



MARINE TENURE AND SMALL-SCALE FISHERIES

A PRIORITY FOR DEVELOPMENT PROGRAMMING

Through its commitment to addressing extreme poverty, USAID is integrating a deeper understanding of the role marine tenure and small-scale fisheries play in supporting biodiversity conservation, food security, inclusive economic growth, and other priority development objectives. Maintaining healthy and resilient marine and coastal ecosystems provides the natural capital to support USAID's objective to conserve biodiversity for sustainable, resilient development. Insecure resource tenure rights to fisheries can be one of the most significant drivers of biodiversity loss and unsustainable natural resource management. Where rights are poorly defined, marine and freshwater ecosystems can be quickly degraded, leading to overfishing. Securing resource tenure for fishers can set the stage for reducing pressures to biodiversity, creating sustainable livelihoods, enhancing food and nutrition security, building resilience, and reducing competition over limited resources.

Small-scale fishers play a significant role in the global fisheries sector. They represent about 90 percent of the world's nearly 51 million capture fishers, of whom about half are women. They produce half of all global fish catch and supply two-thirds of the fish consumed by people. Small-scale fishers and coastal communities with secure rights over a given fishery, fishing ground, or territory have a strong interest in organizing and acting collectively to manage their resources sustainably. Securing tenure and strengthening governance of small-scale fisheries can have multiple development benefits. The following information brief provides an overview on the topic of marine tenure in securing sustainable small-scale fisheries and its role in meeting global development objectives. The USAID/E3 Office of Land and Urban's Tenure and Global Climate Change Program has developed a sourcebook and guidance designed to assist USAID staff and partners integrate consideration of sustainable small-scale fisheries and the responsible governance of marine tenure in programming and project design.

BACKGROUND

REDUCING EXTREME POVERTY THROUGH SECURE TENURE IN SMALL-SCALE FISHERIES

Small-scale fishers are among the poorest and most vulnerable groups in developing countries. Fishing households are highly dependent on wild fish stocks for food and livelihood. With fish stocks declining globally due to open access and poor governance of both land and sea, small-scale fishers continue to be marginalized to a life of extreme poverty. Fishing communities residing in coastal areas and the wild fish stocks upon which they depend are vulnerable to a range



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of threats including: (a) insecure land tenure; (b) loss and degradation of fishing grounds from land reclamation, leases to commercial interests for aquaculture or sea mining, and destructive fishing practices; (c) intrusion of large-scale fishing into nearshore waters; and (d) climate change impacts on fish stocks, coastal habitats, settlement areas, and land-based livelihoods. Additionally, fishing communities face many other challenges, including increased population pressure from migration, commercialization of the fisheries sector, and limited access to improved and sustainable fishing technologies. Secure tenure and improved governance can provide an enabling condition for sustainable small-scale fisheries.

WHAT IS THE RESPONSIBLE GOVERNANCE OF MARINE TENURE?

Tenure refers to the relationship (whether defined under formal de jure law or under customary law) that individuals and groups hold with respect to resources within terrestrial and marine environments. Marine tenure involves establishing a set of rights and responsibilities in the coastal and marine environment as to who is allowed to use which resources, in what way, for how long, and under what conditions, as well as who is entitled to transfer rights (if any) to others and how (Figure 1). Small-scale fishers and coastal communities with secure rights over a given fishing area have a strong interest in organizing and acting collectively to manage their resources sustainably. Formal recognition of marine tenure provides communities with the security that they can invest in and manage their fishery resources for the long-term. Marine tenure is evident in many fisheries practices such as territorial use rights in fisheries, managed access, marine protected areas, and catch shares, all of which involve the delineation of rights and responsibilities over marine and coastal resources.

