



# TURKS & CAICOS ISLANDS

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Photo: Fishers waiting to sell their catch on the opening day of the lobster season, South Caicos, Turks and Caicos Islands. By Marta C. Calosso

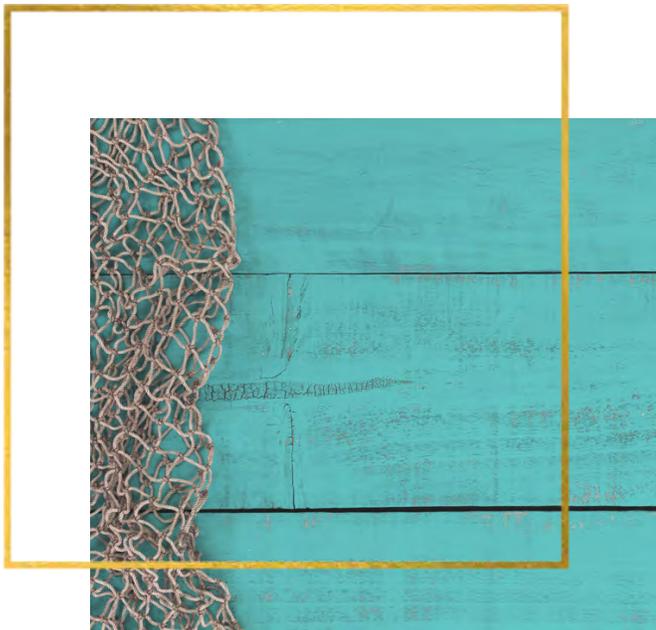
# Why SSF?

All current fisheries in the Turks and Caicos Islands (TCI) are SSF. After the decline of the salt industry, fisheries became the bedrock of the country's economy until the arrival of tourism and offshore finance in the 1980s. The TCI has <50,000 residents with approximately 250 full time commercial fishers. The fishing industry is based on a multi species, multi gear complex, and all fishers switch between species according to market, abundance, and closed seasons. However, most are free diving fishers focusing on spiny lobster (*Panulirus argus*), and queen conch (*Lobatus gigas Panuliris argus*), for export and domestic consumption. There is also a smaller local market for turtle, and crab, and a growing demand for reef fishes.

The Fisheries Protection Regulations gives all Turks and Caicos Islanders the right to fish (notwithstanding restrictions to species, sizes, seasons, and areas). Commercial fishing licenses are required to fish for profit, but there is no cap on the number of licenses issued to Turks and Caicos Islanders. There are no specific laws or policies promoting human or labour rights within SSFs or fisheries in general. However, the TCI has a Human Rights Commission, and labour laws are defined in the Employment Ordinance, which include provisions against discrimination. The TCI Constitution also provides protection from slavery, forced labour, inhuman treatment, and discrimination, and requires equality before the law.

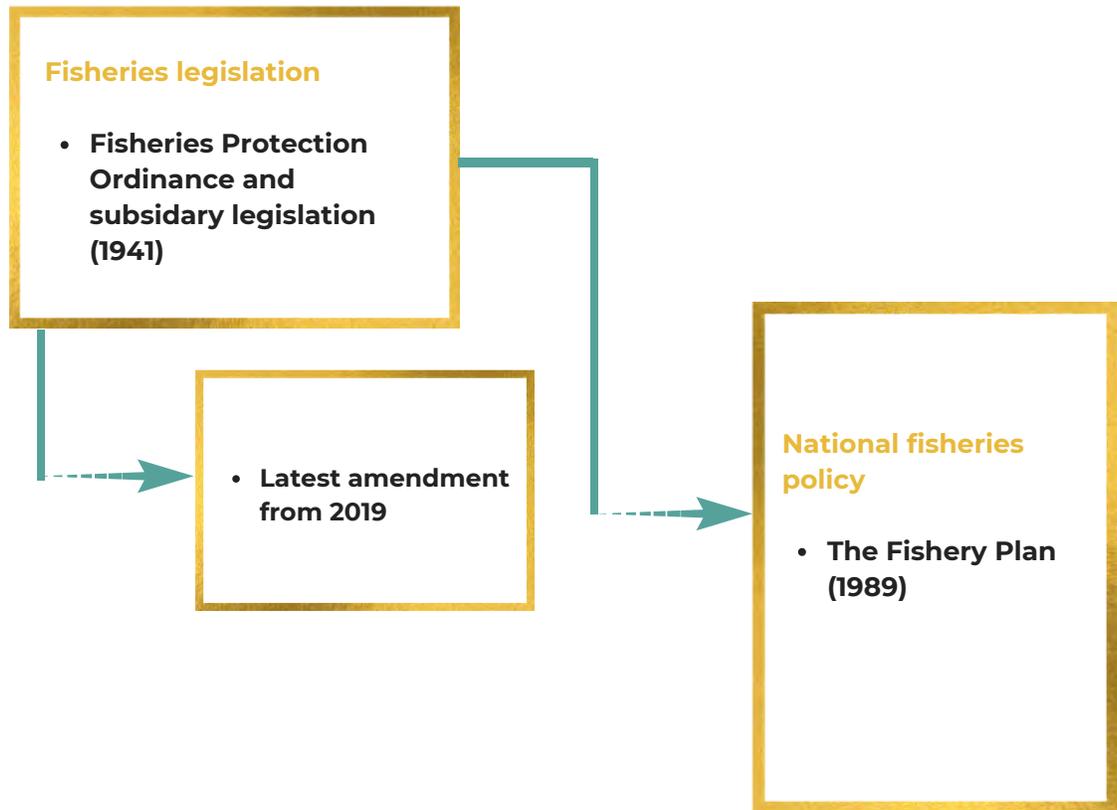
## What are SSF?

