

Community Fishery Rights in Canada's Atlantic Region

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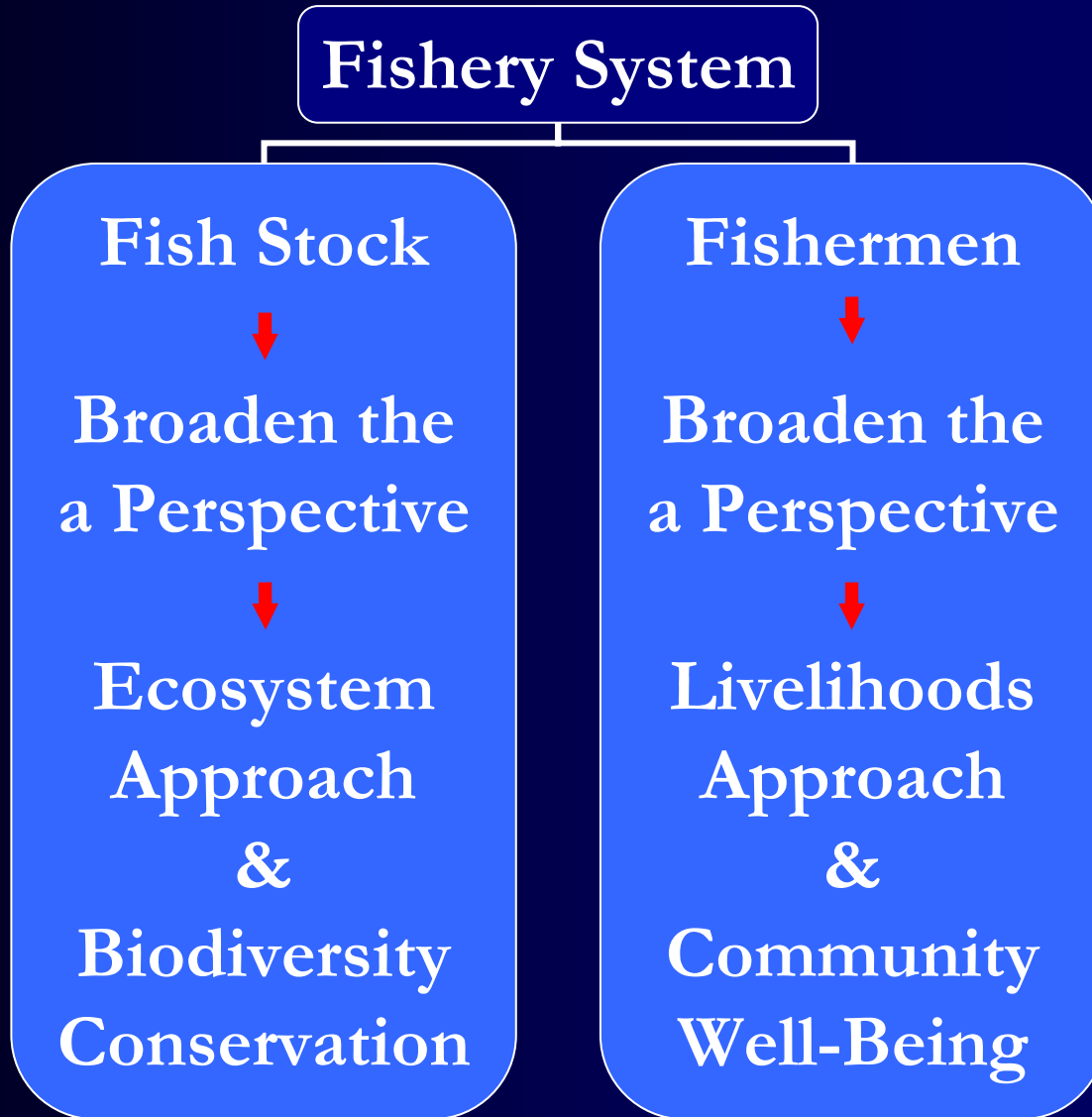
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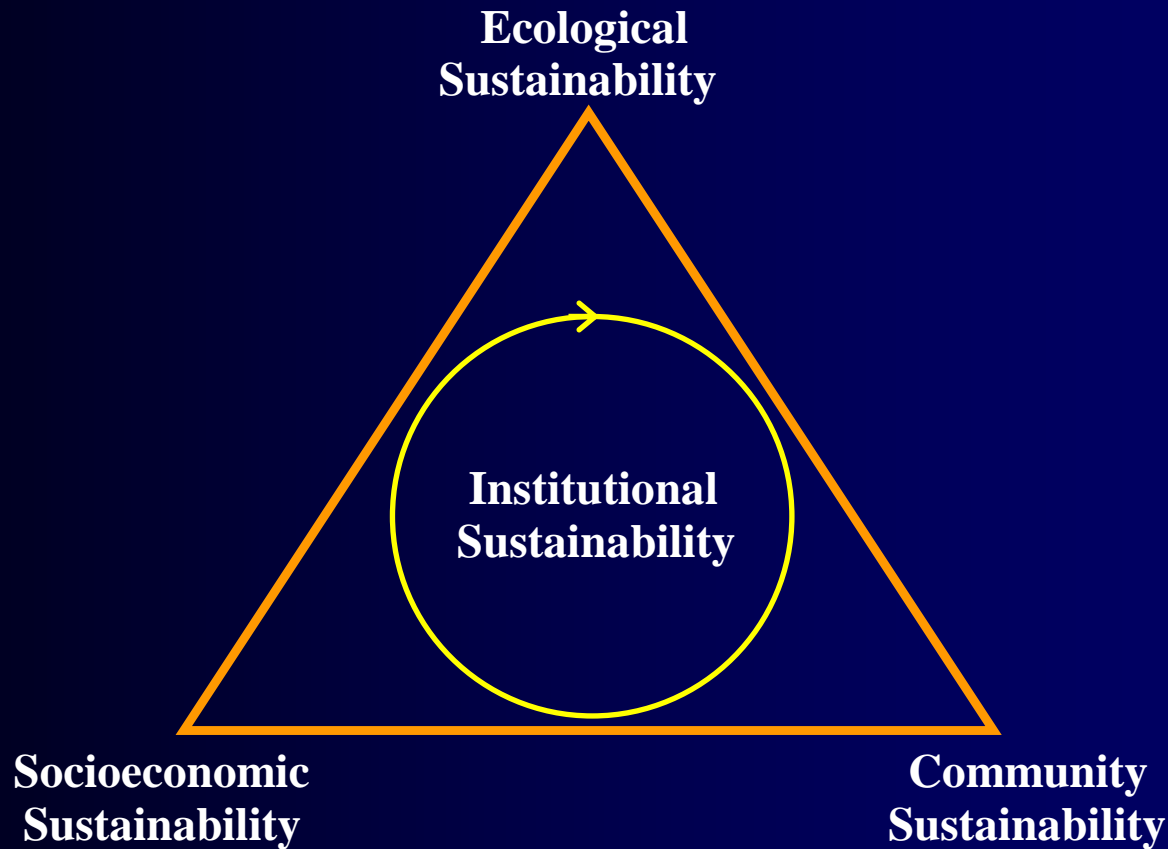
Fishery Management Perspective

