

Re-visiting the Law

The government of Vietnam seeks to empower the country's fishermen through the landmark passage of an amended fisheries law

Vietnam is home to one of the most diverse marine ecosystems in the world, providing habitats that include mangroves, coral reefs, seagrass beds and coastal lagoons for a wide variety of species. Because of this diversity (particularly in commercially valuable species) and its extensive coastline (over 3,000 km), an important sector of Vietnam's economy is fishing. However, its coastal fisheries are suffering under intense overexploitation. It is reported that the catch in areas of 50 m depth or less is two to three times higher than the maximum sustainable yield (MSY). This simply cannot be sustained. The country's fisheries sector is governed by a suite of legislation at both State and provincial levels. The strategic fisheries master plan, revised and adopted in 2013, has the overall aim to focus on value-added growth and sustainable development of the fisheries sector. As part of the re-structuring and reform strategies, the government also adopted the National Plan of Action (NPOA) in 2014 to reduce the fishing efforts as well as protect the fisheries resources. Part of that exercise involved revising the existing national policies and legal frameworks to ensure that sustainability played a more significant role.

The Centre for Marinelife Conservation and Community Development (MCD) is a local NGO working to address challenges facing Vietnam's fisheries sector. MCD is supporting a pilot programme of Ecosystem Approach to Fisheries Management (EAFM) in Binh Dinh Province in Central Vietnam, which advocated this approach to the government and has worked with the

Directorate of Fisheries to incorporate the appropriate components into the revision of Fisheries Law 2003. Integral to this approach is co-management, whereby the local fisher communities that rely on the fisheries for their livelihoods, work collaboratively with the government to manage the resource. Empowering these communities has proven to be successful in fisheries management in other jurisdictions in other countries, such as in parts of the Philippines.

On 21 November 2017, the National Assembly adopted the long-awaited amendment to the Fisheries Law, and the concept of co-management was

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sanctified as a legal document for the first time. Local community groups now have the legal recognition needed to effectively carry out marine resources protection at a local level, including the delegation of fishing rights. The law also integrates climate change, and the fight against illegal, unreported and unregulated (IUU) fishing, apart from strengthening management of marine protected areas (MPAs).

Fisheries governance

The government has clearly recognized that giving local communes more power to manage their own resources is the most effective way of managing them sustainably. Collaboration between national/local authorities and

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Small-scale fisheries in the small island of Quy Nhon City, Binh Dinh province, Vietnam, where fisher communities work collaboratively with the government to manage the resource

issues of recognized community groups and fishing rights in the protection and management of aquatic resources. The MPA regulations are being revised to include: (i) the management structure of an MPA; (ii) the co-ordination mechanism; and (iii) sustainable financing, including tourism fees in MPAs. Besides, there will be a focus as well on how to ensure biodiversity protection in the defined core and buffer zones of the MPAs.

Once the law is implemented, co-management groups will be required to create their own fishery management plans in accordance with the details set out in the decrees and guidelines, with help from provincial and commune-level authorities. The Directorate of Fisheries will develop an action plan to support the co-management and community groups over the coming year, and help mobilize the available financial, human and technical resources. ¶

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communities is essential. Over the coming year (until implementation on 1 January 2019), the next steps include: (i) communication and education so communities understand the amended law's benefit; (ii) development of under-law documents (decree, circulars, guidelines); (iii) policies to support fisheries management at both national and local levels, including factoring in financial resources, human resources and technical resources; and (iv) enforcement, implementation and monitoring of laws and regulations. MCD is continuing to work with the Directorate of Fisheries, and has co-hosted workshops to inform stakeholders of the implications currently impacting both the co-management decree and the regulations on MPAs. The co-management decree is being drafted to cover the most significant

For more



<http://mcdvietnam.org/vietnam-government-empowers-fisherman-in-landmark-passage-of-amended-fisheries-law/>

Vietnam Government Empowers Fisherman in Landmark Passage of Amended Fisheries law

<https://www.icsf.net/en/samudra/article/EN/63-3800-Small-scale-hop.html>

Small-scale Hopes

<http://mcdvietnam.org/en/>

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