



WWF

POSITION
STATEMENT

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Smart Fishing Initiative

POSITION STATEMENT

Global Position Paper on Fishery Rights-Based Management

WWF believes that appropriate, clear and enforceable fishing entitlements and responsibilities are important for the successful management of capture fisheries. Such rights-based management programs (RBM) can strengthen stewardship incentives among fishers to follow ecosystem-based management practices, result in more secure access to fisheries resources for communities and businesses, provide sustainable jobs in fishing dependent communities and can assist in poverty alleviation and improve food security. Moreover, if designed accordingly, RBM is very effective at eliminating overinvestment in fishing capacity, and recovering lost economic benefits from capture fisheries.

What is RBM?

Fishing rights are well defined entitlements (with responsibilities) that allow an entity (person, company, fishing vessel, community, village etc) to fish in a particular place at a particular time. RBM is an approach to fisheries governance that gives particular emphasis to:

- Appropriateness of rights so that entitlements and responsibilities contribute to the sustainable use of fisheries and remain responsive to changes in economic, social and ecological circumstances;
- Clarity of rights, so that everybody understands their exclusive entitlements and responsibilities;
- Enforceability so that the system of entitlements and responsibilities has impact and is effective.

There are many types of RBM systems and the most common forms are based on catch, effort and area.¹ For example, entitlements to fish in a particular area, a share of the total allowable catch or a share of the total allowable effort can be assigned to local communities, individual fishing businesses, groups of fishing businesses, corporate entities, states or organizations. The performance of any RBM system is dependent on the properties of the assigned rights and responsibilities. Important properties and design features include allocation method; length of tenure; legal or formal recognition; exclusive assignment to the company, cooperative, individual, community or village; transferability;² accountability; and conservation targets set at ecologically appropriate levels that take into account all sources of mortality.

Fisheries around the globe are diverse and complex, ranging from small scale fishers to industrial fleets. All of this diversity and complexity must be accommodated by the “RBM tools in the toolbox.” As there is no “one-size-fits-all” approach, different RBM designs should be evaluated case-by-case to determine methods best suited to specific objectives and tailored to the nature, scale, culture and legal regime, ensuring stakeholders have the flexibility to strengthen existing RBM systems or craft new programs.

Why RBM?

Under RBM regimes fishers benefit from security, stability and have larger incentives to protect the marine ecosystem that belongs to society.

Appropriately designed RBM programs create conditions that contribute to the health of fish populations and marine ecosystems. These conditions end the “race to fish”, give managers more precise control of harvests so that catch limits are not exceeded and effort is reduced such that there is less impact on bottom habitat and reduced bycatch. A number of RBM programs also allow transfer of rights, and these have been especially successful at providing long-lasting and cost-effective solutions to the problems of overcapacity. Programs that promote a long-term stake in the fishery usually motivate participants (i) to adopt more conservative harvesting practices and other management measures that maintain and improve the health of the fishery, (ii) to become stronger advocates for the marine environment and (iii) to participate in and/or invest in research and development. There are many examples of improved cooperation to collectively carry out sustainable management initiatives (beyond those required by law); this form of cooperation is attributable to the positive incentives associated with well defined, appropriate entitlements and responsibilities.

When desired, RBM results in improved industry profitability through a number of mechanisms, which may include more cost efficient fishing practices, less fishing effort and increases in dockside prices because the quality of the fish caught improves. This can lead to higher economic returns for commercial fishers and lower fishing costs for subsistence. Economic performance, food security and sustainable livelihoods may be further enhanced because fishermen and seafood businesses have increased security of access to the resource and flexibility in the way they decide which activities

¹ Individual fishing quota programs (IFQs) are only one form of RBM. There are many successful programs, where different types of rights have been assigned to groups or organizations.

² Transferability can be temporary or permanent, can occur at different scales (e.g., within a community, across communities, across nations) and restrictions can be imposed to meet management objectives. Transferability is important to ensure that new participants can enter the fishery, address discarding in multispecies RBM programs, reduce overcapacity, improve business flexibility and profitability and create asset values.

they engage in to take advantage of business opportunities. Studies of the employment effects of RBM indicate that the structure of the workforce in the harvesting sector usually changes. These changes can include stability, where sustainable levels of employment become aligned with appropriate biological limits for the fishery and increased industry profitability, a move from many part-time jobs to fewer full time jobs and increases in average wages. Although there may be fewer fishermen on the water with RBM than in its absence, there is usually an increase in jobs in other parts of the supply chain as value added operations increase.

Scientific studies have documented RBM programs that performed successfully and programs that did not meet management objectives because they were poorly designed. With the knowledge gained after more than four decades of modern RBM implementation and centuries of customary rights regimes, managers have learned how to successfully adapt systems to alleviate a variety of social and equity concerns, detect and fix problems such as discarding and provide opportunities for new entrants.

