

Development of SEAFDEC Regional Guidelines on Co-Management by Means of Group User Rights

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A Co-management Approach for Small-Scale Fisheries

In the Southeast Asian context, small-scale fisheries, which involve either full-time or part-time activities in inland and inshore waters, constitute the major part of the sector. Considering their contributions to local food security, sustainable livelihoods and poverty alleviation, and the fact that the small-scale fisheries sub-sector is generally weak in terms of financial and technical capabilities, substantial, long-term support from the government is perceived as essential. Such support would ensure that social and economic security is maintained even in the poorest and most vulnerable rural areas.

Inshore waters and some inland water areas, where small-scale fisheries are operating, are considered to be critical habitats for commercially important aquatic resources (as spawning, nursery or feeding grounds) and as unique tropical ecosystems as a whole (specifically referred as coral reefs, mangrove forest and sea grass beds). It is therefore crucial to develop appropriate fisheries management systems and conservation mechanisms for these fragile coastal ecosystems.

It is understood that any innovative fisheries management methodology will not be effectively implemented so long as fishing operations are conducted under the current unregulated open access regime. The introduction of rights-based fisheries is therefore considered a crucial innovative step towards the implementation of effective management. With a view to developing and improving the management of small-scale fisheries, 'group user rights' are considered essential under a co-management system.

By adopting group user rights, ownership and partnership of small-scale fisheries in resource management and utilization could be enhanced. If management responsibilities are shared among resource users, the level of compliance to regulations aimed at achieving sustainable fisheries will be greatly improved.

priority actions to achieve sustainable fisheries, which were adopted as the Resolution and Plan of Action on Sustainable Fisheries for Food Security for the ASEAN Region. With regards to aspects related to fisheries management, the Resolution and Plan of Action stresses the need to develop innovative fisheries management by decentralizing fisheries management functions to the appropriate local level, introducing rights-based fisheries management through licensing and community fishing rights, and development of supporting legal and institutional frameworks under the co-management system.

Since then, the SEAFDEC Secretariat in collaboration with its member countries has clarified and introduced the concepts of rights-based fisheries and co-management for small-scale fisheries. The development of local institutions has been highlighted as the key element for the effective implementation of co-management systems. It was noted that the establishment of local institutions would provide a solid basis not only for improved management practices, but also for systematic government assistance and supports to small-scale fishers' livelihood. A national network among local fishing communities would contribute towards poverty alleviation, both in normal and emergency circumstances, such as rehabilitation work after the 2004 tsunami.

Developing Co-management Guidelines

In line with the principles set forth in the 1995 Code of Conduct for Responsible Fisheries (CCRF), SEAFDEC initiated a regionalisation process in 1998 to translate the CCRF into actions. As a result of this process, four sets of regional guidelines for responsible fisheries in Southeast Asia were developed through a series of consultations at national and regional levels. The four sets of guidelines deal with fishing operations, aquaculture, fisheries management and post-harvest practices and trade.

By way of follow up, the ASEAN-SEAFDEC Member Countries organized a Conference on Sustainable Fisheries for Food Security in the New Millennium: "Fish for the People" in 2001. The Conference identified important fisheries issues and formulated a regional fisheries policy framework and



To facilitate further development of these concepts, the SEAFDEC Secretariat, through a project under the Special Five-year Program called Toward Decentralized Management for Sustainable Fisheries in the ASEAN Region (2002-2005), developed the Regional Guidelines for Co-management Using Group User Rights for Small-scale Fisheries in the ASEAN Member Countries. This was done through a series of regional consultations. The guidelines are expected to support national efforts in the region to improve the management of small-scale fisheries.

Using the Guidelines

The Guidelines are considered as supplementary directives to the Regional Guidelines for Responsible Fisheries in Southeast Asia: Fisheries Management. They are intended to provide a regional reference for countries that are interested in implementing and improving the management of their small-scale fisheries using group user rights and co-management. The Guidelines generalize regional fisheries issues in the broader context rather than focusing on specific national situations. The actual application of the Guidelines would require appropriate modification, including the terminology used, so as to fit the national or local specifics on social, economic and legal situations.

Content of the Guidelines

The guidelines consist of five key sections:

(1) Supporting national policy

The guidelines encourage Member Countries to formulate fishery policy to support the implementation of co-management of small-scale fisheries by using group user rights. There are two crucial issues which, it is argued, must be stated at the policy level. First, the responsibilities of local institutions must be clarified, with the delegation of management responsibilities to the local level. This policy is needed in order to allow the co-management system to start. Second, regulated entry to common fisheries resources must be put in place. This first step would then need to be followed by identifying and selecting an appropriate number of fishers who will be allowed to fish, which should be carefully considered. The process of selecting fishers is left to the local institutions who are co-managers to particular fishery resources.

(2) Supporting legal frameworks

To implement the co-management of small-scale fisheries using group user rights requires appropriate legal frameworks that will support management at national, local and community levels.





