

# Vietnam the fisheries law project, phase II – a pilot model performance review

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Two experts from Danish technological Institute and NACA

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**Norad**

Norwegian Agency for Development Cooperation

P.O. Box 8034 Dep, NO- 0030 OSLO

Ruseløkkveien 26, Oslo, Norway

Phone: +47 22 24 20 30 Fax: +47 22 24 20 31

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## VIETNAM

### THE FISHERIES LAW PROJECT, PHASE II

#### **Pilot model performance review including:**

- i) Allocation and lease of marine areas for aquaculture
- ii) Fishing vessel registration and inspection
- iii) Fishing port management
- iv) Community-based management in Tiger shrimp farming in Tra Vinh
- v) Application of Fisheries Law in shrimp seed production in Binh Thuan



**DANISH  
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## Acronyms & Abbreviations

BTS	Ministry of Fisheries
BTS-PC	Ministry of Fisheries, Legal Department
CP	Government
CPC	Commune People Committee
DANIDA	Danish International Development Agency
DARD	Provincial Department of Agriculture and Rural Development
DOFI	Provincial Department of Fisheries
DPC	Districts People Committee
EIA	Environmental Impact Assessment
FLP	Fisheries Law Project, Phase II
FSPS2	Fisheries Sector Programme Support, Phase II
GAP	Good Aquaculture Practices
ISO	International Standard Organisation
LFA	Logical Framework Approach
MARD	Ministry of Agriculture and Rural Development
MOFI	Ministry of Fisheries
NACA	Network of Aquaculture Centres in Asia-Pacific
NADAREP	National Directorate of Aquatic Resource Exploitation & Protection
NAFIQAVED	National Fisheries Quality Assurance and Veterinary Directorate
ND	Decree
NORAD	Norwegian Agency for Development
POSTMA	Strengthening capacities of post harvest and marketing
PPC	Provincial Peoples Committee
PTA	Project Technical Adviser
QD	Decision
SCAFI	Support to Capture Fisheries, FSPS II
SMART	Specific, Measurable, Achievable, Relevant and Timely
TCN	Sector standard
TT	Circular
VIFEP	Vietnam Institute for Fisheries Economics and Planning
VND	Vietnamese Dong

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## **i) Executive summary**

Assistance provided by the Norwegian Government to support the development and implementation of the Fisheries law was continued as from November 2004 with the Project “Establishment of Vietnam’s Fisheries Law and regulations, Phase II – bringing law to life”.

The present report summarises the result of the performance review mission conducted from the 2-22 October 2007, including a team of two international experts Mr. Lars Jøker, Danish Technological Institute and Dr. Michael Phillips, NACA. The review was undertaken with regards to the project “Establishment of Vietnam’s Fisheries Law and regulations, Phase II – bringing law to life” and assessing the preparation and initiated implementation in 2007 of the following pilot models:

- i) Allocation and lease of marine areas for aquaculture, Ninh Binh
- ii) Fishing vessel registration and inspection, Hai Phong, Thanh Hoa and Danang
- iii) Fishing port management, Danang, Binh Thuan and Kien Giang
- iv) Community-based management in Tiger shrimp farming in Tra Vinh
- v) Application of Fisheries Law in shrimp seed production in Binh Thuan

The pilot models are scheduled according to the Fisheries Law project document to be implemented during a 4-year period. Initially a two-year period has been allocated for implementing the 5 pilot models.

The preliminary findings and recommendations of the mission were discussed with Fisheries Law Project staff following the field trip on the 17 October 2007 and with the Norwegian Embassy on the 18 October 2007.

## **Main findings and recommendations**

### **Project level findings:**

- The pilot model approach is an innovative way to facilitate stakeholder involvement, test, improve and develop fisheries legislation that is considered highly relevant.
- The pilot models have now been prepared, planning documents completed and all started during May-June 2007. Good progress has been made in putting in place management structures according to the plans prepared and overall project document. Smaller delays were encountered in the pilot models in getting the planned activities under way, but no major obstacles were identified for the implementation along the lines of the 5 pilot model project descriptions;
- The pilot models will contribute to achieving the output 4: “Experiences have been collected through pilot studies as a basis for formulation of sub-laws and models for implementation of Fisheries Law developed”. However, some adjustments will be needed to increase the effectiveness of the pilot models and to enable the project management and the pilot model coordinator to effectively monitoring the implementation of the pilot models. In the case of the pilot model “Fishing vessel registration and inspection” this will include a revision and adjustment of the log-frame.
- The start of implementation of pilot model activities has been delayed and it may be necessary to extend the time to ensure effective implementation.

### **Project level recommendations:**

- Reporting formats should be prepared that more closely follow the logframes and training provided for each technical group in their application. A simple format should be used for regular (monthly) reporting, and a more detailed one for quarterly or six-monthly reports.
- A focal point at Provincial level should be officially identified in each of the pilot models. The focal point should be given the responsibility to report back to implementing agencies and the Fisheries Law Project on progress. Reporting format should be kept simple in order to limit the time used on this activity. The report (monthly) should be signed by the provincial authority in charge of each pilot model. This report should not substitute the regular quarterly reporting on progress of the pilot model. A model has been developed for inspiration – attached in Annex D.
- Logframes should be improved with more precise indicators as the basis for monitoring and reporting. Indicators should be developed that are more precise in terms of outcomes and measuring effectiveness of the pilot model (eg GAP applied in xx % of farmers, hygiene improved in xx small enterprises at fishing port etc). Reporting terms like “in process” should be avoided, and clear benchmarks established to assist in reporting. Suggestions for consideration by FLP are provided in Annex E.
- Baseline data should be collected in all the 5 pilot models. This would serve the purposes to:
  - a) Measure the real progress and outcome achieved during and after the implementation of the pilot model activities; and
  - b) Document good models that can be replicated in other districts and provinces in Vietnam.Suggestions to baseline data collection are provided in Annex F.
- The question of sustainability of activities within each pilot model should be considered. Setting up institutions (in some cases parallel institutions) under project funding is not a good model. Consideration should be given towards gradually merging the structures established for each pilot project back into existing institutions for sustainability.
- The technical support role of each technical group should be more clearly defined with more detailed terms of reference. Where necessary, additional training and training materials could be provided to the technical group to ensure they are able to conduct their technical support activities in an efficient manner. Suggestions for consideration by FLP are provided in Annex G.
- Cooperation should be encouraged between projects working on some similar activities, to ensure widest sharing of experiences and subsequent revision or development of legislation. Relations to FSPS2 deserve particular attention. A Memorandum between the FLP and FSPS2 was signed in July 2007 and should be put into life by a more detailed plan for cooperation.
- The Fisheries Law and pilot activities have a common theme related to the empowerment of fisher and aquaculture groups to take more responsibility for management and self-regulation. Assistance should be provided to train project staff and raise awareness in methods for organising and building capacity of such groups within each pilot model. Fishers, processing and farmer groups should be identified and more actively engaged in pilot model activities, such as providing feedback on legal documents or dissemination of legislation.

- To capture the best from the pilot projects, the methods to be used for disseminating and utilising the findings from each pilot model and their role achieving the Output 4 of the FLP should be further elaborated at an early stage and clear guidance provided to all steering groups and project management groups. Clear links should be established with Output 1 in the Project Document in terms of clarification of documents being revised/prepared based on the pilot models and how this can be done. Some considerations for the Fisheries Law Project are provided in the report.
- Support provided by the Fisheries Law Project in terms of office facilities and supplies seem sufficient to get the pilot model activities well under way. Further support in this area would increase the costs and contribute to making replication of the models more difficult as funding for this would have to come from provincial and local government funds.
- The pilot model regarding fishing vessel registration and inspection has the weakest log-frame and it will be necessary to reshape and develop a more accurate log-frame including more detailed activities under the output agreed to in the log-frame workshop in February 2007. The revision should be done as a matter of urgency including:
  - a) Description activities in details and time bound. The indicators should be revised as far as possible be SMART – (Specific, Measurable, Achievable, Relevant and Timely)
  - b) An integrated approach introducing procedures for obtaining permission to construct new vessels, inspection and licensing of vessels in line with the overall objectives of the fisheries master plan to reduce the fishing effort by 2010.
  - c) A revised log-frame that shall also focus on establishing a solid model for registration not only of new build vessels but also of the existing fishing fleet in order to be able to replicate such model national wide with the view to end up with a national vessel register.
- The pilot models all focus on establishing good rural development models and feed back to amend existing or develop new legal document in relation to the marine environment of the fisheries and aquaculture. The Fisheries Law project document stipulates that 6 pilot models could be developed. If a 6<sup>th</sup> pilot model is to be discussed it is recommended that consideration is given to including fresh water fisheries and aquaculture activities.
- The 2008 work plan is still to be prepared by the implementation agencies for 2008; this process should be used to insert improved reporting and participation into the pilot model activities according to the recommendations provided in this review
- A final review of pilot model performance should be conducted in the autumn of 2008 before the work plan for the pilot models is developed for 2009.

## Conclusions

In conclusion the review mission finds the pilot models approach to assisting the development of legislation relevant, and good progress has been achieved in getting the pilot models under way. Except for the pilot model on fishing vessel registration and inspection they can all be considered well on track. The pilot models are all different by nature and the completion date cannot be established at this point in time, but it may well vary from model to model.

However, a number of actions are recommended above for improving the implementation and enhancing the effectiveness of the pilot models.



## ii) Pilot model summaries

### 1) *Allocation and lease of marine areas for aquaculture, Quang Ninh*

- **General objective:** Using marine areas for sustainable aquaculture development and bringing high economic effectiveness on basis of the implementation of Fisheries Law.
- **Specific objective:**
  - i. To apply contents stated in Chapter IV-Aquaculture of Fisheries Law, Decree 27/2005/ND-CP of the Government regulating and guiding the implementation of articles of Fisheries Law (regarding allocation and lease of marine areas for aquaculture).
  - ii. To receive feedback from the pilot model implementation served the amendment or formulation of legal documents covering the allocation and lease of aquaculture
- The pilot model site was selected in a consultative process between the Ministry of Fisheries, Provincial department of fisheries, district and communal authorities as well as the local community.
- A few issues were identified requiring further discussion and consideration to ensure successful implementation of the pilot model:
  - a. The Regulation for implementation of the pilot model had not been signed;
  - b. Duration of the allocation/lease period
  - c. Size of the allocated area for each farmer;
  - d. Earlier allocation of the area identified for the pilot model to another pilot project;
  - e. Considerations on selecting the pilot model farmers – equitable participation of poorer fishing households;
  - f. Environmental monitoring
  - g. Human resources allocated by the local authorities, not yet fully committed;
- **In summary** good progress has been achieved and implementation of activities is only slightly behind schedule, which for now can be ascribed to the late start of the implementation of the pilot model.
- **Effectiveness:** The pilot model as planned is highly relevant to providing useful insight and feedback to the amendment of legal documents and in identifying models for how poorer fishing households can be provided an opportunity to create the basis for improved livelihood by being allocated a marine area and receiving training support etc.
- **Recommendations** to ensure swift implementation of planned activities as well as to enhance effectiveness of the pilot model:
  - The Fisheries Law Project appoints the Vice Chairman of the District People Committee of Van Don and Vice Director of Department of Fisheries in Quang Ninh to the Management Board of the pilot model as soon as possible in October 2007. Regulation for implementation is amended and signed as soon as possible.
  - The District People Committee of Van Don revokes the earlier decision on allocation of the area in Ang Gia and issues a new decision allocating the area for the Fisheries Law Project pilot model, granting the permission to allocate and lease the area for a maximum of 20 years with a maximum allocation of 1 ha per farmer.
  - Allocation and lease of marine areas aims at providing an opportunity for poorer fishing households to enter a new line of business. Participation should include poor

fishers, and the selection procedures ensure the equitable participation of poorer fishing households;

- Environmental monitoring should be introduced and some training provided for farmers to adopt more environmentally sound farm management practices (cooperate with SUDA that is developing “Good Aquaculture Practices” for marine fish farming).
- The District People Committee of Van Don confirms its full commitment to ensure smooth implementation of the planned activities in the remaining part of 2007 and 2008 within the framework of the given support for operational costs provided by the provincial government and the Fisheries Law Project. A written commitment should be submitted to the Fisheries Law Project before the end of 2007.
- A baseline should be established for the pilot model before the allocation and lease is provided in 2008. VIFEP should be requested to conduct such baseline study.

## ***2) Fishing vessel registration and inspection***

- **General objective:** To implement the Fisheries Law regarding the registration and inspection of fishing vessels to ensure the sustainable development of fisheries sector.
- **Specific objectives**
  - i) Test out some provisions under the Fisheries Law related to the management of fishing vessels for lessons learnt; collect information and experience from real practice to serve the formulation or amendment of legal documents associated with registration and inspection of fishing vessels; duplicate the pilot model.
  - ii) Test out some new regulations that are not stated in the legal documents.
- The following pilot model sites were selected: i) Lap Le Commune, Thuy Nguyen district in Hai Phong province; ii) Quang Tien commune, Sam Son district in Thanh Hoa province; and iii) Fisheries Resource Protection Department in Danang province;
- Discrepancies have been identified between the pilot model summary and project description under output 2 and 3. This inflicts the following challenges:
  - a) The project document comes across as too general and not inclusive enough especially under output 2 and 3;
  - b) Monitoring of implementation of the pilot model activities will be difficult for the project management and coordinator;
  - c) The adjustments included in the project documents shift the focus away from managing and streamlining the whole process from granting permission to construct, via registration, inspection and licensing to only experimenting with i) permission ii) marking and iii) studying the introduction of ISO 9001:2000 into the administrative system of fishing vessel management, registration and inspection.
- **In summary** pilot model activities have been initiated with fair progress recorded in Lap Le Commune, Hai Phong, Sam Son in Thanh Hoa and Danang.
- **Effectiveness:** The pilot model is partly expected to achieve its objective given the current project description. The changes introduced after the log-frame workshop in February 2007 have shifted the focus from a holistic approach managing the whole process from construction to liquidation towards focussing on only a few of the elements in the process.

- **Recommendations** are therefore aimed at improving the current log-frame and on enhancing effectiveness of the pilot models:
  - The log-frame for the pilot model is revised and emphasis is given to describing activities in details with indication of duration of each sub-activity. The indicators should as far as possible be SMART – (Specific, Measurable, Achievable, Relevant and Timely)
  - The revision of the log-frame should devise an integrated approach to the introduction of procedures for obtaining permission to construct new vessels, inspection and licensing of vessels in combination with the overall objectives of the fisheries master plan to reduce the fishing effort by 2010.
  - The revision of the log-frame shall also focus on establishing a solid model for registration not only of new build vessels but also of the existing fishing fleet in order to be able to replicate such model national wide with the view to end up with a national vessel register. Introduction of ISO standards in the fisheries administration shall still be the medium-long term objective but the national vessel register shall be established as a matter of priority;
  - Priority should be given to the drafting of the regulation on inspection of fishing vessels as this regulation has been pending for along time and is essential for the provincial department of fisheries to undertake their duties to ensure good hygienic conditions on-board, safe fishing vessels etc.
  - Baseline studies should be conducted in the 3 pilot model sites.

### 3) *Fishing port management*

- **General objective:** To bring Fisheries Law and regulations to life. Formulate regulations on fishing port management.
- **Specific objectives:** To test out Fisheries Law and legal documents relating to fishing port management in order to collect information and experience served the formulation of sub-law regarding the management of fishing ports and duplication of pilot model.
- The following pilot model sites have been selected: i) Tho Quang, Fishing port, Danang; ii) Phan Thiet Fishing port, Binh Tuan; and iii) Tac Cau Fishing port, Kien Giang;
- Working groups had been established to ensure implementation of the pilot activities in the 3 pilot ports. The working group established in Danang is apart from fishing port management also covering the activities under the pilot model: Fishing vessel registration and inspection. The management of DOFI in Danang considered this a weak structure and recommended that the working group be spilt into two. The Tho Quang fishing port had been assigned to be the official fishing port of Danang, which will increase the work load considerably for the fishing port management and staff.
- In Phan Thiet fishing port trading of fish was seen to take place both inside and outside official designated trading areas. Handling of the catch landed both inside and outside the designated areas did not provide for complying sufficiently national standards. It was informed that guidance by the fisheries inspector from the DOFI in Binh Tuan is provided, however from this one day visit to the port it seemed that the present level of awareness raising about rules and regulation will not change the behaviour of the middlemen/-women. Therefore focus on training of middlemen/-women, good management practices established by the port and frequent inspections and introduction

of measures to improve the general food safety and hygienic standards and environmental awareness will be necessary.

- **In summary** the pilot models implemented in Danang and Phan Thiet fishing ports seem to be running according to plans. In the case of Tac Cau fishing port in Kien Giang the progress reports only mentioned a few activities and based on that this pilot model is considered behind schedule and speeding up would be necessary to complete in time.
- **Effectiveness:** The pilot model as planned is highly relevant to providing useful insight and feedback to the amendment of legal documents and in identifying models for how management procedures can be improved to ensure food safety, application of good hygienic standards and that due attention is paid to reduce the environmental impact of port activities. The outcomes of the pilot model could therefore provide useful model(s) for replications elsewhere in Vietnam.
- **Recommendations** to ensure swift implementation of planned activities as well as to enhance effectiveness of the pilot model:
  - In the light of the new responsibilities that the fishing port in Danang has been given it is recommended to split the working group in Danang into two;
  - It is recommended that DOFI/DARD in Danang re-confirms in writing that full responsibility will be assumed to ensure implementation of the planned activities under the pilot model by the Fisheries Law project, given the larger responsibility that the fishing port is facing having been upgraded to a fishing port as well;
  - It is recommended that the 3 pilot fishing ports in the work plan for 2008 clearly addresses the issues in relation to both environmental and food safety concerns, with a view to establishing the baseline and benchmarks for how awareness raising and training programmes will be implemented in order to ensure that the ports will move towards compliance with national regulation. (Further considerations and details included in Annex E.)

#### ***4) Community-based management in Tiger shrimp farming in Tra Vinh***

- **General and long term objective:** Fisheries Law and relevant regulations will be enforced through the co-management mechanism in order to strengthen the efficiency, product quality and towards the sustainable tiger shrimp farming development.
- **Specific objectives:**
  - i) Pilot model on the implementation regarding co-management in the tiger shrimp farming in Tra Vinh established and tested out.
  - ii) Knowledge and capacity of management agencies, farming communities regarding the implementation of Fisheries Law and guidelines improved.
  - iii) Productivity and quality of farmed shrimp in households improved, income improved and community relation get better.
- The pilot model site was selected during 2006 through a consultative process involving the Fisheries Law Project, NAFIQUAVED as the design and implementing agency, Provincial department of fisheries, district and communal authorities as well as the local community. The pilot model site was selected to be in Tam Vu Lo shrimp farming area in My Tay commune, Cau Ngang district of Tra Vinh. Management structures have been officially designated, with a farmer aquaculture management group, technical group and steering group appointed.

