



Food and Agriculture
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LEGAL AND POLICY REPORT ON SUSTAINABLE SMALL-SCALE FISHERIES IN THE MALDIVES

Applying the FAO policy and legal diagnostic toolbox
In support of the implementation of the Voluntary
Guidelines for Securing Sustainable Small-Scale Fisheries
in the Context of Food Security and Poverty Eradication

WORKING DOCUMENT



LEGAL REPORT ON SUSTAINABLE SMALL- SCALE FISHERIES IN THE MALDIVES

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Food and Agriculture Organization of the United Nations (FAO)
Bay of Bengal Programme Inter-Governmental Organization (BOBP-IGO)

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Preface

The Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) is an international instrument focusing on the needs of small-scale fisheries. The SSF Guidelines provide an all-inclusive framework for guiding small-scale fisheries governance and development, and are by definition, broad and not action-specific at the national or local level: they provide recommendations on what needs to be done, but not how.

Towards supporting implementation of the SSF Guidelines through NPOA-SSF, FAO has developed an SSF Policy and Legal Diagnostic Toolbox to review national policies and legislation, allowing countries to assess the extent to which their legal and policy frameworks address the key issues outlined in the SSF Guidelines.

The Legal and Policy Report supports the initiation of an NPOA-SSF. It is expected that this will be reviewed and further developed as part of the NPOA-SSF development.

A regional webinar was conducted on 4th June 2025 with the participation of about forty members from the four BOBP countries. FAO experts explained the process of using the Diagnostic Toolbox to analyse each country's legal and policy framework in relation to the SSF Guidelines. Subsequently, BOBP IGO carried out an analysis of the national policies and legislation of the Maldives using the first two tools provided in the Toolbox.

The first draft report was circulated to experts from the country and the FAO team. The document was revised based on the critical inputs received from the subject matter experts from FAO and national experts. The revised draft was discussed during the FAO Regional Capacity Development Workshop on Development of National Plan of Action for Small Scale Fisheries (NPOA-SSF) held in Chennai from 17-19 September 2025, and the feedback obtained from the country's official nominees to the Workshop were incorporated.

The DRAFT Final version was circulated to the Government of Maldives and all the experts and community representatives involved in the process for review and the document was further revised and improved based on the comments received.

This version of the Legal and Policy report will serve as a working document for the National Task Force members as well as reference material for outreach and communication, during the development of the NPOA-SSF and will be subject to revision and adaptation based on continuous feedback and inputs.



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Abbreviations and Acronyms

| | |
|------------|---|
| AFSAP | Agriculture and Fisheries Strategic Action Plan |
| BOBLME SAP | Bay of Bengal Large Marine Ecosystem Strategic Action Programme |
| BOBP-IGO | Bay of Bengal Programme Inter-Governmental Organisation |
| CBD | Convention on Biological Diversity |
| CCRF | Code of Conduct for Responsible Fisheries |
| CEDAW | Convention on the Elimination of All Forms of Discrimination Against Women |
| CITES | Convention on International Trade in Endangered Species of Wild Fauna and Flora |
| CRC | Convention on the Rights of the Child |
| EAF | Ecosystem Approach to Fisheries |
| EEZ | Exclusive Economic Zone |
| EIA | Environmental Impact Assessment |
| EMP | Environmental Monitoring Plan |
| FAO | Food and Agriculture Organization of the United Nations |
| FPIC | Free, Prior and Informed Consent |
| GATT | General Agreement on Tariffs and Trade |
| HRBA | Human Rights-Based Approach |
| ICCPR | International Covenant on Civil and Political Rights |
| ICESCR | International Covenant on Economic, Social and Cultural Rights |
| ILO | International Labour Organization |
| IPLC | Indigenous Peoples and Local Communities |
| MCS | Monitoring, Control and Surveillance |
| MFMRA | Ministry of Fisheries, Marine Resources and Agriculture (Maldives) |
| MMRI | Maldives Marine Research Institute |
| NAP | National Adaptation Plan |
| NBSAP | National Biodiversity Strategy and Action Plan |
| NDMP | National Disaster Management Plan |
| NPOA-IUU | National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing |
| SAP | Strategic Action Plan |
| SSF | Small-Scale Fisheries |
| SSF-LEX | FAO's Legal and Policy database for Small-Scale Fisheries |
| UNCLOS | United Nations Convention on the Law of the Sea |
| UNDROP | United Nations Declaration on the Rights of Peasants |
| UNFCCC | United Nations Framework Convention on Climate Change |
| UNFSA | United Nations Fish Stocks Agreement |
| VGGT | Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests |
| WTO | World Trade Organization |

Executive Summary

Towards supporting implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines), FAO has developed an SSF Policy and Legal Diagnostic Toolbox to review national policies and legislation, allowing countries to assess the extent to which their legal and policy frameworks address the key issues outlined in the SSF Guidelines.

BOBP IGO carried out an analysis of Maldives's national policies and legislation using the three tools provided in the Toolbox. The draft report was circulated to experts from the country and the FAO team and their suggestions were incorporated. The draft was also discussed at the Regional Capacity Development Workshop on Development of National Plan of Action for Small Scale Fisheries (NPOA-SSF) held in Chennai from 17-19 September 2025, and feedback received has been incorporated.

1. Introduction

The Food and Agriculture Organization of the United Nations (FAO) has supported the implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) through various initiatives over the past decade (FAO, 2014; FAO, 2020). One of the key pathways for implementation is the review of national policies and legislation, allowing countries to assess the extent to which their legal and policy frameworks address the key issues outlined in the SSF Guidelines. This process enables the identification of legal and institutional gaps, areas for improvement, and opportunities for incorporating human rights-based and ecosystem-based approaches to fisheries governance. To support this, FAO has developed a range of tools, including the SSF Policy and Legal Diagnostic Toolbox, the SSF-LEX database, and the SSF Legislative Guide, which provide structured guidance to assess, align, and enhance national frameworks in support of sustainable small-scale fisheries. These efforts aim to foster inclusive and coherent governance, ensuring that national instruments reflect the social, economic, cultural, and environmental dimensions of small-scale fisheries.

1.1. Importance of policy and legal framework for Small-Scale Fisheries

A well-developed policy and legal framework is essential for promoting sustainable SSF, as it provides the foundation for recognizing the rights and responsibilities of those engaged in the sector. National policies and laws play a vital role in shaping how fisheries are managed, ensuring that small-scale fishers and their communities are included in decision-making processes, and that their human rights are respected and protected. Legal instruments help define the duties of both public authorities and private actors, support accountability, and provide access to justice in cases of rights violations. By incorporating approaches such as the HRBA and the EAF, policy and legal frameworks can address the complex social, cultural, economic, and environmental dimensions of SSF. Together, they offer clarity on governance responsibilities, foster cross-sectoral coordination, and ensure that SSF issues are integrated across relevant domains, including gender equity, food security, climate resilience, and environmental protection.

1.2. Legal and policy resources to support national implementation of the SSF Guidelines **Standard text already available**

To enhance understanding of the policy and legal environment related to SSF, FAO developed SSF-LEX, an online database that provides structured information on national frameworks supporting the implementation of the SSF Guidelines. This resource is valuable for policymakers, legal experts, and SSF stakeholders, offering country-specific profiles that include data on socioeconomic conditions, legal commitments, institutional setups, and relevant national laws and policies organized by key themes such as tenure, resource management, gender equality, and climate change. Complementing this, the SSF Legislative Guide provides a practical framework for countries seeking to align their legal systems with the SSF Guidelines. It outlines

legislative options such as amending existing laws, introducing new legislation, or enacting detailed regulations, and emphasizes the need for inclusive, rights-based consultations with all SSF actors: particularly women, Indigenous Peoples, and marginalized groups. The Guide also provides examples of legal provisions from different countries and highlights common challenges in legislating for SSF. Used alongside the SSF Policy and Legal Diagnostic Toolbox, it supports thorough assessments of existing national frameworks and offers guidance on structuring new or revised legal instruments that reflect the core principles of the SSF Guidelines.

1.3. The Marine Fisheries Sector in the Maldives

The Maldives archipelago consists of 1192 islands at a maximum natural elevation of 2.4 m. The EEZ is approximately 916,000 km² (only 1% is land). The population as per 2014 census is 344,023. The GDP contribution of the fisheries sector is approx. 6%. There are 17,000 fishers in the country and 533 licenced vessels. The per capita fish consumption is 154 kg per annum. The percentage of marine products in total physical exports by value is 95 and Tuna alone make 91% of total physical exports by value.

With respect to the characteristics of fisheries in Maldives, Yellowfin tuna is caught by Handline, Skipjack tuna by Pole and line, Grouper by Hook and line, Billfish by Trolling, Reef fish by Weighted handline and Sea cucumber is Hand-picked. Maldives has been practising one-by-one fishing for centuries which uses low impact techniques, being highly selective, whilst having minimal bycatch or interaction with sensitive marine habitats when compared to any other commercial tuna fishing technique¹.

Fishery is family and community owned and the processing sector and harvesting sector are separated. Profit is on a shared basis, not salaried.

1.4. Overview of National jurisdictional frameworks for governing Small-Scale Fisheries

The assessed fisheries policies correspond from A1 to A11 in Annexure B: Table 5.1. A1 is Maldives' first national policy framework for the fisheries and agricultural sectors. Chapter 3 provides policy statements for the fisheries sector. A2: Maldives National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (NPOA-IUU) is a sectoral policy document that identify action points to reduce the negative social, economic, and environmental impacts of IUU fishing in the Maldives, and of Maldivian vessels operating outside of Maldives' Exclusive Economic Zone (EEZ) while A3 is the National Plan of Action for the Conservation and Management of Sharks 2015. Apart from these, eight fishery management plans have been prepared (A4-A11). These form the primary basis for guiding the authorities as well as stakeholders in the sustainable management of the fisheries sector in the Maldives. These plans comprise

¹ From "Overview of the Fisheries Sector in the Maldives", presentation made by Dr Hussain Sinan, Director General, Ministry of Fisheries and Ocean Resources at the High-Level Meeting on Policy Guidance for Mainstreaming EAFM in Small-Scale Fisheries, Maldives, 2025

of developmental goals and objectives for each fishery, measures and actions to achieve them, the roles and responsibilities of stakeholder agencies in the implementation of these measures and an implementation timeline for the measures².

From a governance standpoint, fisheries management in the Maldives is nationally centralized, but territorially distributed through a constitutionally guaranteed system of decentralized administration (Decentralization Act, No. 7/2010). The Constitution of the Republic of Maldives (2008) establishes that the State shall protect and promote the sustainable use of natural resources, including marine ecosystems (Article 22), Constitution of the Maldives, 2008). All marine areas—including internal waters, lagoons, the territorial sea (12 nm), and the Exclusive Economic Zone (200 nm)—fall under the jurisdiction of the central government, with legislative and regulatory authority vested in the Parliament (Article 70, Constitution of the Maldives, 2008) and administered through national ministries. However, pursuant to the Decentralization Act, local Island and Atoll Councils are empowered to manage aspects of natural resource governance at the community level, planning, and coordination in consultation with national agencies (Decentralization Act, 2010; Fisheries Act, Art. 15, 2019). These powers have recently been reinforced through regulatory amendments that delegate additional authority to councils, particularly in artisanal licensing and community-based fisheries monitoring. License for fisheries and fisheries related activities are issued by the Ministry of Fisheries and Ocean Resources. Section 36 of the Fisheries Act allows Ministry to make arrangements for easy access to licenses through Island and Atoll Councils. However, license for fisheries and fisheries related activities are currently issued through an online portal (Fisheries Information System or FIS).

The assessed fisheries primary legislations correspond from B1 to B2 in Annexure B: Table 5.1.

