

SAMUDRA

REPORT

THE TRIANNUAL JOURNAL OF THE INTERNATIONAL COLLECTIVE IN SUPPORT OF FISHWORKERS



UNCSD: Rio+20

Shrimp Aquaculture in Central America

Sovereign Rights of Indigenous Fishers

Access to Fisheries Information

Harmonizing Fishworkers' Rights

The Delhi MPA Workshop



ICSF is an international NGO working on issues that concern fishworkers the world over. It is in status with the Economic and Social Council of the UN and is on ILO's Special List of Non-governmental International Organizations. It also has Liaison Status with FAO.

As a global network of community organizers, teachers, technicians, researchers and scientists, ICSF's activities encompass monitoring and research, exchange and training, campaigns

and action, as well as communications. *SAMUDRA Report* invites contributions and responses. Correspondence should be addressed to Chennai, India.

The opinions and positions expressed in the articles are those of the authors concerned and do not necessarily represent the official views of ICSF.

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An Aboriginal Painting
from Australia

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BACK COVER



A boy in a fishing village
in Ceará, Brazil
Photo : KG Kumar



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KG KUMAR/ICSF

A fishing village in Prainha do Canto Verde, Ceará, Brazil



A Human-rights Approach to Fisheries

The 'green economy' that Rio+20 hopes to focus on cannot afford to ignore a human-rights approach to sustainable fisheries

Twenty years after the 1992 Earth Summit in Rio, the United Nations (UN) is again bringing together governments, international institutions and major groups to Rio in June 2012 for the United Nations Conference on Sustainable Development or Rio+20. This time, the aim is to secure political commitment for sustainable development, assess progress since the Earth Summit, and look ahead 20 years.

Rio+20 will focus on how to build a 'green economy' to achieve sustainable development and poverty alleviation, and how to improve international co-ordination for sustainable development (see page 4). So far, 147 Member States have been inscribed to speak at Rio+20. Of these, 108 are either heads of State or government, making the expected participation higher than the Johannesburg Summit in 2002.

As far as sustainable development of marine fisheries is concerned, since the Earth Summit, there have been four significant global developments worth mentioning: the United Nations Fish Stocks Agreement (UNFSA); the Code of Conduct for Responsible Fisheries (CCRF) of the Food and Agriculture Organization of the United Nations (FAO); the Jakarta Mandate on Marine and Coastal Biodiversity in the context of the Convention on Biological Diversity (CBD); and the International Labour Organization's Work in Fishing Convention, 2007.

There are several international mechanisms building up on the first three developments, whose ramifications range from the global to the national and local levels. While too much attention has been given to the economic and environmental pillars of sustainable fisheries, the social pillar has been neglected. We hope Rio+20 will redress this imbalance. In order to strengthen the social pillar of sustainable development, particularly in fisheries, a human-rights approach is needed.

A human-rights approach towards sustainable fisheries will sufficiently emphasize the social dimension of sustainable fisheries. It will promote the contribution of marine living resources to eliminate malnutrition. It will recognize the importance of sustainable small-scale and artisanal fisheries, and protect the rights of subsistence, small-scale and artisanal men and women fishers and fishworkers to a secure and just livelihood, and ensure preferential access to their traditional fishing grounds and resources.

The human-rights approach will also:

- recognize the rights of small-scale fishworkers, indigenous peoples and local communities to the sustainable utilization and protection of their habitats;
- protect and encourage customary use of biological resources in accordance with traditional cultural practices compatible with conservation or sustainable use;
- ensure sustainable fisheries conservation, management and development, as well as conservation and sustainable use of marine biodiversity, drawing not only on scientific knowledge but also on the traditional fishery knowledge and technologies of fishing communities and indigenous peoples;
- empower traditional as well as producer organizations to undertake concurrent management of fishery resources;
- ensure consultation and effective participation of fishing

communities in the conservation, management and sustainable use of living aquatic resources;

- safeguard the interests of local communities and indigenous peoples in the negotiation and implementation of international agreements on the development or conservation of marine living resources;

- recognize the social-security rights of fishers and their dependents on par with other

workers, respect minimum age for work, recognize the right to safety and health, and the right to protection from work-related sickness or injury of fishers; and

- assure that policies and practices related to the promotion of international trade do not have adverse impacts on the nutritional rights and needs of local peoples.

These elements are already enshrined in Agenda 21, UNFSA, CCRF, the decisions of the Conference of the Parties of CBD, and the ILO Work in Fishing Convention, 2007, but poorly adopted and implemented at the national level. The FAO is also in the process of developing international guidelines on responsible small-scale fisheries, with a significant focus on a human-rights approach to small-scale fisheries.

