

Securing Sustainable Utilization of Fishery Resources: Guidelines for Fisheries Licensing and its Register in Southeast Asia

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Recognizing the importance of fisheries licensing to promote effective fisheries management, the First Meeting of the Regional Advisory Committee on Fisheries Management in Southeast Asia (RAC) convened by SEAFDEC from 22 to 24 September 2008 in Bangkok, Thailand, endorsed the Draft Regional Guidelines on Fisheries Licensing and its Register in the Southeast Asian Region. During the Meeting, RAC recommended that the Draft should be developed further as it is a management tool to ensure sustainable utilization of the fishery resources. Moreover, FAO would also take up such recommendations with the FAO Headquarters for possible collaboration with RAC on the development of the Regional Guidelines on Fisheries Licensing.

In the Southeast Asian region, fisheries are more socially and economically linked with the fishing communities and are operated on a daily basis due to a relatively short range of operation and small sizes of fishing boats. However, fisheries in the region have been constrained by the fact that these are being operated under two unique conditions, such as unclear ownership for the common natural resources and government intervention for the management due to such special nature of the resources (Kato, 2008). Nevertheless, the Southeast Asian countries have considered exerting efforts in order to achieve sustainable fisheries through the introduction of rights-based fisheries as well as the promotion of effective management of fisheries through delegation of selected management functions to the local level as provided for in Para 5 and Para 6 of the Resolution on Sustainable Fisheries for Food Security for ASEAN Region adopted at the Millennium Conference in 2001 (SEAFDEC, 2001). Such policy frameworks could offer options to modify the aforementioned problems of the region's fisheries. Furthermore, fisheries in the region, especially in the South China Sea area can only be characterized as national fisheries, as there are no regional (high sea) fisheries (Box 1). While the small-scale fisheries through the introduction of rights-based fisheries using group user rights and co-management have already been discussed and promoted (SEAFDEC, 2006; Kato, 2008), the need to improve the fisheries management for the part of commercial fisheries through licensing system is also being recognized, in order to promote improved fisheries management in its entirety.

As endorsed during the first RAC Meeting in September 2008, in the preparation of the Regional Guidelines for Fisheries Licensing, the existing systems of licensing

fisheries in the countries that have already been established could be considered and modified when necessary. For example, the “*Guidelines for Commercial Fishing Vessels*” and “*Guidelines for Licensing and Registry of Small-scale Fishing Boats*” developed by the Philippines could be used as reference in the finalization of the Regional Guidelines on Fisheries Licensing. Furthermore, as prerequisites to the introduction of rights-based fisheries for commercial fisheries, policies should be clarified and legal frameworks on the zoning of national waters should be established while the management responsibilities of government agencies under co-management arrangement should be defined (Box 2 and Fig. 1).

The Fisheries Licensing System

Fisheries licensing system, which includes a registry of licensed boats and fisheries licenses, is aimed at managing the commercial fisheries. In the general picture of the

Box 1. Categories of Fisheries in Southeast Asia	
1. Small-Scale Fisheries	Definition of small-scale fisheries by each country is provided in the Regional Guidelines for Responsible Fisheries in Southeast Asia: Responsible Fisheries Management (SEAFDEC, 2003)
2. Commercial fisheries	Based on the definition of commercial fisheries of each country (SEAFDEC 2003), the fisheries could be further categorized considering the geographical areas where the fishing boats are operating
	(A) Fishing boats operating only within one provincial water (B) Fishing boats operating across more than one provincial waters (C) Fishing boats operating in the coastal waters of other countries through bilateral agreements (D) Fishing boats operating in the high seas, not in the South China Sea (very small area) but in the Indian Ocean

Box 2. Provincial waters and zoning arrangement	
	<ul style="list-style-type: none"> In general, national waters (territorial waters and exclusive economic zones) could be divided into appropriate sizes of local waters corresponding to the respective administrative units of the governments (i.e. province, municipality, state, etc.). Provincial waters can be the waters surrounded by provincial coastline, with extended provincial border with other provinces up to 200 miles from the shoreline and concerned 200 miles EEZ or appropriate ranges. Geographical administrative units should be identified by the respective countries considering such factors as appropriate size for economic fishing operations (not too small geographical areas considering the feasible operation of the said target fisheries) and appropriate manageable size to conduct the effective management.

