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The importance of tenure and other rights over fisheries: Pacific perspectives

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Co-organized with the Republic of Korea's Ministry of Ocean in Fisheries

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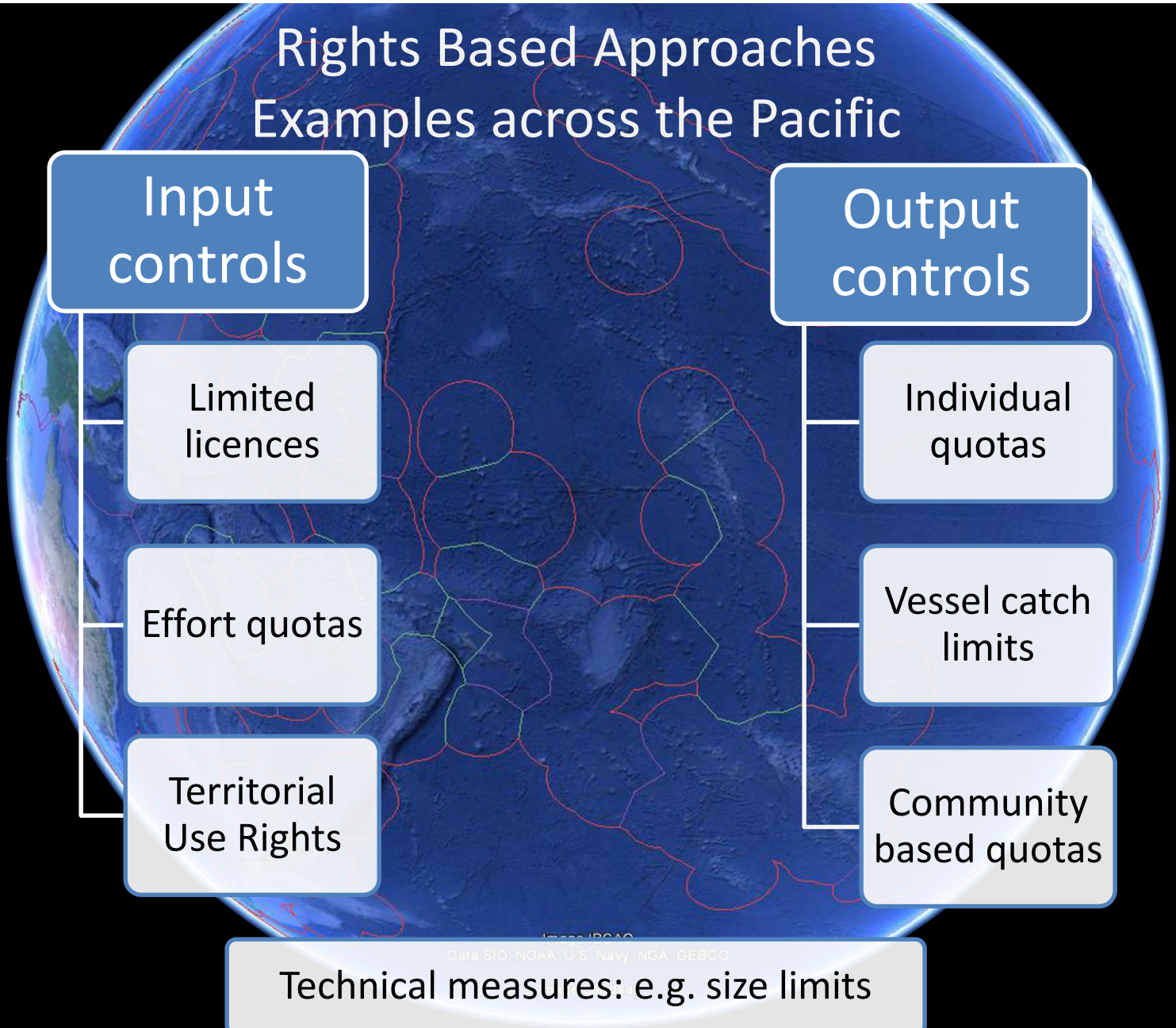
Rights Based Approaches Examples across the Pacific



Input controls

- Limited licences
- Effort quotas
- Territorial Use Rights

Output controls

- Individual quotas
- Vessel catch limits
- Community based quotas

Technical measures: e.g. size limits

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Offshore fisheries dominate…

