

## General Assembly of the MIHARI network

Fort-Dauphin, Madagascar – July 2017

### **Motion – Formalization and implementation of dina in natural resource management**

Considering that Madagascar coastal communities depend directly on marine resources,

Considering also that these communities are vulnerable to the decline of these resources, caused by overexploitation, population growth, unsustainable and/or destructive fishing practices, lack of existing management measures, pressure from fishing activities and climate change,

Considering that these problems are worsened by the challenges in terms of good governance, the development of suitable laws and regulations, and the compliance with the laws and regulations in force,

Considering that *dina* can provide answers to these issues as recognized as effective tools for management and self-regulation at the local level by communities,

Stressing the essential role of the public authorities of Madagascar in supporting communities in the preparation and implementation of *dina*, as stipulated in law No. 2001-004 on the general regulation of the *dina* in matters of public security,

Concerned about the difficulties faced by communities to accredit their *dina* (low capacity, need for support to prepare a *dina* in accordance with the law, risk of rejection of files, length of procedures),

Stressing that law No. 2001-004 (chapter 2, section 2) specifies the time required for the various authorities to respond to the approval of *dina* but does not specify the time limits applicable to the courts,

Considering that the *dina* are complementary to the regulatory tools (laws, codes, decrees, orders, etc.) developed and implemented by the public authorities, and that the two types of tools are intended to work together for the benefit of the population,

Welcoming the efforts already made by the competent authorities in dialogue with the concerned communities and the supporting NGOs, particularly at the regulatory level,



**The leaders of the local communities managing marine resources in Madagascar, gathered for the General Assembly within the framework of the National Forum of the MIHARI network from 27 to 31 July 2017 in Fort Dauphin, ask:**

**The Government of Madagascar** (especially the Ministry of Justice, the Ministry of Fisheries and Marine Resources, and the Ministry of the Environment, Ecology and Forestry):

- 1) to facilitate the preparation of the *dina* by supporting the communities throughout the development process in accordance with article 5 of the law No. 2001-004,
- 2) to facilitate the approval of *dina* by enforcing law No. 2001-004 (chapter 2, section 2) on the length of time for the review of applications and to amend the Act by adding a 15-day period for court decisions,
- 3) to facilitate the implementation of the *dina* by appointing officials in charge of natural resource management issues in each court,
- 4) to mobilize the competent authorities to facilitate the adherence to and the implementation of the *dina* (decentralized technical services and regional and local authorities, as well as the police when necessary),
- 5) to strengthen the fight against corruption and abuse of power that affect the efforts to approve and implement *dina*, in accordance with Article 11 of the law No. 2001-004,
- 6) to ensure the protection of those involved in the implementation of the *dina*.

**The donors:**

- 1) to consider the role and importance of *dina* in their projects to support the fishing and natural resource management sectors in Madagascar,
- 2) to allocate one part of the investment to support the capacity of the authorities to strengthen regulatory tools including *dina*, and ensure their effective and transparent implementation,
- 3) to invest in strengthening the capacity of communities to take responsibility and make decisions to manage their resources through regulatory tools including *dina*, and to ensure the effective and transparent implementation of these tools.

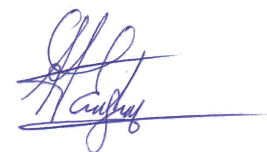


**The supporting NGOs:**

- 1) to administratively and technically assist communities in all *dina* development, monitoring and evaluation processes,
- 2) to give communities the opportunity to learn about good practices in the development and implementation of *dina*,
- 3) to encourage communities to build on their social context in the development of *dina* (traditions, economic and cultural situation),
- 4) to denounce cases of corruption and power abuse that could affect the approval and implementation of the *dina*.

**For their part, the representatives of the local marine resource management communities pledge to work with the *dina* implementation committees (KMD) and all the communities to:**

- 1) apply the *dina* courageously and transparently without corruption and without discrimination of any kind, regardless of family ties, hierarchical level, age, wealth or honorary titles (according to the law No. 2001-004),
- 2) cooperate with all the entities involved in the implementation of the *dina* (according to the law No. 2001-004),
- 3) develop the *dina* collectively considering the public interest, tradition and customs in the community
- 4) apply the *dina* in accordance with the laws in force and human rights,
- 5) widely share this text and advocate for the fight against corruption and abuse of power affecting the efforts for the approval and implementation of *dina*,
- 6) continually strengthen cohesion, respect and collaboration within each community to achieve sustainable development goals for the benefit of all.



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