# PREFACE

The by-law and constitution define the roles and responsibilities of the Collaborative Management Association (CMA). Importantly, it recognizes the roles and responsibilities of fishers in fisheries management.

This by-law and constitution was developed in consultations with the CMA and key fisheries stakeholders, both at the county and national levels. We are grateful to our international and development partners – the European Union and the Environmental Justice Foundation through the Communities for Fisheries project – for providing technical and financial assistance to facilitate this process.

This by-law and constitution was developed with and for the CMA for the sustainable management of Liberia's fisheries resources and signed into effect by the Director-General of the National Fisheries and Aquaculture Authority.

Hon Emma Metieh Glassco,
Director-General
National Fisheries and Aquaculture Authority (NaFAA)
Republic of Liberia

Sign_____

Date_____

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# BY-LAW AND CONSTITUTION OF THE COLLABORATIVE MANAGEMENT ASSOCIATION (CMA) OF LIBERIA




**NATIONAL FISHERIES AND AQUACULTURE AUTHORITY**

**Validated December 9, 2022**

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# BY-LAW AND CONSTITUTION

**THE BY-LAW AND CONSTITUTION OF THE COLLABORATIVE MANAGEMENT ASSOCIATION (CMA)**

**PREAMBLE**

The **Collaborative Management Association,** Stakeholders and the local government of the collaborating fishing communities in the CMA designated area;

**Conscious** of the benefits to be derived from multi-sectoral and close cooperation and maintenance of mutually beneficial working relationships with each other, and;

**Acknowledge** our responsibility as members of the CMA to contribute to poverty eradication amongst fishers, and to improve the livelihoods of fishing communities in the CMA area through collaborative management of the marine resources of in-land and coastal waters and aware of the need to conserve these resources on a collaborative and sustainable basis for the benefit of communities, the people of Liberia, the West Africa sub-region and the international community; and;

**Desire** to promote ecosystem integrity, biodiversity conservation as well as socio-economic development in the CMA area and across Liberia;

**Appreciate** the importance of Co-management of natural resources as well as the importance of local fishers and having undertaken a comprehensive bottom-up consultative process that involved a broad range of stakeholders, including diverse groups of local community interests;

**Have decided** to associate through the Collaborative Management Association institutional framework to improve governance and enhance the social and economic development of surrounding fishing communities through coordinated and integrated management and development of the natural resources in the County;

**Recognize** the effective participation and contribution of the fishers, the National Fisheries and Aquaculture Authority (NaFAA), the local Government and Authorities in the formulation and adoption of this Constitution; and

**In Accordance** with the Natural Resource Law of 1958, the Fisheries Act of 2017 establishing NaFAA, the 2019 Fisheries Management and Development Laws, the National CMA Policy and Strategy and the Fisheries and Aquaculture Policy and Strategy of 2022 ***and through we the authorized representative members of the CMA Constitution Validation Committee*** hereby

present and whose signatures are appended hereinafter on December 9, AD 2022 in the City of Monrovia; **now, therefore, agree to this By-law and Constitution:**

## ARTICLE I

**CITATION**

This Constitution shall be cited as the Constitution of the Collaborative Management Association (CMA) of Liberia.

## ARTICLE II

**DEFINITION OF KEY TERMS**

For the purposes of this Constitution, unless the context otherwise requires, the following terms shall have the meanings ascribed to them under this article:

**Artisanal fishing** – small-scale commercial fishing using an artisanal fishing vessel where the owner is directly involved in the day-to-day running of the enterprise.

**Artisanal fishing vessel** - any fishing vessel, canoe, or undecked vessel of not more than sixty feet which is motorized or un-motorized, powered by an outboard or inboard engine with a capacity not exceeding 40hp, sails or paddles, used for artisanal fishing in the "Fisheries Waters".

**Association** – unless the context otherwise requires, means Collaborative Management Association – CMA.

**Associate members** - external, invited or non – dues paying members of the CMA, which has no voting right.

**Authority** – the National Fisheries and Aquaculture Authority (NaFAA)

**National CMA Advisory Body** – the organ that has oversight responsibility to monitor and evaluate the performance of the CMA Executives and to ensure compliance with the goals and objectives of the Association;

**Collaborative Management Association** (CMA) - a structure to manage fisheries at the county and community level and which acts as the decision-making body for the designated area.

**Co-management** - a partnership arrangement in which the fishers and government share the responsibility and authority for the management of the fishery. Through consultations and negotiations, the partners develop a formal agreement on their respective roles, responsibilities, and rights in management.

**Executives** – refers to the leadership of the Collaborative Management Association, responsible for coordination and management of the day-to-day affairs of the Association.

**Fishery or Fisheries** –

a. taking into account geographical, scientific, technical, customary, recreational, economic and other relevant characteristics; or

a. any fishing for such stocks, specifically local businesses and livelihoods associated with the capture, processing, transport, and sale of local fisheries, including (but not limited to) artisanal fishers, boat captains, boat owners, fish mongers, processors, and transporters.

