

**US Coral Reef Task Force Meeting
August 2007
Pago Pago, Am. Samoa**

**USE OF VILLAGE BYE-LAWS IN MARINE
CONSERVATION AND FISHERIES MANAGEMENT**

**Ueta Fa'asili
Fisheries Adviser
Secretariat of the Pacific Community (SPC)**

What are Fisheries Bye-laws?

Fisheries By-laws are local community rules that have been prepared in accordance with relevant provisions of the Fisheries Legislation, and that have been accorded legal recognition in the Court of law.

Any measure that assists in the management of the marine environment.

Apply equally to all citizens

INCEPTION OF VILLAGE FISHERIES BY-LAWS

rapid decline in fish catches

**causes : over exploitation;
: destructive fishing practices;
: overly efficient fishing methods
: and environment disturbance**

**village *fono*, as part of their village rules put bans on the use
of destructive fishing methods**

**village rules have been broadcasted through radios
and in local newspapers.**

problem with village rules- do not respect by outside villages

**village rules to form part of Fisheries legislation hence the
inception of Village Fisheries By-laws**

PROCESS OF ESTABLISHING VILLAGE FISHERIES BY-LAWS

- 1. Preparation of draft by-laws by the village community**
- 2. Consultation with the Fisheries Division**
- 3. Final checking and clearance by the Attorney General**
- 4. Approval and signing of the by-laws by the Director**
- 5. Gazette, publish, and distribution to neighbouring villages by Fisheries Division**
- 6. Monitoring and enforcement by village communities**

Table 1: Bye-laws and Regulations in Samoan Villages

<u>Village actions/Regulations</u>	<u>Percentages</u>
• Banning the use of chemicals and dynamite to kill fish	100%
• Banning the use of traditional plant-derived fish poisons	100%
• Establishing small protected areas in which fishing is banned	86%
• Banning other traditional destructive fishing methods (eg: smashing coral)	80%
• Organising collections of crown-of-thorns starfish	80%
• Enforce (national) mesh size limits on nets	75%
• Banning the dumping of rubbish in lagoon waters	71%
• Banning the commercial collection of sea cucumbers (Holothuroidea)	41%
• Banning the capture of fish less than a minimum size	41%
• Banning removal of mangroves (in villages with mangroves)	27%
• Restricting the use of underwater torches for spearfishing at night	21%
• Banning the removal of beach sand	14%
• Placing controls or limits on the number of fish fences or traps	<10%
• Prohibiting the collection of live corals for the overseas aquarium trade	<10%
• Banning the coral-damaging collection of edible anemones (Actinaria)	<10%

Advantages of Village fisheries by-laws over Village rules and Government regulations

Category	Govt. regulation	Village rules	Village by-laws
<i>Legal recognition</i>	throughout all community villages	limit to sponsoring villages	throughout all community villages
<i>Monitoring / Enforcement</i>	Not effective	Very effective	Very effective

CONCLUSION

Success of village bye-laws is related to community ownership.

Village bye-laws represents the most important tool in the management and conservation of coastal fishery and marine environment.

Village by-laws; a key part of village fisheries management plan.

Bye-laws must apply equally to everyone.

END

OF

PRESENTATION

Some of harmful fishing practices

- breaking corals
- fish poisoning
- use of explosives
- use of unregulated fish traps

Scene of a typical destroyed island lagoon



PROCESS OF ESTABLISHING VILLAGE FISHERIES BY-LAWS

1. Preparation of draft by-laws by the village community



women



men



Community leaders

- Maximum participation
- Transparent

PROCESS OF ESTABLISHING VILLAGE FISHERIES BY-LAWS

1. Preparation of draft by-laws by the village community

2. Consultation with the Fisheries Division

Community representatives



Fisheries Division-

- better understanding of the draft by-laws
- consistent with the Fisheries legislation and other main government laws from the technical aspects-
 - minimum size fish
 - minimum mesh size of fishing nets, etc

PROCESS OF ESTABLISHING VILLAGE FISHERIES BY-LAWS

1. Preparation of draft by-laws by the village community
2. Consultation with the Fisheries Division
- 3. Final checking and clearance by the Attorney General**



- Make sure that the by-laws are in order and from its legal context
- Put the by-laws in legal form
- Make recommendation for approval

PROCESS OF ESTABLISHING VILLAGE FISHERIES BY-LAWS

1. Preparation of draft by-laws by the village community

Attorney General

4. Approval and signing of the by-laws by the Director

Least legal document to be-

- Easily and quickly established;
- Easily and quickly revoked if the need is not existed.



PROCESS OF ESTABLISHING VILLAGE FISHERIES BY-LAWS

1. Preparation of draft by-laws by the village community

2.

3.

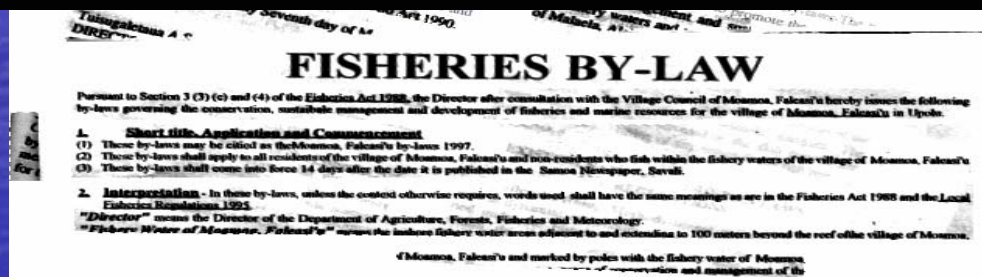
4.



eral

or

5. Gazette, publish, and distribution to neighbouring villages by Fisheries Division



PROCESS OF ESTABLISHING VILLAGE FISHERIES BY-LAWS

by-laws by the village community

the Fisheries Division



6. Monitoring by village communities

**END
OF
PRESENTATION**

Typical under water scene 10 years past

