

# Innovative Fisheries Management for the ASEAN Region: Is Decentralization the Right Answer?

by Pouchamarn Wongsanga

Traditionally, most ASEAN Member Countries have managed their fisheries sector in a centralized manner. At present, these centralized management authorities delegate only very limited management functions and responsibilities to the local level. This system has prevented the effective support and involvement of stakeholders, as well as the integration of fisheries management within local development and planning processes.

## Toward decentralization of fisheries management

The current centralized system of management in the ASEAN region has been unable to effectively manage fisheries under a regime of open-access, common property fisheries resources. This is due to the small-scale and subsistence nature of fisheries in the tropics, with fishers mostly targeting several species using a variety of fishing gear.



There is growing recognition that the delegation of certain functions and responsibilities to local levels can promote effective fisheries management, particularly in regard to coastal and small-scale fisheries. Under the broad concept of decentralization, two closely related institutional processes can be considered. The first is the decentralization of selected government fisheries management functions to a local level. The second is the process of enlisting the cooperation and involvement of fishermen, fishing communities, and other stakeholders, in the management process. It is becoming clear that there is a close linkage between the establishment of rights-based fisheries and the decentralization process, particularly at the community level.

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To ensure sustainable fisheries with stable fish supplies and all the associated benefits, these innovative fisheries management concepts are urgently needed to overcome the present ineffective fisheries management and to prevent further deterioration of fisheries resources. The proposed solution could be the establishment of effective and innovative fisheries management systems, possibly through decentralized fisheries management and the allocation of fishing rights. This will give resource users a responsibility in managing their fisheries in a sustainable way, as well as a sense of participation and custodianship.

## The Millennium Conference and regional fisheries common policy

The goal of the ASEAN-SEAFDEC Conference on Sustainable Fisheries for Food Security in the New Millennium: “Fish for the People” was to formulate an

appropriate regional fisheries policy, as well as to identify and prioritize actions to be implemented by fisheries sector in the region. A major outcome of the Millennium Conference was the Resolution and Plan of Action on Sustainable Fisheries for Food Security for the ASEAN Region, a commitment by ASEAN Member Countries to the implementation of this regional fisheries policy.

Resolution Number 5 calls for Member Countries to adopt a regional policy of decentralization of fisheries management to “encourage effective management of fisheries through delegation of selected management functions to the local level.” Resolution Number 6 addresses rights-based fisheries, by “recognizing the need to progressively replace ‘open access’ to fisheries resources with ‘limited access regime’ through the introduction of rights-based fisheries which may also facilitate the management of fishing capacity and promote the use of responsible fishing gears and practices.”

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The Plan of Action elaborated at the Millennium Conference set out programs, projects and activities for the implementation of the Resolution. The innovative approaches were mentioned in Part A – Fisheries Management as to “establish and implement comprehensive policies for innovative fisheries management, such as decentralization of selected fisheries management functions to the local level”, “the progressive introduction of rights-based fisheries management through licensing and community fishing rights, the improvement of vessel registration systems and the development of supporting legal and institutional frameworks”, and “ensure local consensus building on innovative management measures through consultative processes and create close monitoring mechanisms to support and implement these measures.”

It is therefore necessary for ASEAN Member Countries to develop appropriate policy for fisheries management and to implement an effective management plan and actions in line with the adopted regional policy to improve the current fisheries management.

## **What is decentralization?**

Decentralization of fisheries management is a generic term that describes the delegation of selected fisheries management responsibilities and functions to local government, community organizations or institutions. Decentralization is especially applicable in ASEAN Member Countries, where millions of small-scale fishers operate along the coasts. The proposed management system will facilitate closer contact and support with fishers and stakeholders, and will make government support services more effective.

Due to the diversity of fisheries in terms of resources, physical geography, patterns of exploitation, and scales of exploitation, it is difficult to successfully promote a single approach to fisheries management. For ASEAN Member Countries, where the majority of fisheries are categorized within the coastal and small-scale sub-sectors, the required management actions should be specific to local conditions and to particular fisheries, whatever governing management policy and plans might be. In order to accommodate such requirements, the delegation of selected fisheries management functions and responsibilities can be justified as an essential part of the fisheries management policy.