**Fishing Rights** – A kind of right by which fishers may have exclusive use of a designated area and resources. It is an authorization given to fishing communities to enable them to do fishing by NaFAA.

**Fisheries Waters** - the waters over which the Republic of Liberia exercises jurisdiction or sovereign rights as declared in relevant national laws.

**Fishing** -

Searching for, catching, taking or harvesting fish;

a. the attempted searching for, taking or harvesting of fish;

a. engaging in any other activity which can reasonably be expected to result in the locating, catching, taking or harvesting of fish;

a. placing, searching for or recovering any fish aggregating device or associated equipment including radio beacon;

a. any operation at sea in support of or in preparation for any activity in relation to a fishing vessel described in Paragraphs (a), (b), (c) or (d);

**a.** any use of an aircraft which is related to any activity described in Paragraphs (a), (b), (c) or (d), except for flights in emergencies involving the health or safety of a crew member of the safety of a vessel, but does not include aquaculture or the transportation of fish;

**Inshore Exclusion Zone** - the area of the Fisheries Waters up to a distance of six (6) nautical miles from the baseline from which the territorial sea is measured.

**Landing Sites** – refers to the coastal and inland areas where fish is landed within the county, which includes named fishing communities and landing sites.

**Fishing Communities** – refers to coastal or inland communities where fishing activity is done.

**Lead agency** – any Ministry, department, parastatal agency, local government system or public officer in which or whom any law vests functions of control or management of any segment of the environment.

**Registered members -** are CMA members that pay membership dues and have voting rights.

**Relevant lead agency**- refers to any lead agency that may have legal or administrative mandate to do any act under an existing law with respect to the CMA.

**CMA area –** the geographic area which includes the collaborating coastal and in-land fishing communities.

**Transferability** – the ability for fishing rights to be traded or exchanged from one user to another. Transfer of fishing rights affords those who hold the rights the option of selling their rights to other users and allows outside users the potential to access and gain fishing rights through transfer. Typically, the exchange of rights is done through a transfer agent or agency. Non-transferable rights prevent outside users from being able to access or attain fishing rights through exchange or trade (sale).

## ARTICLE III

**ASSOCIATION NAME**

1. The name of the Association shall be called the Collaborative Management Association, hereinafter referred to as the Co-management Association or CMA;

2. It shall be a Community-Based Co-Management Association with the legal right and power to hold property in the Republic of Liberia, sue and be sued in its own name;

3. The physical location of the CMA shall be the major city/town where the CMA is established.

## ARTICLE IV

**COOPERATION**

1. All collaborating fishing communities have mutually agreed to promote socio-economic development and good governance within the fishery sector, and ensure that the Co-Management Association shall be governed by the principles and objectives contained in this By-law and Constitution and uphold with respect to the Fisheries Regulations, Fisheries Management plans, Acts, and Policies developed by the National Fisheries and Aquaculture Authority (NaFAA);

2. The CMA shall collaborate with the local government and community stakeholders, including external partners, to collectively work together to develop the fishery sector in the County and improve the livelihoods of individual members and the fishing communities by:

    a. Consulting all relevant institutions, external partners, individuals and stakeholders in the implementation of the goals and objectives indicated in this By-law and Constitution; and the Fisheries Regulation, Fisheries management plans, Acts and Policies regarding the sustainable management of the fisheries sector in Liberia;

    a. using the best judgments to harmonize legislations, acts, policies, local ordinances and by-laws, for the conservation of fisheries management interventions and to facilitate integrated and sustainable fishery development activities in the collaborating communities;

    a. in exercising administrative and legal mandates as enshrined in this By-law and Constitution, the CMA shall consult and seek the joint agreement on such activities or interventions through the National CMA Advisory Body, the Executives or the National Network of CMAs when established.

## ARTICLE V

**PURPOSE**

The CMA is established as a community-based fisheries resource management organization in order to ensure the implementation of the fisheries Co-management plan activities embarked on by the Authority, as a new fisheries management strategy for the sustainable management of the fisheries sector in Liberia. This includes but not limited to the enforcement of the Fisheries Regulation, Fisheries Management Plans, Acts and Policies.

## ARTICLE VI

**VISION**

Ensure a strong local economy and enhanced livelihood of community members through capacity building, job creation and good governance, which will be sustained for future generations.

**MISSION**

- To deter and eliminate destructive, illegal, and non-regulated fishing practices through effective enforcement, control, and management of sustainable fisheries practices through Co-management.
- To promote income generation (to include alternatives outside the fisheries sector) and introduction of fisherfolk-friendly credit or revolving credit scheme for self-advancement of members.

**CORE VALUES**

The Membership of the Collaborative Management Association has agreed on the following core values:

**Accountability –** the CMA shall hold its members accountable to the highest level of ethical behavior and responsibility for its actions while maintaining integrity in its performance.

**Collective Action and Responsibility –** the CMA shall be guided by its Mission and Vision, strive to promote joint action, cooperation, and solidarity among its members.

