

## Elaborations on Contract Fishing and Overall Fishery Reforms

(08 March 2012 Unofficial Translation of Selected Comments)

Today I have the obligation to speak to our people in the whole country about the ongoing reform that is taking place in the fishery sector of the Kingdom of Cambodia. As of now, the reform can be said to have reached its radical stage and with the nature of people's democratic revolution, conducting by the ruling Party aimed at serving our people's aspiration and people's wellbeing.

On 28 February at the graduation and diploma presentation at the Cambodian Institute of Technology, I declared the dissolution of all 37 – 35 went into actions immediately and 2 have been allowed to go on till April this year – in/around the lake of Tonle Sap, namely the provinces of Banteay Meanjei, Siem Reap, Pursat, Kompong Chhonang, Kompong Thom, where a number of fishery zones will be conserved and the remaining areas will be given back to the people for household fishing.

In this period that I have to attend to my father's ill health, I am taking the time to discuss with my colleagues, Deputy Prime Minister HE Bin



21 March 12 - Samdech Techo Hun Sen Welcomes President of Myanmar HE Thein Sein during his official visit to the Kingdom of Cambodia (Kampuchea Thmey)

Chhin, who leads the inspectorate mission in the lake of Tonle Sap, to define the conserved areas and to draft a sub-decree. Deputy Prime Minister Yim Chhayly and Minister of Agriculture, Forestry and Fishery, HE Chan Sarun have been involved in another front to work out and issue a sub-decree on 05 March on the dissolutions of all contracting fishery lots (CFL) in the province of Kompong Cham, Prey Veng, Kandal and Takeo.

Along with this I also proposed for a pardon to be granted to those culprits (of fishery abuses) and set them free from prison. Those who have been found guilty will have to get their cases to the Appealing Court so that the final decision will be made. Those who have been serving the Court's final decision of being guilty, amnesty will be requested to HM the King.

### Poverty Prompts Illegal Fishing Actions and Methods

I have seen today an article in the Cambodia Daily commenting that setting those culprits free would be against the law. There have been elaborations made by the Court's officials already but I wish to have your attention that whatever I am doing (to answer to the need of the people) would never satisfy those who dislike us. I would leave this to our people to figure out if what I have been doing, especially on the fishery reform front, is for my personal or those culprits' benefits.

Who would want to take the fish electrocution as business? If you look at the case, about two thirds of the offenses are concerning electrocuting fish. You may then conclude that those people might have had to electrocute fish in restricted areas because there has not been public places for them to do so. They have no other means but to electrocute fish because it is quick for them to catch fish and to move out of the restricted fishery areas.

As far as Kompong Thom province is concerned, all of the fishery abuse cases are about electrocuting fish and it is true that electrocuting tools are illegal fishing tools. However, what is the reason for that? Isn't it poverty? It is in this note that I demand understanding on our efforts to resolve the fishery issue for the benefit for our people. I hope that illegal actions and methods in the lake of Tonle Sap will be less as all contract fishery lots will be dissolved for public fishing access.

I would like to take this opportunity to ascertain to Minister of Agriculture, Forestry and Fishery HE Chan Sarun, Minister of Water Resources and Meteorology Lim Kean Hor and two Deputy Prime Ministers – HE Bin Chhin and HE Yim Chhayly, who are here present that as those people are to be set free by the Court, their fishing tools must also be returned to them. This does not apply for illegal fishing tools though because they would have to be confiscated and destroyed. A part from that, things like boats, fishing nets, hooks as well as engines for boats, etc, need to be returned to their owners.

### Sub-Decree to Annul the Contract Fishing Zones

Now let me tell you about what has actually happened after the issuance on March 5 the annulment of the contract fishing lots in the provinces of Kandal, Prey Veng, Kompong Cham and Takeo? Yes-  
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terday, March 7, a new sub-decree went into force to annul all 37 contract fishing lots in the lake of Tonle Sap. We can solemnly declare that as of now there is not a single contract fishing lots left in Cambodia. However, I would elaborate on the fact as to why contract fishing lots in Kompong Cham, Prey Veng, Takeo and Kandal and two in the province of Banteay Meanjei are not being annulled in real time but set for annulment on April 10, which is one month and two days away.

The Royal Government understands that there is a need for ample time for fishery contractors to remove their tools from the annulled areas. This would also help bring down conflicts between those who would take the chance to move in and those contractors who have yet to move out from the sub-decree defined areas. That is why the Royal Government is leaving a period of one month for the contractors to remove their belongings from the contract fishing zones. As for the 35 contract fishing lots in the lake of Tonle Sap, people now could go in and fish.

