

KINGDOM OF CAMBODIA

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MINISTRY OF AGRICULTURE, FORESTRY AND FISHERIES

FISHERIES ADMINISTRATION



FISHERIES CO-MANAGEMENT TRAINING MANUAL

n° 1: Establishing a Community Fishery



August 2018

Inland Fisheries Research and Development Institute

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n° 1: Establishing a Community Fishery

Prepared by the
Inland Fisheries Research and Development Institute
for the
Fisheries Administration

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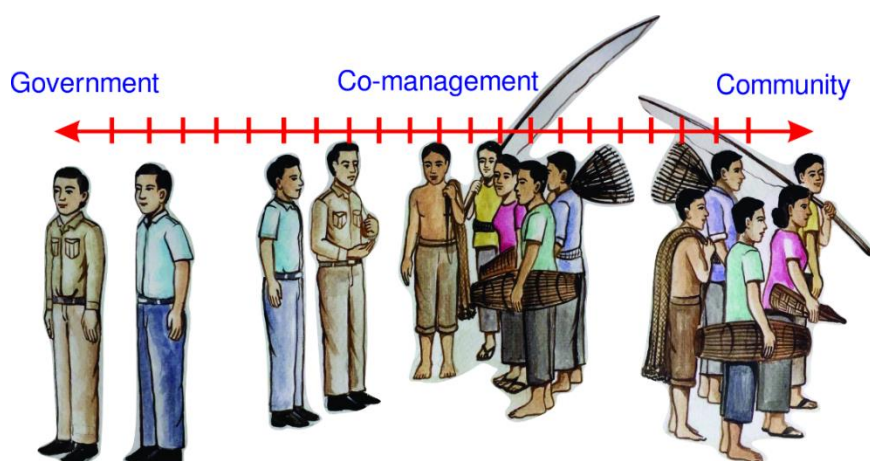
1. WHAT IS COMMUNITY FISHERY CO-MANAGEMENT?

Co-management is a partnership arrangement in which the community, the government, and possibly other stakeholders (fish traders, business people, NGOs, etc.) share responsibility and authority for the management of the fishery.

For the government to collaborate with fishers in a place, the latter must be structured as a **Community Fishery (CFi)**. Through consultations and negotiations, the Fisheries Administration and the Community Fishery develop a formal agreement, such as the Community Fishing Area Agreement, on their respective roles, responsibilities and rights in management.

Fisheries co-management involves:

- equitable membership – fair and equal and open to all, including women and minorities;
- cooperation and collaboration - working with someone to produce something;
- sharing of responsibility and authority - shared power for decision-making;
- clear objectives - things aimed at or sought;
- arrangements and agreements between parties on a course of action.



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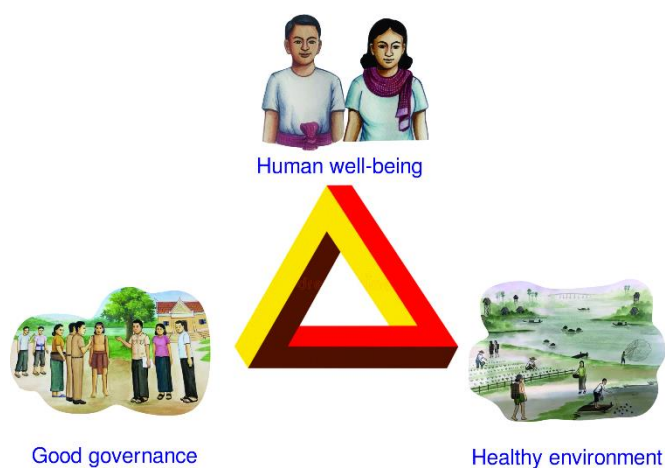
New approaches to fisheries management recognize the need to involve fishers, to recognize local stewardship, and to share decision-making.

In former systems, decision making was top-down, and mainly in the hands of the Fisheries Administration deciding, implementing, monitoring or punishing. In co-management, decision-making, resource management and responsibilities are shared between the government and fishers.

2. PRINCIPLES OF ECOSYSTEM APPROACH TO FISHERIES MANAGEMENT

Good fisheries management includes:

- a balance between a healthy environment, human well-being and good governance;
 - *healthy environment*: good fish diversity, sustainable abundance, non-degraded habitats and healthy water;
 - *human well-being*: good living standards (income), food security, improved social connections and relationships, safety;
 - *good governance*: participation; legal rights; equity; planning and implementation mechanisms; compliance and enforcement;
- an approach that considers the major components in an ecosystem, and the social and economic benefits that can be derived through sustainable use.