- Fisheries management has had a narrow focus – mainly single species, neglecting interactions with broader natural and human environments – e.g., fish communities and fishing communities.
- More attention is now being paid to the aquatic ecosystem, with *ecosystem-based management* – a broader ‘systems approach’, that looks at all components and interactions in the fishery system
- More attention is also being paid to integrating fisheries into a multiple-use context of *integrated coastal management*.
- Ecosystem-based management recognizes the relevance to fisheries of the broader world in which the fish live. Integrated coastal management recognizes the relevance to fisheries of the world in which the fishermen live.

The Big Picture of Fisheries



Sustainability



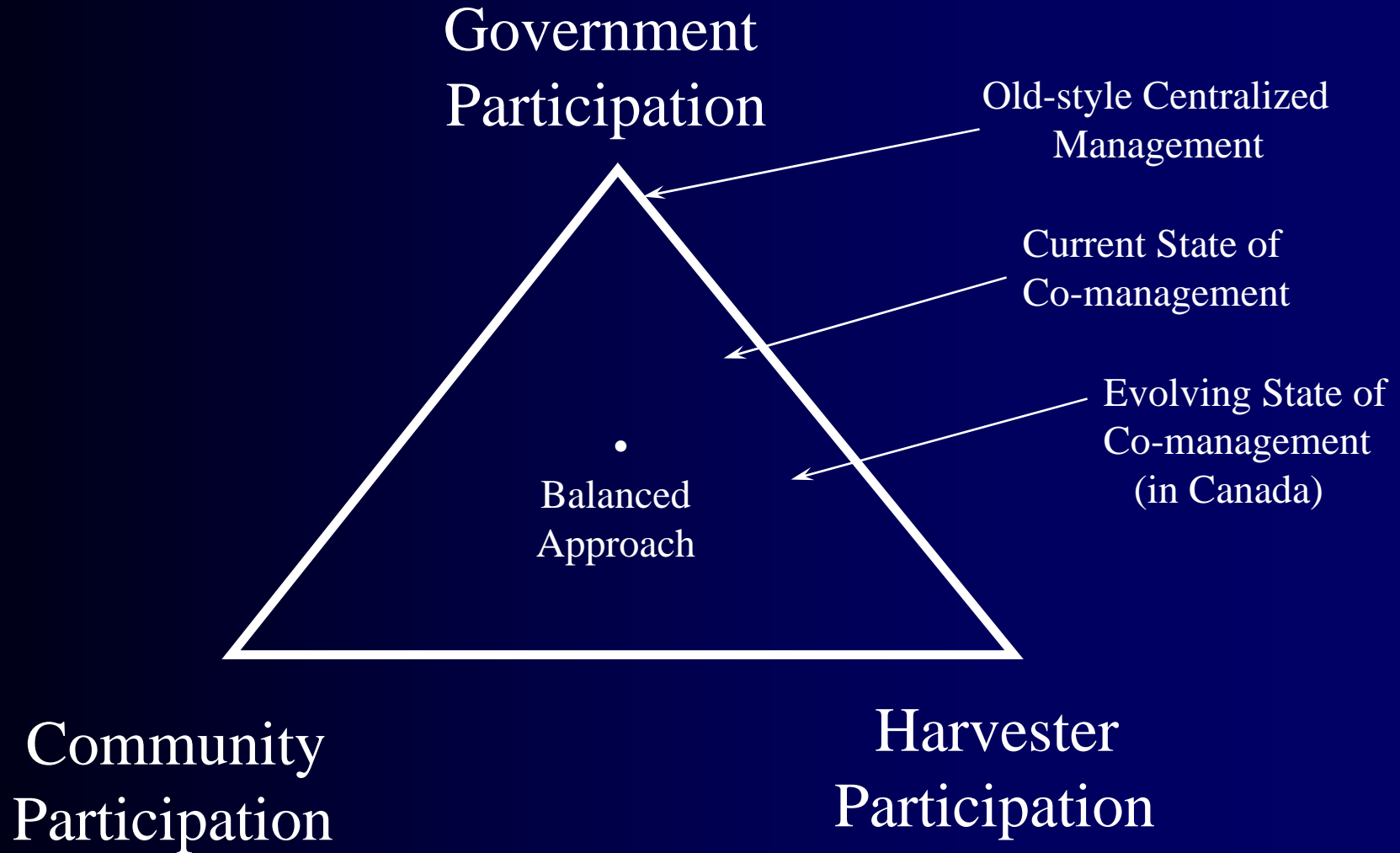
Communities and Fisheries

- Combining ideas of ecosystem-based management and integrated coastal management to tackle fisheries management in a holistic way seems to be a somewhat new approach...
- But in many parts of the world, though not often in 'northern' nations, coastal communities are already incorporated into the fishery management system
- Indeed, the push for *co-management* that comes out of the failure of top-down fishery management has produced two major approaches, utilized in differing contexts...
 - market-based (ITQ) management
 - community-based management
- Community-based fishery management has been embraced in the context of coastal fisheries in many southern nations, and by various international development agencies, just as ITQs have been in many industrial fisheries.

What is Community-Based Management?

- Development, implementation and enforcement of management measures jointly by government, resource users, fishing communities and the public;
- Local resource users and communities, those geographically closest to the resources, have significant responsibility for managing and stewarding those resources;
- The rationale is that this can make better use of local ecological knowledge, can lead to better acceptance of management rules, can resolve conflicts by balancing ecological, economic, and community goals, and as a result, can be good for conservation & sustainability.
