

# Rights Based Management:

Conserving Fisheries. Protecting Economies.



## Delivering solutions for people and nature

Healthy and plentiful fisheries are not only good for marine ecosystems, but they are critical to the health, employment and prosperity of over a billion people around the world that rely on fisheries for food and jobs.

Yet, half the globe's fisheries have been pushed to their limits, and another third have been pushed beyond their limits. The percentage of these "overfished" species has nearly quadrupled since the 1970s.

When given the chance to recover, the world's oceans have shown remarkable resilience. But with too many boats chasing a shrinking number of fish, the oceans simply can't keep up.

Mismanagement of fisheries that produce the world's seafood can have significant impacts on ocean health, and the people it supports. We need better solutions for the world's oceans that are fair to those relying on it for income and food, while also protecting its future.

Rights-Based Management (RBM) can transform global fisheries performance and has proven to achieve balance between economic, ecological and social needs around the world.



# Solving the global fisheries problem



RBM programs convey and manage exclusive entitlements that allow an entity – person, company, fishing vessel, community or village – to fish in a particular place at a particular time.

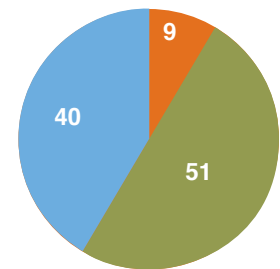
This approach tackles the “Tragedy of the Commons,” a concept articulated by Garret Hardin in 1968 and a core flaw in many oceans management

programs today. Managing resources under open access or a common pool typically results in short-term exploitation at the expense of long-term sustainability. No one has tenure. No one has accountability or responsibility.

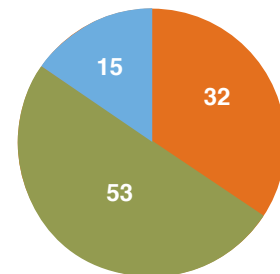
RBM is not a new concept. For centuries, many coastal communities claimed exclusive rights to coastal areas for small-scale fisheries, some of which were legally adopted and are in existence today such as the area-based community programs in Japan. The first RBM program for an industrial fishery was implemented in the 1970s for an Icelandic herring fishery.

RBM is rigid enough to enforce and flexible enough to be responsive to unique local realities. It has delivered results in fisheries as diverse as industrial multi-species trawl fisheries in British Columbia, Canada and artisanal lagoon fisheries in Ecuador. Designed and implemented correctly, RBM can be one of the most powerful tools in our efforts to sustain our critical oceans.

## Global Fisheries Status since 1974



1974



2008

“Introducing elements of stakeholder responsibility with well-defined rights creates incentives for long-term planning and stewardship. This approach is at the heart of RBM.”

Dr. Vishwanie Maharaj, Economist, Fisheries Program, World Wildlife Fund - US

# Balancing the needs of people, the ocean and the economy



**Research shows that RBM programs can contribute to healthier fish populations.** Common practices within many poorly managed fisheries –overfishing, discarding and excessive effort – are addressed by well-designed RBM. Case studies have documented that when secure and durable rights are assigned, fishers are more willing to support measures to protect the health of the fishery and even invest in conservation activities.

**Studies show that RBM programs increase the overall economic performance of fisheries and security for fishing businesses.** Seasons are more predictable, resulting in a more stable and secure job market. Jobs convert from short-term part time jobs to season-long full time jobs. RBM programs have resulted in increased wages and the ability of companies (and their employees) to diversify geographically. Harvesting becomes less expensive, prices for fresh products increase, new value added products develop and industry profitability increases dramatically.



**RBM programs stabilize the economic and ecological performance of the ocean.** It is important to note, however, that many fishers and businesses over invest heavily under common pool and open access management. Changing management approaches may result in adjustments in the job market, where overemployment in the harvest sector is corrected for and new jobs are created in other parts of the fishing industry.



**RBM programs can be designed to address social and cultural impacts.** Well designed RBM programs can help address the challenges associated with initial allocation of fishing rights. It is important to establish clear, transparent and enforceable rules and rights trading systems so that fishers gain confidence in the program. Program designers must recognize and value the various stakeholders that will be affected, particularly the business owners and employees within each fishery. The good news is there are many design features that have proven to be successful at addressing equity and other social objectives, such as the protection of small-scale fisheries and fishing-dependent communities.

