

**VIE 002**

**WORKSHOP REPORT**

**NATIONAL CONSULTATION ON THE DEVELOPMENT OF AN ACTION PLAN FOR THE CO-MANAGEMENT AND PROTECTION OF FISHERY RESOURCES AND REDUCTION OF ILLEGAL FISHING**

Hanoi, May 31st, 2019

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# **1. Background and Summary**

## ***1.1*** ***Introduction***

The Ministry of Agriculture and Rural Development (MARD) is using co-management of fishery resources in an effort to strengthen and protect Vietnam’s fishery resources and reduce illegal, unreported, and unregulated (IUU) fishing activities. This action is taken in response to the Fisheries Law passed by the National Assembly of the Socialist Republic of Vietnam on November 21, 2017, in effect since January 1, 2019, and Decree No. 26/2019/ND-CP dated March 8, 2019, issued by the national government and in effect since April 25, 2019. Decree No. 26/2019/ND-CP details several provisions and measures to incorporate into the Fisheries Law. In Article 10, Section 1, Chapter II of the Decree, it has regulations for co-management in the protection of fishery resources.

As following the implementation of the fisheries law, it is expected that an action plan for the co-management and protection of fishery resources is developed in order to increase and protect resources, coordinate efforts from national to local levels, and enhance the effectiveness of fishery resource management throughout the country. A “yellow-card” warning from the European Commission (EC) in October 2017 with recommendation that Vietnam overcomes IUU fishing in its seafood industry significantly changed the viewpoint of actors in all sectors of the seafood industry; actors from all levels of government, local authorities, and seafood-related occupations have realized the importance of keeping marine economic development in accordance with international practices.

Therefore, the National Consultation on the Development of an Action Plan for the Co-Management and Protection of Fishery Resources and Reduction of Illegal Fishing was organized by the Vietnam Directorate of Fisheries (D-Fish) and the Centre for Marine Life Conservation and Community Development (MCD) to promote the protection of fishery resources and reduce IUU fishing in Vietnam. There were 57 participants including representatives from D-Fish; Ministry of Agriculture and Rural Development (MARD); the Department of Fisheries from 12 provinces in north, central, and south Vietnam; national and international non-governmental organizations (NGOs) including the Food and Agriculture Organization of the United Nations (FAO) and the United Nations Development Programme (UNDP); research institutions; associations; and the media, as well as experts in the field.

## ***1.2*** ***Objectives of the Workshop***

* Discuss and guide regulations related to co-management in accordance with the 2017 Fisheries Law and guiding documents;
* Consult with participants on the action plan to implement co-management in protecting fishery resources and reducing illegal fishing and overexploitation of fishery resources in Vietnam;
* Enhance the participation and cooperation of stakeholders in the implementation of co-management with the intention of protecting fishery resources and reducing illegal fishing and overexploitation of fishery resources in Vietnam.

The main content discussed in the workshop was:

* The Ecosystems Approach to Fisheries Management (EAFM);
* Legal regulations on co-management for protection of fishery resources and reduction of IUU fishing;
* Experiences in co-management in Cu Lao Cham Island, Binh Dinh Province, and Binh Thuan Province;
* Draft an action plan for the implementation of co-management of fishery resources.

# **2. Content**

## ***2.1 An*** ***Ecosystem Approach to Fisheries Management (EAFM)***

Marine resources and biodiversity in Vietnam are characterized by a multi-species zone because of the country’s tropical monsoon climate where the majority of marine species are small in size, have short life cycles, and regenerate rapidly. The reserves of coastal marine resources have fluctuated annually due to the dichotomic pressures caused by exploitation and regeneration of resources. The component structure of ecosystems has also significantly changed due to overexploitation.

Experts in various areas of fishery resource co-management attended and contributed to the workshop. One expert, Mr. Vu Viet Ha, a representative from the Research Institute for Marine Fisheries (RIMF), shared information about EAFM. According to his research, fishery activities can have direct and indirect negative impacts on the structure and function of an ecosystem. EAFM is a way to manage and maintain sustainable ecological resources as well as protect the balance, stability, and integrity of ecosystems. As a result, marine biodiversity (i.e. species and ecosystem diversity) is key to protecting fishery resources and allowing these resources to grow and flourish. The resources must be protected from overexploitation and depletion.