Tuna

Dock value US$ 3-4 billion

End value $US20-30 billion

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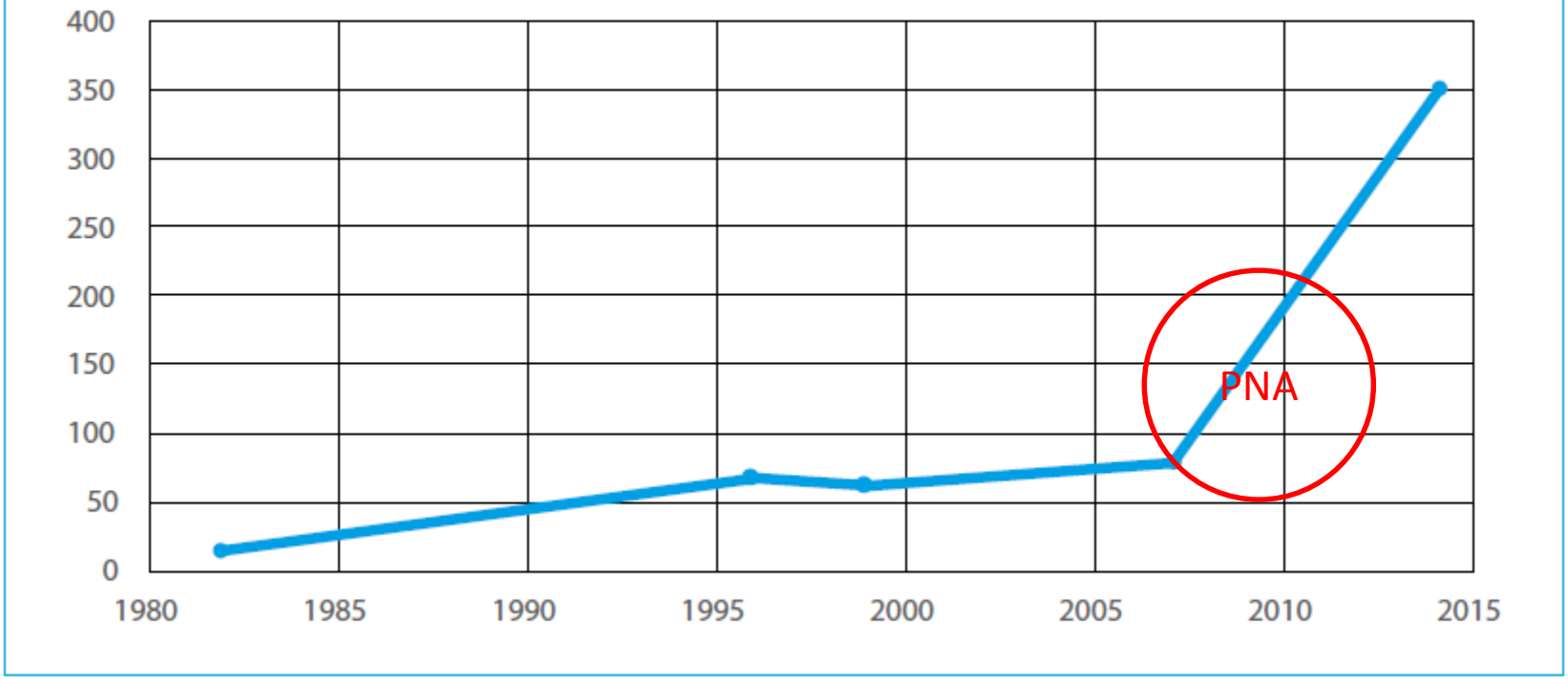
PNA Tuna management
Based on joint jurisdiction (UNCLOS) and effort controls (VDS)



Tuna access fees to Pacific Islands increased –> US$0.5 billion

Gillett 2016

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Coastal fisheries

Estimated to generate around US 0.5 billion (similar to offshore)

Customary Marine Tenure (CMT) in the Pacific Islands	CMT historical	CMT current	Coastal "communities"
Papua New Guinea	✓		4000
Fiji Islands	✓		850
Solomon Islands	✓		4038
New Caledonia (Fra.)	✓	?	ND
Vanuatu	✓		1400
French Polynesia (Fra.)	✓	?	48
Samoa	✓	Village byelaws	330
Tonga	✓	Special Mangt. Areas	167
American Samoa (U.S.)	✓	?	74
Wallis and Futuna (Fra.)	✓?	?	34
Cook Islands (N.Z.)	✓		37
Tuvalu	✓		9
Niue (N.Z.)	✓		14
Tokelau (N.Z.)	✓		3
Pitcairn Islands (U.K.)	?	?	1
Guam (U.S.)	✓?	No	13
Federated States of Micronesia	✓	Some	75
Kiribati	✓	Island Council	184
Northern Mariana Islands (U.S.)	✓	No?	12
Marshall Islands	✓		103
Palau	✓		16
Nauru	✓	No	14

Bundle of rights in marine tenure systems

Exclusion	Access	Management	Enforcement	Transfer
• Ability to exclude outsiders from fishing	• Ensures rights of locals to extract resources	• Rules/ practices to achieve goals (resource health?)	• Ways to impose rules and punish infringers	• Lease or sell rights

Courtney and Jahaveri 2017, Ostrom 1990

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Avana-Muri Lagoon Ra'ui, Rarotonga, Cook Islands (© Ewan Smith)