- Implementation had been under way for 5 month by the time of the performance review. Some training and study tours have been conducted and the documentation prepared as planned. However, no shrimp farming activities have taken place as the shrimp farming season only starts in January/February each year, and pilot model approval was too late to be implemented in 2007.
- **Effectiveness.** The pilot model as planned is highly relevant to addressing shrimp quality and environmental concerns in shrimp farming, particularly in concentrated areas with large numbers of small-scale shrimp farmers, as is common in Vietnam. The outcomes of the pilot model could therefore provide a basis for improving the legislation/regulations in Vietnam, and encouraging implementation of the Fisheries Law through co-management between government and farmer groups.
- **Recommendations.** The implementation and effectiveness of the pilot model could be strengthened through:
  - Improving the co-management part of the model. The responsibilities of government and farmers should be better defined with more responsibility devolved to farmers for self-management. The draft co-management guidelines of MOFI could be used as a basis for improving the institutional arrangements. Training should be provided to strengthen the aquaculture farmer group in self-management, by a trainer with experience in co-management. Roles and responsibilities of the aquaculture management group and supporting technical group should be defined more clearly in the co-management model.
  - Establishing a proper baseline for monitoring effectiveness of the pilot model. A baseline should be established for each pilot farmer that can be used as a basis for measuring progress and outcome of the pilot model.
  - Preparation of a GAP checklist to be used by the technical group and farmers for monitoring and assessing compliance with GAP. Self-assessment by farmers should be encouraged.
  - Training of farmers and technical staff by an experienced GAP trainer. The training would be to used to raised awareness of GAP and advise and assist pilot model farmers adopt GAP.
  - More ‘user friendly’ GAP guidelines and/or extension material should be prepared to support training and improve extension activities. This material should be tested in the pilot models, and then subsequently used for wider dissemination.
  - Proposed certification systems for the shrimp from the pilot model should be more clearly defined. A set of clear procedures and working instructions should be prepared for the certification process with institutional responsibilities clearly defined.
  - Commercial contracting between the Provincial/commune Government technical group and input suppliers and processing factories on behalf of farmers should be avoided. The role of the technical group should be strictly limited to technical supervision and monitoring.
  - One co-management pilot model site cannot provide sufficient information and experience for revision of legislation and wide application, particularly in such a complex subject area as co-management. Therefore, active sharing of experiences with projects working on similar subjects elsewhere should be encouraged to assist in revising legislation, including cooperation with the SUDA component of FSPS 2.

- The implementation period should be extended until late 2009, to allow testing of the model during two shrimp crops; one in 2008 and one in 2009.

## 5) *Application of Fisheries Law in shrimp seed production in Binh Thuan*

- **General objective:** Fisheries Law, Ordinance on food hygiene and safety, Ordinance on livestock seeds, Veterinary Ordinance, Law on Environmental Protection have been promulgated to meet the requirement of fisheries economic sectors, contributing to the production development and integration requirement.
- **Specific objectives:**
  - i)* Test the application of legal normative documents formulated in the seed production conditions of performance sites.
  - ii)* Through the application process, draw the lessons and experiences; propose the amendment for more suitable and feasible documents. The insufficient documents should be supplemented for finalization of the legal normative document system.
- The pilot model site was selected during 2006 through a consultative process involving the Fisheries Law Project, NAFIQUVED as the design and implementing agency, Provincial department of fisheries, district and communal authorities as well as the shrimp hatchery operators. The pilot testing of the legal documents is being conducted in two shrimp farming companies producing tiger shrimp in Vinh Tan commune, Tuy Phong district of Binh Thuan province. Management structures have also been officially designated, with a technical group and steering group now in place.
- The pilot model brings together a range of legal requirements into a “Good Aquaculture Practice” (GAP) document and will especially give feedback in relation to the application of this GAP to shrimp seed production. It is also planned to develop seed certification systems based on the compliance to GAP of the hatchery operators. The pilot model also supports and assists in defining the role of local government quarantine stations in implementation of GAP application and shrimp seed certification.
- Implementation has been under way for 5 month by the time of the performance review. Some training and study tours have been conducted and the documentation prepared to support implementation. Both hatcheries are making infrastructure modifications, with apparently significant private investment in water treatment and hatchery structures. It is expected that the testing of the GAP procedures will be conducted from the start of the shrimp hatchery operations in October or November 2007.
- **Effectiveness.** The pilot model as proposed is highly relevant to addressing shrimp seed quality and disease control in shrimp hatcheries. The outcomes of the pilot model could provide a basis for improving the legislation/regulations in Vietnam related to disease control and seed certification.
- **Recommendations.** The implementation and effectiveness of the pilot model could be strengthened through:
  - Establishing a baseline for monitoring effectiveness of the pilot model. A GAP checklist should be developed, and used by the technical group and hatchery operators for monitoring and assessing compliance with GAP, including encouraging self-assessment by hatchery operators.
  - Preparation of improved technical guidelines and/or more ‘user friendly’ extension material to support training and extension activities.

- The proposed certification systems for the shrimp from the pilot model should be more clearly defined. A set of clear procedures and working instructions should be developed and responsibilities defined for certification.
- Two large scale hatcheries provide insufficient information and experience for revision of legislation and wide application. The final stages of the pilot model should encourage active sharing with similar experiences elsewhere. The extension of the pilots to small-scale hatcheries, which dominate shrimp seed production in Vietnam, also needs to be further considered. The extension of the pilot model to test the GAP on other hatcheries in the vicinity should be considered during 2008 to provide further information for subsequent legal revision.

## 1. Background

Assistance provided by the Norwegian Government to support the development and implementation of the Fisheries law was continued as from November 2004 with the Project “Establishment of Vietnam’s Fisheries Law and regulations, Phase II – bringing law to life”.

The project document includes the immediate objective (project purpose) and 5 outputs as follows:

Immediate objective: *Improve the legal framework and strengthen the institutional capacity for better management and development of the fisheries sector of Vietnam.*

- Output 1: Subordinate legislation has been developed formulated submitted for promulgation and implemented as appropriate. During implementation of the Law articles of the fisheries law has been reviewed and the feasibility has been taken into account and if revision is required, it will be done and proposed for adoption by the National Assembly.
- Output 2: The level of public awareness and compliance with fisheries legislation has been raised.
- Output 3: The capacity to formulate and implement the law and subordinate legislation among organizations and civil servants has been enhanced.
- Output 4: Experiences have been collected through pilot studies as a basis for formulation of sub-laws and models for implementation of Fisheries Law developed
- Output 5: Project managed and coordinated effectively

In relation to implementation of activities under output 4 it has been agreed to conduct the following pilot models:

- a) allocation and lease of marine areas for aquaculture
- b) fishing vessel registration and inspection
- c) fishing port management
- d) community-based management in Tiger shrimp farming in Tra Vinh
- e) enforcement of Fisheries Law in shrimp seed production in Binh Thuan

The pilot models had been planned during 2006 and implementation was initiated in May-June 2007 by decision of the Fisheries Vice-minister. In the 2007 work plan of the Fisheries Law Project it had been decided to include a performance review of the progress of the 5 pilot models prior to the mid-term review of the Fisheries Law Project scheduled for late 2007.

The present report summarises the result of the performance review mission conducted from the 2-22 October 2007, including a team of two international experts Dr. Michael Phillips, NACA and team leader Mr. Lars Jøker, Danish Technological Institute.



## 2. Methodology

The methodology used for the performance review of the pilot models involved a mix of review of documentation, stakeholder consultations and field visits as follows:

- Review of documentation, that included the Fisheries Law project document, pilot model project descriptions and associated materials and progress reports. Recent reports from all pilot project sites were submitted for review, and the FPL is to be commended for timely submission of these documents to the performance review team.
- Consultations with Hanoi based stakeholders, that included staff from the Fisheries Law Project, MARD legal department, National Assembly (Dr Thao), heads and members of the pilot project Steering Boards based at MARD and Norwegian embassy.
- Field visits and consultations with stakeholders at the five pilot model locations. This include sites in the northern region (Hai Phong and Quang Ninh), south central regional (Danang and Binh Tuan) and Mekong delta region (Tra Vinh). Due to time constraints, it was not possible to visit all the locations where pilot activities for fishing vessel registration and inspection and fishing port management were being conducted.
- The planned local consultant did not join the review mission, however assistance and all logistical arrangements was provided by the FLP staff ensuring a smooth running programme.

During the consultations and field visits to each pilot site, attention was given to the:

- the methodology, approach and purposes of implementing pilot models;
- the status of planning and implementation of the pilots against project documents, constraints faced and actions required to overcome constraints; and
- the relevance and effectiveness of conducting pilots for the purpose of developing fisheries legislation/regulations in Vietnam, including the linkages between Output 1 and Output 4 in the Project document.

The list of persons met is provided in Annex B and the itinerary in Annex C

### **3. Expected outcome of the pilot models**

The Fisheries Law has been enforced since the promulgation in 2003 and a number of sub-law and guiding circulars have since been developed. The output 4 pilot models will provide useful feed back to the implementation of the Fisheries law and to the development of new and amendment of new and existing decrees, circulars and decisions, covered by output 1 of the fisheries law project.

#### **3.1 Inter-ministerial and high level legal documents**

It is expected that the Fisheries Law is due for revision after 5 years of implementation. The timing of the Fisheries Law project, Phase II therefore is suitable for supporting development of sub-laws (Output 1), increasing public awareness of the Fisheries Law (Output 2), enhancing capacity to formulate legal normative documents (Output 3) and finally for providing feed back from the local authorities and communities as to the feasibility and appropriateness of the law and the subordinate regulations (Output 4).

The following is not a complete list but it includes some of the main documents that are being developed or planned to be developed regulating responsibilities and duties at the overall levels and between ministries:

- The Ministry of Agriculture and Rural Development and the Ministry of Natural Resources and Environment are developing an inter-ministerial circular that will guide the implementation of the Decree 27/2005/ND-CP regulating and guiding the implementation of certain provisions of the fisheries law (marine protected areas, inland protected areas, rehabilitation of fisheries resources, allocation and lease etc.). The circular is being developed and is expected due in 2008 and interim feed back and results from the pilot models will be used in this formulation process;
- NADAREP is drafting Draft regulation for managing fisheries: the “Directive for strengthening for the management and operation of fishing vessels in marine areas”. The directive is expected to be promulgated before the end of 2007. If issued before the end of 2007 the directive will provide guidance for the implementation of the pilot model “Fishing vessel registration and inspection”.
- A Government Decree relating to management of fishing port, fish landing places and storm-resistant and anchoring places is being prepared by NADAREP;

#### **3.2. Allocation and lease of marine areas for aquaculture**

The pilot model will provide useful input for ensuring that the future utilization of marine areas is undertaken focusing on long term suitability and at the same time ensuring that operators will receive economic benefits from farming activities.

The outcome of the pilot model will be used in the process of amending existing legal normative documents as well as provide input for development of new regulation under the Fisheries Law.

The main focus of this pilot model is testing the feasibility and appropriateness of the Decree 27/2005/ND-CP while implemented in the pilot location of Quang Ninh Province, Van Don

District, Thang loi Commune and Anh Gia area. The pilot models will especially provide feed back in relation to:

- The appropriateness of applying up to 20 years as allocation and lease period and of using the fisheries law guidance on maximum allocation of 1 ha.
- How boundaries between farming cages can clearly be divided to prevent disputes and environmental pollution;
- How the role of communities in protection and management of aquatic living resources and their habitats can be further enhanced;
- The effect on access to credit when farmers have a certified access to a certain area for duration of up to 20 years; and
- How the experiences gained can be disseminated and possibly utilized for replication.

### **3.3. Fishing vessel registration and inspection**

The pilot model including activities in Hai Phong, Thanh Hoa and Da Nang will provide necessary information to amend the regulations guiding the implementation of Fisheries Law, which will include but not be limited to the following legal documents:

- Decree 59/2005/ND-CP dated May 9th 2005 regarding the trading conditions of fisheries-related occupations.
- Decree 66/2005/ND-CP dated May 19th 2005 regarding the safety of human and fishing vessels engaged in fisheries activities.
- Decree 123/2006/ND-CP dated 27/10/2006 of the Government regarding the management of fishing operations conducted by Vietnamese organizations and individuals at all marine areas.
- Decree 107/2005/ND-CP dated May 19th 2005 regarding the handling of administrative violations committed to fisheries field.
- Decision 144/2006/QĐ-TTg dated 20/6/2006 of Prime Minister regarding the application of quality system in accordance with national standard ISO 9001:2000 in the State administrative agencies
- Circular 02/2006/TT-BTS dated March 20th 2006 guiding the implementation of Decree 59/2005/ND-CP
- Decision 10/2006/QĐ-BTS dated July 3rd 2006 of Minister of Fisheries regarding the promulgation of Regulation on registration of fishing vessels and crewmembers.
- Decision 05/2006/QĐ-BTS dated 06/02/2006 of Minister of Fisheries regarding the promulgation of Regulation on the inspectors of fishing vessels.

More specifically the feed back and useful insights from the local levels provided via the pilot model will assist in developing the following new legal documents and regulations:

- i) Directive for strengthening for the management and operation of fishing vessels in marine areas;
- ii) Drafting the regulation on the inspection of fishing vessels;
- iii) Drafting the guiding circular of the Decree 66/2005/ND-CP regarding the safety of human and fishing vessels engaged in fisheries activities;
- iv) Drafting the guiding circular of the Decree 123/2006/ND-CP regarding the management of fishing operations conducted by Vietnamese organisations and individuals in all marine areas.
- v) In establishing the feasibility of implementation of the decisions 10/2006/QĐ-BTS and 05/2006/QĐ-BTS regulating the vessel registration and inspection of fishing vessels;

### **3.4. Fishing port management**

The pilot model which includes activities in Da Nang, Binh Tuan and Kien Giang will provide necessary information to amend the regulations guiding the implementation of Fisheries Law, which will include but not be limited to the following legal documents:

- Decision 20/2006/QD-BTS dated 1/12/2006 of Minister of Fisheries regarding promulgation of regulation on fishing ports, fish landing sites and storm-resistant and anchoring areas.
- Decision 760/2000/QD-BTS dated 8/9/2000 of Minister of Fisheries regarding promulgation of sector standard: 28 TCN 163:2000 on fishing port-conditions for ensuring food safety.
- Decision, 649/2000 QD/BTS assigning the responsibility for inspection on middlemen, vessels, and aquaculture farms to two levels:
  - Central inspection level: NAFIQAVERD responsible for development of checklists and guidelines relating to inspection and classification of all types of facilities and for inspection of processing establishments.
  - Local Inspection: Sub-NADAREP responsible for conducting inspection, of middlemen, vessels, aquaculture farms and transport means, following guidelines and checklists provided by NAFIQAVERD.

More specifically the feed back and useful insights from the local levels provided via the pilot model will assist in developing the following new legal documents and regulations:

- i) Decree at ministerial level relating to management of fishing port, fish landing places and storm-resistant and anchoring places;
- ii) Regulation on management of operations in the fishing ports and anchoring places (Danang, Phan Thiet and Tac Cau)
- iii) Regulation on organisation and operation of Phan Thiet fishing port
- iv) Regulation on coordination with border guard, fisheries inspection and agencies in charge of fisheries and environmental management, Phan Thiet Fishing Port;

### **3.5. Community-based management in Tiger shrimp farming in Tra Vinh**

The pilot project is intended to support the improved management of shrimp farming areas, particularly from an environmental and food quality and safety perspective, and to support community management of farming areas by farmers.. The outcome of the pilot project will be used to amend the existing legal documents or propose new legal documents.

The Fisheries Law and various other legal documents promulgated at central, provincial and local levels provide reference to the need for improved management of shrimp farming areas, for safe shrimp production. The pilot model was established with the following objectives:

- To test the application of various legal documents relating to shrimp farm production; and
- To draw lessons and experiences and make necessary amendments to improve the legal documents for shrimp farm production.

The legal documents as provided in the background documentation for the pilot model include various national laws and ordinances, guidelines and decisions or letters prepared at provincial level. In particular, the model tests the Decision 06/2006/QD-BTS on safe farming areas which is intended to support better management of farming areas and produce safe shrimp in line with national and international quality requirements.

The pilot testing of the legal documents is being conducted in Tam Vu Lo shrimp farming area in the two shrimp farming villages of Giong Dai and My Quy in My Tay commune, Cau Ngang district of Tra Vinh province. The Tam Vu Lo shrimp farming area is a locally important site for shrimp farming. Tra Vinh produced around 20,000 tonnes of black tiger shrimp in 2006, from around an estimated 20,000 farm households. The improvement of shrimp farming practice in line with international standards in large numbers of small-scale shrimp farmers is a particular challenge that is being addressed by the pilot project. The pilot project will especially give feedback in relation to

- The application of “Good Aquaculture Practices” (GAP) to shrimp farming. A Good Aquaculture Practice document has been prepared by NAFIQAVED, drawing on national and Asia regional experience to document practices that produce quality and safe shrimp. The GAP document, in line with international definitions, emphasises food safety and quality, but also includes practices that reduce environmental impacts of shrimp farming
- The co-management of shrimp farming areas, and particularly the application of Decision 06/2006/QD-BTS on safe farming areas.

### **3.6. Enforcement of Fisheries Law in shrimp seed production in Binh Thuan**

One of the key factors determining the sustainability of the shrimp industry in Vietnam is a reliable supply of healthy and good quality shrimp seed in sufficient quantities. The shrimp industry has been plagued for a number of years by poor quality seed, often infected with serious shrimp viral pathogens. This situation poses a threat to the livelihoods of shrimp farmers in Vietnam, because of the risk of crop failure and disease outbreaks associated with such poor quality seed.

The Fisheries Law provides reference to the need for disease control and quality seed, and there are also various other legal documents promulgated at central, provincial and local levels intended to improve the quality and health status of the shrimp seed. The pilot model was established with the following objectives in summary:

- To test the application of various legal documents relating to shrimp seed production; and
- To draw lessons and experiences and make necessary amendments to improve the legal documents for shrimp seed production.

The legal documents as provided in the background documentation for the pilot model include 7 national laws and ordinances, 6 categories of guideline and three categories of decisions or letters prepared at provincial level.

The pilot testing of the legal documents is being conducted in two shrimp farming companies in Vinh Tan commune, Tuy Phong district of Binh Thuan province. Vinh Tan commune is a important site for shrimp seed production, with 68 hatchery units in 2005. As in the case of the shrimp farm pilot model, the pilot project for seed production will especially give feedback in relation to:

- The application of “Good Aquaculture Practices” (GAP) to shrimp seed production. A Good Aquaculture Practice document has been prepared by NAFIQAVED, drawing on national and Asia regional experience.
- The development of certification systems for shrimp hatcheries complying with GAP requirements.