Quick definitions:

Community Fisheries Management Organization

In each of the designated areas, the CFMO is a proposed stakeholders institution whose members are local fishers. The roles and functions of the CFMOs should be nationally designed, guided and supported by an appropriate national policy and legal framework.

Community Fisheries Management Committee

CFMC is the main co-management and decision making body at the community level. The committee is composed of representatives of the CFMO and relevant government agencies.

At the *national level*, the legal framework should cover the identification and delegation of fisheries management functions and responsibilities to local government and Community Fisheries Management Organizations (CFMO) as partners in the co-management process, and the legal roles and functions of the Community Fisheries Management Committee (CFMC).

The legal framework at the local level needs to cover detailed roles and functions of CFMC, designated exclusive areas, and definition of rights coverage, including type of fishing gears and methods, roles and responsibilities of resources users, operating rules for CFMOs, and guidelines for supporting economic activities conducted by each CFMO.

Finally, the legal framework at the community level needs to empower CFMOs to carry out their day-to-day fisheries management actions and enable them to enforce the required management measures through effective operation of CFMCs.

(3) Fishing rights

The guidelines promote group user rights. These refers to exclusive rights of access to fisheries resources, and use of water surface in case of aquaculture, to be given to the resource users within a manageable designated area through the appropriate local organization. User rights are given to a group of fishers, not individuals, and are not the same as property rights – users do not own the area in which they have user rights. As a member of the group, individual fishers are entitled to exploit fishery resources and the sea surface in the responsible organization's designated area.

(4) Mechanisms

The guidelines encourage the development of an appropriate co-management mechanism in conjunction with institution-building initiatives of CFMOs. CFMC are the mechanism through which government agencies and local fishers co-manage coastal fisheries. Their roles cover:

- final allocation of the designated area
- formulation of day-to-day rules and regulation for fisheries management in the designated area
- monitoring of the utilization of fisheries resources and water surface
- implementation of environmental conservation measures and activities
- exit and entry of CFMO members, with the development of an appropriate and simple registry system to keep records of its members
- clarification of responsibilities and privileges of memberships
- local settlement of conflict among members, including appropriate penalties for violation of rules
- review and approval of the fishery management and development plan
- promotion and supervision of CFMO economic activities, and
- financial management and conducting economic activities for financial sustainability.

(5) Institution building in co-management

As the group user rights will be given to CFMOs, these organizations should be equipped with an appropriate number of staff and adequate knowledge and skills to effectively execute their roles and responsibilities, as mentioned above.

A National Technical Consultation on Rights-based Fisheries, Co-management for Small-scale Fisheries and revising Fisheries Strategy organized by Lao DoF, 25 - 29 October 2005, as recommended by SEAFDEC Rights-based Fisheries and Co-management RTC in Jakarta.



In line with the agreement reached at the consultation, the SEAFDEC Secretariat plans to promote and verify the regional guidelines through the implementation of pilot projects in some Member Countries. Considering the urgent need to change the policy and legal framework, in accordance with specific local circumstances of coastal fishing communities, the selection of the pilot projects' sites will have to be done in close partnership with interested Member Countries. This will ensure active collaboration and commitment of involved government agencies in implementing the pilot projects.

Conclusion

A few key elements must be considered in order to sustainably manage coastal fisheries as common pool resources. These are an effective supporting policy and legal framework, strong and motivated local institutions involved in managing their fisheries, and clear boundaries on the resources themselves. Rights-based fisheries and co-management respond to the need for those key elements, and have been introduced by SEAFDEC as innovative approaches for coastal small-scale fisheries management in the Southeast Asian region.

What Next?

The process of publishing the regional guidelines is in its final stage, but how will they be useful for SEAFDEC Member Countries? In the Regional Technical Consultation held in Jakarta, Indonesia, in July 2005, Member Countries agreed that the guidelines should be used to facilitate future promotion of rights-based fisheries and co-management at the national level. Promotional activities may include pilot projects, capacity building, joint research and networking among relevant projects and initiatives. Member Countries were encouraged to conduct appropriate national consultations to enhance awareness, review existing projects and experience related to coastal fisheries management, and investigate the applicability of the Regional Guidelines. The outcome of such a process may facilitate the formulation of national implementation plans.

The scope and direction of the approach has been elaborated in the form of Regional Guidelines on Co-management by means of Group User Rights for Small-scale Fisheries. These are intended to facilitate how Member Countries can improve their coastal and small-scale fisheries management approaches and system. The guidelines need to be adapted to each national management system and to local specifications, in order to build upon experience and existing systems and utilize available resources for the greatest benefit of each Member Country.



Visiting Banda Ache by SEAFDEC' staff, Dr. Yasuhisa Kato and Dr. Supaporn Anuchiracheeva, discussed with the local government authorities and the local fisher organization, *Panglima Laot*, on the impact of Tsunami on coastal fishing communities of the area, and roles of local institutions in post Tsunami activities, 13 June 2005



ABOUT THE AUTHOR

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