Rio+20 hopes to generate solutions for sustainable development also by protecting oceans from overfishing, destruction of marine ecosystems and the adverse effects of climate change. All these could well reduce poverty, promote decent jobs and ensure sustainable and fair use of resources amongst fishing communities. But this will occur only if a human-rights approach towards sustainable fisheries is clearly recognized and factored into policies, legislation and reporting obligations of Member States. We hope Rio+20 will heed this lesson. **3**



Green, Blue and True

The following is the input of ICSF to the Compilation Document of the United Nations Conference on Sustainable Development (Rio+20)

1. The International Collective in Support of Fishworkers (ICSF) welcomes the objective of the United Nations Conference on Sustainable Development: Rio+20 to secure renewed political commitment for sustainable development. We welcome its focus on 'green economy in the context of sustainable development and poverty eradication' (GESDPE) and 'institutional framework for sustainable development' (IFSD). We understand GESDPE integrates economic, environmental and social pillars of sustainable development.

2. Expectations for the outcome of Rio+20:

2.1 Rio+20 would uphold the human-rights approach towards sustainable use of fisheries

3. Rio+20 should be seen as an opportunity to strengthen the social pillar of sustainable development. Towards accelerating progress on this front, principles of equity and respect for human rights need to be upheld. The fishery sector needs greater attention from a human-rights perspective, considering the vulnerability of the sector to resource overexploitation, unsafe working conditions and natural disasters. Fishery conservation and management measures that are insensitive to social dimensions can be a threat to sustainable fishery and GESDPE. It is imperative, therefore, to make rights-based approaches to sustainable use of fishery resources consistent with a human-rights approach.

4. Towards establishing greater parity between environmental, economic and social dimensions of sustainable fisheries, Rio+20 should support fishers and fishworkers, including fishery-dependent indigenous peoples, towards fully securing their human rights in relation to the development, use and management of aquatic (inland and marine), riparian and coastal ecosystem goods and services.

5. To improve working conditions and safety of fishing operations, and to provide social security, Rio+20 should call upon States to ratify the ILO Work in Fishing Convention, 2007, which is of direct benefit to fishers on board fishing vessels and to promoting and sustaining decent work in the fishery sector. In addition, Rio+20

Rio+20 should be seen as an opportunity to strengthen the social pillar of sustainable development.

In the context of marine resources, GESDPE, we assume, also recognizes 'blue economy' or sustainable and equitable distribution of ocean resources.

2. ICSF is concerned that since the 1992 United Nations Conference on Environment and Development (UNCED), the dominant model of development has encompassed a very narrow conceptualization of development that has emphasized industrial growth at the expense of the social and environmental components of sustainable development. Similarly, economic values have come to dominate discussions on the green and blue economy, minimizing the importance of social, cultural and spiritual values inherent in the quest for a sustainable and equitable global society.

This document is a submission by ICSF (icsf@icsf.net) to the Compilation Document of the United Nations Conference on Sustainable Development (Rio+20)

should help address existing gaps and bring important provisions of post-Earth Summit international developments like the Convention on Biological Diversity, the United Nations Fish Stocks Agreement, and the FAO Code of Conduct for Responsible Fisheries to benefit fishers and fishworkers, and fishing communities.

2.2 Rio+20 would exert pressure to uphold obligations for fishery governance

6. The environmental and social problems identified by Agenda 21 facing fisheries under national jurisdiction, such as local overfishing, unauthorized incursions by foreign fleets, ecosystem degradation, excessive fleet sizes, insufficiently selective gear, and increasing competition between artisanal and large-scale fishing, and between fishing and other types of activities, continue to remain unresolved in many parts of the world. The share of fully exploited, overexploited, depleted or recovering fish stocks has reached the highest percentage recorded since the mid-1970s. This is in spite of many States ratifying the 1982 United Nations Convention on the Law of the Sea, the 1995 United Nations Fish Stocks Agreement, and adopting legislation and policies that conform to the 1995 FAO Code of Conduct for Responsible Fisheries. Traditional and customary rights of fishing communities and indigenous peoples continue to be threatened. Rio+20 should seek States to honour their legal commitments, especially towards sustainable use of fishery resources.

7. Inadequate commitment to international obligations is most evident as reflected in the state of poor governance of natural resources. Good governance, although recognized as essential for sustainable development, as pointed out by the 2002 Monterrey Consensus of the International Conference on Financing for Development, still remains elusive in many parts of the world, especially in regard to conservation and sustainable use of fishery resources.

8. In the context of the green economy, there should be, in relation to fisheries, a concerted effort to promote capacity and effort-reduction, as well as energy-optimization programmes. In this context, destructive and high external-input fishing methods like bottom trawling should be prohibited in a time-bound manner. While considering the appropriate model relevant to sustainable use of fishery resources, larger fishing vessels may be considered in a fishery only after exhausting the possibility of employing smaller vessels—an approach that may be called “scale subsidiarity”—with due consideration for safety of fishing operations and for the safety and working conditions of fishers on board.

