

Defining Property Amid Changing Governance in an Offshore Fish Aggregation Device (FAD) Fishery

Changement dans la définition de la propriété des poissons causes par des changements de réglementation affectant les pêches en pleine mer qui utilisent des dispositifs de concentration des poissons

Definiendo Propiedad en Medio de Cambios en la Gobernanza en una Pesquería de Dispositivos de Agregación de Peces (DCP) en Alta Mar

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EXTENDED ABSTRACT

Small-scale fisheries are vital to livelihoods in the Commonwealth of Dominica. Historically, small-scale fisheries were low input, nearshore, and reef-based, using nets or traps. Over the past three decades, many fishers have shifted to offshore pelagic species which required investment in larger, motorized vessels, gear, and fish aggregation devices (FADs). At the outset of the FAD fishery, there were few participants and competition around FADs was minimal. As the fishery gained in popularity, norms were developed at an inter- and intra-community level to govern use of the FADs deployed by private individuals or groups. As the fishery continued to grow, the Dominican Fisheries Division observed increased conflict from competition for the resource and a lack of understanding of or adherence to previously developed informal norms.

To better understand the initial development in FAD norms and how the move to open access impacted norms and community cohesion I undertook a 9-month participant observation study of four landing sites in Dominica. I attended community meetings and conducted 53 semi-structured interviews with fishers, fish vendors and fisheries division staff members.

Historically FADs were built and deployed by various groups and norms were developed “as a set of practices that serve to produce the ‘effect’ of property” (Blomely, 2007). Three main types of FADs existed, privately held FADs, FADs deployed by small groups of fishers and government deployed FADs. The former two types of FADs had a series of practices to confer rights to the FAD. The government FADs were open access. In the past decade the government of the Dominica created policies to open FAD fishing opportunities to all fishers. Government policies have moved the FAD fishery from one with informally defined access restrictions and norms through the deployment of private FADs and development of informal rules of use to an open-access fishery where all FADs are public, and all fish aggregated around FADs are available to any fisher who opts to purchase a FAD license.

When the Dominica Fisheries Division advanced a policy of co-management for the FAD fishery, they began an outreach and awareness campaign about the new co-management regime. The agency also established publicly accessible FADs, funded by license fees. However, free-riding of non-license-buying fishers weakens both formal and informal FAD rules. The changes in governance around the FAD fishery has resulted in intended and unintended consequences which may be overall positive for fisher livelihood, negative for certain fishers, or neutral due to lack of enforcement capacity.

KEYWORDS: Property Rights, Governance, Fish Aggregation Device, Dominica

LITERATURE CITED

Blomley, N., 2008. Simplification is complicated: property, nature, and the rivers of law. *Environment and Planning A*, 40 (8), pp.1825-1842.