**Commitment** – CMA members shall be reliable and focused on the attainment of the stated goals.

**Cleanliness**- all fish processors, fish mongers, fishermen, fishing boats and canoes shall at all time exhibit a high sense of cleanliness at fish landing sites in [insert name of county]

**Cooperation** – CMA members shall agree to work together with artisanal fishermen from other fishing communities and interested national and international partners.

**Fair Dealing –** CMA member shall be committed to fair dealing and will not be party to exploitative arrangements that do not take cognizance of this value, and that do not respect the rights of all parties and collaborating communities.

**Honesty** – CMA members shall be trustworthy and accountable for their actions and words.

**Kindness** – CMA members shall approach others with compassion and understanding.

**Leadership** – CMA leaders shall have the capacity and potential to actively provide leadership in managing the fisheries.

**Respect** – CMA members shall always be appropriate and respectful in their behavior when addressing sensitive issues.

**Self–sufficiency** – the CMA shall work towards the achievement of sustainable development outcomes.

**Transparency** – the CMA shall always uphold full openness to its members, fisherfolks, collaborating communities and strategic partners with respect to its processes, operations, actions, and outcomes.

**Unity in Diversity** – the CMA shall at all times promote unity amongst its members, collaborating communities and strategic partners.

## ARTICLE VII

**AIMS AND OBJECTIVES**

**The Aims and Objectives for which the CMA is Established are to:**

1. Effectively organize, control, and manage fisheries in a sustainable manner through fisheries Co-management activities;
2. Eliminate destructive, illegal, and non-regulated fishing practices through effective enforcement of local fishing by-laws, national regulations, acts and policies;
3. Advocate, support and promote fisherfolks and further the development of sustainable Co-management activities for the improvement of the livelihood of the CMA members and fishing communities.
4. Strive to advance the development of the CMA fishing communities through capacity building, job creation and value addition.
5. Promote awareness in all fishing communities for compliance by fishers for the full implementation of the Co-management plans in accordance with the principles and objectives set out in National Fisheries Regulation, Management Plans, Acts, and Policies.

## ARTICLE VIII

**SPECIFIC OBJECTIVES**

1. Effectively engage those negatively affected by the implementation of the developmental activities and or disaster, and develop alternative livelihood strategies to assist affected individuals, groups or communities;
2. Increase social and economic support to all collaborating communities through microfinance and value addition;

3. Promote poverty eradication and social economic development in all fishing communities through integrated approach and sustainable management;

4. Ensure the enforcement of fisheries regulations, policies and acts; collect all illegal nets and other fishing gears, and exchange same with legal nets/gears in order to improve marine conservation and sustainable use of the resource;

5. Promote alliances in the management of the resource by encouraging economic and social development through partnerships with local government agencies, associate and external partners, private sectors, local community members and civil society organizations.

## ARTICLE IX

**THE STRUCTURE OF THE CMA**

The CMA shall consist of the below management structures:

a. The National CMA Advisory Body

a. General Assembly

a. The CMA Executives (elected)

a. Working Sub – Committees (appointed)

a. Associate Members

a. External Members

**THE NATIONAL CMA ADVISORY BODY**

**THE POWERS AND RESPONSIBILITIES OF THE NATIONAL CMA ADVISORY BODY**

The National CMA Advisory Body shall be the highest policy and decision-making organ of the Association and shall exercise the powers and responsibilities ascribed to it by the National CMA Policy. It will consist of thirteen (13) persons drawn from among the stakeholders. NaFAA shall serve as the General Secretary to the National CMA Advisory Body during meetings.

**THE STRUCTURE OF THE BOARD**

a. Chair

a. Co-chair

a. General Secretary

a. Plus 10 other members

**MEMBERSHIP OF THE BOARD**

a. The Director-General of NaFAA;

a. One (1) representative from the Ministry of Agriculture (MOA);

a. One (1) representative from the Liberia Maritime Authority (LiMA);

a. One (1) representative from the Liberia Coast Guard of the Ministry of Defense (MOD);

a. One (1) representative from the Ministry of Justice (MOJ);

a. One (1) representative from the Ministry of Commerce & Industry (MOCI);

a. Two (2) representatives – a male and a female - from the network of the CMAs, as elected by those associations;

a. One (1) representative from the Liberia Artisanal Fishermen Association (LAFA) as elected by that association;

a. One (1) representative from an academic institution specialized in the fisheries or agriculture sector;

a. One (1) representative from NGOs working in the fisheries sector; and,

a. Two (2) members from the Legislative Committees on natural resource management – one each from the Senate and the House of Representatives.