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The above principles reflect an Ecosystem Approach to Fisheries Management (EAFM).

Existing fisheries management does not cover all threats and issues facing the fishery (such as habitat loss and equity) and can often fail. A broader and more inclusive approach is needed.

An **ecosystem approach** is a holistic, integrated and participatory management approach that considers the major components in an ecosystem, and the social and economic benefits that can be derived through sustainable use. An ecosystem approach seeks a *balance* between ecological well-being and human well-being through good governance for future generations.

EAFM provides a vision that is more than just fisheries – it includes a healthy environment and habitats and improved well-being of the people. EAFM looks at the bigger picture. It recognizes that fish and fisheries are part of a broader ecosystem that includes fish habitats as well as the people who benefit from catching, trading and eating fish.

3. WHAT IS A COMMUNITY FISHERY?

A **Community Fishery** is:

- a group of physical persons holding Khmer citizenship;
- voluntarily established in or near the fishing area;
- taking the initiative to improve their own standard of living by using and processing fisheries resources sustainably.

The Community Fishery establishes a partnership between Cambodian citizens and the government, represented by the Fisheries Administration. The Fisheries Administration and local authorities or Commune/*Sangkat* councils shall cooperate together to establish the Community Fishery.

For fishermen, the benefits of establishing a Community Fishery are:

- direct participation in managing, using and protecting fisheries resources;
- equitable sharing of benefits from fisheries resources;
- improving the standard of living.



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The Sub-decree on Community Fisheries Management n° 25 / *Or Nor Kror*, Chapter 2 (Establishment of a Community Fishery), Article 6, states: *“All Cambodian citizens have the right to form a Community Fishery in their own local area on a voluntary basis to take part in the sustainable management, conservation, development, and use of fisheries resources.”*

The Fishery Law, Royal Decree, Sub-decree and *Prakas* on Community Fisheries all provide legal support for co-management of fisheries in Cambodia and the establishment of a partnership between citizens and government to share responsibility and authority for the management of the Community Fishery.

4. ROLES AND RESPONSIBILITIES OF CITIZENS IN A COMMUNITY FISHERY

Members of a Community Fishery have the right to:

- fish at family-scale in accordance with the law, other regulations related to fisheries, and the by-laws of the Community Fishery;
- participate in all activities of the Community Fishery;
- request meetings and propose issues for discussion during meetings;
- attend meetings, vote and stand for election in the Community Fishery Committee;
- make complaints on any problems which affect the interests of the Community Fishery; complaints are made to the Fisheries Administration, Commune/*Sangkat* Council, local authorities and relevant agencies.



5. THE NINE STEPS OF ESTABLISHING A COMMUNITY FISHERY

According to the *Prakas*, there are **nine steps** in establishing a Community Fishery:

- Step 1: Establish a group of founders
- Step 2: Assess CFi site needs
- Step 3: Register CFi members
- Step 4: Prepare CFi vision statement, by-laws and internal rules
- Step 5: Elect the Community Fishery Committee
- Step 6: Map community fishing areas
- Step 7: Prepare a Community Fishing Area Agreement
- Step 8: Register the Community Fishery
- Step 9: Prepare a Community Fishing Area Management Plan

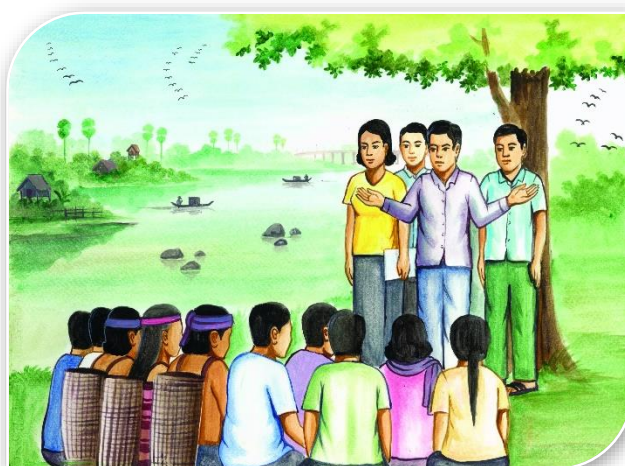


5.1 Step 1: Establishing a group of founders

A local community who wants to establish a Community Fishery must establish a **group of founders**.

