



Traditional fisheries enforcement program: A case of three coastal villages in the eastern part of Oman



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ABSTRACT

This case study presented perceived views of surveyed fishers and enforcement officials on the efficacy of the existing enforcement programs of the artisanal fisheries sector of Oman. The criteria for evaluating enforcement efficacy were derived from the classical economic view of regulatory enforcement that emphasizes deterrence through legal sanctions - the actual practice in the fisheries sector of Oman. The consistency (or otherwise) in views expressed by both groups was identified using descriptive statistical measures. While some results were promising, the overall results did not provide strong support in rating the efficacy of the existing enforcement practices. An important caveat may apply to this conclusion due to the small number of respondents - fishers in particular - that may restrict the scientific generalization of the results. Nevertheless, the conclusion drawn from the findings may indeed be credible to an extent as it was based on the perceived views of all local enforcement officials, and more interestingly in most cases the perceived views were found to be similar to fishers. Given the existing operational challenges in relation to human and institutional capacity, and the inadequacy of financial and logistical resources, a hybrid approach to fisheries enforcement program was recommended and suggested for its evaluation. The management authority can move forward in this knowledge-building research of portraying enforcement reality through the replication of this study which may also help ensure validity of the results and thus make unbiased strategic decisions on fisheries law enforcement.

1. Introduction

Under the sustainable development framework, the effectiveness of fisheries law enforcement is important to the enforcement authority of a coastal state as well as to the fishing community, as it is one of the regulatory preconditions for the alleviation of the problem of over-fishing associated with common-pool resources like fisheries [1]. To ensure conservation of fisheries resources and hence the protection of the livelihood of thousands of traditional fishers in the Sultanate of Oman (Oman hereafter), such an unequivocal role of fisheries law enforcement has been well-documented and the enforcement program has been in operation [2,3]. Considering the important role of fisheries law enforcement and with specific reference to the traditional fisheries sector, the present case study considered three coastal villages of Oman and aimed to elicit views of fishers and enforcement officials on the efficacy of the existing enforcement programs. Using descriptive statistical measures the study also examined whether there was consistency (or otherwise) in views expressed by both groups using descriptive statistical measures. The criteria for evaluating fisheries law

enforcement efficacy are derived from the classical economic view of regulatory enforcement that emphasizes deterrence through legal sanctions [4] – the actual practice in fisheries sector of Oman. The evaluation of the fisheries law enforcement demands engagement with stakeholders as the credibility of such a program will be at stake if fishers and enforcement officials perceive that the existing enforcement arrangements are inadequate to prevent illegal and irresponsible resource use.

The rest of the paper is organized into seven sections. The first three sections cover study background, analytical framework with enforcement basics, and fisheries legislation and enforcement activities in Oman, while the following three sections present the research methodology, results, and discussion. Concluding comments are provided in the final section.

2. Study background

The traditional fisheries sector is predominantly comprised of small-scale fishers who are engaged in fishing activities with a low

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Fig. 1. Map of Oman and study locations.

level of capital inputs and technology. Only Omani nationals have the access and withdrawal rights to traditional fisheries resources and the sector is subject to regulations comprising licensing, gear restrictions, area and seasonal closures, minimum landing size etc. aiming at limiting fishing effort and growth overfishing. Total fisheries landings in Oman were estimated at 211,315 mt in 2014 of which the traditional sector contributed more than 98% [5]. In the same year, the traditional sector alone provided direct employment (full-time and part-time) to about 45,635 fishers [5]. As stated earlier, the present case study considered three coastal villages: Sur, Jallan-Bani-BuAli, and Jallan-Bani-BuHassan (hereafter BuAli and BuHassan respectively), of Ash-Sharqiyah South Governorate in Oman (Fig. 1). In 2014, the Governorate had 10,546 licensed fishers (23% of the total number of fishers in Oman) of whom approximately 82% were registered in Sur, BuAli and BuHassan [5]. The Governorate had the highest fish landings (53,034 mt, about 25% of the total landings in Oman) with a total value of about 23.7 million Omani Rials (RO) (RO 1 ≈ USD 2.58) [5]. In 2014, the Governorate was ranked third in terms of the number of fishing vessels (5844) and was the highest contributor to total fish exports (41%) as compared to the other coastal Governorates [5].

3. The analytical framework and enforcement basics

Broadly speaking, two mainstream views on law enforcement and compliance are portrayed in existing literature. One is based on the thought of *'homoeconomicus'*, and is guided by the notion of instrumental rationality [6,7], while the other is based on the thought of *'homosociologicus'*, and is guided by social norms [6–8]. The first line of thought promotes a coercive approach to the enforcement of laws and accordingly emphasizes the deterrence of rule evasion through the imposition of sanctions by legal authorities [4,7]. The second line of thought promotes normative actions that are shared and enforced by members of the community for collective interests [6,7]. Application of both approaches can be found in the literature on fisheries enforcement and compliance [2,6,7,9–11]. In an effort to promote consensus building in natural resource management an intermediary viewpoint was also articulated by emphasizing the conditions for rational consensus between the authority and fishers through effective communication [7].

As mentioned earlier in the introduction, the view of deterrence through legal sanctions as advocated by Becker [4] was adopted as an

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