Background
Rights-based approaches to fisheries management are implemented in various degrees depending on the existing laws and governance models of each country, including decentralization and devolution by the government, emphasis on community-based approaches, the type of species that are being managed, existing fisheries management approaches, and the capacity of direct line government agencies/ministries. Managed Access and Networks of Reserves are Fish Forever’s RBA to fisheries management that use both science and data for decision making while allowing appropriate access and resource rights of small-scale fishers.

In establishing MA+R, this guidance document differentiates two pathways, namely

1. **Legal and Regulatory Pathways** focus on legalizing and allowing both the establishment of the MA+R and assignment of rights to specific stakeholders. This process includes identification of the required policy instruments in the necessary levels, the process to secure those, and the government bodies that will be involved. Countries would also need to understand if there are policy barriers to the achievement of this policy instrument. **Policy barriers** are existing laws, regulations, policies, and even government priorities that either fundamentally or currently disallow or disincentivize the establishment of MA+R approaches.

2. **Enabling Scaling, and Sustaining MA+R Policies** are complementary laws and policies that help enable the establishment of MA+R; these are policies that can form the basis of the policy instrument for legalization and/or provide further justification of the approach.

Similarly, this document will also outline the other policies and regulations that each Fish Forever country can pursue to help scale MA+R and further the support to small-scale fisheries.

Objectives
- Explain the basic concepts of legalizing and enabling policies and laws, policy instruments, policy barriers
- In relation to the MA+R roadmap, provide the process of legally establishing MA+R
- Share strategies and provide guidance on the identification and pursuit of these pathways

Principles
Policy Guidance documents will follow Rare basic policy principles outlined and explained in the Policy Operations Guidance Documents, specifically Guidance Documents on Lobbying and Political Advocacy. If there are identified risks, either legal, political or programmatic, these risks should be elevated and discussed with Rare’s Policy and Partnerships Team who periodically tackle these in either or both the Fish Forever Leadership Team or the Public Fundraising and Partnerships Operating Team.

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1 UN FAO defines rights-based resource management as the provisions of bundles of entitlements, responsibilities and privileges granted by an authority to an individual or group of individuals.
Process
Countries are proposed to follow the process in Legalizing and Enabling Managed Access and Reserves

1. **Goal and Purpose Statement**
   Countries to clearly articulate the purpose of the establishment of MA+R which includes why this is the appropriate approach taken and what level, how it supports the country’s fisheries management approaches, and why there is an opportunity to take and scale this approach.

2. **Policy Landscape Assessment**
   Each country would then need to conduct a thorough policy landscape assessment which should include the following proposed sections and the considerations that each country should be taking

<table>
<thead>
<tr>
<th>Topics and Sections</th>
<th>Pointers</th>
</tr>
</thead>
</table>
| Overview of Country Governance Landscape  | • Centralization vs Decentralization  
  • Understand the history of the Centralization/ Decentralization discussions in country  
  • Is fisheries and environmental management issues devolved? How so?  
  • References to the use of natural resources  
  • How does the State view the use of natural resources? Considerations on sustainability? Use and purpose? Users?  
  • Fishery sector in development planning  
  • Major laws and policies on environment and agriculture  
  • International commitments  
  • Current national priorities                                                                                   |
| Coastal and Marine Laws and Regulations   | • Identify and lists the various coastal and marine laws and recent regulation and policies  
  • Are there current discussions on revisions of the laws, etc  
  • Coastal and Marine Governance– roles, relationships, historical priorities of both agencies and local government  
  • Privileges given to customary, local and traditional communities in coastal and marine management |
| Marine Protected Areas/ Networks and Marine Spatial Planning | • Creation  
  • Management Plans and Regulations by National, Municipal  
  • National vs Local Protected areas  
  • MPA’s effectiveness  
  • Community involvement  
  • MPA for sustainable fishery  
  • Monitoring/ Enforcement  
  • Co Management in MPAs                                                   |
<table>
<thead>
<tr>
<th>Topic</th>
<th>Details</th>
</tr>
</thead>
</table>
| Fisheries Laws and Regulation | - Identify and lists the various laws and recent regulation and policies surrounding fisheries  
- Are there current discussions on revisions of the laws, etc  
- Fisheries Governance – roles, relationships, historical priorities of both agencies and local governments  
Community-based Fisheries Management  
Managed Access to Fishery Resources |
| Small-Scale Fisheries | - Current fisheries governance on small-scale fisheries  
- Laws and Policies that support small-scale fisheries  
- Current Policies that support or hinder small-scale fisheries  
- Existing Rights-based Approaches  
- Co-Management Approaches |
| Laws and Policies that allow Managed Access | - National, Regional, Local  
- Process, if available  
- Policy Barriers, if any |
| Laws and Policies that allow Networks of Reserves | - National, Regional, Local  
- Process, if available  
- Policy Barriers, if any |
| SSF Country Context – laws and policies against Managed Access and Reserve Principles | - Principle of Sustainability  
- Area-based Management  
- Community Participation  
- Protection of Small Scale Fisheries |
| SSF Country Context against the SSFG | - Human rights and dignity  
- Respect of Cultures  
- Non Discrimination  
- Gender equality and equity  
- Equity and equality  
- Consultation and participation  
- Rule of Law  
- Transparency |
management approach and perspective against each of the Small Scale Fisheries Guidelines

