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Legal report on the ecosystem approach to fisheries in Maldives

An analysis of the ecosystem approach to fisheries in selected
national policy and legal instruments of Maldives

FAO EAF-Nansen Programme Report No. 63
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PROGRAMME REPORT

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Legal report on the ecosystem approach to fisheries in Maldives

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national policy and legal instruments of Maldives**

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Abstract

Legislating for the ecosystem approach to fisheries (EAF) is complex, due to the holistic nature of EAF involving multiple factors that underpin the social, economic, environmental, and institutional aspects of fisheries sustainability. These factors include ecosystems integration, risks, intersectoral collaboration, research, participatory processes, monitoring, control, surveillance, and enforcement, among others. To assess how the EAF is being implemented through national policy and legal frameworks, FAO developed [*A diagnostic tool for implementing an ecosystem approach to fisheries through national policy and legal frameworks*](#).

The present legal report on the EAF used the diagnostic tool to assess the alignment of selected policy and legal instruments of Maldives with the EAF. This assessment analysed the extent to which 82 EAF legal requirements, which are considered the minimum standards in legislating for the EAF, are reflected in Maldives' policies and legislation relevant to the fisheries sector of the country and other relevant sectors (such as environment, wildlife, ecosystems, and maritime affairs). Based on this preliminary diagnosis, gaps were identified in the assessed instruments, and recommendations were made for improving the implementation of the EAF.

This report was elaborated following a participatory approach with the involvement of the national competent authorities of Maldives. Drafted in July 2021, the report was submitted to the national authorities of Maldives in October 2021. The Fisheries Management Section, under the Ministry of Fisheries, Marine Resources and Agriculture, endorsed this EAF Legal Report in January 2023.

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The initial draft of this EAF Legal Report was prepared by Julia Nakamura, under the supervision, counsel and technical input of Pio Manoa, and extensively reviewed by Teresa Amador. Further improvements were made through the inputs and comments collected from participants in an FAO internal online mock-training in April 2020, in which the methodology and scope were clarified. Appreciation is extended to Blaise Kuemlangan, Buba Bojang and Minmin Lei of LEGN, Merete Tandstad of NFIFM, the participants of the mock-training, and all other FAO colleagues who supported the development of this EAF Legal Report.

This EAF Legal Report also benefitted from the important contributions of the Ministry of Fisheries, Marine Resources and Agriculture of Maldives, which provided substantive additional information valuable to this report. We are also grateful to the delegates of Maldives who, following the *Second Online regional workshop on the use of the Diagnostic Tool on Implementing an EAF through policy and legal frameworks* (9–12 November 2020), have conducted their own assessment, applying the EAF Legal Checklist against selected policies and legislation of Maldives. The findings of this country assessment were incorporated into the present EAF Legal Report, improving the overall information reported.

Abbreviations and acronyms

EAF	ecosystem approach to fisheries
EIA	environmental impact assessment
FAO	Food and Agriculture Organization of the United Nations
FMP	fishery management plan
IMO	International Maritime Organization
IOTC	Indian Ocean Tuna Commission
IUU	illegal, unreported and unregulated (fishing)
MCSE	monitoring, control, surveillance and enforcement
MoFMRA	Ministry of Fisheries, Marine Resources and Agriculture (of Maldives)
NBSAP	National Biodiversity Strategy and Action Plan
NGO	non-governmental organization
NPOA	National Plan of Action
RFMO/A	regional fisheries management organization and/or arrangement
TAC	total allowable catch
VMS	vessel monitoring system

1. Introduction: legislating for the ecosystem approach to fisheries

The Food and Agriculture Organization of the United Nations (FAO) has promoted the implementation of the ecosystem approach to fisheries (EAF) through various activities conducted over the last decades (FAO, 2019), many of which under the EAF-Nansen Programme (FAO, n-d). Among the many ways or processes through which the EAF can be implemented is the review of national policies and/or legislation, which provides a country the opportunity to reassess its respective policy and legal frameworks, identify the gaps and/or needs for improvement, and present recommendations for enacting new policy and/or legal instruments for the EAF, and/or amending the existing ones so that they are appropriately aligned with the EAF.

FAO's initiative to promote legislating for the EAF has been undertaken through the development of studies, guidance materials and tools (Skonhoft, 2011; FAO, n.d-b; FAO, 2016; FAO, 2021a, 2021b, 2021c, 2021d, 2021e).

1.1 A diagnostic tool for implementing the ecosystem approach to fisheries through national policy and legal frameworks

The latest material developed by FAO for the implementation of the EAF through national policy and legal frameworks, published in 2021, is [*A diagnostic tool for implementing an ecosystem approach to fisheries through national policy and legal frameworks*](#) (hereafter referred to as "EAF Legal Diagnostic Tool" (FAO, 2021a, 2021b, 2021c). This tool, which constitutes the basis for the development of the present report, provides important information about the EAF and should be read together with this report. Such relevant information includes a non-exhaustive list of international legal instruments that support the EAF (Appendix A of the EAF Legal Diagnostic Tool), and a non-exhaustive list of examples of selected national policy and legal instruments relevant for the EAF (Appendix B of the EAF Legal Diagnostic Tool).

The Appendix C of the EAF Legal Diagnostic Tool provides the EAF Legal Checklist for Assessment and Implementation of the EAF Policy and Legal Frameworks (hereafter referred to as "EAF Legal Checklist"), based on which the level of alignment of a country's policy and/or legal frameworks with the EAF and the 17 EAF Components can be assessed (FAO, 2016).

1.2 International legally binding instruments and non-legally binding instruments relevant to the ecosystem approach to fisheries

There are several international legally binding and non-legally binding instruments that provide for the EAF. The Appendix A of the EAF Legal Diagnostic Tool highlights, in a non-exhaustive list, selected provisions of international instruments or decisions relevant for the

EAF. Other legally binding instruments in support of the EAF are the applicable conservation and management measures of regional fisheries management organizations/arrangements (RFMO/As) which should also be taken into account, on a country-by-country basis, in the assessment of a given country’s EAF commitments.

It should further be noted that provisions of international non-legally binding instruments that reflect principles of international law are also legally binding and therefore relevant in the analysis of the national policy and legal frameworks.

States which are a party to multilateral conventions or agreements, as well as States which adopt or endorse international non-legally binding instruments that reflect principles of international law have the duty to align their national policy and legal frameworks with the obligations that derive from such international and regional instruments.

In light of these considerations, Table 1 below provides the present status of Maldives in respect to the EAF’s relevant international legally binding instruments selected from Appendix A of the EAF Legal Diagnostic Tool.

Table 1. Status of Maldives in selected international legally binding instruments relevant to the EAF	
Instrument	Status
1971 Ramsar Convention on Wetlands of International Importance (Ramsar Convention)	Not a Party
1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora	Party
1979 Convention on the Conservation of Migratory Species of Wild Animals	Party
1982 United Nations Convention on the Law of the Sea	Party
1992 Convention on Biological Diversity	Party
1993 Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (Compliance Agreement)	Not a Party
1995 United Nations Agreement for the Implementation of the Provisions of the LOSC relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA)	Party
2009 Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing	Party

Note: In accordance with the information provided in the secretariats of the international conventions and agreements as of December 2022.

For the international legally binding instruments that Maldives **is a Party**, and to the non-legally binding instruments that Maldives has endorsed or adopted, it is important to ensure that the relevant provisions of the EAF highlighted in Appendix A of the EAF Legal Diagnostic Tool are properly reflected in the national policy and legal frameworks.

Maldives is **not yet a Party** to the 1993 Compliance Agreement since there are no Maldivian flagged vessels fishing on the High Seas but has several requirements of the Agreement implemented through Conservation and Management Measures of the Indian Ocean Tuna Commission (IOTC) to which the country is a Contracting Party since 2011. The country’s formal acceptance of the Agreement is one of the action points foreseen in Maldives’ *National*

Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated fishing (NPOA-IUU) of 2019 (Page 19).

With regard to the 1971 Ramsar Convention, to which Maldives is **not yet a Party**, it is important to identify and analyse the reasons and challenges preventing the country from acceding to this instrument and raise awareness to the importance of the international governance framework. Such analysis is however beyond the scope of this report.

2. Legal report on the ecosystem approach to fisheries: assessing a country's policy and legal framework

The EAF Legal Diagnostic Tool was the main tool used for the preparation of this report (hereafter referred to as the “EAF Legal Report”). Selected national policies and legislation were assessed and applied against the EAF Legal Checklist.

This section is divided into two subsections. Subsection 2.1 describes the methodology and scope, including the selection of the national policy and legal instruments relevant for the EAF and the assessment of the EAF legal requirements in such instruments by filling in the EAF Legal Checklist using the symbols under Table 3 below. Subsection 2.2 provides an overview of main findings, highlighting some specific parts of the policy instruments and legal provisions identified as good practice in legislating for or addressing the EAF, and summarizes the information provided by Maldives under the EAF legal questionnaire.

2.1 Methodology and scope

Understanding the complexities, detail and broad range of matters that the EAF comprises is a challenge due to *inter alia* its holistic nature and the context and priorities of each country. A simplified assessment methodology was therefore developed for the application of the EAF Legal Checklist against the selected national policy and legal instruments, leading to the compilation of this report.

During the elaboration of this EAF Legal Report, the Ministry of Fisheries, Marine Resources and Agriculture (MoFMRA) (hereinafter also referred to as “National EAF-Focal Point”) was contacted and provided additional information concerning the implementation of the EAF at national level, which has been included in this report.

This desk-based preliminary assessment cannot however replace an in-country detailed assessment of the national policy and legal frameworks.

2.1.1 Selection and collection of national policy and legal instruments of Maldives

The main source for the selection and collection of national policies and legal instruments was FAOLEX (FAO, n.d-b) which, besides the Constitutions of countries, provides a vast electronic repository of national policy and legal instruments on fisheries and other sectors relevant for the EAF, including on environment, sea, water, and wild species and ecosystems.¹

Additional relevant information was provided by the National EAF-Focal Point, which, together with the relevant information for the EAF available at FAOLEX, is listed under **Appendix A** and

¹ Notwithstanding the importance of certain intersectoral issues such as gender and climate change, these were not considered in this report.

identified by a reference letter and number to facilitate their citation in the EAF Legal Checklist provided in **Appendix B** of this report. Appendix A and Appendix B shall therefore be read together.

2.1.2 Desk-based stepwise assessment of selected national policy and legal instruments

The selected national policy and legal instruments relevant for the EAF under **Appendix A** of this report were assessed against the EAF Legal Checklist following the steps described in Table 2 below.

Steps	National policy and legal instruments analysed	Scope
1st	Fisheries policy: a plan, policy, strategy, action plan, policy chart concerning fisheries, aquaculture, wildlife, sea and/or oceans, sustainable development, management and/or conservation.	Searching for the EAF legal requirements with a focus on the parts of the policy that address the principles, objectives, plans, priorities, recommendations, strategies and actions.
2nd	Fisheries primary legislation: a fisheries act, code, law, or any other type of instrument implementing the fisheries policy as well as the general law on fisheries, forestry and wildlife providing the legal framework for fishing and fishing related activities. It is the main legal instrument on fisheries, which contains the typical outline and broadly covers the subjects described in subsection 3.1 of the EAF Legal Diagnostic Tool. It should be noted that this typical outline is without prejudice to the particular structure of the fisheries primary legislation of the assessed country.	Searching for the EAF legal requirements in each provision of the fisheries primary legislation.
3rd	Fisheries secondary legislation implementing or elaborating the fisheries primary legislation: fisheries decree, regulation, order, ordinance which sets out in more detail the requirements of the fisheries primary legislation – concerning e.g. fishing vessel registration, fishing vessel requirements, vessel monitoring system (VMS), fisheries research, fisheries fund, small-scale fisheries.	Searching for the EAF legal requirements not found in the relevant parts of the fisheries policy nor in the provisions of the fisheries primary legislation.
4th	Other sector’s primary legislation: an act, code or law on the relevant sectors of <i>inter alia</i> environment, sea, water, and wildlife species and ecosystems.	Searching for the EAF legal requirements not found in the relevant parts of the fisheries policy nor in the provisions of the fisheries primary and secondary legislation.
5th	Other sector’s secondary legislation: a decree, regulation, order, ordinance regulating the primary legislation of other sectors assessed under step 4.	Searching for the EAF legal requirements not found in the relevant parts of the fisheries policy nor in the provisions of any of the previously assessed legal instruments.