**THE GENERAL ASSEMBLY**

The CMA General Assembly (hereinafter "the Assembly") shall consist of registered and dues-paying CMA members drawn from the collaborating communities and include Associate and External or non-voting members who shall serve as stakeholders or observers at annual meetings. The General Assembly shall be presided over by the President of the CMA and will include the following below:

1. All registered and dues-paying CMA Members;
2. Associate members; and
3. External members

**FUNCTIONS AND PURPOSE OF THE GENERAL ASSEMBLY**

1. Annually review and approve CMA work plans, annual budget, and proposed projects for implementation and implementation of the objectives and principles as set out in this Constitution;

2. Receive for decision and implementation at the Assembly annual financial reports, operational and progress reports, and recommendations from the CMA Executives Committee President and CMA Board of Directors President;

3. Receive progress reports on governance, nomination for appointments on the CMA Sub-Committees, election schedules, amendments, and recommendations for decisions to the CMA;

4. Ensure that any legal policy and administrative reforms at all levels are inclusive, sensitive to the marginalized groups and create an enabling environment for the participatory integrated management of the resources;

5. Meet at least once a year.

**CMA EXECUTIVES**

The Executives of the CMA shall consist of the following Management Structures:

a. President
a. Vice President
a. General Secretary
a. Financial Secretary
a. Treasurer
a. Internal Auditor

**AIMS OF THE EXECUTIVES COMMITTEE**

1. The following are illustrative of the functions of the Executives Committee**,** and shall embrace all aspects of support that are necessary to ensure its efficiency and effectiveness in the implementation of the Co-management programs and its underlying concept and principles as specified by the Authority

2. Promote and support the establishment of the fish landing site in accordance with the principles set out in this Constitution;

3. It is not intended that the Executives will dictate the activities of any particular individual, organization or institution, but rather the Committee with the mandate from the National CMA Advisory Body, and the General Assembly shall operate in a facilitative, collaborative and supportive capacity, and will respect the rights of individual members, organizations and institutions within the spirit of the Association to pursue its own program objectives;

4. Without prejudice to the functions of the National CMA Advisory Body and the General Assembly as set out herein, the Executives shall develop strategies to raise funds and put in place mechanisms to ensure the sustainable management of said funds;

5. In consultation with the National CMA Advisory Body and the Representative Council, plan and execute the annual General Assembly meetings three (3) months prior to the General Assembly.

**FUNCTIONS OF THE CMA EXECUTIVES**

**The executives shall be:**

1. Responsible for the proper management of the Association and its Secretariat, and implement the decisions of the National CMA Advisory Body and the General Assembly;

2. Coordinate policy formulation at all levels of the CMA with the view to monitor and evaluate the Association activities;

3. Strive to maintain integrity, efficiency, and productivity within the Association, and promote appropriate institutional development and capacity building programs for members;

4. Foster a spirit of partnership with strategic partners and encourage national and international investment opportunities in all sectors in order to create jobs that will improve the livelihood of members and enhance socio-economic development within the community.

5. Promote awareness among members and facilitate the development of appropriate policy to raise funds to support the CMA activities, and make recommendations to the National CMA Advisory Body and the General Assembly as to how such funds shall be used to help improve the livelihood of members and other community dwellers;

6. Mobilize and sensitize local government officials and stakeholders on the CMA Constitution, plans and programs, and ensure that some of the programs are included in the County's development agenda for socio-economic development and improvement of livelihood in the fishing communities;

7. Ensure that enforcement of illegal fishing activities coupled with monitoring, control and surveillance are effectively undertaken by the CMA MCS Sub-committee and that information obtained is immediately shared with relevant institutions and stakeholders for prompt actions;

8. Ensure that the CMA Community Science Sub-committee conduct regular and effective monitoring of water temperature, tidal level, hygiene check, shoreline survey etc. and information obtained is shared with fishermen (through bulletin or other media);

9. Liaise and cooperate with the local government, particularly with the County Superintendent and officials, the Authority, and other relevant partners in order to support the CMA policy and objectives at all levels;

10. Maintain links with strategic partners for financial and technical support, and foster the exchange of technical and local knowledge, technology and research in areas of common interest;

11. Identify and mobilize financial resources and advocate for adequate budgetary allocation from the local government development budget and the Authority to ensure sustainability of the Association;

12. Mobilize the community and advocate for the incorporation of some of the CMA development plans and activities into the County development agenda, and ensure that the plans and interventions are pro-poor and address the needs and aspirations of the members and the communities;

13. Ensure the effective participation of collaborating fishing Communities in all decision-making and positively engage the local government, NGOs and the private sectors in order to create an enabling environment that permits community-level authority over the management and utilization of natural resources;

14. Ensure that there is smooth coordination between the ad-hoc committee on election. Provide financial, technical, and material resources to ensure effective and efficient operation and function during election period;

15. Implement the approved annual work plan and use the Association funds to implement activities in accordance with said approved annual budget;

16. Ensure to provide support for relevant training and capacity buildings at all levels for CMA members in order to foster institutional capacity building and good governance;

17. Establish standing and ad-hoc Committees when necessary for the effective and efficient functions of the Association;

18. Prepare and submit monthly progress and quarterly financial reports to the CMA National CMA Advisory Body and annual financial and progress reports to General Assembly and the CMA Network Secretariat when established;

19. Underwrite the cost for member's participation in meetings, workshops, training, seminars, etc., when necessary;

20. Based on the availability of funds, provide compensation for the operations of the CMA Executives, Sub-Committees, and other organs of the CMA.

