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An overview of fisheries conflicts in South and South-East Asia: Challenges and directions.

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**An Overview of Fisheries Conflicts in South and Southeast Asia:
Challenges and Directions**

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1. Introduction

Conflicts are broadly defined as a situation of non-cooperation between parties with contradicting objectives. Nowadays, conflicts on such issues as ownership of properties and struggle for economic gains and opportunities are common in communities. These types of conflicts, however, should be distinguished from divergent ideologies and interests that pose a threat to national security—the source of which could be both internal and external. Conflicts and security issues have now become major concerns of governments and civil societies around the globe.

The fisheries sector is not spared from conflicts and security threats arising from escalating scarcity of resources and competition for declining opportunities in this sector. In South and Southeast Asia, where fisheries are a source of food and livelihood for majority of its population, conflicts in fisheries are often viewed in the context of allocation or access rights to limited resources. However, conflicts are often far more complex than this view as there exists an enormous range of causes, such as socioeconomic issues, institutional factors and market failures. Many conflicts in fisheries over gear use, landing-site use or market behavior are not primarily about resource allocation, but are rooted in more complex institutional issues such as cultural differences and political power struggles (Bennett 2002).

The scenario is more worrisome amongst the economically marginalized groups of landless and capital-deprived fishers in South and Southeast Asia. The marginalization gave rise to struggle for equity and assertion of rights that are most often viewed in diverging contexts. It is a common knowledge that, to provide for subsistence fishers and other authorized fishers—and, as a whole, provide for the needs of the general public—most fishery rules and regulations enacted by national governments are intended to protect their interest and provide them access to fisheries resources. The enactment of the Cambodian community fishery laws that give rights to subsistence fishers to fish throughout the year in allocated fishing lots is one example. In reality, however, these rules and regulations are violated, and insufficient and unreliable support is given to subsistence fishers who assert for their rights. Conflicts arise as these subsistence fishers, who are most often in huge numbers in developing countries, contest other groups of fishers, regularly including authorities who do not enforce the rules and regulations; henceforth, "*fish fights over fish rights.*"

What, then, is "*fish fights over fish rights*"? "Fight", in this context, is defined as a combat, battle, a hostile encounter or engagement in a dispute while "right" is defined as a legal, equitable, or moral title or claim to the possession of property or authority, the enjoyment of privileges or immunities that which justly accrues or falls to any one. "*Fish fights over fish rights*" is about conflicts in fisheries and the associated security threats to human survival if these conflicts are not resolved or a compromise has not been enforced.

1.2 The WorldFish Center's Fisheries Conflict Projects

The factors that drive conflict issues are prevalent in developing countries, particularly those in South and Southeast Asia, and that the reliance upon fishery resources for food and socioeconomic revenue is enormous in the Region. It is recognized that research on conflicts in fisheries in the Region merits attention. The literature showed that the two types of conflicts, classified according to the forces they bring, have been identified. One type is positive while the other is negative. Positive force conflict is known to be a precursor for change while the negative

force impedes social and economic development (Bennett et al. 2001). The importance of distinguishing and managing these two conflicts has been acknowledged worldwide. Increasing numbers of research have been done to identify the factors and actors involved and the "change" needed to resolve the conflicts before they become a national, regional or international security issue. Conflicts are also a treat for sustainable management of fishery resources.

In view of the importance of understanding conflicts and the merits from rectifying the factors that drive conflicts in fisheries, the WorldFish Center engaged in research projects in collaboration with partners situated right in areas where fisheries conflicts were prevalent. In particular, the Center proposed and implemented two research projects on fisheries conflict management in Bangladesh, Cambodia, India, the Philippines and Thailand as described below.

1.2.1 Fish Fights over Fish Rights Project

In February 2003, The WorldFish Center initiated the 2.5-year project "*Fish Fights Over Fish Rights: Managing exit from the fisheries and security implications for Southeast Asia*". The Project was funded by the Ford Foundation and was implemented in collaboration with multidisciplinary teams of scientists from three countries in Southeast Asia: Cambodia, the Philippines and Thailand.

