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6–9 July 2021 (Virtual meeting)

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PREPARATION OF THIS DOCUMENT

This document provides a summary of the discussions, presentations, and recommendations of the *Friends of User Rights 2021 – Online Expert Meeting* (FoUR 21) that was held online from 6 to 9 July 2021. The meeting focused on receiving inputs from the participating experts on the work done by the Food and Agriculture Organization of the United Nations (FAO) Fisheries Tenure Team since the last *Friends of User Rights meeting* in 2019 and gathering participants' ideas for guiding the way forward on FAO's fisheries tenure work. The report was prepared by Juan Francisco Lechuga Sánchez, Rebecca Metzner, and Amber Himes-Cornell, members of the Tenure Fisheries Team in the FAO Fisheries and Aquaculture Division, based on meeting notes and with the inputs from meeting participants. The views expressed in this report are those of the participants and do not necessarily reflect those of the participants' affiliated institutions.

ABSTRACT

The *Friends of User Rights 2021 – Online Expert Meeting* was organized by FAO to seek the participating experts' inputs on the work done by the FAO Tenure Team since the last Friends of User Rights meeting in 2019 and guide the way forward on FAO's fisheries tenure work.

The expected inputs from the meeting included (1) review and comment on the draft policy brief of tenure and tenure-related definitions, (2) review and comment on the paper on inland fisheries, and (3) recommendations for the way forward, including next steps and additional activities for the development of guidance on how to design and implement appropriate tenure, access and user rights in fisheries.

There was broad agreement among participants that FAO should explore different formats for the papers to contribute to and support technical guidance. Regarding the technical guidance, participants provided several outlines and content options that FAO could use in the future.

CONTENTS

Preparation of this document	iii
Abstract	iv
Abbreviations and acronyms.....	vi
Opening and introductions.....	1
General discussion: Work done by FAO since FoUR19	2
Focussed discussion 1: Draft policy brief.....	4
Focussed discussion 2: Draft inland fisheries paper	8
Conclusions and additional recommendations.....	11
References.....	13
Annex I: List of participants	14
Annex II: Participants' biographies	17
Annex III: Agenda	21
Annex IV: Additional resources	22

ABBREVIATIONS AND ACRONYMS

BG	Blue Growth
COFI	Committee on Fisheries (FAO)
CSO	civil society organization
EDF	Environmental Defense Fund
ELI	Environmental Law Institute
FAO	Food and Agriculture Organization of the United Nations
FoUR	Friends of User Rights
FoUR19	Friends of User Rights 2019 Meeting
FoUR21	Friends of User Rights 2021 – Online Expert Meeting
LATCAR	Fisheries Tenure and User Rights: Latin America and Caribbean Regional Workshop
NGO	non-governmental organization
SEABOB	Regional Workshop on Fisheries Tenure and User Rights: Southeast Asia & Bay of Bengal
SSF	small-scale fisheries
SSF Guidelines	Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security

Opening and introductions

1. Mr Juan Francisco Lechuga Sánchez, FAO Consultant, opened the *Friends of User Rights 2021 – Online Expert Meeting* (FoUR21) by greeting everyone. He pointed out that the meeting gathered together almost 30 experts. He noted the presence of FAO staff (from Headquarters and Regional Offices) that joined the meeting as observers. He remarked that the observers' participation regional offices as well as the FAO small-scale fisheries and co-management teams and showed the breadth of FAO's interest and commitment to tenure and related matters.
2. Ms Amber Himes-Cornell, FAO Fisheries Officer, reviewed the housekeeping items and ground rules for the meeting.
3. Ms Rebecca Metzner, Senior Fisheries Officer, delivered the opening speech. She reviewed the rationale for hosting FoUR21 and briefly updated the participants on the work done by the Fisheries Tenure Team since the last Friends of User Rights meeting in 2019 (FoUR19) (FAO, 2019a). She pointed out that in all events organized since FoUR19 participants agreed that there is a need for clarifying terminology in tenure agreeing on a common language. She highlighted that addressing these needs will be even more relevant given the endorsement by the 34th session of the FAO Committee on Fisheries (COFI) of the 2021 COFI Declaration for Sustainable Fisheries and Aquaculture which includes the call for integrated and coordinated multi-sectoral approaches in the context of increased competition for the use of marine and coastal areas and other demands over freshwater and land access.¹ Ms Metzner communicated to the participants that gathering inputs for addressing those needs was part of the goal of the FoUR21.
4. Mr Lechuga Sánchez introduced the agenda for the week, along with the main question to be addressed and the goals that the organizers hoped would be achieved each day. On day one, participants would reflect on the work done by FAO since the last FoUR19. In particular, participants were requested to provide comments on the usefulness of the background documents shared with them. On day two, participants would discuss the usefulness of the approach taken on the V0 draft policy brief developed by the Fisheries Tenure Team, including scope, format, and audience. On day three, the participants would advise on who to finalize the paper on tenure in inland fisheries produced by the Fisheries Tenure Team. On day four, participants would reflect on the next steps and additional activities for the development of technical guidance on how to design and implement appropriate tenure rights in fisheries.
5. The meeting proceeded with self-introductions by the participants. (See Annex II to see the participants' autobiographies.)

¹ COFI/2020/2.3 (paragraph 15): We support the implementation of integrated and coordinated multi-sectoral, evidence and ecosystem based management approaches, as well as temporal and spatial planning, noting that our efforts would be implemented in the context of growing external pressures in marine and inland aquatic systems, such as pollution in all its forms, unregulated practices, natural disasters, climate change, biodiversity loss, increased competition for the use of marine and coastal areas and other demands over freshwater and land access. <http://www.fao.org/3/ne472en/ne472en.pdf>