However, HE Bin Chhin and Minister of Land Management, Urban Planning and Construction HE Im Chhun Lim, who visited the place, told me they have seen people getting in those lots and fishing since the day I declared – 28 February 2012. They may do so now but they are not allowed to go into conserved areas.

### **Radical, Final and Irrevocable Reforms and Presents**

As the situation evolves, it is to everyone's understanding that this is the Royal Govern-

ment's radical, final and irrevocable commitment and efforts in the reform of the more than 100 years old contracting fishery practice. Today we are putting the contract fishery business to its end. The reform initiative and effort has been that of the ruling party. It is not being carried out for demands from other political parties. It is clearly seen to all that this effort is from the Cambodian People's Party that is leading the Royal Government of Cambodia.

Also on this March 8 – the International Day for Women, as the fishery sector involves directly in many ways to women, I would consider this reform a present for aunts, sisters and nieces. Women head the families and they are the ones to face the most constraints as far as finding food for the family is concerned. It is of course the men's work to catch fish and the women's duty to cook for everyone, but when the men could not catch any fish, it is the women's burden to think of something so that parents, children and other family members could get something to eat.

I also consider it to be a present for the Cambodian New Year that is going to come in a month. People in the lake of Tonle Sap area benefit from the fishery reform starting in the late year of Rabbit and into the year of Dragon, whereas the people in Kandal, Prey Veng, Takeo and Kompong Cham provinces will take the benefits from April or at the beginning of the year of Dragon by Cambodian lunar calendar.

### **Natural Fishery Resource and Royal Government's Fishery Reform**

## **Policy**

It is perhaps important that I bring into this elaboration the issues that are considered crucially important for the commitment and actions taken on the contract fishery lots as well as the Royal Government's reform policy – its background and focus - for that matter.

**First** – *natural fishery resources and the Royal Government's fishery policy reform.*

It should be reminded in this concept that Cambodia is a country that is rich with natural fishery resources. In simple term, Cambodia has plenty of fish and in this elaboration I focus on freshwater fish resources.

Cambodia has been ranked number four as a country with abundance of fish in the world after China, India and Bangladesh. The fishery sector – to everyone's note – contributes to the creation of jobs, improvement of people's livelihood, food security, provision of nutrition for people and to a certain extent the national economic growth.

As of present the fishery sector has got a share of 7% in the country's GDP, or 2000 million USD, in which freshwater fish constitutes 6% of the share or 1,500 million USD.

According to some studies by experts, the fishery sector provides jobs – both full and part time and seasonally - for some six million people. Therefore, taking the above facts into consideration, the fishery sector provides for both food security and contributes to the Cambodian economy as well.

Cambodians consume a lot of fish. According to estimates by the Mekong River Commission in 2007, the people of Cambodia consume an average of 52.4 Kg of fish per person per annum. It is a nutritional source of high protein for our people. It is a fact that fish plays more important role than other protein sources such as pork, chicken, beef, etc.

It is not customary to see Cambodian family without a pot of fermented fish at the very least. It is common to see that every Cambodian family has got to have – according to their economic wellbeing – fermented, seasoned, smoked and dried fish (they are preserved traditionally for long-term consumption).

It is this note that the Royal Government of Cambodia considers fishery reform a priority action in its Rectangular Strategy for Growth, Work, Equity and Efficiency. It should be noted that in our efforts to conduct reform in the fishery sector, based on the Royal Government's Rectangular Strategy, four areas of interest are set in the reform focus – (1) Focus, strengthen and expand the fishery community; (2) Empower and give ownership to local community in the management of fishery sector; (3) Conserve natural resources and (4) Promote development of aquaculture.

Based on these strategically prioritized goals, the Royal Government puts out necessary political platform, legal frameworks and norms for the consolidation of fishery sector management. The Royal Government also issued a policy statement on national fishery sector on June 15, 2005, law of fishery in 2006,

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(Continued from page 2) and strategic plan for fishery sector for 2010/19. This should highlight the Royal Government's understanding of importance of the natural fishery resource and therefore adoption of relevant policy vis a vis fishery sector reform in context of the Royal Government's Rectangular Strategy.

**Second – Measures taken in reform of contract fishing lots.**

In order to understand the need for taking necessary measures to implement radical reform in the fishery sector, it is important to understand the nature of commencement of contract fishing regime in the Kingdom of Cambodia. It is very important point for historians and researchers of every generation, those who will benefit from the reform itself included, to have a good grasp of why there was to be a contract fishing business in the first place, and why there is a need to reform and to eventually annul their existence?

