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FRIENDS OF USER RIGHTS 2019 MEETING (FOUR19)

Borgo di Tragliata, Italy, 11-14 February 2019

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PREPARATION OF THIS DOCUMENT

This is a report of the Friends of User Rights 2019 Meeting (FoUR19), which was organized by the Food and Agriculture Organization (FAO) of the United Nations with support from the Kingdom of Norway, the Swedish Agency for Marine and Water Management, and the Environmental Defense Fund. The meeting was held from 11 to 14 February 2019 in Borgo di Tragliata, Italy.

ABSTRACT

The Friends of User Rights 2019 Meeting (FoUR19) was organized by FAO as a follow-up to the conclusions and recommendations coming out of Tenure and User Rights in Fisheries 2018: Achieving Sustainable Development Goals by 2030 (UserRights 2018) in Yeosu, Republic of Korea.

The purpose of this meeting was to continue to shape the FAO work programme on fisheries tenure and user rights developments based on the outcomes of UserRights 2018, which were: (1) requests for local work on the ground to develop rights-based fisheries management systems, and (2) the development of Voluntary Guidelines on Tenure and User Rights in Fisheries.

There was broad agreement among participants to develop practical guidance on the options and opportunities for fisheries stakeholders to consider when advancing fisheries user rights and tenure. It was recommended that FAO develop a timeline for the way forward to gather regional inputs for such guidance, taking advantage of key regional celebrations/dates.

Regarding the development of Voluntary Guidelines on Tenure and User Rights in Fisheries, participants believed it was too early to act given the relative newness of both the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries (SSF Guidelines, 2014) and the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT, 2012).

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ABBREVIATIONS AND ACRONYMS

EAF Ecosystem approach to fisheries **FiTUR** Fisheries Tenure and User Rights

IPC International Planning Committee for Food Sovereignty

RFMO Regional Fisheries Management Organizations

SSF Guidelines Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the

Context of Food Security and Poverty Eradication

TURFs Territorial Use Rights in Fisheries

MPAs Marine protected areas

VGGT Voluntary Guidelines on the Responsible Governance of Tenure of Land,

Fisheries and Forests in the Context of National Food Security

SDG Sustainable Development Goal

UNDRIP United Nations Declaration on the Rights of Indigenous Peoples

Session 1: Setting the scene

Opening

- 1. Ms Rebecca Metzner welcomed the participants to the meeting, noting they were participating in their individual capacity as experts and comprised a mix of some who had participated in the Friends of UserRights 2015 meeting and some who were new to the group.
- 2. She introduced the mission for the meeting, outlining why the group was here, the outcome to be achieved, and the way forward. She presented the brief history of FAO work on tenure and user rights since 1999. She noted that of the eight major instruments and guidelines¹ in the fisheries sector, seven emphasize biological sustainability and only one the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) from 2014 includes the Sustainable Development Goal (SDG) topics of social and economic sustainability and food security and nutrition and also mentions tenure and the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT).
- 3. She reminded participants that the FAO Committee on Fisheries recognized the need to formalize an appropriate access and resource rights in fisheries, as well as support capacity development for fair and equitable tenure systems. In this context, Ms Metzner invited the participants to discuss if there could be a useful tool to address tenure and user rights issues in both small- and large-scale fisheries, through social and economic sustainability, food security and nutrition perspectives and whether this tool should be voluntary guidelines, technical guidelines, or other guidance. In addition, participants were invited to consider implications and consequences of such a tool.
- 4. Ms Christiana Louwa presented the possible doubts, potential conflicts and undesirable consequences of developing new guidelines besides the VGGT and the SSF Guidelines. She emphasized that new guidelines could confuse the small-scale fishers and achievements of the VGGT and the SSF guidelines, as stakeholders are still working on raising governments' awareness and incorporating the principles of the VGGT and the SSF Guidelines in national laws.
- 5. Ms Louwa questioned if the elaboration of new guidelines could follow a transparent and participatory process. She noted that small-scale fishers are concerned that the human-rights based approach will collide with rights-based approaches and generate conflicts among stakeholders and that another instrument could divert attention away from the implementation of the VGGT and the SSF Guidelines. In conclusion, she noted that elaboration of another international instrument before evaluating the implementation progress of the existing ones seems unnecessary.

¹ 1) Code of Conduct for Responsible Fisheries, 2) Voluntary Guidelines for Flag State Performance, 3) Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, 4) Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, 5) International Guidelines on Bycatch Management and Reduction of Discards, 6) Voluntary Guidelines for Catch Documentation Schemes, 7) Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries, 8) Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines).