9. Rio+20 should bring greater attention to governance issues at the local, national, regional and international levels. Context-specific governance structures, where governments and communities, fishers, civil society, fishworkers and indigenous groups collaborate for fishery conservation and management, should be promoted. States should financially assist formation of local committees, co-operatives and trade unions, and encourage traditional associations and indigenous councils to actively participate in fishery governance,



Landing of shellfish by coastal fishermen in Akashi, Hyogo Prefecture, Japan. Context-specific governance structures in fisheries should be promoted

towards strengthening the bulwarks of sustainable development.

10. Rio+20 should encourage greater recognition of collective rights in the management of fisheries, such as community-based fishery management regimes. Rio+20 should discourage privatization of fishery resources through quota management and other systems that confer property rights to individuals since this would undermine the social pillar of sustainable development, a key determinant in the success of sustainable

Rio+20 should re-emphasize the importance of small-scale, artisanal fisheries to coastal communities and in promoting sustainable use of fishery resources...

development, especially in multi-species, labour-surplus fishing economies that are fully dependent on fisheries for their livelihood.

11. While supporting protected areas and marine reserves in reversing overfishing pressures, habitat destruction and conservation of biodiversity, it is important to adopt these measures within the framework of sustainable use of living resources that integrates the fundamental principles of environmental justice, social justice and human rights in consultation with the resource users, especially small-scale, artisanal, indigenous and traditional fishing communities.

2.3 Rio+20 would recognize sustainable forms of artisanal and small-scale fisheries

12. In the context of sustainable fisheries, artisanal and small-scale fisheries are more sustainable and equitable, and are recognized as a low-input system. Rio+20 may, therefore, seek States' support to ensure future growth in capture-fishery production originates from enhanced small-scale fisheries that do not harm ecosystem health, respect ecological limits, and ensure an equitable distribution of benefits. In the context of the green and blue

economies, artisanal and small-scale fisheries can make significant contributions to sustainable development, particularly in labour-surplus fishing economies by sustaining livelihoods, quality of life, and culture of coastal and inland fishing communities, and indigenous peoples. Artisanal and small-scale fisheries may also be seen as a vehicle for poverty eradication and food security and for promoting access to resources for women and marginalized groups.

13. Agenda 21, the UN Fish Stocks Agreement and the 1995 FAO Code of Conduct for Responsible Fisheries have recognized the importance of protecting the rights of subsistence, small-scale and artisanal fishers and fishworkers to a secure and just livelihood. Rio+20 should re-emphasize the importance of small-scale, artisanal fisheries to coastal communities and in promoting sustainable use of fishery resources, as recognized in these instruments, albeit overlooked in the Johannesburg Plan of Implementation.

14. It should be ensured that pillars of sustainable development not only draw elements from legal instruments but also from civil society initiatives. In this regard, Rio+20 should draw upon elements of sustainable development from civil society statements, such as the 2008 Bangkok Statement of Civil Society on Small-Scale Fisheries and the "Shared Gender Agenda" emanating from the 2010 ICSF workshop on defining a gender agenda for sustainable life and livelihoods in fishing communities, Mahabalipuram, India.

15. The proposed FAO Voluntary Guidelines on Securing Sustainable Small-scale Fisheries (VG-SSF) should be seen as an opportunity to complement the FAO Code of Conduct for Responsible Fisheries, especially to build bridges between sustainable use of fishery resources and human rights, as enshrined in the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination Against Women, and other relevant

legal instruments. Rio+20 should encourage States to actively participate in the process of developing VG-SSF to benefit small-scale fishworkers and fishing communities.

2.4 Rio+20 would promote nutritional security of the poor

16. Rio+20 should recognize the role small indigenous fish species play in nutritional security in several Asian countries, especially to address micronutrient deficiency in the diet of the poor. In this context, conservation and protection of micronutrient-dense small indigenous fish species in the wild should be promoted. It is also important to recognize and document traditional knowledge in regard to the nutritional and therapeutic use of fish-based traditional food.

2.5 Rio+20 would promote extensive and modified extensive aquaculture

17. In promoting aquaculture production in the context of the GESDPE, herbivorous species in extensive and modified extensive aquaculture systems should be given priority local and domestic food security should be the primary focus of aquaculture development. Particular attention should be given to developing systems that use native species, and prohibiting systems that rely on exotic species.

