

## SECTION 2:

### COMMUNITY INVOLVEMENT: COMMUNITY-BASED CO-MANAGEMENT OF MARINE RESOURCES

#### Case Study 9

#### Community involvement in the implementation of ocean policies: The Fiji Locally Managed Marine Areas network

Alifereti Tawake<sup>11</sup> and Silika Tuivanuavou

Traditionally, Fijian customary society is structured in four levels: the district (*vanua*); the tribe (*yavusa*); the clan (*mataqali*); and the family (*tokatoka*). Land was traditionally owned by the *vanua* until 1880 when the Great Council of Chiefs (GCC) resolved that the Native Lands should be registered under the *mataqali*. A few cases of customary ownership by the *tokatoka* and *yavusa* remain within the western provinces.

Colonial influence increased from 1874 to 1970, and both land and landowners were registered. Today, national law fully recognises the rights of customary owners; the 1999 constitution mentions customary laws and rights, and many acts protect these rights (e.g. the Fijian Affairs Act, Native Lands Act and Native Lands Trust Act.)

#### Status of biodiversity and threats

The ocean is part of the heritage and identity of Fijian communities, and marine resources are of great importance, historically, culturally and economically. The conservation of marine resources is also imperative to fulfil the needs of the population and to develop long-term tourism. However, numerous concerns over the status of these resources have been raised. Fishing has become more intensive, leading to a dependence on canned seafood, and a drastic decline in subsistence fishing (*qoliqoli*) over the past five years. Today, people must travel farther and spend more time and money to find good fishing areas, and family and *vanua* commitments are not met, causing major conflicts. Loss of resources unfortunately entails a loss of traditional knowledge and cultural identity in the Fijian communities.

Threats to marine resources include overfishing, pollution, harvesting of corals and mangrove destruction. These are accompanied by a lack of community awareness and a lack of alternative livelihood options.

#### Empowering communities: legislation and management plans

Communities, assisted by NGOs and government ministries, are now developing a network of locally managed marine areas (LMMAs) within their traditional fishing grounds. The goal of each LMMA is to ensure both a healthy ecosystem and community, with abundant marine and fish stocks, and sustainable fisheries. This bottom-up approach of marine management results in sustainable development in coastal communities, and encourages better understanding of customary management in socioeconomic terms. Fiji LMMAs are being extended throughout the country. The process begins with a request from the community, which identifies the issues and plans the actions. Communities are thus fully involved in the *qoliqoli* monitoring and management plan, which can include long-term tabu areas, reduction of licences and banning of destructive fishing measures.

The activities of the LMMAs are not limited to marine management, but include capacity building, awareness raising, policy lessons (shared at the national level, including through the GCC), and sharing of information with international networks. The GCC is always involved and assists in the implementation of the FLMMA. Success of FLMMA is measured in terms of species, habitat and ecosystem health, reduction of threats, and the overall wellbeing of people. In Verata for instance, the mission of the FLMMA is to rehabilitate degraded habitats and replace important species. An adaptive management cycle that included management and monitoring plans was used in this instance. The management plan identified threats and recorded key interventions; the monitoring plan involved communities and included biological and socioeconomic surveys. The results are used to adapt management approaches; for example a temporary tabu might be converted to a permanent protection measure,

11. Fiji Locally Managed Marine Area (FLMMA) network, Native Land Trust Board, Suva, Fiji. Email: [tawake\\_a@usp.ac.fj](mailto:tawake_a@usp.ac.fj); [silika@nlfb.com.fj](mailto:silika@nlfb.com.fj)

or farming might be encouraged as a way of reducing dependency on marine resources. These types of measures have led to a 35% increase in household incomes between 1998 and 2002.

### Lessons learned and recommendations

In the past six years, thanks to the development of LMMAs, the number of tabu sites and *qoliqolis* has increased significantly; the number of skilled practitioners is more than 30; and people are now eager to work cooperatively and to commit to the protection of marine resources.

The first marine protected area in Fiji was gazetted recently (September 2002) but many problems

remain in protected areas, including poaching, meeting community needs, and reversal of tabu designation. Some of the challenges include harmonising the work with existing national projects and finding ways to maintain *qoliqolis* in the future. The main recommendations are to:

- Encourage the scientific community to develop the means by which local communities can evaluate the effectiveness of their management actions; and
- Communicate evaluation results periodically to communities in a simplified and user-friendly way in order to allow adaptive management and learning to occur.

## Case Study 10

### Traditional and modern law: A marriage in progress – The draft Talasea Local Government Marine Environment Law (Papua New Guinea)

Eric Kwa<sup>12</sup>

#### Status of biodiversity and threats

Kimbe Bay contains several interacting ecosystems and is one of the region's most biodiverse areas. It is also the subject of extensive scientific and socioeconomic studies. The region includes barrier reefs, fringing reefs and atolls, with more than 404 coral species, 543 fish species and more than 10 species of whales and dolphins. Kimbe Bay includes mangroves, beaches, seagrass and freshwater areas, and diverse freshwater and estuarine fish fauna.

#### Empowering communities: legislation and management plans

The Nature Conservancy (TNC) initiated a programme with the aim of "harnessing traditional community values to protect and maintain the biological and cultural heritage of the Stettin Bay and wider Kimbe Bay regions". TNC has realised that there is a need for a legal framework, that could encompass some traditional management components and at the same time complement existing national laws.

Local-level governments (LLGs) come third in PNG's legal, political and administrative structure, which includes three tiers of government (national, provincial and local level). The constitution, the Organic Law and national laws define the legal, administrative and financial powers of

LLGs. LLGs are empowered under this legal regime to enact local environmental laws for the protection and management of marine and terrestrial biodiversity.

Talasea Rural Local-level Government has utilised this legal framework to develop local marine environmental legislation aimed at protecting and sustainably using the marine biological resources in the Kimbe Bay area. The draft law seeks to incorporate traditional knowledge and practices in the formal framework, with the goal of promoting sustainable resource use and management in Kimbe Bay. The draft Talasea LLG law will:

- establish and declare locally managed marine areas (LMMAs) and a network of marine protected areas (MPAs) within the proximity of Talasea LLG;
- assist Talasea locals to regulate marine resource use within the context of increasing populations and impacts from land-based activities; and
- allow communities and clans to manage their resources on a sustainable basis.

The process of declaring LMMAs starts with a request from the clans to the LLG, which refers the request to the Locally Managed Marine Area Committee (LMMAC). The LMMAC is appointed for five years and comprises three to five members from the clan, as well as members of NGOs, churches, Ward Development Committee (WDC),

12. School of Law, University of Papua New Guinea, PO Box 320, University PO, NCD, PNG. Email: [kwaeric@hotmail.com](mailto:kwaeric@hotmail.com)