

NEPAL

Tek Bahadur Gurung, Nepal Fisheries Society
Pramod Kumar Rijal, Government of Nepal
Kailash Gurung, Supreme Court of Nepal
Rahul Ranjan, Agriculture and Forestry University
Asha Rayamajhi, National Fisheries Research Centre, NARC, Government of Nepal
Subhas Kumar Jha, Government of Nepal
Prem Timalsina National Fisheries Research Centre, NARC, Government of Nepal
Agni Prasad Nepal, Kathmandu University

Why SSF?

Traditionally, Nepal has been known to have special social and unwritten, understanding about the fishers' communities in mid-hills and Tarai such as Majhi, Bote, Jalari, Malaha, who are indeed the beneficiaries of small scale fisheries. Such communities in Nepal are known to be represented by nearly 10.8% of the population and 13 various ethnic communities.

However, the recognition is gradually fading off, especially after the promulgation of present constitution. The fishing communities like these are becoming disadvantageous as they have lost their ancient identification. Consequently, it would be necessary to address the issue of intergenerational and intergenerational equity.

What are SSF?

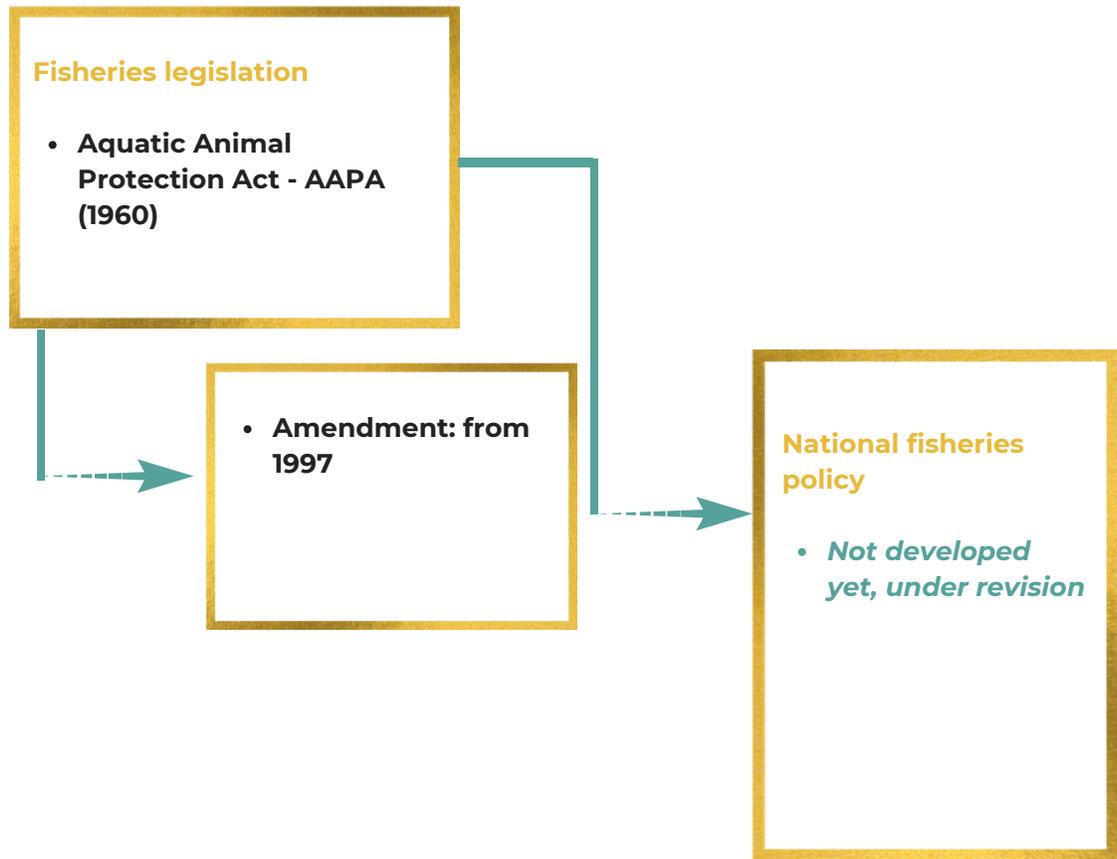
Small-scale fisheries (SSF) are not legally defined in the national policy. However, they are mentioned in other policy documents (i.e. Regulation, Decree, Ordinance).

