Ecosystem Project' (A programme of the Government of the GCLME Countries with the Assistance of GEF, UNIDO, UNDP, UNEP and US-NOAA Regional Project Coordinating Centre, Abidjan Cote d'Ivoire, 2003), 41.

²⁵ See the works of S.O. Fagade, and others, 'Urbanisation and Degradation of Aquatic Resources: The Ibadan Experience' in A.B.M. Egborge, and others (eds.) *Proceedings of National Conference on Conservation of Aquatic Resources*, (Natural Resources Conservation Council 1993), 208-219; A.B.M. Egborge, *Industrialization and Heavy Pollution in Warri River* (University of Benin 1991) 18; E.A. Ajao and S.O. Fagade, 'A Study of the Sediments and Communities in Lagos Lagoon' (1990) 7 *Oil and Chemical Pollution*, 85-117.

²⁶ Eyo, (n.4).

²⁷ E.D. Orunoye, 'The Challenges of Fishery Resource Management Practices in Mayo Ranewo Community in Ardo Kola Local Government Area (LGA), Taraba State Nigeria' (2014) 14 (3) *Global Journal of Science Frontier Research: D Agriculture and Veterinary*, 21.

²⁸ Ibid.

improve their catch. The Nigerian EEZ is replete with *Sardinella* and *Bonga* fishes as well large breeds of shrimps and prawns. Due to the high profitability of the shrimps and prawns, the trawlers use small mesh trawl nets that are smaller than the size prescribed by the law to hunt for shrimps. The implication is that the nets do not catch only shrimps but also fish juveniles of commercial fishes thereby depleting the stocks of those fishes.²⁹ They also fish for shrimps in shallow areas that are reserved for artisanal fisher folks thereby catching smaller fishes, which in most cases they simply throw away into the river.³⁰

3.0 International Regulatory Frameworks on Sustainable Fishing- United Nations Convention on the Law of the Seas (UNCLOS)

The UNCLOS was adopted on 10 December 1982. The UNCLOS gives every coastal state the power to designate a part of the high seas as its Exclusive Economic Zone.³¹ The UNCLOS thus gives the coastal states sovereign rights over the EEZ. The UNCLOS, however, gives the states obligations to conserve and manage living marine resources following the best scientific resources available. The coastal state must take measures through legislation to determine the allowable catch and ensure optimum utilisation.

3.1 Convention on Biological Diversity (CBD)

The CBD was signed in 1992 after the UN Conference on Environment and Development.³² The CBD was adopted primarily for ensuring conservation and sustainable use of biodiversity including marine ecosystem and resources.³³ The Convention enjoins state parties to regulate and manage collection of biological resources from natural habitats,³⁴ which also covers marine resources.

²⁹ Nwosu, (n.3)70.

³⁰ Ibid.

³¹ See Part V of the UNCLOS.

³² T. Justice and B. Silas, *Environmental Law* (Sweet & Maxwell 1997), 297.

³³ CBD, 1992, art. 8 (a).

³⁴ CBD, art. 9 (d).

3.2 Code of Conduct for Responsible Fisheries

The code was adopted by the Food and Agriculture Organisation (FAO) on 15th October 1995. The code works to protect the World's inland, marine and coastal Waters with due respect for biodiversity and the ecosystem.³⁵ According to the code, all States should prevent over fishing and excess fishing capacity and should implement management measures to ensure that fishing efforts commensurate with the productive capacity of the fishery resources and their sustainable utilization.³⁶

4.0 Regulatory Frameworks on Fishing in Nigeria

i. The Exclusive Economic Zone (EEZ) Act

The general purport of this Act is to delimit the boundary of Nigeria's Exclusive Economic Zone. By this Act, Nigeria adopts the common 200 nautical miles as its EEZ.³⁷ The Act thus gives Nigeria the exclusive and sovereign rights over happenings in the area designated as the EEZ.³⁸ It is by virtue of this Act that Nigerian agencies have the power to licence activities within the EEZ including fishing activities as well as exploitation and exploration of natural resources.³⁹ If anyone or any ship acts contrary to the requirements of the licence; the person or the ship-owner shall be liable to fine of N5, 000 or one year imprisonment.⁴⁰

ii. Sea Fisheries Act

The Sea Fisheries Act goes a long way to regulate the act of fishing in the Nigeria territorial waters. The Act provides for the control, regulation and protection of sea fisheries in the territorial waters of Nigeria.⁴¹ Section 1 of the Act provides that every boat, vessel must be registered and licensed before it can legally operate or navigate any motor fishing boat for the

³⁵ Eyo, (n.4).

³⁶ CCRF, Art. 6 (3)

³⁷ EEZ Act, Cap. E17, LFN 2004, s. 1 (1).

³⁸ Ibid., ss. 2 (1) and 3 (1).

³⁹ Ibid.

⁴⁰ Ibid., s. 3 (3).

⁴¹ SFA, Cap. S4, LFN 2004.

purpose of discharging frozen fish within the territorial waters of Nigeria or its exclusive economic zone. Section 10, however, prohibits harmful fishing practices the contravention of which attracts two years imprisonment or fifty thousand naira fine.