21. Promote investment activities among members in collaborating fishing communities through small and medium-scale micro-finance programs, value addition and alternatively livelihood activities;

22. Develop and adopt its own operational rules for members and procedures for efficiency and effectiveness;

23. Consult the Advisory Body and the general membership to develop guidelines, rules and procedures for the conduct of the annual meeting.

24. Receive and put on record ratifications of policies, resolutions, decisions and other instruments adopted by the CMA;

25. Prepare annual reports of the CMA for presentation to the Advisory Body.

**PRESIDENT**

**FUNCTIONS OF THE PRESIDENT:**

1. The CMA Executives shall be presided over by the President of the CMA, and in his/her absence by the Vice President, and in his/her absence the General Secretary of the CMA;

2. The President shall run the affairs of the CMA as defined in this Constitution;

3. The President shall be the highest competent authority of the CMA Executives and under the direction of the Advisory Body will exercise the following responsibilities:

a. ensure that the CMA Executives pursue its aims and objectives and exercise its function as defined in this Constitution;

a. guide the affairs of the CMA in conformity with the decisions of the Advisory Body and the General Assembly as prescribed in this Constitution;

a. preside over CMA general meetings, and the annual General Assembly meetings;

a. ensure to timely monitor the activities of each Sub-committee in order to ensure effectiveness and efficiency;

a. monitor and evaluate policy implementation at all levels of the CMA, including projects, and submit monthly, quarterly and annual reports to the Advisory Body and the General Assembly;

a. represent or designate to represent the CMA at all seminars, workshops/training at national level or international conferences;

a. solicit financial and material resources on behalf of the CMA;

a. approves operational funds in line with the constitution and the financial policy of the CMA.

## VICE PRESIDENT

**FUNCTIONS OF THE VICE PRESIDENT:**

1. The Vice President shall run the affairs of the CMA in the absence of the President, and shall have similar functions and responsibilities as provided for the President;

2. Under the direct supervision of the President and in collaboration with the General Secretary, shall have oversight responsibility on the functions of the six CMA operational Sub-Committees;

3. Collect monthly reports from the various Sub-Committee Chairpersons between the 25th to 30th of each month, and ensure to submit said reports within the first week of the following month to the CMA President for review and action;

4. Shall appoint and serve as chairperson on all sub and technical committees and have general oversight responsibility over said Committees;

5. Shall be asked by the President or the Secretariat to perform different tasks which gear towards the enhancement of the Association;

6. Submit monthly, quarterly and annual reports to the CMA President.

## GENERAL SECRETARY

**FUNCTIONS OF THE GENERAL SECRETARY:**

The General Secretary shall be the chief scribe for the CMA and shall be responsible for the following functions:

1. In consultation with the CMA President, document and prepare the President of the CMA for the Advisory Body meetings and the General Assembly;

2. In collaboration with the President and the Financial Secretary and Treasurer, draw up annual budget and financial reports;

3. In consultation with the CMA President, run the day-to-day activities of the CMA

4. Along with the CMA Executives implement the general policies and mandate as assigned to it by the General Assembly and the Advisory Body;

5. Submit monthly, quarterly, and annual reports to the CMA President.

## FINANCIAL SECRETARY

**FUNCTIONS OF THE FINANCIAL SECRETARY:**

1. The Financial Secretary shall be responsible for receiving all funds paid to the Association for whatever purpose;

2. Record said funds into the Association's financial ledger/books and turnover same to the Treasurer for deposit at a local Bank within a given period as per the constitution and the CMA financial policy. Ensure there is a receipt of the financial transaction of the CMA;

3. Give advice on all financial matters of the Association, and along with the CMA Executives, develop internal control mechanisms for all incomes and expenditures of the Association funds;

4. Ensure to make available current financial records or documents, and allow the Internal Auditor /external auditor/s, when necessary, to conduct quarterly or annual audits on the financial records of the Association;

5. Work with the CMA Executives to develop the annual budget and periodically review the formula for fixing annual membership contributions and other subscription fees;

6. Advise the CMA Executives on the handling and investment of available funds, and make recommendation/s to the Committee on financial measures which he/she deems necessary;

7. Submit reports to meetings of the CMA Executives, the Advisory Body and the General Assembly by the directive of the CMA President;

8. Adopt a comprehensive set of accounting principles, financial management and administrative policies, which shall be reviewed by the CMA Executives as may be necessary;

9. Submit monthly, quarterly and annual reports to the CMA President.

## TREASURER

**FUNCTIONS OF THE TREASURER:**

1. The Treasurer shall be responsible for receiving from the Financial Secretary and others all funds paid to the CMA for whatever purpose and deposit same at a local bank;

2. Accountable to the CMA Executives, the Advisory Body and the General Assembly for the proper management of the Association's funds;

3. In collaboration with the CMA Executives, prepare the annual budget for onward submission to the Advisory Body for approval;

4. Ensure to allow the Internal Auditor/ External auditors to perform monthly and quarterly audits on all financial transactions, including bank deposits, bank reconciliation and statements etc., and ensure that the audited records and accounts are placed before the CMA Executives Committee;