- Accountability
- Economic, social and environmental sustainability
- Holistic and integrated approaches
- Social responsibility
- Feasibility and social and economic viability

Policy and Implementation Gaps (different from policy barriers)

- Factors that prevent laws and policies in support of MA+R and network of reserves
- Willingness and acceptance of communities and government officials on MA+R and network of reserves
- Opportunities to integrate into existing government plans (example FMAs, provincial marine waters, and General Management Plans)

3. **Pathways to Legalizing Managed Access and Networks of Reserves (present in flow, form, and examples)**

The following steps will be taken to legalize and establish MA+R

a. Provide Basis – Laws and Policies above (both under categories of fisheries and protected areas; Does the law allow it?)
b. Identify the Required Policy Instrument – allows establishment and allocate rights; what level is this?
c. Description of Bodies / governments that issue the policy instrument
d. Process towards Securing Policy Instrument
   i. Proposal
   ii. Technical/Policy Review / Policy Study
   iii. Consultations and Discussions
   iv. Legal drafting
   v. Technical and Public Consultation
   vi. Establishment
   vii. Socialization/Dissemination
   viii. Implementation
   ix. Compliance with Policy Instrument
   x. Identifying and Addressing specific barriers at each stage
   xi. Check in at each stage if there is lobbying being conducted
e. Countries would then need to build their own Government Engagement Strategy around these – pls see Guidance Document on Government Engagement Strategies
<table>
<thead>
<tr>
<th>Country</th>
<th>Basis</th>
<th>Policy Instrument</th>
<th>Involved Government Bodies</th>
</tr>
</thead>
</table>
| Brazil   | Law No. 9.985/2000 establishes the National System of Conservation Units | • *Instrução Normativa* (a regulation) ICMBio N°02/2007 governs the creation of local management councils for conservation programs such as RESEX, Reservas de Desenvolvimento and Territorial User Rights in Fisheries Coupled with Reserves (TURFs)  
• *National Policy for Sustainable Peoples and Traditional Communities* provides rights and exclusive access to traditional fishers and rural communities | • ICMBio  
• National Commission for the Strengthening of Marine Extractive Reserves and its Traditional Communities (CONFREM) |
| Guatemala | • Constitution Arts. 64 and 97: Obligation to promote the creation of national parks, reserves and natural sanctuaries  
• General Law on Fisheries and Aquaculture  
• Law on Protected Areas (LPA) | • Guatemalan System for Protected Areas (no-take zones, co-management)  
• Regulations to LPA, Art. 17 (co-management) | • Ministry of the Environment and Natural Resources  
• National Council for Protected Areas  
• Ministry of Agriculture, Livestock and Food  
• Direction of Regulations for Fisheries and Aquaculture Management |
| Honduras | • General Law on Fisheries and Aquaculture  
• Law on Forestry, Protected Areas, and Wildlife  
• General Environmental Law | • Areas of Responsible Fishing and Aquaculture (co-management, SSF zoning, access rights for Indigenous Peoples and ethnic communities)  
• Protected Replenishment Areas (no-take zones)  
• National System of Protected Areas (co-management, no-take zones)  
• Fisheries and Aquaculture Development Plan | • Directorate General of Fisheries and Aquaculture (DIGEPESCA)  
• National Institute for Conservation and Forest Development, Protected Areas, and Wildlife  
• Secretary of Natural Resources, Environment and Mines (MIAMBIENTE)  
• Secretary of Agriculture and Livestock |
<table>
<thead>
<tr>
<th>Mozambique</th>
<th>Fisheries Law N°. 22/2013</th>
<th>Regulation on Maritime fisheries (&quot;REPMAR&quot;) Decree N° 43/2003 (co-management)</th>
<th>Ministry of Fisheries (ADNAP)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Philippines</td>
<td>1991 Local Government Code</td>
<td>Municipal Ordinances</td>
<td>Bureau of Fisheries and Aquatic Resources</td>
</tr>
<tr>
<td>Indonesia</td>