Since *when did we have the regime of contract fishery lots/zones?* In a document considered to be the most comprehensive study in relation to the fishery sector by the Fishery Administration, which I have here with me, I may have to read you parts of it and to make some comments along with them so as to illuminate the more than 100 years old contract fishery issue altogether.

Prior to, during and right after the Angkor time and even before the existence of French colony, there was neither fishery administration nor rule/regulation about fishing. Fishing was free and it was a common right for everyone to just fish. However, with the establishment of the French colony

in between 1862 and 1953, many regulations were issued.

**Freshwater Fishery Resource Management and Policy**

In 1872, under the reign of Preah Baat Preah Norodom, there was a regulation allowing the setting of fish trap across one third of the waterway so that two thirds of the waterway would be reserved for water transport traffic.

Based on this regulation, it has led us to understanding that it could be an attempt to resolve traffic issue in all waterways that a decision was made to allow trapping to set up only in one third of the way.

In 1874, there was another regulation forbidding use of fishing tools with holes that are less than two centimeters. In 1908, there was the circulation number 40 dated 04 April 1908 on census and classification of all fishing areas throughout the Kingdom of Cambodia. Along with it, there were three other regulations signed by HM the King Preah Baat Sisovath, which was continuity of the work started by HM the King Preah Norodom.

The three regulations were as followed. The first regulation numbered 35, dated May 22, 1908 was about *the establishment and organization of fishing areas into two groups* – (1) monopoly fishing areas that was to be offered on contract by the state in interest to those who lease them - where contracting and bidding were recognized by the state; (2) freehold fishing areas with guarantee that fishing is being conducted by tools that owners pay tax to the state.

The second regulation 41 was

numbered on law on *taxing on fishing tools, oven and space for drying fish*. The third regulation was numbered 54, dated 16 July 1908 that defined the amount of tax to be collected on fishing tools.

Based on the three regulations it is possible to say that the contract fishing business started in 1908 as monopoly fishing areas was set up and recognized by the state to conduct fishing in interest of those who lease them from the state through contracting and bidding. The fact that this freehold fishing area where people paid tax, defined by the state, on the tools they use to fish also provides a conclusive understanding of that trend.

As far as two other regulations are concerned, fishing by contractors started in 1908 along with subcontracting of the contract fishing areas to smaller subcontractors.

As you can see this is what was and has been the habitual practice since 1908 or over 100 years ago. While clearly defining contract fishing lots from freehold fishing areas, and the state imposed tax on fishing tools, it is arguably reasonable that the state taxed fishermen by the tools they used.

As for this issue, I could recall that in the Plenum of the Central Committee of the Cambodian People's Party in 2001, HE Osman Hassan, the Secretary of State of Labor proposed for the cessation of tax on fishing tools, which was brought into implementation by May Sam Oeun, a Funcinpec official, then Secretary of State for Agriculture.

Now we have come to an era that contract fishing lots

comes to their ends. Since it started in 1908 and stopped in 2012, it has taken us over 100 years to end totally the contract fishing business practice. As far as taxing on fishing tools we have order for the removal a long time now.

As you can see, contract fishing is not an issue brought about by the Cambodian People's Party, the People's Republic of Kampuchea, the State of Cambodia or the Royal Government. It was implanted in the Cambodian history. This should clearly explain as to why we need to reform the fishery sector.

Until 1909 there was another regulation that was numbered 15, dated 07 April, issuing an alteration to an article in the 09-June-1908 regulation 41 relating to tariff on defined tax on catfish net used in the lake of Tonle Sap. We understood that perhaps the regulation 41 did not mention about catfish net that there was a need to amend the article. After the issuance of two regulations in 1909 and 1920, the regulation on management of state property dated September 3, 1920 finally came into effect in March 1929. By then, contract fishing lots were reorganized and rearranged properly where 7% of the fishing areas were reserved for people to conduct household fishing.

I would have the attention of our people on this point that 7% at the time was a lot because the lake was still deep, there were more fish and there were less people to feed – about two to three million perhaps.

However, the Phase I reform of the contract fishing areas, where 56% of the whole has been reserved for people's household fishing proved that

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it is not enough. As of today, in this reason, we have decided to annul private contract fishing lots and open them for people to fish, except certain number of conserved fishery zones.

Till 1940, there was the regulation 100, dated 7 June, signed by HM the King Sisovath Monivong on the management of freshwater fishery resources in Cambodia, especially the clear demarcation of inundated forest and prohibition of deforestation in areas around the lake of Tonle Sap. So you can see that actions were taken then for the protection of inundated forest. That has not been remarkably an issue that took place after January 7, 1979.