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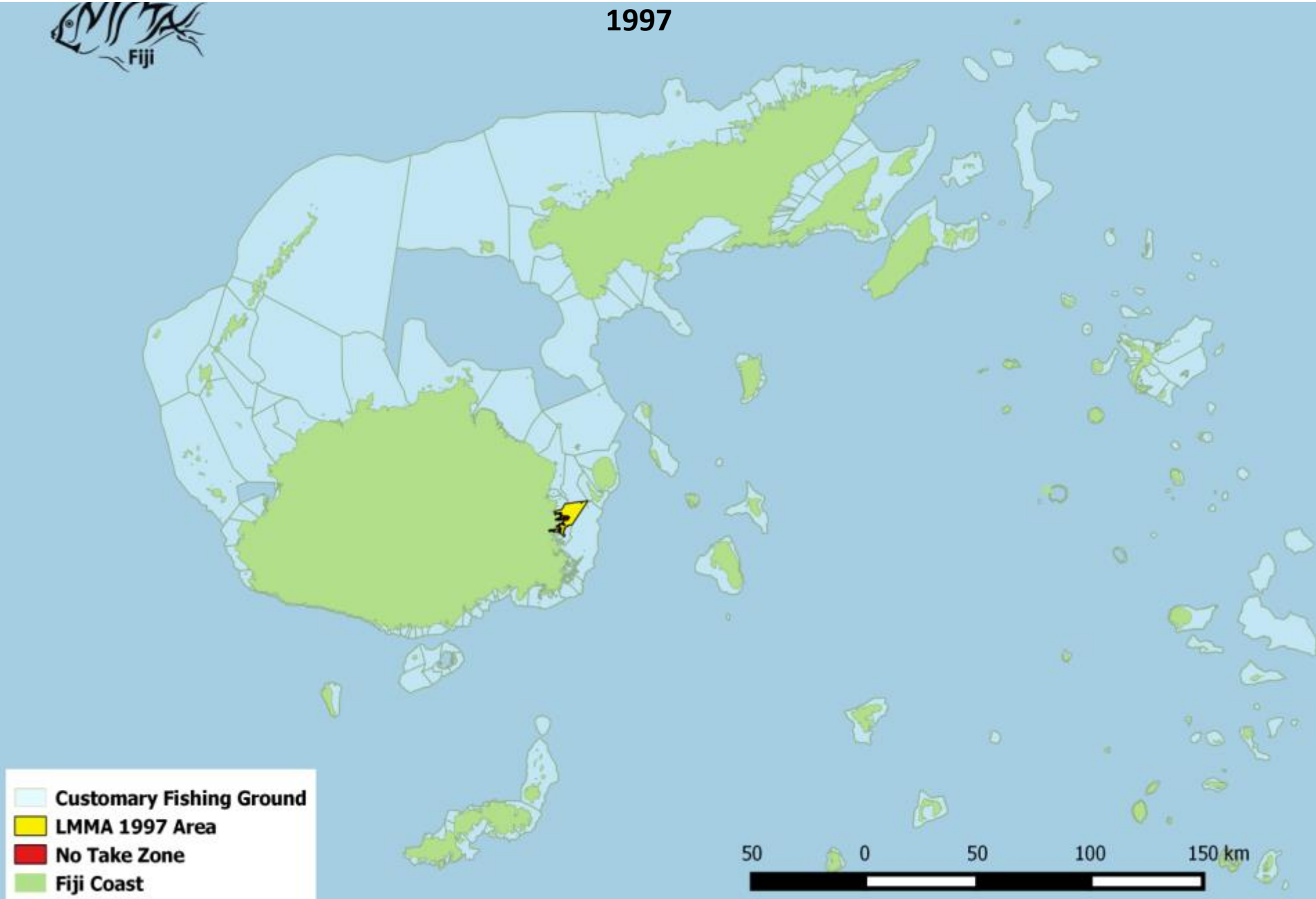
Fiji

1997



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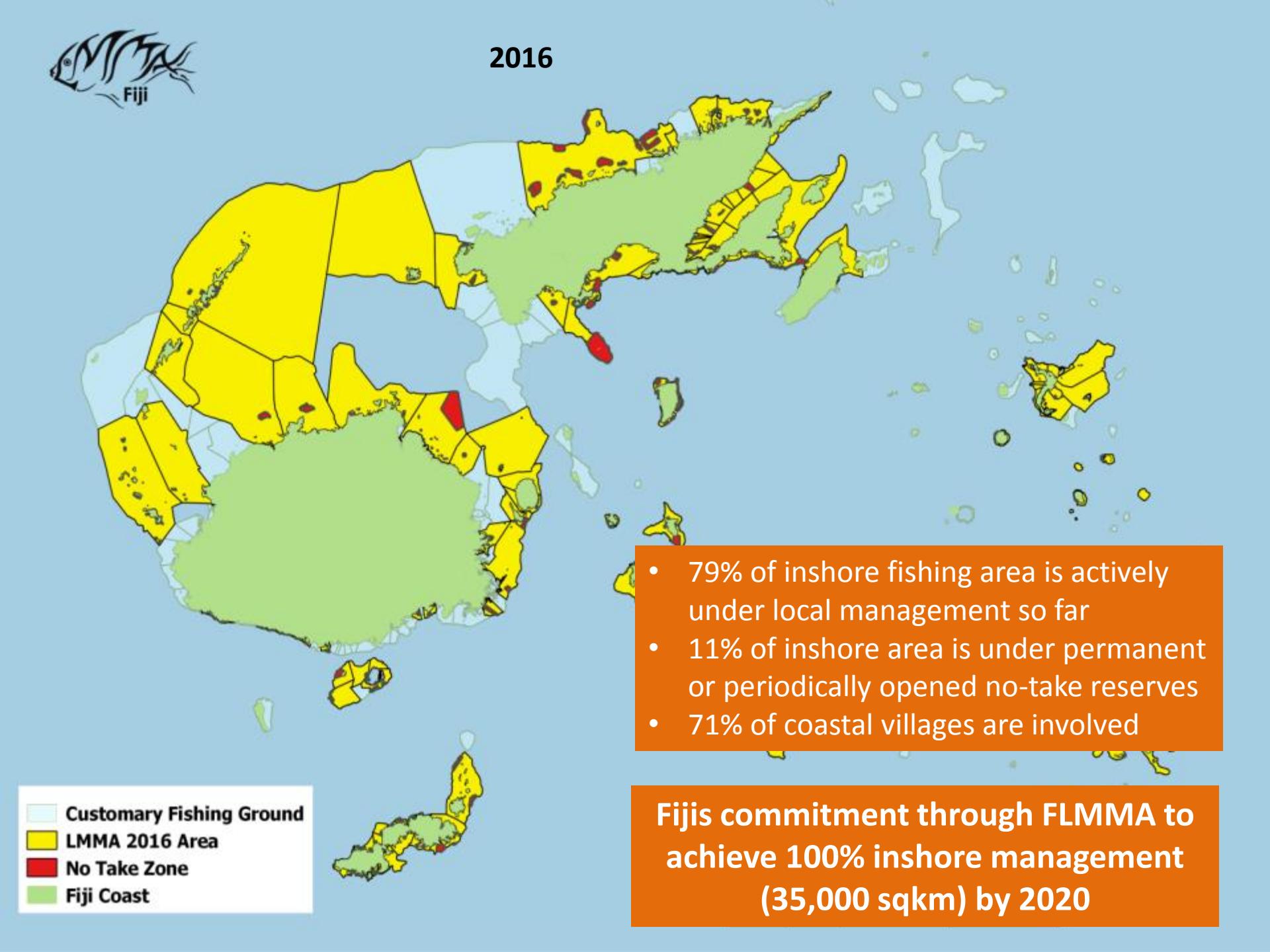