- 6. Some participants expressed the concern with the selection of participants in this meeting, insisting that the International Planning Committee for Food Sovereignty (IPC) should have been consulted.
- 7. Participants recognized that small-scale fishers represent the absolute majority of people in fisheries but are often politically marginal in their own countries. Hence, development of any relevant international instrument should respect this reality of small-scale fisheries. Some participants suggested a more generic instrument with a broader scope that includes all players in capture fisheries could be more useful.
- 8. Some participants were concerned that developing new guidelines can undermine the momentum of the implementation of the VGGT and the SSF Guidelines. Therefore, they recommended that the implementation should be assessed and analyzed, especially from social and economic perspectives. It was stressed that activities at national level, such as capacity development and capacity building, are essential to address issues in fisheries. Thus, the assessment and analysis to be undertaken by FAO should focus on national level results, and the outcome of such work should guide the next steps, i.e. whether or not to develop new guidelines and how to do it.
- 9. Other participants noted there are other issues that new guidelines should address, including allocation of fishery resources among countries, highly migratory species, recreational fisheries, and climate change.

Legal implications

- 10. Mr Adam Soliman delivered a presentation on legal implications of developing new guidelines. He raised several questions from a legal perspective. He recommended national stakeholders investigate the pros and cons of government legislations in place with respect to fisheries tenure and user rights before developing new guidelines.
- 11. Other key questions were related to how different legal regimes would benefit in different ways different segments of the sector. Different user groups require different levels of protection. He recommended listing issues that could be affected by allocation and developing dispute resolution systems.
- 12. Participants recommended further clarifying the concept of tenure in fisheries and its intended or unintended legal implications of new guidelines.

Session 2: Facilitating the negotiation of allocation of rights through guidelines

Government issues and needs

13. Mr Jürgen Betzhold presented Chile's implementation of the SSF Guidelines, highlighting the country's achievement on SDG 14. He noted that conflicts are arising between small-scale fishers and the government because the biological data have led to reduction in total allowable catch and closure of fisheries and that small-scale fishers argue that socio-economic parameters have not been taken into consideration. He also noted there is a belief that communication between small-scale fishers and the government could be increased. Jürgen advocated for an

- ecosystem based approach to fishery management that takes into consideration not only environmental parameters, but also economic and social parameters.
- 14. Participants agreed on the need of taking into consideration social and economic parameters due to the strong connection between tenure and livelihoods. Exclusive access to fishery resources and reductions in the total allowable catch can threaten people whose livelihoods rely on these resources
- 15. Participants stressed that participation is critical to avoiding illegal fishing and that how to adapt fishery management and tenure systems to changing conditions should be explored. Tenure and responsible fishing activities should go along with each other. Participants were reminded that FAO has published guidelines on the human dimension of the EAF connected to stewardship and tenure.²

Session 3: Relevance of guidelines for the Sustainable Development Goals (SDGs)

- 16. Ms Editrudith Lukanga opened the session by presenting how the VGGT and the SSF Guidelines could help achieve SDG 2, Zero Hunger. She highlighted the interlinkages between SDGs and why they cannot be separated and stressed the only way to achieve them is through comprehensive and participatory approaches as addressed in the SSF guidelines. She believed the SSF Guidelines are the tool needed for achieving the 2030 agenda for sustainable development. She noted that it was not clear how new guidelines could contribute to achieving the SDGs until gaps in the implementation of the VGGT and the SSF Guidelines are identified.
- 17. Mr Mitchell Lay presented how the VGGT and the SSF Guidelines can help in achieving gender equality in fisheries. He illustrated that relevant articles in the VGGT and the SSF Guidelines contribute to achieving SDG5, Gender Equality through empowering women and girls and eliminating all forms of discrimination and violence. He concluded that the VGGT and the SSF Guidelines have enough provisions to support SDG 5.
- 18. Participants noted that countries need assistance to contextualize and implement VGGT and the SSF Guidelines, in particular with regard to SDG 5.
- 19. Mr Hugh Govan presented on how new guidelines could contribute to SDG 8, Decent Work and Economic Growth, by promoting inclusive and sustainable economic growth, full and productive employment, and decent work for all. He overviewed the general working conditions and issues regarding decent work and secure employment. Taking the Pacific region as an example, he briefed on the issues related to tenure and working conditions. In offshore fisheries, the main issues are stealing salaries, working overtime, debt bondage, abuses, etc., and rights allocated to foreign fleets contribute to all those issues. In inshore fisheries, the main issues are that tenure rights are area based and that residency (primary rights) or historical and right holders are the major stakeholder in sustainable coastal management and tied to stewardship (duty of care).
- 20. It was mentioned that the government of Canada offers international development funding opportunities under the Women as agents of change in the Americas, calling for projects that contribute to enhanced participation from women and girls in public leadership and decision-

² De Young, C.; Charles, A.; Hjort, A. Human dimensions of the ecosystem approach to fisheries: an overview of context, concepts, tools and methods. FAO Fisheries Technical Paper. No. 489. Rome, FAO. 2008. 152p.