General discussion: Work done by FAO since FoUR19

6. Ms Metzner presented the work done by the Fisheries Tenure Team since FoUR19. She recalled the FoUR19 recommendations, which were (1) to develop technical guidance on how to design and implement appropriate tenure in fisheries and (2) to organize a series of regional workshops for gathering regional inputs and nuances for such guidance. She highlighted that the team had successfully held the first two of the regional workshops: the *Regional Workshop on Fisheries Tenure and User Rights: Southeast Asia & Bay of Bengal* (SEABOB) (FAO, 2019b), and the *Fisheries Tenure and User Rights: Latin America and Caribbean Regional Workshop* (LATCAR) (FAO, 2020a). At both workshops participants discussed the meaning of tenure and other tenure-related terms. A major outcome agreement on the need for a better-shared understanding of the terms used when addressing fisheries tenure issues. Ms Metzner explained that to address this need, the Fisheries Tenure Team had drafted a policy brief and was seeking feedback from the FoUR21 participants.
7. Next, Ms Metzner introduced the paper on tenure in inland fisheries authored by Robert Arthur, FAO consultant. Originally, the Fisheries Tenure Team developed the document to be used as a background paper for the third event planned for a workshop on fisheries tenure in *Great Lakes and Inland Water Bodies of the World*. The workshop, originally planned for March 2020, was canceled due to the COVID-19 pandemic and started efforts to rethink and rework the contents of the background paper. She communicated to the FoUR21 participants her desire of having them part of that rethinking exercise.
8. Last but not least, Ms Metzner reminded the participants that the policy brief and the paper on tenure in inland fisheries FAO has drafted were part of a bigger picture. Along with providing inputs to improve those two documents, FoUR21 participants were to provide recommendations and suggestions to the FAO Tenure Team about the next steps and additional activities for the development of technical guidance on how to design and implement appropriate tenure rights in fisheries.
9. After finishing her presentation, Ms Metzner opened the floor to start the discussion about the work done by FAO since the last FoUR19.
10. Participants provided comments on the work done by FAO since the last FoUR2019. They mentioned that FAO should focus on developing a strategy for addressing fisheries tenure issues and promoting change on the ground, and they stressed that more projects are required rather than additional meetings.
11. Participants considered that there has been sufficient discussion of tenure rights on a global scale and noted that it is time to shift from global efforts to more targeted approaches.
12. Participants highlighted the value of the examples gathered through the regional meetings. They noted that the challenge is now for FAO to incorporate the examples of fisheries tenure systems and tenure-related projects gathered from the regional meetings into guidance that can help move forward the implementation of 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 in the Context of Food Security and Poverty Eradication* (SSF Guidelines).

13. Participants recommended that it is time for FAO to produce practical and simple tools for addressing fisheries tenure issues. These tools should consider (1) objectives, (2) context, (3) history, (4) institutions, and (5) existing rights – and clarify the distinctions between rights holders and right users.
14. Participants provided examples of what a good tool could be. A document published by the Environmental Law Institute (ELI) (ELI, 2020) was shared and its section “Implementing Tenure Rights for Small-scale Fishing” was considered a relevant example of what stakeholders on the ground might need to address the practical legal elements for regulating tenure. Participants proposed possible set of tools to be developed (Box 1).

Box 1 Example content for a tool for guiding on the introduction, modification, reinforcement, and securing of fisheries tenure rights.

1. *What is it?* A hands-on diagnostic tool to help countries assess/take stock of the current situation.
2. *What is in it?* Technical as well as hands-on guidance, including:
 - (1) The various issues to consider when introducing new tenure systems or modifying existing ones (including matters related to tenure such as social protection, repurposing subsidies, etc.);
 - (2) A typology or taxonomy emphasizing that there are many different tenure-related terms and that their use is context-specific;
 - (3) Examples of different routes one can take to introduce, ensure, reinforce and/or modify rights;
 - (4) Things to watch out for when choosing between and/or combining these routes;
 - (5) A conceptual framework that outlines how to approach the overall process.

Plus, a companion summary note introducing stakeholders to the issue of tenure in capture fisheries.

15. Participants also commented briefly on the documents shared by the FAO Tenure Team. They considered a glossary of terms a good step forward to clarifying the meaning of these terms. However, some participants noted how complex it is to define a term using a global approach, as a definition might not fit all circumstances. They proposed translating those definitions into concrete examples or stories, as it could help to understand and contextualize these concepts. They also stressed that the definitions should consider both include marine and inland fisheries.
16. Participants reflected on the inland fisheries tenure paper. They suggested that the length and technicality of the document might be a deterrent to readers, and they recommended shortening it while keeping its essence.

Focussed discussion 1: Draft policy brief

17. Ms Metzner reminded that the participants at previous meetings recommended that FAO develop more harmonized language regarding tenure and related terms in fisheries. She clarified that the team collected definitions of tenure and tenure-related terms developed by FAO and other entities as a starting point to create discussion. She specified that two background documents (FAO, 2020b; Hodgson, 2016) shared in advance of this meeting were provided as examples of ways forward. Both have very different approaches: one is an applied product, and the other is a typology of water tenure definitions. She then asked that the FoUR21 participants reflect on the scope, shape, content, and the way forward for similar products for the fisheries sector.
18. Participants considered the draft list of definitions provided by FAO useful as a first step towards addressing the need for clarification of tenure and tenure-related terms. They noted that definitions and a defined language are needed when legislating at a national level. However, they noted that countries define tenure and other related terms to fit their respective national contexts, and they questioned the usefulness of developing a lengthy compilation of definitions. They also considered that the amount of information in the definitions list could lead to confusion.
19. Participants proposed alternatives to the approach of a list of definitions. They suggested that FAO condense the current set of definitions into key terms. They suggested FAO (i) identify the terms that generate confusion among stakeholders and (ii) draft simple and short definitions of those terms. They proposed using a bottom-up approach, through the organization of workshops, panels, and expert working groups to identify key terms. Participants also concluded that having simple definitions would allow adding more information depending on a specific context (e.g. regional or national contexts). The definition of tenure systems from the VGGT was considered a good example of a simple definition that gets away from the technicalities of some of the definitions provided in the draft policy brief (Box 2).

Box 2 Definition of tenure systems from the VGGT

“How people, communities and others gain access to land, fisheries and forests is defined and regulated by societies through systems of tenure. These tenure systems determine who can use which resources, for how long, and under what conditions.”