3. Views on implementation

18. Rio+20 should develop plans of implementation, set targets, develop indicators and establish monitoring mechanisms, *inter alia*, for achieving social goals of sustainable development, especially for sustainable use of natural resources, including fisheries. There should be systematic follow-up post-Rio+20 through special sessions. An independent monitoring body may be set up with representation of indigenous and local communities to ensure that funds committed to realize ocean-related goals of sustainable development are utilized in a socially just manner. Capacity building of traditional, local and national institutions as well as State agencies should be undertaken towards better integrating

economic, environmental and social pillars of sustainable development. Redressal mechanisms may be established in the event of the abuse of the human rights of indigenous and local communities, and other legitimate users of natural resources, during the course of implementing sustainable development programmes. 3

For more



sites.google.com/site/smallscalefisheries/Civil-Society-Workshop

Civil Society Workshop, Bangkok

wifworkshop.icsf.net/

ICSF Gender Workshop, India

uncsd2012.org/rio20/compdocument.html

Compilation Document

uncsd2012.org/rio20/futurewewant.html

The Future We Want - Zero Draft of the Outcome Document

uncsd2012.org/rio20/comp_mgs.html

Compilation Document - Submissions

fao.org/rio20/en/

FAO @ Rio 20

Conflicts and Justice

The conflicts arising from shrimp aquaculture in central America can be usefully analyzed from the perspective of environmental justice

Governments in many countries have promoted the shrimp aquaculture industry, through development agencies and international financial institutions, as a vehicle for developing impoverished regions. This is the case in the Gulf of Fonseca region of Nicaragua and Honduras (on the Pacific Coast), one of the most densely populated areas in Central America and, at the same time, one of the poorest, whose economy, to a large extent, directly depends on artisanal fishing, specifically, the harvesting of shellfish.

Nicaragua, respectively, in 2008, with increases in total production of more than 200 per cent in both countries over the last 10 years (1998-2008). Most of the production is destined for export, mainly for the United States (US) and European markets. Thus, where estuaries and natural lagoons used to be, large ponds for producing shrimp have sprung up; in Nicaragua, the surface area under production expanded from 771 ha in 1989 to 10,396 ha in 2009, and in Honduras from 750 ha in 1985 to 14,954 ha in 2000.

Who was behind this impressive expansion? On the investment side, international financial institutions such as the World Bank's International Finance Corporation, injected capital in the first years of activity. In the field of commerce, the export of shrimp to Europe was initially promoted by the Generalized System of Preferences+ (GSP+), which was replaced from 2012 by the Association Agreement between Central America and the European Union (EU), and to the US by the Dominican Republic-Central America Free Trade Agreement (DR-CAFTA), agreements which levy a zero tariff for the export of shrimp. Central American countries also make available a series of mechanisms to promote external investment, such as tax concessions, foreign-investment guarantees, and export incentives. For instance, the Spanish company Pescanova operates in tax-free zones in both Nicaragua and Honduras.

The demands of the shrimp export market have favoured an ever-more intensive and technologically based production.

The negative environmental impacts caused by the promotion of this industry as a mechanism for development are well-studied and widely questioned. However, there are few references about its serious social impacts, such as the growing socio-environmental conflicts which are often generated between coastal communities and actors in the aquaculture industry.

Industrial aquaculture activities began in Honduras at the start of the 1970s and in Nicaragua in the second half of the 1980s, with small-scale projects. But what began with small experimental trials have grown markedly, and, according to data from the Food and Agriculture Organization of the United Nations (FAO), reached a total production of 26,584 tonnes and 14,690 tonnes in Honduras and

Intensive production

The demands of the shrimp export market (high production, compliance with product standards, etc.) have

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favoured an ever-more intensive and technologically based production model, involving high investment costs at both start-up and production levels. These demands have closed the sector to small community-based shrimp-farming organizations, which, especially in Nicaragua, used to have an important presence when this activity was starting. Thus, small co-operatives have been progressively absorbed by large transnational companies. Spanish companies like Pescanova and Jaime Soriano (Dagustín) are among the leaders in the sector. Pescanova is particularly prominent, accounting for 58 per cent of the total production area in Nicaragua in 2008. Beyond these areas under concession in both countries, this concentration is replicated along the whole product chain. The chain is thus characterized by a strong vertical integration where a few integrated companies control the whole production process (larval hatchery production, feeding, processing plants and distribution in the global market), which hinders the emergence of alternatives for artisanal producers.

In reality, what was supposed to be a source of wealth for the regional economy has ended up disempowering local fishing communities *vis-à-vis* the use of natural resources, whilst generating serious social conflicts.

The industrial sites are located in areas populated by very poor communities reliant on communal use of coastal resources. The principal response of the shrimp industry to the theft of their product is to take armed surveillance measures, both private and stataal, as has been happening in Nicaragua where, since 2008, there has been an agreement between the Association of Aquaculturalists of Nicaragua and the army and navy. The implementation of this has made access to coastal resources more difficult, generating conflict situations and, at the same time, impoverishing the population even more, fermenting marginalization and thereby creating greater incentives for theft.