The model also assists in defining the role of local government quarantine stations in supporting implementation of GAP application and seed certification in hatcheries.

## **4. Project level findings and recommendations**

The following overall findings and recommendations have been identified during the consultant team's visit to Vietnam. The consultant team has found it useful to report Project level findings and recommendation addressing overall issues of importance to the Royal Norwegian Embassy, The Fisheries Law Project and PTA. More detailed findings and recommendations are provided in section 5 where the each pilot model is reviewed.

Assistance provided by the Norwegian Government to support the development and implementation of the Fisheries law was continued as from November 2004 with the Project "Establishment of Vietnam's Fisheries Law and regulations, Phase II – bringing law to life".

### **Main findings and recommendations**

#### **Project level findings:**

- The pilot model approach is an innovative way to facilitate stakeholder involvement, test, improve and develop fisheries legislation that is considered highly relevant.
- The pilot models have now been prepared, planning documents completed and all started during May-June 2007. Good progress has been made in putting in place management structures according to the plans prepared and overall project document. Smaller delays were encountered in the pilot models in getting the planned activities under way, but no major obstacles were identified for the implementation along the lines of the 5 pilot model project descriptions;
- The pilot models will contribute to achieving the output 4: "Experiences have been collected through pilot studies as a basis for formulation of sub-laws and models for implementation of Fisheries Law developed". However, some adjustments will be needed to increase the effectiveness of the pilot models and to enable the project management and the pilot model coordinator to effectively monitoring the implementation of the pilot models. In the case of the pilot model "Fishing vessel registration and inspection" this will include a revision and adjustment of the log-frame.
- The start of implementation of pilot model activities has been delayed and it may be necessary to extend the time to ensure effective implementation.

#### **Project level recommendations:**

- Reporting formats should be prepared that more closely follow the logframes and training provided for each technical group in their application. A simple format should be used for regular (monthly) reporting, and a more detailed one for quarterly or six-monthly reports.
- A focal point at Provincial level should be officially identified in each of the pilot models. The focal point should be given the responsibility to report back to implementing agencies and the Fisheries Law Project on progress. Reporting format should be kept simple in order to limit the time used on this activity. The report (monthly) should be signed by the provincial authority in charge of each pilot model. This report should not substitute the regular quarterly reporting on progress of the pilot model. A model has been developed for inspiration – attached in Annex D.

- Logframes should be improved with more precise indicators as the basis for monitoring and reporting. Indicators should be developed that are more precise in terms of outcomes and measuring effectiveness of the pilot model (eg GAP applied in xx % of farmers, hygiene improved in xx small enterprises at fishing port etc). Reporting terms like “in process” should be avoided, and clear benchmarks established to assist in reporting. Suggestions for consideration by FLP are provided in Annex E.
- Baseline data should be collected in all the 5 pilot models. This would serve the purposes to:
  - c) Measure the real progress and outcome achieved during and after the implementation of the pilot model activities; and
  - d) Document good models that can be replicated in other districts and provinces in Vietnam.

Suggestions to baseline data collection are provided in Annex F.

- The question of sustainability of activities within each pilot model should be considered. Setting up institutions (in some cases parallel institutions) under project funding is not a good model. Consideration should be given towards gradually merging the structures established for each pilot project back into existing institutions for sustainability.
- The technical support role of each technical group should be more clearly defined with more detailed terms of reference. Where necessary, additional training and training materials could be provided to the technical group to ensure they are able to conduct their technical support activities in an efficient manner. Suggestions for consideration by FLP are provided in Annex G.
- Cooperation should be encouraged between projects working on some similar activities, to ensure widest sharing of experiences and subsequent revision or development of legislation. Relations to FSPS2 deserve particular attention. A Memorandum between the FLP and FSPS2 was signed in July 2007 and should be put into life by a more detailed plan for cooperation.
- The Fisheries Law and pilot activities have a common theme related to the empowerment of fisher and aquaculture groups to take more responsibility for management and self-regulation. Assistance should be provided to train project staff and raise awareness in methods for organising and building capacity of such groups within each pilot model. Fishers, processing and farmer groups should be identified and more actively engaged in pilot model activities, such as providing feedback on legal documents or dissemination of legislation.
- To capture the best from the pilot projects, the methods to be used for disseminating and utilising the findings from each pilot model and their role achieving the Output 4 of the FLP should be further elaborated at an early stage and clear guidance provided to all steering groups and project management groups. Clear links should be established with Output 1 in the Project Document in terms of clarification of documents being revised/prepared based on the pilot models and how this can be done. Some considerations for the Fisheries Law Project are provided in the report.
- Support provided by the Fisheries Law Project in terms of office facilities and supplies seem sufficient to get the pilot model activities well under way. Further support in this area would increase the costs and contribute to making replication of the models more difficult as funding for this would have to come from provincial and local government funds.

- The pilot model regarding fishing vessel registration and inspection has the weakest log-frame and it will be necessary to reshape and develop a more accurate log-frame including more detailed activities under the output agreed to in the log-frame workshop in February 2007. The revision should be done as a matter of urgency including:
  - a) Description activities in details and time bound. The indicators should be revised as far as possible be SMART – (Specific, Measurable, Achievable, Relevant and Timely)
  - b) An integrated approach introducing procedures for obtaining permission to construct new vessels, inspection and licensing of vessels in line with the overall objectives of the fisheries master plan to reduce the fishing effort by 2010.
  - c) A revised log-frame that shall also focus on establishing a solid model for registration not only of new build vessels but also of the existing fishing fleet in order to be able to replicate such model national wide with the view to end up with a national vessel register.
- The pilot models all focus on establishing good rural development models and feed back to amend existing or develop new legal document in relation to the marine environment of the fisheries and aquaculture. The Fisheries Law project document stipulates that 6 pilot models could be developed. If a 6<sup>th</sup> pilot model is to be discussed it is recommended that consideration is given to including fresh water fisheries and aquaculture activities.
- The 2008 work plan is still to be prepared by the implementation agencies for 2008; this process should be used to insert improved reporting and participation into the pilot model activities according to the recommendations provided in this review
- A final review of pilot model performance should be conducted in the autumn of 2008 before the work plan for the pilot models is developed for 2009.



## 5. Pilot model progress and recommendations

Assessment of progress including problems encountered and effectiveness is reported for each of the 5 pilot models below as far as it has been possible by the review team. The assessment is based on 5 months implementation of the pilot models. Whereas progress is assessed against the plans stipulated in the project description of each pilot model it has been more difficult to assess the effectiveness of only 5 month of implementation. The effectiveness is therefore based also on the consultants experience from planning and implementing development activities within the fisheries sector in Vietnam.

### 5.1. Lease/allocation of marine areas for aquaculture in Ang Gia area, Quang Ninh province

**General objective:** Using marine areas for sustainable aquaculture development and bringing high economic effectiveness on basis of the implementation of Fisheries Law.

**Specific objective:**

- i) To apply contents stated in Chapter IV-Aquaculture of Fisheries Law, Decree 27/2005/ND-CP of the Government regulating and guiding the implementation of articles of Fisheries Law (regarding allocation and lease of marine areas for aquaculture).
- ii) To receive feedback from the pilot model implementation served the amendment or formulation of legal documents covering the allocation and lease of aquaculture

**Preparation and problems encountered**

- i) The pilot model site was selected in a consultative process between the Ministry of Fisheries, Provincial department of fisheries, district and communal authorities as well as the local community. The pilot model site was selected to be in Quang Ninh, Van Don District, Thang Loi commune and in Ang Gia area. A master plan for aquaculture was developed in 2002-2003 for Van Don District, identifying 2,762 ha marine area for aquaculture in Thang Loi commune. The master plan identified some 128 ha for cage and barrier farming in Anh Gia area. The area has not been subject to an Environmental Impact Assessment but according to VIFEP environmental issues were considered in the process of selecting the Anh Gia area as pilot model area.
- ii) The pilot model was approved by the Vice-minister of Fisheries by decision no. 576/QD-BTS as of the 8 May 2007 approving a detailed project description. Implementation had therefore been under way for 5 months by the time of the performance review.
- iii) To facilitate the implementation of the pilot model a regulation for the implementation had been drafted by the Vietnamese Institut for Fisheries Economics and Planning (VIFEP). Planning of this regulation had been a bottom up process with involvement of the grass root level, commune, district and provincial authorities as well as the Ministry of Fisheries. The implementation guideline was agreed to in terms of content by all involved parties, yet at the time of visit of the performance review the regulation had not been signed and enforced. The reason being that the:
  - a. Management Board did not include the appropriate persons; and
  - b. Provincial Peoples Committee of Quang Ninh was of the opinion that such agreement should be signed by the Provincial Department of fisheries as they had been empowered and assigned by the PPC to carry out the pilot model.

- iv) The Management Board includes the following 8 members in its original version:
  - Fisheries Law Project
  - Consultancy and design unit: Institute of Fisheries Economics and Planning
  - Fisheries extension centre of Quang Ninh province
  - Fisheries Department of Quang Ninh province
  - Department of Fisheries Resources Protection of Quang Ninh province
  - Economic Office of People's Committee of Van Don district
  - Natural Resources and Environment Office of Van Don district
  - People's Committee of Thang Loi commune
- v) The Management Board is proposed to include the Vice Chairman from the Van Don District Peoples Committee (DPC) as a 9<sup>th</sup> person. During meeting with the Van Don DPC on the 5 October 2007 the Vice Chairman agreed to participate in the Management Board as proposed.
- vi) The Department of Fisheries in Quang Ninh has similarly agreed to appoint the Vice Director of Fisheries to be represented in the Management Board, as well as to sign the regulation for implementation of the pilot model in Ang Gia area. The Vice-director will be appointed head of the Management board.
- vii) A few issues were identified requiring further discussion and consideration to ensure successful implementation of the pilot model:
  - a. The Regulation for implementation of the pilot model had not been signed;
  - b. Duration of the allocation/lease period
  - c. Considerations on selecting the pilot model farmers – equitable participation of poorer fishing households;
  - d. Size of the allocated area for each farmer;
  - e. Earlier allocation of the area identified for the pilot model to another pilot project;
  - f. Environmental monitoring
  - g. Human resources allocated by the local authorities, not yet fully committed;
- viii) The duration for allocation and lease has been recommended by the Van Don DPC not to exceed 5 years. The Fisheries Law provides possibility for allocating and leasing marine areas for as long as 20 years. The period of 20 years has been approved due to the fact that some species will require 3-5 years for covering one full operational cycle. Given the fact that marine areas are prone to changing weather conditions including typhoons at least 3 full operational cycles should be provided for in the duration of the allocation/lease.
- ix) The DPC of Van Don accepted that the pilot model would be allowed to experiment within the maximum allocation of 20 years.
- x) Discussions were held as to whether or not 1 ha would be large area enough as provided for in the Fisheries Law or 2 ha as the Land Law opens up for would be the maximum. There seems to be consensus that a maximum of 1 ha will be allocated to each farmer, and that allocations should be individually assessed suggesting that not all allocations would be up to the maximum of 1 ha.
- xi) Another pilot project had earlier been allocated with marine area with the Ang Gia area, however activities had not materialized as expected among others due to lack of credit to the farmers. Revoking the old decision was discussed and the DPC of Van Don agreed to do so as well as issuing a new decision to allocate the area for the pilot model under the Fisheries Law Project.
- xii) Problems with full commitment of human resources from local authorities will be solved with the signing of the regulation for implementation, whereby the Management Board will be operational.

- xiii) The allocation of 45 Mill. VND from the PPC of Quang Ninh was only half of the requested amount and it would be difficult to cover all expected activities with the current budget. At the same time it was proposed by the DPC that more resources should be allocated towards the monitoring of the implementation of pilot model activities – hence the number of staff participating from the DPC and the Quang Ninh DOFI should be increased with one from each unit to a total of 4 persons.
- xiv) During the visit to Ang Gia area it was recommended to procure additional equipment (fixed telephone line, PC etc.).
- xv) The farmers raised their concern regarding the marine environment and emphasized the importance to ensure that farming would be environmental sustainable. Some of the sites for farming are seriously close to the anchoring areas of the large coal cargo vessels that are known to discharge and pollute the water.
- xvi) Procedures for applying for allocation and lease of marine area had been established. Criteria for selection of beneficiaries (farmers) had not been decided upon. The reason given was that the area to be allocated or leased was rather large and it should be sufficient to cover all the approved applications.
- xvii) Outputs and activities are fairly well defined and described in the log-frame however there is a total absence of indicators.
- xviii) Activities under the FSPS II will be piloted in the Van Don district and preliminary the Ang Gia area had been identified testing out co-management guidelines.

### ***Progress against plans***

- xix) Report on the progress and difficulty encountered during the implementation has been received from DOFI Quang Ninh by the end of September 2007. Based upon this report and the field visit on the 5 October 2007 progress recorded within the pilot model can be summarised as follows:
  - a. ***Preparation stage:*** All activities planned for 2006 and 2007 in relation to the preparation may be considered completed (assuming that the implementation regulation will be signed as agreed in October 2007)
  - b. ***Implementation stage:***
    - Output 1: Activity 1.1 awareness and Law enforcement improved have not yet been carried out. Activity 1.2 providing training on procedures and regulations relating to allocation and lease has been completed successfully with 70 participants according to the Vice Chairman of the Ang Gia area. One example to support this was the report from the local public security which stated that after the dissemination of the fisheries Law and the training course on allocation and lease, the number of conflicts had been significantly reduced
    - Output 2: Assessment of appropriateness of Decree 27 and the Fisheries Law. Activity 2.1 has been initiated and will continue throughout 2007-2008. Activities 2.2-2.6 are pending the revocation of earlier decision on pilot activities and decision allocating the area for the pilot model under the Fisheries Law Project.
    - Output 3 and 4: Have not been initiated. Planned for 2007 was activity 3.1 and 4.1 but both are pending the initiation of allocating and leasing of the marine area in Ang Gia (pending decision to revoke old decision and adoption of the new decision for the FLP pilot model)

- xx) **In summary** good progress has been achieved and implementation of activities is only slightly behind schedule, which for now can be ascribed to the late start of the implementation of the pilot model. At this point in time it seems likely that the pilot model can be implemented successfully given the resources allocated from the Fisheries Law Project and from the provincial government of Quang Ninh.

## **Effectiveness**

- i) The pilot model as planned is highly relevant to providing useful insight and feedback to the amendment of legal documents and in identifying models for how poorer fishing households can be provided an opportunity to create the basis for improved livelihood by being allocated a marine area and receiving training support etc. The outcomes of the pilot model could therefore provide useful model(s) for replications elsewhere in Vietnam as well as providing necessary feedback to the amendment process.
- ii) Implementation of this pilot model has been initiated with solid commitment from the involved stakeholders. It seems that good consensus have been reached on many of the critical issues such as allocation of a local budget and human resources to support the implementation, equipment and human resources procured via the Fisheries Law Project, VIFEP and the Ministry of Fisheries. The pending administrative matters with the DPC of Van Don are likely to be overcome.

## **Recommendations**

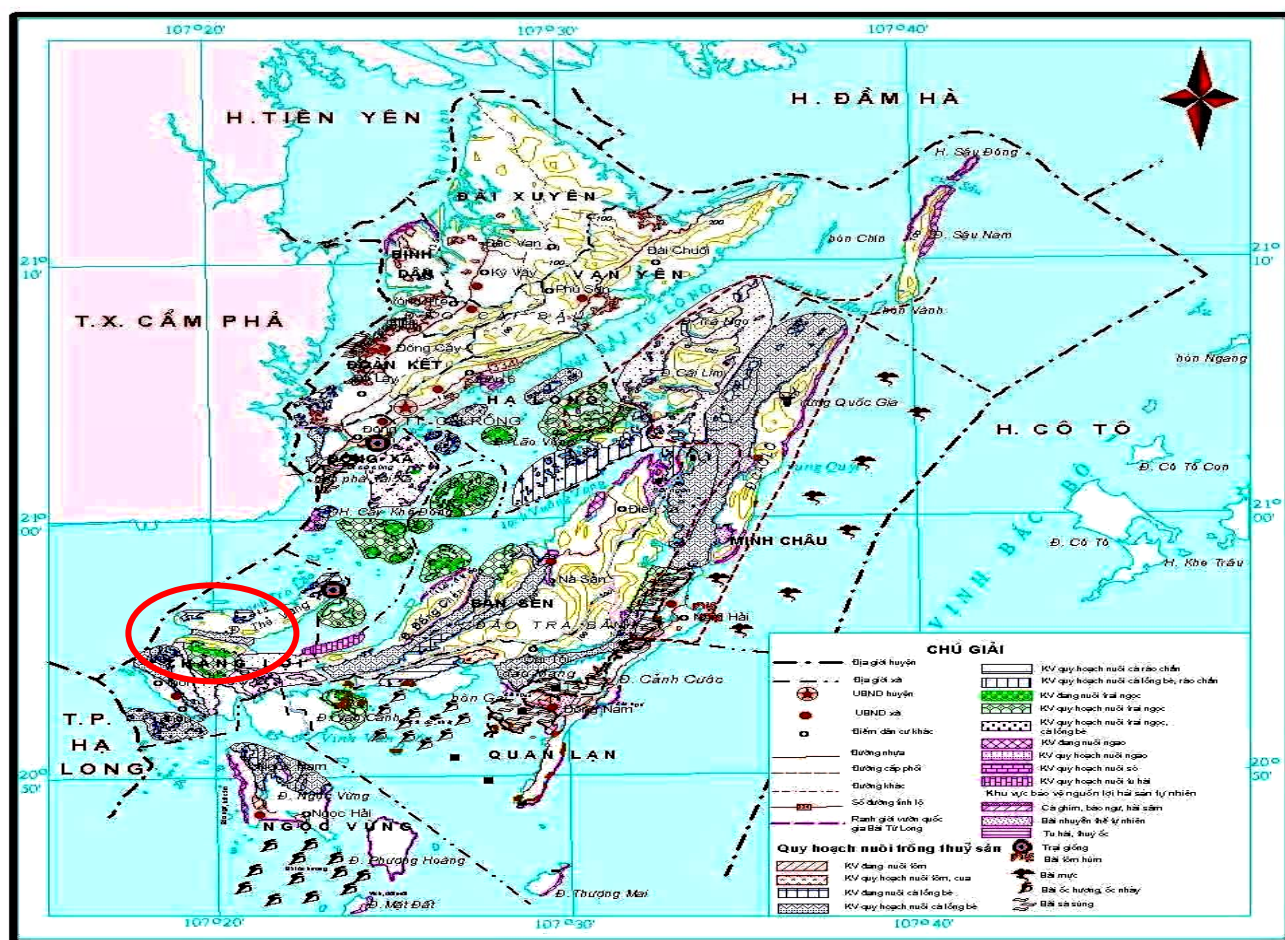
To ensure swift implementation of planned activities as well as to enhance effectiveness of the pilot model the following recommendations are provided:

- i) The Fisheries Law Project appoints the Vice Chairman of the District People Committee of Van Don and Vice Director of Department of Fisheries in Quang Ninh to the Management Board of the pilot model as soon as possible in October 2007.
- ii) The Regulation for implementation of the pilot model is amended with the assignment of the Vice Chairman of the DPC and the regulation is signed by the Director of the Fisheries Department in Quang Ninh as soon as possible in October 2007.
- iii) The District People Committee of Van Don revokes the earlier decision on allocation of the area in Ang Gia and issues a new decision allocating the area for the Fisheries Law Project pilot model, granting the permission to allocate and lease the area for a maximum of 20 years with a maximum of 1 ha per farmer.
- iv) The District People Committee of Van Don confirms its full commitment to ensure smooth implementation of the planned activities in the remaining part of 2007 and 2008 within the framework of the given support for operational costs provided by the provincial government and the Fisheries Law Project. A written commitment should be submitted to the Fisheries Law Project before the end of 2007.
- v) Before extraordinary requests for funding of investments costs are submitted to the Provincial Government of Quang Ninh and the Fisheries Law Project, an internal assessment of already procured equipment should be undertaken to assess if equipment and facilities were better utilised in the Anh Gia area (Telephone and PC).
- vi) Before additional training courses are conducted it should be discussed and decided how effects of training can be monitored and measured. One way would be to ask VIFEP to design and develop simple questionnaires that may be filled in before and after the training and awareness raising courses.