The Maldives Marine Research Institute and the MoFMRA conducted its own assessment, applying the EAF Legal Checklist against selected policies and legislation of Maldives. The information provided, and the results of the country self-assessment, have been incorporated in this report.

2.1.3 Filling in the Ecosystem Approach to Fisheries Legal Checklist of Maldives

The EAF Legal Checklist provides the EAF legal requirements structured by the 17 EAF Components, based on a step-wise methodology (FAO, 2021, Subsection 2.2), and in accordance with the typical subjects of a fisheries primary legislation, without prejudice to the particular structure of the fisheries primary legislation of Maldives (FAO, 2021, Subsection 3.2). In filling it in, priority was given to assessing the EAF legal requirements in the fisheries policies and primary/secondary legislation. In this process, the different symbols presented in Table 3 below were used.

Symbol	Perceived level of alignment with the EAF legal requirement	
✓	Full or sufficient	Part(s) in the assessed fisheries policy or provision(s) in the assessed legislation <u>totally incorporates</u> the EAF legal requirement.
∅	Partial or insufficient	Part(s) in the assessed policy or provision(s) in the assessed legislation <u>partially incorporates</u> the EAF legal requirement. ²
X	None or in-existent	No part in the assessed policy nor provision in the assessed legislation was found that incorporates the EAF legal requirement.
●	Not considered	No assessment was carried out since the EAF legal requirement was fully or sufficiently found in the primary fisheries policy/legislation, or in the primary legislation of other sector.
N/A	Not applicable	The EAF legal requirement is exclusively relevant to fisheries (that is the case of all the EAF legal requirements under Fisheries Management, Monitoring, Control, Surveillance and Enforcement (MCSE) and almost all of those under enforcement processes and sanctions scheme) and therefore not applicable to other sector's legislation.
*	Optional	The EAF legal requirement is considered to have a non-mandatory nature and therefore is not expected to be found in the assessed policy or legal instrument.

The last two columns of the EAF Legal Checklist indicate: **(i)** the parts of the policy instruments and legal provisions where the EAF legal requirement was found; and **(ii)** additional relevant comments and explanatory notes that clarify, where appropriate, nuances in assessing the policy and legal instruments and the rationale for the assessment of partial or insufficient coverage of the EAF legal requirements. It should be noted that these additional comments and explanatory notes will benefit from a more in-depth analysis during the comprehensive review at country level.

The results of this assessment are presented in **Appendix B** of this report which provides the EAF Legal Checklist applied against the selected policies and legislation of Maldives.

2.1.4 Additional observations

While filling in Appendix B, some parts of the policy framework and some provisions of the legal framework which in some cases are anchored in the Maldives Constitution of 2008, were

² A more in-depth analysis will be required to understand how EAF legal requirements filled in with the ∅ symbol could be fully incorporated in legal and policy instruments or reflect potential contradictions between one legal and/or policy instrument and another. Such analysis goes beyond the scope of this desk-based preliminary assessment.

considered particularly relevant in incorporating the EAF legal requirements. These parts and legal provisions which, without prejudice to others that may also be relevant, were considered good examples of addressing the EAF (in the case of a policy instrument) or legislating for the EAF (in the case of a legal instrument), have been highlighted in the main findings under subsection 2.2 below as good practice in legislating for the EAF.

2.1.5 EAF Legal Questionnaire of Maldives

The National EAF-Focal Point filled in the EAF Legal Questionnaire, which was developed by the project to collect additional relevant information from the assessed country. The results of the questionnaire are summarised under the section below.

2.2 Overview and main findings

This subsection provides an overview of the main findings of this desk-based preliminary assessment of the EAF in the selected national policy and legal instruments of **Maldives** presented under **Appendix B** and a summary of the additional relevant information provided under the EAF Legal Questionnaire of Maldives.

2.2.1 Fisheries policy

The assessed sixteen fisheries policies correspond to A1 to A16 in Appendix A. They cover **45** of the 82 EAF legal requirements.

The main fisheries policy is the *2019–2029 National Fisheries and Agricultural Policy*, whose mission includes strengthening the fisheries sector to increase its competitiveness and sustainable manage all marine living resources in Maldives (Section 2.1). It is guided by the principles of, *inter alia*, food security and safety, socioeconomic development, harmonized compliance with international regulations, integrated data collection and analysis, stakeholders' engagement, community development and gender equality (Section 2.4). This policy presents pillars and objectives for the fisheries sector. Under the pillar on ecological resilience, it provides for: the adoption of ecological transport systems (fleets and vessels) with lower emission rate of greenhouse gas (Objective 1.1.1.A); the adoption of programs, tools and equipments that can contribute to biodiversity protection and effective control of fish species population and coral (Objective 1.1.1.C); the strengthening of reef and oceanic fisheries' management (Objective 1.1.2) (Objective 1.1.3), the latter by improving existing MCS system and strengthen MoFMRA monitoring capacities by establishing new cost effective and innovative MCS systems. Other important objectives for the EAF include ensuring that the fisheries sector contributes to food security and nutrition (Objective 2.2.1), the relevant regulatory and policy framework enhances the livelihoods of fishing communities (Objective 2.3.1), and challenges related to reef and oceanic fisheries are effectively addressed through education, research and innovative projects (Objective 3.1.1).

There are currently eight FMPs in Maldives, adopted in December 2020 and January 2021, respectively covering the following fisheries: grouper; billfish; reef; lobster; diamond squid; marine aquarium; sea cucumber; and tuna. These FMPs present a similar outline, providing for: a preamble chapter with the purpose, scope and application, guiding principles, interpretation and entry into force; description of the biology, behaviour and habitat; overview of the relevant fishery; previous management measures; objectives and strategies of the plan; management measures under the plan; implementation; and review over a period of four or five years with the involvement of the relevant stakeholders. All the FMPs follow the same guiding principles, duly described, which include the precautionary approach, the EAF, universal responsibility, sustainable development, equity, and participatory approach (Chapter 1.4). These principles are also enshrined in the specific objectives, which also foster the implementation of MCS measures to prevent, deter and eliminate Illegal, Unreported and Unregulated (IUU) fishing, strengthening data collection, education and awareness-raising about the concerned fishery and its resources (Chapter 6).

The *2020–2025 National Water and Sewerage Strategic Plan*'s mission include promoting the conservation and management of water resources and developing the sector's capacity for sustainable management of resources and services (Page 7). It provides a strategic action plan, which details the strategies, respective actions, timeframe, lead implementing agency and other implementing agencies. For instance, it provides for the improvement of policy, legal and regulatory frameworks to ensure provision of safe water supply and sewerage services to all islands (Strategy 1.1), the reduction of vulnerability of the island freshwater resources and improving fresh water quality testing and monitoring (Strategies 5.1–5.2), designating the MoFMRA as one of the implementing agencies for Strategy 5.1.

The NPOA-IUU of 2019 is focused principally on tuna fisheries given the dominance of these fisheries in Maldives, but without excluding other fisheries, highlights the initiatives of Maldives in cooperating on fisheries management and conservation at international and regional levels (Pages 19–20). It describes the actions to be taken by Maldives as a Coastal, Flag, Port and Market State and the responsibilities of MoFMRA with regard to vessels without nationality in the high seas, which include collecting, compiling and maintaining a comprehensive list of all Maldivian licensed fishing vessels operating in and outside of the Maldivian Exclusive Economic Zone (Page 23). It requires all licensed fishing vessels to record the location of the fish catch along with fishing records and submit data to MoFMRA and sets the target for those over 24 meters to install a VMS by the end of 2020 (Page 27). Full compliance with IOTC requirements on observers is also required by the same date (Page 27). The MoFMRA is responsible for holding an annual function to celebrate 'Fishermen's Day' program, which involves discussion forums and information dissemination sessions with fishers, industry officials and very high-level government officials (Pages 29–30). Among the NPOA-IUU's list of actions is the duty of the MoFMRA to work with other member-states to identify and strengthen areas of the IOTC work to combat IUU fishing including on VMS and observer programmes (human or e-camera systems), (Page 27) and to collaborate with regional and international partners on research work of combatting IUU fishing (Pages 40–41). The NPOA-IUU is expected to be reviewed and, if necessary, revised every four years (Page 5).

The *Strategic Action Plan of 2019–2023* is a central policy framework structured in the following five sectors: blue economy, caring State, dignified families, *Jazeera Dhiriulhun* and good governance. Several actions are outlined under each sector, some of which are particularly relevant for the EAF: the review of existing Grouper Management Plan and Bait-Fishery Management Plan, as well as the development of Fisheries Management Plans (FMPs) for tuna fisheries, billfish fishery, sea cucumber, recreational fishery, marine aquarium fishery and diamondback squid fishery (Page 31); implement nationwide biological studies, size sampling and monitoring programmes for oceanic fishery resources (Page 32); revamp the existing VMS for full-scale implementation of VMS for licensed fishing vessels, introduce and implement electronic monitoring and electronic catch effort reporting for key commercial fisheries (Page 33); carry out settlement and/or recruitment studies of corals to better understand where restoration and rehabilitation efforts could be maximised (Page 34); engage with IOTC to amplify concerns of Maldives in the development of harvest strategies for key IOTC species (Page 35); and deploy and maintain fish aggregating devices in different location, according to the National Spatial Plan (Page 39).

The *National Biodiversity Strategy and Action Plan (NBSAP) of 2016–2025* is founded on three basic principles, which include the right of access of present and future generations to biodiversity and ecosystem services, and the shared responsibility of all to conserve and sustainably use biodiversity (Section 2). Six strategies are outlined, all relevant for the EAF, each with various suggested actions. The first strategy on strengthening governance, policies and strategies for biodiversity includes integrating biodiversity conservation in new plans and existing ones; the second on enhancing communication and outreach, through awareness programmes and capacity building, includes improvement of participatory capacity of islands communities, non-governmental organizations (NGO), and government offices through strengthening financial, technical and human capacity (Page 20); the third on working together globally for biodiversity conservation includes establishing mechanisms to prevent pathways of introduction of invasive alien species (Page 24); the fourth on ensuring sustainable use of biological resources includes implementing and enforcing environmental friendly and sustainable fishery and developing an MCS strategy (Pages 26–27); the fifth on addressing threats to conserve biodiversity includes assessing and identifying specific anthropogenic impacts on coral reefs and other vulnerable ecosystems (Page 31); finally, the sixth strategy on strengthening information management and resource mobilisation includes promoting private sector initiatives through collaborative partnerships (Page 40). To effectively operationalize the actions to achieve the targets under the NBSAP implementation plans are developed to evaluate the needs based in the following key areas: capacity development (Pages 43–49); technology needs assessment (Pages 50–52); communication and outreach (Pages 53–58); resource mobilisation (Pages 59–62 and 68–96); and national governance and co-ordination structure (Pages 62–65).

The *NPOA for the Conservation and Management of Sharks in Maldives of 2015* (NPOA-Sharks) has important EAF requirements, with the overarching goal of ensuring the conservation and management of sharks and their long-term sustainable use (Chapter 4[4.1]). Its three guiding principles are: participation, through which Maldives has taken management measures for

fisheries and non-directed shark fisheries (Chapter 4[4.2.1]); sustaining stocks for their long-term sustainable use (Chapter 4[4.2.2]); and nutritional and socioeconomic considerations (Chapter 4[4.2.3]). Its proposed objectives include improving and developing frameworks for establishing and coordinating effective stakeholder consultation in research, management and educational initiatives; minimising unutilized incidental catches of sharks; contributing to the protection of biodiversity and ecosystem structure and functions; and facilitating improved species-specific catch and landings data and monitoring of shark catches (Chapter 4[4.3]). This NPOA-Sharks provides a number of actions relevant for the EAF, such as designing and introducing educational materials to raise awareness on the vulnerability of targeted species and their roles in marine ecosystems and identifies the respective timeframe and responsible agencies (Chapter 6) as well as its monitoring and review (Chapter 7).