- making process in Latin America and the Caribbean. This could be a potential funding source for the next steps related to SDG 5.
- 21. Mr Herman Kumara presented how tenure and user rights in fisheries could help achieve SDG 10, Reduced Inequalities. He believed that countries and companies can contribute to SDG10 by improving job qualities, providing training opportunities and inclusive policies in agreement with national legislation. Regarding how new guidelines can help achieve SDG 10, he suggested that before creating a new set of guidelines, it would be of great importance to evaluate how measures and policies are in line with the VGGT and the SSF Guidelines.
- 22. During the discussion, several participants stated that no support would come from civil society if the implementation of existing guidelines is not analyzed. It was also noted that governments are overwhelmed and do not have enough capacity to address all the challenges.
- 23. Participants called for guidance on how to address proper allocation of fishery resources through the implementation of the VGGT and the SSF Guidelines.

Session 4 Brainstorming on scope and process

24. Participants brainstormed on the scope of envisaged guidance on tenure and user rights in fisheries through facilitated group discussions. Fifteen relevant thematic topics on tenure and user rights in fisheries were identified (Table 1). The following paragraphs introduce the key issues that should be addressed in each area as participants recommended. A complete table of scope by keywords can be found in Annex III.

Table 1 Relevant thematic topics on tenure and user rights in fisheries

Access controls	Climate change	Competing fisheries stakeholders	Customary and indigenous peoples' tenure rights	General issues
Inland fisheries	Input controls	Legal and existing tools	Multiple use in coastal zone management and rights	Open access systems
Output controls	Post-harvest	Recreational fisheries	Research	Social aspects

25. Access controls were proposed as a separate topic in addition to input controls and output controls. It includes management measures such as seasonal closures, Territorial Use Rights in Fisheries (TURFs) and Marine Protected Areas (MPAs). Registration of fishing rights is key in access controls. This practice concerns appropriate processes and eligibility of user groups, particularly small-scale fishers. Access should be granted with proper terms and conditions, taking into consideration both ecological impacts and economic implications.

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- 26. Climate change was a crosscutting topic throughout the discussions. Most issues identified by the participants were related to fishing communities' adaptation and resilience, such as aid to mitigate disasters, capacity building, and flexibility in tenure system design that should accommodate potential redistribution of fishery resources.
- 27. Competing fisheries stakeholders is an essential topic for tenure and user rights in fisheries. Regarding transboundary fisheries, key issues identified by the participants are access to fish stocks on the high seas, agreements among countries sharing fish stocks, Regional Fisheries Management Organizations (RFMOs), distant water fishing states versus coastal states, etc. Participants paid a special attention to the legitimate rights of small-scale fishers, especially their equal representation in decision-making process.
- 28. Customary and indigenous peoples' tenure rights entail two tiers of issues. At country level, rights should be formally recognized and protected. At community level, there should be advocacy, training, empowerment and leadership in support of customary and indigenous peoples' tenure rights.
- 29. Participants pinpointed several situations and concerns in tenure systems for fisheries under the thematic topic of general issues: gender equality and child labor, scope of target groups, migrant fishers, IUU fishing, and pathways to reform.
- 30. Inland fisheries are issues similar to those in marine fisheries, as well as those that are their own unique challenges. Participants emphasized that these issues should be given the same weight. A unique issue in inland fisheries is that the rights of fisheries should be protected against impacts from upstream and adjacent land-based activities.
- 31. Input controls are restrictions put on the intensity of use of gear. Participants recommended balancing ecological objectives versus economic objectives. It is critical to monitor fishing effort and enforce fishery laws and regulations.
- 32. Legal and existing tools should be referred to when applicable. Relevant instruments include the ILO-Convention 169³, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and the VGGT and the SSF Guidelines. Participants stressed that national legislation should recognize legitimate tenure and user rights in fisheries. Additionally, it was noted that education and training plays an important role.
- 33. Multiple use in coastal zone management and rights received broad input from the participants. Besides fisheries, coastal activities listed by the participants included tourism, MPAs, and aquaculture. It was noted that spatial planning is a tool to address issues in coastal zone management and all stakeholder groups including small-scale fisheries should participate in planning.
- 34. Open access systems share the same issues with the other topics. Participants suggested defining open access and exploring different pathways for moving from open access to more closed regimes, which benefit small-scale fishers.
- 35. Output controls mean direct limits on the amount of harvest coming out of a fishery. Participants underlined that output controls should be based on concrete scientific evidence and

³ Indigenous and Tribal Peoples Convention, 1989: Convention concerning Indigenous and Tribal Peoples in Independent Countries.

