



# FISHERIES DEPARTMENT

Coastal Development and  
Role in the EIA

# Presentation Outline

1. Existence of Fisheries Department
2. Fisheries Department Role
3. Fisheries Impact Assessment (FIA)
4. Limitations
5. Case Study
6. Important Messages

# How Fisheries was established?

- ❑ 1958 – LOSC Convention

- Address Territorial Sea, Contiguous Zone, the High Seas and Convention on Fishing and Conservation of the High seas including the Convention on the Continental Shelf.

- ❑ 1960 – LOSC Convention

- Failed to address breadth of territorial sea – only 3nm

- ❑ 1973 – 1982 - LOSC

- ❑ 1973 – Fisheries Department was established

- Archipelagic waters

- TS – extend 12nm

- EEZ 200nm

# Fisheries Legislation

## Fisheries Act

- ❑ Licence fisherman - person in taking fish in Fiji fisheries waters by way of trade or business or as an employee of a person carrying the trade or business -Sect 5 (3)
- ❑ Fish – any aquatic animal whether piscine or not and includes shellfish, sponges, holothurians (BDM), sea urchins, crustaceans, and turtles & their eggs
- ❑ The licence fisherman owning or operating a fishing vessel must be registered with the licensing officer and renewed annually – Sect 6(1)
- ❑ Every license under this Act shall terminate on 31<sup>st</sup> December.. – Section 2
- ❑ Fiji Fisheries waters – internal waters, archipelagic waters, territorial sea and EEZ

# Offshore Degree

## 2012 Offshore Fisheries Management Degree

- Emphasized the management, development and sustainable use of fisheries and living marine resources
- applies to Fiji fisheries waters (internal waters, archipelagic waters, territorial sea, EEZ)

# Ministry Vision and Mission Statement

## Vision:

Our future generation will inherit a prosperous and enhanced fisheries and forest sector

## Mission:

Improve livelihood SMART policies on sustainable management of fisheries and forest resources

S – Simple

M – Measurable

A - Achievable

R – Realistic

T – Timeliness

# Importance of marine ecosystem to Fisheries

- Coral

- Mangrove

- Seagrass

- environment itself

- ocean

- Provide protection and nursery for fish

- Provide food

- Provide habitat

- Breeding ground

# Role

- (i) Administer and enforce Fisheries Legislation
- (ii) Ensure conservation, sustainable utilization and management of fisheries resources
- (iii) Approve and issue fisheries related licenses
- (iv) Provide training, extension services and research
- (v) Coordination with key stakeholders including fisheries resource owners
- (vi) Alignment of fisheries related activities to international , regional and national standard.



# Linkages to EIA

## ❑ Lands Department

1. Crown Land Act (Cap 132) section 2– crown land is all public lands in Fiji including foreshores and soil under waters of Fiji -jurisdiction of Lands Department
2. Environment Management Act Schedule 2, Sect 27 “A proposal that could alter tidal action, wave action, currents or other natural resources by the sea including but not limited to reclamation of the sea, mangrove areas, foreshore, rivers, creeks..”

## ❑ Fisheries Impact Assessment

1. New Foreshore Development by the developer
2. Land Dept. Requirements - EIA Report and Qoliqoli Owners Consent (Denying the rights of Qoliqoli owners)
3. Land Dept. - **Request Fisheries Department to carryout assessment survey, Report submitted to Lands**

# Limitations

## Fisheries legislations

- Fisheries Act - focus on fish, fishing & law enforcement – domestic consumption
- Offshore Degree address Fisheries Conservation, Management & Development & MPA mainly for offshore fisheries industries such as tunas.
- No special FIA Body

## FIA

- Does not cover other users of the qoliqoli areas
- Compensation does not look at other benefits (Fisheries projects)
- Compensation often based on fairness

# Pending case – One resort in the West

Qoliqoli owners

- Claim compensation for use of their fishing ground
- Women chased away while fishing
- New developments happening in the sea

## Lands Department

- ❑ The foreshore development was done long before the Compensation Act came into effect in 1972
- ❑ Environment Dept came into effect in 1995 and therefore EIA is not possible
- ❑ FIA and EIA surveys should be conducted well before any development is undertaken

## **Provincial Office**

- The Provincial office should be involved in the initial discussion of this issue before the claim for compensation was sent to MFF or PM's office.
- All the Vanua should come together
- Hiring of lawyer is expensive
- A consultation should have been initiated from the Roko Tui with involvement of other local agencies

## **Questions**

- Where should the qoliqoli owners submit their claim for compensation?
- Who should get involved first?

# Important messages

- ❑ Approach nearest Fisheries office for any fisheries issues
- ❑ FIA – Fisheries will only act upon Land Depts request
- ❑ Demarcation of qoliqoli boundaries – map available with I-Taukei Affairs
- ❑ Legal issues and interpretation – Fiji Environmental Law Association

Theme:

## Improving Public Participation and Decision making

Best approach to manage our fishery resources, environment, whole ecosystem, ocean

❑ ICZM – stakeholders work together and help each other

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