



Workshop “*Manejo da Pesca Artesanal*”

LEGISLATION CONCERNING ARTISANAL COASTAL FISHERIES MANAGEMENT

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Objectives

- **To search legislation at the federal, state and municipal levels regarding fisheries resource use and management in Paraty, Southern coast of Rio de Janeiro.**
- **To analyze if such legislation promotes or hinders local management and/or co-management of small-scale coastal fisheries.**

Key research questions

- 1. Are there opportunities in the Brazilian legislation for the emergence of co-management systems in small-scale coastal fisheries?**
- 2. Are there opportunities in the Brazilian legislation to incorporate local ecological knowledge in the decision-making processes concerning fisheries management?**

The Database

- **Data collection: July-October/2009 and August-November/2010**
- **Constantly updated**

Level	Source
International	FAO
Federal	CONAMA
	IBAMA
	MMA
	MPA
	Marinha
	Casa Civil
	SECIRM
	ISA
Estate	INEA
	FIPERJ
Municipal	Câmara Municipal

- **Available legislation: 1934-2010**
- **Database will be available at the project website soon**

Legislation (N = 246)

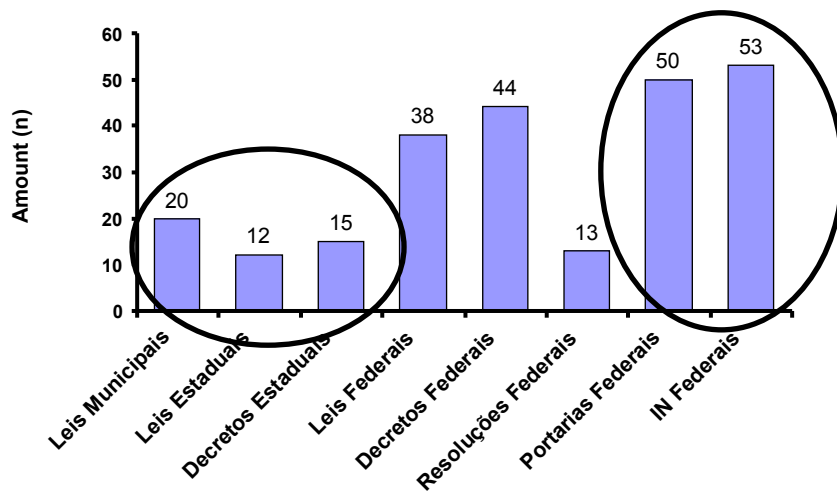


Figure 1: Distribution of the legislation at different levels.