The main legislative framework for the development and regulation of maritime fisheries in the Maldives is established by the Fisheries Act (Act No. 14/2019). The Act has significant ramifications for SSF, especially those involved in post-harvest operations, community-based governance, and coastal resource management, even if its primary focus is on maintaining sustainability and controlling fishing activities. Through regulatory standards, fisher welfare requirements, and capacity-building programs, the Act's comprehensive scope can have a direct impact on SSF. These provisions include licensing, ecosystem-based management, monitoring, control, and surveillance (MCS), and stakeholder participation. In order to include SSF interests in decision-making processes, the Act also mandates that management plans for fisheries be created after consulting with user groups and local councils. By facilitating institutional coordination and emphasizing rights-based and precautionary principles, the Act contributes to enhancing access, sustainability, and livelihood opportunities for SSF actors.

² Extracted from the Foreword to Maldives Tuna Fishery Management Plan, 2021.

The "Maritime Zones of Maldives Act" (Act No. 6/96) defines and regulates the maritime areas under the sovereignty and jurisdiction of the Maldives, including internal waters, archipelagic waters, territorial sea, contiguous zone, and exclusive economic zone. It establishes the baselines from which these zones are measured and outlines the rights and responsibilities of the Maldives within these zones.

The assessed fisheries secondary legislations correspond from C1 to C18 in Annexure B in Table 5.1.

The Fisheries Regulation (R-75/2020) corresponding to C1 outlines the distribution of roles and responsibilities among the Ministry of Fisheries and Ocean Resources, island and atoll councils, and other state actors involved in fisheries governance in the Maldives, and provides the institutional basis for coordinated administration of the sector. This regulation is important for SSF in the Maldives because it allows island-level administrative participation under the Decentralization Act and formalizes the processes for gear registration, vessel licensing, and data reporting. Because SSF governance is cross-sectoral and encompasses livelihood development, marine spatial planning, coastal resource sustainability, and fisher safety, the Regulation makes inter-agency coordination possible. The General Fisheries Regulation facilitates the application of the EAF and the SSF Guidelines by defining precise operational responsibilities and enforcement procedures, guaranteeing that the interests of small-scale fishermen are taken into account through coordinated and cohesive national policy initiatives.

In order to promote sustainable fishing methods and safeguard the interests of SSF in the Maldives, Section 27 of the Fisheries Act prohibits the following types of fishing in the maritime zones of Maldives: Purse seine fishing, Gillnet fishing, Trawl net fishing, Fishing using a net with the exception of bait fishing and fishing for personal consumption, and Fishing using an explosive, poison or such other chemical. The Maldives Fisheries (Fishing Vessels) Licensing Regulations require all fishing vessels operating in Maldivian waters to be licensed, with specific regulations concerning vessel registration, license issuance, and compliance with safety and reporting requirements.

1.5. Manual on NPOA-SSF

To support countries in developing their NPOA-SSFs, FAO has developed a manual entitled "Developing and implementing National Plan of Action for Small-Scale Fisheries", which contains four steps to review and identify gaps in small-scale fisheries governance. FAO has also developed 'A policy and legal diagnostic toolbox for sustainable small-scale fisheries' to review governance review and carry out gap analysis for components in the manual, aiming at highlighting the strengths and gaps in a country's national legal and policy framework supporting sustainable small-scale fisheries.

2. Small-Scale Fisheries Policy and Legal Diagnostic Toolbox: Mapping National Instruments to the Small-Scale Fisheries Guidelines

The second edition of the Policy and Legal Diagnostic Toolbox for Sustainable Small-Scale Fisheries (FAO, 2025) served as the primary analytical framework for this report. Specific national policies and legal instruments were systematically reviewed and evaluated using the SSF policy and legal diagnostic toolbox. The toolbox has three tools as illustrated.

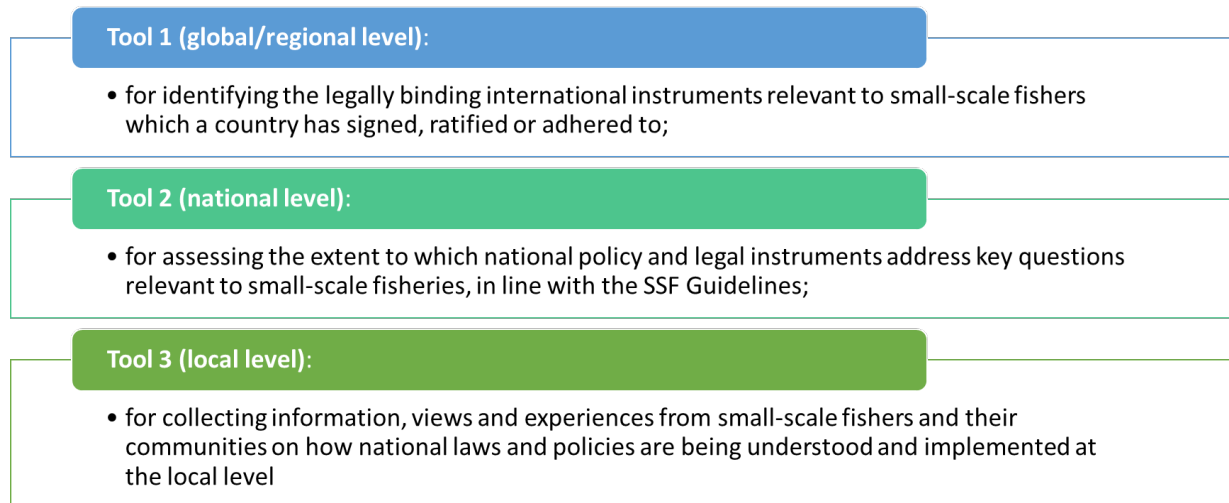


Figure 2.1: The Three Tools of the Diagnostic Toolbox

2.1. Methodology and Scope of the desk-based assessment

Given the holistic nature of small-scale fisheries (SSF) and the variability across national contexts and priorities, assessing the full scope and complexity of SSF presents significant challenges. To address this, a streamlined methodology was used for applying the SSF Legal Checklist to selected national policy and legal instruments, forming the basis of this report. The preliminary desk-based assessment was subsequently validated and refined through expert review during an in-country workshop

2.1.1. Alignment of national Framework with International Legally Binding Relevant to SSF (Tool 1)

Multiple international instruments: both legally binding and non-legally binding, constitute a set of international commitments and soft law standards that are highly relevant for SSF governance. Annexes A and B of the SSF Policy and Legal Diagnostic Toolbox present a non-exhaustive list of key international instruments relevant to SSF using the first tool of the Toolbox. Though the toolbox includes only legally binding instrument, we have included key non-binding instruments related to SSF.

- a) a template table for identifying legally binding international instruments relevant to SSF which a country has signed, ratified or is adhering to (Annex A, Table 1);
- b) a template table for identifying non-binding international instruments relevant to SSF which a country has endorsed (Annex A, Table 2);

The tables also identify related national policy and legal measures that reflect the implementation of the obligations or guidance derived from each instrument.

2.1.2. Assessing key issues of the SSF Guidelines in national fisheries policy and legal instruments (Tool 2)

Tool 2 of the toolbox provides a template questionnaire for assessing key issues of the SSF Guidelines in national fisheries policy and legal instruments. The results of the exercise are presented in **Annex B**. For this, A comprehensive list of specific national policies, primary legislation, and secondary legislation was compiled using information sourced from SSF-LEX, FAOLEX and the country’s official legal and policy databases.

The SSF Guidelines Policy and Legal Questionnaire presents the questionnaire organized around 11 sub-sections as follows; the number of questions under each sub-section is given in the brackets.

- i. Definition (5)
- ii. Objectives (5)
- iii. Principles (3)
- iv. Institutional and administrative arrangements (8)
- v. Tenure and access rights (13)
- vi. Sustainable resource management and conservation (27)
- vii. Social development, employment and decent work (30)
- viii. Value-chains, post-harvest and trade (1)
- ix. Gender equality (6)
- x. Disaster risks and climate change (5)
- xi. Access to justice, enforcement, and accountability (5)

Under each subsection, there are questions that examine to see what extent the points are covered in the legislation with respect to the SSF. The assessment prioritized evaluating SSF legal requirements within national fisheries policies, primary legislation, and secondary legislation. The responses: Yes, no, or partially are used in the analysis to assess the checklist. The final two columns of the SSF Legal Checklist identify: (i) the specific provisions or sections of the legal and policy instruments where the SSF legal requirement was addressed; and (ii) supplementary comments and explanatory notes providing context and justifications, particularly in cases of partial or limited alignment.

2.1.3. Assessing Community Response to the Policy and Legal Implementation Questionnaire for Communities (Tool 3)

Tool 3 of the toolbox provides a template questionnaire to gather information from small-scale fishing communities on how national laws and policies are being understood and implemented at the local level. This is divided into the following subsections, the number of questions under each sub-section is given in the brackets.

- i. Recognition of small-scale fishers (7)
- ii. Institutional and administrative arrangements (8)
- iii. Tenure and access rights (13)
- iv. Sustainable resource management and conservation (10)
- v. Social development, employment and decent work (15)
- vi. Value chains, post-harvest and trade (4)
- vii. Gender equality (5)
- viii. Disaster risks and climate change (6)
- ix. Access to justice, enforcement, and accountability (4)

Information was obtained through discussions with the fishing community and their feedback recorded, consolidated and presented in Annex C.

2.2. Validating the report through experts' consultation and revision by FAO

The document was sent to a set of experts in the country as well as the FAO for comments; feedback was also obtained from participants at the Regional Capacity Development Workshop on Development of National Plan of Action for Small Scale Fisheries (NPOA-SSF) held in Chennai from 17-19 September 2025, which have been were incorporated in this latest version.

3. Analysis

3.1. Tool 1 (Annex A)

Table 1 in Annex A shows that Maldives is a Party to 21 legally binding international instruments relevant to small-scale fisheries (SSF), while it is not a Party to 7 such instruments. It is not a party to C188 Work in Fishing Convention. In the case of other Conventions that it is not a party to, some elements are incorporated in national legislation or the Constitution.

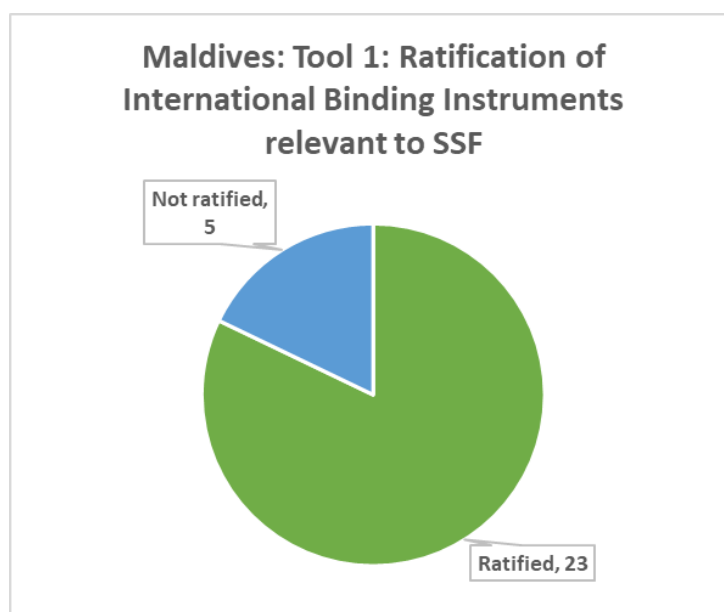


Figure 3.1: Tool 1: Ratification of International Binding Instruments relevant to SSF

Table 2 in Annex A shows that country has implemented components of 12 of the 23 non-binding instruments listed with most of them as part of various programmes. Maldives has endorsed instruments such as the FAO Code of Conduct for Responsible Fisheries, Voluntary Guidelines on Tenure (VGGT), and Sustainable Development Goals (SDGs). These principles are reflected in national frameworks like the National Fisheries and Agricultural Policy 2019-2029.

