

# Customary Law and Marine Resources Management in Fiji

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On behalf of the LMMA Network International



***Fish for the future!***

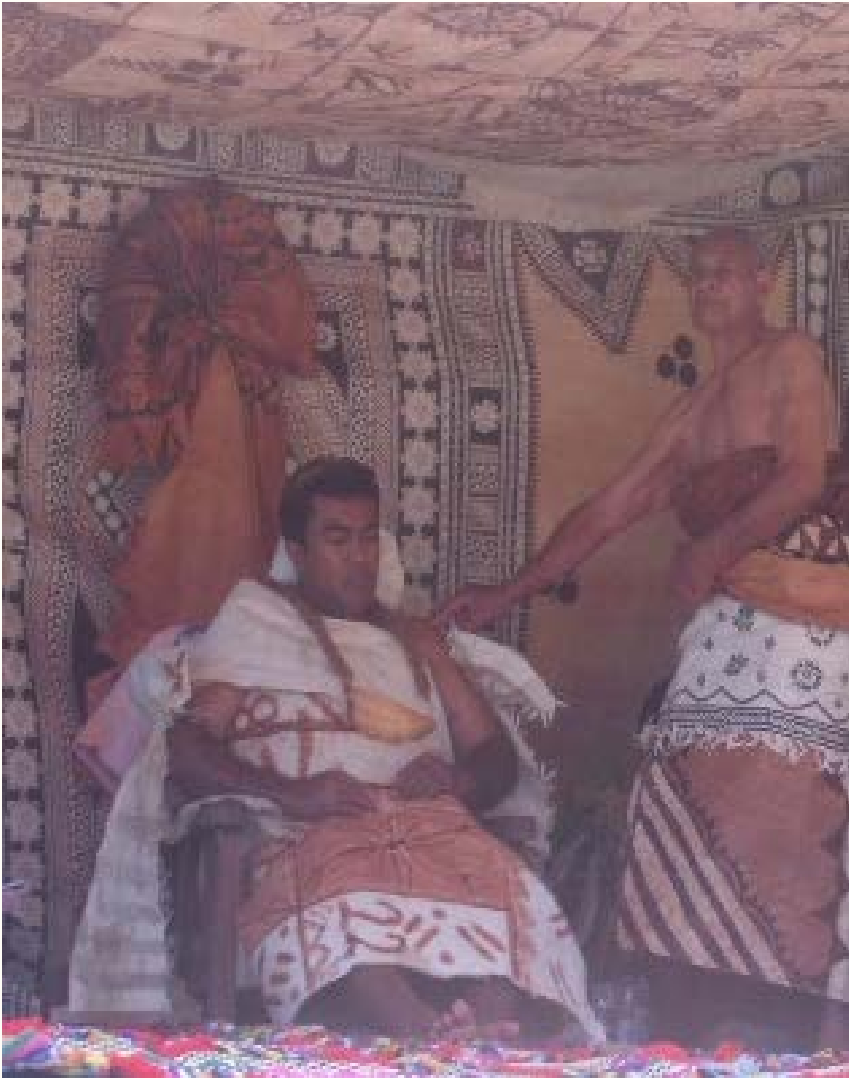
***Building Vibrant, empowered and resilient communities!***

# Customary law characteristics that LMMA uses as foundations (practitioner's eyes)

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1. Customs, norms, consensus and agreements ( tabus) that manages and improves marine areas through yaubula management plans ( Yaubula – land and marine)
2. Understood rules and agreements by communities that can be locally declared following traditional protocol and enforced (not usually written but we helping put agreements on paper)
3. Linked to traditional governance, social units and functions and ownership of coastal areas and sea.
4. Utilises traditional knowledge and experiences as a starting point
5. Calls on community stewardship roles and obligation to make it work
6. Follows a traditional decision making process as the starting point

# The 'Mana' in Traditional Management Systems



# Intimate Connections to Nature

- Totemic Species
  - Vesi tree (*Intisia bijuga*)
  - Snapper fish (*Lethrinus* sp)
- Defines us as part of a clan
- Moral obligation to protect
- Relationships resonates across Pacific and Oceania



# Traditional/Local/ Indigenous Knowledge and Technology

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Example: Using coconut leaves to build curtains  
as a pathway to open waters



Guiding Stranded Whales Out of  
Shallow Waters



# What is an LMMA?

1. A defined marine area
2. Under some form of community management or co-management



Box 1: Various names used throughout Southeast Asia and the Pacific to describe LMMA tools

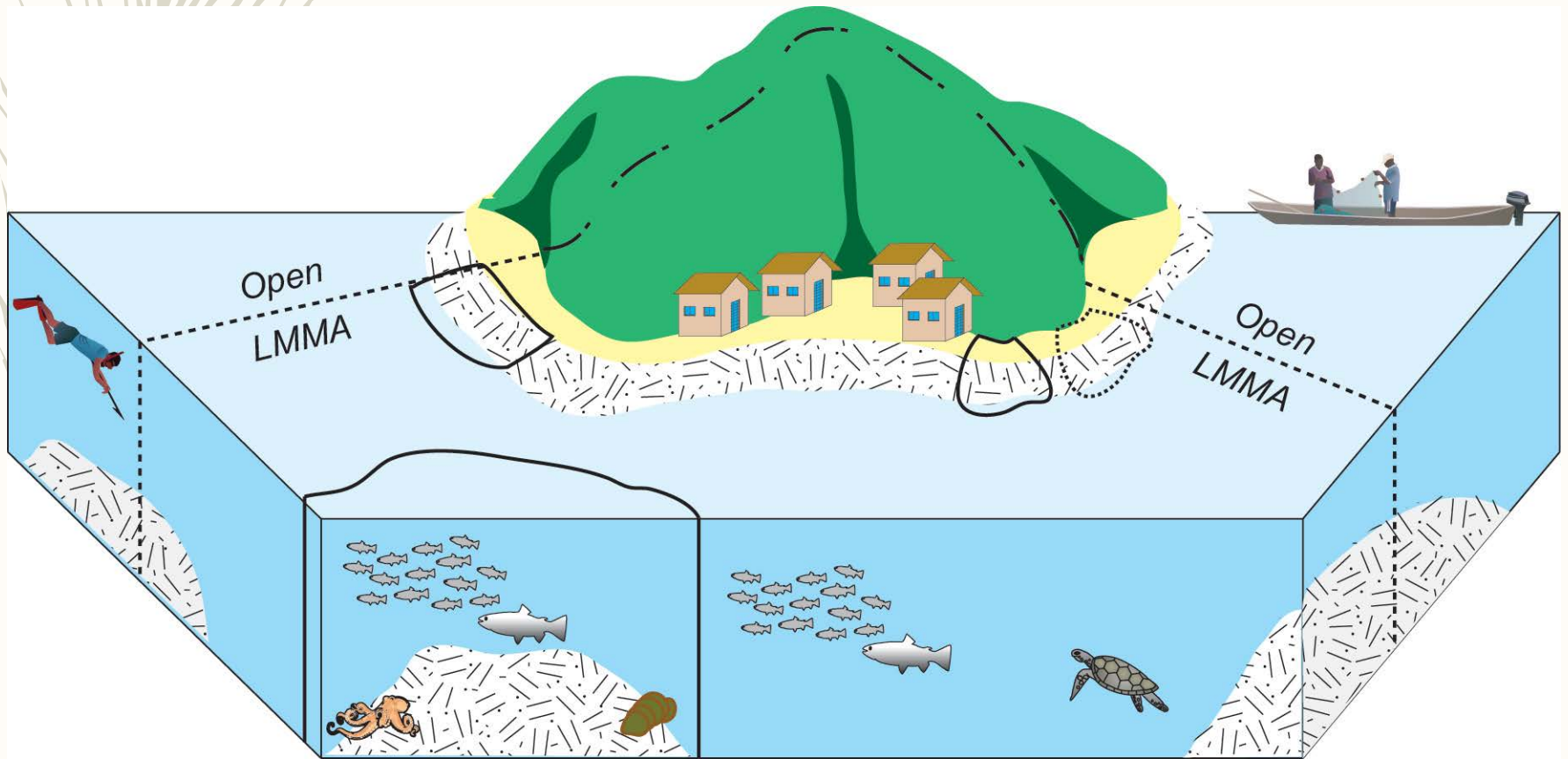
Cook Islands	"ra'ui site"; "no-take two year closure"
Fiji	"tabu area"; "traditional reserve"; "community-protected area"
Hawaii	"kapu zone"; "traditional marine protected area"; "cultural marine conservation district"
Indonesia	"sasizen"; "community-based marine protected area"; "no-take zone"
Malaysia	"community-based marine protected area"; "no-take area"
Palau	"bau zone"; "no-take area"; "multiple-use marine protected area"
Papua New Guinea	"tabu area"; "customary areas"; "marine reserve"
Philippines	"community-based marine protected area"; "marine sanctuary"; "no-take zone"
Solomon Islands	"tambu zone"; "community-managed reserve"; "community conservation area"
Vietnam	"peoples' marine management area"; "village-managed reserve"