# Building a rights based management program

**Catch-based rights** – under catch-based programs, a scientifically determined total safe catch level or Total Allowable Catch (TAC) for a fishery is divided and assigned to entities in the fishery. This provides a predictable and “self-paced” season for rights holders, and basing each right on a percentage of the TAC allows fishers to increase their catch as the health of the fish population improves and the TAC is increased.

**Input-based rights** – whereas catch-based programs focus on the catch removed from the ocean, input-based rights programs measure and regulate the size and effort of the total fleet within a fishery. Input can be expressed as total number of days at sea, total capacity of boats to store fish and amount of gear used.

**Area-based rights** – area-based programs assign rights to a defined special marine zone and there are many examples of small-scale fisheries in developing countries that are managed under this type of system commonly referred to as Territorial Use Rights in Fisheries. Often, area-based approaches include a “bundle of rights” where, for example, catch- or effort-based rights are combined with rights to carry out management functions such as surveillance and data collection in a defined area. Instead of assignment of effort or catch rights, a community agrees to a conservation target and sets harvest rules for fishers.



## Guidelines for best practices

**Conservation targets must be science-based.** Whether it is total available catch, total allowable effort, bycatch limits or any other variable, the target or limit must be developed scientifically with a specific conservation goal for the fishery.

**The system should be fair and transparent.** The program should be clear and understandable. Objectives should be clearly defined from the outset and the design of the program should be transparent. Rules, such as the allocation and transferability of rights should be developed in an open, inclusive and participatory manner.

**Rights should be transferable, exclusive and secure.** The longer a right exists, the more security it offers. Transferability addresses overcapacity, allows new entrants into a fishery, incentivizes ownership by those that value the resource most, and ensures that the future value of the resource will be accounted for in current harvest decisions. Rules on transferability can be included in the program to “protect” small-scale fishers and fishing dependent communities.

**Accountability is critical.** Monitoring, control and surveillance and enforcement arrangements must be established to ensure that the program is respected and followed. Finally, without effective enforcement, rights would become tenuous and possibly worthless.

# Variety and flexibility around the globe

## Small-scale fisheries

RBM programs for small-scale fisheries support thriving communities and can be self-sustaining by creating strong institutions that protect the health of the natural resource and create economic growth.

For centuries, coastal communities and groups of fishermen claimed rights to near shore resources. Today, extensive systems of these spatial rights programs can be found in Japan and Chile. Many European countries, particularly in the Mediterranean and in inshore shell fisheries in the United Kingdom and Scotland also employ this form of management, where well-defined geographic areas are assigned to communities or groups of small-scale fishers often referred to as cooperatives.



**One very successful case is the system of cooperatives in Baja, California-Sur, Mexico.** Each of the nine fishing cooperatives was assigned exclusive fishing rights in distinct fishing zones off Baja, California-Sur. These community-based cooperatives work together to better market their product and carry out fisheries management activities with only limited assistance from the central government in Mexico City. The collective investment in conservation has paid off, as the Baja lobster fishery was the first fishery in Latin America to be granted certification by the Marine Stewardship Council.

### Industrial-scale fisheries

Industrial-scale fisheries around the world have implemented a wide variety of RBM features. Because of their flexibility, RBM programs can be tailored to meet the specific conservation needs of a given fishery or region. In the northern Australian prawn fishery, for example, a combination of effort rights, gear and vessel size restrictions led to a reduction in the impact on the seafloor and resulted in increased profitability.

Success is also possible in developing countries that may not have a well-developed fishing industry. Such is the case with Namibia.

Prior to Namibia's independence from South Africa, the open access nature of its fishing grounds resulted in depleted fish populations. Upon its independence in 1991, the Namibian government developed a plan to ensure healthy and profitable fisheries that would generate economic benefits for citizens and included mechanisms for the growth of Namibian participation in this sector.

Policies included a program of individual catch quotas leased to agents through agreements that allow the government to collect royalties and recover management costs. Fees and duration of quota leases are determined based on their benefit to the citizens – not just the industry. Over time, these policies resulted in substantial increases in Namibian control of fishing quotas, ownership of vessels and processing plants. Despite fees and cost recovery, the Namibian fishing industry is profitable and contributed 10% to GDP in 1998 compared to 4% in 1990, prior to RBM. The health of fish stocks improved, due to better science and compliance with conservation measures.



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- Ensure that the value of nature is reflected in decisions made by individuals, communities, governments and businesses
- Mobilize hundreds of millions of people to support conservation

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