2016
Fiji
Customary Fishing Ground
LMMA 2016 Area
No Take Zone
Fiji Coast
• 79% of inshore fishing area is actively under local management so far
• 11% of inshore area is under permanent or periodically opened no-take reserves
• 71% of coastal villages are involved
Fijis commitment through FLMMA to achieve 100% inshore management (35,000 sqkm) by 2020

"Management plan"

VUETI NAVAKAVU

E keimau leqatake na nimau bula ena gauna saraga ka qoi vata na nodra bula na kawa bula ni vanua o Navakavu ena visiga nikabu balete nai qoliqoli rawati tiko ia na bula ni vale, qaravi ni vuli, matanitu, lotu kei na vanua.

Tose na veivakatorocaketaki e vanua.

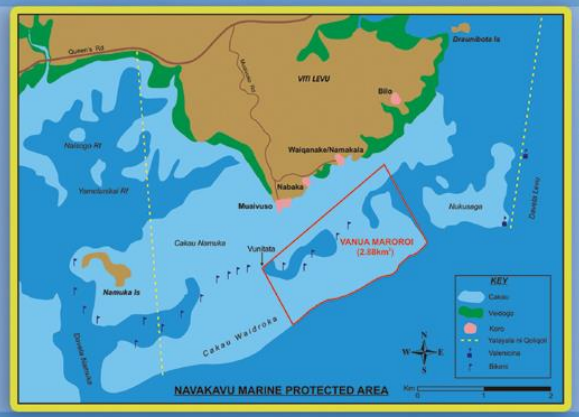
Teitei ni vasua.

Vuli ni maroroi ni qoliqoli.

Sasalu ni vanua.

Yavu ni Veidinadinati

1. Me kua na tau tuva kei na wainimate ni co ca.
2. Vakatabui na qoli, vana ena bogi, lawa rua veimama ka kauta sobu.
3. Me kua ni dua e nunu vana vakayagatake kasi se compressor.
4. Sa kua na benu ca ena matasawa.



Yavu ni Veidinadinati

5. Vakatabui na nunu, ka na bou.
6. Me kua ni soli e tuba na laiseni - me soli ga vi keda nai taukei ni qoliqoli.
7. Kua saraga ni musu na vidogo.
8. Vakatabui na kena soli se tomiki na vatu se lase me ma volitaki

Ika kei na sasalu dusidusi .

Na Dauvakadidike.

Na Komiti kei na Ovisa ni Qoliqoli.

Ovisa ni Qoliqoli

Ena loma ni dua na yabaki:

E dikevi ni tubu vaka-ono nai wiliwili ni ika dusidusi ena vanua kimami vakatabuya. E tubu cake talega nai wiliwili ni vivili, cawaki kei na sasalu volitaki me vaka na sucuwalu, vula kei na dairo.
E tubu vaka-va nai wiliwili ni ika dusidusi ena vanua kimami qoliva ka vakadeitaki ni tubu talega nai wiliwili ni sasalu.

E kitou nanume na lewe ni komiti ni qoliqoli e Navakavu, ni dodonu me kitou qaraune matua sara nai qoliqoli me rawa ni vakaisosomitaki na ka sa warai me yaco me tiko tale se basika tale na sautu. Na tataqomaki e naka cake ni o saga mo vakabula.

The development of this poster was assisted by Institute of Applied Sciences and funded by Packard and Lucile Foundation.

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Modern approaches - Signing management plan

And customary approaches - closing tabu with a pig killing

Vanuatu, Efate © T. Obed

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Mararo, Malaita, Solomon Islands

- Tenure is often unclear in national law
- Management rules in most LMMAs don't have legal basis…
- A few exceptions e.g. Samoa and Tonga