(after Parks and Salafsky 2001)



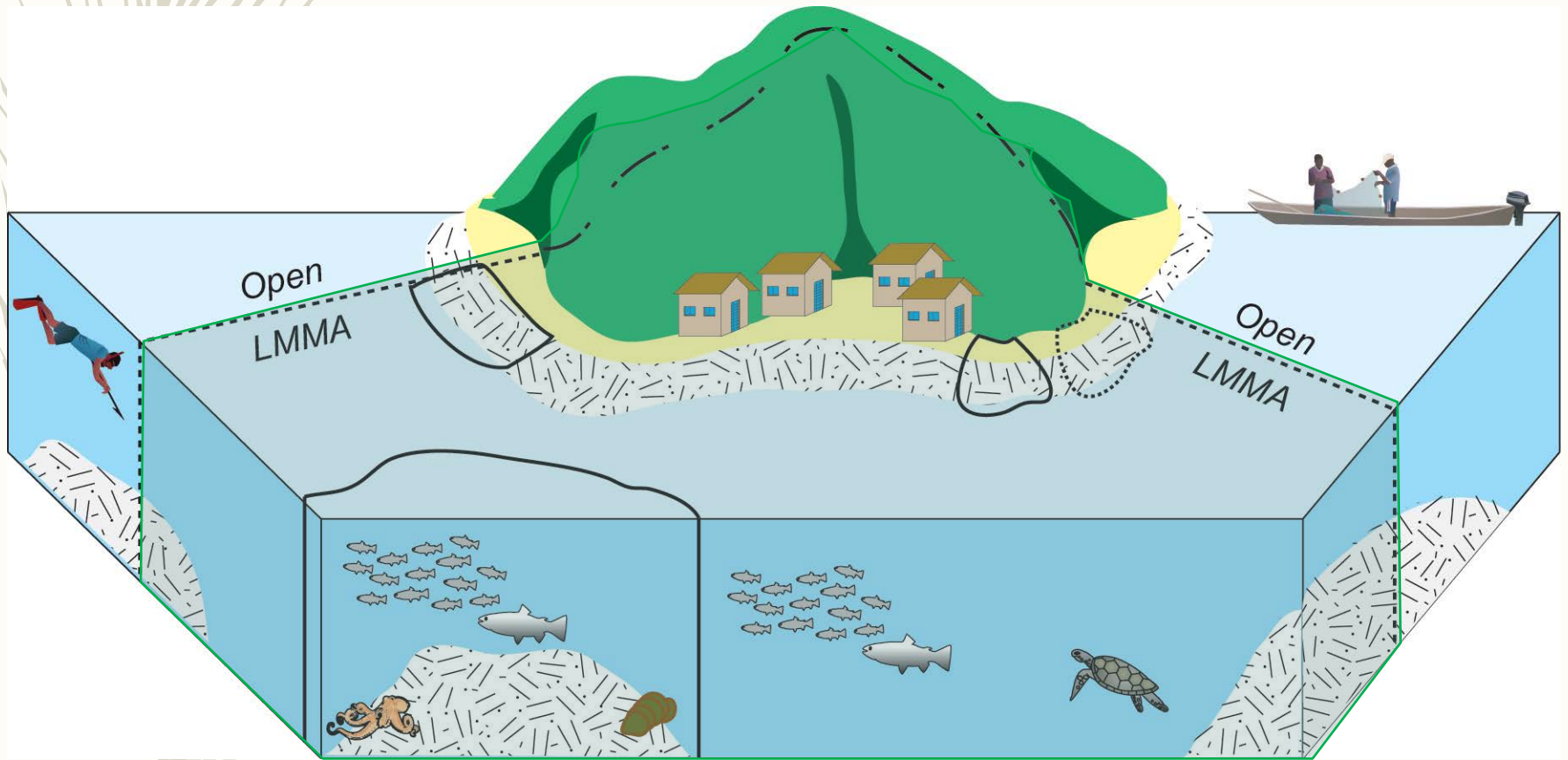
# Locally Managed Marine Areas (LMMA)

‘ .....nearshore marine areas that is under some form of community-based management or co-management with government or NGOs....’