Source: FAO (2012)

20. Participants highlighted the existence of possible contradictions when defining and using terms. They pointed out that some of the definitions found in the meeting background papers shared by the FAO Tenure Team contain contradictions that should be avoided when producing new guidance. For example, they noticed that some terms are used interchangeably (e.g. indigenous and customary rights - customary rights might include all people in an area, both indigenous and non-indigenous).
21. Participants emphasized that gender should be more present in future documents, with particular attention to avoid confusion between gender equality and gender equity.
22. Participants pointed out that, in general, some of the terminology used is legal in nature, but that some definitions go beyond their precise legal meanings and have a social

component. FAO needs to be aware of that when producing guidance and will need to navigate between strictly legal definitions and others that are not and that need to be contextualized. In this regard, participants recommended using the term tenure instead of terms such as user rights or use rights. They considered that the term tenure captures social aspects, while other terms have more specific meanings and implications.

23. Participants agreed that a typology approach would be best. They considered that the typology aspect would let the user of the document focus depending on different issues (e.g. inland fisheries, marine fisheries, large-scale fisheries, small-scale fisheries, etc.). They also considered that the format proposed (a policy brief) would be misleading if the aim is to develop a typology. They inquired about the various categories of documents FAO produces to help inform their input as to what kind of document would be best to produce in this case.
24. Participants recommended that the product produced should serve to recognize and secure tenure rights. They emphasized that communities need a roadmap to follow if they do not have legal tools. The participants provided two examples of roadmaps that would be useful: (1) roadmap for enacting the legal recognition of fisheries tenure rights and (2) roadmap for operationalizing those rights at the fishery management level. The respective roadmaps can contain questions to evaluate the situation.
25. Participants also pointed out the need for a tool that helps to assess the adequacy of the fisheries tenure systems in place. They noted that in some countries, specifically in the South Pacific, tenure systems are supported both indirectly and directly in legislation, policies, and plans at national, subnational, and local levels and that there is a need to assess if those tenure systems have achieved their original objectives.
26. Participants suggested that the FAO future guidance could provide a menu of approaches to construct a tenure system that fits the users' needs. They mentioned that this guidance should summarize existing knowledge. (See Annex IV for reviewing some of the examples of existing knowledge provided by the participants.) It should also be presented in non-technical terms and containing examples and case studies. An outline of a practical user guide aiming to help establish or defend rights legislation or policy was shared as an example of a possible structure for the roadmap (Box 3).

Box 3 Outline of a practical user guide

1. What are the different types of tenure of rights, and who could be rights holders?
2. What would you expect to achieve from various types of rights?
3. What would be adequate rights, and how could these be framed in the national or political context? (Examples, specific phrasing, and errors to avoid - also references)
4. How do these rights relate to other uses of natural resources and in marine and freshwater environments?

27. Participants considered that the product produced should include a summary - together with a typology of fisheries tenure - clarifying the meaning of tenure, from where it comes from, what it wants to achieve, and the implications and challenges of future tenure systems. They also suggested that the summary could explain what kind of duties and obligations come with secured tenure. It should also introduce key concepts, including but not limited to the topics of a human rights-based approach, blue justice, gender equality, indigenous communities, etc.
28. Participants highlighted the importance of providing examples in the practical user guide document. They argued that change comes from narratives that inspire people rather than wordy definitions. Participants noted that real-life examples of fisheries tenure systems would be helpful for people in the field who are in the process of implementing a new tenure system or modifying and securing an existing one. They also noted that guidance and examples could be the source of inspiration for encouraging stakeholders who have lost access to traditional fishing grounds to reclaim those rights.
29. Participants also proposed producing guidance with different approaches for inland and marine fisheries. Some participants considered that while marine fishing communities still have rights and can defend them, many communities in the inland context have lost their rights *vis-à-vis other* sectors (e.g. irrigation). They also suggested that FAO should prepare documents that fit specific ecosystems, as it would facilitate how we apply and modify different approaches to different ecosystems.
30. Participants suggested exploring the interaction between land tenure and fisheries tenure in the guidance produced. It was noted that land tenure and fisheries tenure should be considered as part of the same system and should be secured through the codification of tenure.
31. Participants discussed whether the guidance should address the topic of enforceability of rights or if it should be part of another product.
32. Participants inquired about the FAO publication *Implementing improved tenure governance in fisheries: a Technical Guide to Support the Implementation of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security* (FAO, 2013). They agreed that although the current context is different (the document was produced in 2013 before the 2014 adoption of the SSF Guidelines), much of its content could be reviewed and re-utilized.
33. Participants debated about who the audience for this guidance should be. They agreed that defining the audience at the outset is critical to offering helpful and practical guidance to promote positive change on the ground. They cautioned that it would be difficult to develop a useful tool if there is no clear understanding of the target audience. They also noted that an excess of information could create an impractical document.
34. Although they suggested a well-defined audience, participants also suggested that such a guidance document should target a wide range of stakeholders. They pointed out that FAO is the normative organization of reference in fisheries and, therefore, a broad audience is required. Accordingly, they considered that the main document produced should be broad and target different stakeholders.

35. Participants also noted that creating a process that leads to change on the ground can mean that tenure is, eventually, legally codified. They considered that initiatives to codify tenure come from policymakers, government, and fisheries officers, but that change also happens at the local level (e.g. driven by local activists). Therefore, the document should address all of them, and the language should be simple.
36. Participants proposed to target different fisheries stakeholders by developing separate documents. For example, FAO could produce two documents: (i) a technical document, and (ii) a user-friendly document. They also proposed other alternatives, like issuing different products for different readers to provide different perspectives regarding tenure.
37. To ensure that the guide targets the right audience, participants proposed the FAO Tenure Team ask FAO field staff about the needs in the field and about what people are doing with documents that are currently available (e.g., the Environmental Defense Fund (EDF) Catch Share Design Manuals, the Community Fisheries Management Handbook – see Annex IV).
38. Participants paid particular attention to the concept of competition between the fisheries sector and other sectors in the context of Blue Growth (BG). They wondered what tenure for stakeholders in the fisheries sector means in the broader context of BG, as it will be spatially demanding and challenging.
39. Participants agreed and stressed that FAO's guidance should go beyond tenure in fisheries and to address tenure in aquatic spaces, as (1) FAO cannot work on fisheries in isolation and (2) marine spatial plans around the world seem not to mention fisheries tenure. They pointed out that there is increasing competition over aquatic areas and resources and recommended that the proposed practical guidance on how to address the future challenges that this new paradigm will bring – i.e. about confrontations between current users and future users. Participants pointed out that the same applies to inland fisheries. They pointed out that the proposed guidance should empower fishers and those representing fisheries (including fisheries agencies at the government level), thereby encouraging and facilitating their participation in negotiation processes.
40. A summary of the documents proposed by the participants is provided in Box 4.