The *Strategic Economic Plan of 2005–2020* recognizes fisheries as one of the existing economic clusters capable of increasing value of all marine-related activities (Page 6) and highlights the strengths of the sector, which include the deployment of eco-friendly fishing methods such as pole and line fishing, shown to be more economically efficient and contributing to a system for protecting and conserving the environment (Pages 39–40). It recommends the enhancement and development of the fisheries sector into a holistic fisheries cluster (Page 62). Other recommendations are also aligned with the EAF, for instance, the facilitation of eco-educational tours for students and schools for on-site observation and field research into marine life and ecological environment (Page 55), and the promotion of fishing-related activities, such as breeding high-value aquarium fishes and pearl cultivation by rural fishing communities (Pages 66–67).

2.2.2 Fisheries primary legislation

The assessed fisheries primary legislation corresponds to B1 in Appendix A. It covers **34** of the 82 EAF legal requirements.

The fisheries primary legislation is the *Fisheries Act of Maldives 2019* (hereinafter referred to as “Fisheries Act”). The principal objectives of the Fisheries Act include: providing for the sustainable use of fisheries resources and their ecosystems for future generations and providing a framework for the protection and management of fisheries resources and their ecosystems according to principles of equity and good governance (Section 2[a][1][2]). The ministry in charge of fisheries (hereinafter referred to as ‘the Ministry’) is competent to manage fisheries resources and their ecosystems within Maldives’ maritime zones in a manner most beneficial to Maldivians through the application of the precautionary approach and the EAF to fisheries management (Section 3[f][1] and [2]). The Fisheries Act also provides relevant EAF objectives and principles of fisheries planning and management, which include: applying the ‘precautionary approach’; assessing and minimising impacts of fishing, other human activities and environmental factors on target stocks, non-target species and species belonging to the same ecosystem or dependent upon or associated with target stocks; adopting measures to minimise ghost fishing; taking into account the interest of artisanal and subsistence fishers and local communities and ensuring their participation in the planning and management of fisheries (Section 5[c][d][e][h]).

The Ministry has the duty to formulate, and to maintain in accordance with regulation to the Act to be adopted 100 days after the entry into force of the Act, a fisheries registry to register, *inter alia*, fishers, fishing crew, fishing vessel owners and information of fishing vessels and to maintain such registry with information through the local councils (Section 9); to consult with relevant ministries, local councils and government agencies, in areas relevant to their functions and mandates (Section 15[a]); and to prepare, keep under review through stakeholder consultation, and publish FMPs for each of the fisheries determined pursuant to Section 17, in the Government Gazette (Sections 18[a] and 19[b][c]). The minimum requirements of these FMPs are outlined in the Fisheries Act (Section 18[b]) and the Ministry is empowered to make regulations as necessary to provide for the planning and management of fisheries in the maritime zones of Maldives, in consultation with local councils, enforcement agencies and other authorities (Section 22). Various fishing methods are prohibited in Maldives including, but not limited, to purse seine fishing, gillnet fishing and trawl net fishing (Section 27). The Fisheries Act also provides for a licensing scheme for fishing within areas under national jurisdiction (Sections 34–35, 36–42) and in areas beyond national jurisdiction (Section 34).

The Minister is empowered to undertake the necessary steps to prevent, deter and eliminate IUU fishing, including not providing any kind of subsidy or any other financial or in-kind assistance to any vessel included in a list of vessels engaged in IUU fishing (Section 43) in the terms to be specified in the regulations (Section 44). With respect to MCSE, the Fisheries Act provides for consultations with Coast Guard of the Maldivian National Defence Force, the Maldives Police Service, Maldives Customs Service, Maldives Transport Authority as well as other relevant authorities (Section 56) and specifies: the powers of enforcement officers of the Maldives Police Service to conduct various actions without a court warrant, including to seize any record, document or item reasonably believed to be proof of the commission of an offence (Section 59); the powers of enforcement officers of the Coast Guard of the Maldivian National Defence Force (Section 60) as well as those of enforcement officers of the Maldives Customs Service (Section 61). Operators, masters, and crew of fishing vessels, or parties engaged in fishing and related activities or aquaculture activities, are subject to the obligation of acting in accordance with instructions and information given by enforcement officers and rangers (Section 70). An observer scheme is outlined, but the requirements of observers, protection, privileges afforded to such observers and their rights and obligations are to be determined by regulation (Sections 69 and 71[d]) as well as the VMS requirements (Section 71[e]). The Fisheries Act also provides for offences and that the corresponding fines are imposed based on prescribed governing standards and principles, to be regulated (Section 79).

2.2.1 Fisheries secondary legislation

The assessed eight fisheries secondary legislation corresponds to C1 to C8. It should be noted that the assessment of these secondary legislation was based on non-official English versions. They cover **16** of the 82 EAF legal requirements.

The *General Fisheries Regulations of Maldives of 2020* prohibit the use of nets in fishing of certain bait species for personal consumption, including but not limited to silver sprat, cardinal fish, fusiliers and anchovy (Section 5[a]) and details specific requirements for fishing using a net for personal consumption within the maritime zones of Maldives (Section 5[c] and Schedule 1). Parties engaged in fishing and fishing related activities are required to observe best practices in order to conserve marine resources and their ecosystem and to refrain from conducting any activity that may cause harm to the environment; reduce wastage of natural resources; undertake measures to reduce bycatch; and ensure the responsible disposal of waste produced in fishery (Section 10). A list of species, including but not limited to marine mammals, sharks, corals, and sea turtles, which are banned from being harvested, killed, exported or imported in the maritime zones of Maldives is provided therein (Schedules 2–3). It also establishes a list of prohibited activities when carrying out fishing activities (Section 12).

The General Fisheries Regulations require all persons engaged in fishing and fishing related activities to provide to the relevant Ministry the required information or statistical data, which shall be correct and complete (Section 23). It also provides for an observer and enforcement officers scheme to ensure the collection of data, enforcement of the Fisheries Act and implementing regulations, monitoring and reporting of licensed fishing vessels (Section 24), establishes their powers, basic requirements and responsibilities (Section 25–30) and subjects them to a Code of Conduct (Section 31). The competent Ministry is in charge of compiling and maintaining a Fisheries Registry of all parties conducting fishery in Maldives (Section 33). A list of offences and respective penalties are provided therein (Section 34, Schedules 4–5).

The *Regulation on the general process of issuing licenses and permits for fishing, fishing related activities and aquaculture activities of 2020* establishes the general procedures for issuing, renewing and cancelling these permits or licenses and applies to parties carrying out aquaculture related activities, vessels and places falling within the scope of the Fisheries Act (Section 2). This Regulation establishes that the application for new permits or licenses or their renewal shall be via a form prepared and publicized on the Ministry’s website, or via the “Fisheries Information System – Keyolhu” (Section 4[a]). It further specifies the documents to be submitted together with the application which include the registration of the vessel and decision statement from the relevant institution if the activity is subject to an Environmental Impact Assessment (EIA) (Section 4[c][2], [5]). The issuing of the licenses and permits is subject to the payment of fees to the Ministry or a party appointed by the Ministry (Section 5[a]) and may not be issued under the circumstances listed under Section 6, which include the vessel being included in an IUU Fishing Vessel list, at a national or international level and the lack of compliance with the license or permit conditions under the Fisheries Act, any regulations or FMPs. The circumstances under which a license or permit may be cancelled or revoked also include IUU fishing (Section 10). A national registry of permits and licenses issued comprising all the information under Section 12 shall be compiled and kept up to date by the Ministry.

The *Aquaculture Regulation of 2020* aims to ensure sustainable aquaculture development in Maldives and in its maritime zones including the sea, internal waters of atolls, reefs, lagoons, water ponds and islands and that it is carried out in a manner that ensures protection of the

ecosystem and biodiversity and enables the beauty of natural resources to be sustained for the current and the future generations (Section 2). It applies to all persons who undertake aquaculture within Maldives and its maritime zones (Section 3) who are subject to an “aquaculture experience licence” or to an “aquaculture licence” for commercial aquaculture (Section 6) and for commercial aquaculture (Section 6[b]) – the later shall only be issued if, among others, no adverse environmental impact results from the activity (Section 6[b]). The Lists of Aquatic Organisms that can be imported for the purpose of Aquaculture is provided in Schedule 1, and their importation may be subject to a permit (Section 11) to be applied in accordance with Section 15 and issued pursuant to Section 16.

The *Regulation on conduction of marine research in Maldives of 2020* has the objective of monitoring all marine and fisheries research conducted within the maritime zones of Maldives and facilitating the conduction of marine research on the marine environment and its resources, in accordance with the LOSC, and the legislation of the country (Section 2). It defines research as “collecting data on the maritime zones, marine organisms, marine resources, fishing and fishing related activities, marine environment, or marine ecosystem of Maldives” and sets up the application procedures, documents and fees for a research permit (Sections 4–5). A research permit may be revoked or suspended when the Minister believes that due to its nature, or any other reason, the research may cause an unacceptable/unreasonable degree of harm to the environment or a marine organism or their population or habitat (Section 18[4][d]). Carrying out research without a permit or violating the permit conditions is an offence (Section 18 and Schedule 1).

Also relevant are the *Regulation on port state measures to prevent, deter and eliminate IUU fishing of 2020*, which place controls on landing and transshipment of fish in ports, the *Regulation on issuing permits for the establishment of fisheries projects of 2020*, which provides for the undertaking of fisheries projects to yield profit to the fishing industry of Maldives and to protect the parties that invest, plan and operate “fisheries projects” which are defined under its Schedule 1 and are subject to a permit, and *the Regulation on administration of penalties for fisheries related offences of 2020* which sets up the administrative procedures for fisheries related offences.

2.2.2 Other sectors primary legislation

The other sectors primary legislation corresponds to D1 to D2 in Appendix A.

The *Environment Protection and Preservation Act of 1993*, as amended in 2014 (hereinafter referred to as “Environment Act”) elaborates the provision of the Constitution of Maldives of 2008, which imposes the fundamental duty of the State to protect and preserve the natural environment, biodiversity, resources and beauty of the country for the benefit of present and future generations (Article 22 of the Constitution). As such, the Environment Act requires the competent national institution to formulate policies, regulations and standards in consultation with relevant authorities to, *inter alia*, protect biodiversity, access to benefit-sharing, protect freshwater, protect and conserve the environment (Section 3); and to identify protected areas

and natural reserves, and draw up the rules and regulations for their protection and preservation (Section 4[a]).

The Environment Act also requires the submission to the competent Ministry of an EIA prior to the implementation of any developing project that may potentially impact the environment (Section 5[a]). The concerned Ministry is empowered to terminate, without granting compensation, any project that has any undesirable impact on the environment (Section 6). This Act prohibits the disposal of any type of waste, oil, poisonous gases or substances with potential to cause harmful effects on the environment, as well as of any hazardous, toxic or nuclear waste harmful to human health and the environment (Sections 7–8).

2.2.3 Other sectors secondary legislation

The other sectors secondary legislation corresponds to E1 to E4 in Appendix A.

In line with the constitutional provision that establishes the duty of the State to undertake and promote desirable economic and social goals through ecologically balanced sustainable development and to take measures necessary to foster conservation, prevent pollution, the extinction of any species and ecological degradation (Article 22 of the Constitution), the *Protected Areas Regulation of 2018*, to be implemented by the Environmental Protection Agency, is aimed at, *inter alia*, establishing effective guidelines for the declaration and management of protected areas; ensuring the respective process is consultative and transparent; enhancing awareness and participation of community in protected area designation and management; and ensuring future generations benefit from natural resources, ecosystem services and biodiversity (Regulation 2[a][b][e][f]). Seven categories of protected areas are outlined: internationally recognised areas, strict nature reserve, wilderness areas, national park, natural monument, habitat/species managed area, and protected areas with sustainable use (Regulation 6[a]). A consultative process for designating protected areas is required, with the identification and consultation with all relevant persons who may be affected through the designation and the community (Regulation 11).