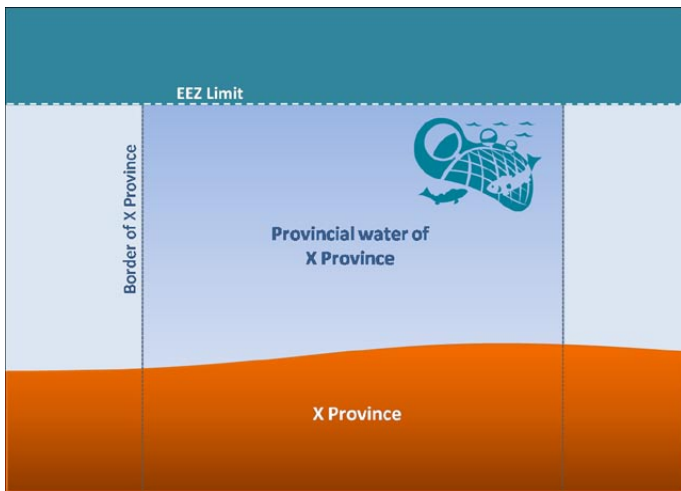


Fig. 1. Definition of provincial waters

national fisheries structure, the total number of commercial fisheries could be less than 10% of the total number of fishing boats, since most of the fisheries in the region are small-scale (90% of the fishing boats involved). It might be necessary to establish the “provincial waters” where the provincial governments or similar government units should be responsible for the management of fisheries categorized under 2(A) in **Box 1**. The rest of the fisheries from categories 2(B) to 2(D) should be managed by the central governments with appropriate arrangements including bilateral negotiations while the active participation of concerned Regional Fisheries Management Organizations (RFMOs) should be promoted.

Nevertheless, based on Paragraph 5 of the Resolution (SEAFDEC, 2001) the responsibilities for the management of licensing for categories 2(A) and 2(B) in **Box 1** could be shared with the local communities. Thus, the established Community Fisheries Management Organizations (CFMOs) (SEAFDEC, 2006) or similar local organizations could serve not only the small-scale fisheries but also the fishing boats under the commercial fisheries categories. Such arrangement could help address any conflict (encroachment) against the limited resources between the small-scale and commercial fisheries sub-sectors. The delegation of management right and authority to the CFMOs under co-management for licensed fisheries could also enhance the level of compliance of the requirements for the licenses.

Registry of Licensed Boats

The different roles of vessel registration and registry of the licensed fishing boats should be clearly distinguished. While the former has been developed to monitor the status of safety arrangements for the vessels, welfare of the crew, effects on the environment by the vessel operation, etc. mainly in line with the IMO requirements for larger boats (more

than 24 meter LOA), the registry of licensed fishing boats should be specifically developed to manage the fisheries. Thus, it is not necessary to accommodate the role of the registry of licensed fishing boats into the vessel registration system that has already been developed in many countries of Southeast Asia. Considering the different priorities of the agencies responsible for vessel registration, a simple registry of licensed fishing boats could be developed within the national fisheries related agencies under the policy on delegation of work to appropriate collaborating agencies (provincial government offices or CFMOs, etc.). As the license will be provided to the fishing boats not to the people who operate the boats, information contained in the national registry of licensed fishing boats would mainly be related to the capacity of the fishing boats in terms of exploiting the fisheries resources. Thus, the information in the registry of the licensed fishing boats could include: date of license, name of boat, name and residential address of responsible operator, name of CFMO, geographical location of fishing base, dimension of boat (LxBxD), engine capacity, size of fish hold, fishing gear used, date of construction, etc.

Fisheries License

Four kinds of fisheries licenses could be envisaged in accordance with the different fishing grounds and the responsibilities in the management of licensing (**Box 3**). The fisheries license should cover all non-small-scale fisheries in the beginning and no-new entry, considering the current overcapacity status. The validity of the fisheries license could be one year while revision of fisheries license could be issued by the responsible government agencies subject to the outcomes of the physical investigation and inspection of the boats as well as the performance record of their operations in the previous year. In this connection, respective countries should develop their national marking systems distinguishing the different licensing categories by painting the developed license numbers and color on the respective licensed fishing boats specifically related to the licensed fishing areas (or fishing grounds) as indicated in **Box.3**.

References

- Kato, Yasuhisa. 2008. Considerations for Mitigating Poverty in the Rural Communities of Southeast Asia through Fisheries Interventions. In: *Fish for the People*, Vol. 6 No. 3 (2008). Southeast Asian Fisheries Development Center, Bangkok, Thailand
- SEAFDEC. 2001. Resolution and Plan of Action on Sustainable Fisheries for Food Security for the ASEAN Region. Southeast Asian Fisheries Development Center, Bangkok, Thailand

Box 3. Types of fisheries licenses based on fishing grounds and management responsibilities

1. Licensing Fisheries Operating within Particular One Provincial Water

This type of licensing could be applied for majority of commercial fisheries in the region, where the range of navigation to the fishing ground is 30-50 miles with fishing operations mainly done on daily basis, and the average size of boats could be 5-30G/T. The license should be issued by particular provincial governments in collaboration with central fisheries related agencies. The license could include various requirements to be followed in the operation of the licensed fishing boats, such as fishing gear and practices (use of luring lights), closed season and areas, etc. based on the fisheries management policies and provisions of the respective countries.