EAFM is widely applied in many countries and regions across the globe. This strategy for the integrated management of land, water, and living resources promotes conservation and sustainable use. The scope of application for this approach can be flexible according to management objectives but must ensure the application of the three components of ecological wellbeing, human wellbeing, and good governance. In addition, 5 operational objectives must be accounted for: (i) reducing the impact on target and non-target species (e.g. reducing capacity), (ii) protection or rehabilitation of habitats and biodiversity (e.g. through zoning and MPAs), (iii) reduction of risk to the resource and to people (e.g. by improving forecasts), (iv) improvement of food safety (e.g. lobbying for reduction of pollution), and (v) improvement and/or decentralization of governance (as found in Garcia and Cochrane, 2005).

During the general discussion portion of the workshop, participants made recommendations based on the application of EAFM and co-management in Vietnam. Major comments and critiques were as follows: quotas should be managed for offshore fishing vessels; it is necessary to mobilize the participation of people and community organizations in coastal areas; and it is necessary to promote farming, seasonal fishing, and sustainable livelihood alternatives to minimize pressure on fisheries.

## ***2.2 Regulations on Implementing Co-Management to Protect Fishery Resources and Reduce Illegal Fishing***

Co-management is a strategic solution to combat IUU, prevent the risk of depleting fishery resources, and remove the EC “yellow-card”. Co-management is defined as a state sharing governing power and responsibilities with community organizations involved in the management and protection of fishery resources (Item 4, Article 3 of the Fisheries Law). A “community organization” participating in co-management in fishery resources protection (hereinafter referred to as community organization) is an organization joined voluntarily by members who jointly manage, protect, and share benefits of fishery resources in a defined geographical area(s). These organizations may or may not have legal status, but are recognized and entrusted by the competent authorities to participate in co-management. According to Clause 2, Article 10 of the Fisheries Law, permission of the competent authority is required in order for community organizations to be granted management rights.

In order for community organizations to be recognized and assigned management rights in the protection of fishery resources, members (households or individuals who live in and benefit from fishery resources in the area) must register to participate in the Management Board in a geographical area(s) determined not to have the right to manage for other organizations and individuals. The community organization must have a plan to protect and sustainably use the resource(s) with clear operational regulations and benefits to fisheries.

The responsibilities of community organizations defined in Clause 6, Article 10 of the Fisheries Law include strict compliance with the recognized and assigned contents of management; observance of law provisions on fishery activities; and coordination with functional agencies to carry out patrols, checks, inspections, and investigations, prevent and handle violations, and report to competent state agencies on their activities.

Community organizations have the right to organize, manage activities, conduct patrols, inspect and supervise in their area, prevent violations, be consulted for projects for which their activities are directly related, and enjoy preferential policies, and establishment of community funds.

## ***2.3 Co-Management in Binh Thuan Province: Experience and Planning***

Binh Thuan Province has been implementing 4 co-management models. These models are operated according to the methodical process which has 7 steps: (1) Project formulation; (2) Consult with communities and stakeholders; (3) Search for funding sources; (4) Submit to the Provincial People's Committee for approval of the project; (5) Organize implementation; (6) Evaluate, monitor, and adjust; and (7) Project replication.

Since the implementation of co-management in 2012, Binh Thuan Province has developed and issued mechanisms to support the approach, including: (i) regulation on the coordination of co-management implementation among stakeholders; (ii) development of the fisheries sustainable development plan; (iii) the decision on recognition and assignment of internal rights and protection of fishery resources; (iv) conflict resolution and management; (v) operational regulation; (vi) planning of sustainable exploitation and protection of fishery resources by community organizations; and (vii) commitment to implementing funding from donors, local authorities, fishing communities, and other stakeholders.