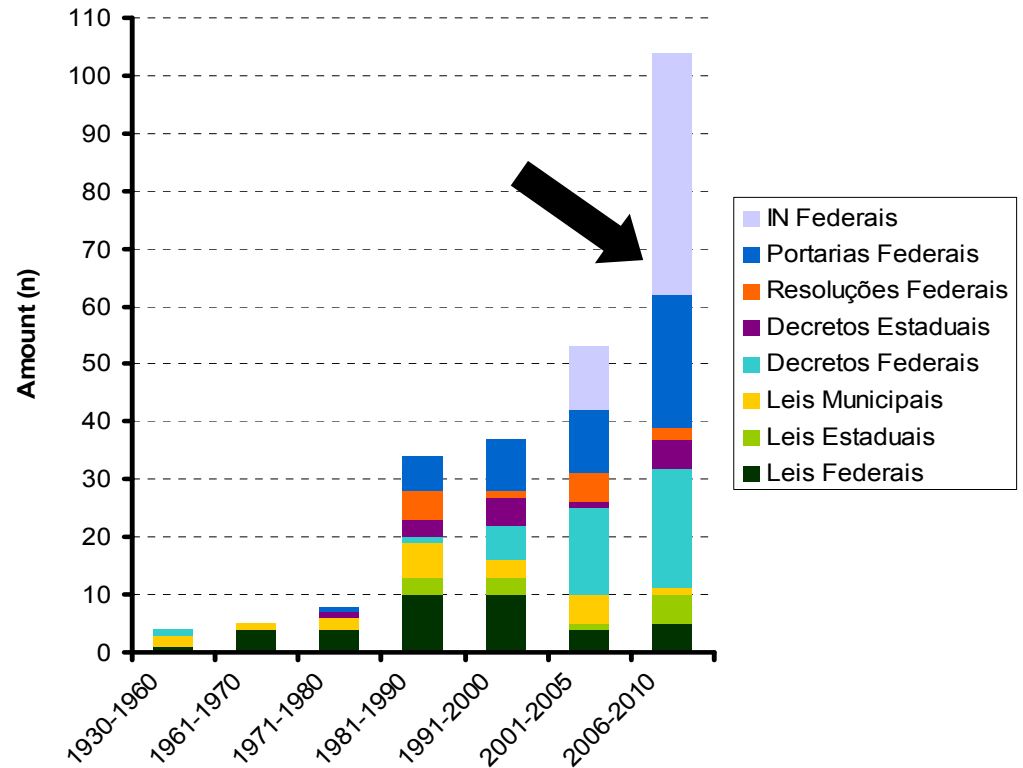


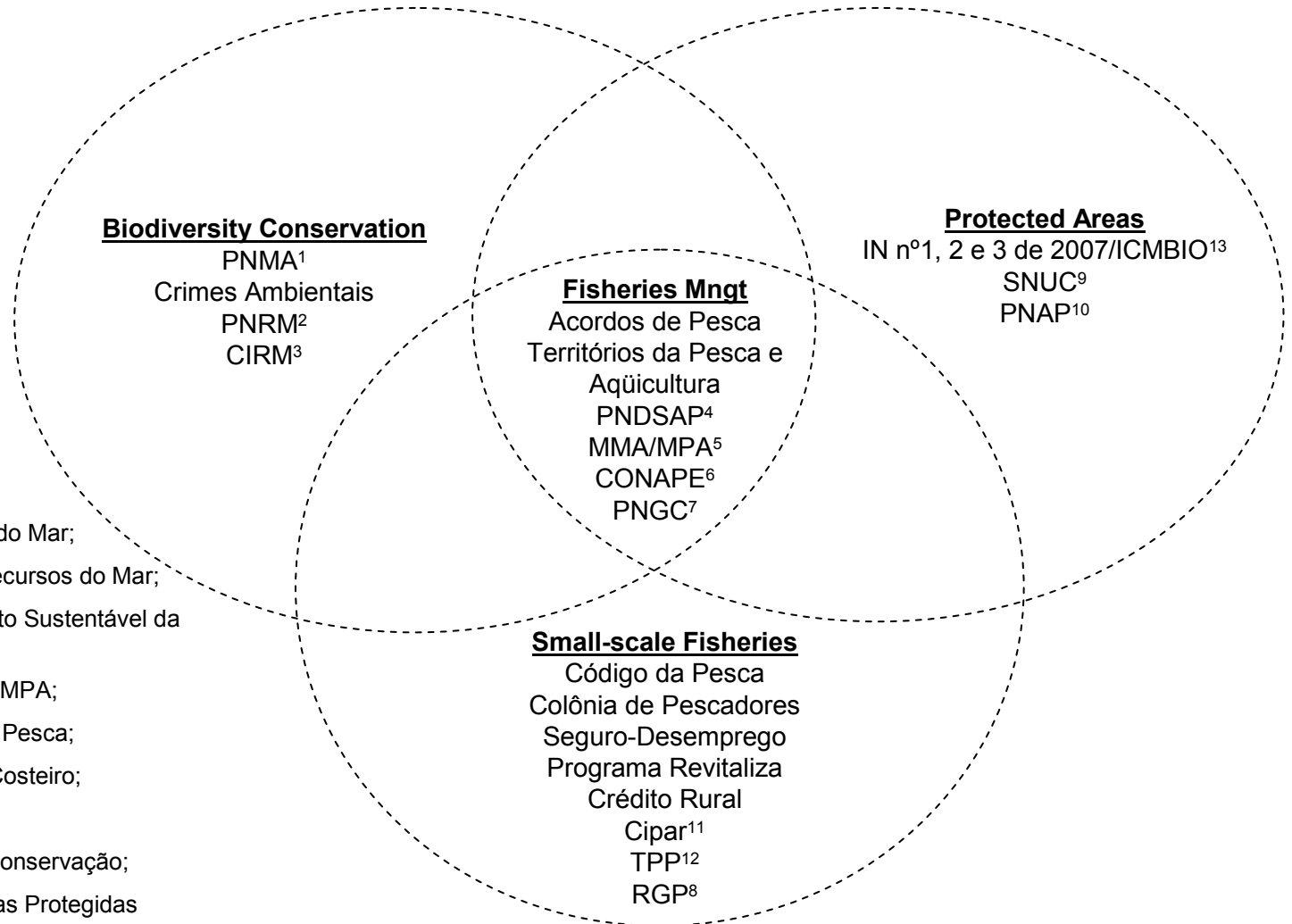
Figure 2: Creation of new legislation concerning fisheries management and/or conservation by period.