The overall objective of the Project was to enable improved understanding of the dynamics of fishing overcapacity and identify the conflicts arising in three study sites in each of the three selected countries. Further analysis of the relationship between excess capacity and security problems in fishing communities and environments in the Southeast Asian Region was also made through case studies and stakeholder discussions during country workshops. The specific objectives of the Project were: (1) develop a broad framework for addressing approaches for reducing overcapacity in the fisheries of Southeast Asia,; (2) examine where conflicts may arise; and (3) provide plans to ameliorate these conflicts and its role in reducing conflicts, and in enhancing national and regional security.

1.2.1 Enabling Better Management of Fisheries Conflicts Project

To complement the *Fish Fights over Fish Rights Project*, the WorldFish Center led a second fisheries conflicts Project, *Enabling Better Management of Fisheries Conflicts*. This two-year research project, which started in July 2003, was aimed at determining the most appropriate ways of communicating good practice, promoting key lessons and practices from earlier projects on conflict and consensus building, and adapting and demonstrating these in three key countries with large numbers of poor people dependent on fisheries. The Project was funded by the Department for International Development of the United Kingdom (DFID-UK).

The Project goal envisioned uptaking methods for understanding and resolving/minimizing conflicts amongst government and NGO workers involved in fishery management and had the potential to bring direct benefits to poor people. Major Project activities were intended to promote institutions and practices that would help resolve and minimize conflicts that often go against the interest of poor fishers; and to promote conflict assessment and resolution tools and consensus-building methods by targeting key stakeholders. To achieve these adaptive research and communication objectives, three countries—Bangladesh, Cambodia and India—were selected to represent the developing countries in South and Southeast Asia where capture fisheries in freshwater and marine environments are characterized by poor fishers vulnerable to fisheries conflicts and violence.

2. Framework for Analysing Conflicts

2.1 Theoretical Background

Charles (1992) provided a framework for analysing conflicts in fisheries by introducing a trio of fishery paradigms. Figure 1 below features three paradigms and the policy objective at which most groups of fishery resource users operate. The three corners of the triangle represent the extreme cases of the three philosophical paradigms and their unique policy objectives. The conservation paradigm operates with a policy objective centered on resource maintenance or conservation. This paradigm is based on the premise that the primary duty of the fishery management is to take care of the fish, and fishers are viewed as "predatory fleet" that must be directly managed through restrictive fishing hours, fishing location, fishing effort and catch quota.

Conservation/resource maintenance

Conservation paradigm

Conflict

Economic performance/productivity

Rationalization paradigm

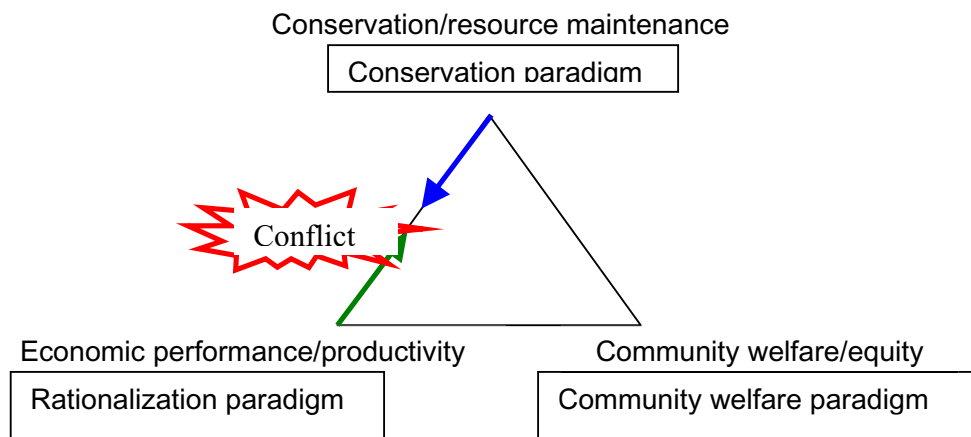Community welfare/equity

Community welfare paradigm

Figure 1. A framework for understanding and resolving conflicts
(Concepts adopted from Charles 1992)

The rationalization paradigm emphasizes the pursuit of economic performance and productivity. The policy context related to this paradigm is founded on the assumption that the society should seek to maximize fishery rents, compromising economic benefits over and above payments to fishers and vessels; and those fisheries that cannot attain this objective are "supposed to be rationalized."