5.0 Challenges to the Effectiveness of the Fishing Laws in Nigerian EEZ

Notwithstanding the array of laws enacted by the Nigerian legislature purporting to address responsible use of marine and natural resources especially fishing in the Nigerian waters including the EEZ; and despite Nigeria's accession to various international instruments on environment, protection of biodiversity and marine resources as well as fishing, the laws do not appear to be effective enough as there have been several reports of abuse and depletion of the marine resources especially fishes as already discussed. The following are therefore some of the problems hindering the effectiveness of the laws on the control of fishing in the Nigerian Waters especially the EEZ.

5.1 Poor monitoring of the fishing activities and weak implementation of the laws:

Although the laws establish various agencies such as the Federal Department of Fisheries (FDF), Departments of Fisheries in the various states' ministry of agriculture, the Nigerian Institute of Oceanography and Marine Research (NIOMR), Nigerian Environmental Standards and Regulatory Enforcement Agency (NESREA), Nigerian Oil Spill Detection Response Agency (NOSDRA) with mandates to either protect the environment including the marine ecosystem and resources. However, the efforts of these agencies to monitor the unorthodox and harmful activities

⁴² M.D. Enaikele and A.O. Olutayo, 'Explorative Analysis of the Effect of Inland Fisheries Decree on Sustainable Exploitation of Inland Fisheries in Lagos State, Nigeria' (2010) 2 (8) *Journal of Agricultural Extension and Rural Development*, 159-160.

⁴³ *Ibid.*, 158.

⁴⁴ *Ibid.*

of the fishers have been inadequate and ineffective.⁴² Notwithstanding the popularity and effect of the unorthodox and obnoxious fishing practices on the marine resources, it has been reported by the fisher folks that no culprit has been prosecuted by the agencies.⁴³ The fishers rarely report offenders to the agencies. Instead, they employ certain community social control measures to deal with the culprits.⁴⁴ The attitude of not reporting culprits to the enforcement agencies have been attributed to the weakness in their enforcement roles, which has led the fisher folks to lose confidence in the agencies.⁴⁵

Meanwhile, it has been argued that the inability of the agencies to effectively monitor and enforce the laws could not be dissociated from the lack of political will by the government.⁴⁶ This reasoning is based on several interrelated factors. One, the agencies are generally understaffed and underfunded by the government; hence, they could not muster enough personnel and equipment to scout the entire vast water areas of Nigeria.⁴⁷ Two, it has been reported that the politicians and political office holders favour nepotism and thus pressurise the licensing agencies to issue licences beyond the estimated sustainable yield capacity of the fishery.⁴⁸ Three, there is no coordination in the licensing, monitoring and regulatory duties of the different agencies.⁴⁹ For instance, both the FDF and NIOMR could give licence for fishing on the Nigerian EEZ, whereas, there is no coordination regarding the number of boats to be registered for that purpose at a time. Therefore, where both agencies over-issue licences, that will lead to overfishing and overexploitation of the fishes and other marine resources. Further, it was found that the main purport of issuing licences

⁴⁵ Ibid.

⁴⁶ P. Amienheme, 'The Role of Federal Department of Fisheries' in *Proceedings of the National Conference on Conservation of Aquatic Resources* (Natural Resources Conservation Council (NARESCON) 1993).

⁴⁷ Nwosu, (n.3), 71.

⁴⁸ Ibid., 72-73.

⁴⁹ Ibid.

⁵⁰ J.G. Tobor, 'Marine Fish Resources of Western Africa: Potentials, Management, Development and Constraints to their Utilization to Satisfy Increasing Demand', (1991) 70 *NIOMR Technical paper* 25.

was for the purpose of generating revenue while control appears to be incidental.⁵⁰ Four, there is no adequate motivation for the staff of some of the agencies especially those employed by the federating states. Currently, some states including the coastal states owe their staffs up to four or five month's salaries. This makes the staff susceptible to collecting bribes from the culprits and letting them off the hook. All of these cumulatively hinder proper and adequate monitoring and enforcement by the agencies.

5.2 Weak and inadequate penalties:

The laws are also being flouted because the penalties provided for contravention are in many cases inadequate. This gives impetus to the fishers to flout the law as they know that if caught, they will only pay up the fine.⁵¹ Despite the seriousness of the degradation of the marine environment, the Sea Fisheries Act provides the paltry punishment of N50,000 (fifty thousand naira) or 2 years imprisonment to any convicted offender.⁵² Similarly, the Oil in Navigable Waters Act that prohibits ships and shippers from discharging oil into the Nigerian territorial waters and shorelines provides the punishment of N2,000 (two thousand naira) for any contravention.⁵³ The same fine of N2,000 (two thousand naira) is provided in the Water Resources Act for anyone who pollutes the water.⁵⁴ These amounts are grossly inadequate for the trawler operators considering the net profit that will accrue to them after the venture. Even the N1,000,000 (one million naira) fine stipulated by the NESREA Act⁵⁵ is still grossly inadequate for the companies and the investors in the fishery business.

