

# Regulating Fiji's Coastal Fisheries

## Policy and Law Discussion Paper



# Analytical Framework

1. Goals
  - Foundational basis for environmental laws
2. Objects
  - Aims or intended outcomes of legislation
3. Principles
  - Guides or operates an action
    - Design principles: e.g. polluter /user pays, smart regulation, environmental democracy
    - Directing principles: e.g. precautionary principle
4. Tools & mechanisms
  - Practical processes and systems used to achieve legislative goals and objects, and to operationalise principles
5. Governance and institutions
  - Systems used to govern



# International and Regional obligations: Relevant Agreements

- The *United Nations Convention on the Law of the Sea*
- The *Convention on Biological Diversity (CBD)*
- The *United Nations Sustainable Development Goals*
- Relevant decisions made by the Conference of the Parties to the CBD
- The *FAO Code of Conduct for Responsible Fisheries*
- The *FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication*
- The regional instrument *A New Song for Coastal Fisheries – Pathways to Change, the Noumea Strategy*
- The *Melanesian Spearhead Group roadmap for inshore fisheries management and sustainable development 2015-2024*



# International and Regional obligations - Key concepts

1. Obligation of States to protect and preserve the marine environment
2. The ecosystem approach
3. Community based resource management (CBRM)
4. Integrated marine and coastal areas management (IMCAM)
5. The precautionary approach
6. Adaptive management
7. Best available science
8. Research, data collection and analysis
9. Effective legal and administrative frameworks
10. Protecting the rights of small-scale fishers and CFROs
11. Addressing identified target-issues
12. Marine and coastal protected areas
13. Management Plans
14. Monitoring, compliance and surveillance (MCS) and enforcement
15. Maximum sustainable yield (MSY)
16. Providing education, training, resourcing and support to communities



# Inshore Fisheries in Fiji: Key challenges and key policy and law issues

## Key challenges:

- Policy
- Legislation
- Community and customary fishing
- Governance
- Data and science
- Climate change

## Key policy and law issues:

1. The need for a comprehensive policy foundation for coastal and oceans management
2. The need to update and strengthen inshore fisheries legislation
3. The need for an effective governance and institutional framework





# Analysis and recommendations:

## Comprehensive policy foundation and roadmap for action

- Fiji's National Fisheries Policy
  - only relates to fisheries (inshore, offshore and aquaculture) not to all uses and impacts on oceans (industrial activity and MPAs)
- Integrated Coastal Management Framework
  - focusses on ridge to reef management not ocean management as a whole
- Need a comprehensive, holistic and integrated policy foundation & a clear roadmap

**Recommendation 1:** Fiji investigate developing an integrated oceans management policy which extends beyond fisheries and covers all major uses and impacts on coasts and oceans

**Recommendation 2:** Fiji develop and finalise Fiji's National Implementation Plan under the Melanesian Spearhead Group roadmap for inshore fisheries management and sustainable development 2015-2024, in consultation with all key stakeholders, including industry, community representatives and non-government organisations.

# Analysis and recommendations – Updating and strengthening inshore fisheries legislation

## **Recommendation 3:**

Fiji update and strengthen inshore fisheries legislation, in particular:

- (1) ensure that legislative goals, objects and principles are clear and appropriate.
- (2) ensure that legislative tools & mechanisms are effective...



Image by Christian Haugun

[https://commons.wikimedia.org/wiki/File:Fiji\\_Island\\_daytrip\\_on\\_the\\_Seaspray.jpg](https://commons.wikimedia.org/wiki/File:Fiji_Island_daytrip_on_the_Seaspray.jpg)

# Analysis and recommendations – An effective governance and institutional framework

## **Recommendation 4:**

Fiji implement an effective governance and institutional framework for fisheries management, in particular by:

- (1) Addressing institutional issues in fisheries management ...
- (2) Improving funding arrangements for the Ministry of Fisheries...





# Next steps

- Finalising and adopting Fiji's National Fisheries Policy
- Continuing the implementation of the Integrated Coastal Management Framework (including additional integrated coastal management sites)
- Finalising Fiji's Draft National Implementation Plan under the MSG Regional Roadmap



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