"fish
farming or
fishing"

Aquatic Animal Protection Act (AAPA) (1960)
Article 7. Provisions relating to
contract

"(1) Government of Nepal may contract out fishing of one or more kinds of fishes in any water whatsoever under its control. (2) In awarding a contract for doing fish farming or fishing in any water pursuant to the prevailing law, the local administration shall consult with the fisheries technical officer. (3) In awarding a contract as referred to in sub-section (1) or (2), the standards of the tools used to catch or trap fish shall be as prescribed. (4) The procedures for awarding a contract as referred to in subsection (1) or (2) shall be as prescribed."

How are SSF governed?



Who governs SSF?

National provincial authorities in charge of fisheries governance:

- **Central Fisheries Promotion and Conservation Center**
- **Fisheries Development Section of Livestock and Fisheries Development**
- **Division, Ministry of Agriculture and Livestock Development**
- **Nepal Agricultural Research Council**
- **Provincial governments**

Responsibilities:

- Central Fisheries Promotion and Conservation Center (CFPCC) is supported by three national level technical wings and serves as an aquaculture sector focal point for national and international level institutes of related fields. CFPCC is the central technical body responsible for the overall development of aquaculture sector in the country.
- Ministry of Agriculture and Livestock Development, Central Fisheries Promotion and Conservation Center (CFPCC)/ Provincial Government, Nepal Agricultural Research Council. CFPCC is the central technical body responsible for the overall development of small-scale fisheries and aquaculture sector in the country.

What principles govern fisheries?

Legislation - **Yellow** **Blue:** Policy

Yes  

No  

Not clear  

Not specific to fisheries  

Human rights & dignity



Respect of cultures



Non-discrimination



Gender equality & equity



Equity & equality



Consultation & participation



Rule of law



Transparency



Accountability



Economic, social & environmental sustainability



Ecosystem approach to fisheries



Social responsibility



Other SSF relevant principles



What legal and policy instruments are SSF specific?

Specific provisions for SSF

- **Registration requirements for SSF**
 - Various: The Industrial Enterprises Act (1992); National Parks and Wildlife Conservation Act (1973)
- **MCS measures and others aimed to deter, prevent and eliminate IUU applying to SSF**
 - Various: National Parks and Wildlife Conservation Act (1973); Aquatic Animal Protection Act, (1960)