- vii) Allocation and lease of marine areas aims at providing an opportunity for poorer fishing households to enter a new line of business. Participation should include poor fishers, and the selection procedures ensure the equitable participation of poorer fishing households;
- viii) Inclusion of environmental awareness courses for the farmers and their families is suggested in order to accommodate the concern raised by local farmer representative in the meeting on the 5 October 2007.
- ix) Environmental monitoring should be introduced and some training provided for farmers to adopt more environmentally sound farm management practices (cooperate with SUDA that is developing “Good Aquaculture Practices” for marine fish farming).
- x) It should be considered by the DPC in Van Don if alternative anchoring location could be identified for the coal cargo vessels, for example in sheltered areas where the water flow is too strong for establishing marine cage farming.
- xi) The log-frame should be strengthened by identifying appropriate indicators and the means of verification.
- xii) Cooperation and exchange of experience with the FSPS II component “Support to Capture Fisheries” (SCAFI) is encouraged.

**BẢN ĐỒ QUY HOẠCH NUÔI TRỒNG THỦY SẢN MẶN, LỢ HUYỆN VÂN ĐỒN  
TỈNH QUẢNG NINH**  
GIAI ĐOẠN 2003 - 2010

Tỷ lệ 1: 250.000



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Map of the Van Don District, with indication of the Ang Gia area

## 5.2 Fishing vessel registration and inspection

**General objective:** To implement the Fisheries Law regarding the registration and inspection of fishing vessels to ensure the sustainable development of fisheries sector.

### Specific objectives

- i) Test out some provisions under the Fisheries Law related to the management of fishing vessels for lessons learnt; collect information and experience from real practice to serve the formulation or amendment of legal documents associated with registration and inspection of fishing vessels; duplicate the pilot model.
- ii) Test out some new regulations that are not stated in the legal documents.

### *Preparation and problems encountered in starting up*

- i) By decision 673/QD-BTS dated 1. June 2007 the Vice-minister of fisheries has approved the pilot model on fishing vessel registration and inspection.
- ii) The following pilot model sites have been selected:
  - Lap Le Commune, Thuy Nguyen district in Hai Phong province.
  - Quang Tien commune, Sam Son district in Thanh Hoa province.
  - Fisheries Resource Protection Department in Danang province.
- iii) The pilot model was effectively started on the 1 June 2007 by decision of the Ministry of Fisheries approving a detailed project description. Implementation had therefore been under way for 4 months by the time of the performance review.
- iv) Procurement of equipment provided by the FLP carried out.
- v) To facilitate the implementation of the pilot model activities and the coordination and effective cooperation between different authorities the following regulations and contracts have been developed:

#### *Lap Le Commune*

- Regulation on the coordination between Department of Fisheries Resources Protection of Hai Phong and the Peoples Committee of the Lap Le Commune on management of fishing vessels. **Signed**;

#### **Thanh Hoa**

- Coordination regulation between DOFI and provincial border guard headquarter regarding the protection of national sovereign, order and security, protection of fisheries resources and the registration, inspection and assurance of safety for human and fishing vessels fishing in Thanh Hoa province. **Not signed**;
- vi) The preparation and initiation of project activities had been conducted according to plans in cooperation between the Department of Fisheries Resources Protection of Hai Phong the Lap Le Communal authorities. Similarly in the start up in the pilot model no major problems had been encountered. No major obstacles were foreseen for the implementation of planned project activities in either of the two pilot model locations.
  - vii) However, discrepancies have been identified between the pilot model summary and project description under output 2 and 3. This inflicts the following challenges:
    - a) The project document comes across as too general and not inclusive enough especially under output 2 and 3;
    - b) Monitoring of implementation of the pilot model activities will be difficult for the project management and coordinator;

- c) The adjustments included in the project documents shifts the focus away from managing and streamlining the whole process from granting permission to construct, via registration, inspection and licensing to only experimenting with i) permission ii) marking and iii) studying the introduction of ISO 9001:2000 into the administrative system of fishing vessel management, registration and inspection.

### **Progress against plans**

- viii) Report on the progress had been received from the DOFI in Hai Phong (Lap Le Commune) and from the DARD in Danang at the time of arrival of the review team. The following status was recorded in the progress reports and during discussion with the representatives from the two management boards and technical staff involved:

#### **Lap Le Commune**

- a. The preparation of the pilot model had been completed.
- b. DOFI Hai Phong had established a Working group consisting of representatives from Department of resource protection, DOFI and a district representative and local representatives from the Nam Tieu fishing association.
- c. Output 1: Two training courses had been conducted for the fishing community increasing the awareness of the fishing law in general and increasing the awareness of the necessity of managing the process of granting permission for vessel construction and inspection in particular. The training was concluded by the authorities and fish owner representative to have been successful providing for a significant increase in awareness on the issues.
- d. Output 2: One vessel has been constructed applying procedures for granting permission to construct etc. The vessel owner was seemingly happy with the new model as the permission to construct the vessel was provided to him within a very short period of time. Two more vessels were in the process of construction having obtained permission under the new regulation.<sup>2</sup> The new regulation had been enforced since the 1 January 2007. The new regulation was believed to be simpler to apply. Circular guiding decree 66 – in the regulation between the two parties (**NB:** Output 2 in the project document stipulates that only the pilot model in Danang will conduct activities under this output, and it was explained that Lap le had reported progress as they saw this as an integrated part of their activities).
- e. Output 3: Procedures for registration and technical inspection of fishing vessels is presently being drafted in the Sub-NADAREP of Hai Phong.
- f. Output 4: Regulation on the coordination between Department of Fisheries Resources Protection of Hai Phong and the Peoples Committee of the Lap Le Commune on management of fishing vessels established.
- g. ***In summary:*** Project activities at Lap Le Commune have been initiated with good involvement by the local authorities and local shipyards and fishers. Progress although the time plan for implementation is lacking seems to be on track.

#### ***Danang***

- a. Preparation of the pilot model had been completed.

- b. DARD/DOFI in Danang had established a working group consisting of representatives from DOFI, Sub-Department for Resource Protection, and the fishing port management.
- c. Output 1: Two training courses had been conducted for the fishing community in Thanh Khe Dong and Tho Quang in relation to dissemination of the fisheries law and marking of fishing vessel.
- d. Output 2: One workshop was conducted in relation to marking of fishing vessels. The process of applying for permission to construct new fishing vessels had been established, including forms to be filled in and approval procedures in the DARD.
- e. Output 3: Procedures for registration and technical inspection of fishing vessels is presently being drafted in the Sub-NADAREP and will be discussed in a workshop later in the year before it is tested in Danang.
- f. Output 4: Not to be applied in Danang.
- g. ***In summary:*** Implementation of project activities in Danang has been initiated with solid commitment from DARD and Sub-NADAREP. A few difficulties had been encountered in the process of starting up i) difficulties in gathering fisheries and their awareness level being very low resulting in lack of interest and ii) lacking manpower and vehicles for monitoring fisheries activities.

The challenge of increasing the awareness of the fishers could be expected and one of the objectives of the pilot model is to identify ways in which this is done effectively. As requested by the DARD more training and awareness courses will be needed in order to ensure sufficient progress. In relation to lack of manpower it also the aim of the pilot model activities to increase the capacity of the local authorities to undertake their job function in a more efficient manner hence increasing the capacity to address the concurrent issues.

### Thanh Hoa

- a. The progress report from Thanh Hoa was received on the 19. October 2007.
- b. Output 1: Dissemination and awareness raising about the fisheries law had been conducted in a workshop in September 2007.
- c. Output 3: Another workshop had been conducted in September 2007 to increase the awareness of the need for fisheries inspection. Feed back received on the procedures for registration and permit to construct.
- d. Output 4: Coordination regulation between DOFI and provincial border guard headquarter regarding the protection of national sovereign, order and security, protection of fisheries resources and the registration, inspection and assurance of safety for human and fishing vessels fishing in Thanh Hoa province drafted and signed;
- e. ***In summary:*** Progress recorded provides reason to believe that activities are well under way in Thanh Hoa.

### Effectiveness

- ix) The preparation of the pilot models relating to fishing vessel registration and inspection has been comprehensive. However, the Ministry of Fisheries (as it was at the time of approval of the pilot model) decided to approve a project document that differs significantly from what the discussion during the log-frame workshop in February 2007. ***The pilot model as planned may well fall short of expectations.***



The changes introduced late in the project description before approval of the Ministry of Fisheries have changed the focus from a holistic approach managing the process from construction to liquidation towards focussing on only a few of the elements in the whole process. It is expected that the current project document will foster feedback only in the selected areas where especially the focus on streamlining the permission to construct vessels in isolation may add additional capacity to the already oversized capacity of the Vietnamese fishing fleet.

- x) The project document offers limited details on activities to be conducted and the number of activities are significantly reduced compared to discussions during the log-frame workshop in February 2007. From the first progress reports received it is also clear that the pilot model sites are not fully aware about which activities they are to undertake, stressing the point that the log-frame and the project document is not well understood. The project document provides for very large flexibility in the implementation of pilot model activities by the executing agencies, whereas it makes the monitoring of progress very difficult.

### **Recommendations:**

Based on the assessment of progress of the pilot models in Danang, Phan Thiet and Tac Cau fishing ports as well as on the challenges identified during the visit to the fishing ports in Danang and Phan Thiet the following is recommended that:

- i) The log-frame for the pilot model is revised and emphasis is given to describing activities in details with indication of duration of each sub-activity. The indicators should as far as possible be SMART – (Specific, Measurable, Achievable, Relevant and Timely). This will provide better guidance to the pilot models at the local levels and enable the FLP to monitor the progress without having to be present in the pilot model areas too often.
- ii) The revision of the log-frame shall devise an integrated approach to the introduction of procedures for obtaining permission to construct new vessels, inspection and licensing of vessels in line with the overall objectives of the fisheries master plan to reduce the fishing effort by 2010. One approach could be to combine the establishment of granting permission, inspecting and licensing with certain conditions as to decommissioning of older vessels. Failing to do so is likely to hamper the overall feasibility of the already oversized fishing fleet of Vietnam;
- iii) The revision of the log-frame shall also focus on establishing a solid model for registration not only of new build vessels but also of the existing fishing fleet in order to be able to replicate such model national wide with the view to end up with a national vessel register. Introduction of ISO standards in the fisheries administration shall still be the medium-long term objective but the national vessel register shall be established as a matter of priority;
- iv) Priority should be given to the drafting of the regulation on inspection of fishing vessels as this regulation has been pending for a long time and is essential for the provincial department of fisheries to undertake their duties to ensure good hygienic conditions on-board, safe fishing vessels etc.
- v) It is recommended that baseline data is collected as regards to all 4 outputs in the project documents. This would serve the purposes to:
  - a) measure the real progress and outcome achieved during and after the implementation of the pilot model activities;
  - b) document good models that can be replicated in other fishing ports in Vietnam.

### 5.3 Fishing port management

**General objective:** To bring Fisheries Law and regulations to life. Formulate regulations on fishing port management.

**Specific objective:** To test out Fisheries Law and legal documents relating to fishing port management in order to collect information and experience served the formulation of sub-law regarding the management of fishing ports and duplication of pilot model.

#### ***Preparation and problems encountered***

- i) By decision 567/QĐ-BTS dated 4 May 2007 the Vice-minister of fisheries has approved the pilot model on fishing port management. Implementation had therefore been under way for 6 months by the time of the performance review.
- ii) The following pilot model sites have been selected:
  - Tho Quang, Fishing port, Danang
  - Phan Thiet Fishing port, Binh Thuan
  - Tac Cau Fishing port, Kien Gian
- iii) To facilitate the implementation of the pilot model activities and the coordination and effective cooperation between different authorities the following regulations and contracts have been developed:

#### ***Danang***

- Coordination regime between border guard and the Danang Agriculture-Forestry-Fisheries Department
- Coordination regime between the fishing port and the Tho Quang district police to ensure security, control and prevention of fire.

#### ***Phan Thiet***

- Regulation for cooperation on enforcement of order and security protection at the Phan Thiet fishing port
  - Contract on cooperation for protection of order and security at Phan Thiet fishing port.
- iv) Working groups had been established to ensure implementation of the pilot activities in the 3 pilot ports. The working group established in Danang is apart from fishing port management also covering the pilot model “Fishing vessel registration and inspection”. The management of DOFI in Danang considered this a weak structure and recommended that additional one working group be established to support the implementation. The Tho Quang fishing port had been assigned to be the fishing port of Danang which will increase the work load considerably for the fishing port management and staff.
  - v) Procurement of equipment and establishing of project offices had been conducted as planned.
  - vi) In Phan Thiet fishing port trading of fish was seen to take place both inside and outside official designated trading areas. Handling of the catch landed both inside and outside the designated areas did not provide for complying sufficiently hygienic standards. It was informed that guidance by the fisheries inspector from the DOFI in Binh Thuan is provided, however from this one day visit to the port it seemed that the present level of awareness raising about rules and regulation will not change the behaviour of the middlemen/-women. Therefore focus on training of middlemen/-women, good management practices established by the port and frequent inspections

and introduction of measures to improve the general food safety and hygienic standards and environmental awareness will be necessary.

***Progress against plans***

***vii) Danang:***

Activity 1.2. via two training courses in September 2007 and 1.3 setting up bulletin boards had been partly covered, whereas activity 1.1 and 1.4 still were still pending as of the beginning of October 2007.

Drafting of the fishing port regulation was on-going (activity 2.1). 2 agreements on cooperation and coordination had been signed to ensure a closer cooperation at the port (activity 2.2). Statistics was recorded on entry and exist of vessels and major incidents handled by the police. (Activity 2.3.-2.5). An environmental plan had been developed by the fisheries department in Danang and was being implemented (Activity 2.6). Detailed keeping of statistics was not undertaken (activity 2.7)

Activity 3.1 and 3.2 had been started via two training courses in September 2007, where feed back on existing regulation and new coordination mechanisms established under the pilot model.

Training courses have not yet been conducted under output 4 for the fisheries port management team.

***viii) Phan Thiet:***

Planned activities under output 1 had been conducted (activity 1.1.-1.4) providing an overview of legal documents being applied in the port etc.

Output 2: Development of regulation for the management of the fishing port has not been completed. Coordination mechanism has been established. Registration of vessels entering and exiting the port as well as recording catches, crew members etc. has not been undertaken and the management of the fishing port found this particularly difficult to recoded all this information. Some uncertainty remains as to the weather this activity will be implemented in Phan Thiet. It was informed that guidance to ensure environmental protection has been given and waste water was seemingly collected and treated in a separate plant.

Output 3: Compilation of feedback has been started.

Output 4: One training course for the management has been conducted. A study tour to Malaysia had been conducted with 2 representatives from Phan Thiet fishing port. Re-arrangement of staff was initiated.

***ix) Tac Cau:***

Output 1: No activities are mentioned in the progress report of the 18 September 2007.

Output 2: One activity related to activity 2.6 was carried out, that is, inspection of fish hygiene and safety at 2 enterprises and 3 vessels. Results of the findings were reportedly – full compliance.

Output 3: No activities are mentioned in the progress report of the 18 September 2007.

Output 4: One staff member of the fishing port management group participated in the study tour to Malaysia.

***x) In summary:*** The indication of timing of activities under this pilot model is very general where most of the activities are planned to start in 2007 and continue to be

implemented throughout the period 2007-2009. This adds flexibility to the implementation of the activities but makes it somewhat more difficult to monitor. The log frame is fairly detailed as to what needs to be done under each activity in several cases sub-activities are described as well. However on some of the important issues, deadlines have been omitted, as for example in relation to the formulation of the new or revised management regulation for the fishing port management (activity 2.1). It is not clear if the pilot model will assist in developing this regulation during the next 1-1½ years or if the idea is to revise and formulate new regulation late 2007/beginning 2008 and use the pilot model to gain experience in implementing this regulation.

The reporting does not strictly follow the log-frame strictly. When reporting on progress in areas of awareness in relation to the fisheries law and sub-ordinate regulations, environmental, hygienic and safety issues it is often provided in rather qualitative terms, comparing the level of awareness before and after training and dissemination activities. To understand the full impact of these activities as well as to establish good models that work, suitable for replication, description of a baseline data is required.

In *overall terms* the pilot models implemented in Danang and Phan Thiet fishing ports seem to be running according to plans. In the case of Tac Cau fishing port in Kien Giang the progress reports only mentioned a few activities and based on that this pilot model is concluded to be behind schedule and speeding up would be necessary to complete in time.

#### **Effectiveness:**

- i) The pilot model as planned is highly relevant to providing useful insight and feedback to the amendment of legal documents and in identifying models for how management procedures can be improved monitoring the entrance and exit of fishing vessel, registering landings, ensuring food safety, application of good hygienic standards and due attention being paid to reduce the environmental impact of port activities. The outcomes of the pilot model could therefore provide useful model(s) for replications elsewhere in Vietnam.
- ii) The preparation of the pilot models relating to application of the fisheries law in fishing port management did involve the management from pilot model fishing ports. Although 2 of 3 the pilot models had got off to a good start in terms of implementation, some uncertainty remains as to the possibility to implement all planned activities.

