

## A new fishery law may help

**A proposed law for Thailand could prevent conflicts between industrial and small-scale fisheries, as well as help conserve resources**

Until the 1950s, inland water fishery was the mainstay of Thai fisheries. During this period, the marine fishery was confined to coastal waters with the use, mainly, of non-powered sail boats. Trawl fishery was introduced in 1960. Subsequently, other industrial fisheries like purse-seining helped the Thai marine fishery to grow. The total marine fishery production rose from 30,000 tonnes in 1960 to 2.8 million tonnes in 1991.

Thai marine fishery has a dual structure comprising coastal fishery, and offshore and distant-water fishery. The former is operated by fisherfolk households and is the small-scale fishery, while the latter, operated by enterprises using hired fishermen, is the industrial fishery. This dual structure exists in almost all Asian countries, including Japan.

By 1990, there were 47,836 fishery establishments throughout Thailand. Of this, 89 per cent or 42,422 were fishery households engaged in coastal fishery. The remainder were enterprises engaged in offshore and distant-water fisheries.

Since its inception, the Thai trawl fishery has come into conflict with coastal fishery, as it tends to operate in the coastal waters. In the absence of a restricted fishing licence system in industrial fisheries, the number of trawlers increased tremendously. The 1990 marine fishery inter-census survey put the total number of trawlers at 7,100. Although the figures show a declining trend since 1985, this growth led to the overexploitation of demersal resources in Thai waters. Some trawlers operate without permits.

In contrast to the industrial fishery, the small-scale fishery in Thailand has many other problems: industrial fishing's

encroachment into coastal waters, depletion of coastal resources by coastal fishermen themselves, conflicts between different groups of small-scale fishermen, and declining income leading to lower standards of living.

The present Fisheries Act was enacted in 1953, when Thai marine fisheries were still at an infant state and the management of fisheries was not required. Hence, the current Act has no provision for fishing rights and licences which could help establish a fisheries management programme.

A fishing right is normally granted to a fishermen's organization established at the level of a fishing village or a larger area. In Thailand, fishermen's organizations are hardly developed. There is also the question of the extent of the administrative area within which the organization should be established.

There is a close link between the sea area granted by a fishing right and the length of the sea coast where the fishermen's organization is based. Thus, when the length of the coast is short, the actual sea area for fishing will be small.

### Unit areas

In terms of the number of fishing households, a village would be too small but a district would be just right in size. However, where two distinct fishing communities exist, the district could not always be used as the area for the establishment of a fishermen's organization. Where fishing households are plentiful for a district, like the provincial capital, a subdistrict could be the unit area.

Surveys among fishermen in several villages in Trang and Surat Thani



provinces revealed their acceptance of the concept.

**I**n Pattani, a Muslim province in predominantly Buddhist Thailand, the village chief and his colleagues expressed full agreement with the concept. This is especially noteworthy since Thai government officials have reported difficulties in dealing with religious minorities.

In Surat Thani province is a fishing village where an NGO has already worked to establish fishing rights and build an artificial reef. To do this, the NGO helped the villagers set up their own fishermen's organization.

According to Pisit Charnsnoh, president of the Yadfon Association of Trang province, the association has been working with 17 small fishing villages in Sikao and Kantang districts of the province for the conservation of coastal fishery resources, in close collaboration with local fishermen.

Coastal fishery management by means of the fishing right will greatly ease the problems encountered by the small-scale fishery. However, a harmonious development of Thai fishery as a whole can not be achieved through the fishing rights system alone. A single law covering every aspect of fishery is needed.

This Fishery Development and Management Law will stipulate the basic fishery policy to be followed by the government. Regulation through ministerial decrees will give the government flexibility to incorporate revisions according to change in the fisheries sector or the nation's economy.

The most important component of the new fishery law should be the twin system of fishing rights and fishing licences. In the case of coastal fisheries, the provincial governor will be responsible for the fisheries management by granting fishing rights. At the same time, the governor should encourage fishermen's organizations to initiate their own fishery management schemes.

For fisheries not covered by any fishing rights, such as baby trawl and push-net fisheries, the governor should establish a restricted fishing licence system by limiting the number of licences, the size of boats, the number and size of gear, and so on. In the case of offshore fisheries, which operate beyond the coastal waters but within Thai waters, the Director General (DG) of the Department of Fisheries (DOF) will be responsible for the management through restricted fishing licences. To prevent a further increase in the number of trawlers, a pre-permit system for the construction of new inboard-powered fishing boats should be introduced as early as possible.

#### Measures needed

Further, to discourage the continued operation of trawl fishery, measures like the imposition of a resource rent should be considered, in addition to the payment of the normal licence fee. For the distant-water fishery beyond Thai waters, the DG of the DOF should issue fishing licence, on the condition that the operator of the boat has a fishing permit from the respective foreign country. 

This article, written by Tadashi Yarnamoto, Professor Emeritus of Nihon University, Tokyo, is based on his report for a proposed fishery law for Thailand