Also, in line with Article 22 of the Constitution, the *Preparation of Environmental Impact Assessment Report Regulation of 2012* provides detailed rules on the EIA, which must consider the effects of a development proposal on various factors, including the fauna, flora and living components of the environment, and interactions between humans and with them and those other factors (Regulation 6[c]). It requires the proponents of development proposals listed under its Schedule D, including commercial aquaculture projects and fish processing facilities, to submit an EIA application form, and provides the general format and contents of an EIA report under its Schedule E. Such an EIA report is subjected to review and comments by relevant ministries, authorities and the public, and the competent Ministry must take into account the comments received from the general public and may determine a location for the undertaking of public meeting or meetings (Regulation 13[d][f]). The *EIA Regulation of 2007* provide a step-by-step guidance for proponents, consultants, government agencies and general public on how to obtain approval, in the form of an Environmental Decision

Statement, for a Development Proposal (Section 1[3] and Schedule A). Aquaculture projects, fish processing facilities and artificial reefs are subject to EIA (Schedule D).

The *Protection and Conservation of the Environment in the Tourism Industry Regulation of 2006* requires permission of the competent Ministry for various activities, including the dredging of lagoons, construction on beaches and lagoons, constructions of sea walls, and requires an EIA prior to the commencement of any construction project or any such activities defined therein (Clauses 2.1 and 2.4). Another relevant provision concerning EAF is the prohibition of catching or keeping in cages marine living species for the development of tourism (Clause 3.1) and the requirement of sewage disposal in a manner that is the least harmful to the environment (Clause 7[7.1]).

2.2.4 Additional relevant information from the National EAF-Focal Point

The fisheries sector interacts with the following institutions: MoFMRA and Maldives Marine Research Institute (fisheries and aquaculture sector); Ministry of Environment, Climate Change and Technology and Environment Protection Agency (environment sector); Ministry of Tourism, Maldives Association of Tourism Industry (tourism sector).

Intersectoral activities include:

- Research and data collection activities carried out in collaboration with the tourism sector:
 - (i) monitoring of grouper spawning aggregation sites protected under grouper fisheries regulation in collaboration with dive centres in resorts;
 - (ii) national Coral Reef Monitoring Framework's annual monitoring by resort marine biologists;
 - (iii) collaborating in the collation of seagrass monitoring data by resort marine biologists.

- Environment sector:
 - (i) participation in the EIA processes as a stakeholder on projects relevant to the marine environment and those that could impact the marine environment and its resources;
 - (ii) stakeholder in declaration of protected species, protected areas, and in adopting their management plans under the Environmental Protection and Preservation Act;
 - (iii) collaboration in certain research and monitoring programmes such as post-bleaching monitoring program.

There is no routine intersectoral specific mechanism to facilitate coordination of activities, monitoring and review but there are meetings to discuss issues on a needs-basis. MoFMRA is required to conduct stakeholder consultations with all relevant sectors/authorities including communities, during the development of all regulations and management plans pursuant to the Fisheries Act. Additionally, the Management Plan Advisory Committees are expected to coordinate routinely to monitor all activities related to implementation and review of the management plans.

The following three activities were reported as having been implemented following the EAF:

- development of Management Plans for the management of the following fisheries/resources: Tuna; Bait; Groupers; sea cucumbers, lobsters; Reef fish; Marine Aquarium fish; Diamondback squids;
- the Sustainable Fisheries Resources Development Project (2017–2022). Funded by The World Bank, the project aims to improve management of fisheries at regional and national levels including support to establish mariculture in targeted atolls in Maldives. Outcomes from the project include the enhanced government’s capacity to implement a more effective monitoring of the fisheries sector and internal control system of key marine fisheries value chains through: development of key fishery management and planning instruments; development and implementation of fisheries management activities; support to long-term programme for fisheries management; and fisheries sector capacity building;
- “Noo Raajje” Programme formulated from the partnership with Blue Prosperity Coalition (2019–2023). The Programme is a government initiative that focuses on advancing the existing blue economy activities including sustainable fisheries and tourism as well as best options for expanding the blue economy and to create a Marine Spatial Plan based on scientific research and stakeholder participation to sustain the marine environment while promoting economic growth.

3. Conclusion

3.1 Main gaps in the assessed policy and legal instruments

Some of the EAF legal requirements in the EAF Legal Checklist in **Appendix B** were not incorporated (**X**) or were only partially incorporated (\emptyset) by the assessed policy and legal instruments of Maldives identified under **Appendix A**. This subsection summarizes the main gaps from the desk-based preliminary assessment without prejudice to others that may be identified in a comprehensive analysis of the national policy and legal frameworks at country level.

Of the 82 EAF legal requirements, **71** EAF legal requirements were found in Maldives' policy and legal frameworks assessed in this EAF Legal Report. It should be noted that the 82 EAF legal requirements are considered the minimum standards in legislating for the EAF which may be further elaborated and improved in advancing the implementation of the EAF. Based on the present preliminary assessment, **11** EAF legal requirements remain to be incorporated in the policy and legal frameworks of Maldives.

The assessed policy and legal instruments did not provide for conflict management over fisheries and the conflict management review process, as required under EAF Component 7. There is also lack of references and provisions on integrated management of aquatic ecosystems and the review of the respective plan, which corresponds to EAF Component 8. A major gap was noted with respect to TAC, additional catch limits and detailed requirements, as well as on effort controls, as provided under EAF Component 9.

In respect of MCSE, which is of particular relevance to the fisheries sector, the assessed policy and legal instruments do not provide details on the registration process, including the cooperation and coordination among fisheries and maritime authorities, nor specifications for marking vessels and fishing gear or control over transshipping at sea, as part of the legal requirements under the EAF Component 11. Regulation of some activities potentially harmful to the aquatic ecosystems was also not found in the assessed policy and legal instruments, which indicate a gap related to EAF Component 15 as well as with regard to the components and processes of EIS and EIA which indicate a gap on EAF Component 16.

3.2 Level of alignment of the assessed policy and legal instruments with the ecosystem approach to fisheries

In determining the level of alignment of the assessed policy and legal instruments with the EAF in the EAF Legal Report, the following criteria were used:

Number of EAF legal requirements incorporated in the assessed policy and legal instruments	Percentage of the 82 EAF legal requirements incorporated	Overall level of alignment with the EAF
0–30	0–36%	Low
31–50	37–61%	Low-medium
51–61	62–75%	Medium
62–72	76–87%	Medium-high
73–82	88–100%	High

The policy and legal instruments of Maldives, assessed in this Report, incorporate **71** out of the 82 EAF legal requirements, therefore indicating a **medium-high** level of alignment with the EAF.

3.3 Final considerations and proposed way forward

Legislating for the EAF is complex and challenging. Due to the numerous national policy and legal instruments relevant to the EAF, this EAF Legal Report should be considered as a desk-based preliminary assessment. It provides the initial basis upon which countries can advance the work towards improving their national policy and legal frameworks in alignment with the EAF, contributing to the ultimate goal of sustainability in fisheries.

The incorporation in the national policy and legal frameworks of all the EAF relevant provisions from international legally binding instruments to which Maldives is a Party, as identified under subsection 1.2 above, should be a priority in the improvement of the EAF implementation at the national level. The relevant EAF provisions from the international non-binding instruments that reflect principles of international law should also be incorporated in the national policy and legal frameworks.

With respect to the assessed policy and legal instruments, some gaps have been identified which should be addressed to ensure full implementation of the EAF in the country. While the National EAF Focal-Point noted that some of the requirements are implemented on a need basis, the following subjects could benefit from a detailed review and update in the relevant policy and legal instruments: “institutional arrangements” (especially conflict management and integrated management of aquatic ecosystems), “control on fishing operations” (especially TACs and fishing efforts), “fisheries management” (particularly aspects of integrated management of ecosystems), “conservation measures” (especially regulation of some activities potentially harmful to aquatic ecosystems), and “MCSE” (especially the registration process, cooperation and coordination on registration, the transshipping controls at sea and the specifications for marking fishing vessels and fishing gear).

The review of the policy and legal instruments with respect to “control on fishing operations”, “fisheries management” and “MCSE” could be led by fisheries whereas others, such as

“institutional arrangements” and “conservation measures”, would require a more active involvement of other sectors in the review of their transversal relevant provisions.

This preliminary assessment is aimed at assisting legal practitioners, policymakers and fisheries managers in taking the necessary steps for improving the EAF implementation in their country.

The review of national policies and/or legislation is one of the many ways or processes through which an assessment of the implementation of the EAF can be conducted. It provides a country with the opportunity to reassess its respective policy and legal frameworks, identify the gaps and/or needs for improvement, and present recommendations for enacting new policies and/or legal instruments for the EAF, and/or amending the existing ones to bring them fully in line with the EAF.

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Appendix A. List of national policy and legal instruments assessed in this report

Identification	Instruments of MALDIVES
A	Fisheries Policies
A1	2021 Tuna Fishery Management Plan
A2	2020 Grouper Fishery Management Plan
A3	2020 Billfish Fishery Management Plan
A4	2020 Sea Cucumber Fishery Management Plan
A5	2020 Reef Fishery Management Plan
A6	2020 Lobster Fishery Management Plan
A7	2020 Diamondback Squid Fishery Management Plan
A8	2020 Marine Aquarium Fishery Management Plan
A9	2020–2025 National Water and Sewerage Strategic Plan
A10	2019–2029 National Fisheries and Agricultural Policy
A11	2019 National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing
A12	2019–2023 Strategic Action Plan
A13	2016–2025 National Biodiversity Strategy and Action Plan
A14	2015 National Plan of Action for the Conservation and Management of Sharks in Maldives
A15	2005–2020 Strategic Economic Plan
A16	1999 Second National Environment Plan
B	Fisheries Primary Legislation
B1	2019 Fisheries Act of Maldives No. 14
C	Fisheries Secondary Legislation
c1	2020 General Fisheries Regulations of Maldives No. R-75
c2	2020 Regulation on the general process of issuing licenses and permits for fishing, fishing related activities and aquaculture activities No. R-92
c3	2020 Regulation on issuing permits for the establishment of fisheries projects No. R-91
c4	2020 Regulation on the establishment of floor prices for fish purchase No. R-91
c5	2020 Aquaculture regulation No. R-94
c6	2020 Regulation on administration of penalties for fisheries related offences No. R-74
c7	2020 Regulation on conduction of marine research in Maldives No. R-100
c8	2020 Regulation on port state measures to prevent, deter and eliminate IUU fishing No. R-4
D	Other Sector's Primary Legislation
D1	1996 Maritime Zones Act Law No. 6
D2	1993 Environmental Protection and Preservation Act Law No. 4, as amended in 2014
E	Other Sector's Secondary Legislation
E1	2018 Regulations No. 2018/R-78 on Protected Areas
E2	2012 Regulation No. 2012/R-27 on the Preparation of Environmental Impact Assessment Report
E3	2007 Environmental Impact Assessment Regulation
E4	2006 Protection and Conservation of the Environment in the Tourism Industry Regulation

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none • not assessed N/A not applicable * optional

Appendix B. Ecosystem Approach to Fisheries Legal Checklist applied against selected national policy and legal instruments

EAF components	EAF legal requirement		Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
				1ary	2ary	1ary	2ary		
	Scope and definitions								
General guidelines	1.	– Clearly outline the geographic and substantive scope of the application.	✓	✓	✓	X	X	(A11) Chapter 1 (A12) Pages 9–14 (A13) Pages 1–4 (A15) Chapter 1 (B1) Sections 1, 4 and 85 (c1) Sections 2–4 (c2) Section 2 (c3) Section 2 (c4) Section 2 (c5) Section 2 (c6) Sections 2–3 (c7) Section 2 (c8) Section 2	
	Principles and objectives								
C.1 EAF concepts C.3 Precautionary approach C.4	2.	– Clearly define and apply the precautionary approach.	✓	✓	•*	X	∅	(A1) Chapter 1.4 (A2) Chapter 1.4 (A3) Chapter 1.4 (A4) Chapter 1.4 (A5) Chapter 1.4	Regulations in (E2) operationalize the precautionary approach but does not define it.