WWF's Recommendations

WWF promotes RBM programs designed to lead to more responsibly prosecuted, profitable and ecologically sustainable fisheries that enhance social well being. Hence, we recommend that:

- Conservation targets,³ set at ecologically appropriate levels, be met by the adoption of science-based limits (e.g., total allowable catch (TAC)),⁴ or by customary practices.⁵
- Allocation of fishing rights needs to be fair and equitable. For multijurisdictional fisheries, provisions should be made to meet the legitimate aspirations of developing states and new entrants, as appropriate.
- Monitoring, control and surveillance (MCS) and compliance and enforcement arrangements ensure that licensed fishers keep within their allocated limits and other fishing rules are enforced.
- Co-management is promoted by encouraging the participation of a diverse group of stakeholders in program design and by including incentives that foster advanced co-management so that industry and communities willingly participate and contribute to ongoing management of the fishery.
- Prior to or during the early stages of the design phase, social, conservation and other objectives are well defined. Also, potentially undesirable outcomes are identified so that the design of the RBM system can be tailored to avoid them.
- Pre-implementation evaluations are carried out to determine whether RBM will improve economic, social and

³ Conservation targets can include habitat impacts and allowable direct and indirect fishing mortality (bycatch).

⁴ TACs must be based on regular stock assessments that at a minimum end overfishing and improve the health of overfished populations. We recommend that they include directed catch and incidental mortality (bycatch).

⁵ For some small scale fisheries it may not be feasible to set and enforce TACs. Limits on effort or inputs can be used to meet conservation targets. Alternatively, measures can also be set by the authority or by the rights holders in accordance with customary practices to meet conservation targets.

conservation performance compared to alternative management schemes, or management that retains the status quo.

- Legal mandates and policy provide stakeholders the maximum flexibility to design RBM programs suitable to local or regional conditions by not excluding any type of right, entitlement associated with the right, recipients and beneficiaries and other design features.
- Rights must be exclusive, clear, transparent, well defined and recognized by law. Rights should be issued for sufficient duration so that participants willingly support and adhere to conservation strategies that are beneficial in the long term.
- Transferability should be carefully structured to avoid over concentration of fishing rights or restricted to protect special interest groups such as small scale fishers and fishing dependent communities.⁶
- Where appropriate, adopt design features that alleviate a number of potentially negative community impacts and other social effects. Consider the impact on livelihoods and take the necessary steps to mitigate severe short-term job loss.
- Where appropriate, detect the potential for highgrading and discarding in multispecies fisheries and adopt specific design features proven to be successful at fixing such problems.
- For transboundary and international fisheries (multi-jurisdictional fisheries), member nations should jointly determine the terms and conditions of transferability of rights across their jurisdictions based on their national social and economic objectives, which would vary widely across the globe.⁷
- When developing new or strengthening existing RBM for small scale fisheries, particularly in developing countries, special consideration should be given to: fishers need for adequate livelihoods; wider poverty reduction policies in countries and regions where fisheries are economically important; and increasing fishing community capability to participate in fisheries management processes and decision-making.
- Where RBM schemes, or vestiges of them, already exist as part of traditional communal tenure systems, any further RBM work has to build on or strengthen these, so as to support local ecological, socioeconomic and cultural conditions.
- Where systems are being adapted or extended to new types of fisheries whose target species overlap with traditional closer-in fisheries, nested systems that reflect the differing scales and practices of fleet segments are required.

⁶ RBM programs can also be designed to maintain the participation of small scale fishers by prohibiting transfer of rights outside of this sector/community or by setting accumulation limits in other sectors.

⁷ Transferability across member nations can proceed via different mechanisms that include access agreements; one member nation can purchase rights from another member nation to temporarily or permanently increase its share and member nations can establish rules that allow rights holders to trade with each other directly across national jurisdictions. Regional bodies appointed to oversee the management of international fisheries need to address additional issues such as meeting the aspirations of developing nations and making provisions for new entrants.

- Post-implementation monitoring of program performance is carried out to ensure that program goals are met. Programs should be reviewed after appropriate time periods and refined, if necessary, to meet goals. The review period will be specific to the fishery or fisheries under the management regime. Such reviews are very important soon after implementation to “fine tune” new RBM programs.

Conclusion

While the establishment of RBM will require resources to ensure widespread engagement of stakeholders, good design and successful implementation, the rewards are many and it is now high time for development or strengthening existing RBM systems. We cannot afford to wait as there is much to lose. The growing fisheries crisis has global consequences that are biological, economic and social. One billion people depend on fish as the major source of protein in their diets, and capture and trade of fisheries products fuels local, national, and global economies that support coastal livelihoods around the world. While the dependence on fish is high and continues to escalate, 85 percent of the world's fisheries have already been pushed to or beyond their biological limits. Together with mismanagement of global marine fisheries, this damage results in economic losses of at least US \$50 billion per year. It is thus essential that we put in place a fisheries management framework that achieves the sound use of fish resources, or we risk social upheaval as well as further fisheries collapses.

Our Smart Fishing Vision and Goals:

Vision: The world's oceans are healthy, well-managed and full of life, providing valuable resources for the welfare of humanity.

2020 Goals: The responsible management and trade of four key fishery populations results in recovering and resilient marine eco-systems, improved livelihoods for coastal communities and strengthened food security for the Planet.

For more information

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Why we are here

To stop the degradation of the planet's natural environment and
to build a future in which humans live in harmony with nature.

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