The social or community paradigm focuses on fishers as members of coastal communities, rather than component of a fishing fleet, in contrast with the view in the conservation paradigm; or an individual fishing firm, as in the context of the rationalization paradigm. This social paradigm focuses on community welfare, distributional equity, and other social and cultural fishery benefits. Charles noted that this paradigm tends to be attractive amongst fishers' unions, fishing cooperatives, and those living in or involved with fishing communities; however, these groups remain to be under represented amongst the staff and management initiatives of many government fishery administration during the time of his research. More recently, however, there has been an overwhelming interest in this paradigm and the "advocacy" element in this paradigm has contributed to the better understanding of its policy objectives even at the lower levels of the policy-making hierarchy.

Conflicts arise when the many dynamic interactions amongst natural resources, humans and institutions contradict, arising from the underlying differences in priorities pursued by various fisheries players. Charles (1992) organized the wide range of fisheries conflicts into four interrelated headings such as: 1) fishery jurisdiction, 2) management mechanisms, 3) internal allocation, and (4) external allocation. These four typologies are intended to be comprehensive but not mutually exclusive. In a more recent study, Bennett et al. (2002) extended the four conflict categories into five to include conflicts between fishers and those outside the fishery as shown in Table 1 below.

Table 1. Typology of conflicts and examples reported in South and Southeast Asia

	Description of conflicts	Examples
Type I	Conflicts on who controls the fishery	Access issue on who amongst the fishers can fish (e.g. ownership between concessionaires and fishermen in Cambodia)
II	Conflicts on how the fishery is controlled	Enforcement issues on how management systems are implemented (e.g. quota allocation, fishing seasons in India)
III	Conflicts between fishery users	User groups-related issues such as small- vs large-scale fishers; ethic and religious groups (zone regulation according to fisher categories in the Philippines and Thailand)
IV	Conflicts between fishers and other resource users	Conflicts arising from multiple use of resources (e.g. fishers vs farmers in Bangladesh & Cambodia; fishers vs tourism promoters in India, Philippines & Thailand; fishers vs conservationists in Cambodia; fishers vs industrial developers in India)
V	Conflicts between fishers and non-fishery issues	Conflicts external to but affecting fisheries such as corruption, politics, elite groups, environmental concerns, and economic change.

Source: Elizabeth Bennett et al. (2001)

In this *Fish Fights over Fish Rights* Project, further evaluation of conflicts observed in case study sites showed some patterns of relationship between conflict types and the nature of threats that could potentially arise from such conflicts. Type I conflicts tend to create threat to the overall health of the fishery resources. That is, the stakeholders believe that if Type I conflicts would not be addressed, then the "non-owners" or outsiders who gain access to the fishery will conduct illegal and "harmful" practices to obtain maximum benefits at intensive exploitation levels. In addition, food security concerns are evaluated to be at threat when fishing community officers sell fishing rights to fishing grounds to other "outsider" fishers. Conflicts arising from questions on how the fishery is controlled (Type II) included those that were made manifest due to lack of enforcement and implementation of regulations. The lack of clarity and purpose of regulations was listed as reasons for violations and conflicts. For example, the establishment of marine protected areas as conservation measure is a trend in the Philippines. However, the lack of well-explained purpose and effort to inform those affected created conflicts as MPAs restricted access and limited fishing areas for most fishers. Thus, uninformed fishers perceived that the security of livelihoods and food source was threatened.