The co-management model has been implemented with several activities such as communication, capacity building training for the community, creating sustainable livelihoods for the community (i.e. establishing a rotating loan fund), organizing and maintaining regular meetings, supporting the planning and supervision of patrols, and protecting and developing resources. Active participation from the fishing community and stakeholders, the support of the departments and agencies, the stability of financial resources for the deployment of these models, and the enthusiasm of the members of the Management Board make this model successful.

Some difficulties with implementing this model include communication with and mobilization of fishermen to fully participate in first-time operations; management capacity and organizational limitations of Board of Representatives activities; lack of mechanisms and policies for community organizations to participate in co-management; physical characteristics of the coastal area of ​​the province, since it is difficult to protect from weathering, coastal erosion, and etc.; and the dependence of coastal economics and social activities on fishery resources. Each of these factors reduces the efficiency of the model.

Some suggestions on how to overcome the above limitations were made at the workshop: (i) local support is needed in investigating fishery resources and habitats of aquatic species as a basis for understanding the defined area; (ii) fishery resource protection needs to be associated with co-management; (iii) training courses on management and co-management are needed to increase the capacity of managers and local fishing communities; (iv) a manual on “how to do” co-management for marine resource protection is needed to guide the establishment and operation of community funds; and (v) local support is needed to access assistance from NGOs, aid, funds, and programs and projects implemented by MARD to carry out co-management.

## ***2.4 Co-Management in Binh Dinh Province: Experience and Planning***

Binh Dinh Province began improving co-management of its fishery resources in 2007 with funding from programs and projects. As of December 31, 2018, the province has 15 co-management models in 20 coastal communes/wards, of which there are 3 large models in Tra O lagoon, Northern Dam Thi Nai area, and Quy Nhon bay.

With the coordination of local authorities, the active participation of the fishing community, and funding support from organizations and projects, the protection and development of fishery resources in Binh Dinh Province has seen success in the following activities: (1) advising and promulgating legal documents in the field of community-based fishery resource protection and development; (2) communication, including the training of commune/ward officials and local fishermen on co-management; (3) increasing fish stocks and reproducing fishery resources through campaigns to clean the coast, monitor coral reefs every year, eliminate destructive starfish species, and protect and rescue sea turtles; and (4) patrolling and controlling fishing activities periodically in coastal waters and unexpectedly in key water areas. As of 2019, 2.1 hectares of coral in Nhon Hai commune have been piloted for zoning and 12 hectares of Hon Kho Nho beach area is allocated to the community of Nhon Hai commune for management.

However, despite these successes, the implementation of co-management in the province faces many challenges: (i) the legal basis to recognize and assign management rights to community organizations for the protection of fishery resources; (ii) funding to maintain operations for models is limited; (iii) there are no reasonable financial support networks, regimes, or powers for co-management team members; and (iv) policies and solutions related to alternative livelihoods are incomplete and therefore do not convince fishermen to leave their fishing jobs for other employment sectors.

Some solutions, recommendations, and proposals were made at the workshop: (a) Binh Dinh Province needs to take advantage of the support from organizations and projects to build a pilot co-management model and replicate it within the province; (b) it is necessary to coordinate with community groups and understand their specific needs; (c) advocate, propagate, and raise awareness by consulting communities in developing and implementing models; (d) select and train core forces/influential actors in co-management; (e) develop policies and synchronous solutions to make alternative livelihoods viable for people; (f) issue documents to direct and guide laws and challenges; and (g) try to develop at least 5 co-management models according to the 2017 Fisheries Law.

## ***2.5 Co-Management in Cu Lao Cham MPA: Experience and Planning***

Cu Lao Cham Marine Protected Area (MPA) was established in 2005. Since its establishment, the management of Cu Lao Cham MPA has achieved four notable results. First, the general and legal regulations of the MPA are perfected through operational regulations in the Community Management Board, regulations on management of Bai Huong Sub-MPA, and community regulations to protect coral reefs. Second, communication and awareness-raising are used to disseminate regulations. Communication and awareness-raising activities include designing media content such as leaflets, promoting the sub-MPA through the development of promotional tourism sites, coastal clean-up activities, improving the capacity of members in the fishing community and general community through various training opportunities, and study tours with other localities. Third, the community is provided with equipment and conducts regular patrols to control the use of fishery resources. Fourth, expanding eco-tourism services provides opportunity for alternative livelihoods.