According to various sources, successive conflicts between the

security forces guarding aquaculture farms and local fishermen have caused 12 deaths in Honduras over the past years, and at least one death in Nicaragua, with injuries reported from both countries, causing disabilities in some cases. There have also been documented cases of irregular detentions following miscarriage of justice and accusations which people from fishing communities believe to be false (theft, criminal association, illegal occupation of lands, threats to industry, etc.). Equally, fishermen have reported cases where navigation to their fishing grounds through the estuarine channels has been restricted, and cases of detentions and harassment at sea, and harassment in the form of constant demands for documentation to be shown. In Honduras, people engaged in campaigns resisting the expansion of the shrimp industry into protected areas have also been detained.

Attempts to mitigate this conflict through improving the way security is managed are too superficial to deal with the underlying problems with the development of the aquaculture model in the region; they allow no scope for creative processes to facilitate improved development of the zone. In order to construct possible alternatives to reduce social conflict, alongside an improving environment and quality of life in the region, we shall now provide an analysis based on environmental justice, which will offer a series of alternative proposals.

If we analyze the entirety of public policies promoting this production model from an environmental-justice-based perspective, as defined by David Scholsberg, then four dimensions must be taken into consideration. Comparing the current situation with a desirable objective, it becomes clear

MARIA MESTRE MONTSERRAT



A guard in a shrimp farm in Gulf of Fonseca, Honduras. Central American farmers are quick to protect their property

Dimensions of Environmental Justice	Main Problems Detected
<p>Distributive environmental justice</p> <p><i>Are access to coastal resources and their benefits fairly distributed between transnational aquaculture companies and local communities?</i></p>	<ul style="list-style-type: none"> • Small-scale fishermen have seen their access to the coast impeded or blocked altogether due to the expansion of aquaculture. • Local communities have lost their rights to exploit fishing grounds. Large companies swallow up small co-operatives. • Local communities have difficulties securing the capital required to intensify production along export-oriented lines (use of machinery, use of hatchery-produced larvae, much more expensive than wild ones, etc.). • No product distribution or trade channels exist other than for export, as all are controlled by an oligopoly of large companies.
<p><i>Who suffers from the negative repercussions of this use of resources?</i></p>	<ul style="list-style-type: none"> • There are numerous cases where fishery resources have been directly negatively affected by pollution and physical degradation of estuaries.
<p>Environmental justice and the recognition of all stakeholders</p> <p><i>Are shrimp production co-operatives and small-scale fishermen recognized as equal partners in policy decision-making processes? Are they compensated when industrial shrimping impacts negatively on them?</i></p>	<ul style="list-style-type: none"> • At State and regional levels in Central America, there is no representation, either for associations of shrimp production co-operatives or for small-scale fishermen, unlike industrial aquaculturalists who enjoy a strong presence. • Representative structures are weak due to the lack of training for local associations. • Local communities are not recognized as injured parties by industrial fish farming (very limited corporate social responsibility and links to companies' own interests, etc.)
<p>Environmental justice and decision-making processes</p> <p><i>Do local stakeholders have a real chance of participating in the public decisions affecting them?</i></p>	<ul style="list-style-type: none"> • The associations of shrimp production co-operatives and small-scale fishermen do not participate in agreements on good practices in shrimp farming, in drawing up codes of conduct, etc. • Local associations do not possess sufficient organizational capacity to be able to participate.
<p>Environmental justice and lack of access to resources</p> <p><i>Does industrial aquaculture limit free access to resources, thereby cutting off local populations from their sources of livelihood?</i></p>	<ul style="list-style-type: none"> • Fishermen are prevented from accessing their main food source due to the barriers created by the operations of industrial aquaculture. • There have been numerous disputes and accusations between local communities and the industry, which have generated various clashes, giving rise to violations of human rights (deaths of small-scale fishermen, aggression, harassment, etc.).

that behind all these conflicts lurks the failure of specific policies as tools for development. The table details the main problems that may be detected using the four dimensions of environmental justice.

These results clearly show that any solution to socioeconomic conflicts in the region must go way

beyond those based on security policies. Rather, finding a solution to these social problems requires the development of a package of alternative policies to this model, or of policies for managing those conflicts already generated.

Some examples of the measures to be implemented include:

1. There must be a review of the function of aquaculture, adapting the current production model to the socio-environmental capacities and features of the region.

This means that the models of aquaculture that are being promoted must be reviewed and an appropriate differentiation made between the diverse farming systems (artisanal, extensive, semi-intensive and intensive).