For Type III conflicts, the trend showed that livelihoods of the less equipped fishers would likewise be threatened and, assuming the perception that other parties are using illegal and destructive gears, then fishery habitat and stocks are under threat if conflicts are not resolved. Type V conflicts are rooted in the relations between fishing and other non-fishery issues and not directly using the resources but is significantly affecting the fishery. These conflicts were reported in Cambodia and the Philippines where fishers ran in conflict with law enforcers, including government fishery officers, who were expected by fishers to protect the fishers' interest as mandated by law. This breeds disrespect for the law, the lawmakers and enforcers. Furthermore, politicization of policies and lack of political determination would indeed be perceived as posing threats to livelihoods of the "unfavored" fisher groups. The destructive/illegal fishing operations of the politically favored groups are perceived as threats to the survival of the fishery. Thus, overall, the lack of confidence on law enforcers is likely to breed threat to national sovereignty.

2.2 The 'Fish Fights over Fish Rights' Conceptual Framework

Figure 2 illustrates the conceptual framework of the Project. The Project mainly referred to the Driver-Problem-Issue-Intervention framework of analysis to put into context the dynamics of the variables that could potentially meet the objectives of the study. With excess capacity as the main problem being addressed in this study, the main drivers were categorized into three groups identified as a) policies, institutions for governance and property rights; b) population increase and poverty; and c) markets and new/improved technology. The state of these variables with reference to the fisheries sector in each country was reviewed to identify the circumstances that drive the excess capacity problem in the fisheries sector in Southeast Asia in general. The causality relationship between the problem and the drivers was established.

The conceptual framework evolved mainly from the literature and the outcomes of the three case studies and national stakeholder consultations organized by the Project. Figure 2 features the local community and national security concerns, such as 1) fishers' livelihood, 2) food security, 3) degradation of fishery habitat and stocks, and 4) risk to lives of enforcers and fishers. The conceptual framework of the study also incorporated the management and policy interventions that could potentially address the issues and arrest the main problem.

The interventions were broadly grouped into three categories to include 1) exit strategies, 2) review of policies and institutions, and 3) information and education. Amongst these three groups of interventions, the Project focused mainly on evaluating potential exit strategies that would reduce excess capacity while not compromising the opportunities for conflict reduction and resolution amongst stakeholders, and similarly aimed at eliminating the threats to security in the fisheries sector.

3. Expected Outputs of the Two Fisheries Conflict Projects

The *Fish Fights over Fish Rights* project had the following expected outputs:
1. Details on the level of overcapacity in fisheries in Cambodia, the Philippines and Thailand, and their impact on fishing conflicts;
2. Case studies on conflicts in aquatic resources that may lead to security problems in Southeast Asia;
3. Suggested framework and guidelines for national governments and international community for managing fishing capacity and conflicts that may lead to insecurity; and
4. Review paper on managing fishing capacity and its impact on national/regional security.

