

TONGA

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Why SSF?

Small-scale fisheries in Tonga include the following main categories:

- Subsistence fisheries, targeting finfish, octopus, lobster, sea cucumber, seaweed, clams and shellfish;
- Small-scale commercial fisheries, mainly targeting deep-water bottom fish and diamondback squid (trials) but also tuna and near-shore pelagic species, reef food fish, aquarium fish, seaweed and invertebrates; and
- Export-oriented coastal fisheries include sea cucumber, aquarium fish and deep-water bottom fish.

Similar fishing techniques are used for both types of fisheries:

- Subsistence fishing techniques: diving (including spearfishing), handlining, netting, gleaning (often by women);
- Small-scale coastal commercial fishing techniques: diving (including spearfishing), handlining, drop lining, netting and gleaning.

The boats used in small-scale fishing are generally below 8 meters in length although vessels used in deep-water bottom fishing range from 9 to 15 meters in length.

What are SSF?

Fisheries legislation and policy in Tonga makes explicit reference to small-scale, artisanal and subsistence fishing activities, although only subsistence fishing is defined in the main act.

Other relevant terms used in legislation are recreational fishing, commercial sport fishing and local fishing vessels.

"subsistence fishery"

Fisheries Management Act 2002, section 2

"... means fishing for the primary purpose of providing food for domestic consumption but does not include the sale, exposure for sale or barter of the fish caught unless wholly incidental to the primary purpose of subsistence fishing".

For the purpose of issuing fishing permits within a Special Management Area (SMA):

"subsistence fishing"

Fisheries (Coastal Communities) Regulations 2009, regulation 2

"... is defined as fishing for the purposes of household consumption, not for commercial sale or barter and is limited to a maximum of 5 kilograms per species per fishing trip, where the maximum number of species will first be determined by the [Coastal Community Management] Committee".

"recreational fishing"

Fisheries (Coastal Communities) Regulations 2009, regulation 2

"... means fishing by the method of hook and line which uses only a single rig or lure, and is limited to a maximum total daily catch of 3 fish per person".

"SSF fishing"

Fisheries (Coastal Communities) Regulations 2009, regulation 20, Schedule III

"... means 'to fish for the purposes of sale or barter'. Weight limitations apply per species and per day. 'It is prohibited to catch any lobster or giant clam' and to use fishing nets.

How are SSF governed?

Fisheries legislation

- **Fisheries Management Act 2002**, as amended in 2004 and 2009
- **Fisheries (Coastal Communities) Regulations 2009**, as amended in 2016, 2017 and 2020
- **Fisheries (Local Fishing) Regulations 2009**
- **Fisheries (Limu Tanga'u) Regulations 2009**
- **Fisheries Management (Conservation) Regulations 2008**, as amended in 2013, 2014 and 2020
- **Fisheries Management (Processing and Export) Regulations 2008**, as amended in 2010
- **Fisheries Snapper Notice 2007**
- **Sea Cucumber Notices 2013, 2014 and 2020**
- **Consumption Tax Order 2013**
- **Special Management Area Order 2004**
- **Shipping Act 1972**, as amended up to 2012

Fisheries policies

- **Fisheries Sector Plan 2016-2024**
- **National Fisheries Policy 2018**
- **Deepwater Fishery**
- **National Coastal Fishery Management and Development Plan 2023 – 2026**
- **Management Plan 2020-2023**
- **Marine Aquarium Fishery Management and Development Plan 2020-2025**
- **National Marine Seaweed (Limu Tanga'u) Fisheries Management and Development Plan 2012-2013**

Who governs SSF?

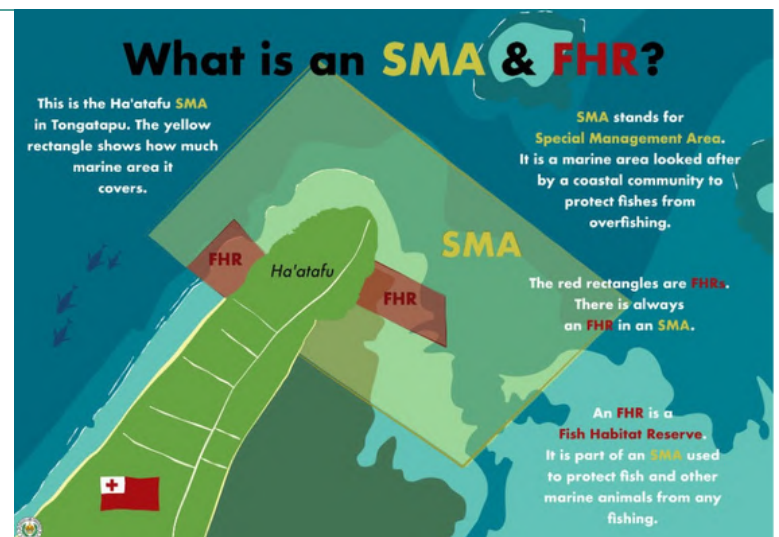
National authorities in charge of fisheries governance:

- **Ministry of Fisheries (MOF)**

The Minister designates local communities to manage Special Management Areas (SMAs) through Coastal Community Management Committees (CCMCs) and Plans (CCMPs).