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none ● not assessed N/A not applicable * optional

EAF components	EAF legal requirement		Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
				1ary	2ary	1ary	2ary		
Stakeholder participation C.6 Integration of lower level authorities C.7 Conflict management and C.11, C.13, C.14 and C.17								(A6) Chapter 1.4 (A7) Chapter 1.4 (A8) Chapter 1.4 (B1) Sections 3(f)(2), 5(c) and 88(kk) (E2) Regulations 6–12	
	3.	– Broaden stakeholder participation with integration of lower level authorities and bodies.	✓	✓	●*	X	✓	(A10) Section 2.4 (A11) Pages 29–30 (A12) Page 20 (A13) Page 11 (B1) Sections 2(a)(8)–(11), 5(h)(j) and 7 (E1) Regulations 2(b)(f) and 11 (E2) Regulation 13	
	4.	– Ensure the right of access to fair and transparent information.	∅	∅	X*	X	∅	(A13) Page 11 (B1) Section 5(k) (E2) Regulation 13	Reference in (A13) is not sufficient in making information available to the public for a reasonable period. Provision in (B1) is about collecting and sharing, in a sustainable manner, accurate fisheries data. Provision in (E2) is about access to information in the review of the EIA report.

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none ● not assessed N/A not applicable * optional

EAF components	EAF legal requirement	Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
			1ary	2ary	1ary	2ary		
5.	– Promote institutional coordination, cooperation and integration.	✓	✓	●*	X	X	(A13) Pages 62–65 (A14) Page 37 (B1) Section 7	
6.	– Maintain ecological relationships among harvested, dependent and associated species.	✓	✓	●*	X	X	(A14) Chapter 4(4.2.1, 4.2.2, 4.3) (B1) Section 5(b)(d)	
7.	– Promote sustainable development and avoid overexploitation of marine living resources.	✓	✓	●*	✓	∅	(A1) Chapter 1.4 (A2) Chapter 1.4 (A3) Chapter 1.4 (A4) Chapter 1.4 (A5) Chapter 1.4 (A6) Chapter 1.4 (A7) Chapter 1.4 (A8) Chapter 1.4 (A9) Page 7 (A10) Section 2.1 (A12) Page 287 (A13) Section 2 and Pages 26–27 (A14) Chapter 4(4.1–4.3) (B1) Sections 2(a)(1) and 5(a) (D2) Section 1 (E1) Regulation 2(f)	Regulation in (E1) provides for ensuring future generations benefit from natural resources, ecosystem services and biodiversity.
8.	– Preserve marine habitat, conserve and restore marine living resources and biodiversity.	✓	X	X*	✓	✓	(A10) Objective 1.1.1.C (A13) Section 2 and Page 27	References in (A13) do not mention marine habitat preservation.

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none ● not assessed N/A not applicable * optional

EAF components	EAF legal requirement	Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
			1ary	2ary	1ary	2ary		
							(D2) Section 1 (E1) Regulations 5, 7, 8 and 12	
9.	– Promote ecosystem well-being, including the human biotic and abiotic components.	✓	✓	●*	✓*	✓*	(A13) Pages 31, 32, 38 (A14) Chapter 4(4.3) (B1) Sections 2(a)(1)(2) and 5(a)(d)(f)(g) (D2) Sections 3–4 (E1) Regulations 5, 7, 8 and 12	
10.	– Promote adaptive management measures, including their regular monitoring and review.	✓	✓	●*	X*	✓*	(A12) Pages 31 and 330 (A13) Pages 11–12 (A14) Chapter 4(4.3) (B1) Sections 13 and 18 (E1) Regulations 12, 13, 23–26	
11.	– Harmonize management measures, including those for shared resources.	✓	✓	●*	●*	●*	(A11) Pages 33–34 (B1) Section 19(c)(3)	
12.	– Reduce and manage conflict between users and stakeholders over fisheries resources and ecosystems.	X	X	✓*	X*	X*	(C1) Section 11	
13.	– Consider socioeconomic contexts (e.g. employment, livelihoods, equity, poverty, gender) when designing and implementing management measures.	✓	✓	●*	●*	✓*	(A10) Section 2.4 (A13) Page 38 (A14) Chapter 4(4.2.3) (B1) Sections 2(a)(6)–(9), 5(h) and 8 (E1) Regulations 6 and 12	

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none ● not assessed N/A not applicable * optional

EAF components	EAF legal requirement	Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
			1ary	2ary	1ary	2ary		
14.	– Promote management measures, designate the authority and outline the timeline and process for their monitoring and review.	✓	X	X*	X*	X*	(A1) Chapter 7 (A2) Chapter 6 (A3) Chapter 6 (A4) Chapter 6 (A5) Chapter 6 (A6) Chapter 6 (A7) Chapter 6 (A8) Chapter 6 (A9) Strategic Action Plan (A12) Pages 31–43	
15.	– Provide for the establishment of MCSE measures.	✓	✓	●*	●*	●*	(A1) Chapter 6 (A2) Chapter 5 (A3) Chapter 5 (A4) Chapter 5 (A5) Chapter 5 (A6) Chapter 5 (A7) Chapter 5 (A8) Chapter 5 (A10) Objective 1.1.3.A (A13) Pages 26–27 (B1) Section 5(l)	
16.	– Promote ecosystem-based research plans/priorities, designate the authority and outline the timeline and process for their monitoring and review.	∅	X	∅*	X*	X*	(A10) Objective 3.1.1 (A13) Page 31 (c7) Entire Regulation	References in (A10) and (A13) do not provide for monitoring and review of assessments.

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none ● not assessed N/A not applicable * optional

EAF components	EAF legal requirement		Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
				1ary	2ary	1ary	2ary		
									References in (c7) provide for the conduction of marine research, which includes the marine ecosystem, but do not contain a specific reference to EAF.
17.	– Promote the right of access to education and awareness raising on EAF.		∅	∅	X*	X*	X*	(A10) Objective 3.1.1 B (A12) Page 36 (A13) Pages 15 and 19–20 (A15) Pages 67–68 (B1) Section 11	Reference in (A12) provides school awareness programmes and fisheries training programmes and in (A10) provides for the inclusion of fishing in the education system. Reference in (A13) provides for review of school curriculum to include environmental conservation and awareness raising programmes. References in (A15) provides for the establishment of Faculty of Fisheries and Marine Sciences, and capacity-building programmes. Provision in (B1) requires the establishment of a fisheries institute or college, and a mechanism to provide

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none • not assessed N/A not applicable * optional

EAF components	EAF legal requirement		Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
				1ary	2ary	1ary	2ary		
									modern fisheries education and training.
	Institutional arrangements								
C.2 Management boundaries and measures	18.	– Ensure new management boundaries, measures and plans are: (a) ecologically meaningful considering resource ranges, habitats and other ecological factors.	✓	X	X	∅*	✓*	(A12) Pages 284–285 (D2) Section 4 (E1) Regulations 5–14	Provision in (D2) allows anyone to establish a protected area or reserve, requiring the registration of such area at the relevant Ministry.
C.4 Stakeholder participation		(b) overlapped closely and are harmonized with well-established management boundaries and governance structures.	✓	✓	X	∅*	✓*	(A12) Pages 284–285 (B1) Section 19(c) (D2) Section 4 (E1) Regulations 5–14	Provision in (D2) allows anyone to establish a protected area or reserve, requiring the registration of such area at the relevant Ministry.
C.5 Coordination, cooperation and integration	19.	– Promote states cooperation on the harmonization of management measures and plans (bilaterally, regionally and internationally).	✓	✓	X	X*	X*	(A11) Pages 19–20, 24 and 47 (A12) Page 35 (A14) Chapter 4(4.3) and Page 38 (B1) Section 19(c)	
C.7 Conflict management									
C.8 Integrated management of aquatic ecosystems	20.	– Establish transparent and accessible mechanisms, bodies (including lower level authorities) or processes to: (a) support well-established management boundaries and governance structures on the basis of ecosystem considerations.	∅	✓	X	∅*	✓*	(A13) Pages 31–32 (B1) Sections 3(f)(1)(2), 19(c) and 22(a) (D2) Section 4(b) (E1) Regulations 5–14	References in (A13) provides for the protection and management of representative areas of identified ecosystems. Provision in (D2) allows anyone to establish a protected area, or reserve, requiring the

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none ● not assessed N/A not applicable * optional

EAF components	EAF legal requirement	Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
			1ary	2ary	1ary	2ary		
								registration of such area at the relevant Ministry.
	(b) outline conservation and management measures, including FMPs, at local and national levels.	✓	✓	X	●*	●*	(A1) Entire FMP (A2) Entire FMP (A3) Entire FMP (A4) Entire FMP (A5) Entire FMP (A6) Entire FMP (A7) Entire FMP (A8) Entire FMP (A12) Page 31 (A14) Chapter 6 (B1) Sections 18–22	References in (A12) and (A14) do not outline transparent process for developing FMPs and conservation and management measures.
	(c) facilitate coordination, cooperation and integration of management decisions, regulatory action, environmental policies, plans and programs.	✓	✓	X	✓*	∅*	(A12) Pages 279 and 281 (A13) Pages 15–16 (B1) Section 14 (D2) Sections 3 and 4(a) (E1) Regulations 12–18	Regulations in (E1) concern management plans for protected areas.
	(d) monitor, assess and align the various environmental policies and plans.	✓	X	X	X*	∅*	(A12) Page 281 (A13) Pages 15–16 (E1) Regulations 12–18	Regulations in (E1) concern management plans for protected areas.
	(e) manage conflict over fisheries, relevant resource and ecosystem, including parameters for decision-making and resolving the conflict.	X	X	X	X*	X*		

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none ● not assessed N/A not applicable * optional

EAF components	EAF legal requirement	Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
			1ary	2ary	1ary	2ary		
	(f) ensure integrated management of aquatic ecosystems (e.g. integrated coastal zone) based on ecosystem delimitations.	X	X	X	X*	X*		
	(g) ensure periodic reviews of managed aquatic ecosystems that assess the state of aquatic resources, levels of pollution, habitat degradation and other factors.	∅	∅	X	X*	X*	(A14) Chapter 7 (B1) Sections 18–19	Reference in (A14) do not involve lower-level authorities. Provisions in (B1) are limited to FMPs.
	(h) ensure periodic reviews of integrated management plans to assess objectives and indicators and to determine any potential needs for adjustment or revision.	X	X	X	X*	X*		
	(i) ensure periodic reviews of conflict management processes.	X	X	X	X*	X*		
21.	– Clearly outline powers, roles and responsibilities of all bodies, designated authorities, their relationships and processes, avoiding overlapping and conflicting mandates.	✓	✓	X	●*	∅*	(A12) Pages 31–43 (A14) Chapter 6 (B1) Sections 15, 16 and 22 (E1) Regulation 4	Regulation in (E1) concerns the powers of the Environmental Protection Agency.
22.	– Outline mandates for the government institutions to: (a) coordinate efforts, cooperate and integrate approaches, from the local to the national levels.	✓	✓	X	X	✓	(A11) Pages 29–30 (A12) Pages 211–214 (A13) Page 20 and 62–65 (A14) Page 37 (B1) Section 15 (E1) Regulation 11	
	(b) coordinate, cooperate and integrate the regional and international processes and arrangements.	✓	✓	X	X	X	(A11) Pages 47–48 (A12) Page 35 (B1) Section 3(e)	

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none • not assessed N/A not applicable * optional