- allocation of output quota should take into account social and economic criteria. Additionally, it was noted that bycatch is an important issue in output controls.
- 36. The theme of post-harvest connects fisheries with other sectors in the value chain. Participants suggested the governance of tenure in fisheries consider trade and market issues, power relationship between actors, role of women, impact on labor force, youth employment, etc.
- 37. Recreational fisheries were discussed in the context of multiple user groups. Participants recommended establishing explicit arrangements in order to deal with conflicts between recreational fisheries and other user groups.
- 38. Research was noted with focus on ethics in fieldwork and multidisciplinary studies.
- 39. Social issues should be considered in all types of fisheries. Participants recommended including gender in fisheries throughout the value chain and integrating socio-economic parameters in stock assessment models as explicit social objectives can avoid conflicts with other management objectives.

Next steps

- 40. Participants indicated that guidance to be developed should provide options and opportunities on how to design appropriate tenure and user rights noting regional nuances and the need to ensure that the objectives in these instruments are met.
- 41. Participants recommended seeking and securing financial and substantive support for hosting a series of regional workshops to gather information and inputs on the regional needs and nuances for shaping guidance on the "how" of developing appropriate tenure and user rights. The workshops would include the regions of SEABOB (SE Asia and Bay of Bengal, Bangkok, Thailand (tentative), LATCAR (Latin America and Caribbean, Valparaiso, Chile), MEDITER (Mediterranean, Rome, Italy), AFRIND (Africa and Indian Ocean, Maputo, Mozambique), WAFRIC (West Africa, Dakar, Senegal), and PACIFIC (Auckland, New Zealand), as well as the Great Lakes (Entebbe, Uganda). It was noted that workshop locations are tentative and subject to funding.

Closing

42. Ms Rebecca thanked the participants for their work. Participants noted the report of the meeting would be produced by FAO Secretariat. The meeting was closed.

Annex I: List of participants

EXPERTS

Andrew Baio

Fourah Bay College, University of Sierra Leone

Jurgen Betzhold

Subsecretaría de Pesca y Acuicultura / Gobierno de Chile

Tony Charles

Saint Mary's University, Canada

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Korea Maritime Institute, Republic of Korea

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Graciela Pereira

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Jesu Christu Rajan

Organization Sneha, India

Erik Ross

Wildlife Conservation Society (WCS), Equatorial Guinea

Adam Soliman

Fisheries Law Centre, Canada

Johan Williams

Independent Consultant, Norway

Herman Wijethunge

World Forum of Fisher Peoples (WFFP)