#### **Recommendations**

Based on the assessment of progress of the pilot models in Danang, Phan Thiet and Tac Cau fishing ports as well as on the challenges identified during the visit to the fishing ports in Danang and Phan Thiet the following can be recommended to ensure swift implementation::

- i) It was recommended by the Vice-Director of DOFI to split the working group in Danang into two. In the light of the new responsibilities that the fishing port in Danang has been given, that is, effectively to operate as the fishing port of Danang as well as storm resistant anchoring area, it seems reasonable to allow for more staff to involve and therefore to increase the number of working groups to two.
- ii) The capacity to handle both the new responsibility of operating the fishing port and the implementation of the activities under the FLP was discussed with the Vice-director of DOFI and the management of the fishing port. The Vietnamese side reassured that they would be able to undertake both the responsibility given to them by the government as

well as the responsibility to implement the planned activities under the pilot model by the Fisheries Law project. However, it is recommended that DOFI/DARD in Danang re-confirms, in writing, that full responsibility will be assumed to ensure implementation of the planned activities under the pilot model by the Fisheries Law project.

- iii) It is recommended that baseline data is collected as regards to awareness and training related activities. This would serve the purposes to:
  - a) measure the real progress and outcome achieved during and after the implementation of the pilot model activities;
  - b) document good models that can be replicated in other communes, districts and possibly provinces.
- iv) The fishing port in Phan Thiet has been in operation for almost 10 years. The fishing port includes sheltered facilities for trading of fish as well as it includes a number of sheltered middlemen facilities where the fish is graded by quality (for human and non-human consumption) species, sizes etc. Among other things due to the sheer volume of fish trade the facilities outside the trading areas are also used for fish trade. The present trading and handling of fish in the port does not at this present time meet the national requirements in regulation 28 TCN 163:2000. Fishing Ports – Conditions for Food Safety.

It is therefore recommended that the 3 pilot fishing ports in the work plan for 2008 clearly addresses the issues mentioned under activity 2.6 in relation to both environmental and food safety concerns, with a view to establishing the aforementioned baseline and benchmarks for how awareness raising and training programmes will be implemented in order to ensure that the ports will move towards compliance with national regulation.

- v) It is recommended that the DOFIs in the 3 pilot model provinces are requested to follow the log-frame in the project description and report progress activity by activity. It is further recommended in the work plan for 2008 that deadlines be included for development of regulations and coordination agreements etc. It would be essential for the FLP management group and the pilot model coordinator to understand when major activities will be completed.
- vi) Following the discussion about keeping record of entry and exit, catch data, certification of safety etc. with the port authorities in Phan Thiet it is recommended that the port management will report back to the FLP as to their intention to follow the pilot model activities as planned.
- vii) Cross fertilisation between the pilot models in the three fishing ports is encouraged. An example: All three ports will during 2008 develop their own set of regulation for management of the fishing port. It should be considered to establish a working group including the main resource persons in relation to formulation of this new regulation from each of the fishing ports, one or two persons from the legal department in MARD (FLP) and a consultant. The working group would meet a couple of times and exchange point of views in relation to completing the draft regulations that already exists. This work should be done with a view to possibly distil some good role models for other fishing ports to use in their endeavour to complete their regulation.

## 5.4 Community-based management in Tiger shrimp farming in Tra Vinh

**General and long term objective:** Fisheries Law and relevant regulations will be enforced through the co-management mechanism in order to strengthen the efficiency, product quality and towards the sustainable tiger shrimp farming development.

### ***Specific objectives:***

- i) Pilot model on the implementation regarding co-management in the tiger shrimp farming in Tra Vinh established and tested out.
- ii) Knowledge and capacity of management agencies, farming communities regarding the implementation of Fisheries Law and guidelines improved.
- iii) Productivity and quality of farmed shrimp in households improved, income improved and community relation get better.

### ***Preparation and problems encountered***

- (i) The pilot model site was selected during 2006 through a consultative process involving the Fisheries Law Project, NAFIQAVED as the design and implementing agency, Provincial department of fisheries, district and communal authorities as well as the local community. The pilot model site was selected to be in Tam Vu Lo shrimp farming area in My Tay commune, Cau Ngang district of Tra Vinh. The official document 1524/BTS-PC dated 13 July 2006 approved the location for the pilot project.
- (ii) Following agreement on the location for the pilot model, there followed various consultations and legal documents that defined the management structures and workplan for implementation of the pilot model. The model was effectively started in May 2007 by decision of the Ministry of Fisheries approving the detailed project description. Implementation had therefore been under way for 5 month by the time of the performance review. However, no shrimp farming activities have yet been conducted as the cropping season only starts in January/February of each year, and the approval of the pilot model was too late to be implemented in 2007. 23 farmers have been engaged in the pilot model (compared to original target of 47).
- (iii) Institutional structures have been put into place as follows:
  - i. Steering committee comprising 8 members from NAFIQAVED, FLP and senior government officials from Provincial, District and Commune level
  - ii. Technical group comprising 12 members from NAFIQAVED, and Provincial level technical staff.
  - iii. Aquaculture management board, comprising a technical group and monitoring group.
- (iv) Various documents have also been drafted to guide implementation and monitoring
  - i. Decisions for establishment of steering board and technical team for implementation of the pilot model
  - ii. Regulation for organisation of farming area and seed/feed/chemical/harvest contract documents
  - iii. Good Aquaculture Practice document describing the required farming practices
    - 1. Pond preparation
    - 2. Seed selection
    - 3. Monitoring of feed and feeding

4. Monitoring of veterinary drug and environmental chemicals
  5. Monitoring of farming pond environment
  6. Monitoring of shrimp health
  7. Monitoring of shrimp harvest and product processing
  8. Monitoring of waste
- iv. Monitoring forms
1. Water supply
  2. Water supply after treatment
  3. Seed, feed, chemical
  4. Collecting and sending samples
  5. Daily logbook for farmers
- v. Procedures for data collection, reporting and processing of information (including water and pond preparation, drugs used, responding to problems, testing procedures)
- (v) An allocation of 12 Billion VND from the PPC of Tra Vinh has been provided for infrastructure improvement, but not yet implemented. The infrastructure improvements planned are for water supply/drainage and electricity. PPC plans for support during October 2007. The written agreement with participating farmers also requires that the farmers invest in improvement of water treatment and farming ponds and procure necessary equipment.
- (vi) During the visit the need for investment in the Duyen Hai quarantine centre was mentioned. The upgrading of the centre will be necessary to conduct effective monitoring of the pilot project activities, with budget to come from the Provincial government.
- (vii) Training and study tours have been conducted. The farmers consulted during the mission commented on the usefulness of the training and study tour to Ben Tre, but raised their concern about implementation difficulties and need for further technical support.
- (viii) The GAP document has been drafted by NAFIQAVERD and training provided to farmers, with supporting documents. However, from our discussions in Tra Vinh it appears that there is still an incomplete understanding of GAP among the project technical group, and the farmers in particular. More user friendly extension material should be prepared and additional GAP training conducted to strengthen capacity of farmers for GAP implementation and the technical group to support.

### ***Progress against plans***

- i) Report on the progress and difficulty encountered during the implementation has been received from DOFI Tra Vinh dated 15 October 2007. Based upon this report and the field visit on the 15 October 2007 progress recorded within the pilot model can be summarised as follows:
- a. ***Preparation stage:*** All activities planned for 2006 and 2007 in relation to the preparation may be considered completed. Documents planned for implementation have been prepared.
  - b. ***Implementation stage:***

Objective 1: Pilot model established and implemented.

- Output 1.1: Pilot model designed and approved has been achieved
- Output 1.2: Improvement of farming area infrastructure and establishment of guidelines has been partially achieved. The Provincial DOFI has allocated 12 billion Dong for infrastructure (water supply and drainage systems and electricity) and informed the review mission that this would be implemented during October 2007. Technical documents have been prepared (GAP guidelines) however as discussed below these could be improved.
- Output 1.3: Pilot model is implemented, finalised and duplicated. Training has been conducted, but the activities associated with this output can only be started properly in January/February once the 2008 shrimp crop starts. In the meantime, more attention should be given to the development of GAP documents, training and establishing a baseline for future monitoring. There is only one shrimp crop per year therefore the need for further testing during 2009 should be considered.

Objective 2: Improvement of knowledge and capacity for tiger shrimp farming communities

- Output 2.1: Improvement on knowledge and capacity for local fisheries staff. Training and study tours have been completed according to plan, including study tours to Thailand and other shrimp farming sites in Ben Tre. This training and study tours were well received by farmers and government officials.
- Training on data collection and capacity improvement for the local quarantine centre in Duyen Hai has not been completed according to schedule. The upgrading of the Duyen Hai centre is to be funded from Provincial DOFI funds, and is expected to be completed before the start of the next 2008 shrimp farm season. The Duyen Hai centre has an important role in monitoring of the pilot model activities and the progress in strengthening the centre staff and facilities should be closely monitored.
- Output 2.2: Improvement in awareness and compliance with law. In country training has been conducted according to the schedule. Review and proposed amendments will await completion of the pilot model.

Objective 3: Productivity and quality of farmed shrimp improved, income improved and community relations better. No outputs and activities are associated with this objective, which therefore appears redundant in the project document.

***Effectiveness***

- ii) The pilot model as envisaged is highly relevant to addressing shrimp quality and environmental concerns in shrimp farming, particularly in concentrated areas with large numbers of small-scale shrimp farmers. The outcomes of the pilot model should also be useful for improving the legislation/regulations in Vietnam, and encouraging implementation of the law through co-management.
- iii) The selected site is considered by DOFI to be representative of Tra Vinh, and replicable within the province, but the social, environmental and economic conditions may be different from other areas of the Mekong delta. Each location will have special conditions that may constrain wider application of a “blue print” type model. Instead, equal emphasis should be placed on the processes followed to



establish and implement such models, allowing the model approach to adapt to local conditions. Cooperation with SUDA (FSPS2) and other projects working on co-management will be useful to share experiences to use in further development of the fisheries legislation/regulations.

- iv) DOFI already has plans to expand to other areas of Tra Vinh, and has selected sites for replication in Cau Ngang and nearby Duyen Hai district. This is a very positive planning by DOFI. Other farming areas in Tra Vinh, where there are large numbers of small-scale farmers and existing collective groups of farmers, may be suitable for this co-management approach. One example provided by DOFI official was the 200 ha area of ponds in My Lg Nam commune where there was already good cooperation in water supply and drainage. DOFI staff assured that Provincial budget is available to fund infrastructure and the aquaculture and fishery extension centre will assist in technical support and setting up network of input and output centre. Farmer investment will also be needed to improve infrastructure therefore a positive response from the farmers in the pilot model will have an influence on the willingness of farmers to adopt the approach in new areas.
- v) The number of households involved in the pilot is less than expected. DOFI informed the review team that they also plan to involve other households who can benefit in the short-term from the training under the pilot project.
- vi) The co-management approach being used in the pilot model will be more effective as a co-management model if more steps are taken to devolve responsibility to the aquaculture group for management. The requirements are elaborated in the recommendations provided below.
- vii) The price of shrimp from GAP farms may also be a strong incentive for farmers to adopt the model. Seafood companies in Tra Vinh are apparently interested in the model and one Tra Vinh seafood export company is reported by DOFI to be willing to buy product from the safe farming area pilot for a 20% higher price. The economic aspects should be monitored and used to assess effectiveness of the pilot model.

### ***Recommendations***

- The implementation and effectiveness of the pilot model could be strengthened through:
- Improving the co-management part of the model. The responsibilities of government and farmers should be better defined with more responsibility to farmers for self-management. The draft co-management guidelines of MOFI could be used as a basis for improving the institutional arrangements. Additional training should be provided to the aquaculture farmer group in self-management and approaches by a trainer with experience in co-management. Roles and responsibilities of the aquaculture management group and supporting technical group should be defined more clearly. It is recommended that a local specialist with experience in co-management be hired on a short-term basis to provide training and technical advice for the strengthening of the co-management model at Tra Vinh.
- Establishing a proper baseline for monitoring effectiveness of the pilot model. A baseline should be established for each pilot farmer that can be used as a basis for measuring progress and outcome of the pilot model.
- Preparation of a a GAP checklist to be used by the technical group and farmers for monitoring and assessing compliance with GAP. Self-assessment by farmers should be encouraged.

- Training of farmers and technical staff by an experienced GAP trainer. The training would be to used to raised awareness of GAP and advise and assist pilot model farmers adopt GAP.
  - Farmers have received some training, but they considered measuring of water supply as “a new thing”. Farmers benefited from training and group participated in the study tour to Ben Tre. Further training should be provided by an experienced GAP trainer.
  - The GAP trainers should visit each pilot farm, review status and give recommendations for improvement to each farmer.
  - Training should also be provided to the technical and monitoring group within the aquaculture management group to conduct their jobs effectively.
- More ‘user friendly’ GAP guidelines and/or extension material should be prepared to support training and improve extension activities. This material should be tested in the pilot models, and then subsequently used for wider dissemination.
- Proposed certification systems for the shrimp from the pilot model should be more clearly defined. A set of clear procedures and working instructions should be prepared for the certification process with institutional responsibilities clearly defined.
- Commercial contracting between the Provincial/commune Government technical group and input suppliers and processing factories on behalf of farmers should be avoided. The role of the technical group should be strictly limited to technical supervision and monitoring.
- One co-management pilot model site cannot provide sufficient information and experience for revision of legislation and wide application, particularly in such a complex subject area as co-management. Therefore, active sharing of experiences with projects working on similar subjects elsewhere should be encouraged to assist in revising legislation, including cooperation with the SUDA component of FSPS 2.
- The implementation period should be extended until late 2009, to allow testing of the model during two shrimp crops; one in 2008 and one in 2009.
- The Aquaculture management board was established in April 2007 for the pilot model, although there was reported to be some existing informal cooperation and management board in the commune. During discussions with the mission, DOFI informed that the pilot model management board is separate to the existing management structure, but that DOFI has the intention to merge these management boards into one.
  - Pilot model aquaculture management board – the members are all shrimp farmers
  - Commune management board – involving farmers established under the Commune People’s Committee
  - Training should be conducted for the aquaculture management board. Farmers also considered the pilot model management board was useful; however, the exact tasks appear a little vague. Some support should be provided to assist in better organisation, defining tasks and training. The possibility of merging these new and existing boards into one functional management unit should be explored.
- The technical group was reported to be involved in assisting farmers establish contracts, and some formats have been provided as part of the project documentation. The involvement of the supervisory group in contracting is a

concern, as such contracting should be between the farmers (or their representatives in the aquaculture management group). The role of supervisors should be left as technical supervision and facilitation, and should not become intermediaries in commercial contracting.

- Duyen Hai quarantine centre has a responsibility for testing of shrimp seed. This will require new facilities and training. It is important to ensure the centre is properly functional before the cropping season.
- Information should be collected on the costs of farm investment in GAP and the returns from improved performance, if any, and an economic analysis provided at the end of the project. This would include looking at the price obtained for GAP shrimp.
- Some suggestions for improvements in the logframe and indicators are provided in Annex E..

## **5.5 Application of Fisheries Law in shrimp seed production in Binh Thuan**

**General objective:** Fisheries Law, Ordinance on food hygiene and safety, Ordinance on livestock seeds, Veterinary Ordinance, Law on Environmental Protection have been promulgated to meet the requirement of fisheries economic sectors, contributing to the production development and integration requirement.

### **Specific objectives:**

- i) Test the application of legal normative documents formulated in the seed production conditions of performance sites.
- ii) Through the application process, draw the lessons and experiences; propose the amendment for more suitable and feasible documents. The insufficient documents should be supplemented for finalization of the legal normative document system.

### **Preparation and problems encountered**

- (i) The pilot model site was selected during 2006 through a consultative process involving the Fisheries Law Project, NAFIQAVERD as the design and implementing agency, Provincial department of fisheries, district and communal authorities as well as the shrimp hatchery operators. The pilot testing of the legal documents is being conducted in two shrimp farming companies producing tiger shrimp in Vinh Tan commune, Tuy Phong district of Binh Thuan province. Vinh Tan commune is an important site for shrimp seed production, with 68 hatchery units in 2005. The official document 622/QD-BTS dated 16 April 2007 effectively started the project by a decision of the Ministry of Fisheries approving a detailed project description.
- (ii) The pilot project for seed production will especially give feedback in relation to the application of “Good Aquaculture Practices” (GAP) to shrimp seed production; and development of seed certification systems. The GAP documents have been prepared by NAFIQAVERD to include a compilation of management practices derived from wide range of legal documents associated with seed production. The pilot model also assists in defining and supporting the role of local government quarantine stations in implementation of GAP application and shrimp seed certification.
- (iii) Institutional structures have been put into place and are defined in the official decision for approval of the pilot project (622/QD-BTS dated 16 April 2007) as follows:

- i. Steering committee of 6 members, including staff of NAFIQAVED, Binh Thuan DOFI, and FLP
- ii. Technical group of 10 members, including staff of NAFIQAVED, Binh Thuan DOFI, the local quarantine centre and one person from each of the participating hatcheries.
- iii. The role of a wide range of stakeholder groups (12 in total) has also been defined in a general way in the project document.
- (iv) An allocation of 588 Billion VND from the PPC of Binh Thuan has been allocated for PCR (shrimp disease testing) at the Vinh Tan quarantine centre (under DOFI), but not yet implemented. During the visit, the importance of completing this investment to support pilot implementation was emphasised; further close monitoring of this requirement by FPL is recommended.
- (v) Both hatcheries are making infrastructure modifications, with what appears to be substantial (but unspecified) investment in water treatment and hatchery structures in line with GAP recommendations. The team was able to see the new investment in water treatment facilities at the Anh Viet hatchery.
- (vi) As in the Tra Vinh GAP pilot model, several documents have been prepared to support implementation, including GAP guidelines and monitoring forms.
- (vii) Training and study tours have been conducted as planned. Private hatchery operators self-funded their participation in the study tour to Thailand. Both DOFI staff and hatchery operators welcomed the training and study tour. However, hatchery operators both raised some concern about implementation and need for technical support.
- (viii) The Good Aquaculture Practice (GAP) document has been drafted by NAFIQAVED based on existing legislation, and training provided to the technical group and hatchery operators. As in the case of Tra Vinh, it appears that the hatchery operators still have an incomplete understanding of GAP. More user friendly extension material should be prepared and additional GAP training conducted. A draft GAP checklist should be reviewed with farmers and further developed into a practical document to help monitoring by the technical group and self assessment by shrimp hatchery operators.
- (ix) It is expected that the testing of the GAP procedures will be conducted from the start of the shrimp hatchery operations in October or November 2007. Shrimp hatchery production cycles are around 30 days, allowing for rapid and regular testing and improvement of procedures. The DOFI Binh Thuan has requested extension of the pilot model to June 2009 to allow complete testing of the model, including its testing on more hatcheries during 2008 and 2009. This request appears justified if the project scheduling and activities are modified to disseminate the GAP and test the pilot in more hatcheries during 2008.