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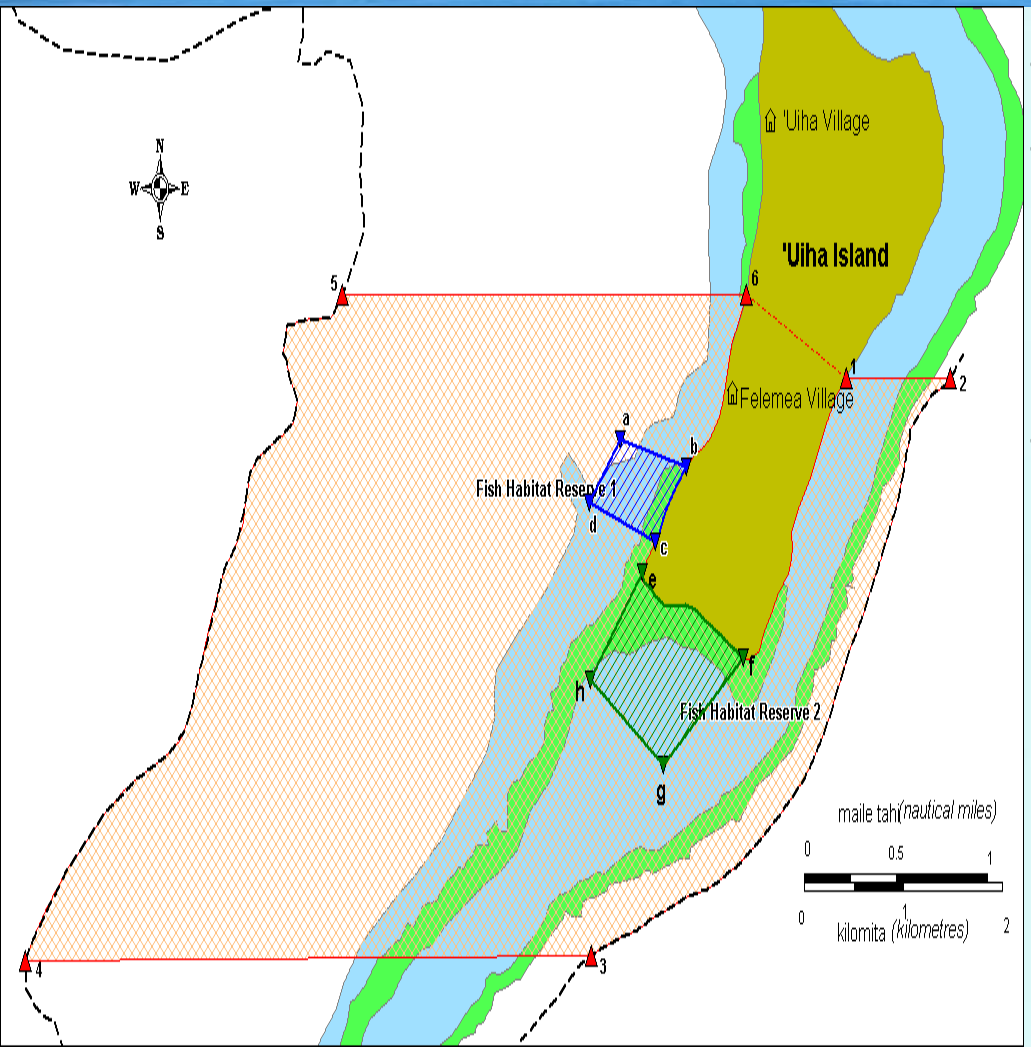
Tonga: Special Management Areas



- Crown owns coastal areas
- Fisheries Act describes way for communities to define a fishing area (SMA) working with Fisheries Department
- Including an area where strictly NO FISHING is permitted to ANYONE "tapu" (blue lines)

Courtesy S. Malimali

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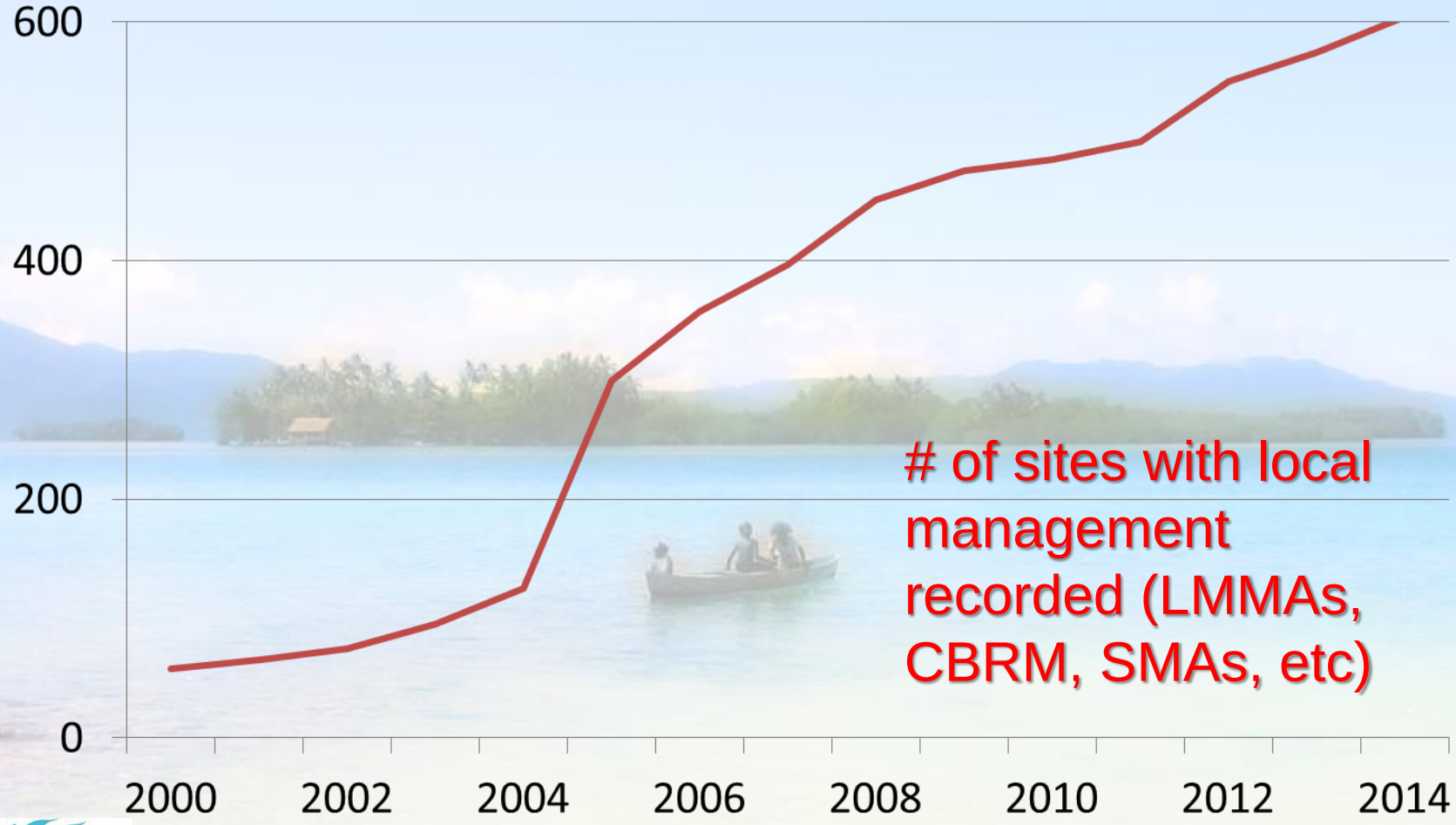
Growth in recorded Community Based Fisheries Management (i.e. projects)



