



SOUTH AFRICAN UNDERWATER FISHING FEDERATION

5th NEWSLETTER – March 2008

Once again this newsletter has as its major focus environmental matters that affect our sport. There is no doubt that the mismanagement of our fishery is having and will continue to have a severe impact on our sport. On behalf of our registered members, your committee feels it is our duty to pursue these issues on your behalf, while at the same time ensuring that we provide an on-going focus on the competitive side of our sport. In addition the Dangerous Weapons Act which has just been updated, now includes spearguns which will have implications for both the manufacturers/retailers and the end users.

1. Worlds 2008

In February we played host to two divers from Denmark. Johan Velde was in the Denmark National Team at the Zone Qualifier. They did not qualify for Worlds, but it was nevertheless useful to see how he matched up to our best. There was no doubt that he could dive deep (+/- 30m) and was comfortable in low viz. conditions, but on a reasonable day at deep Scottburgh, he was comprehensively beaten by Moo and Brent Borstlap.

We had an excellent full page article on Moo (Alan Fraser) published in the South Coast Herald.

I have attached a SAUFF "Request for Sponsorship Letter. If you know of anyone who might be prepared to sponsor our team, please send them a copy.

2. Nationals 2008

I have released to the organizers an updated copy of the Rules for Nationals, which will be published in the Tournament Brochure. It will also be published on the SAUFF website shortly. There is still some controversy raging over the league structures which we are busy resolving, hopefully in a way which will suit all. Other rules, specific to a particular tournament, such as "Game Fish Only", which are made by the local organizing committee and which conform to the environmental legislation for the area, will be in effect immediately, however the Tournament Committee have the right to consider and change any other local rule, such as weight limits, placement of marker buoys, duration of competition etc.

I have been in correspondence with the Australian Underwater Fishing Federation with the view that they might send a team to compete against us at Nationals. They held their trials in January, and were keen to send their newly selected World Team here. Sadly, they were then told by CMAS that they would have to re-qualify for Worlds at a new Zone Qualifier to be held in Hawaii in April, so that is where they are going. Tony Heugh, their manager offered to send a "B" Team, but we have decided to leave that for now and to invite them to a multi-country tournament which we would host in 2009.

Make sure you get your teams and entry fees to Midlands before the end of March and that you and your club are registered with SAUFF.

3. Competition for Registered Members

We are having difficulty finding a sponsor for this competition, however we have written to the Ski-Boat Magazine with the view that they would publish the results every quarter. If they agree then we have a sponsor.

4. Fund Raising via “PLEDGES:”

All payments pledged should be made to the SAUFF Bank Account as follows:

FNB

Margate Branch

Branch Code: 220128

Account Number: 62067501132

And be clearly marked in the reference field by the donors name and the word “PLEDGE”

5. Conservation Issues

Hymie Steyn who is Conservation officer of the SA Angling Confederation has forwarded me a copy of a new publication called Feike News. It is 10 pages long so I am not going to clog up your e-mails with it, but herewith are just two excerpts from it, which may get your blood boiling.

“Feike has been advised that Pam Yako, although a fulltime senior government official and director-general of DEAT, also moonlighted as a director of some investment company called Nehanda (www.nehanda.com) since at least 2007. This may go some way to explaining the inability of the Chief Accounting Officer of the Marine Living Resources Fund to commit the requisite amount of time to getting the fund back on the healthy track it once was in.

South Africa’s fisheries management – once highly regarded and in a financially sound state – is in a desperate state lacking any form of leadership and management and the funds to operate patrol vessels, pay fishery control officers to work over time, undertake important research or even balance the books without cash transfers from the national treasury. In 2008, the state of fisheries management is even worse than in 1999 – the last time Monde Mayekiso was allowed to run South African fisheries before being forced out due to incompetence and mismanagement. It does seem as though history teaches us nothing.

The rudderless and leaderless Marine and Coastal Management must be of concern though to the fishing industry. A failing regulator will not help South Africa’s hake trawl industry maintain its Marine Stewardship Council certification, or the tuna long line fishery negotiate for larger quotas at regional fishery management organizations or encourage black economic empowerment, investments or job security in the industry.

We trust that an emboldened Minister van Schalkwyk will now act decisively to remove the management team that has put South African fisheries at an historic nadir.”

“ABALONE FISHERY UPDATE

On 1 February 2008, the Minister of Environmental Affairs and Tourism took the

unprecedented step in South African fisheries management history and closed an entire commercial fishery. It is understood that more than 1000 jobs have been lost yet poaching continues unabated as Marine and Coastal Management have not deployed any strategy or resources to combat the illegal trade in abalone.