In 1946, HM the King Preah Baat Norodom Sihanouk issued Royal Decree number 223 NS dated 7 September, on *right to use fishing tools in Cambodia* and the Royal Decree 249 NS dated 12 September, which was then amended by the Royal Decree 532 NS, dated August 19, the Royal Decree 590 NS dated April 19, 1950, and the Royal Decree 611 NS, dated August 22, 1950, on *regulation on transportation and export of fish from Cambodia*. That were what happened in between 1800 and over 1900 in the freshwater fishery resources.

### Marine Fishery Resources Management and Policy

Maybe I should say a few things about marine fishery resources, its management and policy. It was noticeable too that during the French colonial period, certain regulations were issued concerning marine fishery resources.

In 1899, there was a decision

by the Governor General of Indochina dated December 31, 1899, on rules and regulations concerning sale of marine fishery areas for exploitation in the province of Koh Kong for three fishing seasons.

As Cambodia was under French colony, it was the French Governor General who issued the sale of marine fishing lots to contractors from foreign countries. There were then two other regulations signed by HM the King Sisovath.

In 1923, the regulation 39, dated 18 June, issued the prohibition of collection, sale and eating sea tortoise that were in the Indochinese territorial integrity, where Cambodia was also included. In 1925, the regulation 53, dated 24, issued the prohibition of catching leatherback skin sea turtles on islands in the Gulf of Siam which was under the management of Cambodia.

These explain that there were great attention and consideration given by HM the King Preah Baat Sisovath on both the lake of Tonle Sap and Cambodian marine resources as illustrated by his efforts to conserve the endangered sea tortoises/turtles.

There was then a Decree by the President of the French Republic dated September 22, 1936, on the demarcation of territorial integrity for marine fishing in Indochina. It was decided that within 20 kilometers – counting from the shoreline when the sea retreats, no steam or motor travel boat/ship and/or fishing boats was allowed.

Again, there was later a decision of the Governor General of Indochina ACG 7358, dated 16 October 1942, which

was later amended by the 30 November 1944 decision to prohibit setting barriers to catch fish along the coastal beach of Cambodia.

In 1946, the Royal Decree 223 NS dated 7 September was issued concerning fishing tools that were allowed to be used in marine fishing. This also clearly shows that then HM the King, Samdech Preah Norodom Sihanouk, also had concerns and paid attention to issue of using fishing tools in marine fishing as well.

Until 1947, the National Competent Group for Fishery was established by the Royal Decree 386 NS dated 6 December. The group was teamed together with the Group on River and Forestry. It was then becoming a mechanism of fishing industry administration under the reign of Preah Baat Preah Norodom Sihanouk. In 1949, there was a communiqué 595 dated March 9, defining the tasks of National Competent Group for Fishery.

In the same year there was also regulation 532 NS dated 19 August on the amendment of the articles 2, 4, 5 and 7 of the Royal Decree 249 NS and the order relating to export of fish to foreign countries.

In 1952, the Ministry of National Economy issued two communiqués on fishery resource management. The communiqué 1082, dated 17 April 1952, elaborating the classification of fishery products – seasoned with salt and spices and the prohibition of exporting salted fish in the reproducing season from August 1 through to September 30 every year.

This also clarifies that the Royal Government then paid attention to issue of fishing in

the reproduction season and the export of salted fish within the said season. The communiqué 2152 dated 2 May in the same year instructed there being letter permission for transportation of fishery products in the Kingdom of Cambodia.

In 1956, the Law of Fishery in Cambodia, the Royal Decree 87 NS dated 23 April – especially Chapter 11, and article 134, came into effect, mainly for freshwater fishery resources. By 1958, there was another fishery law – the Royal Decree 249 NS dated 24 January 1958, especially Chapter 6 and article 48, came into effect on management of marine fishery in Cambodia. That was happening after the issuance of the Royal Decree 662 NS dated 30 December 1957, signed by HM the King Preah Baat Norodom Suramrit defining the meaning of sea territory and hinterland waters of Cambodia.

In 1960, the National Competent Group for Fishery was separated from the Group for River and Forestry to become an independent Department of Fishery by the Royal Decree 392 dated 18 June, with amendments to articles 3 and 4 of the Royal Decree 87 NS dated 23 April 1956. It was by the Royal Decree 41 CE dated 20 October 1960 that the Department of Fishery was first established for both freshwater and marine fishery resources in Cambodia.