EAF components	EAF legal requirement	Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
			1ary	2ary	1ary	2ary		
	(c) allocate financial, human and material resources to ensure the integration of lower level authorities	∅	∅	X	X	X	(A10) Objective 1.1.2.D (A12) Pages 36–37, 211–214 (A13) Page 20, Pages 59–62 and 68–96 (A14) Page 33 (B1) Section 10	References in (A10), (A12) and (A14) do not provide for the allocation of financial resources. Provision in (B1) requires the MoFMRA to formulate a scheme of social protection and pension of fisheries.
	Stakeholder participation, coordination, cooperation and integration							
C.4 Stakeholder participation	23. – Ensure bodies established are broadly representative (from industry, the artisanal sector, academia, civil society and local communities) and processes allow for stakeholder and institutional participation and coordination, engaging and integrating lower level authorities or bodies when resources are affected at local level.	✓	X	X	X	X	(A1) Chapter 7.1 (A2) Chapter 6.1 (A3) Chapter 5.1 (A4) Chapter 6.1 (A5) Chapter 6.1 (A6) Chapter 6.1 (A7) Chapter 5.1 (A8) Chapter 6.1	
C.5 Coordination, cooperation and integration								
C.6 Integration of lower level authorities, bodies and stakeholders	24. – Establish and properly publicize public meetings or hearings.	X	X	X	X	✓	(E2) Regulation 13(g)	
C.8 Integrated management	25. – Allow for sufficient and reasonable time for comments on proposed management decisions or actions (e.g. in meetings and in writing).	X	X	X	X	✓	(E2) Regulations 7(d) and 13(d)	

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none • not assessed N/A not applicable * optional

EAF components	EAF legal requirement		Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
				1ary	2ary	1ary	2ary		
of aquatic ecosystems	26.	– Promote international cooperation for effective integrated management of aquatic ecosystems.	✓	✓	X	X	X	(A1) Chapter 7 (A2) Chapter 6 (A3) Chapter 5 (A4) Chapter 6 (A5) Chapter 6 (A6) Chapter 6 (A7) Chapter 5 (A8) Chapter 6 (A11) Pages 19–20, 24, 47 (A12) Page 35 (A14) Chapter 4(4.3) and Page 38 (B1) Sections 5(k)(l), 19(c)	References in (A11), (A12) and (A14) do not specifically refer to integrated management of aquatic ecosystems.
		Fisheries management <i>Catch/output controls</i>							
C.9 Controls on fishing operations	27.	– Establish limits on the amount of fish that may be removed from a fishery in a given period of time (e.g. TAC), restrict the number of fish that may be landed in a day (e.g. bag limit) or place limits on the amount of acceptable bycatch and/or discards from a fishery – all based on scientific data and maximum sustainable yield and the precautionary principle.	X	✓	X	N/A	N/A	(B1) Section 18(b)(1)(6)	
C.10 Fishery management plans	28.	– Ensure authority to institute TACs and to allocate individual quotas is representative, including representatives from lower levels of government.	X	∅	X*	N/A	N/A	(B1) Section 18(a)	Provision in (B1) empowers the Ministry to prepare FMPs, where the TAC is to be included.
C.17 Monitoring and review	29.	– Ensure procedure for TACs outlines the category of vessels to which the TAC applies; period of time for which the TAC is	X	X	X	N/A	N/A		

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none ● not assessed N/A not applicable * optional

EAF components	EAF legal requirement	Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
			1ary	2ary	1ary	2ary		
	declared; process for sub-dividing the TAC into individual quotas; timeline, authority and participatory process for periodic monitoring and review.							
	30. – Coordinate the TACs for shared stocks or highly migratory species with international or regional management measures.	X	✓	●*	N/A	N/A	(b1) Sections 18(b)(1)(6) and 19(c)	
	31. – Monitor the catch in real-time and close a fishery when the TAC is reached.	✓	X	X*	N/A	N/A	(A11) Page 26	
	32. – Attach catch controls to licenses and access agreements, including authority responsible for allocating, issuing and regulating quotas, and the procedure to be followed.	∅	∅	X*	N/A	N/A	(A11) Page 25 (b1) Section 37	Reference in (A11) concerns the establishment of TAC, by the MoFMRA, for longline vessels. Provision in (b1) cross refer to the conditions of the licenses to be set by regulation.
	33. – Outline the ability to institute additional catch controls (e.g. bag limits for recreational fishing), including the authority responsible for allocating, issuing and regulating quotas, and the procedure to be followed.	✓	X	X*	N/A	N/A	(A1) Chapter 7.7 (A2) Chapter 6.8 (A3) Chapter 5.6 (A5) Chapter 6.6 (A6) Chapter 6.4 (A7) Chapter 5.5 (A8) Chapter 6.4	
	Effort/input controls							
C.9 Controls on fishing operations	34. – Define a broad fishing license scheme to regulate access to fisheries and fishing vessels with timeline, authority and process for renewing the license, monitoring and compliance, and	✓	✓	✓	N/A	N/A	(A1) Chapter 7.2 (A2) Chapter 6.2 (A3) Chapter 5.2	

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none • not assessed N/A not applicable * optional

EAF components	EAF legal requirement		Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
				1ary	2ary	1ary	2ary		
C.10 Fishery management plans C.17 Monitoring and review		permit suspension and revocation of the license for non-compliance.						(A4) Chapter 7.2 (A5) Chapter 6.2 (A6) Chapter 6.2 (A7) Chapter 5.2 (A8) Chapter 6.2 (B1) Sections 24–25, 34–42 (C2) Entire Regulation (C7) Sections 4–6 and 8–11	
	35.	– Designate authority responsible for allocating, issuing and regulating licenses, specified license duration, requirement of a fee and conditions that may be attached to licenses.	✓	✓	✓*	N/A	N/A	(A1) Chapter 7.2 (A2) Chapter 6.2 (A3) Chapter 5.2 (A4) Chapter 7.2 (A5) Chapter 6.2 (A6) Chapter 6.2 (A7) Chapter 5.2 (A8) Chapter 6.2 (B1) Sections 33–42 (C2) Entire Regulation (C7) Sections 4–6 and 8–11	
	36.	– Outline process for establishing provisions for effort controls (e.g. limitation on vessel capacity, on expansion of fishing fleet, on allowable days spent at sea).	X	∅	X*	N/A	N/A	(B1) Section 5(g)	Reference in (B1) defines the guiding principles for its implementation, with effort controls, but does not outline the processes.
	37.	– Outline specific details of fishing license scheme (e.g. number of licenses to be allocated, permit conditions for each fishery).	X*	X*	X	N/A	N/A		

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none ● not assessed N/A not applicable * optional

EAF components	EAF legal requirement		Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
				1ary	2ary	1ary	2ary		
	38.	– Empower the designated authority to establish additional regulations for licensing.	✓*	✓	✓*	N/A	N/A	(A1) Chapter 7.2 (A2) Chapter 6.2 (A3) Chapter 5.2 (A4) Chapter 7.2 (A5) Chapter 6.2 (A6) Chapter 6.2 (A7) Chapter 5.2 (A8) Chapter 6.2 (B1) Sections 33(b)(1) and 35(b)(3) (C2) Section 7 (7) (g) (C7) Section 10 (b)	
	39.	– Empower authority to regulate effort controls and respective parameters.	∅*	✓	●*	N/A	N/A	(A12) Page 33 (B1) Section 22(b) and 35(b)(2)	Reference in (A12) concerns the introduction and implementation of electronic catch effort reporting for key commercial fisheries.
	Fishing gear and method controls								
C.9 Controls on fishing operations C.10	40.	– Establish requirements on fishing gear and methods that are permitted for use within a given fishery or area, including related technical specifications (e.g. general prohibitions on types of gear, methods, specifications on gear design, minimum mesh sizes).	✓	✓	✓	N/A	N/A	(A1) Chapter 7 (A2) Chapter 6 (A3) Chapter 5 (A4) Chapter 7 (A5) Chapter 6 (A8) Chapter 6.6	

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none • not assessed N/A not applicable * optional

EAF components	EAF legal requirement		Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
				1ary	2ary	1ary	2ary		
Fishery management plans C.17 Monitoring and review								(A6) Chapter 6 (A7) Chapter 5 (A12) Page 39 (B1) Section 27(a)–(d) (C1) Sections 5,12, and Schedule 1	
	41.	– Outline prohibitions on highly destructive gear and fishing methods (e.g. fishing by toxic substance, explosives, electricity, fishing with the use of light).	✓	✓	✓*	N/A	N/A	(A1) Chapter 7 (B1) Section 27(e) (C1) Section 12(f)	
	42.	– Outline requirements aimed at reducing negative impacts of fishing methods and gear (e.g. prohibition of trawling in areas with sensitive seabed habitat, require use of biodegradable nets, restrict the use of FADs or require use of bycatch reduction devices).	✓	∅	✓	N/A	N/A	(A1) Chapter 7 (A2) Chapter 6 (A3) Chapter 5 (A4) Chapter 7 (A5) Chapter 6 (A6) Chapter 6 (A7) Chapter 5 (A8) Chapter 6 (A14) Chapter 4(4.3) (B1) Section 5(e) (C1) Sections 12, 20–22	Reference in (A14) concerns one of the proposed objectives of the NPOA-Sharks, namely minimizing unutilized incidental catches of sharks. Reference in (B1) define the guiding principles for its implementation, which include the reduction of negative impacts, but does not outline the requirements.
	Spatial and temporal controls								
C.9 Controls on fishing operations c.10	43.	– Regulate area and time in which fishing operations may or may not take place (e.g. closed areas/seasons), closed or restricted-use areas, which prohibit or limit fishing operations (e.g. protection of artisanal fishing).	✓	X	✓*	N/A	N/A	(A1) Chapter 7 (A2) Chapter 6 (A3) Chapter 5 (A4) Chapter 7	Reference in (A12) concerns the introduction of a mechanism for seasonal closures of areas

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none ● not assessed N/A not applicable * optional

EAF components	EAF legal requirement		Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
				1ary	2ary	1ary	2ary		
Fishery management plans c.17 Monitoring and review								(A5) Chapter 6 (A6) Chapter 6 (A7) Chapter 5 (A8) Chapter 6 (A12) Page 286 (c1) Section 12(b)	vulnerable to stress and pressure.
	44.	– Empower authority to define spatial and temporal controls and the procedure.	✓	✓	●*	N/A	N/A	(A1) Chapter 7 (A2) Chapter 6 (A3) Chapter 5 (A4) Chapter 7 (A5) Chapter 6 (A6) Chapter 6 (A7) Chapter 5 (A8) Chapter 6 (A12) Page 286 (B1) Section 22(b)	Reference in (A12) does not outline the procedure for the seasonal closures.
	45.	– Ensure stakeholder and institutional consultation, both at national and lower levels, in the process of defining spatial and temporal controls.	X	✓	●*	N/A	N/A	(B1) Section 15	
	46.	– Establish technical details and specifics on spatial controls.	✓*	X*	✓	N/A	N/A	(A1) Chapter 7 (A2) Chapter 6 (A3) Chapter 5 (A4) Chapter 7 (A5) Chapter 6 (A6) Chapter 6 (A7) Chapter 5 (A8) Chapter 6	

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none ● not assessed N/A not applicable * optional

EAF components	EAF legal requirement	Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
			1ary	2ary	1ary	2ary		
							(c1) Sections 6–9	
	<i>Fishery management plans</i>							
C.9 Controls on fishing operations C.10 Fishery management plans C.17 Monitoring and review	47. – Designate authority with power and responsibility to develop, approve, adopt and publicize a FMP, clearly outlining the roles and responsibilities.	✓	✓	●*	N/A	N/A	(A4) Chapter 1 (A12) Page 31 (B1) Sections 18–19	
	48. – Ensure FMPs and measures comply with established integrated management plans for aquatic ecosystems involving e.g. protected areas or critical habitat.	✓	X	X	X*	X*	(A4) Chapters 5.5 and 5.7 (A8) Chapter 6.2	
	49. – Establish process for approval, adoption and publication of FMP with its periodic review.	✓	✓	X*	N/A	N/A	(A1) Chapters 1.6 and 8 (A2) Chapters 1.6 and 8 (A3) Chapters 1.6 and 7 (A4) Chapters 1.6 and 8 (A5) Chapters 1.6 and 8 (A6) Chapters 1.6 and 8 (A7) Chapters 1.6 and 7 (A8) Chapters 1.6 and 8 (A12) Page 31 (B1) Sections 18–19	Reference in (A12) requires the review of existing Grouper Management Plan and Bait-Fishery Management Plan but does not establish the process for their process of approval, adoption and publication.
	50. – Detail process of drafting FMP, including multilevel and multisector collaboration and consultation with stakeholders, and a participatory transparent process for monitoring and reviewing the FMP at a minimum within five years of their development.	∅	✓	●*	N/A	N/A	(A1) Foreword and Chapter 8 (A2) Foreword and Chapter 8 (A3) Foreword and Chapter 7 (A4) Foreword and Chapter 7 (A5) Foreword and Chapter 8 (A6) Foreword and Chapter 8	Reference in the FMPs (A1-A8) do not detail the participatory process.