Source: LMMA Network and Govan et al 2009

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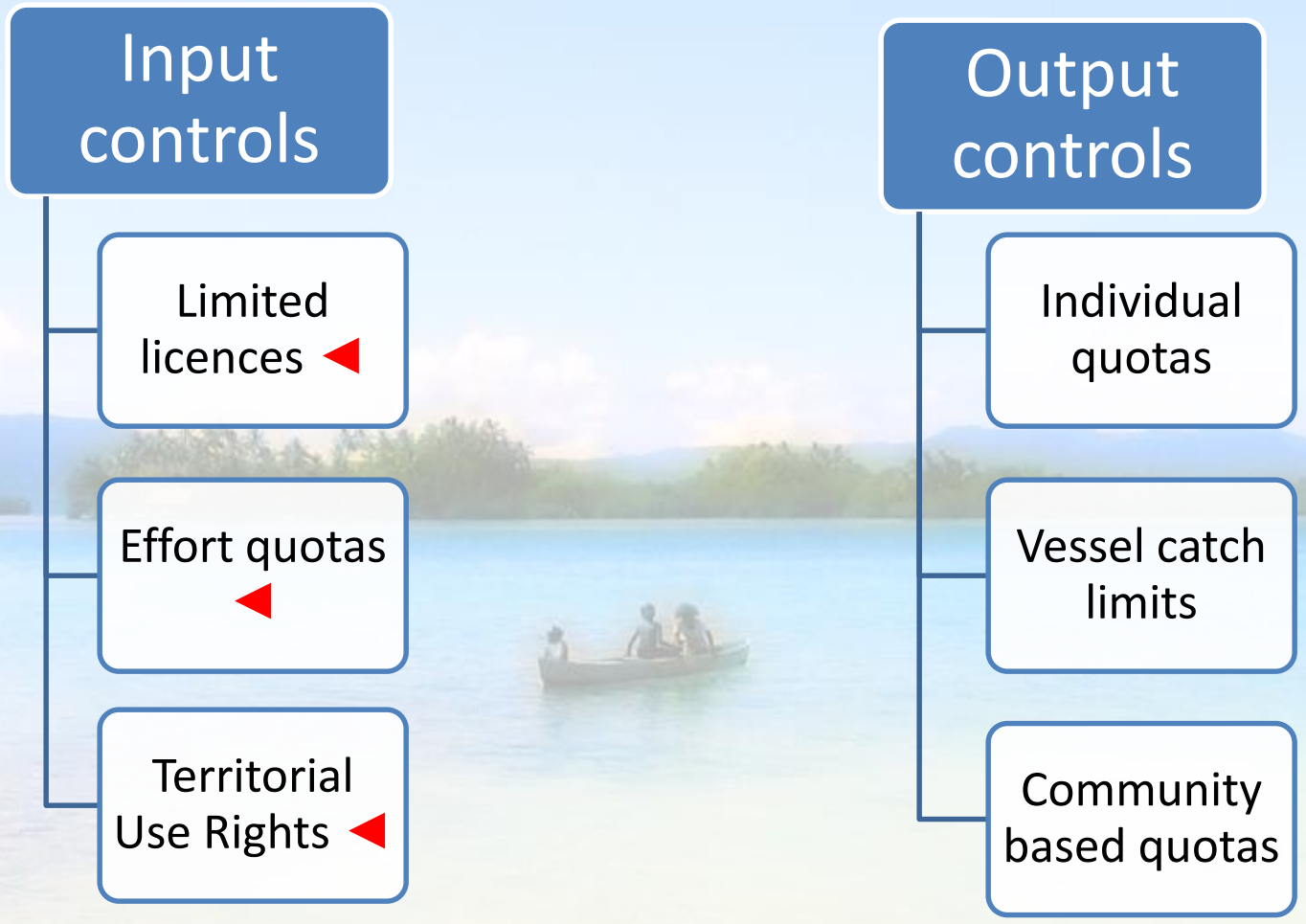
Most Pacific Island Communities still rely on CMT and receive no other (external) support

Source: LMMA Network

- Tenure is often unclear in national law
- Management rules in most LMMAs don't have legal basis…
- ….or indeed most LMMAs
- Tenure seems to be the one vital factor
- Tenure alone cannot perform beyond certain thresholds of $$$ or threats – role for government