Women should be included in the group of founders, as well as members of ethnic groups if any, and other minority groups.

The group of founders will raise awareness in the village about the benefits of establishing a Community Fishery, then will submit a request to the provincial Fisheries Administration Cantonment to establish a Community Fishery.



Complements for trainers

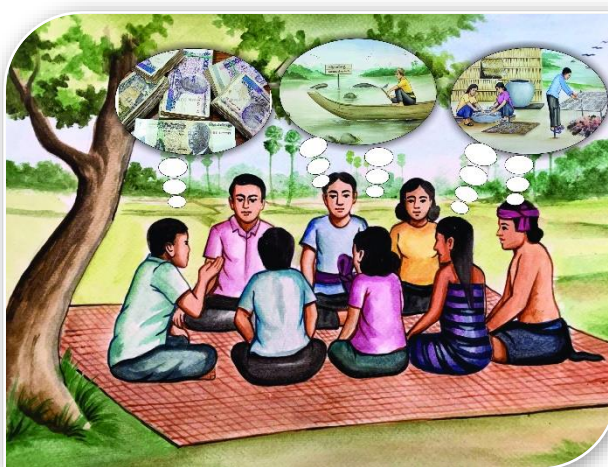
The *Prakas* states (Article 7) that: *“The members of the group of facilitators and members of the group of founders must organize awareness raising activities among residents in the local area on the benefits of establishing a Community Fishery, so that at least more than half of the total number of fishing families in that area will volunteer to submit applications to become members of the Community Fishery. In the event that the number of people who join does not reach a majority as per the above requirement, it is necessary to persevere further in raising awareness.”*

Then members of the group of founders must submit a request in writing to the provincial Fisheries Administration Cantonment, via the Commune/*Sangkat* chief, *Sangkat* Fisheries Administration and Division Fisheries Administration. The Fisheries Administration Cantonment can provide support for this.

5.2 Step 2: Assessing CFi site needs

Before preparing the submission of a Community Fishery, the founders, with support from the provincial Fisheries Administration Cantonment, must conduct a study and collect accurate information on:

- the socio-economic situation of local people;
- the situation with regards to fishing;
- the nature of the fishing grounds;
- activities related to fishing;
- the situation with regards to agriculture; and
- problems related to the fisheries sector that arise in the village.



Complements for trainers

A good site needs assessment includes:

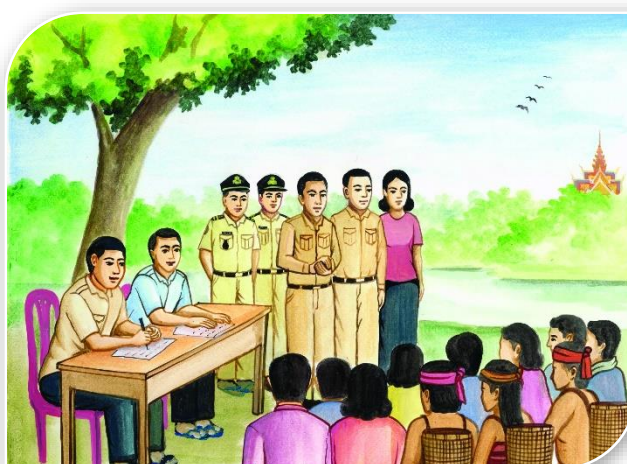
- a resource and ecological assessment (land, rivers and water bodies; climate);
- a socio-economic assessment (identification of the social, cultural, economic and political conditions in the village);
- a legal and institutional assessment (identification of the organizations and governance structures for resource management in the community);
- a brief agriculture assessment (number of people involved in agriculture; main crops);
- a detailed fishery assessment (number of fishers, type of boat and fishing gear, species targeted, fishing areas);
- an assessment of issues in fisheries (problems, challenges, opportunities).