Figure 1. Bundle of resource rights and responsibilities in marine tenure systems

Exclusion	Access/ withdrawal	Management	Enforcement	Alienation/ transfer
<ul style="list-style-type: none"> • Ability to exclude outside fishers from accessing marine resources or fishing grounds 	<ul style="list-style-type: none"> • Rights of fishers to access/extract marine and fishery resources 	<ul style="list-style-type: none"> • System of use rules and practices to achieve management goals 	<ul style="list-style-type: none"> • Systems to enforce rules, resolve conflicts, and apply sanctions 	<ul style="list-style-type: none"> • Rights to sell or lease resources or fishing ground to others

The responsible governance of marine tenure involves respecting the rights of small-scale fishers and fishing communities to the resources that form the basis of their social and cultural well-being, their livelihoods and

their sustainable development. National legal and policy frameworks, administrative and judicial systems, effective co-management arrangements, dispute resolution mechanisms, local participation and empowerment, and strengthened institutional capacity are all key ingredients of responsible governance of marine tenure.

SECURING SUSTAINABLE SMALL-SCALE FISHERIES IS EMERGING AS A GLOBAL DEVELOPMENT AGENDA

Although small-scale fisheries have been acknowledged as an important socioeconomic sector, they have been largely invisible in development programming. Small-scale fisheries, including subsistence, artisanal, and traditional, employ more than 90 percent of the global capture fisheries workforce and have much lower negative environmental impact than large-scale fisheries. The Global Food Security Act of 2016 realigns USG foreign assistance toward increasing the productivity, incomes, and livelihoods of small-scale producers of fisheries to reduce global poverty and hunger, promote inclusive economic growth, and build resilience among vulnerable populations. Also, the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (FAO 2015) underscores the importance of responsible governance of tenure within small-scale fisheries to support food security and coastal economies. As such, there is a growing global agenda to address the complex needs of small-scale fishing communities providing multiple opportunities to support USAID’s development objectives (Table I).

Table I. Looking to the sea to support USAID development objectives

USAID Development Objectives	Marine and Coastal Nexus
<ul style="list-style-type: none"> • Conserve biodiversity and ecosystem services for sustainable, resilient development 	<ul style="list-style-type: none"> • Addressing pressures and drivers of marine biodiversity loss improves the health and resilience of marine and coastal ecosystems and rebuilds the natural capital required for sustainable, resilient development
<ul style="list-style-type: none"> • Increase food security and nutrition 	<ul style="list-style-type: none"> • Managing small-scale fisheries sustainably provides food security to a growing coastal population where fish are a significant source of protein and nutrients
<ul style="list-style-type: none"> • Reduce extreme poverty and promote sustainable, inclusive economic growth 	<ul style="list-style-type: none"> • Securing preferential use rights of small-scale fishers to nearshore waters while providing equitable distribution of benefits from other marine and coastal industries including large-scale fisheries, oil and gas development, and coastal tourism is a key facet of the promotion of sustainable, inclusive economic growth
<ul style="list-style-type: none"> • Prevent and respond to crises, conflict, and instability 	<ul style="list-style-type: none"> • Addressing competing and conflicting uses of the land and sea improves stability for vulnerable populations
<ul style="list-style-type: none"> • Increase resilience to the impacts of climate change and promote low emissions growth 	<ul style="list-style-type: none"> • Reducing local human impacts to marine and coastal ecosystems can provide substantial climate mitigation and adaptation benefits needed for climate resilience
<ul style="list-style-type: none"> • Expand and sustain the ranks of stable, prosperous, and democratic states 	<ul style="list-style-type: none"> • Promoting representative and participatory local institutions in managing marine and coastal resources sustainably is a key component of the responsible governance of marine tenure of small-scale fisheries
<ul style="list-style-type: none"> • Support disaster mitigation 	<ul style="list-style-type: none"> • Conserving coral reefs, mangroves, marshes, sand dunes, and other natural features mitigates impacts of coastal hazards including inundation from severe storms, tsunamis, and sea level rise

KEY TAKE-AWAYS

WHY LOOK TO THE RESPONSIBLE GOVERNANCE OF MARINE TENURE TO SUPPORT USAID DEVELOPMENT OBJECTIVES?