When asked to provide details on what measures have been put in place to combat poaching, Marine and Coastal Management refused to answer as was the case back in October 2007. From that experience, we all know that there is no plan and no resources to combat the illegal fishing of abalone. 1 February 2008 effectively gave the green light to organised poaching syndicates and placed Marine and Coastal Management in the perverse but globally unique position of being a government regulator that also holds the monopoly on trade in a collapsed species and is also the largest “legal” trader in a CITES listed species.

In the interim, the South African Abalone Industry Association awaits a decision of the Cape High court on its application to have the closure declared unlawful on the basis of, inter alia, that the South African government failed to consult any of the affected parties prior to announcing the intention to close the fishery and that closure of the legal fishery was unnecessary having regard to the scientific recommendations and advice.

Perusing the papers lodged by the parties in the matter, the South African government acknowledged that it failed to consult the abalone industry and other parties. The South African government also accused all right holders and members of the South Abalone Industry Association of being poachers and therefore tried to justify the closure of the fishery! The obvious question to be asked of the government is that if all right holders are poachers why were they given rights and their permits renewed annually? More concerning was the fraud allegations raised by the Abalone Industry against the Minister of Environmental Affairs and Tourism and his department. The fraud allegations are based on an analysis of the decision-making process that led to the Minister’s decision to close the fishery. It is quite apparent that the advice and recommendations of the scientific working group do not support a fishery closure. One of the most senior advisers to government issued a strongly worded email shortly after the decision to close the fishery was announced, stating that there is absolutely no scientific justification for the closure and the

Mediocrity Failing Abalone

The pursuit of mediocrity by Marine and Coastal Management recently resulted in the dropping of 122 charges against members of an abalone poaching syndicate because the prosecution team had failed to lead any evidence within a reasonable time and the courts ruled that the rights of the accused to a fair and speedy trial were being infringed. The charges withdrawn involved the theft of 470 tons of abalone, which was more than four times the legal TAC in 2007. Had the Environmental Courts been in existence, this matter would have received priority and not been forgotten about by prosecutors and magistrates overburdened with rape, robbery, murder and other violent crimes.

Is there a Winner? Regardless of whether there is a successful prosecution or not, the real winner in the above matter is Marine and Coastal Management. The 470 tons of abalone confiscated from the poachers will net the deviant abalone-trading department between R200 and R300 million, which is equivalent to its entire operating budget! Mediocrity sadly does pay... and so does crime. Legal abalone fishery did not pose any threat to sustainability of the fishery. In addition, the official scientific report that recommended closure of the fishery as an option was dated 31 October 2007 – more than 5 days after the Minister announced his decision to close the fishery.

Once a court decision is handed down in this matter, Feike will report it on www.feike.co.za

Postscript: It is worth noting that when the Minister announced his decision to close the abalone fishery on 25 October 2007, he and his department insisted that they have, amongst others, a social plan in place, which included allocating boat-based whale watching and shark cage diving permits to abalone divers (who he has subsequently accused of being “poachers”). To date, Marine and Coastal Management has not even been able to finalize a draft policy it issued back in 2006 for comment. In addition, the much heralded “social plan” which was actually nothing more than a 1995 Labour Department guide to managing retrenchments, appears to have been safely filed away for the next fishery closure.”

It would be well worth your while to visit the Feike website as it has a host of information which affects our sport and if you are in a position to do so encourage your company to advertise there.

6. MCM Issues

In recent weeks there have been numerous incidents on the KZN Coast where the “Parks Board” seem to be targeting divers specifically. In one, a diver who was not involved in shooting a legitimate bag of fish but was transporting them as a favor was arrested and has been charged. In another three who had caught a legitimate bag of crayfish were accosted at a restaurant in Margate where they had been lunching. This developed into a racial incident. There have been others. The “Officers: seem to be taking a particularly aggressive stance towards applying the “Letter of the Law”. On behalf of our members we have approached a diving lawyer to take up the matter of what our real rights are with regard to our sport as trying to understand the myriad of laws in this regard requires both a doctorate in Marine Biology and an LLB.

We also believe that the increase in the number of incidents in this regard may be a forerunner to them trying to impose further restrictions on spearfishing and crayfishing.

If you are aware of any similar incidents in your area, please do let us know about them.

7. Dangerous Weapons Act

Spearguns have been classified as “Dangerous Weapons. The newly released act requires the seller to record details of the buyer in a register including name, address and ID Number. Sport usage is regarded as a legitimate reason for owning such a dangerous weapon.

8. New SAUFF Website

URL is www.SAUFF.co.za. Many thanks to Alex/Shane for this and our new Logo, as above.

9. General

On behalf of your committee I would just like to thank three of our members Greg Lewis-Monto, Craig Burmeister and Wayne Hayward who have taken the trouble to send an e-mail of thanks. It definitely makes the effort feel more worthwhile.

President
SAUFF