### ***Progress against plans***

- viii) Report on the progress and difficulty encountered during the implementation has been received from DOFI Binh Thuan on 6<sup>th</sup> October 2007. Based upon this report and the field visit on the 12<sup>th</sup> and 13<sup>th</sup> October 2007 progress recorded within the pilot model can be summarised as follows:
  - a) ***Preparation stage:*** All activities planned for 2006 and 2007 in relation to the preparation may be considered completed. Documents planned for implementation have been prepared (and signed?)

b) ***Implementation stage:***

- Objective 1: Pilot model established and implemented.
  - Output 1.1: Pilot model designed and approved has been achieved. A detailed survey has been completed and stakeholder workshop conducted to finalise the pilot model document. The document describing the project has been approved by MOFI.
  - Output 1.2: Improvement of hatchery infrastructure and documents guiding implementation has been partially completed. Infrastructure upgrading has been completed in one hatchery and is ongoing in another. This upgrading is expected to be completed during October 2007. Technical documents have been prepared (GAP guidelines) however as discussed below these could be improved. Inspection and granting of certificate has not been conducted, and is only expected following pilot model implementation. The logframe indicators for certification of hatcheries as stated in the pilot model document are incorrect and should be adjusted (2 hatcheries certified in 2008).
- Objective 2: Knowledge and capacity of management agencies; capacity and awareness of law enforcement of hatcheries improved
  - Output 2.1: Knowledge and capacity of local fisheries staff improved has been partially achieved. A study tour was conducted to Thailand and training was provided on GAP to hatchery operators. The required training on PCR and upgrading of services planned for the quarantine centre at Vinh Tan has not been conducted; this is increasingly urgent because of the upcoming shrimp seed production season. The improvement of laboratories for monitoring at hatcheries has also not been done, and is similarly urgent and requires more follow up from the technical group.
  - Output 2.2: “Awareness of hatcheries on compliance with legislation, internal regulations and knowledge on seed production...” has been partially achieved with training courses to 42 hatchery operators (100 trainees are targeted in the logframe). Other activities proposed under this budget line remain to be conducted.
- Objective 3: Shrimp seed are safe, clean, disease free and high quality. Environmental pollution reduced in hatcheries and the surrounding environment. No outputs and activities are associated with this objective, which therefore appears redundant in the project document.

***Effectiveness***

- The pilot model as proposed is highly relevant to addressing shrimp seed quality and disease control in shrimp hatcheries. The outcomes of the pilot model could provide a basis for improving the legislation/regulations in Vietnam related to disease control and seed certification.
- It is questionable though whether two large scale hatcheries can provide sufficient information and experience for revision of legislation and wide application. Therefore, during 2008 and 2009 the GAP and certification approaches being tested should be tried on more hatcheries. The extension of the pilots to small-scale

hatcheries, which dominate shrimp seed production in Vietnam, also should be further considered. Once the pilot models have started at the two hatcheries, the testing of GAP in other hatcheries in Binh Thuan could be conducted, for minimal or no extra cost to the project.

- The approaches to shrimp seed certification procedures need more clarification before the effectiveness can be determined

### ***Recommendations***

- Pilot model implementation and effectiveness could be strengthened through:
- Establishing a baseline for monitoring effectiveness of the pilot model. A GAP checklist should be developed, and used by the technical group and hatchery operators for monitoring and assessing compliance with GAP, including encouraging self-assessment by hatchery operators.
- Preparation of improved technical guidelines and/or more ‘user friendly’ extension material to support training and extension activities. These should be tested on the two hatcheries, and then used for more wide dissemination.
- The proposed certification systems for the shrimp from the pilot model should be more clearly defined. A set of clear procedures and working instructions should be developed and responsibilities defined for certification.
- Two large scale hatcheries provide insufficient information and experience for revision of legislation and wide application. Therefore, during 2008 and 2009 the GAP and certification approaches being tested should be tried on more hatcheries. The extension of the pilots to small-scale hatcheries, which dominate shrimp seed production in Vietnam, also needs to be further considered. The extension of the pilot model to test the GAP on other hatcheries in the vicinity should be considered during 2008 to provide further information for subsequent legal revision.
- Establishing a baseline for monitoring effectiveness of the pilot model. A baseline should be established for each pilot hatchery, that can be used as a basis for measuring effectiveness of the pilot model. A GAP checklist should be developed, and used by the technical group and hatchery operators for monitoring and assessing compliance with GAP, including encouraging self-assessment by farmers.
- Information should be collected on the costs of investment in GAP and the returns from improved performance, if any, and an economic analysis provided at the end of the project.

## 6. Conclusion and final remarks

The pilot model approach has been subject to much discussion also in the planning process of the FLP. The identification and planning of the 5 pilot models being reviewed in the consultancy had been a longer process than anticipated in the Project document. The pilot models were expected to have duration of 4 years. However with the initiation of the pilot models in May-June 2007 it is not likely that they can be extended to 4 years as the FLP is set to complete in 2009 (an extension of the project into 2010 is considered possible, as mentioned by the Norwegian Embassy).

The pilot models are initially expected to last for 2 years, which is not likely in all models to be sufficient. The models are all different by nature and the completion date cannot be established at this point in time, but it may well vary from model to model. Close monitoring of the progress will be necessary to ensure that the pilot models are not left “unattended” by the local authorities and local users groups. It is seen as essential to:

- i) Foster local participation at the pilot model sites by increasing the awareness in the local communities about rights and responsibilities under the Fisheries Law and subordinate regulation and by providing training to the fishers and the farmers groups strengthening their capacity to self-manage/manage the full business cycle.
- ii) Ensure that the local authorities report monthly on progress (format suggested in Annex D).

In conclusion the review mission finds the pilot model approach to assisting the development of legislation relevant. The 5 pilot models in review has seen good progress and they are all except the fishing vessel registration and inspection well on track.. The fishing vessel registration and inspection pilot model has the weakest log-frame and it will be necessary to reshape and develop a more accurate log-frame including more detailed activities and indicators. This should be done as a matter of priority and with the commitment recorded during the visits to the pilot sites it should be possible to get the approach in this model readjusted and back on track.

The 5 models identified will provide useful insight and feedback to the central authority (MARD). The Fisheries Law project document stipulates that 6 pilot models could be developed and if a 6<sup>th</sup> model is to be discussed it is the review team’s recommendation that consideration is given to including fresh water fisheries and aquaculture activities.

**MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT**  
**THE PROJECT “VIETNAM FISHERIES LAW AND REGULATIONS”- PHASE II**  
**BRINGING THE LAW TO LIFE**

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**Terms of reference for THE GROUP OF consultants regarding review and evaluation of  
PILOT MODEL PERFORMANCE**

**1. Background**

The Agreement on the assistance to the Project “Establishment of Vietnam’s Fisheries Law and regulations, phase II – bringing law to life” was signed on 2/11/2004 between the Government of Socialist Republic of Vietnam and Royal Norwegian Government.

It is identified in the item 4.5.8 (*use of foreign consultants*) of the project work-plan for 2007 that consultants are of necessity to give assistance for carrying out the pilot model performance review.

**2. Objective**

To assist Legal Department under Ministry of Agriculture and Rural Development in implementing the Fisheries Law Project- Phase II- Bringing the Law to Life, the consultant team shall review:

- the methodology, approach and purposes of implementing pilot models;
- the implementation of the pilots; and
- the relevance of conducting pilots for the purpose of developing fisheries legislation/regulations in Vietnam

**3. Terms of reference**

**3.1 Requirement**

- Two short-term foreign consultants who possess strong experiences in the consultation and performance of pilot model on the implementation of the law, with working experience in Vietnam, and
- One short-term Vietnamese expert with understandings and experience in operations of Fisheries Sector, are required.

**3.2 Working tasks**

**Task:**

- Reviewing performance of pilot models of Fisheries Law Project through:
  - + Studying and taking into consideration 5 pilot models implementing Fisheries Law which have been approved by Ministry of Fisheries.
- Working with leaders of Ministry of Agriculture and Rural Development and design Units, including:
  - + NADAREP (*for the pilot model on fishing vessel registration and inspection and fishing port management*)
  - + NAFIQAVED (*for the pilot model on community-based management in Tiger shrimp farming in Tra Vinh and enforcement of Fisheries Law in shrimp seed production in Binh Thuan*)



+ Institute of Fisheries Economic and Planning (*for the pilot model on lease/allocation of marine areas for aquaculture*).

- Visiting to see the implementing status of 5 pilot models in:

+ Quang Ninh (*for the pilot model on lease/allocation of marine areas for aquaculture*;

+ Hai Phong (*for the pilot model on fishing vessel registration and inspection*)

+ Da Nang (*for the pilot model on fishing vessel registration and inspection and fishing port management*);

+ Tra Vinh (*for the pilot model on community-based management in Tiger shrimp farming in Tra Vinh*);

+ Binh Thuan (*for the pilot model on enforcement of Fisheries Law in shrimp seed production in Binh Thuan and the pilot model on fishing port management*);

The Project and Consultant Team may agree that there will not be visits to all, but some represented pilot sites (provinces) if it is appropriate.

During the field trips, the consultant team will work with Provincial Fisheries Department, local authorities and local working groups of pilot models.

Through the review work, the consultant team will provide consultancy report on the pilot model progress, approaches, effectiveness of the pilot model implementation in future regarding the enforcement of Fisheries Law and fisheries-related documents to the Royal Norwegian Embassy, Project and PTA. The inputs for mid term review at activity 5.4 will be provided as well.

The consultant team will provide consultancy for MARD in the use of pilot models for strengthening and development of fisheries legislation in the coming time.

### **3.3 Working time and venue**

#### ***-Time***

Working duration: from 1- 22 October 2007. Working schedule will be agreed later between the project and the leader of consultant group.

#### ***- Venue:***

Hanoi city and pilot provinces.

### **4. Reporting**

- The draft outline of report will be submitted to the Project at the final meeting before consultant team has finished the mission.

- The draft report will be submitted to the Project within 10 days after the working visit has completed. The project will give its comments by 10 days after receiving draft report.

- The final report will be submitted to Royal Norwegian Embassy, the Project and PTA within 10 days after the consultants have received comments from the Project .

### **5. Payment**

The clauses relating to salary and remuneration etc. will be agreed under the contract in accordance with standards and regulations of Norway and the approved budget for 2007 of the project.

**List of persons met****Fisheries Law Project**

1. Mr. Tran Van Quy, Fisheries Law Project Director
2. Mr. Johan Williams, Project Technical Advisers
3. Ms. Nguyen Thi Kim Anh, Fisheries Law Project Deputy Director
4. Mr. Duong Van Cuong, Legal Department
5. Ms. Tran Ngoc Mai, Project translator
6. Mr. Cao Phan Tuan, Project translator
7. Dr. Dinh Xuan Thao, National Assembly (previous Director, FPL)

**Norwegian Embassy**

8. Ms. Kirsti Digerud, Counsellor
9. Mr. Tran Trong Chinh, Desk officer

**VIFEP**

10. Ms. Nguyen Quynh Van, Head of economic and social affairs, VIFEP

**NADAREP**

11. Hoang Trong Yen, Vice Director
12. Tran Duc Hap, staff fishing port management Division
13. Nguyen Hong Linh, staff of fishing vessel inspection division

**NAFIQAVED**

14. Mr. Nguyen Tu Cuong, Director, Head of Steering Board of Pilot model
15. Mr. Nguyen Nhu Tiep, Vice Director, Vice of Steering Board of Pilot model
16. Mr. Bui Duc Manh, Aquatic Animal Health Specialist, Binh Thuan technical group
17. Ms. Nguyen Duy Duong, NAFIQAVED, Vice head, Binh Thuan technical group
18. Mrs. Bui Thi Viet Hang, staff of fishery veterinary division.

**Provincial level:\****Representatives of Quang Ninh, Van Don district,**

19. Mr. Ha Van Giang haed of technical division of Quang Ninh DOFI, head of local working group of Pilot model in Quang Ninh
20. Mr. Chau Hoan Vice head of economic and planning of Van Don district, member of local working group of Pilot model in Quang Ninh
21. Mr. Nguyen Van Thang, staff of Land resources division of Van Don district.

**Representatives of Thang Loi commune**

22. Mr. Quang, Vice chairman of Thang Loi communal People's Committee, member of local working group of Pilot model in Quang Ninh
23. Mr. Phat, fishery extension staff of Thang Loi commune, member of local working group of Pilot model in Quang Ninh
24. Mr. Hoa, Mr. Hai, Mr. Lam, aquaculturist, member of monitoring team for farming area.

**Representatives of Hai Phong**

25. Nguyen Tu Trong, Vice director of Hai Phong Fisheries Department
26. Ta Ngoc Dien, Head of fisheries management, Hai Phong Fisheries Department, head of pilot implementation group in Hai Phong.
27. Mr. Vu Van Hop, Head of Sub-NADAREP of Hai Phong

**Representatives from Lap Le commune**

28. Mr. Nguyen Duc Chien, Chairman of Lap Le commune
29. Mr. Vu Van Cu, Official of Lap Le People's Committee
30. Mr. Nguyen Manh Hung, Official of inspection division, Department of Fisheries Resources Protection, Thanh Hoa.

**Representatives from Danang (Fishing vessel registration and inspection):**

31. Mr. Ho Pho, Vice Director of DOFI
32. Mr. Tran Phuoc Tai, head of Division for Planning and Investment, DOFI
33. Mr. Luu Quang Khanh, vice manager of Sub-NADAREP
34. Mr. Le Van Hieu, head of division for fishing vessel Inspection, Sub-NADAREP
35. Mr. Dang Duy Hai, head of Division for Aquatic resource Protection, Sub-NADAREP
36. Mr. Pham Ngoc Anh, vice head of division for fishing vessel Inspection, Sub-NADAREP.

**Representatives from Danang (Fishing Port Management)**

37. Mr. Ho Pho- Vice Director of DOFI
38. Mr. Huynh Van Phuong, director of Tho Quang storm-resistant and anchoring area
39. Mr. Pham Ba Hung, Vice director of Tho Quang storm-resistant and anchoring area
40. Mr. Ngo Van Quang, staff of Division for Planning and Investment, DOFI
41. Ms. Tran Thi Hien, Head of Planning Division of Tho Quang storm-resistant and anchoring area.

**Representatives from Danang (Fishing Port Management & Shrimp seed production)**

42. Mr. Van Tuan, Vice director of DOFI
43. Mr. Dang Van Dinh, Deputy Manager of Phan Thiet fishing port , Head of pilot model working group
44. Mr. Huynh Quang Huy, member of working group
45. Mr. Ho Ngoc Vui, staff of Financial and planning Division, DOFI, member of working group
46. Thai Thi Hong Van, Staff of Fishery management Division
47. Mr. Tran Khanh Duy, Staff of Fishery management Division
48. Mr. Le Tran Sach, Head of exploitation division, Phan Thiet fishing port
49. Phu Van Rao, Deputy Manager of Hai Thuan company

**Viet-Uc hatchery**

50. Mr. Luong Thanh Van, Director of Viet Uc company
51. Mr. Bui Vin Tich, Vice Director of Viet Uc company
52. Mr. Luong Van Si, member of Management Board of Viet Uc company
53. Mr. Luong Dy Vang, member of Management Board of Viet Uc company
54. Mr. Nguyen Cong Can, Head of technical Division, Viet Uc company
55. Mr. Ha Van Phu, staff of Viet Uc company

56. Mr. Pham Tu Luc, staff of Viet Uc company
57. Ms. Nguyen Thi Yen, Vice Head of Aquaculture Section, Fishery Management Division
58. Mr. Nguyen Van Manh, vice head of Fisheries management Division of Binh Thuan, member of Steering Board

#### **Anh Viet Company**

59. Ms. Phan Thuong Ty, head of Technical Division, Anh Viet company
60. Mr. Son, Personnel Division, Anh Viet company

#### **Representatives from Tra Vinh (Community-based management in Tiger shrimp farming)**

61. Mr. Tran Hoang Phuc, Vice head of Steering Board of Pilot model, Vice Director of DOFI
62. Mr. Do Nghia Phuong, Vice head of Division for Economics and Planning, DOFI
63. Mr. Pham Minh Truyen, Director of Tra Vinh Fishery Extension Center
64. Mr. Le Hong Ca, Tra Vinh Fishery Association
65. Mr. Le Thi Hanh Chuyen, Vice head of Technical Division, DOFI
66. Mr. Nguyen Thanh Thanh, Sub-NADAREP of Tra Vinh

#### **Hiep My Tay farming area**

67. Mr. Tran Hoang Phuc, Vice head of Steering Board of Pilot model, Vice Director of DOFI
68. Mr. Nguyen Van Nhanh, head of management board of piloted farming area in Hiep My Tay commune
69. Mr. Nguyen Thanh Hung, Chairman of Hiep My Tay People's Committee
70. Mr. Le Van Danh, head of management board of piloted farming area in Hiep My Tay commune
71. Mr. Le Van Cham, farmer in piloted farming area in Hiep My Tay commune
72. Mr. Huynh Minh Nhan, staff of Agriculture and Fishery Division of Cau Ngang District
73. Mr. Nguyen Truong Tam, staff of Agriculture and Fishery Division of Cau Ngang District
74. Mr. Nguyen Hoang Kim Dinh, member of technical group of farming area, shrimp farmer

#### **Technical Team of pilot model – My Tay farming area**

75. Mr. Do Nghia Phuong, Vice head of Economics and Planning, DOFI
76. Mr. Pham Minh Truyen, Director of Tra Vinh Fishery Extension Centre
77. Mr. Le Hong Ca, Tra Vinh Fishery Association
78. Mr. Le Thi Hanh Chuyen, Vice head of Technical Division, DOFI
79. Mr. Nguyen Thanh Thanh, Sub-NADAREP of Tra Vinh

## Mission Programme

## WORKING SCHEDULE

For the consultant Team (Lars Jøker and Michael Phillips) of Pilot Model  
Performance Review

Time: 01-23/10/2007; Venue: Hanoi and piloting Provinces

Time	Activities	Persons in charge	Venue
Tue 2 October	<b>12h30: Mr. Lars Jøker arrives in Hanoi, start the working schedule</b>		
15:30	Mr. Lars Jøker meets with Project Management Board on schedule for Pilot Model Performance Review	- The Project (Leaders, Coordinator, Translator) - Mr. Lars Jøker	Project Office
Wed. 3 October	8:00	Discussion and planning	Project Office
	10:00	Meeting with VIFEP for information on the implementation of pilot model on lease/allocation of marine areas for aquaculture.	Project Office
	13:00	Meeting with Aquaculture Department (Cancelled) Short meeting with Dr. Thao, former Project Director	Project Office
Thu 4 October	7:00	Hanoi - Quang Ninh ( Van Don District)	
	13:00	Transfer by boat to Thang Loi Commune, Ang Gia area	Thang Loi Commune
	14:00	Visit to see the status of implementation of the pilot model on lease/allocation of marine areas for aquaculture in Thang Loi Commune	
	16:30	Return to Van Don and stay overnight	

Fri 5 October	Morning	Meeting with Provincial Fisheries Department, People Committee of Van Don district for information on status of implementation of the pilot model on lease/allocation of marine areas for aquaculture.	- The Project (Leaders, Coordinator, Translator) - The consultant - Representative of Fisheries Department. - Representative of People Committee of Van Don district	People Committee of Van Don district
	10:00	Transfer to Hai Phong, Lap Le Commune	- The Project (Leaders, Coordinator, Translator) - The consultant	
	Afternoon	Van Don - Hanoi		
Sat 6 October	Reporting			
Sun 7 October	Reporting			
Mon 8 October	8:30	- Consultant Team work with Project Management Board on duties of Pilot Model Performance and next activities.	- The Project (Leaders, Coordinator, Translator) - Consultant Team	Project Office
	10:00	Consultant Team work with the coordinator ( <i>if required</i> )		
	14:30	Meeting with NADAREP for information regarding status of implementation of the pilot model on fishing vessel registration and inspection and the pilot model on fishing port management.	- The Project (Leaders, Coordinator, Translator) - Consultant Team - Representative of NADAREP.	NADAREP
	Mr. Michael Phillips’ arrival in Hanoi			
Tu 9 October	8:30	Meeting with NAFIQAVED for information regarding status of implementation of the pilot model on enforcement of Fisheries Law in Shrimp seed production in Binh Thuan and the pilot model on community-based management in Tiger shrimp farming in Tra Vinh.	- The Project (Leaders, Coordinator, Translator) - Consultant Team - Representative of NAFIQAVED	NAFIQAVED
	14:30			
		Desk study		
Wed 10 October	(flight at 6:35)	Hanoi- Danang	- The Project (Leaders, Coordinator, Translator) - Consultant Team - Representative of NADAREP.	