5. Work along with the Financial Secretary to put in place internal financial control mechanisms and advice the CMA Executives on financial management policies and usage of the CMA funds;

6. Submit monthly, quarterly, and annual reports to the CMA President.

## INTERNAL AUDITOR

**FUNCTIONS OF THE INTERNAL AUDITOR:**

1. The Internal Auditor shall be empowered to regularly audit all financial records and activities of the CMA in keeping with the Constitution;

2. Perform quarterly audits on all financial transactions of the CMA and submit reports to the CMA Executives;

3. Work with and assist an independent external auditor with financial records in order to perform annual audit at the end of each fiscal year;

4. Work in close consultation with Financial Secretary and Treasurer to ensure the review and audit of all CMA financial records;

5. Work along with the CMA Executives in the preparation of the annual budgets;

6. Submit quarterly and annual reports to the CMA President.

## SUB-COMMITTEES

**FUNCTIONS OF SUB-COMMITTEES:**

**SECTION 1: MEMBERSHIP AND RECRUITMENT COMMITTEE**

1. The CMA Membership and Recruitment Committee shall be headed by a Chairperson and supported by other committee members;

2. Report monthly to the Vice President of the CMA, who has oversight responsibility on the activities of the committee;

3. Ensure to establish an electronic database for all registered and non-registered members of the Association and categorize each according to community;

4. Carry out recruitments for membership and registration of members in all collaborating fishing communities in County;

5. Carry out community mobilization and create awareness on CMA programs that promote the sustainable use and management of the fisheries resources in the collaborating communities in County;

6. Quarterly update all membership records, including an electronic database, to reflect current membership status.

**SECTION 2: CONFLICT MANAGEMENT COMMITTEE**

1. The CMA shall have a Conflict Management and Resolution Committee, which shall be headed by a Chairperson and supported by other committee members;

2. Report monthly to the Vice President of the CMA, who has oversight responsibility on the activities of the committee;
3. Identify the types and causes of conflict amongst members from the initial stage of the conflicts, and put in place strategies to resolve said conflict;
4. Ensure that alternative options are explored and that the parties in a conflict do not persist in holding differences that are the result of misunderstanding and that have no basis in reality;
5. Establish process ground rules that are likely to create trust among the CMA members and other stakeholders;

1.5 Have some means of influencing the attitudes and/or behavior of the other members or parties if they are to reach an agreement on issues over which they disagree;

0. Serve as an independent mediator/facilitator that have a neutralizing effect on power imbalances by ensuring fair rules of discussion and negotiation;

0. Develop specific conflict management strategies to address issues that may arise for people who are negatively affected by the implementation of the project.

**SECTION 3: BUSINESS MANAGEMENT AND FINANCE COMMITTEE**

1. The CMA shall have a Business Management and Finance Committee, which shall be headed by a Chairperson and supported by other committee members in order to provide quality business development services within the Association;

2. Report monthly to the Vice President of the CMA, who has oversight responsibility over the activities of the committee;

3. Strive to enhance the capacity of individual members or group/s in fish-related businesses in Robertsport and its environs;

4. Work along with the CMA Executives to put in place a sound business and financial management framework that will encourage members to engage in value addition of the fish products and alternative livelihood for those negatively affected by the implementation of the project;

5. Engage the CMA Executives to promote income generation (to include alternatives outside the fisheries sector) and introduce fisherfolk-friendly micro-credit or revolving credit scheme for the self-advancement of members;

6. Provide business management and microfinance training that will increase the performance/s of members to manage their finances effectively for potential economic growth and sustainability.

**SECTION 4: MONITORING, CONTROL AND SURVEILLANCE**

1. The CMA shall have a Sub-Committee on Monitoring, Control and Surveillance, which shall be headed by a Chairperson and primary responsibility for monitoring, control and surveillance of all fishing activities falling within lakes and coastal waters in the County.

2. Share its reports monthly with the Vice President of the CMA, who has oversight responsibility on its activities;

3. In discharging its functions and responsibilities and in consultation with the CMA Executives, coordinate and collaborate with relevant Government Ministries and agencies, including:

   Liberian National Police, the Ministry of Justice, Liberia Immigrations Services and the Liberia Coast Guard

0. Put in place a standard operational procedure (SOP) to ensure regular monitoring, control and surveillance by committee members;

0. Monitor and enforce conservation and management measures necessary to ensure the long-term sustainable use of fisheries resources in accordance with the principles for fisheries management set out in the 2019 Fisheries Management and Development Laws and policies;

0. Perform its functions within six nautical miles seawards of the low-water line along the coast, which is reserved solely for the use of subsistence, artisanal and semi-industrial fishing activities and artisanal fishing boats and canoes;

0. Ensure that no person/group of persons in the inshore exclusion zone (IEZ) are engaged in fishing activities other than subsistence, artisanal or semi-industrial fishing;

0. Ensure that no one person /group of persons carry out fishing activities in such zone in connection with an industrial fishing vessel or carry out fishing activities otherwise than in accordance with the Fisheries Regulations and Policies;

0. Inspect all NaFAA/CMA registered canoes and boats to ensure seaworthiness and advice the CMA Executives on measures if necessary.