1.1 Eligibility for Fisheries License

The general criteria and evaluation of the eligibility of applicants (to operate in particular provincial waters) should be stringent. The selection of the licensed fishing boats should be based on the qualifications of the operators, namely: (1) evidence that the fishing boat is involved in the fisheries in the province in the last three years (new entry and expanding the capacity of boats are not allowed, except in the case of promotional work by the governments); (2) responsible operator(s) of the boat is resident(s) in the province; and (3) no record of having been involved in illegal fishing in the previous years.

1.2 Management and Monitoring the Performance of Licensed Fisheries

The licensed fisheries will be managed and monitored by particular provincial governments in collaboration with central fisheries related agencies. Under the co-management arrangement, day to day management activities including monitoring the performance of the licensed fisheries should be delegated to community-based organizations (CFMOs). Registry of the respective fishing boats should be developed, maintained and revised by provincial governments with copies also to be maintained in the relevant CFMOs and central governments for effective co-management.

2. Licensing Fisheries Operating across More Than One Provincial Waters

The range of navigation to the fishing ground of this type of licensed fisheries could be 50-200 miles with fishing operations normally conducted in a number of days including staying at the ports of neighboring provinces for obtaining provisions and services. The license should be issued by the central governments for proper coordination with government offices of the provinces where the fishing boats operate. The contents of the license would be similar to that of Type 1, but reflecting the fisheries policies and regulations of the countries and concerned provinces.

2.1 Eligibility for Fisheries License

The policy for the eligibility of fisheries license for this type of license (to operate beyond one provincial waters) can be similar with those of 1.1 above but reflecting the nature of the fisheries, such as (1) evidence that the fishing boat is involved in the fisheries in the provinces in the last three years (new entry and expanding the capacity of boats are not allowed, except in the case of promotional work by the government); (2) responsible operator(s) of the boat is resident(s) of the areas considered; and (3) no record previous involvement in illegal fishing.

2.2 Management and Monitoring the Performance of Licensed Fisheries

The licensed fisheries will be managed and monitored by central fisheries related agencies. However, collaboration with concerned provincial government offices and community organizations would be required, especially in monitoring the performance of the licensed boats. Registry of the respective fishing boats would be developed, maintained and revised by the central fisheries related agencies. The copy of the registry will also be maintained in the relevant CFMOs and the provincial government for effective co-management operation.

3. Licensing Fisheries Operating in the Coastal Waters of Other Countries Through Bilateral Agreements

The license of this type of fisheries will be issued by the central government of the concerned countries in order to coordinate with the other countries where the former's boats are operating. The detailed contents including various obligations will therefore be reflecting with the management requirements of other countries where the boats are operating based on the bilateral government agreements

3.1 Eligibility for Fisheries License

The policy for eligibility for the issuance and revision of the fisheries license of this type should be based on the performance records by the countries where the boats are operating, reflecting the obligations provided for in the bilateral governments agreements, such as (1) evidence that the fishing boat is involved in the fisheries in the countries in the last three years (new entry and expanding the capacity of boats are not allowed); and (2) no record of previous involvement in illegal fishing.

3.2 Management and Monitoring the Performance of Licensed Fisheries

The licensed fisheries will be managed and monitored by the central fisheries related agencies in both countries (countries sending their fishing boats to other countries and countries receiving the fishing boats from other countries). The registry of the respective fishing boats should also be developed, maintained and revised by the central fisheries related agencies of both countries that are sending their fishing boats and receiving the foreign fishing boats. Information on the national registry should be shared by the countries concerned for effective management.

4. Licensing Fisheries Operating in the High Seas

The license as well as appropriate registry of the fishing boats engaged in high sea fisheries should be developed and issued by the central governments of the concerned countries. Since management responsibility of high sea fisheries is under the Regional Fisheries Management Organizations (RFMOs), the requirements and obligations of the license should follow these already developed by such RFMOs.

SEAFDEC. 2006. Supplementary Guidelines on Co-management using Group User Rights, Fishery Statistics, Indicators and Fisheries Refugia. Southeast Asian Fisheries Development Center, Bangkok, Thailand, 84 pp

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