In conclusive remarks, it is possible to summarize that in the periods thereafter the French came to Cambodia, or from the time when HM the King Preah Baat Preah Norodom took over the throne from HM the King Preah Baat Ang Duong, reorganization and rearrangement of

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waterways and water traffic had come into action.

That said, we can say the starting point that led to the establishment and organization of contract fishing lots. As is elaborated above, consecutive events led to the freshwater fishery regulation in 1956 and marine fishery in 1958.

### **Fishery Sector in Post Pol Pot's Regime**

It is understood that the laws were in force till 1970/75. The laws were inapplicable under the regime of Pol Pot. As of 1979, the day when the country was liberated from Pol Pot, fishing lots were again created by Decree 33 and thereafter. In 1999, there was so much discussion on the issue. We then drafted a law of fishery with help from the World Bank, taking into consideration previous laws left from the Sangkum Reastniyum (Popular Socialist Society) prior to the coup in 1970. We then proceeded to the law for management of fishery resources in 2006 as it took a long time to discuss about it.

Starting from 1872, we have gone through various stages of development. It has been 104 years when we end it. By the way in 2000, because of eventual development of the situation of Cambodia, we came to a concluding remark that what was first planned in early 20<sup>th</sup> century is no longer applicable or relevant to the situation in late century.

The situation has evolved completely from deep lake, a lot of fish and less people to feed to shallower lake, less fish but more to feed. It was then incompatible that we left similar area for people's household fishing whereas in

various cases those public fishing areas are shallow and dried.

As the Prime Minister I have to take an absolute position to reorganize a response strategy to the evolving situation. I first started with the 24 October 2000 declaration of what is now known to be the Phase I reform of the fishery zones in the district of Sot Nikum of Siem reap province, where I administered providing relief assistance for people in the districts of Bakong and Ji Kreng as well.

Also present that day were Deputy Prime Minister Tia Banh, Senior Minister Cham Prasidh and Member of the National Assembly of the Siem Reap Constituency HE Sieng Nam, who informed me that six people were arrested and put in custody, only I learnt later, for rowing boats across the contract fishing lots.

As leader of the Cambodian People's Party and head of the executive power, I am determined to implement the CPP's political platform which is basing on the principle of populism or people's democracy so that we can bring peace and benefits for people. I then ordered the Ministry of Agriculture, Forestry and Fishery to review all contract fishing lots in the whole country before April 2000.

I also ordered the Ministry to return all fishing lots under the communal control to people for household fishing demand. It was in that aim that I appointed HE Chan Sarun as Undersecretary of State for Agriculture, Forestry and Fishery and my advisor to study impacts and benefits of giving fishing areas back to household fishing purpose,

whereby we enlarged the household fishing area to 56.46% of the whole area.

We continue to look into this issue and in 2010 we decided to put an end to the contract fishing lot number 1 in the Sen River of Kompong Thom province when I visited the village of Kork Trabek in the district of Baray of the same province.

### **Concrete Measures Taken on Contract Fishery Lots**

Maybe it is important to see the results of the Phase I deep down reform in 2000 in relation to the contract fishing lots and the overall fishing area. What do our people benefit from it? I could recall that I have apologized to our people for being late to move on the reform of contract fishing lots and overall fishing area.

Since then my colleagues and I have been putting stringent efforts on concrete steps to get to cut out and return the fishing area for household fishing. It was in this effort we had brought down what was previously 135 fishing lots – according to the statistics given by the Ministry of Agriculture, Forestry and Fishery, to 80 lots.

With 55 of them removed, not to include the area that was cut out and given back for household fishing purpose, the freehold area has gone to a new size of over half a million hectares for people to either cultivate or fish. As a result, based on the Phase I reform, the fishing area for private contracts was only some 27,000 hectares.

However, with this radical reform Phase II the size will be smaller as we only keep

necessary areas for fish conservation. By the way, I wish to illustrate four major benefits of the Phase I fishery reform in 2000:

First – *the action actually reduces largely fishing industry activities.*

The fishing area has been transformed to public household fishing areas. This has also contributed mainly for the sustainable maintenance of freshwater fishery resources of Cambodia. After the reform in Phase I, we gave back 56% of the fishing area to the people. As only about 44% of the whole area is left, it suggests that a larger fishing area has been transferred from industry-type managed by the private contractors to own and use by the people.

Second – *the action actually brings about equitable distribution of economic growth by the Royal Government for the people.*

Based upon this we have diverted abundance resources that are value added in the national economy, which before were in the hands of private fishing contractors to give, directly to tens of thousands of poor families. So, reducing fishing area to private contractors has brought about effective reduction of poverty and therefore hsgreat and positive impacts on people's day to day life because they have better and free access to sources of food security and job availability.