**"SSF"** Small-scale fisheries are NOT defined in law or policy.



However, while large- or industrial- scale fisheries are not precluded by law (and have operated in the past), all current fisheries should be considered 'small-scale'. Sections of the regulations refer to gears implicitly associated with free-diving SSFs (e.g. Hawaiian slings and spear guns), and there are distinctions of scale in the legislation: fees for licencing fishing vessels correspond to length (<20 ft, 20-30 ft, and >30ft), and reporting and monitoring requirements are more arduous for commercial pelagic and trap fishing vessels, with the latter also restricted from setting traps in water <80ft, thereby leaving these shallower coastal areas to be harvested by smaller-scale fishers.

# How are SSF governed?



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## Who governs SSF?

### National authorities in charge of fisheries governance:

- **Department of Environment and Coastal Resources (DECR), Ministry of Tourism, Environment, Heritage, Maritime, and Gaming, Turks and Caicos Islands Government**

### Responsibilities:

Depending on the legislation, the Governor (in Cabinet), the Minister, the Director, and officers have powers of enforcement (often equal to those of police officers), and powers to issue licenses and permits. This legislation, including subsidiary legislation therein: Coast Protection Ordinance; Fishery Limits Ordinance; Fisheries Protection Ordinance; Marine Pollution Ordinance; National Parks Ordinance; Minerals (Explorations and Exploitation) Ordinance; Protection of Historic Wrecks Ordinance; Wild Birds Protection Ordinance.

### DECR mandate:

- Ensure the sustainable use of the natural resources and protect and promote biodiversity and economic prosperity through a sustainable fisheries industry, environmentally sustainable development, a Protected Areas system
- Sustainably manage Protected Areas and Fisheries
- Preserve and improve the quality of the environment of the territory
- Set policy to ensure that natural resources are used wisely and sensibly, towards achieving sustainable development

# 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\*



\*Yes (for environmental);  
\*No (for economic, social)

Ecosystem approach to fisheries



Social responsibility



Other SSF relevant principles



# What legal and policy instruments are SSF specific?

## Specific provisions for SSF

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- **Tenure and related rights for SSF**
  - Fisheries Protection Ordinance
- **Registration requirements for SSF**
  - Fisheries Protection Ordinance
- **MCS measures and others aimed to deter, prevent and eliminate IUU applying to SSF**
  - Fisheries Protection Ordinance
- **Responsible trade in fish and certification of fishery products from SSF, including sanitary and safety standards for domestic vs. export markets**
  - Various: Clearance from the Department of Environmental Health; Fisheries Protection Regulations Schedule 4(2)(2), Fisheries Protection; Public and Environmental Health Ordinance Section 38