*“Co-management of resources and common cooperation is leading to the MPA’s success and reduction of illegal fishing. Success comes from engagement. It allows for all people to be part of the process, where they can understand how to best practice their livelihoods.”*

***Mr. Tran Hoan, Co-Management Group Leader, Bai Huong Sub-MPA***

There are also difficulties managing the MPA, due to lacking resources and weather patterns. Community operations are not well-equipped to resolve disputes and Cu Lao Cham continues to be prone to unpredictable weather events and natural disasters.

The management and operations of the MPA are governed by various administrative levels such as the MPA Management Board which initially systematically operated the Bai Huong Sub-MPA, however, fishermen community groups have gradually come to share the responsibility of marine conservation.

Based on this analysis, the Sub-MPA Co-Management Group has proposed solutions and recommendations to develop a co-management plan for well-managed fishery resources and marine conservation. The solutions include collaborative participation of stakeholders, granting legal status to co-management group, operational plan, and allocating legal fishing gears to communities.

## ***2.6 Draft Co-Management Action Plan for the Protection of Fishery Resources and Reduction of Illegal Fishing***

The action plan to implement co-management of fishery resources in Vietnam is necessary *"the entire population's fishery resources are represented by the State and uniformly managed. Organizations and individuals have the right to exploit fishery resources in accordance with the law”* (from the 2017 Fisheries Law). The problem with communities not participating in management is that it leads to an inability of governments or citizens to effectively protect natural resources. Unsustainable exploitation (e.g. IUU fishing) leads to depletion of resources, difficulties in livelihoods, and the potential of a “red card” from the EC which would ban all Vietnamese fishery products from entering Europe. Co-management is a combination of management between government and communities, sharing rights and responsibilities, legal access to management, exploitation, and use of natural resources through sustainable livelihood development. Therefore, there is a need for co-management of fishery resources and an action plan is necessary to ensure its effective implementation.

The general objectives of the action plan are to strengthen management capacity, mobilize participation of stakeholders in management, and use and protect fishery resources. In addition, specific objectives have been outlined for the year 2030:

* 50% of coastal provinces have plans for fishery resources that must include co-management programs which are implemented in areas where community organizations support the establishment and operations;
* 30% of local coastal officials master the skills of co-management of fishery resources and provide guidance to support community organizations;
* 70% of the coastal population has access to information about fishery resource co-management.

**The mission of the action plan:**

1. Improve capacity for co-management in the fishery resources sector.
2. Strengthen the capacity to monitor and supervise community organizations and management levels.
3. Develop and improve documents on state management of fishery resource management.
4. Communication and education about co-management in fisheries.
5. Develop alternative livelihood support in the community.
6. Support the development of a network for information-sharing to procure multi-sectoral linkages for community organizations.

In order to fulfill these objectives, specific actions should be implemented such as communication and education about how to strengthen co-management capacity and protection of fishery resources, in addition to creating a plan on how to advocate for the responsibilities and rights of the community. It is essential to involve fishermen, women and youth, and students at all levels. At the same time, training for executives on planning, inspection, and supervision of co-management activities is essential to strengthening the capacity of these marine conservation areas. Further activities include training and skill development about patrol and surveillance on the sea, training of communication activities to develop plans for the sea area, training community organizations on how to assess resources, and collecting data on the production of fishery resources.

**For comprehensive solutions,** we need to focus more on fisheries science, technology promotion. More specifically, it is necessary to conduct scientific research on endangered, vulnerable, and rare aquatic species in order to supplement information on biological and ecological characteristics, population changes, and propose appropriate types of protection and management strategies. Resources need to be investigated so that fishery exploitation can be adjusted and restructured, ensuring compliance with the exploitation capacity in order to reduce unsustainable reduction of marine species populations. Baseline surveying of the various types of water bodies, species, and fishery resources is essential for the scientific basis of effectively planning zoning and allocating rights. Through a system of decentralisation, community organizations will be able to take part in developing and maintaining these spaces.