# LMMA's most vital ingredient

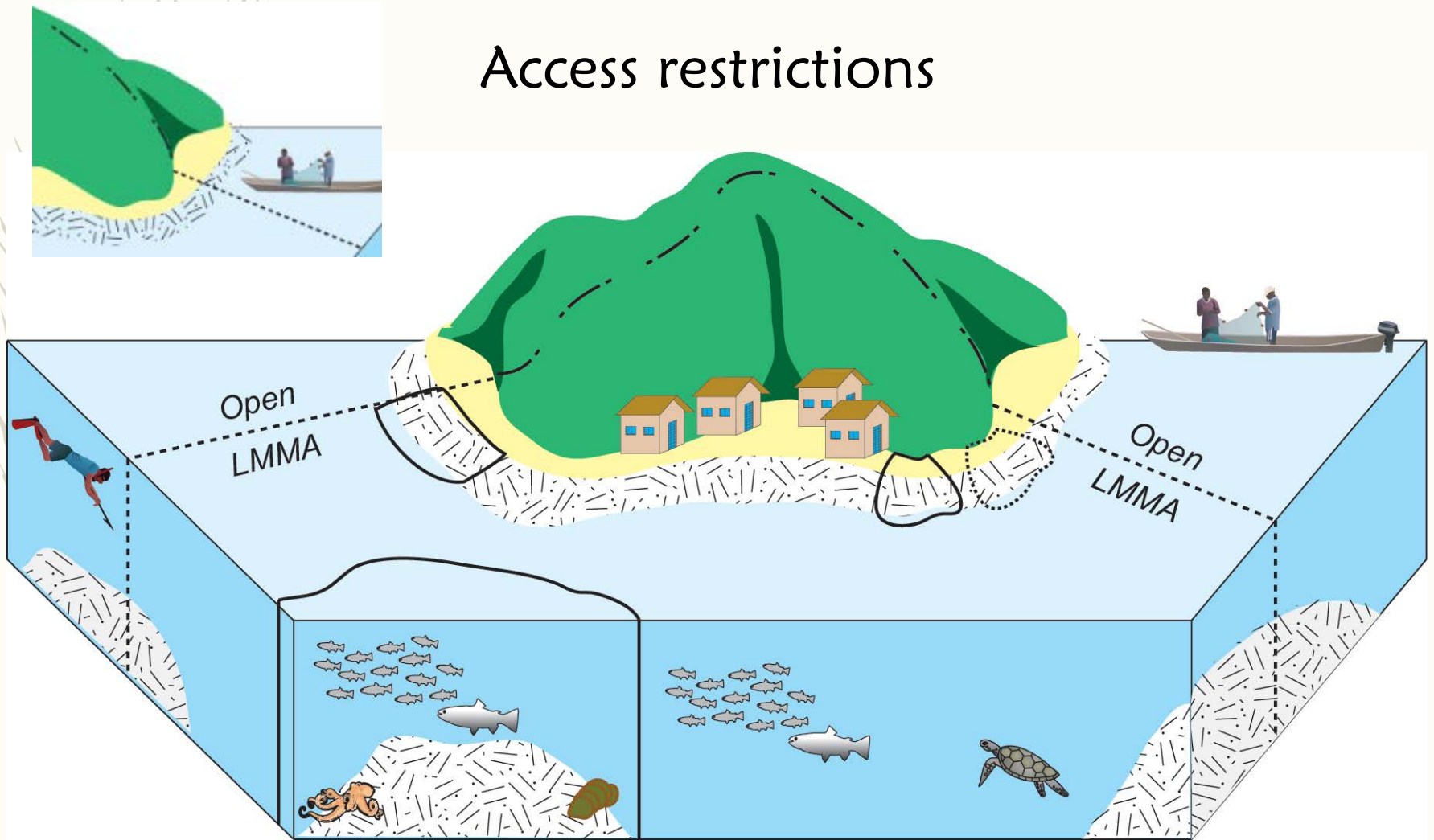
Rights to land and sea through ridge to reef approach





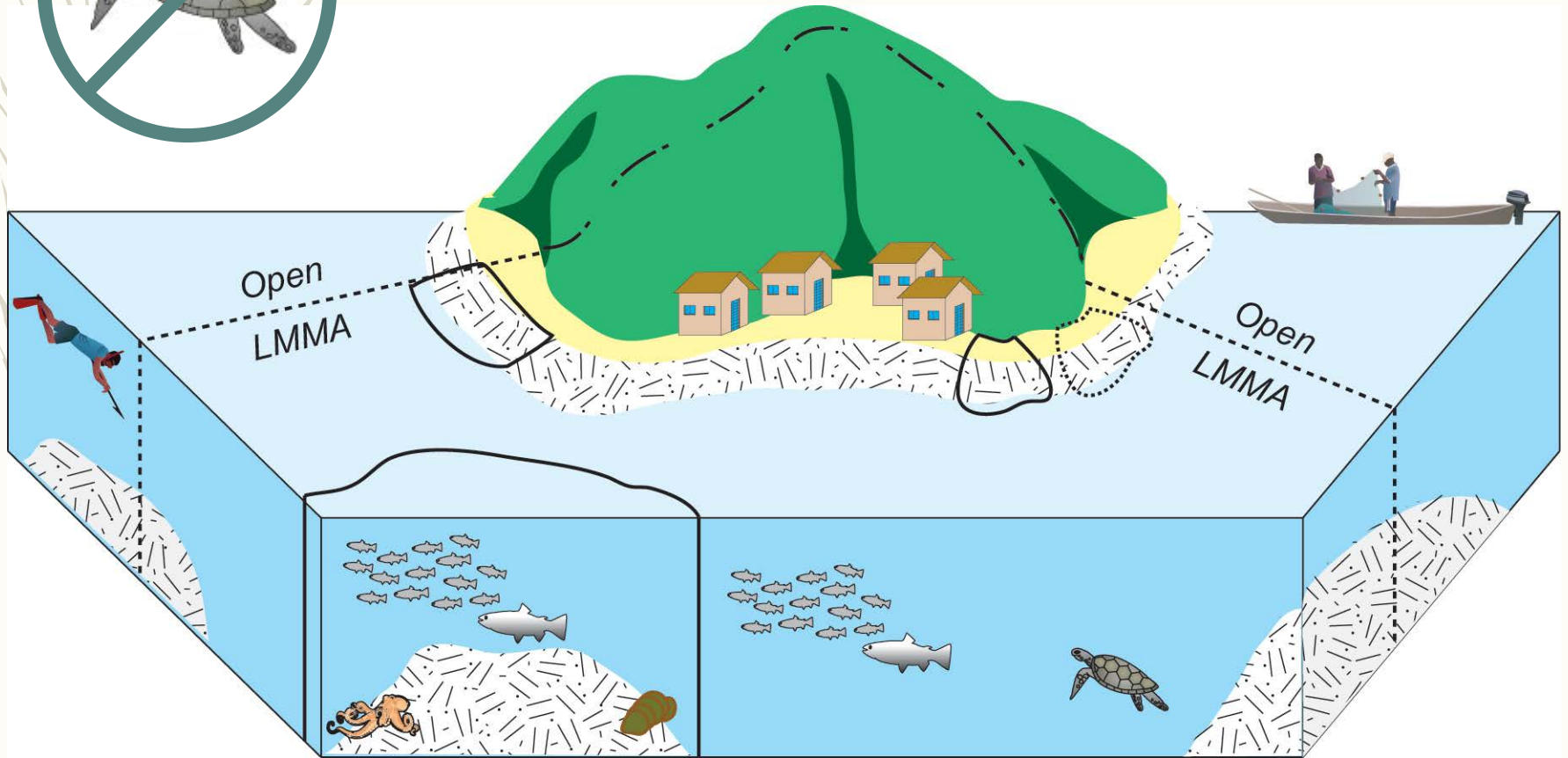
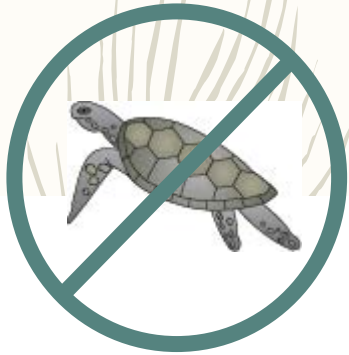
LMMA's first tool are therefore:

Access restrictions



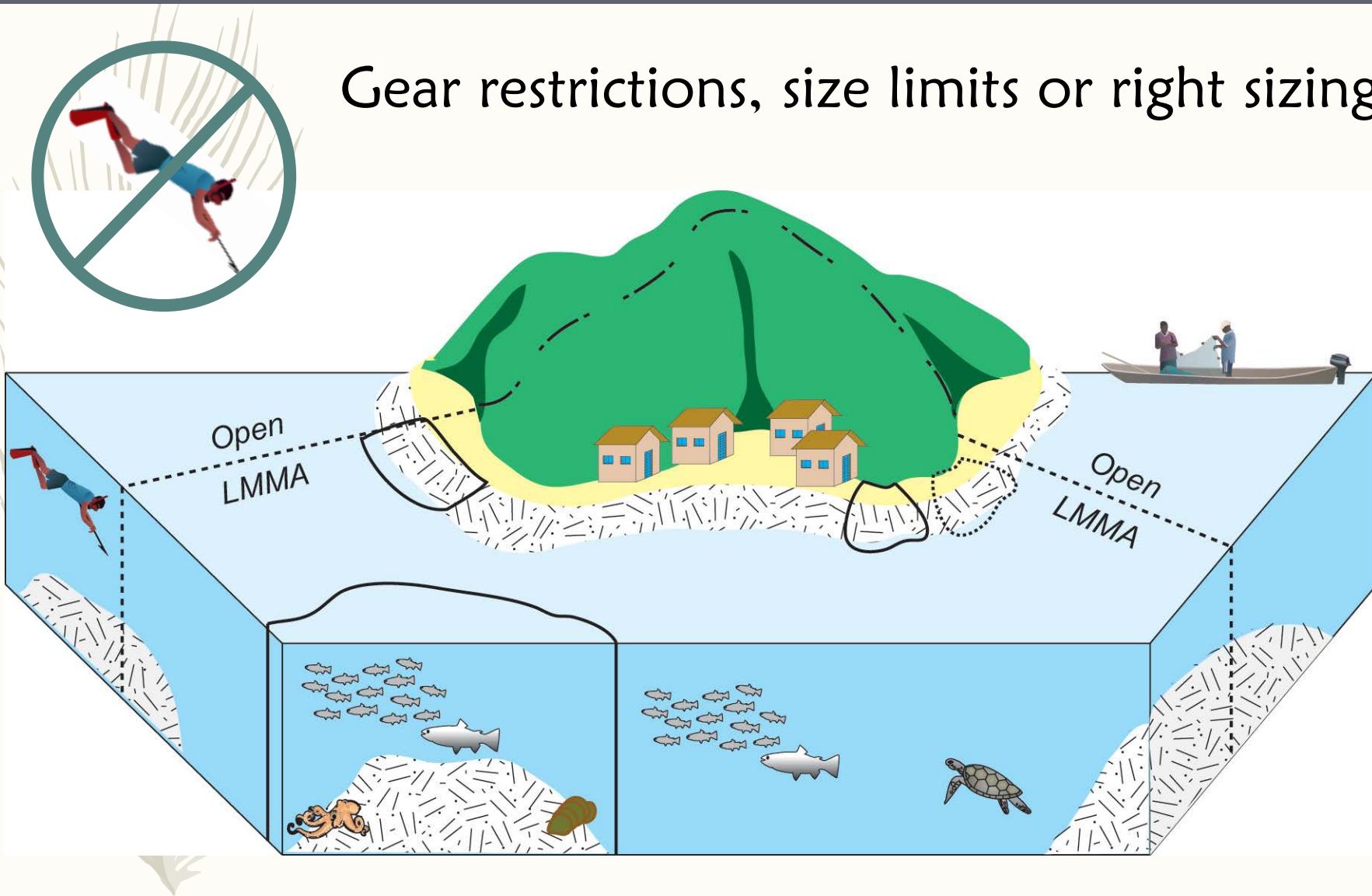
# LMMA's may include

## Species restrictions



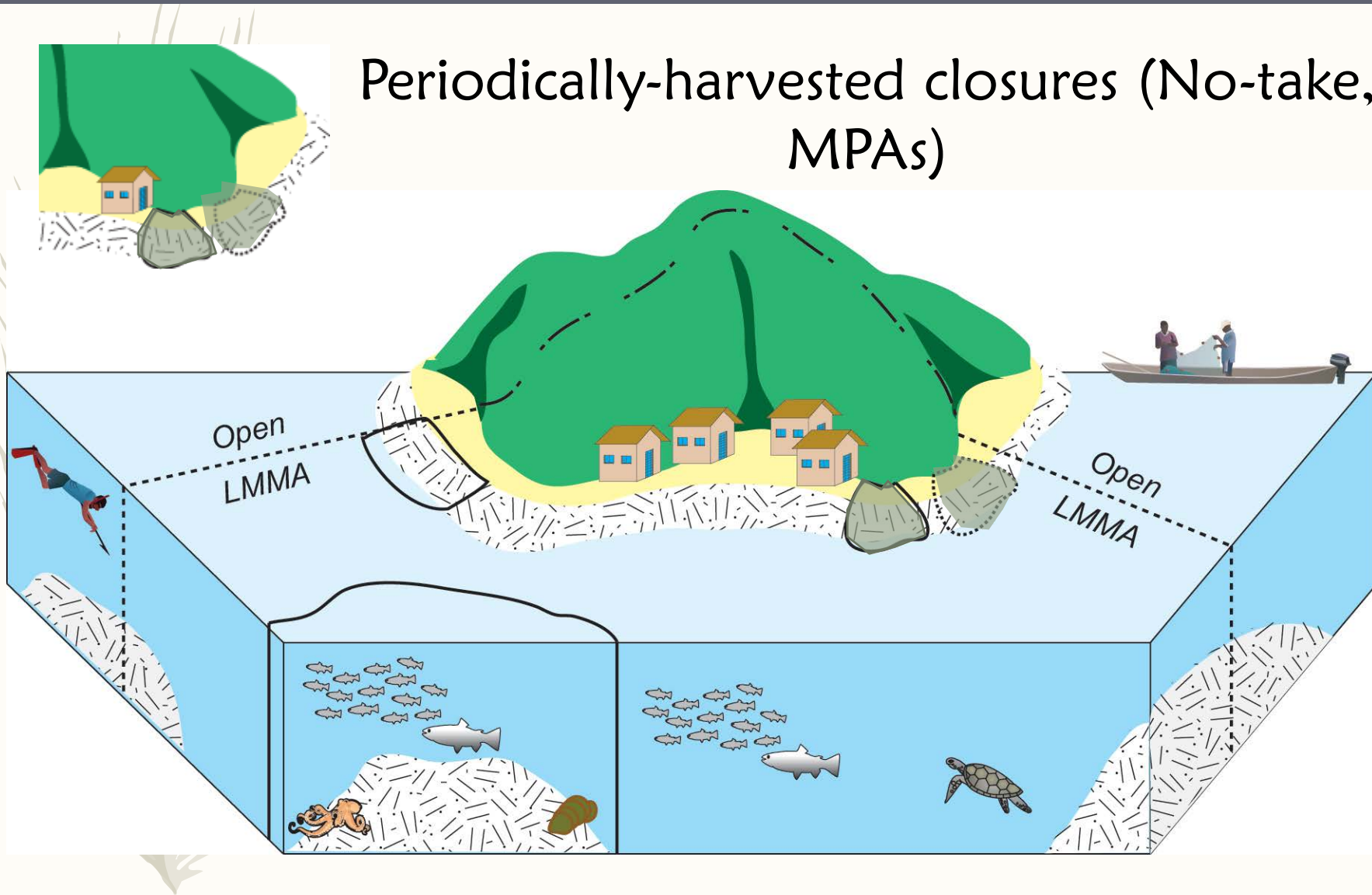
# LMMA's may include

Gear restrictions, size limits or right sizing