Rights Based Approaches



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Co-management

"Collaborative or shared management "

"Top-down"

Authoritarian

Negotiated

Shared decisions and actions / power

Community-based management

Customary management

Traditional practices

Co-management

Source: Govan et al 2008, LMMA Network

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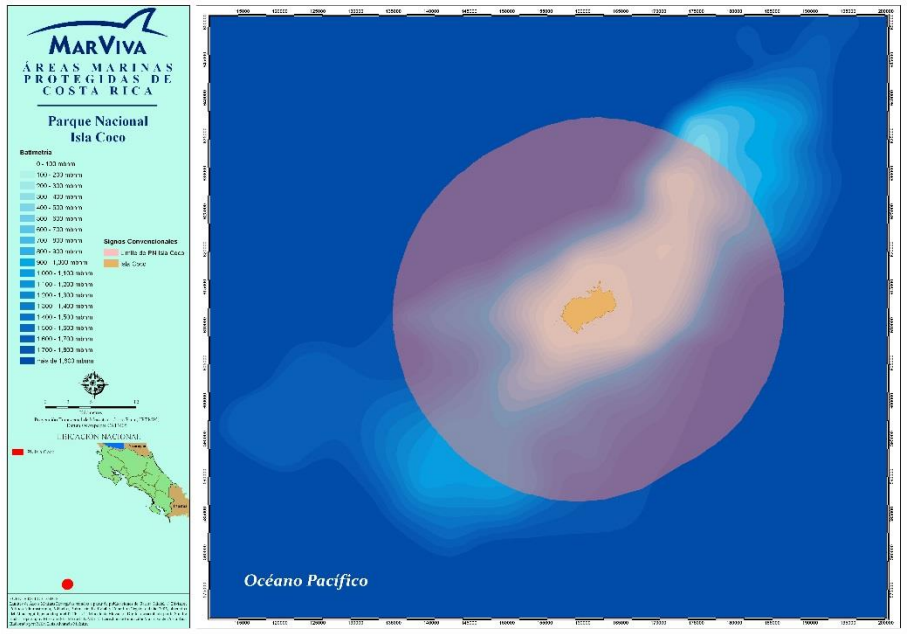
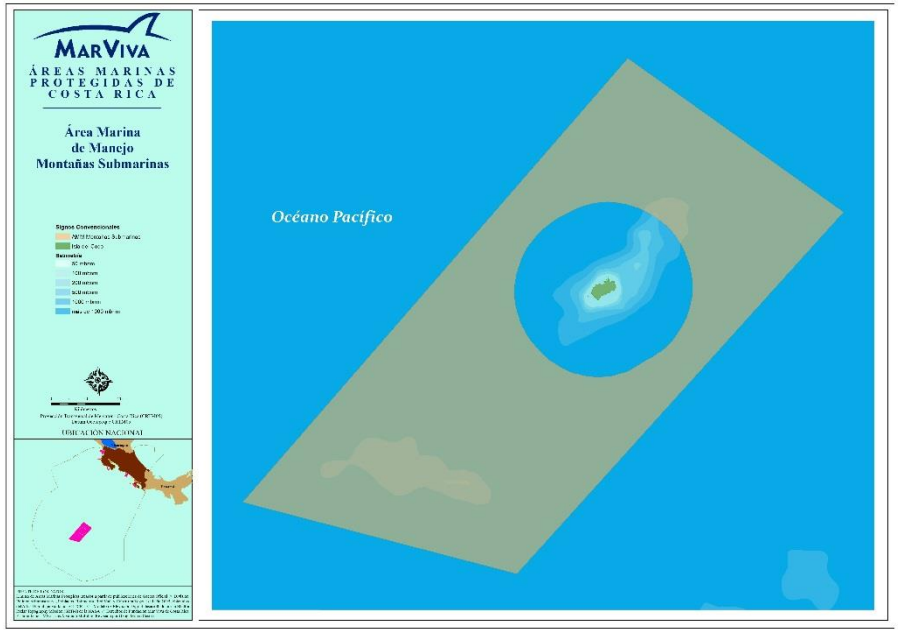
Top-down Approach

Coco Island National Park and Seamounts Marine Management Area

- Region is rich in pelagic species.
- Coco Island is closed to fisheries, viewed as a spill over area.
- Seamounts allows for responsible tuna fisheries, e.g. greenstick and short longline.
- Authorities working on vessel and catch restrictions.





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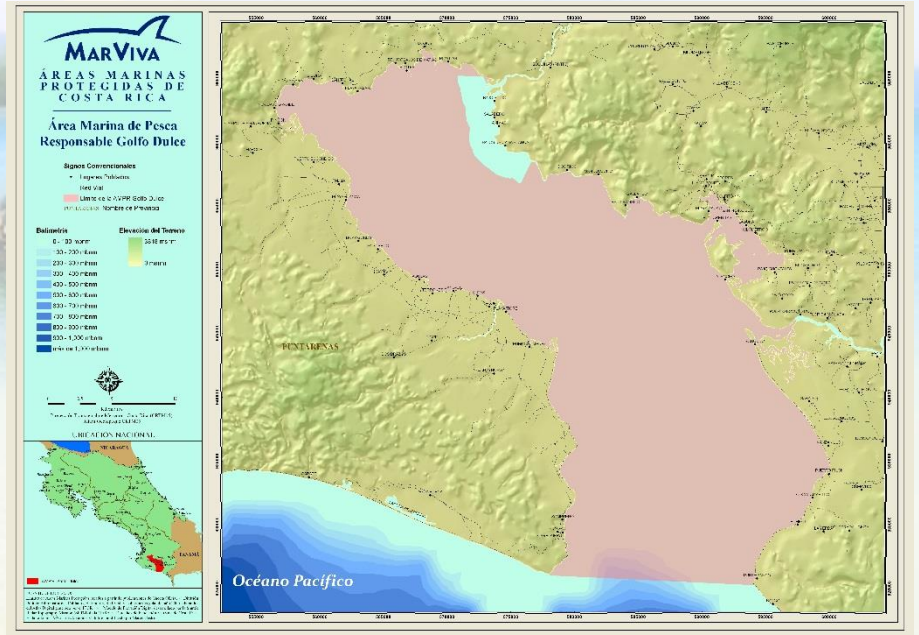
Co-management