<td>Law Number 5 of 1990 on the Conservation of Natural Resources and Ecosystem; Law Number 27 of 2007 as amended by Law Number 1 of 2014 on the Management of Coastal and Small Islands Area; Law Number 31 of 200 as amended by Law Number 45 of 2009 on Fisheries; Law Number 23 of 2014 on Local Government; Law Number 7 of 2016 on the Protection and Empowerment of Fishers and Aquaculture and Salt Farmers; Government Regulation No.60 of 2007 on Conservation of Fish Resources; Regulation of Minister of Marine Affairs and Fisheries No. 30 of 2010 on the Management and Zoning Plan of Marine Conservation Area; Regulation of Minister of Marine Affairs and Fisheries No. 21 of 2015 on Partnership in Management of Marine Conservation Area; Government Regulation No.28 of 2011 as amended by Government Regulation No.108 of 2015 on Management of Law on Fisheries (as amendment to Law Number 31 of 200 as amended by Law Number 45 of 2009 on Fisheries) [draft proposed by National Parliament to Government]; Regulation of Director General of Marine Spatial Management of the Ministry of Marine Affairs and Fisheries No. 3 of 2016 on the Utilization of Sustainable Fishery Zone of Marine Conservation Area for Fishing Activities by Local and Traditional Communities; Regulation of Director General of Conservation of Natural Resources and Ecosystem of Ministry of Environment and Forestry No.6 of 2018 on Technical Guidance of Conservation Partnership at Nature Reserve Area and Nature Conservation Area; Regulation of Southeast Sulawesi Province No.9 of 2018 on Zoning Plan of Coastal and Small Islands in Southeast Sulawesi Province for 2018-2038; Regulation of Southeast Sulawesi Governor No.36 of 2019 on Management of Access to Fishery Area</td>
<td>Ministry of Marine Affairs and Fisheries; Ministry of Environment and Forestry; Southeast Sulawesi Provincial Government</td>
<td></td>
</tr>
</tbody>
</table>
Nature Reserve Area and Nature Conservation Area
- Regulation of Ministry of Environment and Forestry No.43 of 2017 on Empowerment of Community Living around Nature Reserve Area and Nature Conservation Area

While the Process of Securing the Policy Instrument may vary from country to country, the following steps are generally taken. For each of the steps, countries would need to identify the barriers and assess if there is any lobbying involved based on the Guidance Document on Lobbying.
<table>
<thead>
<tr>
<th>Step</th>
<th>Description</th>
<th>Barriers</th>
<th>Lobbying</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposal</td>
<td>Rare or its local partners introduce the concept of Managed Access to the respective government body and partner communities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technical Review or Study</td>
<td>A study is conducted showing the rationale of the approach, the intended steps, the science and data behind the proposed MA+R, and the stakeholders that will be involved.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consultation and Discussion</td>
<td>Consultations with stakeholders, especially communities, fishers, indigenous people, will be conducted to secure inputs, buy-in, and take into account opinion, suggestions, and contest; In some countries this will be mandated by law and is part of the formal process of the establishment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal Drafting</td>
<td>Rare or its local partners draft the provisions of policy instrument (article by article).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technical and Public Consultation</td>
<td>Technical and public consultation on the draft policy instrument to get inputs and feedback from stakeholders.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Establishment and Declaration</td>
<td>Either through law or regulation, the MA+R and Reserves will be declared</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Socialization and Dissemination</td>
<td>The socialization and dissemination of policy instrument to make it known and understood by the public and stakeholders.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Implementation</td>
<td>Actual implementation includes the establishment and passing of the MA+R Applicant Eligibility, Management Plan, MA+R Areas Designation, Management Body, and Enforcement. This could also be in the form of integration to existing policy instruments.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Compliance with Policy Instrument |Rare or its local partner helps:  
- Local MA+R fisherman group to comply with the policy instrument so it can legally organize MA+R sites/establishment  
- Government agency to follow and comply with the policy instruments in responding to MA+R proposal submitted by local fisherman group |          |          |