Box 4 Summary of the documents proposed by the participants during the focussed discussion 1

Participants recommended to FAO to produce practical guidance containing and simple tools for addressing fisheries tenure issues. Participants broadly agreed on the usefulness of two type of tools:

- (1) A typology;
- (2) A roadmap.

Participants also recommended to develop:

- (1) A set of key terms extracted from the set of definitions gathered in the draft policy brief;
- (2) A tool that helps to assess the adequacy of the fisheries tenure systems in place.

Focussed discussion 2: Draft inland fisheries paper

41. Participants agreed that the draft inland fisheries paper is a comprehensive document with a lot of good information. However, they also agreed that a different format might be more suitable for contributing to FAO's bigger picture in producing technical guidance on how to design and implement appropriate tenure access and user rights and fisheries.
42. Participants considered the initial chapters as a good introduction to tenure in fisheries that could be applied not only to inland fisheries, but also to marine fisheries. However, they noted that the chapters focusing on tenure in various types of inland ecosystems needed additional information and synthesis to demonstrate what is unique to each inland environment.
43. Participants suggested using the information in the draft paper to produce (1) an introductory document on the subject of tenure rights in marine and inland fisheries, and (2) a few policy brief type documents or web pages that address tenure and user right issues in different inland ecosystems and that are readily accessible for fisheries stakeholders (e.g. through a website). The participants discussed the options and target audiences and suggested producing policy briefs for non-governmental organizations (NGO), civil society organizations (CSO), and government officials. Suggestions were also made that members of the FoUR21 group publish academic papers in journals to involve the academic community in exchanges on the topic of tenure.
44. Participants noted that the issues in inland fisheries are not limited to the management of fishing effort and the sustainable use of the fisheries resources but are also related to the use and management of land and water. They provided different examples where access to fishing grounds is affected (e.g., local communities displaced after a dam is built; multiple use of fluvial spaces). They pointed out that many challenges in inland fisheries have a spatial component that needs to be acknowledged when addressing tenure issues in inland fisheries. They suggested exploring the concept of fishing territories, as it involves the changing spatial and temporal dimension associated with inland fisheries and the governance aspects associated with the use and preservation of these territories.
45. Participants noted that, although the draft paper implies that tenure arrangements to fisheries resources are affected by water dynamics, water tenure and resource tenure need to be blended into the document. They also underscored that disputes over shared water spaces (transboundary and non-transboundary) should be considered.
46. Participants agreed that when talking of tenure in inland fisheries, it is vital to think of the tenure of water, land, forest, and fisheries collectively. A tentative definition of tenure in inland waters was shared by the participants (Box 5). Notably, the definition implies that fishing activity in freshwater systems may be reduced or limited by interactions with other actors that make use of the fluvial (lake), terrestrial or coastal spaces that are used by fishermen to carry out fishing and associated activities.

Box 5 Proposed definition of tenure in inland fisheries

For freshwater systems, fishing tenure could be defined as the possibility of being able to maintain fishing as a traditional livelihood, exercising the right to fully practice the activity throughout the scope of the fishing territory.

47. Participants emphasized the role of the ecosystem-based approach to fisheries in management and fisheries tenure as it allows going beyond target species and includes the impact of fishing on the overall ecosystem.
48. Participants discussed transboundary issues in inland fisheries. Participants noted that fisheries are generally not included in river basin plans or watershed management. They suggested gathering representatives from various regions of the world to provide information that is not readily available (e.g., about the type(s) of tenure arrangements that exist) and to ask them for recommendations on how legal and policy planning processes should treat fisheries management of fisheries in the context of watersheds use.
49. Participants outlined the shifting nature of many water bodies and how changes in a water body can create bi- or multi-lateral issues. They recommended referencing the United Nations Convention on Watercourses when addressing transboundary issues in inland fisheries since they considered it could be used as an example of how countries along watercourses can collaborate.
50. Participants pointed out that the importance of fisheries tenure spans the entire value chain and that it would be helpful to explore the implications of fisheries tenure on value chain development and trade.
51. Participants pointed out the lack of information on how the political and economic context may influence tenure arrangements and practice. They also noted that the document does not address how migration of fisherfolk would interact with tenure arrangements. They reflected that the absence of good governance and rule of law can affect tenure practices and security. They suggested expanding the information on responsibilities related to tenure rights (e.g. compliance with rules and regulations.)
52. Participants suggested looking into other approaches to institutional analysis that could be relevant for the document.
53. Participants stressed the need to clearly define gender equality and equity and emphasized that this issue should be addressed in the draft paper, as well as any other documents that FAO produces on fisheries tenure.
54. Participants suggested that the draft paper should address the gathering of aquatic plants. They pointed out that the interactions between water, plants, and fish species need to be captured.
55. Participants noted that legal frameworks in inland fisheries are often more complex than in marine fisheries, and noted the document does not focus on the legal concepts involved in inland fisheries. They suggested that this gap should be addressed in this or future documents.
56. Participants suggested that FAO share the resulting document(s) with the National Technical Fisheries Directors, forums of CSO, and Regional Fisheries Management Organizations.

57. A summary of the documents proposed by the participants is provided in Box 6.

Box 6 Summary of the documents proposed by the participants during the focussed discussion 2

Participants suggested using the information in the draft inland paper to produce:

- (1) An introductory document on the subject of tenure rights in fisheries (both marine and inland);
- (2) A few policy brief type documents or web pages that address different inland ecosystems that are readily accessible for fisheries stakeholders.

Conclusions and additional recommendations

58. Participants discussed how the draft policy brief and inland tenure paper could help support the development of technical guidance on how to design and implement appropriate tenure systems and user rights and fisheries. They concluded that a new document or set of documents will need to be produced to achieve that objective. A summary of the documents proposed by the participants is provided in Box 7.