It is also necessary to re-evaluate the role of small-scale fisheries. There must be preference given to those methods of exploitation that result in a better distribution of wealth in the region, a better distribution of net social benefits and a lower impact on the environment.

Such a policy review requires an integrated, rather than a merely sectoral, approach with regard to, among other things, land-use management (guaranteeing fair access to natural resources), criteria for allocating user rights, development policies, policies that support productive activity at the national level, and negotiation processes for international trade agreements.

Equally, there needs to be a more rigorous application of such environmental and labour legislation as already exists.

2. Processing and marketing chains for artisanal fishery products must be created and strengthened.

A better redistribution of wealth in the region requires alternative chains to the current ones (which are mainly centred on export and controlled by a few, large-scale stakeholders). This shift from conventional to new processing and distribution chains requires an initial support phase on the part of the public administration, and must take into account difficulties likely to arise in reversing already existing links between small producers, large distributors and brokers, especially in the financial field.

3. Associations of fishermen and small aquaculture producers must be strengthened, and their

participatory decision-making processes enhanced.

If we want development of the region to be improved, it is necessary for the interests of small-scale producers and fishermen to be vigorously defended as quickly as possible. This requires significant improvements in their political articulation and greater independence in the way they represent themselves to institutions. Integrating interests between small producers is not an easy process and requires resources and an initial boost, which must be provided by diverse organizations: administration, non-governmental organizations (NGOs), and so on. In parallel to the creation of these self-representational structures, there must also be improvements implemented in the systems that allow participation of these entities in decision-making processes, especially when these take place at State and international levels.

4. Policies must be implemented that are aimed at resolving specific conflicts between fishery and aquaculture uses.

It is necessary to incorporate significant improvements in the planning of land use, ensuring equitable access to marine resources and available lands, and to establish mediation channels to deal with the conflicts that arise. This proposal should be understood as a mechanism to allow the emergence of the right conditions to provide a comprehensive review of the development model in the region. It is not a solution in itself to socio-environmental conflicts, for the measures described will only ease conflicts without solving the structural faults which cause them, and cannot, therefore, contribute significantly in the medium and long term to their disappearance.

But the main question arising is: Even with evidence of failure, do the national and international organizations responsible for developing policies in the zone have the will or the capacity to adopt a development strategy that will halt the machinery of this destructive model of shrimp production? 

For more 

ecologistasenaccion.org/article22438.html#outil_sommaire_0

Stop Trade in Blood-stained Prawns

www.lulu.com/spotlight/Fundacio_ENT
Shrimp Aquaculture in Central America

naturskyddsforeningen.se/in-english/marine-ecosystems-and-fisheries/organic-shrimp-farming/

Organic Shrimp Farming in Ecuador

fao.org/docrep/014/i2142b/i2142b.pdf
Regional Review on Status and Trends in Aquaculture

All Together

The experience of Canada's Maritime Fishermen's Union (MFU) highlights the value of a community-based approach to fisheries management

In 2004, the Maritime Fishermen's Union (MFU) owner-operator fleet, based on the Acadian coast of New Brunswick in Atlantic Canada, decided to go against the grain and venture into new, unchartered territories. The MFU fleet consisted of nearly 1,200 multi-species (lobster, herring, snow crab, mackerel, etc.) small-boat (45 feet and under in size) operators, working in mostly inshore waters and living in small, isolated rural communities often ignored by governments. Their plight had greatly improved since the establishment of a formal organization

openness to corporate control of fisheries. Thanks to strong political lobbying, led by MFU and other fishing organizations in Atlantic Canada, and thanks also to the then Fisheries Minister, Roméo Leblanc, (whose own Acadian heritage was a timely asset), that push for a 'corporate takeover' was aggressively countered, and by 2004, the fishing policy had been reversed, at least for eastern Canada.

In 2004, a fierce debate on the Atlantic Fisheries Policy Review (AFPR) led to a policy framework for the management of fisheries on Canada's Atlantic Coast, which was considered a crucial building block for small-scale fisheries in the country. The centerpiece of that strategy was an extremely valuable recognition of the fact that a fish harvester ought to be the sole owner and operator of a fishing enterprise, and that such owner-operators should remain independent of other fisheries sectors (thereby leading to the owner-operator and fleet-separation policy). That policy ensured continued benefits for a very large number of harvester-families and their communities, in contrast to the machinations of a rental fisheries owned by a few corporations.