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Amber HimesCornell

Fishery Officer, FIAP

Jiaxi Wang

Fishery Officer, FIAP

Lol Dahlet

Intern, FIAP

Yumi Son

Intern, FIAP

Annex II: Agenda and time schedule

Day	Time	Theme	Potential Speakers
Monday 44			Ореакега
Monday 11 February	19:00 – 21:00	Welcome reception	
	7:30 - 9:00	Breakfast	
		Session 1 - Setting the scene	
Day 1	9:00 – 11:00	Opening words FiTUR Guidelines	Rebecca Metzner Christiana Louwa
, .	11:00 - 11:30	Coffee Break	
	11:30 - 13:00	Legal implications	Adam Soliman
	13:00 – 14:00	Lunch	
		Session 2 - Facilitating the negotiation of allocation of rights through	gh guidelines
	14:00 – 16:00	Government issues and needs	Adison Promthep Jurgen Bertzhold
Tuesday 40	16:00 - 16:30	Coffee Break	
Tuesday 12 February	16:30 - 18:00	Session 3 - Relevance of Guidelines for the SDGs	
Column		Zero Hunger (SDG 2)	Editrudith Lukanga
		Gender Equality (SDG 5)	Mitchell Lay
		Decent work and Economic Growth (SDG 8)	Hugh Govan
	40.00	Reduced inequalities (SDG 10)	Herman Kumara
	19:00 7:30 - 9:00	Dinner Breakfast	
	7.30 - 9.00		
		Session 4 – Brainstorming on scope and process	
		4	
Day 2	9:00 – 11:00	customary tenure rights and indigenous peoples' tenure rights in fisheries, open access fisheries	
Day 2	9:00 – 11:00 11:00 – 11:30	customary tenure rights and indigenous peoples' tenure rights in fisheries, open access fisheries. Coffee Break	
Day 2		2. open access fisheries.	Facilitated group
Day 2		2. open access fisheries. Coffee Break	Facilitated group discussion
Day 2	11:00 – 11:30	2. open access fisheries. **Coffee Break** 3. limited access fisheries: input controls (licenses, IEs, TURFs). 4. limited access fisheries: output controls (TACs, IQs, CDQs, Catch Shares,	
Day 2	11:00 – 11:30	2. open access fisheries. **Coffee Break** 3. limited access fisheries: input controls (licenses, IEs, TURFs). 4. limited access fisheries: output controls (TACs, IQs, CDQs, Catch Shares, QMS).	
	11:00 – 11:30 11:30 – 13:00	2. open access fisheries. **Coffee Break** 3. limited access fisheries: input controls (licenses, IEs, TURFs). 4. limited access fisheries: output controls (TACs, IQs, CDQs, Catch Shares, QMS). 5. the post-harvest sector.	discussion
Day 2 Wednesday 13 February	11:00 – 11:30 11:30 – 13:00	2. open access fisheries. **Coffee Break** 3. limited access fisheries: input controls (licenses, IEs, TURFs). 4. limited access fisheries: output controls (TACs, IQs, CDQs, Catch Shares, QMS). 5. the post-harvest sector. **Lunch** 6. competing fisheries stakeholders (migratory fishing, industrial and SSF, national, Industrial and SSF).	
Wednesday 13	11:00 – 11:30 11:30 – 13:00 13:00 – 14:00	2. open access fisheries. Coffee Break 3. limited access fisheries: input controls (licenses, IEs, TURFs). 4. limited access fisheries: output controls (TACs, IQs, CDQs, Catch Shares, QMS). 5. the post-harvest sector. Lunch 6. competing fisheries stakeholders (migratory fishing, industrial and SSF, national, regional, international issues). 7. multiple use in coastal zone management and rights (aquaculture, MPAs,	discussion Facilitated group
Wednesday 13	11:00 – 11:30 11:30 – 13:00 13:00 – 14:00	Coffee Break Imited access fisheries: input controls (licenses, IEs, TURFs). Imited access fisheries: output controls (TACs, IQs, CDQs, Catch Shares, QMS). Imited access fisheries: output controls (TACs, IQs, CDQs, Catch Shares, QMS). Indicates the post-harvest sector. Lunch competing fisheries stakeholders (migratory fishing, industrial and SSF, national, regional, international issues). multiple use in coastal zone management and rights (aquaculture, MPAs, tourism, etc.). social aspects of tenure and user rights in fisheries (human rights, right to food,	Facilitated group discussion Erick Ross-
Wednesday 13	11:00 – 11:30 11:30 – 13:00 13:00 – 14:00 14:00 – 16:00	2. open access fisheries. Coffee Break 3. limited access fisheries: input controls (licenses, IEs, TURFs). 4. limited access fisheries: output controls (TACs, IQs, CDQs, Catch Shares, QMS). 5. the post-harvest sector. Lunch 6. competing fisheries stakeholders (migratory fishing, industrial and SSF, national, regional, international issues). 7. multiple use in coastal zone management and rights (aquaculture, MPAs, tourism, etc.). 8. social aspects of tenure and user rights in fisheries (human rights, right to food, gender, indigenous peoples, youth). Getting Civil Society involved. Coffee Break Looking Forward: Road map and Milestones	Facilitated group discussion Erick Ross-
Wednesday 13	11:00 – 11:30 11:30 – 13:00 13:00 – 14:00 14:00 – 16:00 16:00 - 16:30 16:30 - 18:00	2. open access fisheries. Coffee Break 3. limited access fisheries: input controls (licenses, IEs, TURFs). 4. limited access fisheries: output controls (TACs, IQs, CDQs, Catch Shares, QMS). 5. the post-harvest sector. Lunch 6. competing fisheries stakeholders (migratory fishing, industrial and SSF, national, regional, international issues). 7. multiple use in coastal zone management and rights (aquaculture, MPAs, tourism, etc.). 8. social aspects of tenure and user rights in fisheries (human rights, right to food, gender, indigenous peoples, youth). Getting Civil Society involved. Coffee Break	Facilitated group discussion Erick Ross-
Wednesday 13 February Day 3	11:00 – 11:30 11:30 – 13:00 13:00 – 14:00 14:00 – 16:00 16:00 - 16:30 16:30 - 18:00 19:00	2. open access fisheries. Coffee Break 3. limited access fisheries: input controls (licenses, IEs, TURFs). 4. limited access fisheries: output controls (TACs, IQs, CDQs, Catch Shares, QMS). 5. the post-harvest sector. Lunch 6. competing fisheries stakeholders (migratory fishing, industrial and SSF, national, regional, international issues). 7. multiple use in coastal zone management and rights (aquaculture, MPAs, tourism, etc.). 8. social aspects of tenure and user rights in fisheries (human rights, right to food, gender, indigenous peoples, youth). Getting Civil Society involved. Coffee Break Looking Forward: Road map and Milestones Dinner	Facilitated group discussion Erick Ross-
Wednesday 13 February Day 3 Thursday 14	11:00 - 11:30 11:30 - 13:00 13:00 - 14:00 14:00 - 16:00 16:30 - 18:00 19:00 7:30 - 9:00	2. open access fisheries. Coffee Break 3. limited access fisheries: input controls (licenses, IEs, TURFs). 4. limited access fisheries: output controls (TACs, IQs, CDQs, Catch Shares, QMS). 5. the post-harvest sector. Lunch 6. competing fisheries stakeholders (migratory fishing, industrial and SSF, national, regional, international issues). 7. multiple use in coastal zone management and rights (aquaculture, MPAs, tourism, etc.). 8. social aspects of tenure and user rights in fisheries (human rights, right to food, gender, indigenous peoples, youth). Getting Civil Society involved. Coffee Break Looking Forward: Road map and Milestones Dinner Breakfast Session 5 - Closing Next steps	Facilitated group discussion Erick Ross-
Wednesday 13 February Day 3	11:00 – 11:30 11:30 – 13:00 13:00 – 14:00 14:00 – 16:00 16:00 - 16:30 16:30 - 18:00 19:00 7:30 - 9:00	2. open access fisheries. Coffee Break 3. limited access fisheries: input controls (licenses, IEs, TURFs). 4. limited access fisheries: output controls (TACs, IQs, CDQs, Catch Shares, QMS). 5. the post-harvest sector. Lunch 6. competing fisheries stakeholders (migratory fishing, industrial and SSF, national, regional, international issues). 7. multiple use in coastal zone management and rights (aquaculture, MPAs, tourism, etc.). 8. social aspects of tenure and user rights in fisheries (human rights, right to food, gender, indigenous peoples, youth). Getting Civil Society involved. Coffee Break Looking Forward: Road map and Milestones Dinner Breakfast Session 5 - Closing	Facilitated group discussion Erick Ross- Salazar