3.2. Critical Analysis and findings – Tool 2 (Annex B)

This subsection summarizes the main gaps from the desk-based preliminary assessment without prejudice to others that may be identified in a comprehensive analysis of the national policy and legal frameworks at country level.

Of the 102 questions in the Policy and Legal questionnaire, 47 questions were answered with ‘Yes’ meaning the questions are fully or sufficiently addressed in at least in one of the instruments, 44 were marked ‘partially’ meaning the requirement is addressed to some degree but with limitations, and 11 were answered with a ‘No’ meaning the requirement is not addressed in any of the analysed instruments.

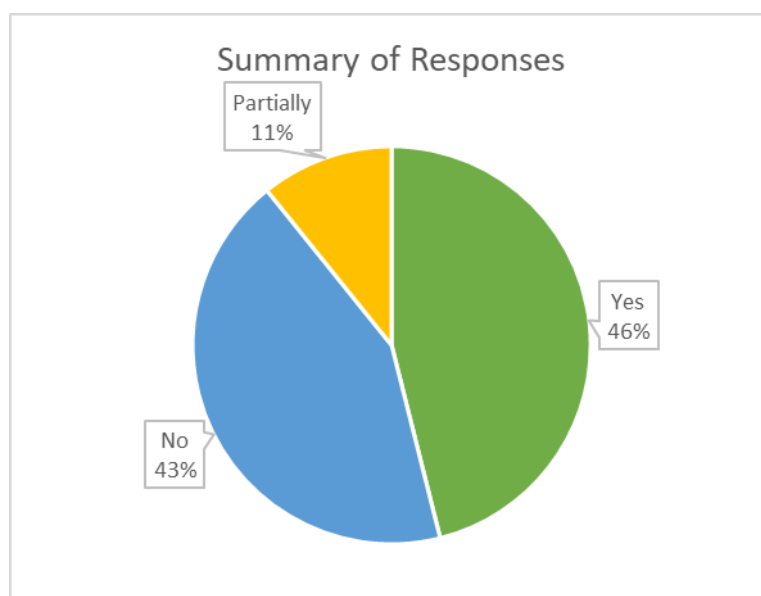
The summary of findings by section is presented in the table.

Table 3.1: Summary of responses (Annex B)

| | | Yes | No | Partially | total |
|---|---|-----|----|-----------|-------|
| 1 | Definitions | 5 | 0 | 0 | 5 |
| 2 | Objectives | 5 | | 0 | 5 |
| 3 | Principles | 2 | 0 | 1 | 3 |
| 4 | Institutional and administrative arrangements | 6 | 2 | 0 | 8 |

| | | Yes | No | Partially | total |
|----|--|-----|----|-----------|-------|
| 5 | Tenure and access rights | 3 | 10 | 0 | 13 |
| 6 | Sustainable resource management and conservation | 11 | 14 | 2 | 27 |
| 7 | Social development, employment and decent work | 8 | 10 | 6 | 24 |
| 8 | Value-chains, post-harvest and trade | 0 | 0 | 1 | 1 |
| 9 | Gender equality | 5 | 0 | 1 | 6 |
| 10 | Disaster risks and climate change | 2 | 3 | 0 | 5 |
| 11 | Access to justice, enforcement, and accountability | 0 | 5 | 0 | 5 |
| | Total | 47 | 44 | 11 | 102 |

The summary of responses is presented in the chart below along with a pictorial indication of the distance to be travelled to achieve aspirational status.



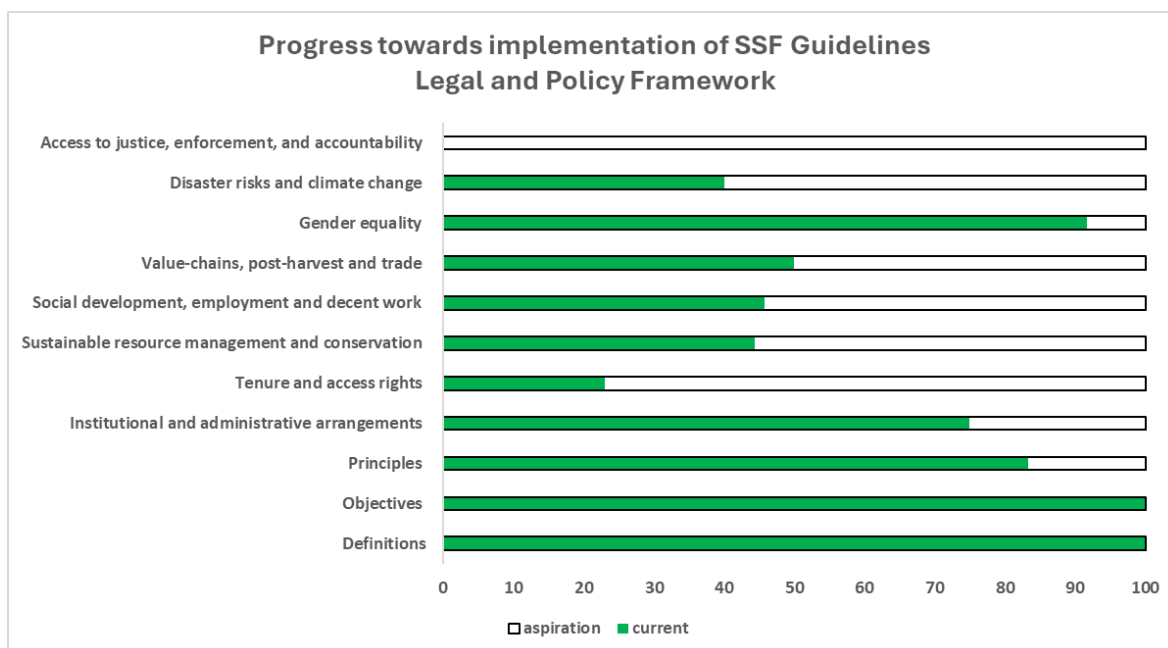


Figure 3.2: Tool 2: Analysis of policy and legal framework to support implementation of the SSF Guidelines

3.2.1. Section-wise analysis

Based on the responses in Annex B, a section-wise summary is given below.

i. Definition

All questions were marked 'yes'. All of Maldives fisheries is considered small-scale.

ii. Objectives

All questions were marked 'yes'.

iii. Principles

The principles in the policy only partially enshrine the HRBA such as community empowerment. Some are supported by the Constitution as well.

iv. Institutional and administrative arrangements

All fisheries in Maldives are considered small-scale and come under the Ministry of Fisheries. Fishers and small-scale processors are included in Fisheries Management Committees. The Ministry of Fisheries has regulatory and executive powers. There is provision for the delegation of responsibility to the local level. The policy and/or legislation does not need to recognize customary or Indigenous institutional arrangements.

v. Tenure and access rights

There is a registry of fishers as per the Maldives Fishery Act, 2019. Registration requirements apply to all. There is no mention of customary tenure. There does not appear to be any provision regarding eviction though EIA are required and adverse impacts on communities accepted but there do not appear to be relocation safeguards.

As Maldives categorises all fisheries as small-scale fisheries, there is no need for designating area specifically for small-scale fisheries. However, when longline fisheries were introduced, government decided that it would only be allowed to operate outside 100nm in the EEZ as it was considered industrial.

vi. Sustainable resource management and conservation

Precautionary principles are explicitly mentioned and ecosystem approach is to be followed in resource management. There does not appear to be any distinct requirement for small vessels though all vessels need registration and larger vessels may require separate maritime registry. Fishing for personal consumption is exempt from licensing. Handline/rod fishing from land for personal use does not require a license. Participatory management is a guiding principle in the fishery management plans for eight identified fisheries where fishers are members of the council.

The law does not explicitly restrict licensing to Maldivian nationals or prohibit migrant residents from applying. However, vessel registration and ownership rules — not detailed in this regulation — may indirectly limit migrant access. Migrants are permitted to work as crew but not clearly granted license eligibility.

Quotas are assigned based on fishery type and not by scale of operation. There are no specific quotas by gender. Effort restrictions (gear limits, seasonal closures, etc.) are applied to specific fisheries or species, not vessel scale. No targeted limits exist for small-scale fishing vessels. The management plans for each of the eight fisheries mention the importance of protecting the traditional way of fishing in Maldives. Fisher participation is required in developing fishery management plans; for example in case of grouper fishery, it is the spawning aggregating sites (=areas) that are protected. Under Fisheries Management Plans, advisory committees are established, which includes members from different authorities including representative from Local Government Authority.

There are no provisions for participation in MPA processes nor any specific provision for SSF in fisheries research nor any obligation to collect disaggregated data. Fishers are not involved in designing or participating in MCS measures which are done by the State agencies. Maldives has an NPOA-IUU which applies to all but fishers do not have an obligation to report.

vii. Social development, employment and decent work

Social protection is for all, not specific to fishers. 2024-R-121 (Fishermen's Registry Regulation) enables Fishermen to apply for and get access to loan facilities and other services.

With regard to savings and credit schemes, recently the Bank of Maldives has entered into a Memorandum of Understanding (MoU) with the Ministry of Fisheries and Ocean Resources to facilitate easy access to finance for fishermen. The agreement was formally signed by the Minister of Fisheries and Ocean Resources, Ahmed Shiyam and BML's CEO & Managing Director Mohamed Shareef. This collaboration will enable fishermen registered on the National Fishermen's Register to access a variety of credit facilities, including personal financing, credit cards, and home loans, based on their income. Under the new arrangement, eligible fishermen can access personal financing up to MVR 300,000 without collateral or equity requirements. For the first time, the repayment schedules will be structured considering seasonal variations in fishing income.

Disability insurance for fishers to ensure social protection is mentioned, but this is limited. There is also a mention to facilitate the implementation of small and medium enterprises as well as their access to advisory services and financial support, including insurance, loan schemes and subsidies in order to enhance commercial activities in the fisheries sector.

With regard to decent work, SDG 8 is mentioned in the policy but is not elaborated. Regarding forced labour and trafficking, national laws prohibit trafficking and forced labour, but are not fisheries-specific. There is no mention of safety at sea/ safety at work in law or policy.

viii. Value-chains, post-harvest and trade

Provisions for special considerations for all fishers in the value chain and trade is there.

ix. Gender equality

The Fishery Act mandates equal participation of both sexes. There are also Gender equality laws at the national level. Impliedly, these laws should be applicable for women in fisheries. But there's no specific provisions for SSF. The Policy refers to positive discrimination with respect to women and promotes the inclusion of disadvantaged groups in fishing communities. While national labour laws provide for maternity leave for women, those self-employed or in the informal sector are not covered. National gender and domestic violence laws apply to all women.

x. Disaster risks and climate change

While the fisheries policy refers to climate change impacts, the climate change policy does not appear to include fisheries though they mention environmental resilience and coastal protection. Fisheries found vulnerable due to climate change but there is no dedicated scheme for SSF linked to climate change or disaster.

xi. Access to justice, enforcement, and accountability

No dedicated legal support or advisory system for fishers and no mention of traditional or alternative dispute resolution. Enforcement is assigned only to state agencies. There is no differentiation of offences based on vessel size or SSF status and penalties apply equally to all vessels.