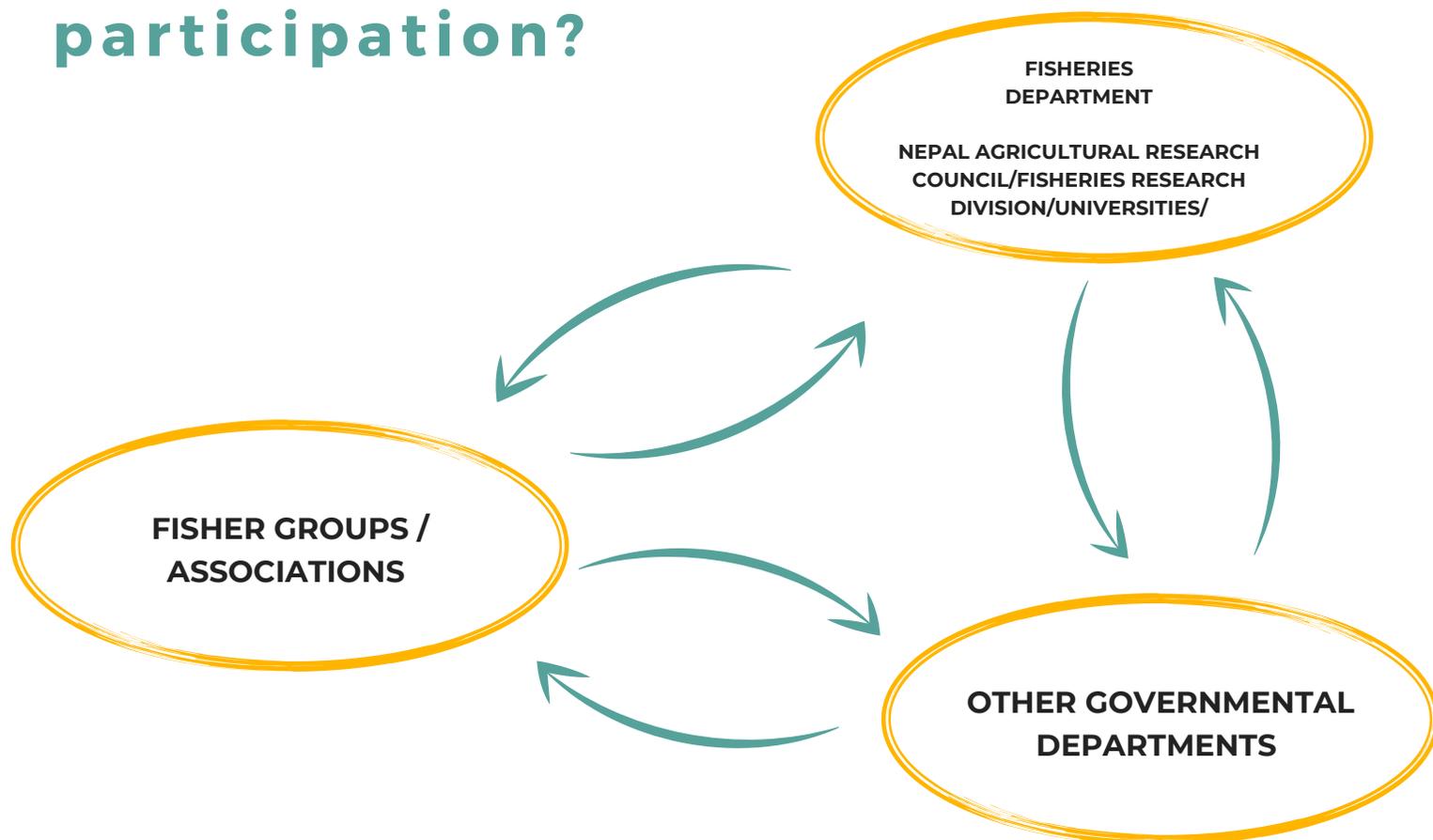
No specific provisions for SSF

- Tenure and related rights for SSF
- Social development, employment and decent work for SSF along the value chain
- Labour rights or social benefits for SSF along the value chain
- Capacity building program for SSF
- Recognition of SSF as professional workers, along the value chain
- Responsible trade in fish and certification of fishery products from SSF, including sanitary and safety standards for domestic vs. export markets
- Legal protection of women in SSF, along the value chain
- Special treatment to women in SSF
- Protection of SSF from disaster risks/ climate change, and/or recognition of SSF vulnerability in disaster risk/climate change policies and strategies

Topics generally not considered

- Exclusive fishing area or priority access to fishery resources for SSF

What are opportunities for interaction & participation?



Representation of SSF in governance

Representation of SSF is legally required. In Prime Minister Agriculture Modernization Project (PMAMP), meeting with stakeholders (i.e. fish farmers and fishermen) is necessary before any decisions is made.

Fishers' participation in management, including co-management or decentralised fisheries management schemes

Restoration and Management of lakes in Pokhara valley is a good example of co-management in which the government (NARC) worked with local farmers and fishermen to restore the natural system of Rupa and Begnas lakes.

Holistic form of governance or reform

It is not clear whether there is any interest for a more holistic governance or reform.