**SECTION 5: COMMUNITY SCIENCE**

The CMA Sub-Committee on Community Science shall be headed by a Chairperson and responsible for monitoring coastal and inshore waters in the county. It shall be required to do the following:

1. Share monthly reports with other partners, including the Vice President of the CMA, who has oversight responsibility for its activities;

2. Monitor daily, and conduct data collection on coastal and inshore marine resources and share information with the CMA to be utilized by the fishermen and others at the fish landing site;

3. Collect data and provide useful information to the CMA on the following:

    1. Water Temperature
    2. Fish catch data
    3. Shoreline Survey
    4. Tide Level
    5. Hygiene Checks

**SECTION 6: PLANNING, DEVELOPMENT AND SOCIAL ACTIVITIES COMMITTEE**

1. The Planning, Development and Social Activities Committee of the CMA shall be responsible for formulating the technical and strategic implementation plan through which the CMA shall achieve its goals and objectives;

2. The committee shall be headed by a Chairperson and supported by other committee members, and report monthly to the Vice President, who has oversight responsibility on its activities;

3. Develop the overall strategic implementation and development plans and framework for the Association in consultation with other stakeholders;

4. Coordinate the activities of these plans and the work of the Sub-Committees to ensure that activities of the Sub-Committees are coherent in line with the Association's strategic implementation and development plans, aims and objectives;

5. In collaboration with the CMA Executives, develop the overall planning, development and social activities work plans, including the budget annually, and provide technical supervision and coordination for the full implementation of said plans;

6. Provide expert advice and technical supervision and coordination on proposed developmental projects, and submit in advance said proposals to the CMA Executives;

## ARTICLE X

### MEMBERSHIP

The Membership of the CMA shall be open to all stakeholders without discrimination, religion, tribe, language, sex, nationality, or political opinion. However, application for membership shall be made in writing on a prescribed form with an attached passport-size photo.

**1. There are three (3) categories of membership recognized within the CMA:**

a. Registered and dues-paying members (voting rights);
a. Associate (Non-voting or Invited members); and
a. External members.

**1.2 Registered dues-paying members -** are members that have full voting rights. This includes but not limited to the listed members below:

a. All registered CMA members
a. Sea chiefs
a. Boat owners
a. Boat and Canoe crew members
a. Fish Processors
a. Fish Mongers
a. Fish Traders
a. Fish Transporters
a. Business owners; etc.

0. **Associate Members -** are non-voting or invited members to the CMA. However, National Associate Members or stakeholders shall serve as the Advisory Body members, while international Associate and External partners shall always serve as observers at meetings and elections. The Associate partners include but not limited to the below listed:

a. National Fisheries and Aquaculture Authority (NaFAA)
a. National CMA Network of Liberia; (NCNL)
a. Local County Administration
a. Environmental Protection Agency (EPA)
a. Forestry Development Agency (FDA)
a. Liberia Artisanal Fishermen Association (LAFA)

a. Environmental Justice Foundation (EJF)
a. Ministry of Justice; (MOJ)
a. Ministry of Gender and Development (MOGD); and
a. Institutions or Organizations that ascribe to the principles of the Association;

0. **External members -** they have no voting rights but can serve as observers. This may include but not limited to:

a. Fishers from the Sub-region that may like to join the CMA;
a. Local fishermen from other fishing communities in Liberia;
a. Individuals or institutions in fish or fishing-related activities that will come to do business in the CMA county;

1.6 Membership shall be terminated by a two-thirds vote of those members present at a duly constituted meeting on the grounds of such member/s failing to conform to the Constitution, and in any other way, to bring disrespect to the good image of the Association or to undermine the legitimate work of its members.

## ARTICLE XI

**ANNUAL REGISTRATION FEES FOR MEMBERS**

1. Annual registration and other fees, levies, rates and service charges shall be determined by an annual fee-fixing mechanism of the Assembly;

2. Fees fixed shall remain invoked until a resolution is passed by the Assembly, which should have been conducted before the 31st of January each year to enable the new fees to be approved in the current year.