Controlling agreements

This new approach was a huge success for fishing organizations and set the foundations for what followed. It was also reinforced years later, in 2007, by the then Fisheries Minister, Loyola Hearn, who introduced serious economic consequences for those having attempted to circumvent the AFPR. The 2007 decision gave teeth to the owner-operator and fleet-

...in spite of progress, the bottomline incomes for fishing captains still remain very low...

in 1977, through a variety of actions that have had great impact. These actions included battles for a fair share of resource quotas for smaller inshore fleets vs larger industrial fleets, for long-term sustainability of resources (and income for the next generation) and in the form of government lobbying for basic social-safety nets. Nonetheless, in spite of progress, the bottomline incomes for fishing captains still remain very low and have certainly not risen to comparable levels of other similar trades in Canada.

In the 1980s, the fishing policy of the Canadian government was blindly influenced by the old "tragedy-of-the-commons" approach. The 1982 Kirby Commission Report had clearly demonstrated the government's

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separation policy to put a stop to 'controlling agreements', a backdoor mechanism devised by corporate fishery agents to control owner-operator fish harvesters.

At the start of the new millennium, the most important fishery for MFU fish harvesters—the lobster fishery—was undergoing a low in its natural cycle, and fish harvesters were desperate for a change that would improve their wellbeing. They were struggling to make ends meet as lobster volumes in some areas were extremely low, and other secondary fisheries were also in shambles as a result of the excesses of government protected industrial fleets during the previous generation.

In 2005, the MFU hired staff to undergo one of its most important structural changes in its 35-year-old history. Many groups of harvesters along the coast were pressuring the organization for more localized decision-making powers, or, in other words, the development of some form of a local stewardship relationship between fish harvesters and the inshore resource nearby. Some leaders in the organization were very sceptical about the realities of community stewardship, but had no better solutions to offer. Mainly, they proposed improvement of the viability of the most important lobster industry, and practical developmental projects that could be linked to fishing communities. Fish harvesters themselves were involved in the planning of projects, which generated enthusiasm and ensured viability of the projects.

The most important result of the plan was the creation of a new formal structure of communities that aimed to regroup fish harvesters in groups of 75 to 150 members, each with their own decision-making structure, with one overarching governance body. The governance body would establish a framework and basic rules for all community entities. Good communication would be crucial, and, according to the basic principles and values of MFU, meetings would have to reach the majority of the thousand and more

harvesters up and down the Acadian coast of New Brunswick.

It was decided that the planned projects and activities would include:

- A major licence retirement programme to reduce capacity and improve viability for remaining harvesters
- The introduction of local sustainability measures, mostly related to lobster
- The establishment of community economic diversification projects related to the fishery or aquaculture.

One of the most prominent of these projects was the MFU-created 'Homarus' project. Homarus specifically designed an in-house technology to protect hundreds of thousands of newly born lobster larvae from predators by raising them in a hatchery for a few weeks and releasing them immediately into the wild in proximity of their kin. The project's achievements in the enhancement of lobster resources are now world-renowned, and have been highlighted in scientific journals. Homarus would not have seen the light of day but for fish-harvester insight and support.

A report prepared in 2005 by the Canadian Council of Professional Fish Harvesters—a group established to regroup small-scale harvester organizations on a national level—



Lobster harvester, Herménégilde Robichaud, from Val-Comeau, New Brunswick with his day's catch. The most important fishery for MFU fish harvesters is the lobster fishery

MAURICE THÉRIAULT



Cap-Pelé, New Brunswick wharf on a calm Sunday morning in August. Canada's owner-operator and fleet-separation policy ensured continued benefits for small-scale harvesters

stated that over 57 per cent of Canadian fish harvesters do not have a high school diploma. It is estimated that 20 per cent of MFU members cannot read or write or are limited in their learning skills.

If, in the end, MFU has survived as an organization, it is because of its ability to stay on course for the long run. Canadian fish harvesters came to slowly understand how the changes initiated by MFU would empower them in the future. Today, resistance to community-based fishery co-management has nearly completely faded away. A community-based governance initiative was instrumental in convincing governments to become active partners in this endeavor. The new structure has permitted the implementation of lobster-conservation measures that will have a crucial impact for a robust and sustainable lobster fishery for future generations. 

For more

mfu-upm.com

Maritime Fishermen's Union

ccpfh-ccpp.org

Canadian Council of Professional Fish Harvestors

mdfo-mpo.gc.ca/afpr-rppa/Doc_Doc/FM_Policies_e.ht

Fisheries Management Policies on Canada's Atlantic Coast

Fairness or Efficiency?

As Europe moves towards privatization of fisheries, it is faced with the dilemma of balancing social and economic objectives in the new Common Fisheries Policy

One of the main components in the proposal by the European Commission (EC) for a new Common Fisheries Policy (CFP) in the European Union (EU) is a mandatory system of transferable fishing concessions (TFCs). Through the creation of TFCs, access to the marine resources becomes a tradeable commodity. Although the proposal still has to pass through the Parliament and later the Council, it is a rather clear indication of which way the wind is blowing for EU fishers and their communities.