## No specific provisions for SSF

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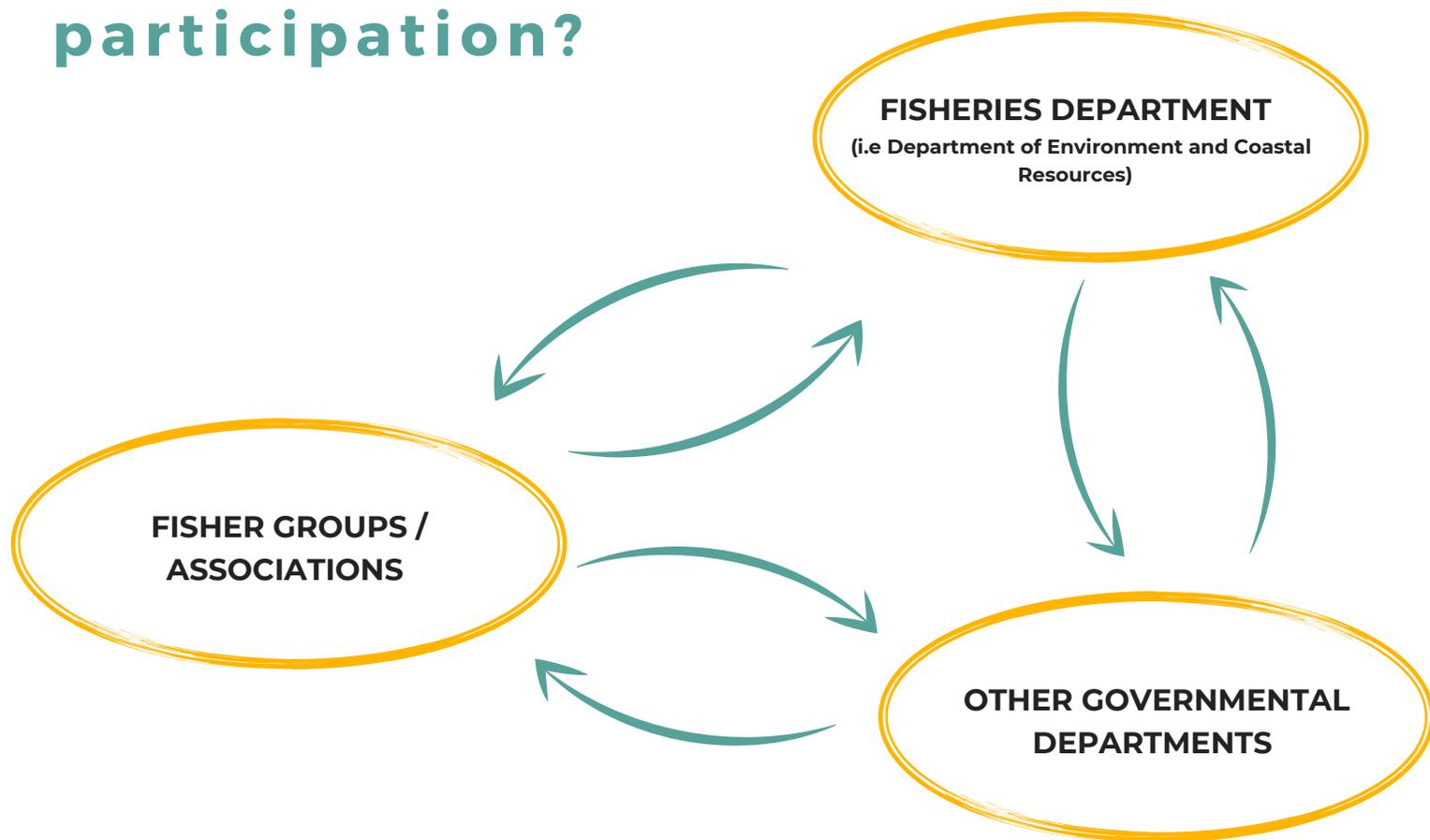
- Exclusive fishing area or priority access to fishery resources for SSF
- Social development, employment and decent work for SSF along the value chain
- Labour rights or social benefits for SSF along the value chain
- Capacity building program for SSF
- Special treatment to women in SSF
- Protection 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

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- Recognition of SSF as professional workers, along the value chain
- Legal protection of women in SSF, along the value chain

# What are opportunities for interaction & participation?



## Representation of SSF in governance

Representation of SSF in decision-making and/or resource management is NOT legally required. However, public consultation is a requirement of governance in general and SSF stakeholders' voices can be heard through consultation processes.

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

It exists, through the Fishery Advisory Committee and their advice to the Minister on Fisheries Management (and in theory on the "Fishery Plan") but but no current Fishery Plan is available.

## Holistic form of governance or reform

There is interest among fisherfolk & NGOs but there is little capacity for the Government to adopt a more holistic approach, or go through the process of reforming structures of governance.