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none ● not assessed N/A not applicable * optional

EAF components	EAF legal requirement	Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
			1ary	2ary	1ary	2ary		
							(A7) Foreword and Chapter 7 (A8) Foreword and Chapter 8 (B1) Sections 18–19	
51.	– List the minimum requirements in the FMPs: (a) management objectives that take into account EAF;	✓	∅	X*	N/A	N/A	(A1) Chapter 1.4 (A2) Chapter 1.4 (A3) Chapter 1.4 (A4) Chapter 1.4 (A5) Chapter 1.4 (A6) Chapter 1.4 (A7) Chapter 1.4 (A8) Chapter 1.4 (B1) Section 18(3)	Provision in (B1) do not mention the EAF.
	(b) biological description of fishery and ecosystem in which it takes place;	✓	✓	●*	N/A	N/A	(A1) Chapters 2–4 (A2) Chapters 2 and 3 (A3) Chapters 2 and 3 (A4) Chapters 2 and 3 (A5) Chapters 2 and 3 (A6) Chapters 2 and 3 (A7) Chapters 2 and 3 (A8) Chapters 2 and 3 (B1) Section 18(2)	
	(c) social, economic and institutional aspects of the fishery;	✓	X	X*	N/A	N/A	(A1) Chapter 4 (A2) Chapter 3 (A3) Chapter 3 (A4) Chapter 3 (A5) Chapter 3 (A6) Chapter 3	

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none ● not assessed N/A not applicable * optional

EAF components	EAF legal requirement	Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
			1ary	2ary	1ary	2ary		
							(A7) Chapter 3 (A8) Chapter 3	
	(d) species composition and levels of bycatch, both retained and discarded;	✓	✓	●*	N/A	N/A	(A1) Chapter 7 (A2) Chapters 3 and 6 (A3) Chapters 3 and 5 (A4) Chapters 3 and 5 (A5) Chapters 3 and 6 (A6) Chapters 3 and 6 (A7) Chapters 2 and 5 (A8) Chapters 3 and 6 (B1) Section 18(1)(2)(6)	
	(e) ecological relationships between harvested, dependent and associated species;	✓	X	X*	N/A	N/A	(A1) Chapters 2–4 (A4) Chapters 3 and 5 (A8) Chapters 3 and 6	
	(f) impact of other anthropogenic activities on the ecosystem; and	✓	X	X*	N/A	N/A	(A1) Chapter 7 (A2) Chapters 3 and 6 (A3) Chapters 3 and 5 (A4) Chapters 3 and 5 (A5) Chapters 3 and 6 (A6) Chapters 3 and 6 (A7) Chapters 2 and 5 (A8) Chapters 3 and 6	
	(g) a review of the relationship with other coastal or marine resource management plans.	✓	X	X*	N/A	N/A	(A1) Chapter 8 (A2) Chapter 8 (A3) Chapter 7 (A4) Chapter 7	

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none ● not assessed N/A not applicable * optional

EAF components	EAF legal requirement	Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
			1ary	2ary	1ary	2ary		
							(A5) Chapter 8 (A6) Chapter 8 (A7) Chapter 7 (A8) Chapter 8	
	Conservation measures							
C.14 Habitat and biodiversity conservation and restoration	52. – Incorporate the consideration of habitat and biodiversity in the processes for establishing management measures (e.g. outline habitats and species related to the fishery and take measures to limit the negative impacts of fishing on them) or gear regulations.	✓	✓	●*	●*	X	(A1) Chapter 7.7 (A2) Chapter 6.8 (A3) Chapter 5.6 (A5) Chapter 6.6 (A6) Chapter 6.4 (A7) Chapter 5.5 (A8) Chapter 6.4 (A10) Objective 1.1.2 (A12) Pages 34 and 279 (A13) Pages 15–16, 31–33 (B1) Section 14	
	53. – Ensure special protection for marine mammals, sea turtles and other particularly vulnerable marine life (e.g. set prohibitions or limitations), in coordination with other national designations or protections and regional and international conservation and management measures.	✓	X	✓*	X*	X	(A12) Page 34 (A13) Pages 31 and 34 (c1) Section 17 and Schedule 2	
	54. – Ensure coordination between the various authorities involved in marine environment protection.	∅	X	X*	X*	X	(A12) Page 35	Reference in (A12) is about coordination to increase technical capacity on marine resource management.

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none ● not assessed N/A not applicable * optional

EAF components	EAF legal requirement	Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
			1ary	2ary	1ary	2ary		
55.	– Establish mechanisms and designation of authority responsible for establishing: (a) designation and protection of threatened and endangered species, ensuring cooperation among the authorities throughout the listing process, definition and qualifying factors of each designation, process for listing, including steps for consultation and the special protections associated with the designations.	∅	∅	X*	X*	X	(A12) Page 287 (A13) Page 34 (B1) Sections 5(e) and 22(b)(5)	Reference in (A12) is about developing and enforcing management plans for threatened and endangered species. Reference (A13) does not provide the process for designating protected species. Provisions in (B1) do not detail the process for listing and consultation.
	(b) protected areas, ensuring the outline of the type of protected areas, description of their levels of protection (e.g. marine reserve, parks, sanctuaries or MPAs), the process for nominating, establishing and managing a protected area, including stakeholder participation particularly of local communities, consultation and coordination with various authorities, both at national and local levels.	∅	✓	●*	∅*	✓	(A12) Page 284 (A13) Page 31 (B1) Sections 5(f) and 14 (D2) Section 4 (E1) Regulations 5–18	References in (A12) and (A13) do not provide the process for nominating and establishing protected areas. Provision in (D2) does not detail the type of protected areas nor the possibility of consultation and coordination among relevant authorities.
	(c) the restoration of damaged habitat and ecosystems, ensuring the process through which it is decided when, where and how a damaged habitat/ecosystem shall be restored, and the establishment of funds that may be used to engage in restoration activities.	∅	X	X*	X*	X	(A12) Page 34 (A13) Page 32	References in (A12) and (A13) do not detail the restoration process.
	– Ensure educational and awareness-raising activities for promoting habitat and biodiversity conservation and restoration with the establishment of special funds to support such activities.	✓	∅	X*	X*	X	(A12) Pages 36, 283 and 312 (A14) Page 36 (A15) Pages 67–68	Provision in (B1) is about the establishment of a fisheries institute and a mechanism to provide

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none • not assessed N/A not applicable * optional

EAF components	EAF legal requirement		Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
				1ary	2ary	1ary	2ary		
								(b1) Section 11	modern fisheries education and training.
C.15 Regulation of activities potentially harmful to aquatic ecosystems	57.	– Adopt measures to: (a) regulate and reduce pollution of the aquatic ecosystems which should apply to all activities that might have an impact (including fishing, mining, shipping, etc.) and cover all types of pollution including bycatch, discharge of waste, vessel emissions, coastal runoff.	✓	∅	✓	∅	∅	(A12) Pages 266, 305 and 311 (A13) Pages 34-35 (b1) Section 5(e) (D2) Sections 6–8 (E4) Clauses 6–7 (c1) Section 10	Provision in (b1) define the guiding principles for its implementation which are relevant for tackling marine pollution but does not provide for measures to regulate and reduce it. Provisions in (D2) are limited to the context of protected areas. Provisions in (E4) are limited to the context of activities for tourism purposes.
		(b) promote energy efficiency and reduce emissions that are applicable to fishing vessels, merchant shipping vessels and extractive industries, including through fuel efficiency standards, vessel size limitations and equipment restrictions for fishing vessels.	✓*	X*	X*	X	X	(A10) Objective 1.1.1.A	
		(c) prevent and eliminate ghost fishing with the prohibition of the abandonment of fishing gear, notification of authorities when fishing gear is lost, regulation of materials used in the manufacture of gear.	✓	∅	X	X	X	(A1) Chapter 7.7.3 (B1) Section 5(e)	Provision in (b1) define the guiding principles for its implementation, which include some of these practices but does not provide for the adoption of measures to prevent and eliminate them

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none • not assessed N/A not applicable * optional

EAF components	EAF legal requirement		Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
				1ary	2ary	1ary	2ary		
	58.	– Require authorization prior to the planned introduction of any species, including species meant for aquaculture or fish stocking, taking into account the precautionary approach, and establish measures to prevent the escape of exotic species into the wild.	∅	∅	∅	X	X	(A13) Page 24 (B1) Section 55(b)(10) (C5) Sections 6–8	Reference in (A13) provides for the establishment of mechanisms to prevent pathways of introduction invasive alien species. Provision in (B1) empowers the Minister to make regulations on the introduction of new live species. Provision in (C5) subjects experimentation of aquaculture technology or for production of a new species as well as commercial aquaculture to a permit, and establishes measures to prevent the release of organisms into the ecosystem of Maldives, but does not consider the precautionary approach in issuing such permits.
C.16 EIS or EIA	59.	– Regulate marine extractive activities (e.g. marine mining for minerals or petroleum, harvesting of marine plants) and other potentially harmful activities, including the construction of installations for use by industry, laying of underwater cables, military exercises, shipping.	X	X	X	X	✓	(E4) Clauses 1–2	
	60.	– Require EIS or EIAs for activities that have the potential to affect ecosystems that support fisheries (e.g. fishing,	X	✓	✓	✓	✓	(B1) Section 48 (b)(1)	

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✓ full ∅ partial X none • not assessed N/A not applicable * optional

EAF components	EAF legal requirement				Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
						1ary	2ary	1ary	2ary		
	aquaculture, mining, petroleum extraction, coastal development).									(C2) Section 4(c)(5) (C5) Section 6(c)(2) (D2) Section 5 (E2) Regulation 8(c) and Schedules C(2) and D (E3) Regulation 6 (3) and Schedule D.	
	61. – Detail components of EIS or EIA, which should at least discuss the purpose/need for the activity, the ecosystem that may be affected, potential impacts of the proposed activity and potential alternatives or mitigation and rehabilitation potentials.	X	X*	X*	∅	✓				(D2) Section 5(b) (E2) Schedule E(1) (E2) Entire regulation	Provision in (D2) empowers the relevant Ministry to formulate guidelines for EIA.
	62. – Establish process for submission, review and decision-making on the EIS or EIA, with designation of authority responsible for receiving, reviewing and deciding upon the EIS or EIA (e.g. the minister responsible for environment), opportunity for public participation (e.g. comment periods and hearings), consultation with other relevant government institutions or localities, and determination of adequate mitigation measures.	X	X*	X*	∅	✓				(D2) Section 5(b) (E2) Regulations 6–15 (E2) Entire regulation	Provision in (D2) empowers the relevant Ministry to formulate guidelines for EIA.
	Fishery monitoring and research										
C.13 EAF research	63. – Establish research programme for furthering the knowledge and understanding of EAF.	✓	X	∅*	X	X*				(A12) Pages 32, 43 and 288 (A14) Page 35 (C7) Entire Regulation	Provisions in (C7) provide for the conduction of marine research, which includes the marine ecosystem, but do not contain a specific reference to EAF.
	64. – Designate authority for conducting and involving stakeholders in the research programme.	∅	∅	∅*	X	X*				(A12) Pages 32 and 43 (A14) Page 35	References in (A12) and (A14) do not include