- CBM can be seen as a framework for organizing management of fisheries at the local level, unlike an ITQ system, a market method for dividing up a Total Allowable Catch. (So in theory, ITQs could be chosen as the means to allocate quota within a community-based management system.)

Co-Management Triangle



Community vs. Market-based Rights

- Fundamental differences between the approaches, relating to:
 - structure, philosophical nature, underlying value systems
 - impacts on individuals (boat owners, fishers, crew, etc.)
 - impacts on coastal communities
 - e.g., level of geographical concentration to larger ports
 - distribution of benefits and costs among fishery participants
 - e.g., distribution of initial benefits, and inter-temporal benefits
 - ‘indirect’ economic impacts on sustainability:
 - the conservation ethic
 - flexibility of management
 - avoidance of waste
 - the efficiency of enforcement.
- See: P. Copes and A.T. Charles. “Socioeconomics of Individual Transferable Quotas and Community-Based Fishery Management”. *Agricultural and Resource Economics Review* 33:171-181 (2004).



Turning the Tide
communities managing fisheries together

Gulf of St. Lawrence

New Brunswick

P.E.I.

Nova Scotia

Bay of Fundy

Atlantic Ocean



Fishery Policy in Atlantic Canada

- In Canada, the welfare of human communities is provincial jurisdiction but the welfare of fish (and fish communities) is federal jurisdiction; thus impacts of fishery policy on coastal communities tend to ‘fall through the cracks’
- Over the past 15 years, the Canadian government has instituted fishery policy largely without public discussion
- Typically, these policy measures have been detrimental to many coastal communities by leading to concentration of control in the fishery (e.g., through ITQs)
- This has in turn produced a grass-roots interest locally in community-based approaches to fisheries management
- See: M. Wiber, F. Berkes, A.T. Charles and J. Kearney. “Participatory Research Supporting Community-Based Fishery Management”. *Marine Policy* 28:459-468 (2004).



