



New legal guide to community-based fisheries management in the Pacific Islands is available online!

Context

The new *Legal guide to enabling and strengthening coastal fisheries co-management in the Pacific*¹ was published in March 2023 to assist Pacific Island countries and territories (PICTs) in creating a legal space for local communities to manage marine areas and resources. The guide reviews legislation on community-based fisheries management (CBFM) in the Pacific and provides examples of legal frameworks formalising CBFM practices around the world.

The aspirations of PICTs for coastal fisheries are summarised in the goal of the *Pacific Framework for Action on Scaling up Community-based Fisheries Management: 2021–2025*,² which reads: “Coastal communities are empowered and supported as crucial for scaling up effective management to ensure sustainable coastal fisheries provide benefits to Pacific peoples in terms of food, nutrition, livelihood, culture and health” (page 2).³ To achieve this goal, the framework underscores that CBFM scaling up must be adequately supported in legislation.

About the guide

The *Legal guide* is for PICT fisheries managers, lawyers, policy makers and CBFM practitioners who are interested in exploring the interface between statutory law and traditional practices in order to facilitate scaling up of CBFM within their country or territory. It was prepared jointly by the Environmental Law Institute (ELI) and the Pacific Community (SPC), with New Zealand funding.

Through this guide, we hope to inspire PICTs and CBFM practitioners through current examples of legislation that illustrate how fisheries co-management works in different countries, bearing in mind that each legal reform must be carefully adapted to local needs and conditions. The guide also identifies the main principles for effective CBFM legislation and explores six main aspects of CBFM governance: area designation and boundaries; community rights and powers; CBFM planning; CBFM committees; monitoring and enforcement; and local by-laws.

¹ O'Connor S., D'Andrea A., Recio-Blanco X., Devez S. 2023. Legal guide to enabling and strengthening coastal fisheries co-management in the Pacific. Nouméa, New Caledonia: Pacific Community. 212 p. <https://purl.org/spc/digilib/doc/s5b7j>

² <https://purl.org/spc/digilib/doc/yr5yv>

³ The framework was endorsed by PICTs at the 13th SPC Heads of Fisheries Meeting and at the Second Regional Fisheries Ministers Meeting.

Next steps

The guide is intended as an educational toolbox to be used for training purposes. It brings together, in an unprecedented way, over 120 examples of legal provisions on CBFM taken from a selection of 26 laws and regulations from 15 PICTs and 19 laws and regulations from other world regions (Africa, Asia, Central and North America, and Europe). It also includes 12 sample provisions on CBFM that were drafted by the authors.

The *Legal guide* will be launched at the 6th Regional Technical Meeting on Coastal Fisheries and Aquaculture (RTMCFA6) in November 2023. The meeting will be an opportunity for SPC members to discuss their training needs on legal matters related to fisheries co-management and to request legal support for implementing their national strategy for scaling up CBFM.

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