Annex III: Scope and relevant thematic topics on tenure and user rights in fisheries

Part 1

GENERAL ISSUES	LEGAL AND EXISTING TOOLS	OPEN ACCESS SYSTEMS	CUSTOMARY SYSTEMS	INPUT CONTROLS
Gender equality and child labour	Legal protection and proper legislation (ILO 169)	Open access in fisheries (in IUU fishing ⁴) and not for allocations	Raise capacity of states to identify and provide support for customary tenure	Ban monofilament and beach seines
Boundary delineation and Scope of target group	Access to justice	Community stability	Assess impacts on closed areas	Impacts on ecosystem and IUU fishing
Equitable social, cultural and environmental input / output controls	Protect legal customary tenure and implement a provision of the VGGT and the SSF Guidelines ⁵	Fisheries data should be collected by fishers	Full customary tenure rights for women and practical legal support from the government	How to empower local fishing communities to define and enforce access rights to TURFs and how to be enforced by the government and fishers
Helpful to livelihoods	Understand benefits and appropriate cost access	Assessment as to contributions regarding national objectives	Protection of rights throughout instruments	Gender equity in access and input controls
Empower local decisions on access including capacity building and support mechanisms	Develop a process to formulate consistent with a legal system	Equity, monitoring and data collection	Collective rights and proper approaches to adopt the new laws and policies	Public awareness and participation
Permission for migrant fishers and Access agreements	States in accordance with their legislation should recognize legitimate tenure rights	Identify successful examples in open access systems and the success contribution factors	Recognition of Indigenous Peoples rights	Co-management with fish folks
Guarantee access and priority	Practical education program with fishermen for sustainable fisheries management	Definition of open- access fisheries	Leadership of training, empowerment, advocacy and support	Fishing operation record and Register of fishermen and boats
Use of value analysis and Strict control management	Recorded indigenous people	Considering recreational fishing rights	Measuring how well customary rights are supported in national	Management plan and control subsidies
Protection against overexploitation	Training, monitoring, and control of fishing effort	Recognizing elements of open- access fisheries that are a threat to other fisheries that are under customary regimes	Formal recognition of the rights and priority relative to other harvesters	Licensing in the context of customary rights
Protect vulnerable and marginalized groups	UNDRIP ⁶	Explore measures to increase contribution to	Balance with tenure rights in commercial fishing	Development of legal and technical framework for

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⁴ Illegal, unreported and unregulated fishing.

⁵ The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) and the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries (SSF).