- **MA+R Applicant Eligibility**
- **Management Plan**
- **MA+R Areas Designation**
- **Management Body**
- **Enforcement**
Enabling Policies

- Regardless of sector, are there laws, policies, regulations or statements that promote, allow, and/or mention the preferential rights of small scale users?
- Is there an active mention of co-management or its principles?
- Is there an active mention of equity of distribution and rights – based approaches?

<table>
<thead>
<tr>
<th>Category</th>
<th>Examples in countries</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constitution</td>
<td>1987 Philippine Constitution:</td>
</tr>
<tr>
<td></td>
<td>Article 2, Section 16: The State shall protect and advance the right of the people to a</td>
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<tr>
<td></td>
<td>Article 8, Section 7: The State shall protect the rights of subsistence fishermen,</td>
</tr>
<tr>
<td></td>
<td>especially of local communities, to the preferential use of the communal marine and</td>
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<tr>
<td></td>
<td>fishing resources, both inland and offshore. It shall provide support to such</td>
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<tr>
<td></td>
<td>fishermen through appropriate technology and research, adequate financial, production,</td>
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<tr>
<td></td>
<td>and marketing assistance, and other services. The State shall also protect, develop,</td>
</tr>
<tr>
<td></td>
<td>and conserve such resources. The protection shall extend to offshore fishing grounds</td>
</tr>
<tr>
<td></td>
<td>of subsistence fishermen against foreign intrusion. Fishworkers shall receive a just</td>
</tr>
<tr>
<td></td>
<td>share from their labor in the utilization of marine and fishing resources.</td>
</tr>
<tr>
<td>Development Plans: National, Regional, Local</td>
<td>Philippine Development Plan 2017-2022 that indicates managed access and sanctuaries</td>
</tr>
<tr>
<td></td>
<td>as strategies accepted for fisheries Management</td>
</tr>
<tr>
<td>Other Environment and Biodiversity</td>
<td>Mozambique’s general regulation on maritime fisheries - REPMAR and the Fisheries Act.</td>
</tr>
<tr>
<td>Laws and Policies</td>
<td>The REPMAR clause 115 on Marine protected areas, states “Temporary marine protected</td>
</tr>
<tr>
<td></td>
<td>areas may be established by the Minister of Fisheries, in which fishing is prohibited...</td>
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<td></td>
<td>On the other hand the Fisheries act, article 16: (on Fishing resource conservation</td>
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<tr>
<td></td>
<td>zones) states “1. In maritime and continental waters fisheries resources conservation</td>
</tr>
<tr>
<td></td>
<td>areas can be declared to promote their protection and regeneration”</td>
</tr>
<tr>
<td>Local Government (Interior, Village, etc)</td>
<td>The Philippines Local Government Code that says</td>
</tr>
<tr>
<td>Laws and Policies</td>
<td>SEC. 149. Fishery Rentals, Fees and Charges- (a) Municipalities shall have the</td>
</tr>
<tr>
<td></td>
<td>exclusive authority to grant fishery privileges in the municipal waters and impose</td>
</tr>
<tr>
<td></td>
<td>rentals, fees or charges therefor in accordance with the provisions of this Section.</td>
</tr>
</tbody>
</table>
In instances where countries would need to wait on the actual policy instrument that allows MA+R, they can use the above information and help communicate to countries and partners of the existing basis and rationale behind the move towards the establishment. **Provide Example**

4. **Pathways to Enable, Scale, and Sustain MA+R**

To have a comprehensive understanding of the policy and governance landscape of the country that allows (legal and regulatory pathways), enables (complementary laws and policies to support the establishment of MA+R), and scales (grow and sustain) MA+R, countries would need to identify and map out the opportunities in specific government categories and sectors.