5.3 Lack of adequate scientific information:

One other problem with the effectiveness of the laws controlling fishing

⁵¹ Enaikele (n.41), 158.

⁵² Sea Fisheries Act, Cap S4, LFN 2004, s. 10.

⁵³ ONWA, Cap. O6, LFN 2004, s. 6.

⁵⁴ WRA, Cap. W2, LFN 2004, s. 18.

⁵⁵ NESREA Act of 2007, s. 27.

⁵⁶ Nwosu (n.3), 70.

activities in Nigeria is that in some cases, the provisions are vague and in many cases, they lack technical touch and depth that will aid sustainable exploitation of the fishes. Thus, the provisions could not stand the test of time and ambiguous to comply with. The problem lies with the fact that the laws are not driven by adequate research to collate technical and scientific information that will help the lawmakers in imbuing the laws with technical details that will let the fishers know with specificity what the laws require.⁵⁶ Some of this required technical and scientific information include information on the different types of fishery species in the nation's water, their major habitat and nursery and breeding grounds; the seasons and migratory pathways of the different species; catch composition of the various fishing gears used by both industrial and artisanal canoe fishers and the size selection of the gears for different species caught simultaneously by different fishing gears; the feeding behaviours of the different species of fish, as well as the minimum sizes of the different species at first maturity.⁵⁷ This information is necessary to help the law and policy makers in different ways like (i) to make adequate laws that will designate closed areas and determine the appropriate season for exploiting different types of species in order to protect the breeding population and their juveniles; (ii) to help to determine from time to time the suitable size of mesh to be allowed for catching some species of fish in order to allow the fishes to reproduce before they are caught.⁵⁸ According to Neiland et al., where the law and policy makers possess weak scientific data, they have incomplete information and knowledge and thus, any law or policies made out of such

⁵⁷ Ibid., 72-73.

⁵⁸ Ibid.

⁵⁹ Thomas H. Jolly, Christophe Bene, and Arthur E. Neiland, 'Lake Chad Basin Fisheries: A Strategic Analysis of Key Policy Issues Affecting Aquatic Resource Management, Stakeholder Livelihoods and Economic Development' in A.E. Neiland, and C. Béné (eds.) *Sustainable Development of African continental Fisheries: A regional study of policy-formation mechanisms in the Lake Chad Basin* (Final Report. Commission INCO Project No. ERBICI18CT980331, 2002).

⁶⁰ E. O. Ita, "Inland Fishery Resources of Nigeria", *CIFA (FAQ) Technical Paper No. 20* (FAQ, 1993), 123.

⁶¹ S. Holzloehner and F.M. Nwosu and U.I. Enin, 'Fishing Effort Statistics of the Artisanal Fisheries of the Cross River Estuary, Nigeria' (2004) 10 (2) *Global Journal of Pure and Applied Sciences*, 249-256.

data will also be incomplete.⁵⁹ This proposition appears to be true of the fishing laws in Nigeria. For example, while there several research reports that the allowance for fin-fish catch by trawlers should be 5% while the remaining 95% should be left for the artisanal canoe fishers;⁶⁰ there is no clear restriction in the Sea Fisheries Act to limit where the trawlers should hunt for fish. Thus, many of them operate in shallow and productive areas where they catch undersize fishes.⁶¹ The reason for this is because the laws lack information on the types of gear to be used in the different parts of the coastal waters and this has been identified as aiding overexploitation of marine resources.⁶² Similarly, there is no explicit direction in the EEZ Act stipulating the need for local research in the management and exploitation of marine resources despite the clear provision for that in the UNCLOS.⁶³ Consequently, the agencies are not adequately utilised to embark on studies to update the information that will drive desired reforms in the fishery industry for the purpose of ensuring sustainability of the marine resources.⁶⁴

6.0 Conclusion and Recommendations

Despite that Nigeria is blessed with abundance of marine environment replete with various marine resources including fishes, the country still finds it difficult to meet up with the gross domestic consumption of fish lest having enough to export. This is not unconnected with several harmful and unsustainable fishing practices by the fishers. Although Nigeria is signatory to various international instruments on conservation of marine environment and has passed laws on regulation of fishing activities; the laws and regulations appear to be ineffective for various reasons. In order to make the laws more effective, the following are therefore necessary: One, the government must begin to embark on research driven policy and law

⁵⁹ Nwosu (n.3), 70.

⁶⁰ *Ibid.*, 71.

⁶¹ *Ibid.*, 72.

making in order to make laws that are encompassing and up to date; Two, the agencies must be supported by employing adequate staff and through adequate funding; Three, the penalties provided by the laws need to be overhauled and increased in order to serve as potent deterrent to the fishers; Four, the government must reassess its environmental policies and domesticate the international instruments on environment that have been ratified. These recommendations are not exhaustive but implementing these will go a long way to address the challenges facing effective implementation of the laws and regulations of fishing in the Nigerian EEZ.