	9:00	Meeting with Sub-NADAREP of Da Nang for information regarding status of implementation of the pilot model on fishing vessel registration and inspection.	<ul style="list-style-type: none"> <li>- The Project (Leaders, Coordinator, Translator)</li> <li>- Consultant Team</li> <li>- Representative of NADAREP.</li> <li>- Representative of Da Nang Department of Fisheries, Agriculture and Forestry, Sub-NADAREP, Tho Quang Storm-resistance area Management Board</li> </ul>	Tho Quang Storm-resistance area, Da Nang,
	14:30	Meeting with Tho Quang Storm-resistance area Management Board for information regarding status of implementation of the pilot model on fishing port management.  <i>(Overnight in Da Nang)</i>		Sub-NADAREP of Da Nang
Thu 11 October	<i>(flight at 8:00)</i>	Da Nang - HCM city - Binh Thuan	<ul style="list-style-type: none"> <li>- The Project (Leaders, Coordinator, Translator)</li> <li>- Consultant Team</li> <li>- Representative of NADAREP.</li> <li>- Representative of NAFIQAVED <i>(come from HCM city)</i></li> <li>- Representative of Fisheries Department and Sub-NADAREP</li> </ul>	
Thu 12/10	Morning	Meeting with Fisheries Department for information on status of implementation of the pilot model on fishing port management and the pilot model with regard to enforcement of Fisheries Law in shrimp seed production.		<ul style="list-style-type: none"> <li>- Binh Thuan Fisheries Department</li> <li>- Phan Thiet Fishing port</li> </ul>
	Afternoon	Visit to Viet Uc and Anh Viet companies.  <i>(overnight in Tuy Phong or Phan Thiet)</i>		Tuy Phong District
Sat 13/10		Tuy Phong - Binh Thuan - HCM city.  <i>(overnight in HCM City)</i>	<ul style="list-style-type: none"> <li>- The Project (Leaders, Coordinator, Translator)</li> <li>- Consultant Team</li> <li>- Representative of NAFIQAVED</li> <li>- Representative of NADAREP return Hanoi</li> </ul>	
Sun 14 October		HCM City- Tra Vinh	<ul style="list-style-type: none"> <li>- The Project (Leaders, Coordinator, Translator)</li> <li>- Consultant Team</li> <li>- Representative of NAFIQAVED</li> <li>- Representative of Tra Vinh Fisheries Department; Sub-NADAREP</li> <li>- Representative of People Committee of Cau Ngang District.</li> </ul>	
Mon 15 October	8:30	Meeting with Fisheries Department and Sub-NADAREP for information on status of implementation of the pilot model on community-based management in Tiger shrimp farming in Tra Vinh		Tra Vinh Fisheries Department

	14:00	Visit to piloted farming area in HiÕep My Tay commune, Cau Ngang District; working with People Committee of Hiep My Tay Commune <i>(overnight in Tra Vinh)</i>	<ul style="list-style-type: none"> <li>- The Project (Leaders, Coordinator, Translator)</li> <li>- Consultant Team</li> <li>- Representative of NAFIQAVED</li> <li>- Representative of People Committee of Cau Ngang District</li> <li>- Representative of People Committee of Hiep My Tay Commune</li> <li>- Head of Management Board of piloted farming area.</li> </ul>	H. CÇu Ngang
Tue 16 October		Tra Vinh - HCM City- Hanoi		
Wed 17 October	Morning	Internal discussions of Consultant Team, Preparation for draft report outline.	Consultant Team	Project Office
	14:00	Meeting with PTA and FLP projet staff and disucss preliminary findings and recommendations	Consultant Team	Royal Norwegian Embassy
Thu 18 October	Morning	Meeting with Royal Norwegian Embassy		Project Office
	14:00	Meeting with Leaders of Ministry of Agriculture and Rural Development	<ul style="list-style-type: none"> <li>- Vice Minister Luong Le Phuong, Head of Project Steering Board</li> <li>- The Project (Leaders, Coordinator, Translator)</li> <li>- Consultant Team</li> </ul>	Meeting room of MARD
Fri 19 October		Internal discussions of Consultant Team, Preparation for draft report outline.		Project Office
Sat 20 October		Reporting		
Chñ nhËt 21 October		Day-off <i>Mr. Michael Phillips finish the working schedule.</i>		
Mon 22 October	10:00	M. Lars Joker work with Project Management Board and submit the consultancy draft report outline.	<ul style="list-style-type: none"> <li>- The Project (Leaders, Coordinator, Translator)</li> <li>- Mr. Lars Joker</li> </ul>	Project Office
	14:00	Mr. Lars Joker work with the Consultant Team for the Mid-term Review for discussions on preliminary results of the Pilot Model performance Review and the consultancy draft report outline.	<ul style="list-style-type: none"> <li>- The Project (Leaders, Coordinator, Translator)</li> <li>- Consultant Team for the Mid-term Review</li> <li>- Mr. Lars Joker.</li> </ul>	Project Office



	.....	<i>Mr. Lars finish the working schedule.</i>		
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**Note:** Due to time limitation, the Project planned not to hold field trips to Hai Phong, Thanh Hoa, Kien Giang, only 4 provinces, including Quang Ninh, Sa Nang, Binh Thuan, Tra Vinh were selected for field trips. Kien Giang, Hai Phong or Thanh Hoa will be destinations for the Consultant Team of the Mid-term Review.

Project Management Board may discuss with the Consultant Team of Pilot Model Performance Review to reach agreements on locations for field trips, and suggestions of the Consultant Team is prioritized.

#### **MANAGEMENT BOARD OF FISHERIES LAW PROJECT**

**Suggested Reporting format – monthly report from the focal point  
person in each pilot model area**

**SAMPLE FORMAT**

<b>Monthly Report:</b>		11, 2007		
<b>Reporting agency:</b>		DARD/DOFI – Danang		
<b>Pilot model:</b>		Application of the Fisheries Law in Fishing port management		
Output	Activity	Status of implementation		
		As planned	Smaller delays	Major delays
Output 1: Fisheries Law and legal documents advocated in fishing ports	1.1	√		
	1.2		√ Reasons for delays: 1. 2. 3.	
	1.3			√ Reasons for delays: 1. 2. 3.  Actions taken: 1. 2. 3.
	1.4	√		
Output 2:	2.1			
	2.2			
	2.3			
	2.4			
	2.5			
	2.6			
	2.7			
Output 3:	3.1			
	3.2			
	3.3			
	3.4			
	3.5			
Output 4:	4.1			
	4.2			
	4.3			
	4.4			

**Attached:** Other documents i.e. forms, more detailed progress reports etc.

**Signed:**

\_\_\_\_\_  
Mr. Ho Pho, Vice Director of DOFI  
Danang, the 30 November 2007

## Suggested improvements for pilot model Log-frames

In the coming months the FLP will request the pilot models/provinces to develop their work plan for 2008. To support this planning exercise the following suggestions can be provided to the pilot model log-frames:

### i) Allocation and lease of marine areas for aquaculture

Outputs and activities are fairly well developed and described. There will be a need to include the establishment of a baseline for the pilot model – should be added as an extra activity. Adding to that indicators should be developed – below are a few suggestions for consideration (the list should be further expanded):

- Output 1: Baseline data established for the level of awareness among local people in the Thang Loi Commune. Awareness increased from xx% to XX% among local people.
- Output 2:
  - i) Number of allocations provided to local people at Thang Loi Commune is shared equally between households already involved in marine farming and poorer households (fishers).
  - ii) Area allocated for lease includes between 25-50% of the total area for allocation and lease under the pilot model.
- Output 3 & 4: Decree 27/2005/ND-CP amended or other legal documents issued to guide Decree 27 and the Fisheries Law in respect to Allocation and lease of marine areas.

### ii) Fishing vessel registration and inspection

The log-frame of this pilot model is weak and needs improvement. Especially the activities under output 2 and 3 are sketchy and too general. Recommendations are here given to output 2 to serve as an example of how the log-frame can be revised. The suggested changes are well in line with what was discussed during the log-frame workshop in early February 2007.

#### 2.1 Review legal documents regarding the management of the fishing vessels

2.1.1 Legal documents at national level (MOFI and other government agencies)

2.1.2 Legal documents at provincial level

#### 2.2 Develop procedures for granting permit for building of fishing vessels.

2.2.1 Describe current situation and identify shortcomings

2.2.2 Discuss and agree on new license granting modality with provincial and local authorities as well as with the local fishermen association

*(the granting of licenses should be combined on experimental basis with the responsibility of DOFI/Sub-NADAREP to ensure that similar capacity is liquidated – a decommissioning scheme should be discussed and considered)*

2.2.3 Test new granting procedure

2.2.4 Review implementation of new procedures and recommend changes

2.2.5 Provide recommendations for establishment of new official procedures

- 2.3 Improve design and construction procedures of fishing vessels
  - 2.3.1 Describe current situation and identify shortcomings
  - 2.3.2 Discuss and agree on new procedures with provincial and local authorities as well as with the local fishermen association
  - 2.3.3 Test new procedure
  - 2.3.4 Review implementation of new procedures and recommend changes
  - 2.3.5 Provide recommendations for establishment of new official procedures
- 2.4 Marking of fishing vessels (already included) but could be made more specific.

Similarly there is a need to revise the indicators for this output and to include new indicators addressing for example the decommissioning aspects of the output.

In relation to output 3: Improvement of fishing vessel management, registration and inspection; focus has shifted towards introducing ISO 9001:2000. Whereas this might be the medium - long term objective there is a need to focus in short-medium term on establishing this national register of fishing vessel. This is not addressed in the current description and should be included.

Finally baseline data should be collected and be included as an activity in the pilot model.

### **iii) Fishing port management**

The following comments can be provided to the log-frame of this pilot model. Focus is in line with the recommendations in the report and concentrates on issues related to the hygienic conditions, food safety and environment. Under activity 2.6 the following sub-activity is recommended to be introduced before activity 2.6.1.

**Output 2:** Legal documents regulating the fisheries activities in the fishing ports applied. Formulate new regulation and test etc.

**Activity 2.6:** Provide guidance on the environmental protection, food hygiene and safety, order and security, fire and explosion prevention and control, anchoring places etc.

**NEW: Activity 2.6.0:** A baseline study as to the current state of compliance with national/international regulation in relation to environmental protection, food safety and hygienic standards is conducted in the 3 pilot fishing ports. The baseline study will include an assessment current facilities and recommendations to the fishing port management board on:

- Fishing vessel landing facilities, upgrading required to meet national standards
- Fish trading areas including middlemen facilities, upgrading required to meet national standards
- Waste water treatment, upgrading required to meet national standards
- Fish processing facilities, upgrading required to meet national standards
- Other suppliers and companies at the fishing port area, upgrading required to meet national standards.

The base line should furthermore address the need for training in the different lines of business as well as assess the need for rezoning of the fishing port.

**Output 4:** Strengthening of capacity in State management and legislation enforcement for the fishing port management board.

**NEW: Activity 4.0:** A training need assessment of the fishing port management staff should be conducted before training material is developed and training provided.

**Activity 4.1.** Provide training courses for the staff of fishing port management board regarding the skills on operation and management of fishing port.

## vi) Community-based management in Tiger shrimp farming in Tra Vinh

### TRA VINH PILOT MODEL LOGFRAME

#### I. OUTPUT, ACTIVITIES AND INDICATORS

No	Outputs	Activities	Assessment Indicators	Human sources	Expenses	Timing
<b>Objective 1. pilot model on enforcement of Fisheries Law in “Co-management in Tiger shrimp intensive farming” in Tra Vinh province is established and implemented</b>						
1	<b>Pilot model on enforcement of Fisheries Law in Co-management is designed and approved</b>	1. Survey for selection of piloted location	1. Report of survey results indicating shortcomings, <b>selection criteria</b> disadvantages on infrastructure, management capacity of local authorities and awareness of shrimp farmers that need to be overcome.(annex 4)  2. List of relevant regulations relating to aquaculture activities	Fisheries Law Project NAFIQAVED DOFI of Tra Vinh, Tra Vinh Department of Fisheries resources protection	Fisheries Law Project	4/06
		2. Establishment of pilot model	1. Documents on pilot model 2. Commitment of enterprises involving the pilot model (annex 6) 3. List of persons involving in the pilot model (annex 7: list of steering board and technical group)	Fisheries Law Project NAFIQAVED, DOFI, Tra Vinh Department of Fisheries resources protection	Fisheries Law Project	5-9/06
		3. Workshop for commenting and finalizing the model	1. Workshop is held, minutes with comments of experts and related parties 2. Pilot model is finalized and approved.	Fisheries Law Project NAFIQAVED, <b>Tra Vinh</b> DOFI	Fisheries Law Project	10/06 - 4/07

No	Outputs	Activities	Assessment Indicators	Human sources	Expenses	Timing
2	<b>Improvement of farming area infrastructure and establishment of specific guidelines for pilot model implementation</b>	1. Improvement of farming area infrastructure	Water supply, drainage and treatment systems, farming ponds of 23 households are investigated, solved and improved for pilot model implementation	farmers, Technical group, Steering Board, farming area management Board	Farmers + Provincial Fund	9/06 - 4/07
		2. Designs of forms and materials on co-management and system for collection and analysis of monitoring data and reporting	1. Decision on the establishment of steering board, technical group. Shrimp farming management board and technical group are established with Regulation on operation of shrimp farming communities. <b>2. Responsibilities of stakeholders clearly defined</b> 3. Commitments/contracts between shrimp farming communities and suppliers of feed, drugs, chemicals for environmental improvement, and shrimp consumers; and neighboring communities 3. Technical procedure for shrimp farming, GAP on semi-intensive and intensive culture, information provision regime 4. Forms of record for farming households are <b>compiled</b> <b>5. Prepare system for collection and analysis of data</b>	FLP, Tra Vinh DOFI, Nafiqaved, technical group	Fisheries Law Project	10/06 - 4/07
		3. Workshop for commenting and finalizing the materials	1. Workshop is held, minutes with comments of experts and related parties 2. <b>Documents are finalized, approved and disseminated.</b>	Fisheries Law Project NAFIQAVED, DOFI, Tra Vinh Department of Fisheries resources protection	Fisheries Law Project	4/07
		4. Establish baseline to assess future effectiveness of pilot model	<b>1. Baseline survey of pre-pilot GAP implementation completed</b> <b>2. Constraints for implementing GAP clearly identified during baseline survey</b>			

No	Outputs	Activities	Assessment Indicators	Human sources	Expenses	Timing
3	<b>Pilot model on Co-management is implemented, finalized and duplicated</b>	1. Dissemination and training for implementation of the model	1. Dissemination to farmers on the importance, responsibilities and advantages of implementation and training on skills to use materials.  2. GAP training conducted [specify number of courses and trainees] of training courses  3. Training [specify number of courses and trainees] completed of farmers/aquaculture management group for on-farm measurement and sample collection	Technical group, DOFI of Tra Vinh	Fisheries Law Project	4/07
		2. Record keeping during pilot model implementation according to GAP guidelines	1. Completed and analysed on-farm records	Farmers	Farmers	During farming period
		3. Collect samples and send for analysis of criteria/factors need to be controlled	1. Results of water, fertilizer, shrimp seed, feed, veterinary drugs, farming products analysis	technical support Group, Tra Vinh Division for aquatic living resources protection ,farmers, regional Branch, suppliers	SUDA/ Local expenses	During farming period
		4. Develop system of certification of hatcheries	Certification system procedures prepared and responsibilities for implementation defined	To be defined	FLP	By March 2008

No	Outputs	Activities	Assessment Indicators	Human sources	Exp ense s	Tim ing
		5. Inspection and certification granted to qualified shrimp farming enterprises; certification of feed safety for raw shrimps	<p>1. <b>By end of shrimp crop in 2008:</b> 70% of piloted shrimp farming enterprises are confirmed safe shrimp farming enterprises; 100% finished shrimps from safe shrimp farming enterprises are tested and certificated.</p> <p>2. <b>By end of shrimp crop in 2009:</b> 100% of piloted shrimp farming enterprises are confirmed safe shrimp farming enterprises; 100% finished shrimps from safe shrimp farming enterprises are tested and certificated; farming area is confirmed safe farming area.</p>	NAFIQUAVED, (Regional Branch 6)	NAFIQAVE D	By end of farming period
		6. Set up service network of inputs/outputs for shrimp farming area	<p>1. <b>Farm records demonstrating only certified feed/drugs used according to GAqP</b></p> <p>2. Enterprises supplying shrimp seeds, feed, veterinary drugs and enterprises purchasing finished shrimp are grouped and guided for implementation of the pilot model in accordance with the contracts to supply and purchase products with <b>shrimp farming area aquaculture</b> management Board.</p>	Input/output suppliers, <b>aquaculture management</b> technical support group, <del>DOFI of Tra Vinh</del>	FLP	During farming period
		7. Technical support and monitoring of implementation	<p>1. <b>Monthly technical reports from meetings and jointly agreed minutes</b></p> <p>2. <b>Farm visit reports from technical group</b></p>	<b>Aquaculture management board,</b> Technical Group	FLP	<b>Every month</b>