**Scale and Sustainability**

- Identify projects, plans, priorities that help grow the work and deepen the impact of MA+R
- Identify opportunities that help sustain MA+R either in local, regional, or national levels either through development policy and/or financing

<table>
<thead>
<tr>
<th>Category</th>
<th>Examples in countries</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Plans – National, Regional, Local</td>
<td>Philippine Development Plan</td>
</tr>
<tr>
<td></td>
<td>Local Comprehensive Development Plan</td>
</tr>
<tr>
<td></td>
<td>Annual Investment Plan</td>
</tr>
<tr>
<td></td>
<td>Comprehensive Land Use Plan</td>
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<tr>
<td></td>
<td>Local Climate Change Action Plan</td>
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<tr>
<td></td>
<td>Coastal Resources Management Plan</td>
</tr>
<tr>
<td></td>
<td>Fisheries Management Plan</td>
</tr>
<tr>
<td>Category</td>
<td>Description</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Other Environment and Biodiversity Laws and Policies</strong></td>
<td>Philippines’ Coastal and Marine Ecosystem Management Program</td>
</tr>
<tr>
<td><strong>Fishery Policy – National, Regional, Local</strong></td>
<td><strong>INDONESIA:</strong></td>
</tr>
<tr>
<td><strong>Local Government (Interior, Village, etc) Laws and Policies</strong></td>
<td><strong>INDONESIA:</strong></td>
</tr>
<tr>
<td></td>
<td>• Southeast Sulawesi Governor Regulation on Small-Scale Fishery Management Plan 2019-2023 <em>(final draft)</em></td>
</tr>
<tr>
<td></td>
<td>• Southeast Sulawesi Governor Decree on Small-Scale Fishery Management Forum <em>(final draft)</em></td>
</tr>
<tr>
<td><strong>Poverty, Equity, Human Rights Laws and Policies (Preferential rights)</strong></td>
<td><strong>Local Poverty Reduction Action Plan</strong></td>
</tr>
<tr>
<td><strong>Climate Change Laws and Policies</strong></td>
<td><strong>INDONESIA:</strong></td>
</tr>
<tr>
<td></td>
<td>• National Adaptation Plan</td>
</tr>
<tr>
<td></td>
<td>• Nationally Determined Contribution</td>
</tr>
<tr>
<td></td>
<td>• Adaptation and Mitigation in Agriculture</td>
</tr>
<tr>
<td></td>
<td>• Local Climate Change Action Plan</td>
</tr>
</tbody>
</table>

**INDONESIA:**
- Presidential Regulation No.18 of 2020 on National Medium-Term Development Plan 2020-2024
- Regulation of Southeast Sulawesi Province No.9 of 2019 on Provincial Medium-Term Development Plan of Southeast Sulawesi 2018-2023
- Southeast Sulawesi Governor Regulation No.16 of 2019 on Strategic Plans of Provincial Government Organizational Units (including Marine and Fishery Agency and Village and Community Empowerment Agency)
- Regulation of Coordinating Ministry for Maritime Affairs as the Chairman of National Committee of Coral Triangle Initiative on Coral Reefs, Fisheries and Food Securities No.2 of 2018 on National Action Plan of Indonesia Coral Triangle Initiative on Coral Reefs, Fisheries and Food Securities

**Philippines’ Coastal and Marine Ecosystem Management Program**

**INDONESIA:**
- Southeast Sulawesi Governor Regulation on Small-Scale Fishery Management Plan 2019-2023 *(final draft)*
- Southeast Sulawesi Governor Decree on Small-Scale Fishery Management Forum *(final draft)*
- Minister of Home Affairs’ Regulation on Guidance in Development of Work Plan of Local Government for 2021 *(final draft)*
- Local Poverty Reduction Action Plan