Third – *the action actually reduces fishing and irrigation –related conflicts in the society.*

As a result of the Phase I reform in 2000/2001, we had less report of conflict between private fishing contractors and

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people who live nearby and around the contract fishing areas.

Many people used to complain about difficulties to travel through the contract fishing areas because contractors would not allow them to, which then eventually prolonged their travel time. People who cultivate dry-season rice also had problem with contractors because one would want water to stay on long in the reservoirs but the other would deplete them to catch fish.

*Fourth – the action allows us to reorganize and facilitate fishing and managing fishery resources in the region.*

This fact has indeed also helped us to strengthen people's ownership as they are taking part in managing and taking benefit from natural fishery resources but also coordinate use of water resources as well. We wanted our people to be exercise true ownership on natural resources in the region where they reside.

Once it is given back to them – whether it be water or fish, as true owners they would have to work it out among themselves as far as those interests in the community are concerned. In some areas, people even took the initiative to establish conserved fish shelters, to grow inundated forest, and even to work out the difference on when to catch fish while not jeopardizing dry season cultivation.

## **The Phase II Radical Reform in Fishery Sector**

Having come to this I would

like to elaborate on radical reform measures taken in the Phase II effort. It is based on the spirit of promoting implementation of the prioritized policy of the Royal Government as is defined in the Rectangular Strategy and the need and proposal of the people, last but not least the study and experience from the Phase I reform in 2000, I am of the opinion that it is high time the Royal Government put forward the radical reform measures for the Phase II Fishery and Contracted Fishing Zone Reforms.

The Phase II Reform will be radical, final and irrevocable, which is the result of the 2011 campaign to do away the anarchic fishing activities in the lake of Tonle Sap, after we suspended 35 contract fishing zones in the lake.

The campaign has commenced at a time when the Royal Government required for a cohesive actions under the leadership of the Tonle Sap authority, in which HE Lim Kean Hor was the one in charge, together with relevant institutions and concerned local authorities.

While conducting the campaign, we found out that fishing traps up to thousands of meters were placed across the waterways or systems. It was largely issue caused by private fishing contractors. As the campaign ended, we establish an inspection group consisting of senior officials under the leadership of Deputy Prime Minister Bin Chhin in taking actions to suspend the 35 contract fishing lots.

From Kien Svay district of Kandal province, while inaugurating the segment of National Road 1, I announced the suspension of up to three years for all confiscated con-

tracted fishing zones. That should extend to 2014 before reviewing the matter.

However, with stages of trial, administrative measures and other supporting actions, based on this experience, we see no need to wait till 2014 before making decision whether to annul the contract fishing lots, to reduce their sizes or to lease where to who again. As a matter of fact this year people almost everywhere said that there are more fish wherever the flood reached.

To our knowledge in the past years many fish species have become endangered and for that matter some never even reached the provinces of Kratie or Stoeng Treng of upper stream Mekong, not even to the provinces of Prey Veng and Kompong Cham. Having seen real effect of the policy and actions that we took, there is no rational argument to backtrack what we have started. I made it clear already that in early 2012 we do not sit blowing the smoke away but putting out the fire itself.

The 2011 flood did in fact caused damages to some 10% to our rice cultivation. However, I am so proud that we could still achieve 7% economic growth, in which abundance of fish is a major component. Fish availability has indeed downgraded the inflation according to the latest calculation of the National Institute of Statistics. We predicted 6% inflation rate by late 2011.

However, because the price of fish went down drastically, the calculated inflation rate stayed at 5% only. I could recall at one instance when I was talking to someone about the price of fish that went low,

I suddenly got the news from HE Chan Sarun that it went further down.

Talking about the fishing traps across the river, it is important that we keep them because they are able to collect fish in large quantity at a quick time and could sell them at lower price for our people to make fermented fish of all sorts. So, along with rice, fish actually helped bring down expected inflation rate from 6% to 5% in 2011. If the price of fish was high, definitely the price of other meats would have been likely higher too.

It is with these experiences and outcomes, as Prime Minister, I declare delivering radical, final and irrevocable reform measures in the Phase II in the overall contracting fishery sector.

From today onward, Cambodia does not have contract fishing lots. As of today, all fishing lots in the Kingdom of Cambodia are terminated and given for people's household/community free access to and fishing without paying any tax to the state. The Royal Government deems it necessary though to conserve certain fishery shelters for specified fish species and lobsters, though.