Responsibilities

- To ensure the long-term conservation and sustainable use of fishery resources in Tonga
- To take measures to regulate access and use of fishery resources
- To consider the interests of artisanal and subsistence fishers
- To determine and allocate participatory rights in fisheries in Tongan waters



Source: Smallhorn-West P., Sheehan J., Rodriguez-Troncoso A., Malimali S., Halafih T., Mailau S., Le'ota A., Ceccarelli D., Stone K., Pressey B., Jones G. (2020) Kingdom of Tonga Special Management Area report 2020. 86 p. [Link](#).

- To declare marine areas as SMAs, including for sustainability and co-management purposes
- To designate a coastal community to be responsible for an SMA
- To implement regulations and management measures for specific fisheries
- To prepare and review fisheries management and development plans

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

- **Tenure and related rights for SSF**
 - Various: 1) Fisheries Management Act 2002; 2) Fisheries (Coastal Communities) Regulations 2009
- **Exclusive fishing area or priority access to fishery resources for SSF**
 - Various: 1) Fisheries Management Act 2002; 2) Fisheries (Coastal Communities) Regulations 2009
- **Registration requirements for SSF**
 - Various: 1) Fisheries Management Act 2002; 2) Fisheries (Coastal Communities) Regulations 2009
- **MCS measures and others aimed to deter, prevent and eliminate IUU applying to SSF**
 - Various: 1) Fisheries Management Act 2002; 2) Fisheries (Coastal Communities) Regulations 2009
- **Capacity building program for SSF (e.g. provision of and access to education, training)**
 - Various: 1) Tonga Fisheries Sector Plan 2016 - 2024; 2) National Coastal Fishery Management and Development Plan 2023 - 2026

No specific provisions for SSF

- **Responsible trade in fish and certification of fishery products from SSF, including sanitary and safety standards for domestic vs. export markets.**
 - Various: 1) Fisheries Management Act 2002; 2) Fisheries Management (Processing and Export) Regulations 2008
- **Protection of SSF from disaster risks/ climate change, and/or recognition of SSF vulnerability in disaster risk/climate change policies and strategies**
 - Various: 1) Environmental Management Act 2010; 2) Climate Change Fund Act 2021

Not clear

- **Legal protection of women in SSF, along the value chain**
 - Various: 1) Fisheries Management Act 2002; 2) Fisheries (Coastal Communities) Regulations 2009
- **Special treatment to women in SSF**
 - Various: 1) Fisheries Management Act 2002; 2) Tonga Fisheries Sector Plan 2016 - 2024; 3) National Coastal Fishery Management and Development Plan 2023 - 2026

Topics generally not considered

- **Social development, employment and decent work for SSF, along the value chain**
 - Various: 1) Fisheries Management Act 2002; 2) Shipping Act 1972
- **Labor rights or social benefits for SSF, along the value chain**
 - Various: 1) Fisheries Management Act 2002; 2) Shipping Act 1972
- **Recognition of SSF as professional workers, along the value chain**
 - Various: 1) Fisheries Management Act 2002; 2) Shipping Act 1972

What are opportunities for interaction & participation?



Representation of SSF in governance

Small-scale fishers are represented through a number of advisory and management committees. Local and commercial fishers are represented in the FMAC, which provides advice to the minister on all Tongan fisheries. Other committees are established for specific fisheries, such as the LMC for Cladosiphon seaweed harvesting, or the DFMC for deepwater fishing. Fishers are also represented under the CCMC for each SMA, and they participate in regular monitoring meetings for the implementation of SMA plans.

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

The SMA approach has been developed to allow local communities and small-scale fishers to engage in effective and sustainable co-management of marine resources. A coastal community (at village or town level) makes a request to the Ministry for the creation of an SMA and is then legally designated to manage it. The MOF supports the coastal community to prepare a management plan for the SMA and establish a CCMC for its implementation. The SMA plan is approved by the minister, upon advice of the FMAC.

Holistic form of governance or reform

Within SMAs, there is high interest for a more holistic form of governance of coastal areas beyond fisheries matters, including though interagency coordination for integrated marine spatial planning, taking into account the value of ecosystem services of marine areas and the interests of local small-scale fishers. Steps are being taken to allow the creation of district-level SMAs, encompassing several villages or towns, including a legal review and stakeholder consultations.