Meanwhile, the *Enabling Better Management of Fisheries Conflicts* Project was expected to create developmental impacts by directly contributing towards finding useful information, education and communication (IEC) tools for better understanding of conflicts, and by communicating methods such as consensus building. Specifically, the Project envisioned gathering the following outputs:
1. Outcomes of communication strategies and plans as well as attitude surveys that enable better understanding of the conditions, values and priorities of fishers and various stakeholders in fisheries conflicts, and the methods for communicating them to other stakeholders, including policy makers;
2. A consensus-building method, piloted in India, that enables participatory approach in fisheries and conflict management, which ensures that the concerns and values of fishers and stakeholders would be incorporated in designing appropriate plans of action for implementing fisheries development programs; and
3. Promotion of findings of the study through workshops, seminars/symposia and publications to contribute to knowledge on conflict resolution and reduction amongst other applied tools in fisheries and natural resource management.
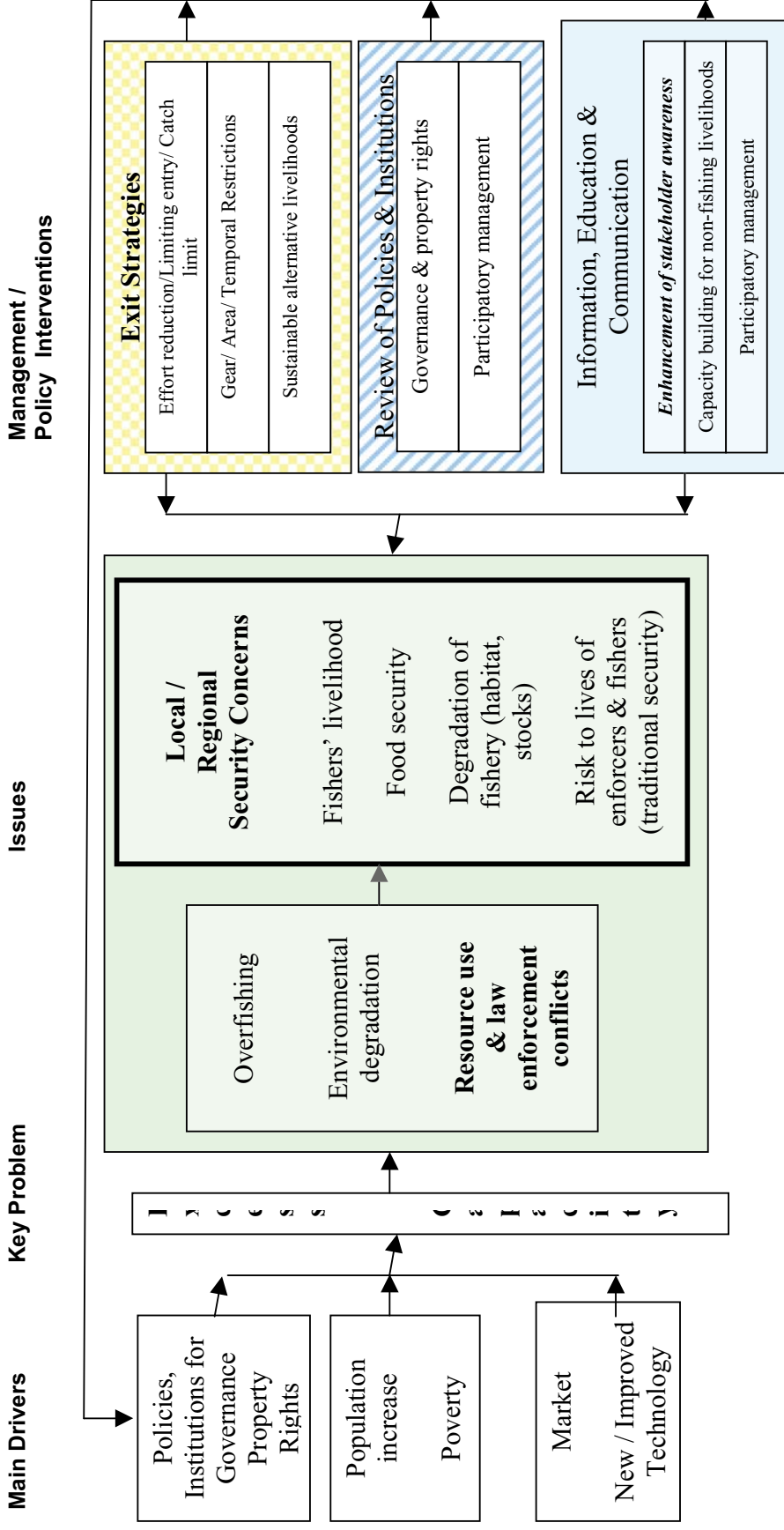
Main Drivers

Key Problem

Issues

**Management /
Policy Interventions**

Policies, Institutions for Governance Property Rights

Population increase

Poverty

Market

New / Improved Technology

Overfishing

Environmental degradation

Resource use & law enforcement conflicts

Local / Regional Security Concerns

Fishers' livelihood

Food security

Degradation of fishery (habitat, stocks)

Risk to lives of enforcers & fishers (traditional security)

Exit Strategies

Effort reduction/Limiting entry/ Catch limit

Gear/ Area/ Temporal Restrictions

Sustainable alternative livelihoods

Review of Policies & Institutions

Governance & property rights

Participatory management

Information, Education & Communication

Enhancement of stakeholder awareness

Capacity building for non-fishing livelihoods

Participatory management

Figure 2.