No	Outputs	Activities	Assessment Indicators	Human sources	Exp ense s	Tim ing
		8. Year-end evaluation and planning for follow-up years. Review to analyse compliance with legislation and recommendations on amendments /development of legislation	Review report of performance progress against baseline Report on recommended development/changes in legislation submitted to FLP for consideration by Output 1 Recommended actions for follow up Meeting minutes with 80% of pilot model participants attended	FLP, Technical support group, aquaculture farmers management board	FLP	At end of shrimp crop in 2008 and 2009
		10. Planning for replication	Review with farmers, Steering and Technical Group to develop plan for replication, including setting of baseline and targets	FLP, Technical support group, aquaculture farmers management board	FLP	At end of shrimp crop in 2008 and 2009
<b>Objective 2. Improvement of knowledge and capacity for Tiger shrimp farming communities through the enforcement of legal texts and training courses for farmers.</b>						
1	<b>Improveme nt on knowledge and capacity for local</b>	1. Overseas study tours for experience on community link/co-management	At least 6 staff involve the field trips on co-management/establishment of civilized villages and communes	Steering Board members, farming area management Board, Technical Group	FLP	4/07

No	Outputs	Activities	Assessment Indicators	Human sources	Expenses	Timing
	fisheries staff	2. Training on sustainable aquaculture management and skills for organizing co-management	Training conducted for management staff at all levels	Fisheries Law Project NAFIQAVED DOFI of Tra Vinh Technical group	FLP	4/07
		3. Training on measurement methods ; collecting samples, analysis of environmental and disease criteria	Training conducted for technicians and quarantine staff  Record keeping system established for analysis of records collected	NAFIQAVED technical support group	Local budget	4/07
		4. Capacity improvement for local quarantine station	- Provide equipments and chemicals for Duyen Hai quarantine station - 2 staff trained on skills for analysis of anti-biotic residues with ELISA	Technical support group, NAFIQAVED,	Local DOFI expenses	end of 1 <sup>st</sup> crop 2007
2	Improvement in awareness for compliance with Law, internal regulations and sustainable shrimp farming knowledge.	1. Dissemination of Fisheries Law and regulations relating to sustainable shrimp farming (GAqP and safe management documents)  2. In-country field trips to GAP applied farming area	1. At least 2 training courses for 100 shrimp farmers in 3 days (pilot model areas and surrounding areas of Hiep My Tay- Cau Ngang district).  2. Monthly on-site training in GAP conducted for pilot farmers  At least 1 field trip for 30 people to Ca Mau or Ben Tre provinces	Farming area Management Board, DOFI of Tra Vinh, farmers  Representatives of farming area management Board, Technical Group, 30%-50% farmers.	Fisheries Law Project	4/07 - ongoing  beginning of crop

No	Outputs	Activities	Assessment Indicators	Human sources	Expenses	Timing
		3. Review and propose for amendment or supplement of legal documents related	<del>Review to propose for amendment or supplement.</del> <del>Workshop to get comments</del>	Technical support Group, farmers, FLP, Tra Vinh DOF	FLP	By end of year 1 and 2
		4. Quarterly meetings to share experiences	4 Meetings/year with the participation of 80% of pilot model participants	Management Board, Technical support Group, farmers	FLP	Beginning, middle and end of crop s

Objective 3: Experiences on application of the law to shrimp seed collected as a basis for revision and/or formulation of sub-laws

1	Understanding of application of Fisheries Law to shrimp farm production and necessary changes made for revision and/or formulation of laws	1. Annual reviews of progress against baseline and meetings of stakeholders to analyse pilot activities and determine legal change necessary	Annual reports Review and proposals for legal supplements. Meeting minutes to provided comments		FLP	End of year 1 and 2
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Objective 3: Productivity and quality of farmed shrimp in households improved, income improved and community relations improved  
 Achieved when objectives 1 and 2 are well implemented.

## vii) Application of Fisheries Law in shrimp seed production in Binh Thuan

Output results and activities Note – the responsibilities of the steering group and technical group would ideally be defined in logframe

(Logical framework)

No.	Output	Activities	Indicators		Budget	Time
<b>Objective 1. Pilot model established and applied in Binh Thuan</b>						
1	<b>The pilot model is designed and approved</b>	1. Conduct survey to select the locations to be applied with pilot model	1. Brief report on survey results specifying the <b>selection criteria</b> , difficulties that need overcoming regarding infrastructure, control capacity of local authorities and hatcheries (annex 5)  2. List of legal documents relating to shrimp seed production.		FLP	4/06
		2. Set up pilot model proposal	1. Documents on pilot model 2. Commitment of companies participating in the pilot model (annex 7) 3. List of steering board and technical assistance group (annex 8)		FLP	5-9/06
		3. Hold workshop to get comments for finalization of pilot model	1. Workshop to be arranged to get comments contributed by experts and relevant stakeholders  2. Pilot model is finalized and approved		FLP	10/06
2	<b>Infrastructure of hatcheries improved and documents guiding the implementation of</b>	1. Upgrade and deal with difficulties regarding infrastructure of hatcheries	Existing difficulties in infrastructure of hatcheries of 2/4 units selected will be upgraded and improved to meet the requirements of pilot model		2 Companies	9/06 - 1/07

	pilot model compiled	2. Design documents and forms and system for collection and analysis of monitoring data and reporting	<p>1. Internal regulation of hatcheries</p> <p>2. Commitment between the hatcheries and:</p> <ul style="list-style-type: none"> <li>- shrimp brooders supply units</li> <li>- organizations/individuals supplying feed, drugs</li> <li>- organizations/individuals consuming shrimp seed</li> </ul> <p>3. Technical process on shrimp production, better production practices, manuals on tiger shrimp production</p> <p>4. Compile the recording forms used in 19 hatcheries belong to 2 companies.</p> <p>5. Prepare system for collection and analysis of data</p>	FLP	02 -4 /07
		3. Hold workshop to get comments and finalize the documents	<p>1. Workshop to be arranged to get comments contributed by experts and relevant stakeholders.</p> <p>2. The documents are finalized and approved.</p>	FLP	10/07
		4. Establish baseline to assess future effectiveness of pilot model	1. Baseline survey of pre-pilot GAP implementation completed	FLP	10/07

3	<b>Pilot model on the application of fisheries law in the seed production is tested and duplicated</b>	1. Disseminate, provide training courses on Fisheries Law and documents.	[specify number of courses and trainees] of training courses conducted and for technical group, DOFI and quarantine centre staff and hatchery technicians to have knowledge on the legal requirements		FLP	4-12/07
		2. Provide training for technicians in charge of on-site measuring and taking samples	[specify number of courses and trainees] of training courses conducted and for technical group, DOFI and quarantine centre staff and hatchery technicians to have knowledge on the on site sampling and data recording methods			
		3. Carry out regulations provided for in the documents	Reporting forms on the status and solutions of the hatcheries when any incidents occur.		2 Companies	During production
		4. Gather and send samples according to the indicators/targets	Water source, shrimp brooders, shrimp seed, veterinary drugs, chemicals before being produced in the hatcheries applying the pilot model are under controlled.		2 companies	During production
		5. Develop system of certification of hatcheries	Certification system procedures prepared and responsibilities for implementation defined		FLP	Mid-2008

		6. Inspect and grant certificate of approval for qualified hatcheries	<p>1. By mid-2008: two qualified pilot hatcheries will be granted with certificate of approval</p> <p>2. By mid 2009: 10 [to be reviewed, but should include expansion of activities from only two hatcheries pilot hatcheries will be granted with certificate of approval. 100% of shrimp seeds are ensured to meet the standard requirements.</p>		2 comp anies	By end of 2008
		7. Set up the input and output service network for the hatcheries	<p>1. Hatchery records demonstrating only certified feed/drugs used according to GAqP</p> <p>2. Units supplying the shrimp brooders, feed, veterinary drugs and shrimp seed purchasing units met and provided with guidance for providing input supplies according to GAqP.</p> <p>3. Supply Contracts signed with seed production companies.</p>		2 comp anies	During the farming period
		7. Technical support and monitoring of implementation	Monthly technical reports from meetings and jointly agreed minutes o monitoring		FLP	Every month During the farming period
		8. Meeting to draw experiences	Minutes of the meeting to draw experiences		FLP	At the beginning and middle of the farming crop

		9. End of year review to analyse compliance with legislation and amendments/development of legislation	Review report of performance progress against baseline  Report on recommended development/changes in legislation submitted to FLP for consideration by Output 1  Recommended actions for follow up		FLP	By the end of 2 <sup>nd</sup> farming period
		10. Planning for replication	Review with hatchery operators, Steering and Technical Group to develop plan for replication, including setting of baseline and targets		FLP	Mid 2008
		11. Workplan for follow-up	Summary report and workplan for replication in the follow-up year.			Mid 2008
<b>Objective 2. Knowledge and capacity of management agencies; capacity and awareness on law enforcement of hatcheries improved</b>						
1	<b>Knowledge and capacity of local fisheries staff improved</b>	1. Take part in overseas study tour to learn the experiences on BMP <sup>1</sup>	At least 6 staff participate in the study tour to learn the experiences on BMP		FLP, 2 companies	4-12/07
		2. Provide training on hatcheries management (skills on making workplan, organization, monitoring and reporting) and BMP	Managers of NAFIQAVED, Binh Thuan Fisheries Resources Protection Department and technicians of companies		FLP, local authorities	4-12/07
		3. Strengthen the capacity for local quarantine stations	- 2 staff are trained on skills of analysis and diagnosis by PCR  - Prepare the programme on assurance of testing quality service according to ISO 17025		FLP, local authorities	4-12/07  During the farming period

<sup>1</sup> BMP = Better Management Practices. This is an informal term used by FAO/NACA/WWF. Hatcheries have successfully adopted BMPs in the Mekong region of Vietnam, and such hatcheries have been shown to be profitable and produce good quality seed with reduced environmental impact.



2	Awareness of hatcheries' on the compliance with legislation, internal regulation and knowledge on seed production for sustainable aquaculture improved	1. Disseminate Fisheries Law and regulations relating to the documents on sustainable shrimp seed production	At least 2 training courses held for 100 seed producers in Hàm Thuận, Hàm Tân and Phan Thiết in 3 days		FLP	4/07
2. Two companies are given guidance on the investment in the shrimp disease testing lab.		<ul style="list-style-type: none"><li>- Guided in the establishment and arrangement of labs.</li><li>- Guided in the list of facilities and equipment needed.</li><li>- Staff in charge of testing will be trained relating to the testing skills.</li><li>- Guided in establishment of system ensuring the quality of testing results.</li></ul>		FLP	2007	
3. Quarterly meetings to share experiences		Meetings in a year with the participation of 80% of persons joining the pilot model implementation		2 companies	At the beginning and middle of production.	
<del>4. Review, propose the revision and supplement to the relevant documents.</del>		<del>Review and propose the supplement.</del> <del>Meetings to get comments</del>		FLP	<del>End of year 1 and 2</del>	
Objective 3: Experiences on application of the law to shrimp seed collected as a basis for revision and/or formulation of sub-laws						
1	Understanding of application of Fisheries Law to shrimp seed production and necessary changes made for revision and/or formulation of laws	1. Annual reviews of progress against baseline and meetings of stakeholders to analyse pilot activities and determine legal change necessary	Annual reports Review and proposals for legal supplements. Meeting minutes to provided comments		FLP	End of year 1 and 2
Objective 3: Shrimp seed are safe, clean, disease-free, high quality. Environmental pollution reduced in the						

**~~hatcheries and surrounding environment.~~**

~~This objective can be achieved once the objectives 1 and 2 show the good results~~

~~Indicator: measuring cards approving the quality of seeds and non polluted environment~~

### Suggestions for baseline data

#### i) Allocation and lease of marine areas for aquaculture

Some baseline data has already been collected in the preparation of the project document including basic socio economic data. However it is recommended that more detailed data is collected including:

- How many out of the 333 households are poor households, of which are in capture fisheries and in aquaculture;
- Detailed description of how many fishing vessels in terms of size, fisheries undertaken, profitability, access to credit (via local community, suppliers, credit institution), educational background etc.
- Detailed description of households in aquaculture, size (how many large and small farmers), types of farming, how many years in farming, earlier occupation (if any), educational background, profitability, access to credit (via local community, suppliers, credit institution) etc.
- Ideally an EIA should be conducted of the selected area Ang Gia where the pilot model on lease and allocation will be conducted, however if that is not possible (time constraints) as a minimum an environmental screening should be undertaken. Specifically the influence of the anchoring place in vicinity of the designated farming area should be assessed.

The baseline data is expected to be useful also in the process of encouraging poorer households to convert from traditional capture fishery into marine farming.

#### ii) Fishing vessel registration and inspection

Baseline in relation to this pilot model should be decided in the process of revising the Logframe. Advice when in process can be provided by the international consultants if required by the FLP.

#### iii) Fishing port management

A baseline study describing the current state of operation of the 3 pilot model fishing ports in relation to the activities under output 2 of the pilot model project document is recommended. Under activity 2.6 it is advised that the baseline will address:

- Fishing vessel landing facilities, if possible recommend upgrading required to meet national standards
- Fish trading areas including middlemen facilities, if possible recommend upgrading required to meet national standards
- Waste water treatment, if possible recommend upgrading required to meet national standards
- Fish processing facilities, if possible recommend upgrading required to meet national standards
- Other suppliers and companies at the fishing port area, if possible recommend upgrading required meeting national standards.

#### iv) Community-based management in Tiger shrimp farming in Tra Vinh

Baseline data	Notes on methodology
<b>4. Community-based management in tiger shrimp farming in Tra Vinh</b>	
1. Compliance of each shrimp farm with Good Aquaculture Practice	<ul style="list-style-type: none"> <li>Survey should be conducted of each farm using a GAqP checklist to record the pre-pilot compliance with each GAqP requirement. <ul style="list-style-type: none"> <li>GAqP 1</li> <li>GAqP 2</li> <li>etc</li> </ul> </li> <li>The baseline data would also be used to provide technical advice to farmers on improvements.</li> <li>Survey of compliance should be conducted at the end of the crop to measure improvements/changes during implementation of the pilot model.</li> <li>Regular water quality monitoring conducted during the crop should also be analysed to determine environmental improvements associated with GAqP implementation.</li> <li>End of crop assessments should be used to determine reasons and problems associated with non-compliance</li> </ul>
2. Farm production data and economics	<ul style="list-style-type: none"> <li>Pond shrimp yields and economics (costs of inputs, investments in farm infrastructure and farm sales) should be recorded from each pond and farm (where farm contains more than one pond)</li> <li>Baseline data should be used to analyse the cost and benefits of adoption of GAaP</li> </ul>
3. Co-management	<ul style="list-style-type: none"> <li>Qualitative assessment should be conducted by a co-management specialist to determine the pre-pilot extent of community cooperation and relations with government servicing and develop some simple indicators for determining change associated with the co-management pilot.</li> <li>The information and indicators collected during this assessment could be subsequently used at the end of crop to determine any improvements in community cooperation and relations with compliance with GAqP associated with pilot model implementation</li> </ul>

#### v) Application of Fisheries Law in shrimp seed production in Binh Thuan

1. Compliance of each hatchery with Good Aquaculture Practice before starting of pilot model	<ul style="list-style-type: none"> <li>Survey should be conducted of each hatchery using a GAqP checklist to record the pre-pilot compliance with each GAqP requirement. <ul style="list-style-type: none"> <li>GAqP 1</li> <li>GAqP 2</li> <li>etc</li> </ul> </li> <li>The baseline data would also be used to provide</li> </ul>
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	<p>technical advice to hatchery operators on improvements.</p> <ul style="list-style-type: none"> <li>• Survey of compliance should be conducted at the end of each cycle and the farming year to measure improvements/changes during implementation of the pilot model.</li> <li>• Regular water quality monitoring conducted during the crop should also be analysed to determine environmental improvements associated with GAqP implementation.</li> <li>• End of cycle assessments should also determine reasons and problems associated with non-compliance</li> </ul>
2. Hatchery production data and economics	<ul style="list-style-type: none"> <li>• Shrimp hatchery yields and economics (costs of inputs, investments in farm infrastructure and shrimp sales) should be recorded from each hatchery.</li> <li>• Baseline data should be used to analyse the cost and benefits of adoption of GAqP</li> </ul>

Format of checklist for assessing compliance to Good Aquaculture Practice. Compliance should be assessed for each GAqP requirement.

GAqP Requirement	Compliance	Check	Improvements needed
GAqP 1, 2 etc	Fully compliant	√	
	Minor improvements needed	X	Description of improvements needed
	Major improvements needed	X	Description of improvements needed

Example of completed checklist for assessing compliance to one Good Aquaculture Practice requirement in a hatchery.

GAqP Requirement	Compliance	Check	Improvements needed
ii) Separate tanks for broodstock	Fully compliant		
	Minor improvements needed		
	Major improvements needed	√	Shrimp broodstock tanks should be located in closed separate building with disinfectant baths located next to entry/exit door.

## **Suggested strengthening of the technical working groups**

### **Community-based management in tiger shrimp farming in Tra Vinh**

- Good Aquaculture Practices – including good aquaculture management practices and record keeping. This training should be conducted for farmers, members of the aquaculture management group and staff of technical group involved with extension activities. The training should be conducted by a GAP training specialist, with regular (monthly) follow up.
- Frequency of extension visits from selected members of the technical group should be increased. The purpose would be to provide more on-site technical support to the aquaculture management group and farmers.
- Co-management training and awareness raising should be conducted by a specialist for all members of the technical group and aquaculture management group.
- Training should be conducted in a participatory, hands-on way, supported with practical and easy to understand materials.

### **Application of Fisheries Law in shrimp seed production in Binh Thuan**

- Training in ISO laboratory procedures for staff involved with Vinh Tan quarantine station.
- Good Aquaculture Practices training to be conducted by a GAP training specialist with experience in shrimp hatchery management.
- Training should be conducted in a participatory, hands-on way, supported with practical and easy to understand materials.