The decision carries radical reform measures and bears an absolute revolutionary nature of popular democracy adhered by the ruling Cambodian People's Party. It reflects irrevocable determination of the Cambodian People's Party as a ruling party in implementing its political platform while showing clearly unflinching will of the Royal Government under my leadership.

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## Fishery Reform Socio-Economic Benefits

It is important that I should take this time to share with our people and make comments on the benefits that we have obtained from terminating the contract fishing lots and returning them for people's and community free fishing and access.

I have the need to make it a comprehensive elaboration so that all stakeholders would come to a common understanding. I may have to list out below socio-economic benefits for the country and people from the fishery reform.

*First – the measure is another big step in promoting actual implementation policy of equitable sharing of economic growth by the Royal Government.*

In 2011, the freshwater fishery products shared nearly 5.5% of the GDP or about 1,500 million USD. The products were defined in three forms – industrial fishing about 1.5% of the GDP; household fishing about 2.1% of GDP; and open field (like rice field) household fishing about 1.8% of GDP.

The state now decided to take the fishing industry share of 1.5% off the GDP or 425 million USD, which before rested in the hands of some 100 people, and give back to the people of Cambodia. The value added of more than 400 million USD is now being given for distribution for tens of thousands of poor families.

This is effective measures conducted by the Royal Government aimed at reducing

people's poverty which will have great and positive impacts directly on daily living condition of the people from all walks of life. From this policy people obtain more protein source at a lower price too. This will improve everyone's food security. The transfer of access to fishing would bring the loss of only two million USD for the state coffers.

In fact the income of two million USD is not even a draw to our tax income per day, which is according to my survey running around three million USD. So, losing income from contract fishery lots would not collapse the Royal Government's budget of about three billion USD at all.

*Second – the measure creates a vast job opportunity for a large number of people who operate their business either as traditional fishing, rice cultivation and/or related areas.*

I have a strong hope that what we have provided for the people from this policy and action will be of great benefit to many and will create more job opportunity for them. I strongly believe that because of free fishing allowed and more fish to catch, migration for jobs would be reduced. It should be a major reason that people had to leave their homes in search for jobs elsewhere when they could not fish at home village.

As I bring this issue up on the International Day for Women, I am sure our sisters, nieces would be happy to hear of this policy and would urge their husbands, sons to catch fish as there are no more contract fishing lots. I am sure there would be less migration as this has created ample job opportunity.

*Third – the measure clears away irrigation and fishing-related conflicts.*

I have mentioned above already that conflict relating to irrigation need on one side and fishing demand on another side has been frequent. As we provide rights for fishing community to manage and coordinate their fishing demand, while participating in the management of the water resource in the area provided by the Royal Government, the conflict rate would be going down and to none.

*Fourth – the measure allows us to set up and maintain safety shelters for certified fish population to reproduce and to maintain sustainable natural fishery resource.*

It should be clarified that conserved fishery zones are places to be kept for certified fish species to take shelter and breed. To say it in another word, the place is to conserve fish species and population for people.

All 37 contract fishing zones in the provinces of Siem Reap, Banteay Meanjei, Battambang, Pursat, Kompong Chhonang, Kompong Thom, Kompong Cham, Prey Veng, etc. consist of 271,126 hectares. We have given 177,881 hectares or 65.61% to the people and reserved 93,246 hectares or 34.39% as conserved areas.

In Battambang province, we have kept only two conserved fishing zones of 254 hectares and 704 hectares in lot number 2. In lot number 6 of Battambang, we reserved two places for conservation – one 79 hectares and the other 450 hectares. Lot number 9 in Battambang too, we have conserved 929 hectares.

Let me clarify that in all conserved areas, no fishing would be allowed to anyone. The issue of conserved fishery zones would be applied in all concerned provinces – Kandal, Kompong Cham, Prey Veng and Takeo too.

No fishing, deforesting of inundated area or bird catching would be allowed in the conserved zones. However, people are allowed to travel through it and when there comes force majeure like storm, people can take shelter and no arrest would be carried out.

Please let me clarify issue relating to fishing traps across the river. Why it is necessary to keep them. Take for instance, we will keep the fishing traps at the Tonle Sap to the north of Phnom Penh. Those traps are for preventing fish from getting out of the Tonle Sap Lake area to other systems in uncontrolled way.

With so much fish to be caught by the traps, people from many provinces far away from the river system can come and buy fish at lower price for preservation for long-term consumption – fermented or smoked. We will call for bidding to operate the trap like that in the river and it will be for a short period of time only for each year. Its size is also smaller than those we called contract fishing zones. Normally the fishing trap like that will be operable only in December or January, when there is cool air coming from the north.