Golfo Dulce Responsible Fishing Marine Area

- Co-management between six fisher communities, authorities and NGO's.
- The communities propose the area to authorities and work with research institutions and NGO's to develop the plan.
- Responsible fishing is the main factor for these areas.



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Co-management

Ballyhoo fishery in Golfo Dulce

- Important resource for artisanal fisheries.
- They are sold to sports fishers at $1 per fish.
- Over-exploitation of ballyhoo species caused concern among fishers and authorities a.
- Regulations include:
  - Minimum landing size.
  - Daily allowable catch.
  - Number of licenses.
  - Closure season.

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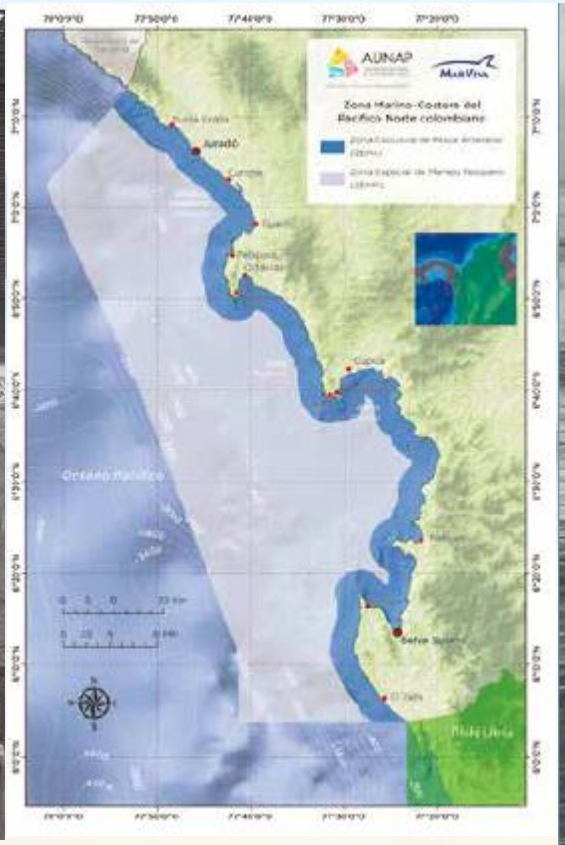
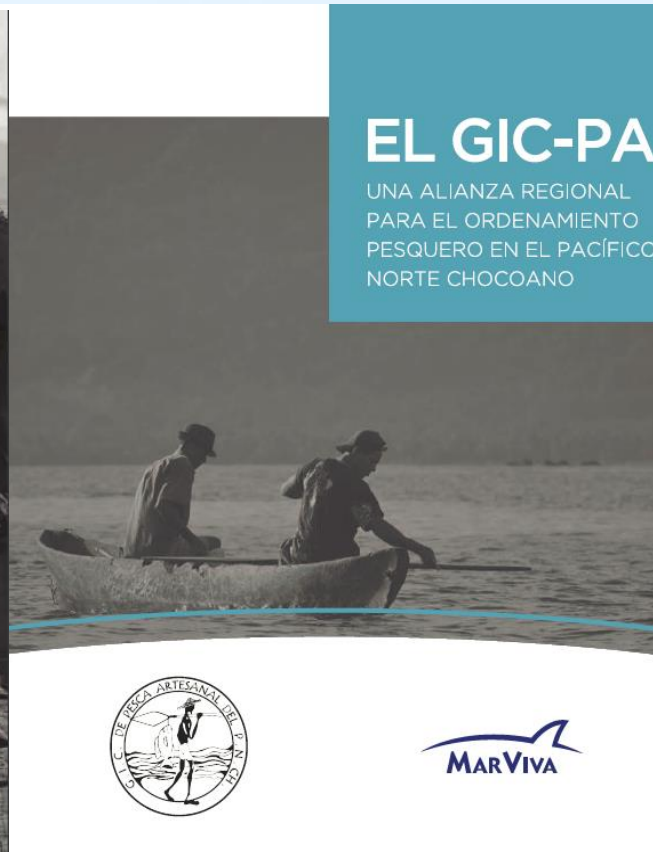
El Chocó Norte, Colombia

- Community based management.
- Community and inter-institutional alliance.





Going forward

- Promote marine tenure as a more important basis for sustainable SSF
- Still a clear need to promote legitimate participation of fishers and communities in decision-making
- Many experiences and much can be learned but beware “one size does not fit all”

Challenges

- Displaced, immigrant and migrant populations
- State/power holders resistance (e.g. SDG 14b from “recognize access rights” to “capacity building to enhance access”)
- How to capture tenure in modern legislation
- Ensuring rights linked to responsibilities

East Malaita, Solomon Is.