5.3 Step 3: Registration of CFi members

The group of founders has the duty to organize all work for the initial founding congress of the Community Fishery, beginning with preparation up until completion, as follows:

- raise awareness of the benefits of establishing a CFi to encourage villagers to become CFi members (the target should be that more than 50 % of fishing households in the area become CFi members);
- identify and registers members of the village(s) who wish to become members of the CFi;
- identify candidates ready to become members of the CFi Committee. All potential candidate members should be informed and have an opportunity to be nominated;
- help establish an organising group to elect the CFi Committee during the initial congress;
- prepare invitations for commune members to attend the initial congress;
- distribute draft by-laws and internal rules, proposed for discussion, ahead of the initial congress.
- make arrangements for the initial congress meeting;

Members of the group of founders have the right, like anyone in the CFi, to stand as candidates for election to the Community Fishery Committee.



Complements for trainers

The group of founders must assess whether the community members are ready to embark and commit to the CFi process. The three key components are: 1) an awareness of the problems with fisheries and the environment; 2) a concern about these problems; and 3) a willingness to take action to solve these problems. The group of founders will need to reach internal consensus on the interests and concerns that they want brought forward to the Fisheries Administration.

Safeguards: it is important that the CFi includes representatives of all fishery households present in the commune or village, including ethnic minorities, women, elders and youth. The process of engagement and consultation followed in the identification and election of the CFi members should ensure that all members of society have an opportunity to become a member of the CFi.

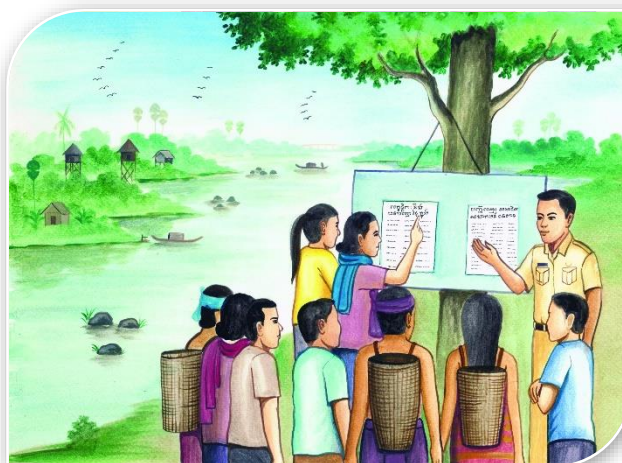
Note: In cases where the commune largely comprises, or is dominated by, ethnic minority groups, the Indigenous People Planning Framework for the establishment of the CFi will also be followed.

5.4 Step 4: Preparation of CFi vision statement, by-laws and internal rules

The **vision statement** states the desired outcome of the CFi in the future and in ideal terms.

The **by-laws** are administrative procedures that specify how the Community Fishery is organized and should work (book keeping, elections, existence of a Community Fishery Committee, etc.).

The **internal rules** specify the rights and obligations of members, and organizational aspects such as meetings, etc.



Complements for trainers

Chapter 3, Article 8 of the *Prakas* states that *“The members of the group of facilitators and members of the group of founders must organize consultation meetings with local residents on draft by-laws and internal rules in order to submit them to the congress for approval”*.

The *vision statement* describes what members want the situation to look like in ideal terms in the future; i.e. the desired outcome of the Community Fishery management. It answers the question: *“If we can achieve what we want to do, what will we look like in 5 or 10 year time?”*

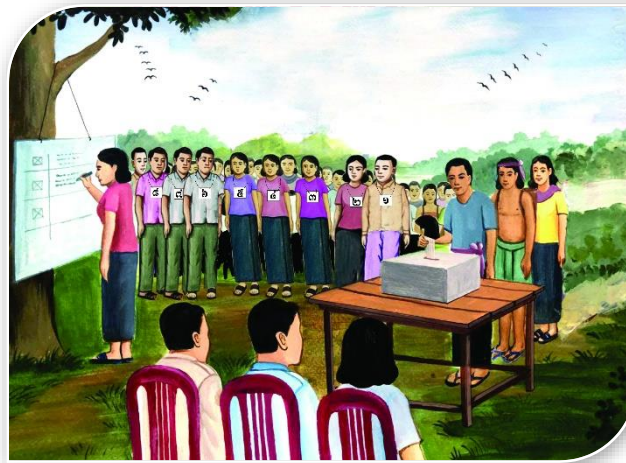
The *by-laws* are agreed administrative procedures defining the functioning of the Community Fishery.

The *internal rules* specify what is permitted and what is forbidden in the CFi (rights and duties of members) and how the CFi should be run.