**National Adaptation Plan**

**Nationally Determined Contribution**

**Adaptation and Mitigation in Agriculture**

**Local Climate Change Action Plan**

**INDONESIA:**
- Presidential Regulation No.18 of 2020 on National Medium-Term Development Plan 2020-2024
- Regulation of Southeast Sulawesi Province No.9 of 2019 on Provincial Medium-Term Development Plan of Southeast Sulawesi 2018-2023
- Southeast Sulawesi Governor Regulation No.16 of 2019 on Strategic Plans of Provincial Government Organizational Units (including Marine and Fishery Agency and Village and Community Empowerment Agency)
- Regulation of Coordinating Ministry for Maritime Affairs as the Chairman of National Committee of Coral Triangle Initiative on Coral Reefs, Fisheries and Food Securities No.2 of 2018 on National Action Plan of Indonesia Coral Triangle Initiative on Coral Reefs, Fisheries and Food Securities
<table>
<thead>
<tr>
<th>Sustainable Finance Laws and Policies (Blue Economy, National financing, budgeting, etc)</th>
<th>INDONESIA:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Summary of National Adaptation Plan</td>
<td>Regulation of Ministry of Village, Development of Disadvantageous Areas and Transmigration No.11 of 2019 on Priority Use of Village Fund for 2020.</td>
</tr>
<tr>
<td>Southeast Sulawesi Province Adaptation Plan (draft)</td>
<td>Broadening the Use of Village Funds for Indonesia’s Coastal Fisheries. Last 5 September 2019, the Minister of Village signed a regulation on the guidance of priority use of Village Fund for 2020 Fiscal Year. The 2020 guidance now includes significant increase in the number of examples for marine and fishery-related activities that can be funded by Village Fund in coastal villages. Based on the Guidance, activities specifically related with MA+R approach are now presented to coastal fishers and communities for them to easily refer and propose to be funded by Village Fund.</td>
</tr>
</tbody>
</table>

| The Philippines’ Department of Budget and Management (DBM) urges Local Government Units (LGUs) to spend for Coastal Management Plans. The DBM has recently released the Indicative FY2020 Internal Revenue Allotment Shares of LGUs and Guidelines on the Preparation of the FY 2020 Annual Budgets of LGUs and has included provisions to get LGUs to fund the full implementation of activities for integrated coastal management, The Guidelines for Budget Preparation is one of the most important development and budget tools that LGUs use in identifying priority sectors. For the first time, the sector has been called out and signals to LGUs that this is a priority sector and to fund activities such as sustainable fisheries and conservation, protection and rehabilitation of coastal habitats, etc. using their internal Revenue Allotments (IRA) This also addresses one of the significant identified barriers of why LGUs are not spending the activities as there was no clear signals from National Government that funds should and can be directed towards it. |

<table>
<thead>
<tr>
<th>Networks and Alliances Polices, Plans and Projects</th>
<th>INDONESIA:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Managed Access + Reserves (MA+R) Program Joint Implementation Plan in Southeast Sulawesi Province for 2019-2021 signed on 20 December 2018 by:</td>
<td>Managed Access + Reserves (MA+R) Program Joint Implementation Plan in Southeast Sulawesi Province for 2019-2021 signed on 20 December 2018 by:</td>
</tr>
<tr>
<td>Head of SE Sulawesi Provincial Marine and Fishery Agency</td>
<td>Head of SE Sulawesi Provincial Marine and Fishery Agency</td>
</tr>
<tr>
<td>Head of 11 District Marine and Fishery Agency</td>
<td>Head of 11 District Marine and Fishery Agency</td>
</tr>
<tr>
<td>Head of Wakatobi Marine National Park of Ministry of Environment and Forestry</td>
<td>Head of Wakatobi Marine National Park of Ministry of Environment and Forestry</td>
</tr>
<tr>
<td>Head of Nature Conservation Agency for Southeast Sulawesi of Ministry of Environment and Forestry</td>
<td>Head of Nature Conservation Agency for Southeast Sulawesi of Ministry of Environment and Forestry</td>
</tr>
<tr>
<td>Rare</td>
<td>Rare</td>
</tr>
</tbody>
</table>
After the process of identification, countries would need to prioritize and determine the right mix of the above policies, plans or projects to pursue depending on the following factors:
• **Impact and Objective** of the identified strategies to the short-term and long-term needs of the program and if it will support any fundraising opportunities for the work.