*A conceptual framework for addressing excess capacity in fisheries in Southeast Asia
with reference to exit strategies as interventions that consider conflict mitigation and securitization measure*

4. Challenges and Directions

Conflicts in capture fisheries, including inland and marine fisheries, generally emanate from: (1) the nature of the fishery itself—generally recognized as being in crises and that there is overexploitation of the resource arising from increasing fishing pressures, and (2) the complex socioeconomic conditions faced by fishers and their communities. The *Fish Fights over Fish Rights Project* considered the challenges and direction for all stakeholders vis-à-vis the management and policy interventions that could be drawn and formulated from the results of case studies and extensive national and international consultations with various stakeholders.

The management and policy interventions are mainly in terms of strategies that relate to the more important and immediate goals of, amongst others, (1) protection of fishery resources and conservation of fishery habitats, and (2) development through provision of sustainable livelihoods to marginalized groups in the fishery sector. To achieve these goals, policy and management interventions are broadly categorized into three groups of challenges and directions discussed below.

4.1 *Exit strategies as a way of managing excess capacity*

This challenge has always been easier said than done as its touches sensitive human issues of survival of the poor and marginalized fishers. Amongst large-scale commercial fishers. exit from the fisheries is also often met with objections as capital investments in fisheries are generally not easily malleable and transferable to other income-generating opportunities. Nevertheless, combined with other challenges, e.g. creation of awareness through various IEC strategies, such options as effort reduction, limiting entry and catch, and gear, area and temporal restrictions could be better understood with sufficient scientific evidences that establish the credibility of benefits arising from exit strategies. Enabling opportunities for sustainable alternative livelihoods remains to be elusive and challenging especially in generally resource-depleted and capital-deprived environments. Furthermore, capacity to shift to other skills and workstyle is often limited amongst fishers.

For example, aquaculture is often perceived as an alternative for reducing capacity and fishing pressure while making fish available, and ensures that a growing population's increasing demand for fish products is met. Nevertheless, aquaculture development is being criticized for being poorly planned creating unintended negative impacts to various sectors in another dimension. Thus, challenges also extend to the aquaculture sector.

4.2 *Review of policies and institutions*

Through institutions and governance, there is a desired order in the ways fishery activities are being conducted. In countries included in this study, the fundamental national fishery laws and regulations are already in place. However, conflicts prevail and in many cases they are rooted in the mechanisms, implementation and enforcement, or the lack of it, of most fishery laws and regulations. Thus, thorough and periodic review of policies and institutions are tasks that need involvement not only of the policy-makers and fishery managers, but more importantly, the involvement of all stakeholders in the fishery and related sectors. Participatory management, governance at various levels, and assignment of property rights are key issues that remain a challenge for managing excess capacity and conflicts in fisheries. Policies are typically centrally developed at national government agencies, yet with devolution of duties and functions taking place at least in some countries as the Philippines, co-management is in place at the community and municipality levels. However, in between these levels, some efforts are dissipated and would need further studies and collaboration.

4.3 *Information, education and communication*

Creation and enhancement of awareness and promotion of best practices for communicating ways for managing the fisheries, including mechanisms for consensus building in cases of conflicts, are priority areas in a comprehensive strategy for managing conflicts and exit in an overexploited fishery. As noted earlier, capacity building for developing non-fishing livelihoods, involving IEC strategies, is often an

integral component in many fishery development projects. However, this is often limited by insufficient and ill-timed release of resources for training and sustained community-organizing activities.