Box 7 Summary of the documents proposed by the participants

Participants recommended to FAO to produce practical and simple tools for addressing fisheries tenure issues. Participants broadly agreed on the usefulness of two type of tools:

- (1) A typology;
- (2) A roadmap.

Participants also recommended to develop:

- (1) A set of key terms extracted from the set of definitions gathered in the draft policy brief,
- (2) A tool that helps to assess the adequacy of the fisheries tenure systems in place.

Participants suggested using the information in the draft inland paper to produce:

- (1) An introductory document on the subject of tenure rights in fisheries (both marine and inland);
- (2) A few policy brief type documents or web pages that address different inland ecosystems that are readily accessible for fisheries stakeholders

59. Participants noted that ensuring that terms are understood should be a relevant part of technical guidance, and could be a starting point. They provided a summary of some of the elements that could be used for guidance and that were discussed during the meeting. These elements included descriptions of different types of tenure, the incentives that various types of tenure systems create, and what impact tenure systems are expected to have based on previous experiences.
60. Participants recognized that regardless of the kind of document produced in the following months, its content and format will not meet everyone's expectations. Given this, they recommended that FAO evaluate what can be accomplished in the short term and what is most useful from a practical point of view.
61. Participants discussed the process for drafting guidance and acknowledged that drafting by committee is always challenging as experts have a wide range of views which may sometimes be in opposition. They proposed that FAO should take the lead and draft an annotated outline of technical guidance, capturing the most relevant points shared in the FoUR21 meeting. That would act to help streamline consensus between experts about the content of the document before it is drafted.

62. Participants proposed having an author or even a small group of experts who focus on doing the writing of a first draft. Later on, a small advisory group or future FoUR meetings could provide feedback.
63. Participants stressed the need to use the documents to support the implementation of the SSF Guidelines and the Sustainable Development Goals in addition to the VGGT.
64. Participants stressed that indigenous rights and gender should not be left aside.
65. Participants reminded FAO that the documents should highlight the rights of communities and should provide the tools to empower them.
66. EDF volunteered to collaborate with FAO to produce technical guidance and to share their experience producing tools and working with communities and governments to implement tenure rights systems and SSF Guidelines.
67. Finally, with regard to the frequency of FoUR expert meetings, the participants recommended hosting FoUR meetings regularly and more frequently – such as every 6-8 months.
68. Ms Metzner delivered closing remarks, thanking participants for their hard work, extremely useful contributions and constructive suggestions.

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Annex I: List of participants

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Annex II: Participants' biographies

Arnason, Ragnar: Ragnar Arnason is a professor of fisheries economics at the University of Iceland. His research has primarily been in the field of natural resource economics especially fisheries economics and fisheries management in which he has an extensive publication record of over 150 scientific articles and several books. Among other things he was one of the main authors of the World Bank publication, "The Sunken Billions" (2009) and has just completed his work on the follow-up, "The Sunken Billions Revisited" published in 2017. In addition to his academic work professor Arnason has advised on fisheries policies and management in all continents of the world.

Baigún, Claudio: Claudio Baigún is a fisheries biologist and holds the position of Fish and Fisheries Program Coordinator at Wetlands International (Latin America and Caribbean Office), where he is responsible for the development of research programs and extension activities related to small-scale fisheries and the implementation and application of good fishing practices within an Ecosystem Approach to Fisheries. He also holds a research position at the Universidad Nacional de San Martín-CONICET (Argentina). His current interests are related to the development and conservation of small-scale neotropical fisheries in the large river systems of Latin America. In this context, he has started to develop studies on tenure and fishing rights problems related to territorial aspects, adaptation to climate change, application of fishermen's ecological knowledge and development of sustainability criteria looking at a multidisciplinary scale. I am very interested in participating in the process of development and implementation of fishing rights and tenure because they are one of the bases to guarantee the sustainability of fisheries.

Bonzon, Kate: Kate Bonzon is Vice President, Oceans Global Initiatives at Environmental Defense Fund. Kate leads a team of experts who are dedicated to reversing overfishing and restoring the world's ocean to abundance. They partner with fishing communities, scientists, governments and others to develop and implement solutions that lead to more fish in the ocean, more food for people and more prosperity for communities who depend on fishing for their livelihoods. Kate has created numerous tools that help advance sustainable fishing, specifically on design and implementation of user rights.

Charles, Anthony: Anthony Charles is a professor at Saint Mary's University (Halifax, Canada). His research focuses on fisheries, oceans and coasts, including sustainability and resilience, climate change, ecosystem-based management, community-based management, and marine protected areas. He leads a global FAO-supported project on small-scale fisheries and environmental stewardship (<https://ssf-stewardship.net/>) and is Director of the Community Conservation Research Network (www.CommunityConservation.Net), which explores linkages of conservation and sustainable economies. Tony has been engaged in work on use rights and management rights in fisheries for many years (e.g. see articles at www.anthonycharles.ca). Some of his other work includes the FAO report "Addressing the Climate Change and Poverty Nexus" (www.fao.org/publications/card/en/c/CA6968EN/) and the books "Sustainable Fishery Systems" (new edition forthcoming); "Governance of Marine Fisheries and Biodiversity Conservation"; "Governing the Coastal Commons"; and in 2021, "Communities, Conservation and Livelihoods" www.communityconservation.net/communities-conservation-livelihoods-the-book/

Govan, Hugh: Hugh Govan is Adjunct Senior Fellow at USP's School of Government, Development & International Affairs (SGDIA) and adviser to the Locally Managed Marine Area Network (LMMA) in Asia and the Pacific. Now based in Brussels and Malaga but mainly worked in the Pacific Islands as well as Central and South America and Europe spanning human rights, traditional medicine, cultural survival, sustainable forest livelihoods, renewable energy and aquaculture. Interests include sharing what has been learned from community-driven approaches to resource management from the Pacific and elsewhere more broadly while paying attention to factors such as rights and policy that might best ensure local fishers are empowered to sustain their livelihoods in coastal areas. He is co-author of the region's overarching ocean policy, the Framework for a Pacific Oceanscape, as well as SPC and MSG fisheries strategies and PNG's Roadmap for coastal fisheries. <http://tauika.net/publications.htm>

Johannesson, Joacim: Joacim Johannesson is a Senior Analyst at the Swedish Agency for Marine and Water Management (SwAM). Since 2011 he has been actively involved in Swedish marine spatial planning, MSP as well as regional cooperation in the Baltic Sea region. He was project coordinator of the national project developing proposals for maritime spatial plans for the Swedish marine areas. Earlier Mr Johannesson worked 13 years in fisheries management including international cooperation. He is an economist by training.