3.3. Critical Analysis and findings – Tool 3

To be filled

3.3.1. Section-wise analysis

- i. Recognition of small-scale fishers (7)
- ii. Institutional and administrative arrangements (8)
- iii. Tenure and access rights (13)
- iv. Sustainable resource management and conservation (10)
- v. Social development, employment and decent work (15)
- vi. Value chains, post-harvest and trade (4)
- vii. Gender equality (5)
- viii. Disaster risks and climate change (6)
- ix. Access to justice, enforcement, and accountability (4)

4. List of priority areas/gaps

4.1. Outcome from tool 1

Maldives has not yet ratified C188 Work in Fishing Convention and hence those that derive from it or are linked with it.

Among the non-binding instruments, those that deal with safety at sea need to be looked into.

4.2. Outcomes from tool 2

i. Definition

Maldives considers their entire fleet to be traditional and under the SSF falls under the small-scale commercial fisheries category. Thus, there is no need for to define it.

ii. Objectives

iii. Principles

The principles need to include human rights-based approach including various components such as human rights and dignity; respect of cultures; non-discrimination; gender equality and equity; equity and equality; consultation and participation; rule of law; transparency; accountability; economic, social and environmental sustainability; holistic and integrated approaches; social responsibility; and feasibility and social and economic viability

iv. Institutional and administrative arrangements

v. Tenure and access rights

Relocation safeguards and requirements to protect communities from forced eviction (for development activities) needs to be looked at.

vi. Sustainable resource management and conservation

Clarity is needed on the questions regarding migrants in the Maldivian fishery. Also, fisher participation in MCS may be examined.

vii. Social development, employment and decent work

The policy/ legislation would require inputs into decent work and safety at sea as well as safety at the workplace

viii. Value-chains, post-harvest and trade

--.

ix. Gender equality

An important point here is the focus on positive discrimination that promotes the inclusion of women and disadvantaged groups in fisheries.

x. Disaster risks and climate change

Fisheries were found vulnerable due to climate change but there is no dedicated scheme for SSF or fishers linked to climate change or disasters.

xi. Access to justice, enforcement, and accountability

Legal support/ advisory system that focuses on alternate dispute resolution methods could be developed and implemented.

4.3. Outcomes from Tool 3

5. Annexures

5.1. Annex A: Tool 1

Table 1: Legally Binding International Instruments Relevant to SSF

| S. No | Legally binding international instruments relevant to SSF | Status (Signatory / Party / Not a Party) | Related Policy / Legislation | Comments / Explanatory Notes |
|-------|--|--|---|--|
| 1. | 1930 ILO Forced Labour Convention No. 29 | Party | Constitution of Maldives (Art. 25), Employment Act (2/2008) | Maldives ratified C029 in 2013. Forced labour is prohibited by the Constitution. The Employment Act also prohibits coercive or forced employment, applicable in fisheries and other sectors. |
| 2. | 1946 International Convention for the Regulation of Whaling | Not a Party | Marine Protected Areas Regulation (2020), EPPA 1993 | Maldives is not a party. However, all cetaceans (including whales) are protected under national marine conservation laws. Whale shark sanctuaries and marine zones prohibit any hunting or harming of marine mammals. |
| 3. | 1948 ILO Freedom of Association and Protection of the Right to Organize Convention | Party | Constitution (Art. 30), Employment Act, Trade Unions Act | Maldives ratified C087 in 2013. Workers, including those in the fisheries sector, have the legal right to form and join trade unions or associations. The Constitution guarantees freedom of assembly and association. |
| 4. | 1949 ILO Migration for Employment Convention (Revised) No. 97 | Not a Party | Employment Act, Immigration Act (1/2007) | Maldives has not ratified C097. However, the Work permits, and protections for migrant workers are protected under Immigration Act (No. 1/2007) |

| S. No | Legally binding international instruments relevant to SSF | Status (Signatory / Party / Not a Party) | Related Policy / Legislation | Comments / Explanatory Notes |
|-------|--|--|---|---|
| 5. | 1951 ILO Equal Remuneration Convention No.100 | Party | Constitution (Art. 37), Employment Act | Maldives ratified C100 in 2013. Equal pay for equal work is constitutionally mandated. Gender-based wage discrimination is prohibited under the Employment Act, including in fish processing or fish marketing roles. |
| 6. | 1957 ILO Abolition of Forced Labour Convention No. 105 | Party | Constitution (Art. 25), Employment Act | Maldives ratified C105 in 2013. The Constitution prohibits all forms of forced or compulsory labour. These provisions apply across sectors, including SSF-related employment. |
| 7. | 1958 ILO Discrimination (Employment and Occupation) Convention No. 111 | Party | Employment Act, Gender Equality Act (2016) | Ratified in 2013. The Employment Act prohibits workplace discrimination on grounds such as sex, religion, race, or political opinion. Gender Equality Act reinforces this in all sectors including fisheries. |
| 8. | 1965 International Convention on the Elimination of all Forms of Racial Discrimination | Party | Constitution (Art. 17), Human Rights Commission Act (2006) | Maldives ratified ICERD in 1984. The Constitution guarantees equality before the law. The Human Rights Commission monitors non-discrimination across sectors, including access to SSF resources and rights. |
| 9. | 1966 International Covenant on Civil and Political Rights | Party | Constitution (Chapter II), HRCM Act | Maldives acceded to ICCPR in 2006. Civil and political rights — including freedom of association, expression, and fair legal |

| S. No | Legally binding international instruments relevant to SSF | Status (Signatory / Party / Not a Party) | Related Policy / Legislation | Comments / Explanatory Notes |
|-------|--|--|---|---|
| | | | | protection — are protected constitutionally and overseen by the Human Rights Commission. |
| 10. | 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR) | Party | Constitution (Art. 23 & 37), National Development Plan | Ratified in 2006. The Constitution and national policies commit to securing the right to work, education, and adequate standard of living. This includes protections and promotion of livelihoods in SSF communities. |
| 11. | 1971 Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat | Not a Party | EPPA 1993; National Wetland Conservation Policy | Maldives acceded in 2004. Although no site is officially listed under Ramsar yet, the government designates and protects wetlands (e.g., mangroves, coastal lagoons) which are essential habitats for SSF. |
| 12. | 1973 ILO Minimum Age Convention No. 138 | Party | Employment Act (2/2008); Child Rights Protection Act (2019) | Ratified in 2013. Maldives prohibits employment of children under 16, including in fisheries. Hazardous work restrictions apply to minors, ensuring children are not engaged in unsafe SSF-related tasks. |
| 13. | 1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) | Party | EPPA 1993; Fisheries Act; Protected Species List | Maldives joined in 2013. National law prohibits harvesting or trade of protected marine species like turtles and sharks. CITES implementation protects biodiversity relevant to sustainable fisheries. |

| S. No | Legally binding international instruments relevant to SSF | Status (Signatory / Party / Not a Party) | Related Policy / Legislation | Comments / Explanatory Notes |
|-------|--|--|---|--|
| 14. | 1979 Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). | Party | Gender Equality Act (18/2016); Constitution (Art. 17,20) | Acceded in 1993. Laws guarantee gender equality in all sectors. In fisheries, women are ensured equal participation, including in processing, trade, and cooperatives under the Gender Equality Act. |
| 15. | 1982 United Nations Convention on the law of the Sea | Party | Fisheries Act (14/2019); Maritime Zones Act; EPPA 4/1993 | Maldives ratified UNCLOS in 2000. The EEZ is defined under national law. UNCLOS obligations are implemented through fisheries and environment legislation that regulate SSF access and resource conservation. |
| 16. | 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment | Party | Constitution (Art. 54), Penal Code Anti Torture Act (13/2013) | Maldives acceded in 2004. Torture is constitutionally prohibited and criminalized. While not directly related to SSF, it ensures human rights protections for all, including migrant or detained fish workers. |
| 17. | 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families | Not a Party | Employment Act; Immigration Act | Maldives is not a party. However, migrant workers in the fisheries sector are protected by the Employment Act and regulations on recruitment, wages, and housing. Labour inspections apply across sectors. |
| 18. | 1990 Convention on the Rights of the Child (CRC) | Party | Child Rights Protection Act (2019); Employment Act | Ratified in 1991. National laws prohibit child labour and safeguard children's right to education, health, and protection. These apply to SSF communities, preventing child involvement in fishing activities. |

| S. No | Legally binding international instruments relevant to SSF | Status (Signatory / Party / Not a Party) | Related Policy / Legislation | Comments / Explanatory Notes |
|--------------|--|---|--|---|
| 19. | 1992 United Nations Framework Convention on Climate Change (UNFCCC) | Party | Climate Emergency Act (9/2021); National Adaptation Plan | Maldives ratified in 1992. Fisheries are highly climate-vulnerable. The national adaptation strategy promotes climate-resilient livelihoods and marine ecosystem protection, supporting long-term SSF sustainability. |
| 20. | 1992 Convention on Biological Diversity (CBD) | Party | EPPA (4/93); Biodiversity Strategy & Action Plan | Maldives acceded in 1992. CBD objectives are addressed via national biodiversity planning, MPAs, and species protection. These help conserve habitats and stocks vital to SSF and traditional fishing practices. |
| 21. | 1994 WTO General Agreement Tariffs and Trade. | Party | Import-Export Act (31/79); Fisheries Promotion Policies | Maldives joined the WTO in 1995. The GATT framework supports fair trade practices. Maldives promotes tuna exports and eliminates subsidies that distort fishing markets, supporting equitable SSF trade. |
| 22. | 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA). | Party | Fisheries Act (14/2019); Membership in IOTC | Maldives ratified UNFSA in 1998. It governs tuna and other migratory stock management. Maldives complies via regional IOTC rules and domestic licensing, ensuring sustainable SSF tuna harvests. |
| 23. | 1999 ILO Worst Forms of Child Labour Convention No. 182. | Party | Child Rights Protection Act (2019); Penal Code | Maldives ratified in 2013. National laws ban slavery, child trafficking, and hazardous |

| S. No | Legally binding international instruments relevant to SSF | Status (Signatory / Party / Not a Party) | Related Policy / Legislation | Comments / Explanatory Notes |
|-------|--|--|--|---|
| | | | | labour. These apply in SSF to prevent children from engaging in dangerous fishing or processing work. |
| 24. | 2006 Convention on the Rights of Persons with Disabilities | Party | Disability Act (2010); National Disability Policy | Maldives ratified in 2010. The Act ensures accessibility, non-discrimination, and inclusion of persons with disabilities in employment and livelihoods, including fisheries where feasible. |
| 25. | 2006 International Convention for the Protection of All Persons from Enforced Disappearance. | Party | Constitution (Art. 46–48); Penal Code | Enforced disappearance is illegal under domestic law. Rights to liberty and due process are guaranteed for all, including migrant or crew workers in the SSF sector. |
| 26. | 2007 ILO Work in Fishing Convention No. 188. | Not a Party | Employment Act; Fisheries Regulations; Maritime Safety Rules | Maldives has not ratified C188. However, labour rights for fishers are partially covered under national labour law and maritime regulations. Discussions on ratification have occurred but are pending. |
| 27. | 2010 Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization. | Party | EPPA (4/1993); Draft Access and Benefit Sharing Framework | It has a draft policy for equitable access to genetic resources (e.g., marine bioprospecting).. |
| 28. | 2015 Paris Agreement | Party | Climate Emergency Act (9/2021); Updated NDCs (2020) | Maldives ratified the Paris Agreement in 2016. The country's NDCs include targets for fisheries resilience, marine resource |

| S. No | Legally binding international instruments relevant to SSF | Status (Signatory / Party / Not a Party) | Related Policy / Legislation | Comments / Explanatory Notes |
|-------|---|--|------------------------------|--|
| | | | | conservation, and reducing vulnerabilities of SSF to sea-level rise and warming. |