• **Policy Windows** are described to be windows of opportunities to change, affect, or influence existing policy either to move to a different direction or change the pace of its implementation and/or reform. These are identified based on existing dialogues, current reforms, new administration, political statements and commitments, government response to campaigns, etc. Countries would need to identify if there is an existing or anticipated policy window that will help allow MA+R and/or support to small-scale fisheries in general. This could also include policy mapping and scoping of networks of champions. ([insert example box])

• **Capacity and Resources** of country teams is a major criteria in identification which one to pursue. Countries need to determine if the identified strategies will also deliver on donor commitments for the existing year.

5. **Implementation**

   a. **Risks and Mitigation** Countries would need to conduct a risk assessment to identify risks to the program and reputation of Rare, high risk areas and ways to mitigate. The following are the initial proposed categories that countries need to fill up

<table>
<thead>
<tr>
<th>Risk and Mitigation</th>
<th>Likelihood</th>
<th>Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Political Cycle – involves risks due to political turnover because of elections, change in ministers or high level government official, change in administration, etc</td>
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<tr>
<td>Engagement of Government Officials – involves risks due to unlawful practices of engaged government officials, including incidents of graft, corruption, abuse of power</td>
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</tr>
<tr>
<td>Legal Entity – involves risks due to practices that aren’t allowed based on the by-laws, in-country registration, and Rare practices</td>
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<tr>
<td>Risks by Association- risks being associated with partners and local governments that have proven unlawful practices.</td>
<td></td>
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</tr>
<tr>
<td>Donor requirements – risks due to non-compliance with donor government engagement policies</td>
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</tr>
</tbody>
</table>

   b. **Review and Assessment** Together with the Policy and Partnerships team, in-country policy staff will do a mid-year and year-end review and assessment to discuss success, gaps, challenges and support needed to achieve the implementation of these.
Recap of the Process

**STEP**

**OBJECTIVE**

**Goal and Purpose**
Articulation of the purpose and reasoning why MA+R

**Conduct Landscape Assessment**
Understand country laws, priorities, policies around environment, fisheries, and MA+R

**Identify Legal and Regulatory Pathways to MA+R**
State the basis of MA+R, the required policy instrument, the engaged government bodies, and the process of securing it

**Identify Pathways to Enable MA+R**
Comprehensive understanding of the enabling policies to support MA+R

**Identify Pathways that Scale and Sustain MA+R**
Comprehensive understanding of policies, projects, priorities and plans of the government that help scale and sustain MA+R; Identify which of those to prioritize and pursue

**Implementation**
Conduct Risk Assessment and mid-year and year-end review to assess success, gaps, challenges and where support is needed
6. **Support from the Policy and Partnerships Team**

Depending on the capacity of in-country, the following support is provided by the Policy and Partnerships Team

<table>
<thead>
<tr>
<th>Activity/ Step</th>
<th>Before</th>
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| Conduct of the Landscape Assessment | • Drafting of TOR for contract if outsourced; Help source, if needed  
• Review, Inputs, synthesis, and analysis for country  
• Consolidate, Compare and used as inputs to Policy Guidance Documents  
• Financial Resources to support translation, if needed |
| Pathways to Legalizing Managed Access and Networks of Reserves | • Kick off discussion after conduct of landscape assessment and help walk through the process (for newly set-up countries)  
• Support to address identified policy barriers |
| Pathways to Enabling Environment for Establishment and scaling of MA+ R | • Kick-off meeting  
• Synthesis of enabling and scaling strategies  
• Inputs to the prioritization, development of Risk Assessments, etc |
| Implementation | • Provision of Guidance Documents, sharing of strategies  
• Linking to International policy and dialogues  
• Capacity Building  
• Provision of templates, communication materials like briefers |
| Tracking and Monitoring | • Tracking of Major Policy Wins (See Guidance Document on Policy Wins)  
• Proper documentation  
• Facilitation and identification of lessons and challenges  
• Horizontal learning  
• Quarterly or bi-annual check ins, depending on need |

7. **Competencies Required**

- Work with Hub
8. **Available Resources**

- Sample MOUs
- Sample Ordinance
- Sample Landscape assessment
- Guidance Document on Government Engagement
- Guidance Document on Lobbying