⁶ United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

GENERAL ISSUES	LEGAL AND EXISTING	OPEN ACCESS	CUSTOMARY	INPUT CONTROLS
GENERAL 1330E3	TOOLS	SYSTEMS	SYSTEMS	
		SDGs regarding		different types of
		sustainability		input controls
Pathway to reform	Develop appropriate legislation to protect rights and ensure effective implementation of laws and regulations	Recognize and include open access areas in plans and user rights process	Recognition and application of traditional knowledge and customary laws	Information on the number of fishers, characterization of the fishers
	Importance of Research and education	Ensure a participatory process to agree on the use of open access areas by user groups	Meaningful representation of customary rights holders in national decision-making	Measures to account for "effort" creep
	Customary rights	Describe different pathways for moving from open access to more close regimes benefiting SSF	Appropriately meshing customary rights in wider systems of fishery management	Gear use, size, time sets
		How to protect subsistence fishing rights and how to end foreign incursions	Identify customary tenure which covered in VGGT 9.4, SSF 5.4 / Implement 5.4 of SSF and 9.4 VGGT	Collaborative process to set and review controls with an effective appeal process
		Rights and IP, customary rights and citizens under open access	Community should participate in fisheries management to express their needs and interests to ensure enforced rights	Usage balance between sustainable objectives and economic objectives
			convention	

Part 2

ACCESS CONTROLS	OUTPUT CONTROLS	POST-HARVEST	COMPETING FISHERIES STAKEHOLDERS	MULTIPLE USE COASTAL ZONE MANAGEMENT AND RIGHTS
TURFs, MPAs, Close seasons	Catch limits and Bycatch reduction	Value chains, post-harvest and trade in governance of tenure	Equitable distribution of the resources	Planning risks by over position of uses
Climate change: impact on target species	Access whether there are enabling conditions for adoption	Unequal power relationships between actors	Migratory/transboundary agreements and stocks sharing	Investigation inland capacity in system
Implications for spatial boundaries	How to allocate catch shares(eligibility)	Importance role of women	Legislate access for local user groups in preference to industrial/international level	Tourism in SSF territories should be community based-approach
Identify fisher should be issued before licence	Minimum requirements for fishery	Market/trade information	Adequate and equitable participation of all stakeholders in planning process for use	SSF should participate in MPAs, design and implementation
Prevent exclude SSF/artisanal fishers from livelihoods	Monitoring catch reporting	Impact on labour force	Methods and criteria to allocate catch rights from industrial to SSF	Recognize impacts of one activity on other and mitigate negative impacts possibility
Registry, Expiration, Restrictions and well-defined terms	Scientific approach and users decisions making process	Economic dependence of the coastal communities	Access to high seas, RFMOs, quotas, DWFN verse coastal states	Nested resource allocation
Structure for transfer and selling quotas	Quotes allocation includes social criteria	Allocation of fish to harvesting cooperatives (or other community members) as a means to ensure processing jobs remain local, in the community	Redistribution of fisheries resources to SSF	Rights to traditional fishing areas verse development interests
Hereditary rights of widowers and children	Development of legal and technical frameworks for different types of output controls	Value addition means of catch reduction	SSF involvement/consideration when negotiating foreign access agreements	"Code of conduct" for establishment of MPAs

ACCESS CONTROLS	OUTPUT CONTROLS	POST-HARVEST	COMPETING FISHERIES STAKEHOLDERS	MULTIPLE USE COASTAL ZONE MANAGEMENT AND RIGHTS
Transparent process for input and access allocation	Promotion of added valve to increase profit and reduce pressure	Official control and food safety	Shifting stocks from equatorial areas to poles: implications for fishery partnership agreements, "surplus" catches	Recreational fisheries resolution conflicts with commercial fishers
Build-in flexibility to allow for climate change (to maintain equity)	Based on a concrete scientific data	Fishery tenure holders supported to access all parts of value chain	Monitoring of exclusion zones and alternatives to historical record for allocation quotas	Effective spatial planning for multiple use
How to manage and consider fishers that have other economic activities	Catch restrictions and MCS/ Monitoring of bycatch utilization and access to impacts of by-catch reduction	Mapping of women involved along the value chain	Ecosystem Based Management	Improve logic for selection of management tools: objectives governance, institutions then select tools/structure
Linked to resource sustainability, livelihoods and food security	Market labels adequate to SSF sustainable fisheries	Consumer information	Stakeholders should have priority in conflicts	Blue economy
Fairness in access and equitable access	IQs is slowly displaces SSF and CQQs should lead to replenishing catch shares	Capacity development for safe handling, processing and marketing of products	Spatial boundaries to prevent encroachment in industrial fishery	Recognition and protection of various users
Corporate capture of fisheries with excluding SSF	Implement the reallocation of quotas to SSF from individual fleets	Recognise risks to processors and trader in terms of access to credit and products	Equal representation in decision making	Spatial conflicts resolution with nearshore aquaculture and tourism
Determining eligibility and conditions of access	Restrictions on transferability/ Type and efficiency of gear	Reference to anti-trust/anti-competition	Protection of SSF rights	Multi-stakeholder's organizations / forums
Should commercial harvesters be charged a fee for having privileged access to public resources	Owner operator and Stock assessment	Identify opportunities for skill development for youth		
Access to landing sites for landing and processing in the right place for SSF community	Model recommendations for CDQs, to implement SSF guidelines			