Josupeit, Helga: Helga Josupeit was a Senior Fishery Officer, at FAO, Rome before retirement some four years ago. She has a Master degree in Mathematics and Economics from the University of Cologne, Germany. She was involved in various activities with regard to user rights and co-management. At present she works as Senior Advisor with INFOPECSA, in Latin America.

Landman, Jessica: Jessica Landman is a marine conservation consultant with Council Fire, a US-based sustainability consultancy. She works with NGOs, governments and philanthropies to develop and implement sustainable fishery management strategies, with a focus on small scale fisheries. She is a lawyer, with extensive experience in drafting and implementing laws and regulations, and has been working in this field for over three decades.

Macgillivray, Paul: Paul Macgillivray is a consultant based in Canada with extensive experience in the field of fisheries and aquaculture management. In addition to working for over thirty years on economic, policy and operational aspects of Canadian fisheries, he has represented Canada at international fisheries commissions and worked as a consultant on projects for the UN Food and Agriculture Organization (FAO) and the World Bank.

Maharaj, Vishwanie: Vishwanie Maharaj is a resource economist and currently Director of International Fisheries on the Oceans team at the World Wildlife Fund, Inc. For more than 20 years she has focused on the science and management of fisheries resources, with focus on tenure and user rights systems in fisheries. She works with diverse stakeholders to co-develop and implement strategies to foster responsible fisheries strategies.

Mathew, Sebastian: Sebastian Mathew, Executive Director, International Collective in Support of Fishworkers (ICSF), India, has been working on ring-fencing traditional, small-scale, and artisanal non-towed fishers behind secure tenure rights and rekindling extinguished tenure rights of inland fishers in floodplains and river basins.

Mclean, Bernice: Bernice McLean is the Supervisor of Industrialisation at the African Union Development Agency. She is a marine policy specialist with a strong interest in ocean governance and sustainable fisheries and aquaculture development and management. Bernice completed her PhD in Marine Policy at the University of Delaware, USA. She joined AUDA-NEPAD in 2016, working on fisheries and aquaculture development. Her current role includes developing and implementing targeted programme to support African Member States, Regional Bodies and other stakeholders in areas of sustainable and equitable Industrialisation. This includes also developing and implementing key flagship initiatives with the aim of generating wealth, creating income opportunities and show casing learning and innovation in the Blue Economy and other key development sectors.

Nunan, Fiona: Fiona Nunan is Professor of Environment and Development in the International Development Department, University of Birmingham, UK. Between 2003 and 2008 she worked on two fisheries management projects in East Africa, one solely on Ugandan lakes and the other on the transboundary Lake Victoria. She returned to academia in 2008, focusing her research on the governance of renewable natural resources, particularly inland fisheries and coastal ecosystems. She is the author of Understanding Poverty and the Environment: Analytical frameworks and approaches and editor of Making Climate Compatible Development Happen and Governing Renewable Natural Resources: theories and frameworks.

Pictou, Sherry: Sherry Pictou is a Mi'kmaq woman from L'sitkuk (water cuts through high rocks), Bear River First Nation, Nova Scotia, Canada. Dr. Pictou is an Assistant Professor in the Faculties of Law and Management at Dalhousie University <https://www.dal.ca/faculty/law/faculty-staff/our-faculty/sherry-pictou.html> She holds a Tier 2 Canada Research Chair in Indigenous Governance and is the District Chief for the Confederacy of Mainland Mi'kmaq. Dr. Pictou is also a former Chief for her community and the former Co-Chair of the World Forum of Fisher Peoples. She is a member of the UN Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) Task Force on Indigenous and Local Knowledge.

Ross Salazar, Erick: Erick Ross Salazar works with GIZ as an advisor on marine issues for the Blue Solutions Initiative. His responsibilities include coordinating capacity building with partner countries and organizations, developing workshops to enhance local knowledge of marine spatial planning, and helping drive forth marine planning processes. His working experience has been focused on developing marine spatial planning initiatives, promoting sustainable seafood value chains and working with artisanal fishing communities. Erick has a doctorate degree in Ecology and Management of Living Marine Resources from the University of Las Palmas de Gran Canaria, and an undergraduate degree in Marine and Freshwater Biology from the National University of Costa Rica.

Rukuunya, Edward: Edward Rukuunya is Director of Fisheries Management and Development at the Lake Victoria Fisheries Organization, Uganda. He is interested in participating in the FoUR21 since the Lake Victoria Fisheries Organization, as an organization, is reviewing its Fisheries Management Plan and developing a strategic plan that encompasses co-management with a rights-based approach.

Soliman, Adam: Adam Soliman is a Lawyer in Vancouver, Canada and an adjunct professor of law and the director of the Fisheries Law Centre. He received his BSc in Agricultural Economics at the University of Alexandria, Egypt, MSc in Agricultural Economics at the University of British Columbia, Juris Doctor at the Hong Kong University, and LLM in

Agricultural and Food Law at the University of Arkansas. He is also in the process of obtaining his PhD in Law at the University of British Columbia. He is interested in legal issues in fisheries with special focus on small scale fisheries. His research focuses on property rights in fisheries, human rights approach to fisheries management, as well as advocacy and access to justice in small scale fisheries.

Song, Andrew: Andrew Song is Lecturer at the University of Technology Sydney. His research interests are in the area of governance and geography of coastal and inland fisheries, with recent work focusing on the governance of fisheries in a transboundary setting. He has also explored the intersection of human rights and fishing rights and also the justice questions relating to Indigenous rights to fishing. After completing a PhD at Memorial University of Newfoundland in 2014 and spending a year at McGill University as a postdoc, he spent three years at the ARC Centre of Excellence for Coral Reef Studies in James Cook University working as a research fellow. During this time, he also held a joint affiliation with WorldFish.