Weak or inadequate governance of tenure within fishing communities and the marine and coastal environment has resulted in a substantial loss of food security, local income generation, biodiversity, and ecosystem services such as coastal protection. Coastal communities have long depended on the sea for food, shelter, livelihood, cultural practices, and other basic human requirements. These communities represent a highly vulnerable segment of society, who often lack secure land and marine tenure, are exposed to a range of coastal hazards, and are relatively invisible in terms of development priorities. The responsible governance of marine tenure supports the establishment of a set of rights and responsibilities for local communities as to who is allowed to use which resources, in what way, for how long, and under what conditions, as well as who is entitled to transfer rights to others and how. Formal recognition of marine tenure provides communities with the security that they can invest in and manage their fishery resources for long-term sustainability. A community's secure right to make management decisions on resources within the coastal zone is crucial to building their resilience to the impacts of climate change.

HOW DOES MARINE TENURE SUPPORT SUSTAINABLE SMALL-SCALE FISHERIES?

Small-scale fishers and coastal communities with secure rights over a given fishery, fishing ground, or territory have a stronger interest in organizing and acting collectively to manage their resources sustainably. Marine tenure institutions and tenure rights form the overarching governance structure that enables a fishing group or community to establish rights to use resources from a defined territory as well as exclude outsiders. Secure tenure promotes stewardship of natural assets such as fish and creates incentives to maintain ecosystem goods and services. As such, the responsible governance of marine tenure forms a central component of this new small-scale fishery agenda, contributing to multiple development objectives including alleviating poverty, building resilience, strengthening food security, promoting gender equity, and conserving biodiversity.



WHY IDENTIFY LESSONS FOR DEVELOPING AND STRENGTHENING EFFECTIVE MARINE TENURE INSTITUTIONS AMONG SMALL-SCALE FISHING COMMUNITIES?

Working in a marine and coastal environment requires an adaptive approach based on up-to-date knowledge of dynamic ecological and social conditions. Local fisheries management institutions and approaches in the context of developing nations often include complex and diverse social, cultural, political, economic, and ecological arrangements and conditions. The consideration of these integrated factors is a key component of using a marine tenure approach when addressing and assessing marine and coastal-related issues. Ultimately, this understanding of the interconnected web of relations between people, institutions and resources implicit in marine tenure institutions can provide lessons on how they can be strengthened in the face of new challenges such as climate change and economic globalization towards the advancement of more resilient societies.

A Theory of Change for Securing Sustainable Small-scale Fisheries with Marine Tenure as a Key Theme

If marine tenure systems provide secure rights for resource users, engage stakeholders in decision-making, and create rules that promote sustainable resource use, then these systems will support increased compliance with rules, reduced resource user conflicts, and result in positive ecological, social, and economic benefits. If these systems are embedded within an effective co-management arrangement that includes the government and other partners who maintain a demonstrated capacity to recognize and support the community's resource use rights, then these systems can be resilient under changing conditions. Further, if macro-scale drivers of change and ecosystem-scale pressures beyond the control of local resource users and communities, such as population growth and urbanization in the coastal environment, overfishing from competing large-scale fishers, habitat degradation from land-based pollution and land reclamation, and climate change are identified and addressed at multiple scales of governance for multiple sectors, then community-scale marine tenure institutions will have the capacity to support a range of broader development goals including economic growth, food security, and climate resilience.

NEXT STEPS

The USAID/E3 Land Office's Tenure and Global Climate Change program has completed a guidance document (Primer) and an in-depth compendium of knowledge (Sourcebook) on marine tenure in small-scale fisheries. The primer, *Looking to the Sea to Support Development Objectives: A Primer for USAID Staff and Partners*, provides a series of support tools designed to guide USAID staff and partners on the integration of responsible governance of marine tenure into USAID programming. The sourcebook, *Marine Tenure and Small-scale Fisheries: A Sourcebook of Good Practices and Emerging Themes*, provides a deeper look into emerging themes and practices in small-scale fisheries and marine tenure by drawing on findings from scholarly research, policy documents, and development projects by donor agencies and leading nongovernmental organizations. Both outputs were informed by lessons learned from field assessments conducted in Bangladesh, Indonesia, and the Philippines. All documents are available at <https://www.land-links.org/issue/marine-tenure/>.

CONTACT

Contracting Officer's Representative, Stephen Brooks
Email: sbrooks@usaid.gov