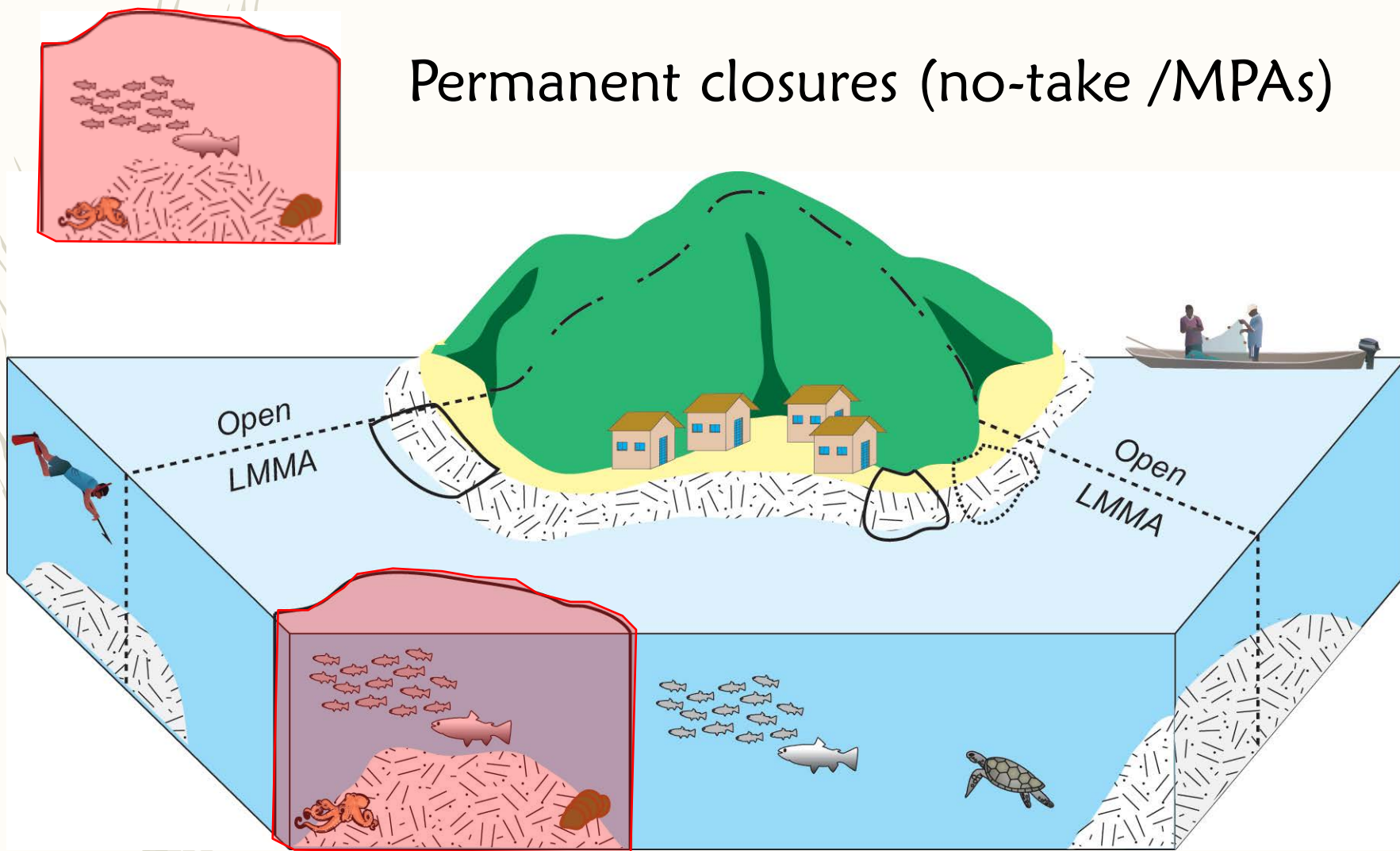
# LMMA's may include

Periodically-harvested closures (No-take, MPAs)



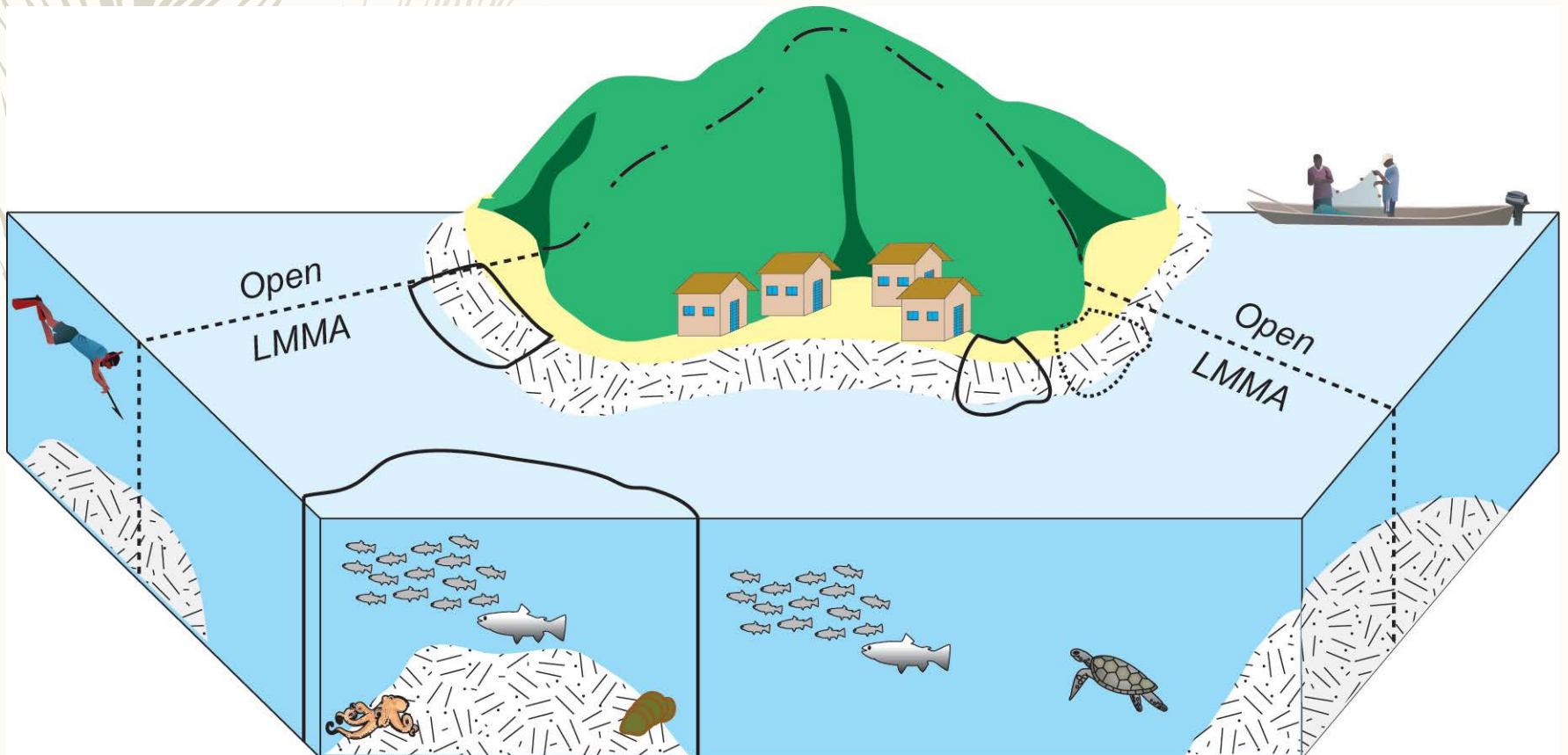
# LMMA's may include

Permanent closures (no-take /MPAs)