Canada's Atlantic Region

- Much-publicized examples of ITQ fisheries:
 - Offshore 'enterprise allocation' groundfish fishery
 - Scotia-Fundy otter trawl ('dragger') groundfish fishery
 - Gulf of Maine scallop fishery
- Little-known examples of community fisheries:
 - Local self-regulation in the lobster fishery (cf. Acheson)
 - Community Management Boards in the groundfishery
 - Aboriginal (Mi'kmaq) community fishery management

Examples of Community Fisheries

- Lobster fishery local self-regulation (cf. Acheson)
 - Cape Breton Island
- Community Groundfish Management Boards
 - Fundy Fixed Gear Council
- Aboriginal (Mi'kmaq) community fishery management
 - Mi'kmaq fisheries of Prince Edward Island
- See: A.T. Charles et al. “Community Fisheries in the Canadian Maritimes”, to appear in “Fisheries Management: Progress toward Sustainability” (McClanahan and Castilla, eds.) Blackwell Science.



1a. Community Management Boards

- A component of groundfish quota management system
- Based on subdividing groundfish TACs among sectors
- Traditionally, subdivisions were by gear & vessel size
- This ‘community’ system subdivides quotas for the most numerous fleet (inshore fixed gear groundfish fleet) by geographical area of Scotia-Fundy region
- Then the Community Management Board for that area further divides the quota among gear sectors, and sets operational management plans for each sector
- The Board also has its own Infractions Committee for local-level enforcement of the agreed-upon regulations

1b. Fundy Fixed Gear Council

- One of the Community Management Boards for the groundfish fishery
- Serves the fixed gear (hook-and-line, gillnet) fishermen on the Nova Scotia (eastern) side of the Bay of Fundy
- Has successfully shared available quotas amongst its members, resolving allocation conflicts, maintaining most livelihoods, handling compliance through its own self-managed Infractions Committee
- Has allowed for community (non-fishery) members on its governing body, but is only now getting to this, after 10 years of operation, due to challenges of low funding and high time commitment to continue operating

2a. Aboriginal Community Fisheries

- Community management is traditional in many aboriginal communities, reflecting communal decision making and the aboriginal values that link humans and nature.
- The several thousand Mi'kmaq people in the Maritimes had a tradition of fishing lost when government brought in limited entry licenses (aboriginals did not get them)
- Supreme Court of Canada – Marshall Decision (1999) recognized historic right to catch and sell commercially
- The right recognized is a communal right held by each First Nation (aboriginal community)
- Painful and expensive process of government buying licenses from non-natives to transfer to First Nations led to intensive aboriginal fishery development in recent years

2b. Mi'kmaq Fisheries on P.E.I.

- Two First Nations in the province of Prince Edward Island: Lennox Island, Abegweit
- Decision-making systems established for development of fisheries (e.g., which fisheries to enter by acquiring quota) & operational management (who in community will fish, when, how, and sharing arrangements)
- Decisions are made at community level by the Band Council, and through community-wide meetings
- Compliance is through traditional community methods
- Communities are using fishery income to enter other coastal economic activities – aquaculture, tourism

Some References

- A.T. Charles, *Beyond the Status Quo: Re-thinking Fishery Management* in: “Re-inventing Fisheries Management”, T. Pitcher, D. Pauly, P. Hart (eds.), Kluwer (1998).
- A.T. Charles, *Sustainable Fishery Systems*, Blackwell Sci., Oxford UK (2001).
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- A.T. Charles, “Use Rights and Responsible Fisheries: Limiting Access and Harvesting through Rights-based Management” In: *A Fishery Manager’s Guidebook. Management Measures and their Application*. (Cochrane, K., ed.) FAO Fisheries Technical Paper, No. 424, Food and Agriculture Organization, Rome Italy, 231p. (2002).
- P. Copes and A.T. Charles. “Socioeconomics of Individual Transferable Quotas and Community-Based Fishery Management”. *Agricultural and Resource Economics Review* 33:171-181 (2004).
- A.T. Charles, “Rights-Based Fishery Management: A Focus on Use Rights”. p.3-5 in: *Who Gets the Fish? Proceedings of the New England Workshop on Rights-Based Fisheries Management Approaches*. M.E. Petruny-Parker, K.M. Castro, M.L. Schwartz, L.G. Skrobe and B. Somers (eds). Rhode Island Sea Grant, Narragansett, R.I. (2004).