

Ms. Bryslie Siomara Cifuentes Velasco

Guatemala



Bio-sketch

Ms. Cifuentes Velasco is an attorney at Law and Public Notary who graduated from Rafael Landívar University in Guatemala City in 2006. She has served as a Guatemalan Representative in the regional group created to harmonize the fishery and aquaculture legislation all over Central America. At the present, Ms. Cifuentes Velasco works as a Legal Advisor in the Ministry of Agriculture and Live Stock, primarily in the Fishery and Aquaculture Department. Her duties include, *inter alia*, assisting in the enforcement of laws relating to the exploitation and management of marine resources, advising the Coordinator of the Fishery and Aquaculture Department who makes decisions at the Cabinet level. She handles the administrative and legal proceedings to approve or cancel fishery and aquaculture permits or licenses, to fine individual fishermen, fish farmers or companies who violate the Guatemalan Fishery and Aquaculture Law, and she also analyzes and recommends national and international agreements in which the Guatemalan Fishery and Aquaculture Department has interest. One of the most important duties is to Rule on the interpretation and application of the Guatemalan Fishery and Aquaculture Law and other laws of the fishery and the sea.

Fellowship Host Institutions and Supervisors

1. Melbourne Law School (Prof. Stuart Kaye)
2. The Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs of the United Nations (Dr. François Baillet)

Research Abstract

The Guatemalan Fishery and Aquaculture General Law vs. Other International Laws related to Fishery and Aquaculture

It is not a secret to anyone that some marine resources which are under national or international jurisdiction; are being taken without regulation. In addition, it is a reality that some existing fisheries legislation enforced by developing countries may be in adequate on a number of bases including not taking into account evolving fishing methods, existing laws that are out of date or a failure to legislate at all for particular stocks or areas. This situation makes it tremendously difficult for developing States to sustainably manage their fisheries. Similarly, there is a lack of legislation about aquaculture, which is a growing alternative to fishing. Both problems have an explanation and one of the most significant reasons is the lack of knowledge in some countries and not giving importance to the regulation and management of public domain resources. Just leafing through the Guatemalan Fisheries and Aquaculture General Law, the reader can clearly observe that there are a lot of deficiencies that circumscribe the access to the different fisheries which exist in Guatemalan waters in a way that makes it difficult for the commercial, sport, inshore and scientific fisheries to obtain the support that the state should be giving them to facilitate the correct use of the marine resources. For that reason this research will initially have the objective, to make a comparative analysis of Guatemalan, New Zealand and Australian fisheries legislation, highlighting the differences between each jurisdiction's approach to regulating fisheries and aquaculture. The comparison will determinate the similarities and differences that exist at a national level, while also considering the international obligations that each other of the States might have to consider. Finally, this research will indicate a clear vision to improve, both in regulation and enforcement the Guatemalan Fisheries and Aquaculture General Law. It is hoped this will demonstrate to Guatemalan authorities that there is an urgent need for reform, to allow the development of Guatemalan fisheries and aquaculture in a competitive and sustainable manner.

Fellow Contact Information

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