ACCESS CONTROLS	OUTPUT CONTROLS	POST-HARVEST	COMPETING FISHERIES STAKEHOLDERS	MULTIPLE USE COASTAL ZONE MANAGEMENT AND RIGHTS
Lions share goes to the boat owners at the catch share	Avoid market-based allocation and consolidation			

Part 3

SOCIAL ASPECTS	CLIMATE CHANGE	RECREATIONAL	INLAND FISHERIES (IF)	RESEARCH
Inclusion of gender aspects in all aspects of fisheries: harvest, pre-harvest, post- harvest	Provision for geographic range changes	Provisions to address conflicts between users to space and resources	Right to life and livelihood of inland fisheries recognized	Transdisciplinary and availability of researchers for decision-making
Guaranteed legal rights to social security and wages	Sustainable management as a prerequisite to climate change adaptation	Consider recreational fisheries in effort and stock assessment	Recognition of IF as an industry that contributes to the GDP	Comparative case studies
Migratory fishers, capacity building and access to justice	Potential impacts mitigation measures	Develop criteria on tenure of recreational fishery (e.g. livelihood dependence)	Damming of rivers for hydroelectric power projects	Data ownership and best practices in data sharing
Human-rights based approach	Capacity building on adjusting TURF's with climate change	Fisheries tourism	Threats and uncontrolled fishing activities	Availability of alternative livelihoods
Code of conduct for conservation NGOs working with SSF	Flexibility in tenure, Regional adaptation agreements	Conflict resolution mechanism	Customary/traditional rights from riparian fishing communities to be documented and respected	Language gap: English is a scientific language
Empower fishing communities to engage in non-fishery livelihoods	Access to implementation / aid when the communities are in danger due to sea level rise, increased disasters and floods	Benefit sharing (from tourism) & minimize ecological impacts (catch & release)	Fair and equitable allocation of water including for fisheries	Ethics in the field work and have consent to do the research
Integration of socioeconomic parameters in stock assessment models in fisheries	Building resilience communities	Compile tenure rights tools for different recreational sectors	Include transboundary nature (regional arrangements) in inland management	Incentive local research and avoid the "paralysis of analysis"
Method to choose representatives from CSOs	Tenure rights adapt to climate change to restore equity maintains community livelihood	Private and hiring sector and Policy development for fisheries	Spatial and access conflicts of resolution mechanisms	Balancing the cost of research with the need for implementation and enforcement
Have useful explicit social objectives that are not in conflict with other states objectives (e.g. biological, economic)	Consider aspects of user rights with risk reduction and adaptation	Explicit transparent access and allocation arrangements for recreational fisheries and mechanism to change allocation over time	Communities development and Food security	Community review mechanism for research activity
	Re-distribution of catching rights as stocks shift, Re- thinking fishery partnership	Mechanism to have recreational fishery compensate commercial harvesters for shifts	Highlight strong relation and inter-dependency with other activities such as agriculture	Design appropriate monitoring and research and to include and consider social aspects

SOCIAL ASPECTS	CLIMATE CHANGE	RECREATIONAL	INLAND FISHERIES (IF)	RESEARCH
	agreements as stocks become less abundant to protect SSF	in catch (recreational commercial)		(gender disaggregated data)
	Cross-cutting theme, Effects of climate change compensation to SSF affected by climate change	Complementary/ diversification for SSF livelihoods sustainability	Inland Fisheries issues should treated and given the same weight as marine fisheries	Need more allocation for SSF research activities
	An elaborate plan for fisheries and aquaculture	Information on the growth of recreational fisheries, conflicts with other sectors	Invasion of introduced fish species destroy local varieties	Tenure rights and control over user on fishers knowledge
	Secure SSF from disasters	SSF be given preferential access, Recreational fisheries are controlled by law	Protect the rights of downstream fishers in the international river management regimes	
		Incentive services doing by fisheries them often actors, Control harvest	Recognize the right to the minimum flow of water in riverine systems to protect the interests of fishers in all seasons	

The Friends of User Rights 2019 Meeting (FoUR19) was organized by FAO as a follow-up to the conclusions and recommendations coming out of Tenure and User Rights in Fisheries 2018: Achieving Sustainable Development Goals by 2030 (UserRights 2018) in Yeosu, Republic of Korea.

The purpose of this meeting was to continue to shape the FAO work programme on fisheries tenure and user rights developments based on the outcomes of UserRights 2018, which were: (1) requests for local work on the ground to develop rights-based fisheries management systems, and (2) the development of Voluntary Guidelines on Tenure and User Rights in Fisheries.

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