5.5 Step 5: Initial congress to elect the Community Fishery Committee

The initial congress sees the election of the Community Fishery Committee and approves the draft *by-laws* and *internal rules* prepared by the group of founders.

Later on, the congress of the Community Fishery is the highest level meeting for all decision-making in the name of the Community Fishery.



Complements for trainers

During the initial founding congress of the Community Fishery:

- the members of the Community Fishery are listed;
- members of the CFi agree to abide by the by-laws and internal rules drafted for the Community Fishery;
- the number of Community Fishery Committee members is defined and approved;
- the election organizing group is identified and the names of CFC candidates are registered;
- the election of the CFC candidates takes place and the results are announced.

After the first congress, there are ordinary congresses held once a year, and extraordinary congresses called as needed by the Community Fishery.

ROLE AND RESPONSIBILITIES OF THE COMMUNITY FISHERY COMMITTEE

Members of a Community Fishery elect during the initial congress a **Community Fishery Committee** in charge of managing the Community Fishery.

The Community Fishery Committee has the authority to lead and manage the Community Fishery. The CFC is made of elected members. Anyone from the CFi can be a candidate. The CFC members have a term of five years.

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The Community Fishery Committee will in particular:

- operate in accordance with the conditions set out in the by-laws, internal regulations and other relevant legal instruments;
- seek technical and financial support from Fisheries competences, relevant institutions and donors for implementation of community fisheries activities;
- represent the community fisheries in any mediation and conflict resolution that may occur;
- open a bank account and manage community fisheries finances in a transparent and accountable manner;
- participate in consultations in the preparation of instructions related to the interests of community fisheries;
- report and provide information immediately on any fisheries violations in the community fishing area to the nearest Fisheries competence;
- conserve and protect the aquatic life within the community fishing area;
- perform other functions as instructed by the Fisheries competence;
- appeal if the agreement is not renewed for the community fisheries.

5.6 Step 6: Mapping of the Community Fishing Area

The mapping of the community fishing area is required in order to have a clear statement of the area to be managed and where the rules of the Community Fishery apply.



Complements for trainers

As stated in the *Prakas* (Chapter 6, Article 17): *“The delineation of boundaries and mapping of community fishing areas must involve thorough consultation in the local area of the Community Fishery. A committee to delineate the boundary, prepare the map of the community fishing area, and resolve conflicts shall be set up and led by the central-level Fisheries Administration”.*

When the Community Fishing Area boundaries are identified, maps of the area should be prepared and validated through consultation with the community fishers and any adjacent CFI.

5.7 Step 7: Preparing a Community Fishing Area Agreement

The Community Fishing Area Agreement is a formal agreement between a Community Fishery and the Fisheries Administration that recognizes and ensures rights of the CFI in the specific area mapped.



Complements for trainers

The Community Fishing Area Agreement is an agreement with the Fisheries Administration to hand over management jurisdiction of fishing grounds to the CFI for sustainable management, for a three-year period. It also includes details of the fishing area, and describes the duties of the provincial Fisheries Administration Cantonment to support the CFI, as well as procedures for reporting non-compliance with rules and regulations.

There are only two parties who must sign the agreement, namely the Fisheries Administration Cantonment chief and the Community Fishery Committee. The local Commune/*Sangkat* chief serves as witness.

The Community Fishing Area Agreement shall specify the following points:

- parties signing the agreement and the roles, duties and responsibilities of each party;
- the location and size of the fishing area;
- the time period and conditions of use of the fishing area;
- the conditions of amendment and termination of the agreement.

The Community Fishing Area Agreement document must have attached:

- a 1 / 50,000 scale map showing the areas requested for establishment of a community fishing area with clear coordinates;
- a list of Community Fishery members and Community Fishery Committee members;
- the *by-laws* and *internal rules* of the Community Fishery;
- a statement on the objectives of establishing the Community Fishery and on management of the fisheries resources.

The Fishing Area Agreement shall be announced by posting it at least 30 days in different public places where it can be easily seen, at the commune, and provincial offices, before it is submitted to the Fisheries Administration for review and approval.

5.8 Step 8: Registration of the Community Fishery

After the signing of the Community Fishing Area Agreement, the provincial Fisheries Administration Cantonment chief must make a request to MAFF to register the Community Fishery and announce its recognition.