These are the four points that are deemed to be the socio-economic impacts/benefits from the policy and actions that put more than 400 million USD into the current economy.

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## Suggestions and Calling for Actions

We have achieved many successes on the way to get to the final stage. However, I think it is necessary to elaborate further actions and measures to ensure bright outcomes.

First – *get necessary procedures ready to abolish all contracted fishery zones*, including also experimental fishing zones, investing fishing zone or bidding zone. There is no need to keep those specified zones anymore.

At the same time, actions need to be taken to take care of fish and/or lobster paths in related provinces for fish coming out of the Tonle Sap Lake. Bidding and condition for this work must be improved. It is not acceptable to have non-transparent and economically inefficient price negotiation for that matter or it would be considered collusion.

Second – *speed up the process of establishing the conserved fishery zones*.

This should also include actual demarcation of conserved fishery zones, preparation of management procedure and establishment of mechanism to manage the conserved fishery zones, whereby attracting as much as possible participations of fishermen community as well as other related communities.

Participation would consolidate further people's ownership and democratic mechanism in the local community. The establishment of conserved fishery zones should not become obstacle or difficulty for normal traffic of people in the area.

Let me clarify this point to HE Chan Sarun so that he could instruct to HE Nao Thuok, who is administering the fishery administration, to work out his plan. The administration would have to come up clearly with a blue print as to where the zones should be conserved. As far as conserving is concerned, the Fishery Administration does not have to actually do the conserving job but allow the communities related to carry out the tasks themselves. Again this should help strengthen process of local democracy and ownership of the people.

As I have come to this point, I am calling on all Buddhist monks to collaborate with non-governmental organizations to take part in maintaining and conserving the Ton Le Sap and also the area around.

Third – *the Fishery Administration of the Ministry of Agriculture, Forestry and Fisheries must, in collaboration with concerned institutions, focus on fishermen community capacity building*.

The administration will have to work out a coordinative plan so as to guarantee that our people can really fish for free, without obstacle and according to the law and regulation to maintain sustainability and abundance of natural fishery resource.

All annulled fishing areas for public use will not be allowed to be kept under control and leased out for monopoly exploitation at all. Along with this, there should not be limit for household fishing tools. No fishing industry is allowed and thereby prevented. I also warn against any transfer of fishing areas that are given out for public fishing for use of other purposes – such as for lotus growing or land level-

ing, etc. You may remember that some commune leaders in the past leased the fishery areas to private contractors to grow lotus. That created problems and it was one of the reasons why we dealt with fishery reform in the past.

As far as fishing tools are concerned, I have discussed this issue widely and in detail with HE Chan Sarun. We see that there is no need to limit fishing tools by number as was promulgated in the communiqué of the Ministry of Agriculture, Forestry and Fisheries dated 24 November 2010.

If we were to limit household fishing tools by number, what would be the point for us to give our people the fishing areas? Take for instance, during the fish reproduction season, only 50 hooks would be allowed (for one fisherman) and during the fishing season 100 hooks would be allowed would make our efforts to help people meaningless.

At the same time I would suggest that all concerned review previous circulations that instructed our people about various kinds of traditional fishing tools. Measurements instructed for some tools have not been relevant and people could not apply it in real life.

I would recommend HE Chan Sarun to review that. Under the reign of reign of HM the King Preah Baat Norodom, it was regulated that extension of fishing trap should not be longer than one third of the waterway as longer extension would obstruct the traffic in smaller waterway such as stream. However, it would be a different matter when it comes to river.

So instruction for different

geographical setup needs to be precise. I hope all fishing experts will take this point into reconsideration.

### Further Appeal

I am not worried if I do not have the support of some as long as people give me the strength and support. I am sure they will because this effort that I have been making is for the real interest of the people and for the people to become owners of their destinies. The fishery reform, for the people, will add on to the benefit they reap on tax free farmland. I would appeal further to our people to participate in taking such a great benefit while doing me seven favors.

**First**, please refrain from using illegal fishing tools;

**Second**, please do not fish during the reproduction period;

**Third**, please do not deforest the inundated areas which are shelters for fish, while growing more;

**Fourth**, please take part in maintaining of conserved fishery zones, while giving information on crooked officials and/or bad elements whose actions may devastate the zones;

**Fifth**, please refrain from using fishing areas for other purposes – such as land leveling, growing lotus, etc.;

**Sixth**, please refrain from going into conflict between fishermen and dry season rice farmers; and

**Seventh**, please make active participation to the National Fishery Day on July 1 every year, while promoting aquaculture and maintaining large-size and endangered fish species...■