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Because of the nature of open access to common fisheries resources, capture fisheries require public intervention to regulate resources use and to avoid



*Participatory approaches with local stakeholders are the key to decentralization and right-based fisheries*

overfishing. However, it should be understood that such a decentralized process cannot be effectively promoted unless major structural changes in the public sector, both at the central and local levels, with appropriate human resource development for all fisheries stakeholders, are implemented.

## **Rights-based fisheries, a necessity?**

A rights-based fishery is defined as a fishery in which the right to fish or use fishery resources is granted to resource users and regulated by the competent authority. In return, the holders of the fishing rights have obligations to comply with the rules and regulations of the rights-based management system. Under this system, fisheries inputs such as numbers of fishing vessels or fishers, the types of fishing gear, the fishing season and fishing grounds will be effectively controlled in the conditions locally agreed, in a transparent manner with full stakeholder participation.

Effective decentralization of fisheries management may require policy changes supported by appropriate legislation and strengthening of local institutions and processes. The institutional requirements and roles of local governments, fishing communities and stakeholder organizations also need to be clearly defined.

With this in mind, four recommendations were adopted at the Millennium Conference in order to promote decentralization of fisheries management in the Region (Box 1).

Implementation of rights-based fisheries will also require substantial changes in fisheries policy and in the practical management and administration of fisheries. Key policy issues include the setting of criteria for the allocation of fishing rights and licences, the determination of the nature and conditions of the rights being created, the legal ownership of the resource and associated waters, and the responsibility for the administration and control of rights-based management regimes.

Changes in the management and administration of these fisheries include the registration of fishing vessels and the introduction of a licensing scheme for industrial vessels. In the case of scattered coastal and small-scale

### **Box 1. Recommendations adopted at the Millennium Conference to promote Decentralization of Fisheries Management in the ASEAN Region**

- 1 Investigate and examine the feasibility and viability of the policy on decentralization of fisheries management authority, responsibility and function to appropriate local government institutions for industrial fisheries and small-scale coastal fisheries sub-sectors:
  - a) Formulate appropriate national policy on decentralization of fisheries management in collaboration with relevant agencies;
  - b) Determine the types of fisheries management authority, responsibility and function that can be delegated and shared with the local institutions;
  - c) Determine the appropriate local institutions that can be authorized and can accept the mandate to manage the fisheries in their area of jurisdiction;
  - d) Determine the need for human resources development to prepare the local resource users and their community to assume greater responsibility for managing the fisheries in their local area; and
  - e) Develop local consensus through greater coordination among the different agencies involved with responsibility in fisheries and coastal resources management.
- 2 Prepare a comprehensive fisheries management program under the above decentralization policy to further clarify various issues. These include detailed Terms of Reference for both central government and local institutions in fisheries management, as well as human resources development.
- 3 Clarify and provide appropriate legal framework, mandate and responsibility to the different fisheries management authorities at both central and local levels.
- 4 Conduct a step-by-step development plan of fisheries management decentralization, especially for the gradual transfer of selected management authority, responsibility and function to the local governments and non-government institutions. This must be especially conducted where greater coordination and cooperation between the central and local institutions are required, with the full support of the central government offices.

fisheries, granting local communities exclusive fishing rights over adjacent waters and fishery resources is seen as the most practical approach. Such measures will also require some decentralization of fisheries management authority and functions, both to local government institutions and to local communities through co-management arrangements. Improved fisheries management capacity will be required at all levels in order for rights-based fisheries regimes to successfully manage fisheries in the region.

A set of recommendations was adopted at the Millennium Conference to promote rights-based fisheries in the region (Box 2).

### **Learning from outside the region?**

It is well known that Japan has developed a successful coastal fisheries management system with delegation of some responsibilities and functions to either local government or local institutions known as ‘fisheries cooperatives’. In order to investigate the factors and conditions related to Japan’s successful coastal fisheries management system, SEAFDEC organized a regional seminar in Japan on coastal fisheries management in November 2002, with visits to several fisheries cooperatives.

Although the need to improve fisheries management systems in ASEAN Member Countries is widely recognized, policy makers in these countries often encounter difficulties in implementing changes. Successful cases to which they could refer and mechanisms to use in their own countries could ease



#### **Box 2. Recommendations adopted at the Millennium Conference to promote Rights-based Fisheries in the ASEAN Region**

1. Define the duration, transferability and exclusivity of fishing rights in a clear manner; and
2. Examine alternatives for funding the introduction and maintenance of rights-based fishing regimes.