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none ● not assessed N/A not applicable * optional

EAF components	EAF legal requirement		Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
				1ary	2ary	1ary	2ary		
								(b1) Section 33(b)(6) (c7) Entire Regulation	stakeholders involvement. Provision in (b1) empowers the Minister to make regulations on research and studies relating to fishing and related activities. Provisions in (c7) provide for the conduction of marine research but do not require the involvement of stakeholders.
	65.	– Ensure the research programme’s objectives are based on EAF principles, which may include research on interspecies interactions, the impact of fishing on target and non-target stocks, the identification of spawning and nursery areas, areas of critical habitat, rates of bycatch and discards per fishery, the incidence and effect of pollution on fisheries, the status of ecosystem biodiversity, the social and economic dimensions (such as employment, food security), income distribution and other considerations.	X	X	∅*	X	X*	(c7) Entire Regulation	Provisions in (c7) provide for the conduction of marine research, which includes the marine ecosystem, but do not contain a specific reference to EAF’s principles.
	66.	– Consider the findings of the EAF research in the adoption of conservation and management measures.	✓	✓	●*	X	X*	(A14) Page 35 (b1) Sections,46(a) and 69(c)	
		MCSE							
C.11 MCSE	67.	– Outline an observer scheme with details on the categories of vessels/fisheries that it applies to and the role that observers play (which may be tailored to the category of vessel or the type of fishery and may be limited to the collection of catch/effort data and the collection of scientific samples, or may include the	✓	✓	✓	N/A	N/A	(A1) Chapter 7.6.2 (A11) Pages 27 and 46 (A12) Page 33 (A14) Page 34	References in (A11) is for a future observer programme since at present it is not yet being implemented and in

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none • not assessed N/A not applicable * optional

EAF components	EAF legal requirement		Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
				1ary	2ary	1ary	2ary		
		authority to register and/or report violation of management measures).						(b1) Section 69 (c1) Sections 24–27 and 31	(A12) requires the introduction and implementation of an e-observer system, not specifying the details nor the roles to be played by observers.
	68.	– Ensure observers have full access to all parts of the vessel and its equipment and to any place in the country where fish that have been caught in national waters are uploaded, processed, stored or transshipped.	✓	∅	∅	N/A	N/A	(A1) Chapter 7.6.2 (b1) Sections 69 and 71(d) (c1) Sections 25(c) and 32	Provisions in (b1) stipulate that the requirements, protection and privileges of observers are to be determined by regulation. Provisions in (c1) requires the Minister to provide observers with tools, resources and equipment and all parties that are involved in fishing to cooperate with observes but does not grant them with powers of access to all parts of the vessel nor installations where the fish is being processed or stored.
	69.	– Design the scheme in line with regional or international requirements, taking into account relevant regional observer programs.	✓	∅	X	N/A	N/A	(A1) Chapter 7.6.2 (A11) Pages 27 and 46 (b1) Sections 69 and 71(d)	Provisions in (b1) stipulate that the requirements, protection and privileges of observers are to be

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none • not assessed N/A not applicable * optional

EAF components	EAF legal requirement	Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
			1ary	2ary	1ary	2ary		
								determined by regulation.
70.	– Ensure VMS is required for vessels licensed to fish in national waters and ABNJ, detailing specific categories of fishing vessels and/or fisheries to which it applies.	✓	∅	X	N/A	N/A	(A1) Chapter 7.6.2 (A11) Page 27 (A12) Page 33 (B1) Section 71(e)	Provision in (B1) empowers the Ministry to make regulations on VMS.
71.	– Ensure reporting of catch and effort data, clearly identifying the vessels that are expected to report (at least all commercial fishing vessels that fish within national waters and all nationally-flagged vessels authorized to fish within waters under national jurisdiction and in ABNJ), to whom they are required to report (the designated authority), the frequency and timing of their reports, and the method or format in which they are required to report (e.g. weight of fish caught, including percentage of bycatch, species, dates of fishing, fishing zones, gear/methods employed, type of vessel, time of departure from national waters and catch status at that time).	✓	∅	∅	N/A	N/A	(A1) Chapter 7.3 (A2) Chapter 4.3 (A3) Chapter 5.3 (A4) Chapter 5.3 (A5) Chapter 6.3 (A6) Chapter 6.3 (A7) Chapter 5.3 (A8) Chapter 6.3 (A11) Pages 27, 31–32 (B1) Section 71(a) (C1) Section 23	References in (A11) highlight the duty of licensed vessels to submit catch data to MoFMRA; and the development by MoFMRA of an online Fisheries Information System, which will collect, analyse and store all fisheries-related data. Provision in (B1) empowers the Ministry to make regulations on data collection, analysis and dissemination for MCS purposes. References in (C1) establishes the general obligation of sharing information the details of which are to be determined by guidelines of the Ministry.
72.	– Ensure the establishment and maintenance of a record of fishing vessels licensed to fish in waters under national	∅	∅	✓	N/A	N/A	(A11) Pages 23, 34–36	References in (A11) do not specify the

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none • not assessed N/A not applicable * optional

EAF components	EAF legal requirement	Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
			1ary	2ary	1ary	2ary		
	jurisdiction and nationally flagged vessels authorised to fish in ABNJ with the designation of the authority responsible for its maintenance and information to be recorded for each category of vessel.						(b1) Section 9 (c1) Section 33 (c2) Section 12	information to be recorded for each category of vessel. Provision in (b1) does not detail the information to be recorded for each category of vessel and the maintenance of the registry is to be determined by regulation. Reference in (c1) establishes the general obligation of the Ministry compiling and maintaining a registry the details of which are to be determined by guidelines of the Ministry. Provision in (c2) details the information to be included in the registry.
73.	– Ensure the records of industrial fishing vessels include the name of the vessel, the flag state and any previous flag states, the radio call sign, the International Maritime Organization (IMO) number, the automatic identification system (AIS) and the VMS, if relevant the vessel length and tonnage, if relevant the fishing methods and gear used, the name and nationality of operator and beneficial owners of the vessel, and any transgressions of fisheries legislation associated with the vessel.	X	X	∅	N/A	N/A	(c2) Section 12	Provision in (c2) details the information to be included in the registry which does not include the IMO number, the AIS nor the VMS.
74.	– Broadly detail the registration process and ensure registration of all fishing vessels with the relevant fisheries or maritime authority, including information on the name of vessel, the flag	∅	∅	X	N/A	N/A	(a11) Page 35	Reference in (a11) requires all vessels issued with a fishing license to

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none • not assessed N/A not applicable * optional

EAF components	EAF legal requirement		Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
				1ary	2ary	1ary	2ary		
	state and any previous flag states, the radio call sign, if relevant the IMO number, the AIS and VMS, if relevant the vessel length and tonnage, the name and nationality of the beneficial owners of the vessel, and any transgressions of fisheries legislation associated with the vessel.							(b1) Sections 36(d), 39(3) and 44(b)(2).	demonstrate vessel registration as part of the licensing process, however it does not specify the information to be registered. Provision in (B1) requires the registration of the vessel by the competent authority as a condition of the license and empowers the Minister to determine, by regulation, the requirements to be compiled with by fishing vessels before registration as Maldivian fishing vessels.
	75.	– Detail the specifications for marking vessels and fishing gear in accordance with internationally approved standards.	X	X	X	N/A	N/A		
	76.	– Ensure cooperation and coordination between fisheries and maritime authorities throughout the registration process.	✓	X	X	N/A	N/A	(A11) Page 35	Reference in (A11) calls on coordination between the Ministry of Transport (in charge of registration) and MoFMRA.
	77.	– Ensure authorized officers have enforcement powers, allowing them to board and search vessels (at sea and in port) and other premises related with fishing, to examine logbooks, records, gear and catch, to investigate and collect evidence, to seize fish, gear and vessels, and to interrogate, detain and arrest persons associated with reasonably suspected violations.	∅	✓	∅	N/A	N/A	(A11) Page 46 (b1) Sections 59–61 (c1) Section 24 (c8) Section 9 (E3) Sections 21 and 22	Reference in (A11) require the MoFMRA and the Coast Guard to develop and implement a national control and inspection plan to cover all forms of inspections.

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none • not assessed N/A not applicable * optional

EAF components	EAF legal requirement		Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
				1ary	2ary	1ary	2ary		
									Reference in (c1) provides that authorised officers are employed by the Minister to enforce the Fisheries Act and Regulations but does not grant them with specific enforcement powers. Provision in (c8) provides for port inspections but does establish enforcement powers nor who is granted with them – it is the overall responsibility of the Ministry to enforce this Regulation.
	78.	– Ensure the controls placed on landing and transshipping of fish, both at sea and in port, and by national and foreign vessels, is in accordance with regional and international instruments.	X	X	∅	N/A	N/A	(c1) Regulation 12(h)(i) (c8) Entire regulation	Regulations in (c1) concern transshipment requirements. Provisions in (c8) provide for controls of landing and transshipment only in port.
	79.	– Provide additional VMS specifications and specific details on the registration process.	✓*	X	X	N/A	N/A	(A1) Chapter 7.6.1	
		Enforcement processes and sanctions scheme							
C.12 Offences, penalties and administrative	80.	– Detail the fisheries-related offences (civil or criminal) and corresponding penalties, weighted depending on the level of severity of the offence but outlined in a way that maintains their strength over time (e.g. utilize formulas such as a percentage of	X	✓	✓	✓	∅	(b1) Sections 72–80 (c1) Section 34, Schedules 4 and 5	Regulations in (E2) concerns penalties related to protected areas.

Perceived level of alignment with the EAF legal requirement

✓ full ∅ partial X none • not assessed N/A not applicable * optional

EAF components	EAF legal requirement		Fish. policy	Fisheries legislation		Other sectors legislation		Policy and legal basis	Comments and explanatory notes
				1ary	2ary	1ary	2ary		
and judicial processes		the total market value of the sale of the illegal catch, or penalty units).						(c3) Section 23 (a) and (c) and Schedules 1 and 2 (c4) Section 7 (a), (b) and (c) (c5) Section 30 (a), (b) and (d) and Schedules 5 and 6 (c7) Section 17 (a), (c) and (d) and Schedule 1 (D2) Section 9 (E2) Regulations 19–20 (E3) Regulations 18	
	81.	– Establish transparent and equitable administrative processes for determining and confirming offences, applying relevant penalties, with provision for compounding of offences/out-of-court settlement.	X	X	✓	X	X	(c2) Section 10 (d) (c3) Section 23 (b) (c4) Section 7 (d) (c5) Section 30 (c) (c6) Entire Regulation (c7) Section 17 (b)	Regulations in (c2, c3, c4, c5, c7) cross refers to the procedures under C6 .
	82.	– Establish judicial processes used for determining and confirming offences and applying relevant penalties to the offending parties, allowing for a right of appeal.	X	✓	X	X	X	(B1) Sections 62–68, 81–82	

The ecosystem approach to fisheries (EAF) is a risk-based management process for the planning, management, development, regulation and monitoring of fishing and fishing-related activities. EAF addresses ecological consequences of fishing as well as social, economic and institutional aspects of fisheries sustainability. Adequate legislation and regulatory frameworks are key to successful implementation of the EAF. The continuous review and update of information on legislation and regulatory instruments require the analysis of existing legal frameworks at all levels of governance, to assess whether they remain in force, valid and aligned with international fisheries law standards, including the EAF. The present work was prepared with a view to assess the level of alignment of national policy and legal frameworks of Maldives. Based on this preliminary assessment, policymakers, legal practitioners and fisheries managers can take the necessary steps for improving the EAF implementation in their country. These steps could involve the amendment of existing legislation and/or enactment of new legislation and development of new policies to bring fully in line with the EAF.

For more information:

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