Annex A – Table 2: Non-Binding International Instruments Relevant to SSF

| S. No | International guidance instruments relevant for SSF | Status (Implemented or Not at National Level) | Legal / Policy Basis | Comments / Explanatory Notes |
|-------|--|---|---|---|
| 1. | 1968 Code of Safety for Fishermen and Fishing Vessels (revised). | Not Implemented | — | No formal alignment yet; safety at sea limited to voluntary protocols |
| 2. | 1980 FAO/ILO/IMO Voluntary Guidelines for the Design, Construction and Equipment of Small Fishing Vessels. | Not Implemented | — | Vessel design and construction codes are not harmonized |
| 3. | 1992 UNGA Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. | Implemented | Constitution of Maldives (2008) | Guarantees equal protection for all religious and ethnic communities |
| 4. | 1995 UN Fourth World Conference for Women's Beijing Declaration and Platform for Action (Beijing Declaration). | Implemented | Gender Equality Policy; Fisheries Act (2019) Art. 8 | Promotes gender equity in SSF and beyond |

| S. No | International guidance instruments relevant for SSF | Status (Implemented or Not at National Level) | Legal / Policy Basis | Comments / Explanatory Notes |
|--------------|---|--|--|--|
| 5. | 1995 FAO Code of Conduct for Responsible Fisheries (CCRF). | Implemented | Fisheries Act (2019); Tuna & Reef Fishery Regs | Key foundation for fisheries governance |
| 6. | 1999 UN Declaration on human rights defenders. | Implemented | Constitution of Maldives (2008) | Freedom of association and civic voice recognized |
| 7. | 2002 CBD COP Decision VI/7 Annex Akwe: Kon Voluntary guidelines for the conduct of cultural, environmental and social impact assessments regarding developments proposed to take place on, or which are likely to impact on, sacred sites and on lands and waters traditionally occupied or used by indigenous and local communities. | Not Implemented | — | FPIC and sacred site impact assessments not codified yet |
| 8. | 2004 FAO Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (Right to Food Guidelines). | Implemented | National Strategic Action Plan for Food Security | Integrated through food system resilience planning |
| 9. | 2005 FAO Technical Guidelines for Responsible Fisheries No. 10 “Increasing the Contribution of Small- | Implemented | Fisheries Act; SSF initiatives in MFMRA programs | Enhances livelihoods and access to food for SSF |

| S. No | International guidance instruments relevant for SSF | Status (Implemented or Not at National Level) | Legal / Policy Basis | Comments / Explanatory Notes |
|--------------|---|--|--|--|
| | Scale Fisheries to Poverty Alleviation and Food Security” | | | |
| 10. | 2007 UN Declaration on the Rights of Indigenous Peoples (UNDRIP). | Not implemented | | |
| 11. | 2010 FAO/ILO/IMO Safety Recommendations for Decked Fishing Vessels of Less than 12 Meters in length and Undecked Fishing Vessels. | Not Implemented | — | Currently under review in national maritime safety roadmap |
| 12. | 2010 ILO Guidelines for port State control officers carrying out inspections under the Work in Fishing Convention, 2007 (No.188). | Not Implemented | — | C188 not ratified; no aligned inspection protocol yet |
| 13. | 2011 UN Guiding Principles on Business and Human Rights. | Not implemented | | Work is ongoing with UN support to develop such a framework, suggesting a nascent but developing approach to incorporating the UNGPs into national policy. |
| 14. | 2012 UN Conference on Sustainable Development’ outcome document ‘The Future We Want’ | Implemented | Maldives Strategic Action Plan (SAP) 2019–2023 | Core reference for inclusive and sustainable development |
| 15. | 2012 FAO Voluntary Guidelines on the Responsible Governance of Tenure of | Not implemented | | |

| S. No | International guidance instruments relevant for SSF | Status (Implemented or Not at National Level) | Legal / Policy Basis | Comments / Explanatory Notes |
|--------------|--|--|---|---|
| | Land, Fisheries and Forestry in the Context of National Food Security (VGGT). | | | |
| 16. | 2013 CITES COP Resolution 16.6 (Rev. COP 18) CITES and Livelihoods | Implemented | Marine Species Protection Lists under EPPA (1993) | Protects shark/ray species while considering SSF livelihoods |
| 17. | 2014 FAO Principles for responsible Investment in Agriculture and Food Systems. | Implemented | Blue Economy Strategy (draft); AFSAP | Private investment aligned with social and ecological criteria |
| 18. | 2014 CBD COP Decision XII/5 Annex Chennai Guidance for the Integration of Biodiversity and Poverty Eradication. | Implemented | NBSAP 2016–2025 | Recognizes poverty-biodiversity links in SSF settings |
| 19. | 2015 UN Sustainable Development Agenda and the Sustainable Development Goal (SDG). | Implemented | SDG Implementation Roadmap; SAP 2019–2023 | SSF priorities included under SDG 1, 2, 5, 13, and 14 |
| 20. | 2016 CBD COP Decision XIII/18 Mo'otz Kuxtal Voluntary guidelines for the development of mechanisms, legislation or other appropriate initiatives to ensure the “prior and informed consent”, “free, prior and informed consent” or “approval and involvement”, depending on national | Not implemented | | As of late 2024, the Maldives had not implemented specific legislation or mechanisms to fully enact the 2016 Mo'otz Kuxtal Voluntary Guidelines. While the government has considered drafts for traditional knowledge |

| S. No | International guidance instruments relevant for SSF | Status (Implemented or Not at National Level) | Legal / Policy Basis | Comments / Explanatory Notes |
|--------------|--|--|--|---|
| | circumstances, of Indigenous Peoples and local communities for accessing their knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity, and for reporting and preventing unlawful appropriation of traditional knowledge. | | | protection, the country's legal framework does not yet include a system for prior and informed consent (PIC) that aligns with the guidelines. |
| 21. | 2016 FAO How- to Guide on Legislating for an ecosystem Approach to Fisheries. | Implemented | Fisheries Act (2019); Reef & Tuna Management Plans | Ecosystem Approach to Fisheries embedded in law |
| 22. | 2017 ILO Guidelines of flag State inspection of working and living conditions on board fishing vessels. | Not Implemented | — | |
| 23. | 2018 UN Declaration on the Rights of Peasants and other People Working in Rural Areas (UNDROP) | Not implemented | | |

5.2. Annex B. Tool 2: Policy and Legal Questionnaire – assessment of national instruments

Table 1: List of National Policy and Legal Instruments Assessed in this Report

| Type | Identification | Original Title | Year or Timeframe | Amendments |
|---|----------------|--|-------------------|------------|
| National Fisheries Policy | A1 | National Fisheries and Agricultural Policy 2019-2029 | 2019-2029 | – |
| | A2 | NPOA-IUU | | |
| | A3 | NPOA-Sharks | | |
| | A4 | Maldives Tuna Fishery Management Plan, 2021 | 2021 | |
| | A5 | Maldives Billfish Fishery Management Plan, 2020 | 2020 | |
| | A6 | Maldives Diamondback Squid Fishery Management Plan, 2020 | 2020 | |
| | A7 | Maldives Grouper Fishery Management Plan. | 2020 | |
| | A8 | Maldives Lobster Fishery Management Plan. | 2020 | |
| | A9 | Maldives Marine Aquarium Fishery Management Plan, 2020 | 2020 | |
| | A10 | Maldives Reef Fishery Management Plan | 2020 | |
| | A11 | Maldives Sea Cucumber Fishery Management Plan | 2020 | |
| National Fisheries Primary Legislation | B1 | Fisheries Act of the Maldives (Law No. 14/2019) | 2019 | 2022 |

| Type | Identification | Original Title | Year or Timeframe | Amendments |
|---|----------------|---|-------------------|------------|
| | B2 | Maritime Zones of Maldives Act (Law No. 6/96) | 1996 | - |
| National Fisheries Secondary Legislation | C1 | 2020-R-4 (Regulation on Port State Measures to Prevent, Deter and Eliminate IUU Fishing) | 2020 | - |
| | C2 | 2020/R-75 (General Fisheries Regulation) 1. 2023/R-123 (1st Amendment to General Fisheries Regulation) 2. 2025/R-15 (2nd Amendment to General Fisheries Regulation) | 2020 | 2023, 2025 |
| | C3 | 2020-R-74 (Regulation on Administration of Penalties for Fisheries related Offences) | 2020 | |
| | C4 | 2020-R-91 (Regulation on issuing permits for the establishment of fisheries project) | 2020 | |
| | C5 | 2020-R-92 (Regulation on the General Process of Issuing Licenses and Permits for Fishing, Fishing Related Activities and Aquaculture Activities) | 2020 | |

| Type | Identification | Original Title | Year or Timeframe | Amendments |
|------|----------------|---|-------------------|------------|
| | C6 | 2020-R-93 (Regulation on the Establishment of Floor Prices for Fish Purchase) | 2020 | |
| | C7 | 2020/R-94 (Aquaculture Regulation) 1. 2023/R-141 (1st Amendment to Aquaculture Regulation) 2. 2025/R-35 (2nd Amendment to Aquaculture Regulation) | 2020 | 2023, 2025 |
| | C8 | 2020-R-100 (Regulation on Conduction of Marine Research in the Maldives) | 2020 | |
| | C9 | 2021/R-62 (Billfish Fishery Regulation) | 2021 | |
| | C10 | 2022/R-2 (Grouper Fishery Regulation) | 2022 | |
| | C11 | 2022-R-122 (Licensing Regulation for Foreign Fishing Vessels for Purchase of Tuna) | 2022 | |
| | C12 | 2022-R-123 (Regulation on IUU Fisheries of Foreign Fishing Vessels) | 2022 | |

| Type | Identification | Original Title | Year or Timeframe | Amendments |
|------|----------------|--|-------------------|------------|
| | C13 | 2022/R-139 (Tuna Fishery Regulation) 1. 2022/R-220 (1 st Amendment to Tuna Fishery Regulation) 2. 2024/R-97 (2 nd Amendment to Tuna Fishery Regulation) 3. 2025/R-17 (3 rd Amendment to Tuna Fishery Regulation) | 2022 | 2022, 2024 |
| | C14 | 2023-R-73 (Regulation on Use of Carbon monoxide or Filtered Smoke in Fisheries Products and Export of Such Products) | 2023 | |
| | C15 | 2023-R-82 (Licensing Regulation for Fisheries Activities) | 2023 | |
| | C16 | 2024-R-121 (Fishermen's Registry Regulation) | 2024 | |
| | C17 | 2025/R-3 (Sea Cucumber Fishery Regulation) | 2025 | |
| | C18 | 2025/R-4 (Reef Fish Fishery Regulation) | 2025 | |

Table 2: Response to Questionnaire on Assessment of SSF Policy and Legal instruments