Tegelskär Greig, Gunilla: Gunilla Tegelskär Greig, an economist by training, is a Senior Fisheries Specialist with the World Bank Group, managing the fisheries & aquaculture pillar of PROBLUE - an umbrella trust fund that supports a sustainable and integrated development of marine and coastal resources in healthy oceans. Ms Greig has been working on fisheries in various, mainly policy-focused, capacities for the past 27 years, including with the FAO and NEPAD.

Yagi, Nobuyuki: Nobuyuki Yagi is a Professor at the University of Tokyo and Member of the Science Council of Japan. His area of study includes socio-economic aspects on small-scale fishery and marketing analysis on food products. He received his MBA from the Wharton School of University of Pennsylvania, Philadelphia, USA, and his PhD from the Graduate School of Agricultural and Life Sciences, the University of Tokyo, Japan. He was a member of the Executive Committee of the IIFET (International Institute of Fisheries Economics & Trade) from 2014 to 2018 and an expert of the IPBES (Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services) at its group on values from 2014 to 2018. He also serves as a member of Scientific Advisory Group (SAG) of the Globally Important Agricultural Heritage System (GIAHS) Program of the Food and Agriculture Organization of the United Nations (FAO) from 2019 to 2022.

Annex III: Agenda

Day 1: Tuesday, 6 July 2021	
12.00–13.20	Welcome and introductions
	<ul style="list-style-type: none"> • Rules and housekeeping • Opening remarks • Overview of the meeting program • Self-introduction by participants
13.20–13.30	<i>Coffee Break</i>
13.30–14.25	Discussion and inputs about 4 areas of updates
	<ul style="list-style-type: none"> • Walk-through and review of FAO's work progress since FoUR19 • Open discussion
14.25–14.30	Wrapping up of the day
Day 2: Wednesday, 7 July 2021	
12.00–13.20	Draft policy brief: scope, content and process for finalization
	<ul style="list-style-type: none"> • Review of the objectives of the day • Brief introduction of the scope and content draft policy brief • Open discussion
13.20–13.30	<i>Coffee Break</i>
13.30–14.25	Draft policy brief: scope, content and process for finalization (cont.; open discussion)
14.25–14.30	Wrapping up of the day
Day 3: Thursday, 8 July 2021	
12.00–12.10	Review of day 2
12.10–13.20	Background paper on inland fisheries: scope, content and process for finalization
	<ul style="list-style-type: none"> • Introduction of Robert Arthur, author of the background paper • Brief introduction of the initial scope and content of the background paper on inland fisheries • Review of the objectives of the day • Open discussion
13.20–13.30	<i>Coffee Break</i>
13.30–14.25	Background paper on inland fisheries: scope, content and process for finalization (cont.; open discussion)
14.25–14.30	Wrapping up of the day
Day 4: Friday, 9 July 2021	
12.00–13.30	The way forward and next steps
13.30–13.35	Closing remarks:

Annex IV: Additional resources

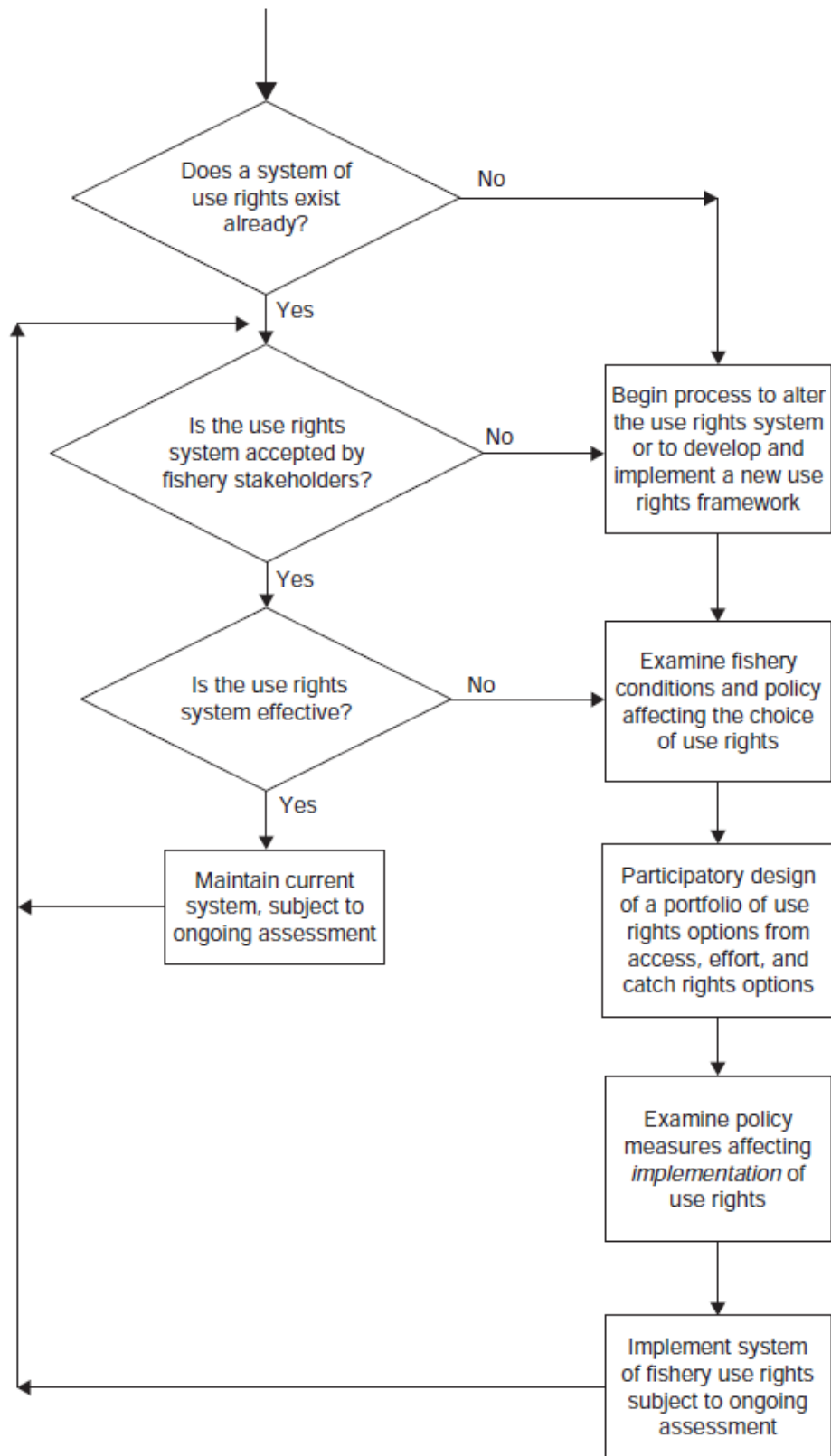
This section includes resources shared by the participants during the meeting.