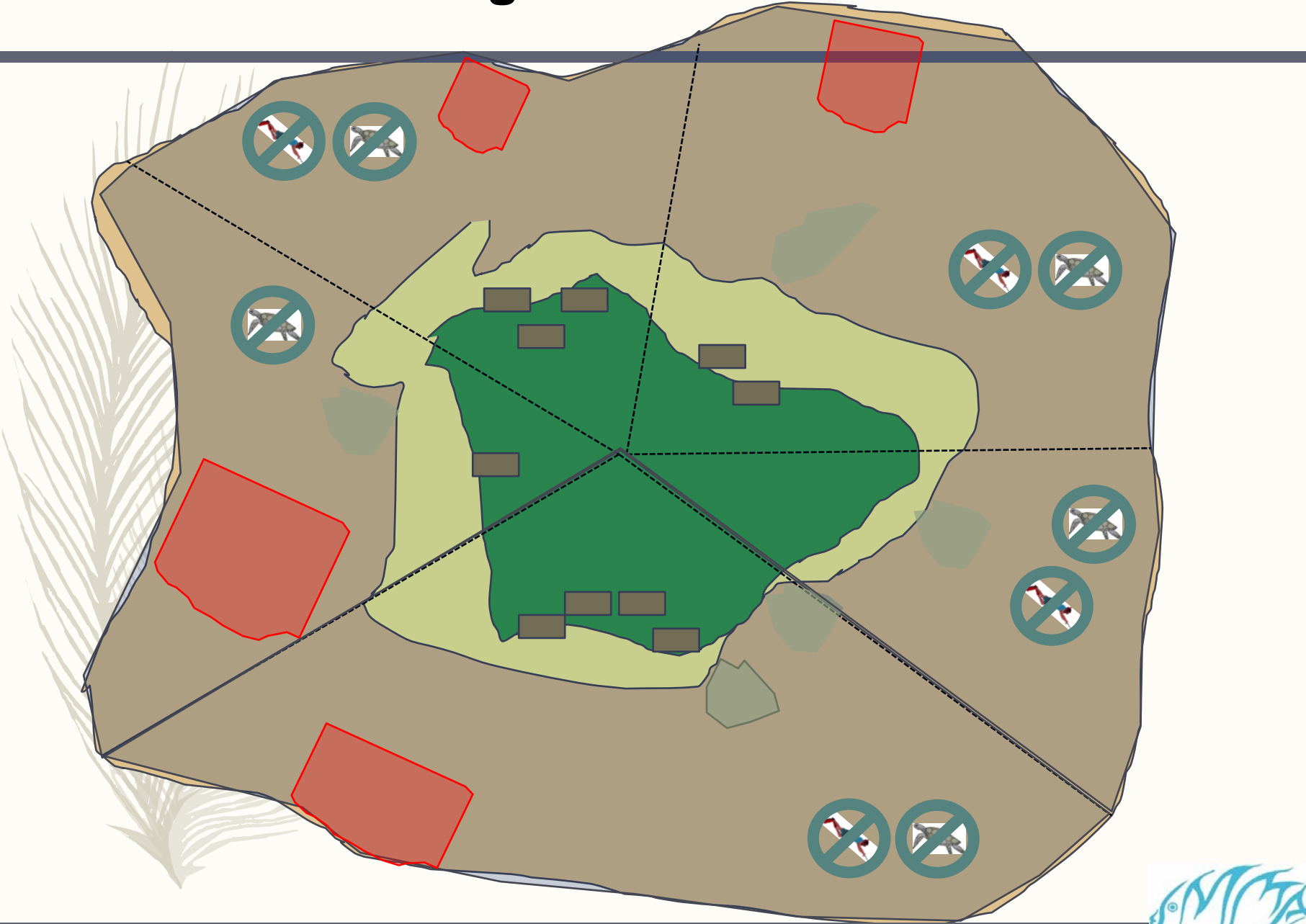


# Integrated Village Planning

Waste management, Disaster preparedness, climate adaptation, family planning, village governance, agriculture, renewable energy etc. etc.



# Island management based on LMMAs



# Island management based on LMMAs

- This achieves:
- 100% co-management
- 100% right tools for the job
- 100% planning processes for all livelihood issues
- 5-30%? Closed areas = strict “MPAs”

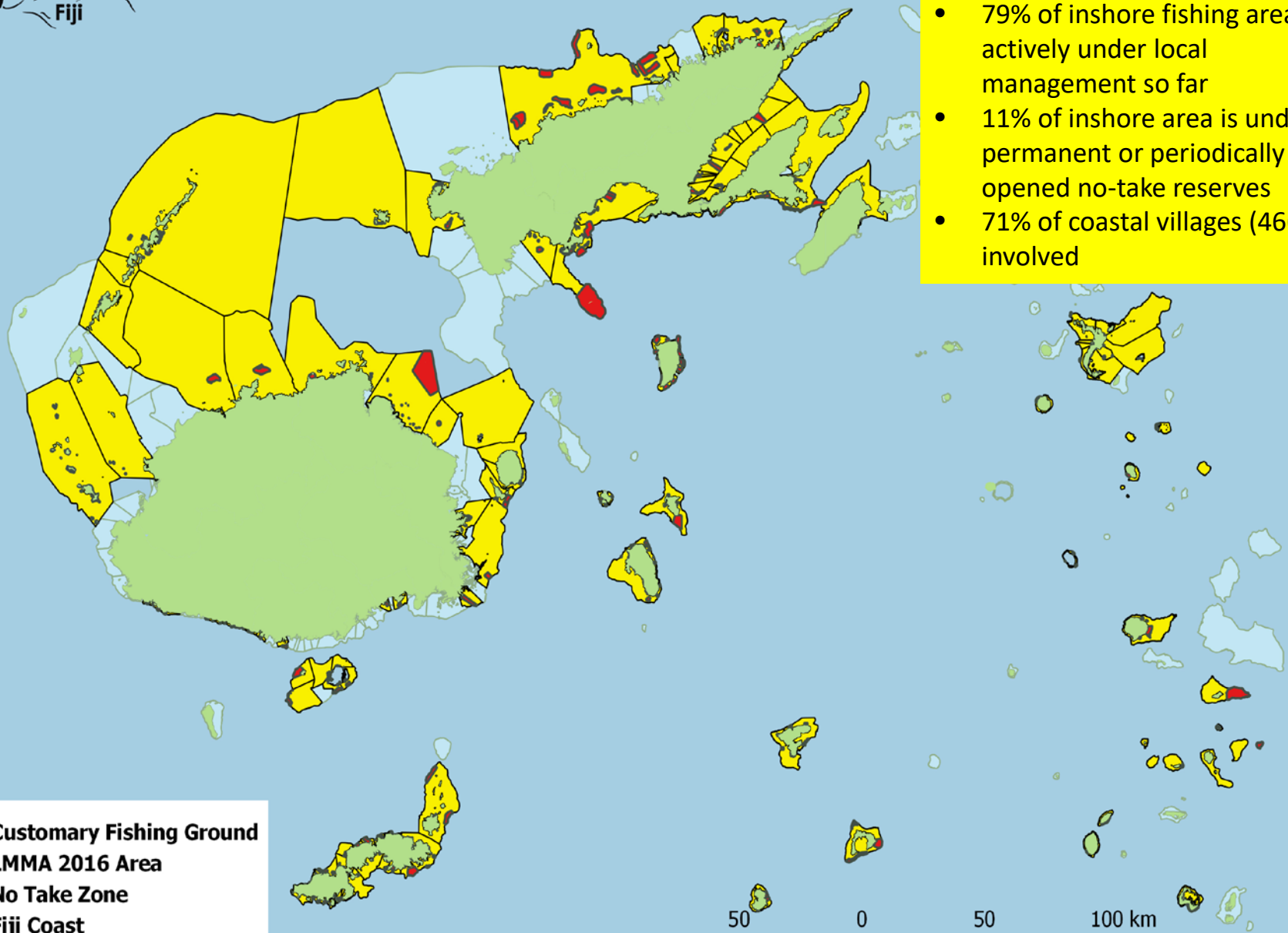
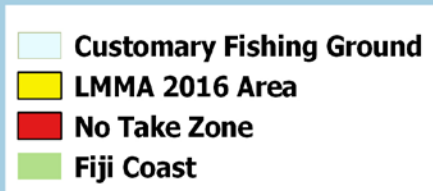