Innovations on IEC methods are also important challenges and directions for ensuring environmental security and sustainability of the fisheries. Expectedly, IEC innovations are demanding as issues of environmental security and sustainability involve a more complicated inter-temporal and spatial dimension. For example, our empirical results showed that various types of conflicts arising from excess capacity have long-term security implications—mainly on fishing livelihoods, food security, habitat and fish stocks. How do IEC methods ensure that environmental security, including fisheries, would truly evolve as a non-traditional security concern in the midst of real life circumstances where the rule of the state and use of military remain "visible" in the management and exploitation of the fishery, as largely reported in Cambodia's fishing lot system.

Further challenges could be gleaned from the process of disseminating management options using the best practice for communicating solutions with and amongst stakeholders involved in fisheries conflicts and those that could potentially facilitate mitigation of conflicts. The challenge is on how to involve the stakeholders and dutyholders in the chosen management options and how to sustain their participation. Furthermore, when participation is hampered by diverging concerns, what are the mechanisms suitable for eliciting consensus and conflict resolution? Tools in conflict management, such as consensus building, are instruments that could be extended or modified to incorporate securitization in non-traditional context.

Interactive governance, an option that may potentially engage participation in fisheries management, is defined as a process that comprises all the interaction amongst stakeholders involved in addressing problems and creating opportunities. It must allow pooling of specialized competencies and mutual interactive learning throughout the decision-making process. However, to be accepted by all stakeholders, and to be effective, governance must be transparent, equitable, legitimate and consistent (MARE, undated brochure). In some countries in Southeast Asia, some levels of interactive governance have taken place through devolution of power and management of fisheries to LGUs and fishery agencies.

5. Conclusions

From the three-country case studies and national workshops, hosted by country partners, and an international workshop hosted by the WorldFish Center, it became apparent amongst stakeholders that excess capacity is indeed a major problem in South and Southeast Asia. This problem persists in spite of the well-intended national fishery regulations in most countries that are supposed to give order to managing the fisheries. Excess capacity caused conflicts that could potentially elevate to security threats in the Region. The Project also looked into the necessary interventions to enable management of fishing capacity. Interventions mainly involved exit strategies, review of policies and institutions, and IEC. Under each type of intervention, activities were identified. Livelihoods and other direct methods of controlling fishing efforts were acceptable and preferred, but lacking action or implementation plans.

Through this Regional Consolidation Workshop, the two fisheries conflict management projects led by the WorldFish Center—in close collaboration with an array of partners amongst government fishery departments, academicians, researchers and NGOs; and in consultation with a variety of primary stakeholders and dutyholders relevant to conflict issues at stake—continue to validate the challenges and direction for managing conflicts arising from excess fishing capacity and exit strategies that would soon be heard project country partners.

The five workshop sessions and activities structured and spread over four days envisioned leading the Project to the right challenges and directions for managing conflicts and exit from fisheries, and to an understanding of security implications for the Region. Under the Session 1 on *Fisheries Conflicts and their Implications for Security in South and Southeast Asia*, country presentations by project partners provided the workshop with project findings and country perspectives. Session 2 on *Fisheries Management Options: Regional and National Perspectives* gathered a body of information on the experiences and outputs from ongoing and completed projects amongst the Region's relevant institutions.

Day 2 of the workshop began with Session 3 on the *Role of Political Leadership, Community Awareness and Participation of International/Donor Agencies in Fisheries Management*. Session 4 featured *Plenary and Simultaneous Discussions on Managing Exit in Fisheries and Reducing Fisheries Conflicts*. Finally, Session 5 on Day 3 involved *Plenary Discussions and Presentation of Workshop Summary and Recommendations*. Day 4 activities divided the workshop participants into two groups; one group was tasked with developing project ideas or concept notes for follow-up projects; the other group engaged in an exposure trip to Mabini, Batangas, to obtain firsthand information on Philippine experiences on managing fishing excess capacity and conflict resolution direct from LGUs, people's organizations (POs) and NGOs.

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