## ARTICLE XII

**DUTIES OF CMA MEMBERS**

**All CMA members shall be requested to fully adhere to the Constitution by doing the following:**

1. Pay regular annual fees or membership contributions to the CMA;
2. Fully participate in all activities undertaken by the Association;
3. Obey, respect and recognize the CMA leadership;
4. Members are expected to actively practice, support and uphold the aims and objectives of the Association;
5. Wherever possible, decisions are taken by consensus, with discussion and viewpoints of members forming the debate;

6. Members have the right to vote at specific meetings and make decisions, when necessary, once said decision does not contravene the Constitution;

## ARTICLE XIII

**ELECTIONS AND TENURE**

**A. Tenure of Service: CMA Executives**

1. The CMA Executives Committee shall be elected by all registered dues-paying members;
2. They shall serve for a period of three (3) years; however, they shall have the right to be re-elected for another three (3) years based on performance;
3. Absolutely, no CMA Executives member shall be allowed to serve for more than six (6) consecutive years in the same position; this is to ensure the productivity and effective functions of the CMA;
4. Election shall always be held two months before the end of the third year of the CMA Executives tenure;
5. The CMA Executives shall be inducted into office within sixty (60) days after the announcement of the election results;
6. However, the General Secretary, Financial Secretary and Treasurer shall continue to function for an additional period of sixty (30) days with counterparts to ensure the smooth transfer of the Association's records and other essential documents;
7. Ex- CMA President and Vice President shall be consulted for advice when necessary by the CMA Executives to ensure the transfer of co-management knowledge acquired to new members.

## ARTICLE XIV

**MEETINGS**

1. The General Assembly shall meet at least once every year;
2. The CMA Executives shall meet as regularly as it may wish to discuss vital issues that gear towards the enhancement of the activities and functions of the CMA;
3. More than half of the full membership present shall constitute a quorum for both ordinary and annual General Assembly meetings.
4. In the event of there not being a quorum at a meeting, that meeting shall stand adjourned for a period of seven (7) days. The members present at a re-convened meeting shall constitute a quorum.
5. Ten (10) days written notice for meetings shall be given to the CMA Executives before any meeting;
6. Agendas, reports, proposals, and other relevant documentation should be distributed to each of the members at least 7 days before meetings.
7. Special General Meetings shall be called either by the CMA Executives or the Advisory Body upon receipt of a written request;

8. Members shall be given a ten (10) day notice of the meeting together with the agenda. More than half of the membership shall constitute a quorum;
9. Executives membership shall be fined a stipulated amount as agreed by the CMA Executives if a member misses three (3) consecutive meetings without a valid or justifiable reason or written letter of excuse.

Minutes shall be kept by the CMA Executives on the proceedings of all meetings of the Association, and a record of members, External and Associate members present at said meeting. The minutes shall be approved by all attendees and shall always be available for inspection.

## ARTICLE XV

### FINANCIAL MATTERS

Banking and Accounts

1. The CMA President, Treasurer and Financial Secretary shall be authorized Signatories for the opening of an account, and all withdrawals from the Bank shall bear the signatures of not less than three (3) of the signatories, of which the signature of the President is required, in keeping with the Constitution;
2. All monies received by either the Financial Secretary or Treasurer on behalf of the CMA shall be deposited into the Association Bank account at a reputable and recognized Bank in Liberia;
3. Absolutely, no Executives member except the treasurer shall be allowed to keep the CMA monies for more than five (5) consecutive working days without justifiable reason, as failure to adhere to this article shall lead to a breach of the Constitution;
4. The Association shall review and adopt a comprehensive set of financial management and administrative policies, which shall be reviewed by the Advisory Body for implementation as may be necessary;
5. The financial year of the CMA shall start from the 1st day of January and end in December of each calendar year, and the books of the account shall be closed on the last day of each fiscal years;
6. Unless otherwise provided, all assets acquired with funds of the CMA shall constitute assets of the Association and shall be vested as such;
7. Subject to procurement guidelines, the CMA Executives shall develop and adopt rules and guidelines for procurements by the Association.

## ARTICLE XVII

### DISPUTE RESOLUTION

1. In the event of any dispute or difference arising between the Members relating to their work in the CMA, or arising outside of this Constitution, the parties shall immediately meet to attempt to settle such dispute or difference;

2. Failing such settlement, the parties shall bring their dispute to the Conflict Management Committee for settlement. Failing such settlement, the parties shall bring their dispute to the next Ordinary Members' meeting for settlement;
3. Failing such settlement, the dispute or difference shall be submitted to the Advisory Body for Arbitration.

## ARTICLE XVIII

**AMENDMENTS**

1. This constitution shall be amended by vote of two-thirds of the members at the General Assembly under the condition that the intention to amend the constitution is announced in writing to all members at least 30 days prior to the meeting;
2. Any motion for resolution to amend any of the provisions of this Constitution shall be addressed to the Advisory Body and copy forwarded to the President of the CMA;
3. A motion for resolution to amend this CMA Constitution shall be considered adopted if it is debated by registered members and adopted through a secret ballot by two-thirds of the members of the CMA General Assembly registered and in attendance at the meeting where the said motion is debated and passed.
4. The CMA Executives or the Advisory Body are not clothed with authority to amend, abrogate, or add to any provisions of the Constitution.

**CLOSING**

This Constitution was validated and approved on the 9th Day December AD 2022 at the National Fisheries and Aquaculture Authority (NaFAA) Office in Freeport, Monrovia, Liberia, with support from the Environmental Justice Foundation (EJF) through its Communities for Fisheries Project funded by the European Union.

## PARTICIPANTS OF THE CMA CONSTITUTION VALIDATION

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## SIGNATURE OF VALIDATION PARTICIPANTS