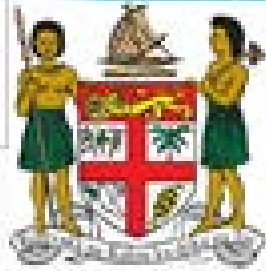


# Fiji's commitment through FLMMA to achieve 100% inshore management (35,000 sqkm) by 2020



- 79% of inshore fishing area is actively under local management so far
- 11% of inshore area is under permanent or periodically opened no-take reserves
- 71% of coastal villages (466) are involved





CONSERVATION INTERNATIONAL



MANAVA ENVIRONMENT SOCIETY



CORAL REEF ALLIANCE

# RESORT Support



Waitabu Marine Park



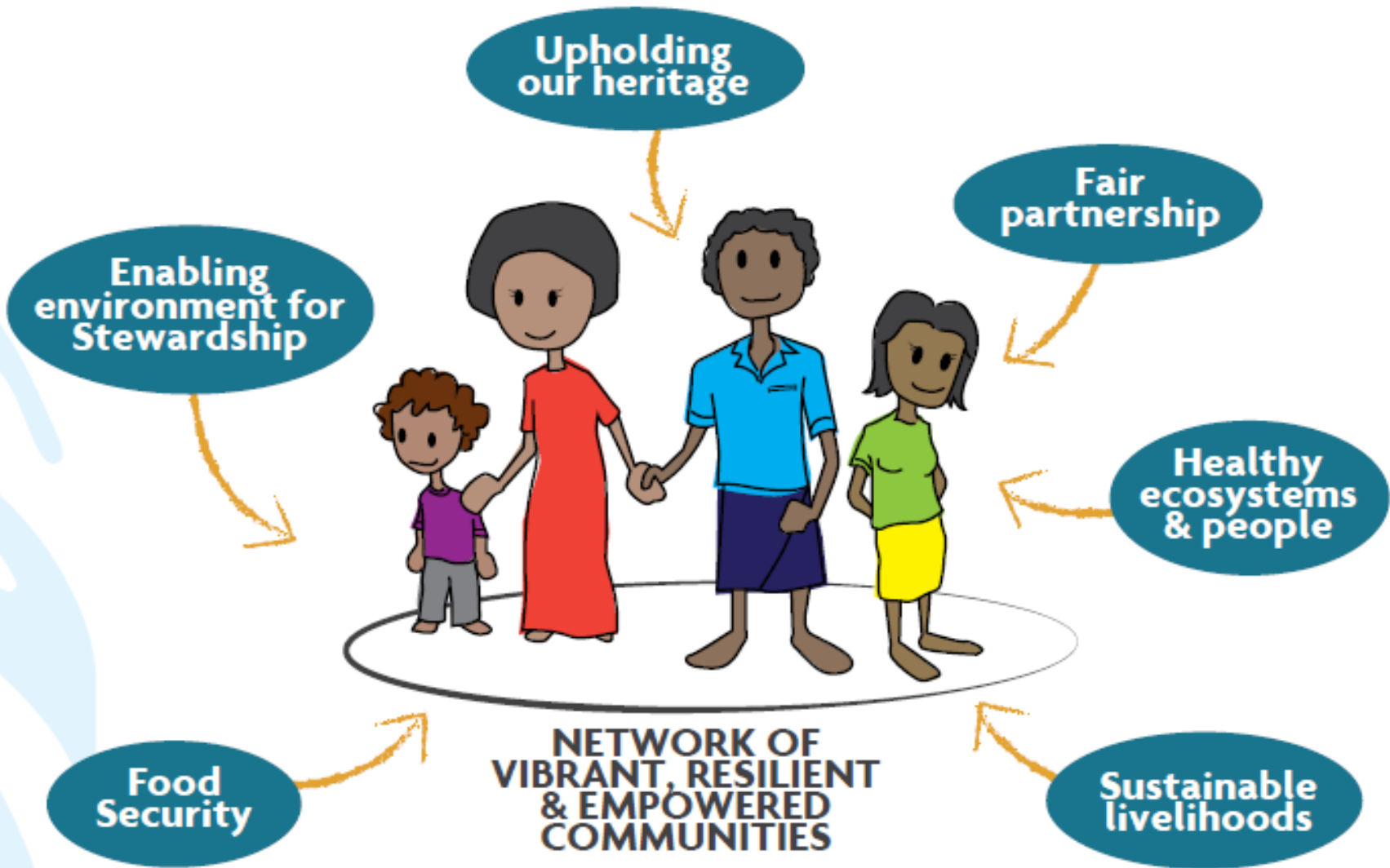
CAKALOVO YABULA MANAGEMENT SUPPORT TEAM



NA TAQOMAKI NI QOLIQOLI



# Fiji LMMA Network's Shared Vision



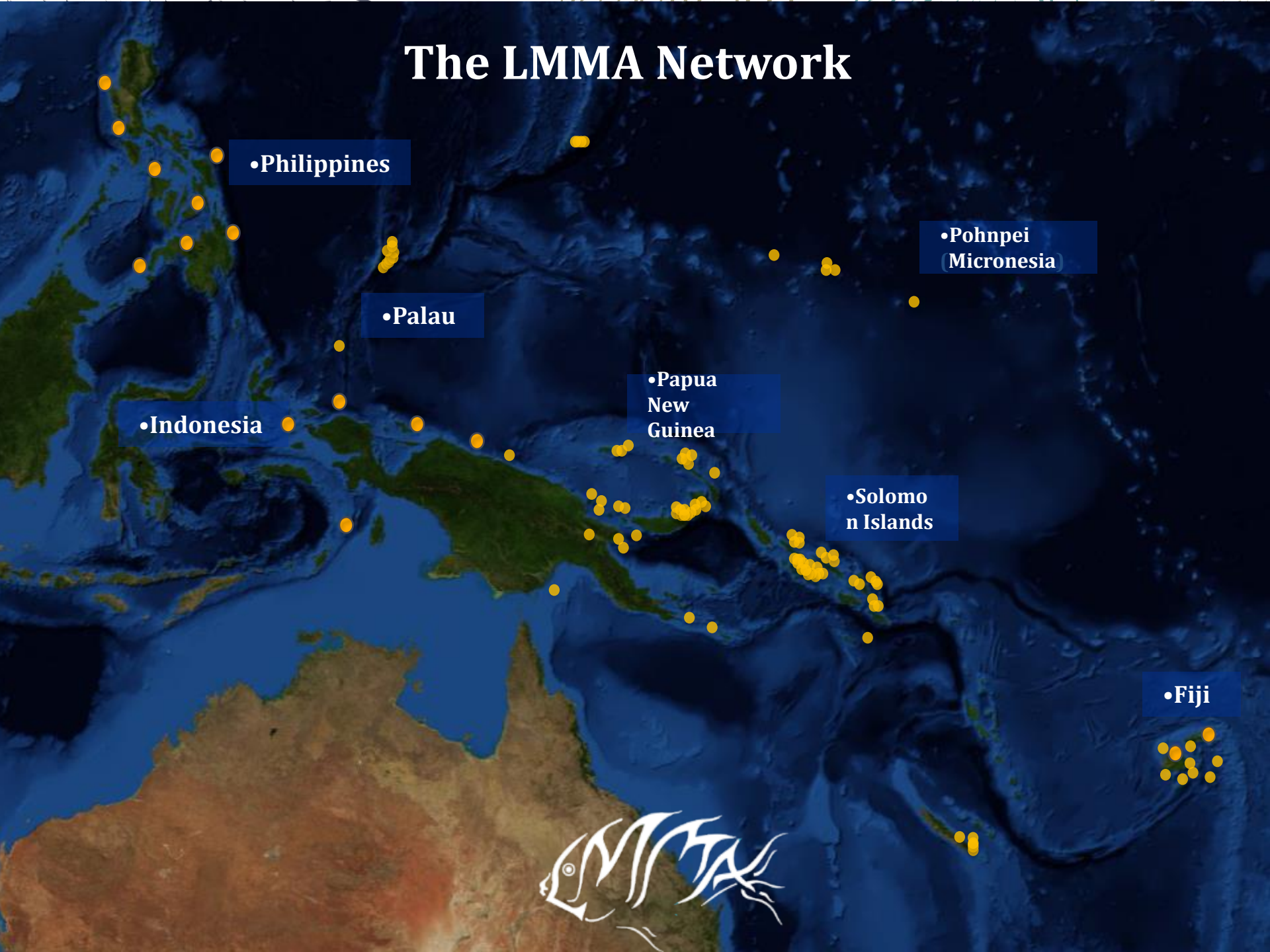
# FLMMA MISSION:



***“Everlasting Fish for our Future Generation”,  
“Kedra Sasalu Tawamudu  
na Noda Kawa, Levu na Sasalu, Marau ko  
Nau”.***



# The LMMA Network



• Philippines

• Palau

• Indonesia

• Papua  
New  
Guinea

• Pohnpei  
(Micronesia)

• Solomo  
n Islands

• Fiji





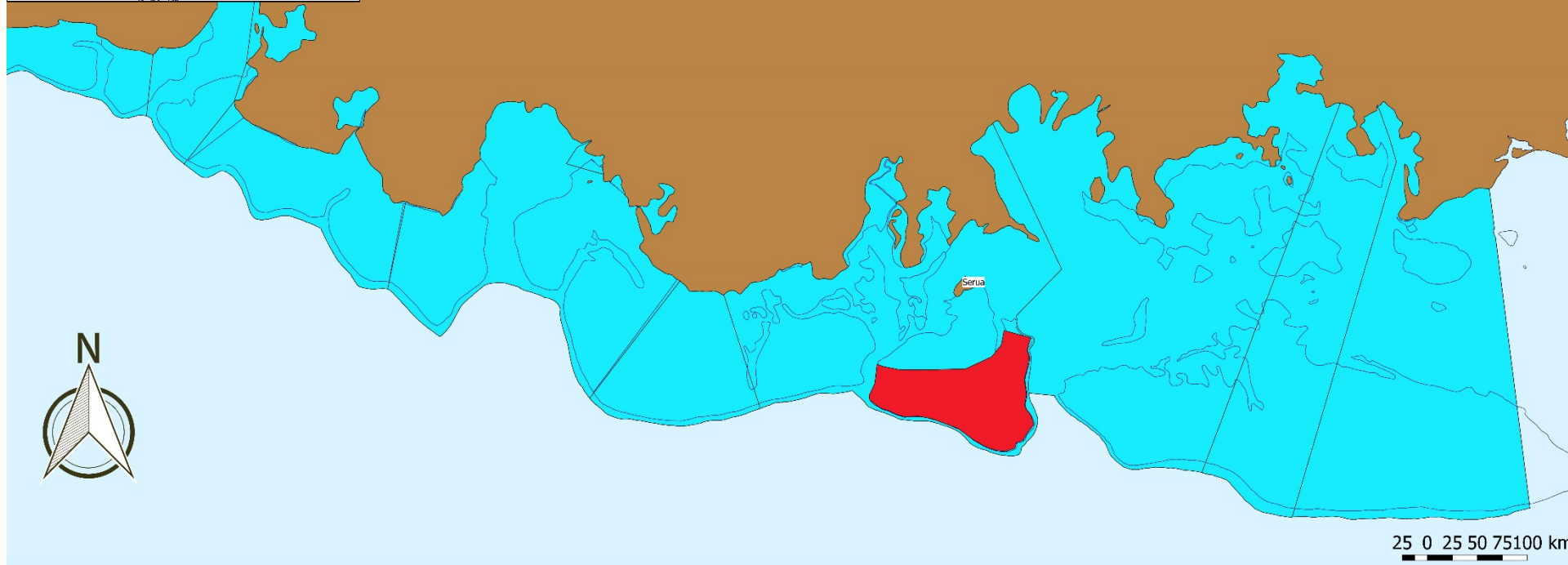
CASE  
STUDY;  
SERUA  
ISLAND  
LMMA.

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# CASE STUDY: SERUA ISLAND.

## LOCALITY MAP OF SERUA ISLAND TABU PROTECTED AREA



Tabu Protected Area	Demarcated Qoliqoli Area
Serua village (Korolevu)	Serua
exposed_reefs	

The Fiji Locally Managed Marine Area (FLMMA) Network





## ***HISTORY:***

- 1<sup>st</sup> MPA established in 2000.
- Bose Vanua (opening /closing)
- Management Plan designed with Department of Fisheries after an Inventory conducted back in 2012.
- MPA location has not changed.
- MPA – Giant Clams reseeded into MPA at Serua.  
Nursery for DOF after TC Winston damage to Ocean Nursery for Giant Clams at Makogai Research Station.