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|----------------------|---|--------------------------|---|--|
| 1. Definition | | | | |
| 1.1. | Is the term small-scale fisheries or related terms defined in the policy and legal framework? | Yes | – | The Fisheries Act defines terms like “fishers,” “fishing,” and “fish processing,” but does not define “small-scale fisheries” or equivalent terms. However, all fisheries in Maldives is considered small-scale and hence no separate definition is required |
| 1.2. | Does the term related to small-scale fisher include women? | Yes | B1: Sec.2(9) Sec.8 | Act mandates equal participation of both sexes. While the Act does not define “small-scale fisher,” it mandates gender equity in fisheries, requiring all actions to support equal participation of both sexes. |
| 1.3. | Does the term related to small-scale fisheries differentiate commercial and subsistence? | Yes | B1: S.4(C) | The Section legally distinguishes subsistence (personal consumption) from regulated (commercial or recreational) fishing. Subsistence is differentiated as it doesn’t have to fall into traceability standards, as its consumed locally rather than commercially traded. |
| 1.4. | Does the term related to small-scale fisheries include reference to the entire value chain (pre-harvesting, harvesting, and post-harvesting)? | Yes | A1 Maldives Fisheries Policy Pillar 2.1 Value Chain Coordination | 1.3 Applicability and Scope states: “In addition, it targets all stakeholders involved in both sectors, at any stage of the value-chain, namely input provision, production, processing, transport, marketing, consumption as well as production and domestic waste management.” |
| 1.5. | Do any of the terms related to small-scale fisheries include Indigenous Peoples? | Yes | – | They consider their fishermen in the local communities’ category in IPLC |
| 2. Objectives | | | | |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|----------------------|---|--------------------------|---|--|
| 2.1. | Do the objectives of the policy and legal framework include reference to small-scale fisheries? | Yes | – | All fisheries in Maldives is small-scale |
| 2.2. | Do the objectives include recognition of SSF to food security and nutrition? | Yes | A1: Section 3.1 - Pillar 2.2. Food Security and Nutrition | Fisheries Policy: Objective 2.2.1. Ensure that the fisheries sector significantly increases its contribution to food security and nutrition. Fisheries in general, not SSF specifically |
| 2.3. | Do the objectives refer to achieve the sustainable utilization and responsible management of fisheries resources? | Yes | A1: Objective 1.1.1 B1: Sec.2(1) Sec.5(a) | Objective 1.1.1. Ensure that stakeholders prioritize activities that are environmentally sustainable for all the fisheries sub-sectors, i.e. reef fisheries, oceanic fisheries, aquaculture, and postharvest (processing). B1: clearly mandates sustainable and responsible resource use. |
| 2.4. | Do the objectives include references to women? | Yes | A1: 2.3.1D B1 : Sec.2(9) Sec.8 | A1 and B1 both emphasize equal participation and inclusion of women. |
| 2.5. | Do the objectives include references to Indigenous Peoples? | Yes | – | They consider their fishermen in the local communities' category in IPLC |
| 3. Principles | | | | |
| 3.1. | Do the principles of the policy and legal framework explicitly refer to small-scale fisheries? | Yes | B1 : Sec.5(h) | The Act requires planners to “take into account the interests of artisanal and subsistence fishers and local communities” These are widely understood to refer to small-scale fishers, as all Maldives fisheries is considered small-scale |
| 3.2. | Does the main fisheries policy include any of the principles of the SSF Guidelines that enshrine | Partially | A1- yes | Pillar 2.3 Community Empowerment |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|--|---|--------------------------|--|--|
| | the human rights-based approach? * | | | |
| 3.3. | Does the main fisheries legislation include any of the principles that enshrine the human rights-based approach?* | Yes | B1: Sec.5 Sec.8 | Also supported by the constitution of Maldives Article 17 -20, Fisheries Act, General Fisheries Regulation and the Regulation on National Fishermen's Registry |
| * For ease of reference: human rights and dignity; respect of cultures; non-discrimination; gender equality and equity; equity and equality; consultation and participation; rule of law; transparency; accountability; economic, social and environmental sustainability; holistic and integrated approaches; social responsibility; and feasibility and social and economic viability. | | | | |
| 4. Institutional and administrative arrangements | | | | |
| 4.1. | Is there a government institution specifically in charge of small-scale fisheries? | Yes | – | All fisheries are considered SSF and are managed by Ministry of Fisheries under B1. |
| 4.2. | Is there representation of small-scale fisheries actors in any national fisheries authority? | Yes | – | Fishermen are represented in Fisheries Management Committees. |
| 4.3. | Is there representation of women any national fisheries authority? | Yes | – | Small-scale fisheries processors are included in Fisheries Management Committees |
| 4.4. | Is there representation of Indigenous Peoples in any national fisheries authority? | Yes | – | They consider their fishermen in the local communities' category in IPLC |
| 4.5. | Is the role of the government institution relevant to small-scale fisheries solely advisory? | No | – | Ministry has regulatory and executive functions. not just advisory. |
| 4.6. | Is the role of the small-scale fishers clearly defined? | Yes | – | Yes, they are described. |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|------------------------------------|--|--------------------------|--|---|
| 4.7. | Does the policy and/or legislation recognize customary or Indigenous institutional arrangements? | No | – | No need in current context |
| 4.8. | Are there provisions for the delegation of authority to the local/community level? | Yes | –Article 15 | |
| 5. Tenure and access rights | | | | |
| 5.1. | Is there a registry for fishers? | Yes | C16: 2024-R-121 (Fishermen’s Registry Regulation) | Fisheries Registry |
| 5.2. | Are there specific requirements for the registration of small-scale fishers? | No | – | It is not required for Subsistence fishermen to be licensed at the moment. All commercial SSF needs to apply to license if its commercially traded. |
| 5.3. | Are there specific requirements for the registration of women? | No | – | No gender-specific registration rules. same process for all. |
| 5.4. | Are there specific requirements for the registration of Indigenous Peoples? | No | – | They consider their fishermen in the local communities’ category in IPLC |
| 5.5. | Is there any exemption from obtaining a fishing license? | Yes | B1: Sec.4 C1 : Art.14 | Fishing for personal consumption is exempt from licensing. Handline/rod fishing from land for personal use does not require a license. |
| 5.6. | Is there any special requirement for small-scale fishers in the application for a fishing license? | No | – | No separate license process for SSF as all are considered SSF |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|-------|--|--------------------------|--------------------------------|--|
| 5.7. | Are there any requirements for preferential access by small-scale fishers to fishery resources? | No | – | No need for legal or policy preference for SSF in resource allocation as all are SSF |
| 5.8. | Does the policy or legislation establish exclusive access for small-scale fishers? | Yes | – | All zones are reserved for local fishing fleet, i.e. SSF |
| 5.9. | Is there any special requirement for small-scale fisher license holder to transfer his/her license? | No | – | No special transfer rules as all are SSF. |
| 5.10. | Does the policy and/or legislation recognize customary tenure rights? | No | – | No need in the local context |
| 5.11. | Does the policy and/or legislation recognize Indigenous tenure rights? | No | – | Indigenous tenure rights not mentioned in laws or policy. |
| 5.12. | Does the environmental policy and/or legislation prohibit forced eviction of small-scale fishers and their communities? | No | – | No provision against eviction of SSF in environment or fisheries law. |
| 5.13. | Does the environmental policy and/or legislation provide clear safeguards (e.g., prior notification in a timely manner, compensatory measures, reparation) for small-scale | No | – | Regulation Number: 2012/R-27: Regulation on the Preparation of Environmental Impact Assessment Report 2012. While impacts on humans are to be included and it is accepted that there may be adverse impacts on communities, there is no concept of dislocation / resettlement. |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|--|--|--------------------------|--|--|
| | fishers and their communities in the case of relocation? | | | |
| 6. Sustainable resource management and conservation | | | | |
| 6.1. | Does the policy and/or legislation provide for the ecosystem approach to fisheries? | Yes | B1: Sec.5(a) | B1: requires ecosystem and precautionary approaches. |
| 6.2. | Is there a requirement for fisheries management to apply the precautionary principle? | Yes | B1: Sec.5(c) | B1: includes explicit requirement for precautionary principle. |
| 6.3. | Is there a register of fishing vessels? If yes, please specify if the vessel is required to register with the fisheries authority, maritime authority or any other applicable authority. | Yes | C1 : Chapter 11 | Larger vessels may separately need maritime registry, but fisheries law explicitly covers fishing vessel registration. |
| 6.4. | Are there any special requirements for registration applicable to small-scale fishing vessels? | No | – | All are considered SSF |
| 6.5. | Does the fisheries legislation exempt subsistence small-scale fishing from certain responsibilities (e.g., registration, payment of licence fees)? | Yes | B1: Sec.4 C1 : Art.14 | Fishing for personal consumption is exempt from licensing. Handline/rod fishing from land for personal use does not require a license. |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|-------|---|--------------------------|--|--|
| 6.6. | Is there a fisheries management scheme in place that reflects co-management? | Yes | A4 to A11 | Participatory management is a guiding principle in the fishery management plans for eight identified fisheries |
| 6.7. | Where there is co-management in place, are roles and responsibilities of small-scale fishers clearly defined? | No | A4-A11 | It is assumed that all fishing in Maldives is SSF. Co-management is not mentioned but participatory management is. Towards participatory management, fishers are part of the Fisheries Management Committee. |
| 6.8. | Is there a requirement to use traditional knowledge in fisheries management? | Yes | A2.3.1E | Facilitate the implementation of a platform through which traditional and new science-based knowledge could be effectively transferred in order to attract and retain youth engagement in the fisheries sector. |
| 6.9. | Do the conditions for granting a fishing license require the applicants to be a national, and not allow for a migrant to apply? | Partially | B1: Art. 36 C1 : Sec.13 | The law does not explicitly restrict licensing to Maldivian nationals or prohibit migrant residents from applying. However, vessel registration and ownership rules — not detailed in this regulation — may indirectly limit migrant access. Migrants are permitted to work as crew but not clearly granted license eligibility. |
| 6.10. | Is there a specific arrangement for establishing quota to small-scale fisheries? | No | – | All are SSF. Quotas (where applicable) are assigned based on fishery type or vessel capacity, not scale of operation. |
| 6.11. | Is there a specific arrangement for establishing quota to women? | No | – | No targeted allocation of fishing rights or quotas based on gender. |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|-------|--|--------------------------|--------------------------------|--|
| 6.12. | Is there a specific arrangement for establishing quota to Indigenous Peoples? | No | – | Fishermen are considered under local communities in IPLC |
| 6.13. | Is there a limit of fishing effort to small-scale fishing vessels? | No | – | Effort restrictions (gear limits, seasonal closures, etc.) are applied to specific fisheries or species, not vessel scale. No targeted limits exist for small-scale fishing vessels. |
| 6.14. | Are there any traditional fishing techniques, methods and ceremonies protected? | Yes | A4-A11 | The management plans for each of the eight fisheries mention the importance of protecting the traditional way of fishing in Maldives (1.2 Overall Purpose) |
| 6.15. | Is there a requirement to ensure participation of small-scale fishers in the process of establishing fisheries management areas? | partially | – | Fisher participation is required in developing fishery management plans; for example in case of grouper fishery, it is the spawning aggregating sites (=areas) that are protected,. |
| 6.16. | Is there a requirement for the fisheries management plans to be published? | Yes | B1: Sec.19(b) | |
| 6.17. | Does the law regulating the process for marine spatial planning allow for the participation of small-scale fishers? | No | – | Marine spatial planning is not covered in fisheries law for SSF. |
| 6.18. | Does the law regulating the process for marine protected areas allow for the participation of small-scale fishers? | Yes | – | It allows participation of all stakeholders including MFOR. Even though there is no special section in the EIA or the Protected Areas Regulation, they are taken into account, as MFOR is part of the stakeholder group. For example, when SAMPA was declared, MFOR was consulted, and all local |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|-------|---|--------------------------|--------------------------------|--|
| | | | | stakeholders including fishermen were consulted as part of the process. https://protectedareas.environment.gov.mv/en/protected-areas/south-ari-marine-park-sampa |
| 6.19. | Does the law regulating the process for aquaculture establishments allow for the participation of small-scale fishers? | No | – | No mandatory participation provisions for SSF nor Particular recognition as stakeholders. |
| 6.20. | Are there any special considerations for small-scale fisheries in the provisions on fisheries research? | No | – | No SSF-specific provisions in research activities. |
| 6.21. | Is there an obligation for the research institution to collect disaggregated data for small-scale fisheries? | No | – | No obligation to collect disaggregated SSF data in law or policy. |
| 6.22. | Do the fisheries policy and/or legislation promote or provide for the involvement of fishers in the design of MCS systems and safety standards? | No | – | No role for fishers in designing MCS systems is mentioned. |
| 6.23. | Do the fisheries policy and/or legislation promote or provide for the involvement of fishers to engage in MCS activities (e.g., | No | – | MCS enforcement is done by state agencies. fishers not involved. |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|--|--|--------------------------|---|--|