Species-specific regulations (n=40)

Species		Amount	Restricted by			
Cetaceans	not specified	2	area			
Fishes	Tubarão	1	gear size area			
	Tainhas (<i>Mullet</i> s)	3	season	gear	area	
	Sardinhas (<i>Sardines</i>)	3	season	gear	size	area
	"Atuns" (<i>Tunas</i>)	2	size area			
	Espadarte	1	size area			
	Porquinho	1	gear area			
	Mero	1	season	area		
	Anchova	1	gear area			
	Agulhões	1	size area			
	Cherne-poveiro	1	season	area		
	Others	7	gear size area amount			
Molluscs	Mexilhão	1	season	gear	size	area
	Polvo	1	gear size area			
Crustaceans	Siris	1	gear size area			
	Lagostas (<i>Lobsters</i>)	3	season	gear	size	area
	Camarões (<i>Shrimps</i>)	6	season	gear	size	area
	Caranguejos (<i>Crabs</i>)	3	season	gear	size	area
Others						
Invertebrates	not specified	1	area			

GT: Sirenia (2010), Cetaceans (2010), Porpoises (2010), Lobsters (2010), Sardine (2009), Gillnet fisheries (2008 e 2010), Shelf demersal fisheries (2008).

Inter-connections



1 Política Nacional do Meio Ambiente;

2 Política Nacional para os Recursos do Mar;

3 Conselho Interministerial para os Recursos do Mar;

4 Política Nacional de Desenvolvimento Sustentável da Aqüicultura e da Pesca;

5 Gestão compartilhada entre MMA e MPA;

6 Conselho Nacional de Aqüicultura e Pesca;

7 Plano Nacional de Gerenciamento Costeiro;

8 Registro Geral de Pesca;

9 Sistema Nacional de Unidades de Conservação;

10 Plano Estratégico Nacional de Áreas Protegidas

11 Centro Integrado da Pesca Artesanal

12 Terminal Pesqueiro Público

13 Criação de RESEX e RDS

Opportunities for co-management (n = 15)

	Reference	Subject	Management	Participation of the resource users
	Lei 6938/1981	PNMA	gov-gov	-
	Lei 9605/1998	Crimes Ambientais	gov-gov	-
Biodiversity Conservation	Dec. 5377/2005	PNRM	gov-gov, gov-local	Deliberative
	Dec. 3939/2001	CIRM	gov-gov	Consultative
Small-scale Fisheries	Dec.-Lei 221/1967	Código da Pesca	gov	-
	Lei 11699/2008	Colônias Pescadores	gov-local	Deliberative
	Lei 8287/1991	Seguro-Desemprego	gov	-
	IN n°03/2004	RGP	gov	-
	Protected areas	Lei 9985/2000	SNUC	gov-local
Dec. 5758/2006		PNAP	gov-local	Deliberative
	IN n°29/2002	<i>Acordos de Pesca (Fishing Agreements)</i>	gov-local	Deliberative
	Lei 11959/2009	PNDSAP	gov-gov	Protected
Fisheries Mngt	Dec. 6981/2009	MMA/MPA	gov-gov	-
	Dec. 5069/2004	CONAPE	gov-local	Deliberative
	Lei 7661/1988	PNGC	gov-gov	-

gov-gov = co-management between different government levels

gov-local = co-management between government and local levels

Conclusions

- **6/15 legislations => Co-management between gov-local level is possible with deliberative councils where resource users can share decisions.**
- **The content analysis does not elucidate how the local ecological knowledge may be incorporated in the decision-making arenas.**
- **The current legislation does not guarantee the effectiveness of the co-management initiatives => a better understanding of successful endogenous co-management processes may provide insights for new policies regarding small-scale coastal fisheries.**

Thank you!



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