5.9 Step 9: Preparing a Community Fishing Area Management Plan

After signing the Community Fishing Area Agreement, the Community Fishery Committee shall develop a management plan for their community fishing area.

The management plan should include provisions about *management measures, enforcement and compliance, conflict management*, and *details about how the plan will be monitored and evaluated*.



Complements for trainers

Prakas, Chapter 9, Article 22

The Community Fishing Area Management Plan is essential and should be reviewed and updated annually.

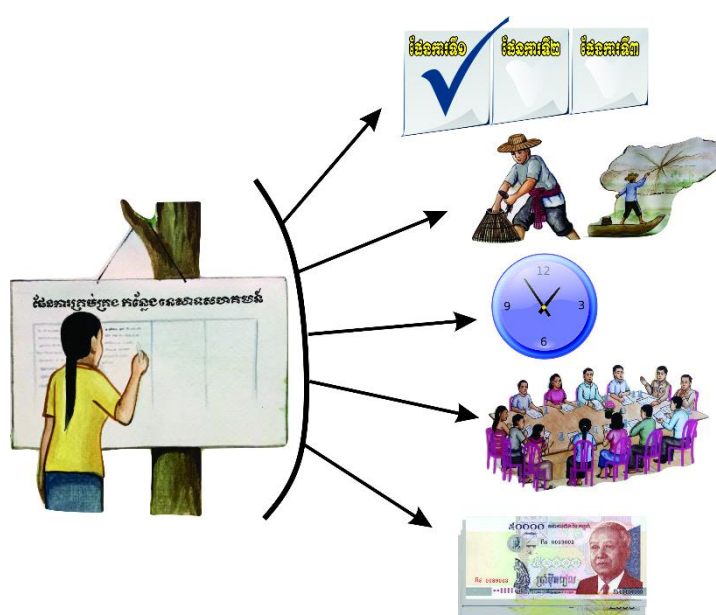
The plan identifies fisheries management strategies and actions, as well as the roles and responsibilities among the partners, Community Fishery members and government.

6. THE COMMUNITY FISHING AREA MANAGEMENT PLAN

The Community Fishing Area Management Plan is a document prepared by a Community Fishery Committee and approved by the Fisheries Administration. The plan identifies goals and objectives in fisheries management and actions.

Fisheries management measures include:

- catch and effort controls;
- technical measures (e.g. gear restrictions, size limits);
- spatial controls (e.g. conservation zones, and no-take areas);
- temporal controls (e.g. seasonal closures);
- access control (e.g. limited entry or access rights);
- measures to protect or improve habitats (e.g. protection of breeding sites).



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The Community Fishing Area Management Plan should indicate:

- what are the key issues to be addressed (list and order of priority);
- what are the results desired;
- what are the management measures for achieving each result;
- what are the tools and activities for enforcement and compliance;
- what are the tools for conflict management;
- what is the timeframe (starting time, and time of completion of each activity);
- who are the participants (including women);
- who are the lead persons or organizations (who is responsible for implementation);
- what is the support expected from local authorities and stakeholders (networking);
- what are the funding needs and what are the funding sources.

Technical assistance to help prepare the plan is available upon request from the Fisheries Administration.

Background

The project “Mekong Integrated Water Resources Management - Phase III” is funded by the World Bank. The objective of this project is to establish the foundation for effective water resource and fisheries management in the northeast of Cambodia.

Within this project, Component 1 (Fisheries and aquatic resources management in Northern Cambodia) is executed by the Fisheries Administration and implemented by the Inland Fisheries Research and Development Institute. The objective of this component is to improve the management of fish and aquatic resources in selected areas in Kratie and Stung Treng provinces.

Five training manuals on inland fisheries co-management

The present manual is part of a series of five training manuals on inland fisheries co-management in Cambodia. These manuals target villages willing to form a Community Fishery, Community Fisheries members, members of Community Fishery Committees and staff of Fisheries Administration Cantonments.

N° 1: Establishing a new Community Fishery

audience: villagers

N° 2: Strengthening the Community Fishery

audience: all members of a Community Fishery

N° 3: Strengthening Community Fishery Committees

audience: elected members of Community Fishery Committees

N° 4: Strengthening Fisheries Administration Cantonments

audience: Fisheries Administration staff

N° 5: Developing a Community Fishing Area Management Plan

audience: all CFI members, in particular CFC members