| | community observers, inspectors, wardens)? | | | |
| 6.24. | Is there a National Plan of Action (NPOA) to prevent, deter and eliminate illegal, unreported and unregulated (IUU)? | Yes | A2: Maldives NPOA – IUU, 2019 | The Maldives adopted a National Plan of Action to Combat IUU Fishing (2020), aligned with the International Plan of Action (IPOA-IUU). It outlines national strategies, responsibilities, and MCS measures. |
| 6.25. | Where there is an NPOA-IUU, are there any specific provisions on small-scale fisheries? | No | – | NPOA-IUU applies generally. no SSF-specific clauses. |
| 6.26. | Where fisheries legislation contains provisions on Port State measures to prevent, deter and eliminate IUU fishing, or where there is legislation regulating these measures, do they apply to small-scale fisheries? | Yes | B1: Sec.71(p) C1: 2020-R-4 (Regulation on Port State Measures to Prevent, Deter and Eliminate IUU Fishing) | There are measures being taken. |
| 6.27. | Do small-scale fishers have the duty to report on IUU fishing practices? | No | – | Law prohibits participation in IUU fishing but small-scale have no legal duty specified to report IUU. |
| 7. Social development, employment and decent work | | | | |
| 7.1. | Does the social security scheme apply to small-scale fishers and fishworkers? | yes | B1: Article 10 Social protection of fishers | The National Social Protection Agency , Maldives provides for various kinds of social protection, not specific to fishers/ SSF NSPA financial assistance programs: 1. Medical Welfare Program 2. Disability Allowance Program 3. Single Parent Allowance Program |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|-------|---|--------------------------|---|--|
| | | | | 4. Foster Parent Allowance Program 5. Food Assistance Program 6. Social Health Insurance Scheme Also see https://www.social-protection.org/gimi/ShowWiki.action?wiki.wikild=755 |
| 7.2. | Does the savings and credits scheme apply to small-scale fishers and fishworkers? | Yes | Via Bank of Maldives last accessed 25 July 2025 | Bank of Maldives has entered into a Memorandum of Understanding (MoU) with the Ministry of Fisheries and Ocean Resources to facilitate easy access to finance for fishermen. The agreement was formally signed by the Minister of Fisheries and Ocean Resources, Ahmed Shiyam and BML's CEO & Managing Director Mohamed Shareef. This collaboration will enable fishermen registered on the National Fishermen's Register to access a variety of credit facilities, including personal financing, credit cards, and home loans, based on their income. Under the new arrangement, eligible fishermen can access personal financing up to MVR 300,000 without collateral or equity requirements. For the first time, the repayment schedules will be structured considering seasonal variations in fishing income. |
| 7.3. | Does the insurance scheme apply to small-scale fishers and fishworkers? | Partially | B1: Sec.10 | Disability insurance for fishers to ensure social protection is mentioned. Though, not for all fishers, and no specific mentions of SSF and fishworkers. |
| 7.4. | Are any specific subsidies and insurance schemes for small-scale fishers and fishworkers? | Partially | A1: 2.3.1B B1: Sec.10 B1: Sec 43 | A1: 2.3.1.B. Facilitate the implementation of small and medium enterprises as well as their access to advisory services and financial support, including insurance, loan schemes and subsidies in order to enhance commercial activities in the fisheries sector. |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|-------|--|--------------------------|--------------------------------|---|
| | | | | B1: Sec 43 – no subsidy for vessels listed as engaged in IUU |
| 7.5. | Does the fisheries policy promote decent work in fisheries? | Partially | A1 | SDG 8 is mentioned in the policy but is not elaborated |
| 7.6. | Is there specific protection against forced labour, human trafficking, and debt-bondage? | Yes | – | National laws prohibit trafficking and forced labour. not fisheries-specific. |
| 7.7. | Are there specific considerations on the safety of fishers and fishworkers in the fisheries policy and/or law (e.g. awareness campaigns, trainings on search and rescue)? | No | – | There is no mention of safety at sea/ safety at work in law or policy |
| 7.8. | Is there a policy and/or legislation that specifically supports or protects the rights of Indigenous Peoples, which would be applicable to Indigenous Peoples in the small-scale fisheries sector? | No | – | |
| 7.9. | Does the fisheries policy and/or legislation provide for non-discrimination against Indigenous Peoples? | No | – | |
| 7.10. | Is there recognition and protection of traditional | No | – | |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|-------|--|--------------------------|--------------------------------|---|
| | knowledge of Indigenous Peoples? | | | |
| 7.11. | Is there recognition and protection of the rights of Indigenous Peoples to occupy, and manage the resources of, the traditional/ ancestral territories? | No | – | |
| 7.12. | Is the free, prior, informed consent (FPIC) provided in the consultation process affecting Indigenous Peoples? | No | – | |
| 7.13. | Is there a policy and/or legislation that specifically supports or protects the rights of migrants, which would be applicable to migrants in the small-scale fisheries sector? | Partially | – | National laws that protect migrants apply to migrants in all sectors, including fisheries but there is no specific support or protection measures for migrants in fisheries or SSF context. |
| 7.14. | Does the labour or related legislation recognize the same rights to migrant workers as the rights of national workers (e.g. wages, working hours, health and safety standards), which would be applicable to the small-scale fisheries sector? | Partially | – | National laws and the Constitution protects all workers, including migrants, in aspect of wages, working conditions, and safety. But there is no support or protection measures for migrants in fisheries or SSF context. |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|-------|--|--------------------------|--|--|
| 7.15. | Are migrant workers eligible to apply for social security scheme? | Partially | Maldives Retirement Pension Scheme | According to the Maldives Retirement Pension Scheme, Migrant workers may voluntarily enroll in the if they have a valid work permit and remain in the country for the required period. But it is not fisheries or SSF specific. |
| 7.16. | Is there a policy and/or legislation that specifically supports or protects the rights of children and youth, which would be applicable to children and youth in the small-scale fisheries sector (e.g. access to education, decent employment for youth)? | yes | National Education Act 24/2020 | National education law mandates primary schooling; youth employment is regulated generally. |
| 7.17. | Is there a minimum age for working in fisheries? | yes | –Employment Act 2/2008 | General labour law sets minimum working age at 16. Impliedly applies to fisheries. Also ‘Minors under the age of 16 years who participate in the family's line of work on their own accord shall be exempted from this principle.’ |
| 7.18. | Are there any restrictions for children to engage in unsafe work or other activities along the fisheries value chain? | Yes | Employment Act 2/2008 | Maldivian law prohibits the employment of children under 16 and restricts youth from engaging in hazardous work. This applies to all sectors, including fisheries. Children cannot be involved in activities that risk health, safety, or education. |
| 7.19. | Does the fisheries policy provide for any program that address children in fisheries? | Yes | – | No specific programs for children in fisheries policy or laws. But A1 (Fisheries Policy) 3.1.1B: 3.1.1.B. Facilitate the inclusion of fishing activities in the education system, right from childhood as well as the inclusion of training programs and job fairs in the curricular of primary, secondary and university students in order to raise awareness, knowledge and capacities of younger generations towards the fisheries sector. |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|--|--|--------------------------|--------------------------------|---|
| 7.20. | Does the social security scheme include provisions specific to a family-economy or household labour regime? | No | – | Social protection does not address household or family labour explicitly. |
| 7.21 | Are there any considerations for the maintenance of safety equipment and/or the observance of safety standards on board small-scale fishing vessels? | Yes | – | Maritime laws require lifejackets and lights. |
| 7.22. | Does the fisheries policy promote the compliance with sea safety standards for fishing vessels? | No | | No mentions of sea safety compliance provisions specifically, even though general measures are usually followed. |
| 7.23. | Is there a specific policy and/or legislation on safety standards for fishing vessels? | No | – | |
| 7.24. | Is there any mechanism for small-scale fishers to report on accidents or incidents occurred during their activities? | No | – | While they may inform local authorities or Coast Guard in practice, no structured reporting system exists under current legal frameworks. |
| 8. Value-chains, post-harvest and trade | | | | |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|---------------------------|--|--------------------------|--|---|
| 8.1. | Are there any special considerations for small-scale fisheries in the provisions on trade in fisheries and fishery products? | yes | Policy. Pillar 2.1.1A | Strengthen the role of state-owned companies to effectively link-up fishers to the other value-chain stakeholders such as input providers and marketers in order to foster greater productivity and profitability. |
| 9. Gender equality | | | | |
| 9.1. | Is there a policy and/or legislation that specifically supports or protects the rights of women, which would be applicable to women in the small-scale fisheries sector? | yes | B1 : Sec.2(9) Sec.8 | Act mandates equal participation of both sexes. While the Act does not define “small-scale fisher,” it mandates gender equity in fisheries, requiring all actions to support equal participation of both sexes. There are also Gender equality laws at the national level. Impliedly, these laws should be applicable for women in fisheries. But there’s no specific provisions for SSF. |
| 9.2. | Does the fisheries policy and/or legislation provide for gender equality? | Yes | B1 : Sec.2(9) Sec.8 Policy: Gender equality is a guiding principle | Act mandates equal participation of both sexes. While the Act does not define “small-scale fisher,” it mandates gender equity in fisheries, requiring all actions to support equal participation of both sexes. There is also Gender equality laws at the national level. Impliedly, these laws should be applicable for women in fisheries. But there’s no specific provisions for SSF. |
| 9.3. | Does the fisheries policy and/or legislation provide for non-discrimination against women? | yes | B1 : Sec.2(9) Sec.8 | Act mandates equal participation of both sexes. While the Act does not define “small-scale fisher,” it mandates gender equity in fisheries, requiring all actions to support equal participation of both sexes. There is also Gender equality laws at the national level. Impliedly, these laws should be applicable for women in fisheries. But there’s no specific provisions for SSF. |
| 9.4. | Are there any measures or requirements in place which | Yes | Policy: 2.3.1.D. | Policy refers to positive discrimination with respect to women Promotes the inclusion of disadvantaged groups in fishing communities (i.e. women, youth, people living with disabilities) |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|--|---|--------------------------|--------------------------------|--|
| | grant preferential treatment to women? | | | through sensitization, positive discrimination and measures facilitating accessibility in order to increase the participation and contribution of these groups of people in the fisheries sector. |
| 9.5. | Does the labour or related legislation provide for maternity rights (e.g., paid leave, healthcare, safety), which would be applicable to small-scale fisherwomen? | Partially | – | National labour law provides for maternity leave. applicable to all sectors. These apply to all employed women, including in fisheries, if formally employed. However, informal or self-employed fisherwomen are not always covered in practice, especially not in SSF. |
| 9.6. | Are there any measures to prevent and eliminate violence against women? | Yes | – | National gender and domestic violence laws apply. The laws include: The legal framework includes the Domestic Violence Prevention Act (Law no. 3/2012), the Sexual Offences Act (Law no. 17/2014), and the Law on Gender Equality (Law no. 18/2016). But they are universally applicable, not fisheries-specific. https://www.familylegalclinic.org.mv/laws-regulations |
| 10. Disaster risks and climate change | | | | |
| 10.1. | Does the fisheries policy consider climate change in the provisions relating to fisheries management? | yes | A1: Guiding principle | Climate smart approach to be used as a guiding principle |
| 10.2. | Does the climate change policy consider fisheries management? | No | – | Mention environmental resilience and coastal protection, but fisheries are not a central or specifically addressed sector. |
| 10.3. | Does the climate change policy or strategy address small-scale fisheries? | No | – | Mention environmental resilience and coastal protection, but fisheries are not a central or specifically addressed sector. |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|---|---|--------------------------|--------------------------------|--|
| 10.4. | Does the fisheries policy recognize the vulnerabilities of small-scale fisheries to climate change? | yes | AI: page 13 | Fisheries found vulnerable due to climate change |
| 10.5. | Is there an insurance scheme or funds available to support small-scale fishers in the event of climate change or disaster risk? | No | – | No dedicated scheme for SSF linked to climate change or disaster. |
| 11. Access to justice, enforcement, and accountability | | | | |
| 11.1. | Is there a public legal advisor or office to whom/which small-scale fishers can resort to for legal assistance? | No | – | No dedicated legal support or advisory system for SSF. |
| 11.2. | Does the fisheries legislation provide for alternative means for conflict resolution (e.g., mediation, village councils)? | No | – | No mention of traditional or alternative dispute resolution . |
| 11.3. | Does the fisheries legislation provide for community participation in the enforcement of fisheries legislation? | No | – | Assigned enforcement to state agencies only. |
| 11.4. | Does the fisheries legislation differentiate the offences committed by small-scale fishing vessels? | No | – | No differentiation of offences based on vessel size or SSF status. |