**In terms of policies,** it is necessary to issue a mechanism to encourage and support fishermen to switch to selective, environmentally friendly fishing mechanisms or convert livelihoods to other jobs to reduce pressure on resources and the aquatic environment.

**Most importantly, there is a need to promote socialization in the protection of fishery resources.** This includes encouraging private companies and businesses to join the co-management process. Strengthening international cooperation in training and developing human capacity for co-management of fishery resources will help in this process of socialization. Next steps include mobilizing technical and financial support from relevant international organizations such as the IUCN, WWF, JICA, SEAFDEC, FAO, ASEAN, and NOAA; visits, studies, information exchanges, experience-sharing, investigations, and research with countries from around the world are essential to this process.

In order to effectively implement co-management action plans, coordination between stakeholders is required. D-Fish should assist MARD to develop legal documents, mechanisms, and policies to ensure sustainable financial resources to implement co-management uniformly and consistently across the country; develop training programs for fisheries co-management facilitators to delegate the management of exploitation and conservation of fishery resources to community organizations; promote scientific research and technical and financial support; and supervise the issuance and implementation of local mechanisms to minimize abuse of power by local authorities.

Additionally, the Provincial People's Committees need to implement the development plans for co-management areas, assigning Department of Agriculture and Rural Development (DARD) to guide the community organizations to develop plans for management, exploitation, protection, and development of fishery resources in accordance with the laws and development planning of the province. Inspection and supervision of activities in the community and of related parties needs to be in accordance with the 2017 Fisheries Law; this could be done by issuing documents to guide the implementation of policies and implementing policies via technical and financial support. The District and Commune People's Committees have the responsibility to support and monitor the implementation of co-management and assign rights to community organizations.

Community organizations need to develop localized action plans, together with functional agencies to implement and supervise the activities of protecting and developing fishery resources. The action plans should include management capacity building mechanisms, ensuring jobs, sustainable livelihood development, and the harmonious sharing of benefits within the community. Further actions and steps include developing high consensus documents in the community and educating community members to uphold laws and policies that protect and develop natural resources. Community organizations will need to establish and organize the patrol and supervision of fisheries production; develop production development plans, community development plans, and investment plans for projects; and create a community fund for the renewal of fishery resources.

Workshop participants gave several suggestions for the continued improvement of marine conservation:

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| *The action plan is critically needed and it has covered the main contents. Regarding the human capacity training plan, it is necessary to clearly identify the trainees (district, commune, and community officials) and put the implementation time into the plan. The plan should clearly describe the time to conduct the survey of resources, the resources to support the community team and specifying policies to support livelihoods to reduce illegal exploitation of people.*  ***Nguyen Kim Anh, Representative of Thua Thien Hue***  *The action plan needs to make a specific roadmap and budget for implementation, from which to determine the approval level. There should be more financial sources for environmental protection and linked to the co-management and regeneration of fisheries resources.*  ***Expert, Pham Thi Tinh, Department of Legal Affairs – Directorate of Fisheries***  *We need to complete the guiding manual for co-management based on the legal basis of Fisheries Law and Decree 26. To recognise legal status of the co-management group, people need to have the capacity and roles in the action plan implementation. In order to empower effective management, the state needs to rely on the people, improve the local capacity.*  ***Nguyen Tien Lap, Lawyer*** |

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# **3. Conclusions and Recommendations**

The workshop succeeded in bringing together stakeholders to discuss co-management issues in fishery resource protection and reduction of IUU fishing. Localities had the opportunity to share past experiences and propose actions and recommendations for the implementation of the Fisheries Law and related regulations. The experiences in Binh Thuan, Binh Dinh, and Cu Lao Cham showed some progress but also challenges in the protection of fishery resources. Nevertheless, these provinces are models for potential improvements and/or replications with engagement of community, government, and other stakeholders. The action plan provides a framework for co-management of fishery resources and important actions for fishermen empowerment, as well as inputs for further policy development that might help further reform fisheries and sustainable fisheries management in Vietnam.

# **4. Workshop Images**











