

Reviewing the implementation of FAO's Small-Scale Fisheries Guidelines: Two Pacific Islands for the Too Big To Ignore Global Partnership's book

When Voluntary Guidelines for Securing Sustainable Small-scale Fisheries were being drafted through an extensive participatory consultation process more than 10 years ago, the Pacific Island nations gave their input. Now, with the forthcoming 10th anniversary of the adoption of the guidelines by the Committee on Fisheries of the Food and Agriculture Organization of the United Nations (FAO), it is time to assess how they are being implemented. An initiative by the Too Big To Ignore Global Partnership for Small-Scale Fisheries Research (TBTF), aimed at assessing the guidelines' implementation globally, has included Tonga and Samoa among the countries reviewed.



Squid fishing in Tonga. Image: William Sokimi, ©SPC

In 2024, the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries ([SSF Guidelines](#)), adopted by FAO's Committee on Fisheries, will mark their 10th anniversary. The guidelines play an important role in shaping debate over how policies and legislation should provide for sustainable small-scale fisheries. The SSF Guidelines shed light on the significant contributions and importance of such fisheries to the local economy, and they frame legal safeguards for protecting the livelihoods of small-scale fishers and their communities. The SSF Guidelines also recognise these fishers as professional workers, acknowledge the role of women in small-scale fisheries, and provide guidance for addressing the effects of climate change on small-scale fisheries (FAO 2015). A long participatory process supported the development of the SSF Guidelines, involving more than 4000

stakeholders, including small-scale fishers, regional and civil society organisations, researchers, fish workers and government representatives (Jentoft et al. 2015). This process strengthened the legitimacy and normative authority of the SSF Guidelines, which are anchored on international human rights standards and promote both the human rights-based approach and the ecosystem approach to fisheries (Nakamura 2022).

As FAO members, Pacific Island countries and territories endorsed the initiative and actively participated in the process, along with other countries worldwide. In 2012, FAO and the Pacific Community (SPC) organised a regional stakeholder consultation focusing on the specific context and needs of Pacific Islands (FAO/SPC 2012). The stakeholders' input and



Fishers in Samoa. Image: David Kirkland, ©SPC

recommendations addressed key issues for small-scale fisheries of the Pacific, which suffer from geographical remoteness and are challenged by population growth and climate change. Specific topics raised included the customary rights system and women's participation in decision-making processes. Such issues were later reflected in the SSF Guidelines' final text, which incorporated, inter alia, the governance of tenure, the promotion of gender equality, and the consideration of climate change and disaster risk.

Since the endorsement of the SSF Guidelines in 2014, countries and various entities have been actively working to monitor, assess and promote their implementation at both national and local levels. TBTI, a network of over 400 contributing members from 81 countries, has been gathering information to draw a global picture of how the SSF Guidelines are being implemented, with TBTI members contributing to the assessment for various countries. The contributions are part of an eBook entitled *Unlocking Legal and Policy Frameworks for Small-Scale Fisheries: Global Illustrations* (Chuenpagdee et al. 2020).

Tonga and Samoa are among the countries already reviewed.¹ For that, SPC collaborated with two interns from the University of California College of the Law San Francisco along with partners from FAO and the ministries in charge of fisheries in the two nations. Together, they assessed the implementation of the principles and recommendations for sustainable small-scale fisheries that were internationally agreed in the SSF Guidelines, including the rights of coastal fishers and fish workers. Relevant legislation and policies were surveyed, including the Tongan and Samoan Fisheries Management Acts, respectively adopted in 2002 and 2016, and their regulations, the *Tonga Fisheries Sector Plan 2016–2024* and *National Fisheries Policy 2018*, and the *Fisheries and Aquaculture Policy 2022–2032* for Samoa.

The goal of the policy and legal reviews for the two countries was to assess the extent to which each of them adhered to the core provisions of the SSF Guidelines, including responsible fish trade, small vessel registration and safety, co-management and access to marine resources, for the protection of Pacific coastal fishers' rights and livelihoods.² Overall,

¹ The eBook chapter for Tonga is available at: http://toobigtoignore.net/wp-content/uploads/2023/02/Legal-analysis-e-book_Tonga_s.pdf (D'Andrea A., Devez S., Von Rotz M., Tauati M. and Malimali S. 2023. Unlocking legal and policy frameworks for small-scale fisheries in Tonga. In Kerezi V., Nakamura J., El Halimi M. and Chuenpagdee R. (Eds.) *Unlocking Legal and Policy Frameworks for Small-Scale Fisheries: Global Illustrations*. TBTI Global Publication Series, St. John's, NL, Canada). The eBook chapter on Samoa will soon be available at: <http://toobigtoignore.net/unlocking-legal-and-policy-frameworks-for-ssf-global-illustrations/>

² A more in-depth analysis of human rights implementation in coastal fisheries and aquaculture legislation is found in Graham and D'Andrea 2021.

both countries have successfully implemented most of the core provisions. However, there is room for improvement and some topics could be considered with a more specific focus on small-scale fisheries (Von Rotz et al. 2022). Also, both countries would benefit from strengthening small-scale fishers' labour and social rights, as well as securing legal protection of women in small-scale fisheries.

Given the importance of small-scale coastal fisheries to local economies in Pacific Islands (Gillett and Tauati 2018), over the past decade three regional policies have been adopted to raise the profile of Pacific coastal fisheries and ensure sustainable and equitable management of marine resources.³ A comparative analysis shows that human rights, which are strong in the SSF Guidelines, are not explicitly mentioned under the Noumea Strategy (Song et al. 2017). However, Pacific regional policies firmly take a human rights approach by promoting fisheries co-management and a clear definition of user rights, considering gender and social inclusion in participatory management, and protecting livelihoods and food security (Graham and D'Andrea 2021).

The TBTI initiative is open to other countries' reviews, and SPC is willing to collaborate with Pacific Island nations to assess their legislation through the lens of regional policies and to identify opportunities for adequate implementation of international law, including the SSF Guidelines, in the Pacific context.

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³ A new song for coastal fisheries – pathways to change: The Noumea Strategy, 2015 (<https://purl.org/spc/digilib/doc/b8hvs>); the Future of Fisheries: A Regional Roadmap for Sustainable Pacific Fisheries, 2015 (<https://purl.org/spc/digilib/doc/xnc9f>); and the Pacific Framework for Action for Scaling up Community-based Fisheries Management 2021–2025 (<https://purl.org/spc/digilib/doc/yr5yv>).