| S. No | Question | Yes/ No/ Partially | Legal and / or policy Basis | Comments |
|-------|---|--------------------------|--------------------------------|---|
| 11.5. | Does the fisheries legislation provide for different penalties for small-scale fishing vessels? | No | – | Penalties apply equally to all vessels. no SSF distinction. |

5.3. Annex C. Tool 3: Policy and Legal Implementation Questionnaire for Communities

| S. No | Question | Yes | No | Not Sure | Comments |
|---|--|-----|----|----------|----------|
| 1. Recognition of small-scale fishers | | | | | |
| 1. | In your community, do people generally consider themselves small-scale fishers (whether they fish or a living, for food, or both)? | | | | |
| 2. | Do you think there is a clear understanding in your community about what “small-scale fisheries” means? | | | | |
| 3. | In your experience, is the term “small-scale fisher” used in any laws or policies to support fishers? | | | | |
| 4. | Do you know if the term “small-scale fisher” includes women in your community? | | | | |
| 5. | Are people involved in post-harvest activities (e.g., processing fish, selling fish) recognized as part of the fishing community? | | | | |
| 6. | Do the objectives of the policy and legal framework include reference to small-scale fisheries? | | | | |
| 2. Institutional and administrative arrangements | | | | | |
| 7. | Is there a specific government institution or authority responsible for managing small-scale fisheries in your country or community? | | | | |

| S. No | Question | Yes | No | Not Sure | Comments |
|------------------------------------|---|-----|----|----------|----------|
| 8. | If yes, do you think the government institution is doing enough to address the needs of small-scale fishers? | | | | |
| | Please elaborate your response and give examples: | | | | |
| 9. | Are small-scale fishers represented in any national fisheries authority or institution (e.g., ministry, agency, or commission)? | | | | |
| 10. | Do you think the representation of small-scale fishers in these authorities is effective and allows their voices to be heard in decision-making? | | | | |
| 11. | Are women represented in any national fisheries authority or institution that deals with small-scale fisheries? | | | | |
| 12. | Are Indigenous Peoples represented in any national fisheries authority or institution that deals with small-scale fisheries? | | | | |
| 13. | Are there provisions for delegating authority over small-scale fisheries to the local or community level (e.g. local government, fishing cooperatives, or community-based organizations)? | | | | |
| 14. | Do you think that delegating authority to the local/community level improves the management and sustainability of small-scale fisheries? | | | | |
| 3. Tenure and access rights | | | | | |
| 15. | Are small-scale fishers in your community officially registered in a fishers' registry? | | | | |
| 16. | Is the registration process accessible and affordable? | | | | |
| 17. | Are there special efforts or procedures to assist women register as fishers? | | | | |
| 18. | Are Indigenous Peoples in your community able to register and be recognized in consistency with their customary rights? | | | | |

| S. No | Question | Yes | No | Not Sure | Comments |
|--|--|-----|----|----------|----------|
| 19. | Do small-scale fishing vessels have to register separately or follow different rules from larger vessels? | | | | |
| 20. | Is subsistence fishers exempt from registration or license fees? | | | | |
| 21. | Do small-scale fishers need a license to fish in your area? | | | | |
| 22. | Is the licensing process fair and transparent? | | | | |
| 23. | <p>Are there any groups that face barriers in getting a license? (Select all that apply)</p> <ul style="list-style-type: none"> a. Women b. Indigenous Peoples c. Migrants d. Youth e. Poor/low-income fishers f. None g. Don't know <p>If you checked any group: what type of barriers do they face?</p> | | | | |
| 24. | Do small-scale fishers have special or preferential access to certain fishing areas? | | | | |
| 25. | Are traditional fishing grounds respected and protected from other sectors? (e.g. large-scale fishers, tourism, extractive industries)? | | | | |
| 26. | Are there any cases of forced evictions of fishers or fishing communities in recent years? | | | | |
| 27. | If relocation happened, were proper safeguards (e.g., consultation, compensation) in place? | | | | |
| 4. Sustainable resource management and conservation | | | | | |

| S. No | Question | Yes | No | Not Sure | Comments |
|--|--|-----|----|----------|----------|
| 28. | Is there a co-management system in place where small-scale fishers share decision-making power with the government? | | | | |
| 29. | If co-management exists, are the roles and responsibilities of small-scale fishers clearly defined and respected? | | | | |
| 30. | Do small-scale fishers have a say when fisheries management areas are created? | | | | |
| 31. | Can small-scale fishers participate in planning processes that affect them such as marine protected areas or aquaculture projects? | | | | |
| 32. | Are small-scale fishers involved in designing monitoring, control, and surveillance (MCS) systems? | | | | |
| 33. | Can fishers help with MCS activities, like being community observers or reporting violations? | | | | |
| 34. | Is there a national plan to fight illegal, unreported and unregulated fishing (IUU)? | | | | |
| 35. | Does this plan include small-scale fisheries? | | | | |
| 36. | Do small-scale fishers have a duty or role to report IUU fishing? | | | | |
| 37. | Is the traditional knowledge of the community for example the knowledge of seasons or customary fishing practices used or respected in fisheries management decisions? | | | | |
| 5. Social development, employment and decent work | | | | | |
| 38. | Do fishers and fishworkers in your community have access to any social security schemes? For example, healthcare, pensions or unemployment assistance. | | | | |
| 39. | Are there any savings or credit programs available for small-scale fishers and fishworkers? For example, micro credits. | | | | |

| S. No | Question | Yes | No | Not Sure | Comments |
|-------|--|-----|----|----------|----------|
| 40. | Can fishers get any form of insurance related to fishing? For example, insurance for accidents at sea, vessel insurance or life insurance. | | | | |
| 41. | Do fishers and fishworkers receive any type of subsidies? For example, during closed seasons, or subsidies for fuel. | | | | |
| 42. | Do women involved in pre-harvest, harvest or post-harvest activities receive maternity benefits? | | | | |
| 43. | Do small-scale fishers have decent work conditions? (this means that they work in safe conditions, are not forced to work excessive hours, receive a fair payment) | | | | |
| | If not, what are the main issues? | | | | |
| 44. | Have you heard of any cases of forced labour, human trafficking or debt bondage in your community? | | | | |
| | If yes, please provide details: | | | | |
| 45. | Are there measures in place to improve safety at sea for fishers in your area? For example, safety trainings, provisions of safety equipment or communication devices. | | | | |
| 46. | Are the rights of Indigenous Peoples in your community protected by policies or laws? For example, laws that uphold indigenous traditions and customs or customary rights. | | | | |
| 47. | Are there migrant workers involved in fishing? | | | | |
| 48. | If yes, do they have the same rights and receive the same treatment as local fishers? For example, same pay, decent working conditions, access to services | | | | |

| S. No | Question | Yes | No | Not Sure | Comments |
|--|---|-----|----|----------|----------|
| 49. | Are you aware of any laws, policies and programmes that specifically aim to protect children? For example: laws, policies and programmes that ensure that children can go to school | | | | |
| 50. | Is there a minimum age for someone to start working in fishing in your area? | | | | |
| 51. | Are children in your community prevented from doing any dangerous jobs in fishing? For example: handling heavy fishing gear or going out to sea | | | | |
| 52. | Are you aware if the government have any programmes to support children and young people in your fishing community? For example, training for young fishers, safety training | | | | |
| 6. Value chains, post-harvest and trade | | | | | |
| 53. | Do you have facilities to keep fish fresh or to process fish in your community? | | | | |
| 54. | Is it easy to sell your fish at a fair price locally? | | | | |
| 55. | Is there any cooperatives or associations in your community that help fishers market their catch? | | | | |
| 56. | Has the government or other organizations provided training to improve fish processing or marketing? | | | | |
| 7. Gender equality | | | | | |
| 57. | Are women involved in small-scale fishers in your community? | | | | |
| 58. | If "Yes": in what ways women participate? a. Catching or harvesting fish | | | | |

| S. No | Question | Yes | No | Not Sure | Comments |
|---|---|-----|----|----------|----------|
| | b. Processing fish (cleaning, drying, smoking) c. Selling or trading fish d. Making or repairing fishing gear (nets, traps) Other roles: | | | | |
| 59. | Do women have the same rights and opportunities as men in your community? For example, the right to fish in the same areas, to get licenses or permits, to join cooperatives, and to speak in community meetings. | | | | |
| 60. | Are there any programs or support specifically for women in small-scale fisheries? For example, training for women specifically, credits or grants, leadership programs, or others. | | | | |
| 61. | Do women feel safe and respected when they participate in fishing activities and meetings? Including being free from harassment or violence and having their opinions heard. | | | | |
| 62. | Do women have any leadership roles or representation in local fisheries groups or committees? | | | | |
| 8. Disaster risks and climate change | | | | | |
| 63. | Have you noticed any changes in the climate that affects your fishing? | | | | |
| | If "Yes", what changes have you noticed? For example: rising temperature, shifting seasons, more storms, fewer fish and other species, or new species | | | | |
| 64. | Are you aware of a plan in case of a natural disaster that affects fishing? For example: plan for storms, floods, cyclones including early warnings or evacuation plans. | | | | |
| 65. | Have you received any training, or support to help fishers adapt to climate change impacts? | | | | |

| S. No | Question | Yes | No | Not Sure | Comments |
|--|--|-----|----|----------|----------|
| 66. | Are you aware of any emergency plan or assistance in the case a disaster or extreme weather hits your community? | | | | |
| 67. | Are you aware of any insurance schemes to help fishers recover from losses due to disasters or climate events? | | | | |
| 9. Access to justice, enforcement, and accountability | | | | | |
| 68. | If a fisher has a legal problem or dispute, is there an office they can turn for assistance? For example, legal aid service, ombudsman, national human rights institution, an organization that assist fishers. | | | | |
| | If "Yes" which one? | | | | |
| 69. | Does your community have ways to resolve conflicts or problems related to fishing locally? For example, village elders, community meeting, local dispute resolution/ mediation center | | | | |
| 70. | <p>If someone breaks the fishing rules in your area, what usually happens?</p> <ul style="list-style-type: none"> a. Nothing happens (violations are usually ignored) b. They might get a warning from community officials c. They face penalties, such as fines or have their gear confiscated from national authorities d. It depends on who it is, some people face penalties others not e. Not sure | | | | |
| 71. | Do you feel that small-scale fishers are treated fairly by law enforcement? | | | | |
| | Please give reasons for your answer: | | | | |



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