- Seaweed and Pearl Nursery.



# Challenges with enforcing customary law in management:

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1. Enforcement on poachers within Qoliqoli.
2. Leadership and Governance:
  - Roles and responsibilities with regards to management
  - Committees inactive role
  - No information sharing or awareness for those in leadership to guide in effective decision making
3. Linking and merging science based research to traditional knowledge for marine management.
4. Division within communities



# Weaknesses of existing MPA Mechanisms:

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- 1. Lack of a policy
  2. Harmonisation of a key legislations: e,g: OFMD vs Fisheries Act
  3. No formal recognition of voluntary conservation areas e.g: Gazettal – is this the answer?
  4. Sustainable Financing Mechanisms.
  5. Improvement to Enforcement.



# Customary Law with Marine Resource Management in Fiji.

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- 1) Mana :
- 2) Ownership :
- 3) Revival and Strengthen the use of Traditional knowledge in Natural resource Management and opens up opportunities for technical and science based research to complement management.
- 4) Formal Law complements Customary Law.
- 5) Flexible to change with reference to management. (Lifting Tabus)
- 6) Co-management of coastal resources. LMMAs as an 'informal' mode – outside of legislation. More formal than MPA in terms of management plan and committee.





**Fiji LMMA Lessons Learning & AGM 2017**  
**Bua village, Bua Province, Fiji**  
**20th-24th November, 2017**

*Ron Vave*  
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