For small-scale/coastal fisheries:

- a) Investigate the most appropriate mechanism to establish self-regulatory fisheries management systems, taking into account the various local factors.
- b) Identify the most appropriate system of fishing rights (user-rights), and try them out through pilot projects to verify their effectiveness in local situations.
- c) Study the most appropriate community-based institutions, and evaluate the feasibility to delegate the management responsibilities and grant appropriate rights.
- d) Develop human resource capacity through government support in order for these community-based institutions to take up additional responsibilities.

the process of improvement of fisheries management. The seminar discussed current systems and important characteristics of coastal fisheries management in Japan, as well as factors that contributed to successful implementation of the system. The possibility of applying the principles of the Japanese case to the ASEAN region was also raised during the Seminar.

As a result of the seminar, it was accepted that the general design principles of the Japanese community-based coastal fisheries management system could be used as a basis for further development of coastal fisheries management in the ASEAN Region, taking into account the following key considerations:

- A limited access regime is a relevant form of management for the ASEAN region, and is considered a prerequisite for the development of community-based fisheries management systems.

- Decentralization of certain management functions and rights-based fisheries, including licensing and a fishing rights system, should be used as a basis in developing innovative systems for coastal fisheries management.
- Institutional arrangement for coastal fisheries management should be established, taking into consideration the different roles and functions among the central government, local government and fishers' organizations.
- The multiple functions of fishers' organizations, including extension, research, marketing, and co-management aspects should be promoted in collaboration with other relevant agencies. Fishers' organizations should be actively involved in decision-making processes, particularly for the formulation and implementation of local management measures.
- Current legal instruments related to coastal fisheries management should be reviewed. Studies on legal modification to support the implementation of decentralization of management and rights-based fisheries should be conducted.
- Research and development activities should be prioritized and carried out to support decentralization of management and right-based fisheries. Where appropriate, regional collaborative arrangement should be encouraged.

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In order to clarify feasible options for improving fisheries management, with a focus on coastal small scale fisheries, and to substantiate the applicable policy on innovative fisheries management in the region, it is expected that the planned Regional Technical Consultation will further address three issues:

1. Identification of applicable mechanisms developed in other regions through review of relevant literature;
2. Identification of applicable mechanisms developed in the ASEAN region through a questionnaire-based survey of relevant government sectors of ASEAN Member Countries; and
3. The outcomes of the Japan seminar will form the basis for further discussion at the “Regional Technical Consultation on the Promotion of the Innovative National Fisheries Management System” in early 2003, the objective of which is to develop regional guidelines for decentralization of management and rights-based fisheries.

## Conclusion

Decentralization of fisheries management and rights-based fisheries are innovative coastal fisheries management approaches to tackle the current situation in the ASEAN region of unsustainable fisheries practices. The decentralization of fisheries management is not merely a question of policy reformulation by national fisheries agencies, but is closely related to the overall structure of government and public services, in terms of the powers and functions delegated to provincial, district, municipal, or local levels. This implies devolution of the roles and responsibilities of fisheries administration to local levels and the promotion of the active participation of stakeholders. As the geographical extent of a fisheries management unit may



*Participants of the Japan Seminar visiting fisheries cooperatives*

not match conventional administrative boundaries, there will inevitably be additional questions of competence and coordination.

Pilot projects and a review of experiences in and perhaps beyond the region may assist the choice of approaches, and within broad national frameworks, will help the progressive construction of a cost-effective legal and administrative framework to accommodate the specific needs of each local fishery. Clear definitions or characterization of management units, strong stakeholder organizations with active and broad-based participation, the existence of traditional management regimes, and moderate levels of resource exploitation are all important factors that may contribute to the successful decentralization of fisheries management. The introduction of rights-based fisheries in replacement of the open-access regime will complement the more sustainable management of fisheries resources to achieve food security in our region. It is important to clearly define fishing rights in regard to duration, transferability and exclusivity. In order to effectively define and allocate fishing rights, rights-based fishery management regimes must be based on accurate information on each fishery. The decentralization of fisheries management is therefore perceived as a necessary activity for successful implementation of rights-based fisheries. Co-management mechanisms, together with the granting of exclusive fishing rights to community-based institutions, may also be promoted for small-scale and coastal fisheries under a decentralized fisheries management system.

### About the author

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