FAO Documents

Proceedings of the Global Conference on Tenure and User Rights in Fisheries 2018:
Achieving Sustainable Development Goals by 2030
<http://www.fao.org/3/ca6967en/CA6967EN.pdf>

Enhancing the contribution of small-scale fisheries to food security and sustainable livelihoods: An overview of the FAO Umbrella Programme for the promotion and application of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication
<http://www.fao.org/documents/card/en/c/ca6958en/>

Use rights assessment process



Source: Charles. A. 2009. Rights-based fisheries management: The role of use rights in managing access and harvesting. In K.L. Cochrane & S.M. Garcia, eds. *A Fishery Manager's Guidebook*, pp. 253-282. Oxford, UK, Wiley-Blackwell.

EDF Catch Share Design Manuals:

Catch Share Design Manual, Volume 1: A Guide for Managers and Fishermen.

https://fisherysolutionscenter.edf.org/sites/catchshares.edf.org/files/CSDM_Vol1_A_Guide_for_Managers_and_Fishermen.pdf

Share Design Manual, Volume 2: Cooperative Catch Shares.

https://fisherysolutionscenter.edf.org/sites/catchshares.edf.org/files/CSDM_Vol2_Cooperative_Catch_Shares.pdf

Catch Share Design Manual, Volume 3: Territorial Use Rights for Fishing.

https://fisherysolutionscenter.edf.org/sites/catchshares.edf.org/files/3-CSDM_Vol3_TURFs.pdf

ICFS documents

Governance of water and freshwater fish production systems in India: Is there need for a national policy to protect fishers and fishworkers? Policy note

<https://igssf.icsf.net/images/what%20is%20new%20page/Inland%20Fisheries%20policy%20note%20by%20ICSF.pdf>

Proceedings of the Mekong Region Workshop on the SSF Guidelines (2016)

<https://docs.google.com/viewer?a=v&pid=sites&srcid=ZGVmYXVsdGRvbWFpbmVzZG4OmQ2NGQ0M2E4MDE4OGJk>

Summary of the SSF Guidelines

<https://igssf.icsf.net/images/SSF%20India%20workshop/COPYRIGHT/ICSF%20english.pdf>

Peer reviewed articles

Bavinck, M., Berkes, F., Charles, A., Dias, A. C. E., Doubleday, N., Nayak, P., & Sowman, M. 2017. The impact of coastal grabbing on community conservation—a global reconnaissance. *Maritime studies*, 16(1), 1-17.

<https://link.springer.com/article/10.1186/s40152-017-0062-8>

Capistrano, R. C. G., & Charles, A. T. 2012. Indigenous rights and coastal fisheries: a framework of livelihoods, rights and equity. *Ocean & Coastal Management*, 69, 200-209.

<https://www.sciencedirect.com/science/article/abs/pii/S0964569112002281?via%3Dihub>

Charles, A. 2011. Small-Scale Fisheries: On Rights, Trade and Subsidies. *Maritime Studies (MAST)* 10:85-94.

<http://smu-facweb.smu.ca/~charles/WEBPAGES/documents/Charles-small-scalefisheries-rightstradeandsubsidiesMAST.pdf>

Charles, A. 2011. Human Rights and Fishery Rights in Small-scale Fisheries Management. In R.S. Pomeroy & N.L. Andrew (Eds.). *Small Scale Fisheries Management* (pp.59-74). Oxfordshire, UK, CAB International.

Nasuchon, N., & Charles, A. 2010. Community involvement in fisheries management: experiences in the Gulf of Thailand countries. *Marine Policy*, 34(1), 163-169.
https://www.sciencedirect.com/science/article/pii/S0308597X09000918?casa_token=FrwO5Cgo1KQAAAAA:Gs7MgxzfpDWCp1ApODyR8OWJxYB3cku_gdjUxAyM3FHirL9ggxUquNNYdWXwvCQgggPnhE4d6qA

Other documents

Charles, A. 2010. Good Practices in the Governance of Small-Scale Fisheries, with a Focus on Rights-Based Approaches. Prepared for FAO Workshops on Securing Sustainable Small-Scale Fisheries: Bringing together responsible fisheries and social development. http://smu-facweb.smu.ca/~charles/PDFS_2005/090.pdf

Graham, J., Charles, A. & Bull. A. 2006. *Community-Fisheries Management Handbook*. Halifax, Canada, the Gorsebrook Research Institute, Saint Mary's University.
<https://www.communityconservation.net/resources/publications/>

Garcia, S. M., Rice, J., & Charles, A., eds. 2014. *Governance of marine fisheries and biodiversity conservation: interaction and co-evolution*. Hoboken, New Jersey, John Wiley & Sons.

The Friends of User Rights 2021 – Online Expert Meeting was organized by FAO to have participating experts provide their inputs on the work done by the FAO Tenure Team since the last Friends of User Rights meeting in 2019 and guide the way forward on FAO’s fisheries tenure work.

The expected inputs from the meeting included (1) review and comment on the draft policy brief of tenure and tenure-related definitions, (2) review and comment on the paper on inland fisheries, and (3) recommendations for the way forward, including next steps and additional activities for the development of guidance on how to design and implement appropriate tenure, access and user rights in fisheries.

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