

TECHNICAL ASSISTANCE COMPLETION REPORT

Division: MKAE

TA No. and Name TA 3993–CAM: Improving the Regulatory and Management Framework for Inland Fisheries			Amount Approved \$540,000	
			Revised Amount \$540,000	
Executing Agency Department of Fisheries		Source of Funding ADB TA Funding Program	TA Amount Undisbursed 0	TA Amount Utilized \$540,000
Date			Completion Date	
Approval November 2002	Signing February 2003	Fielding of Consultants July 2003	Original December 2004	Actual June 2004
			Closing Date	
			Original December 2004	Actual September 2004 ¹
Description				
<p>The Government of Cambodia marked a bold step when it released in October 2000 a large part of the Tonle Sap's fishing lots for community management. This decision gave impetus to the reform of the regulatory framework for inland fisheries. Work toward a new Fisheries Law had begun in August 1999 and a draft was made available in August 2001.² However, many felt that it should be subjected to critical review in light of its far-reaching implications and the sensitive nature of community fisheries. Much additional associated legislation was also called for and the Department of Fisheries (DOF) within the Ministry of Agriculture, Forestry, and Fisheries was struggling to keep up in a transparent and consultative way, especially in the absence of a management plan for the Tonle Sap. The TA was approved together with Loan 1939–CAM: Tonle Sap Environmental Management,³ the objective of which is to enhance systems and develop the capacity for natural resource management coordination and planning, community-based natural resource management, and biodiversity conservation in the Tonle Sap Biosphere Reserve.</p>				
Objectives and Scope				
<p>The objective of the TA was to improve the regulatory and management framework for inland fisheries, with special attention to the subdecree on community fisheries. Specifically, the TA was to prepare, complete, or, as necessary, amend the draft Fisheries Law and as many as possible of the subdecrees, proclamations, and directives or circulars associated with it, giving early attention to the subdecree on community fisheries. The TA was also to prepare a 5-year Tonle Sap fisheries management plan and set standards and guidelines for formulating community and commercial fisheries management plans, to be disseminated by DOF. The management plans are to facilitate implementation of component 2 of Loan 1939–CAM. To implement the 5-year Tonle Sap fisheries management plan and make possible its updating, the TA was also to establish a Tonle Sap fisheries management task force within DOF and build it with on-the-job training.</p>				
Evaluation of Inputs				
<p>FAO was deemed to be the most qualified and competent agency to provide the services required based on its experience, capacity, and commitment. It was selected directly to provide, over 12 months, about 19 person-months of international and about 41 person-months of domestic expertise in fisheries law, fisheries management, fisheries biology, resource planning and inland fisheries, community organization, and training.</p> <p>The consultant rendered its services over three distinct periods, each of which was the object of review by ADB. The range of expertise hired was sound and allowed a fair distribution of work. To enhance teamwork, the first team leader was replaced soon after TA inception. The team functioned effectively thereafter. The funds allocated to the TA were adequate and flexibility in their use permitted reallocation of resources among the team members. Some problems were experienced with disbursements because of FAO's internal rules on clearance of invoices for payment and its practice of releasing only 80% of the sums until after receipts have been received confirming full payment. This put pressure on DOF, which time and again had to draw upon scarce financial resources to meet the balance until the final 20% were released. Staff of ADB attended the initial and final tripartite meetings, and participated in the mid-term</p>				

¹ This is the expected closing date. Proof of turnover of equipment included in the consultants' contract is pending.

² As of today, the principal legal instrument remains Fiat Law No. 33 on Fishery Management and Administration, dated 9 March 1987, which is widely acknowledged as irrelevant to the prevailing situation.

³ ADB. 2002. *Report and Recommendation of the President to the Board of Directors on a Proposed Loan and Technical Assistance Grant to the Kingdom of Cambodia for the Tonle Sap Environmental Management Project*. Manila.

tripartite review by video link. The final tripartite meeting was augmented by a presentation on accomplishments, undertaken jointly with the consultant for TA 4025–CAM to maximize outreach.⁴

With hindsight, the relevance of TA design is judged to have been correct and its objective and outputs, methodology and key activities, cost and financing, implementation arrangements, and terms of reference are deemed to have been appropriate. TA inputs were economical: adequate with no surplus. They were productive, enabling thorough participatory consultations, and drafting of all required reports. The TA design rightly placed strong emphasis on stakeholder participation. The performance of the executing agency, ADB, and the consultant is rated as highly satisfactory.

Evaluation of Outputs

TA outputs were generated efficiently, effectively, and on time. All were of high quality. The most valuable outputs included (i) comments and recommendations on the draft Fisheries Law and its Subdecree on Community Fisheries, which are now in the National Assembly, (ii) the draft Proclamation on Community Fisheries By-Laws and Area Agreement, (iii) revised Guidelines for the Establishment of Community Fisheries Management Organizations, and (iv) the first-ever General Fisheries Plan for Management and Development of the Tonle Sap. These outputs will play vital roles in improving the regulatory and management framework for inland fisheries. In the immediate, they will facilitate implementation of component 2 of Loan 1939–CAM. The reports on stakeholder consultations and the national consultative conference are also valuable, not only on account of their technical content, but also because of the manner in which the consultations were planned, organized, and conducted.⁵ The General Fisheries Plan for Management and Development of the Tonle Sap addresses all major concerns for sustainable management and conservation of the lake's fisheries, including social equity. It details measures to deal with illegal and destructive fishing practices, preserve endangered species, and minimize environmental degradation. It identifies and articulates pro-poor, sustainable development activities. It is founded on a grassroots survey of stakeholders and was confirmed and refined by a representative cross-section of these stakeholders at the national consultative conference, when competing interest groups reached agreement. The regulatory framework documents will provide a useful reference for years to come. Training of counterparts and target stakeholders took place largely through intense participation in the fisheries review that initiated the TA and related discussions in the provinces that adjoin the lake and at the national consultative conference. The Tonle Sap Fisheries Management Task Force that was established under the TA appears to be equipped to take on the challenge of updating the plan on a regular basis.

Overall Assessment and Rating

The TA rated as highly successful.

Major Lessons Learned

Active participation by stakeholders smoothed the progress of the TA. This lesson, which holds true elsewhere, calls for considerable efforts in bridge building, providing information, and listening to concerns: provision for this must be made in the design of TA.

Recommendations and Follow-Up Actions

ADB has sought to promote the draft Fisheries Law and the 5-year General Fisheries Plan for Management and Development of the Tonle Sap. Because about 20 laws await endorsement in the National Assembly, DOF has agreed that the Minister of Agriculture, Forestry, and Fisheries should request the Prime Minister to contact the Standing Legal Committee of the National Assembly to prioritize the draft Fisheries Law. DOF has also agreed to send the 5-year General Fisheries Plan for Management and Development of the Tonle Sap to the Council of Ministers for formal recognition. DOF should apprise ADB of the actions that have been taken by the end of 2004.

Prepared by O. Serrat

Designation Senior Project Economist, MKAE

⁴ ADB. 2002. *Technical Assistance to the Kingdom of Cambodia for Capacity Building of the Inland Fisheries Research and Development Institute*. Manila.

⁵ FAO plans to prepare an illustrated summary of these two reports as a guide to how participatory fisheries development and management can be achieved.