The EC proposes to introduce a system of TFCs for all vessels over 12 m in length and for all vessels fishing with towed gear (that is, trawlers). In practical terms, this means that fishing concessions—in the form of the right to a certain portion of the effort (input) or share of the catch (output)—will be allocated to individual fishers (most often the vessel owners) who can buy and sell the fishing concessions. Some Member States like the Netherlands and Denmark already have formal market-based systems, while others like the United Kingdom have informal systems for trading of licences and fishing rights. In most closed-access systems, the value of 'access' will be embedded in the vessel or licence cost. The radical part of the EC proposal is the mainstreaming of a mandatory system of TFCs. Due to a long history of the oceans being regarded as a global commons and fisheries resources as publicly owned, the proposal is seen by critics as a quasi-privatization of the oceans. Undoubtedly, in terms of scale, this is one of the most far-reaching proposals in the history of the CFP. The declared aim of the measure is to tackle the

primary problem of overcapacity facing European fisheries.

Europe has a large and growing fishing capacity that is harvesting limited stocks of marine resources. The primary problem of overcapacity results from poor economic performance, as too much capital has been invested in some fleet segments, resulting in poor returns. The economic performance is worsened by other factors such as increases in fuel costs, lower catch rates and low prices. The side effects of overcapacity include illegal fishing and landings,

The radical part of the EC proposal is the mainstreaming of a mandatory system of TFCs.

inactive vessels and unemployment, and a constant plea for subsidies. Overcapacity also puts pressure on the environment and stress on fisheries managers, who have to distribute and allocate the limited resources by deciding who can fish, where, when and how much. From the viewpoint of the EC, the overcapacity problem has to be eliminated before other problems can be addressed, and the TFCs are aimed mainly at addressing this issue. Overcapacity is one of the five structural failings of the current CFP, according to the EC's Green Paper of 2009.

Fishing rights

By introducing a management system based on transferable rights, responsibility for the distribution of fishing rights is handed over to the

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market, although at the cost of control and influence over how and where fishing rights are distributed. While it is claimed that market-based systems are efficient in reducing the fleet by consolidating fishing concessions on fewer vessels, they do also bring rapid and irreversible changes to the structure of the fleet and to the social and economic relationships between people. One of the controversial issues is the allocation of concessions. So far, the practice has been to allocate fishing rights to vessel owners. While this might make sense if the aim is to reduce the fleet, it changes the relationship between skipper and crew. The crew becomes dependent on the concession holder for access to the resource.

However, considering that poor economic performance is the motive for the introduction of TFCs, one can only wonder how one fisher can afford to buy out another. The answer to this lies in the link between fishing concessions and financial systems. In most cases, a fisher will have to approach a private investor or a bank

concerned with protecting jobs in the small-scale sector, safeguarding fishing communities along the coastlines and thus also indirectly preserving the traditional fishing culture in the EU. On the other hand, the economic objectives work to ensure efficiency for the operators. In a market-based system, the two objectives are in conflict since concentration on larger and more capital-intensive vessels will also mean fewer vessels in the remaining coastal communities and, consequently, fewer jobs. If a market-based TFC system is chosen as a mandatory allocation and distribution tool for fishing access in the new CFP, each member State will have to figure out how to balance the contradictory economic and social objectives. The contradiction can be solved politically by limiting and restricting the degree to which individuals and corporations can buy and sell fishing rights through the new market for fishing concessions. To curb the forces of the free market and restrict the centralization of fishing rights, a market-based system may be designed with a set of barriers meant to safeguard the fishing rights of the small-scale sector.

Differentiating small- and large-scale vessels by length is a familiar practice, though easily contestable. In a system of TFCs, such a segmentation will create two separate markets for fishing rights and thus provide the possibility for safeguarding the small-scale sector from the economic powers of the large-scale operators.

Buying concessions

In such a system, owners of vessels over a certain size, say, 12 m, will not be able to buy concessions from vessels under 12 m in length. Other criteria like engine power, tonnage size, crew number, trip lengths and gear types can be applied, but the vessel length is probably the most simple and practical criterion (from a bureaucratic point of view), which is why it is already being used in most technical definitions of small- and large-scale fleets by the EC and EU member States.

To curb the forces of the free market and restrict the centralization of fishing rights, a market-based system may be designed with a set of barriers meant to safeguard the fishing rights of the small-scale sector.

and use the fishing concession as collateral for a loan. Without this extra capital input—created through the privatization of access to fish resources—the transferability, and thus the redistribution of concessions into more profitable units, will become a much slower process. The EC has proposed concessions with a limited time frame of 15 years, and it will be interesting to see how this will influence the investments in concessions and their use as collateral. It is hard to imagine a radically different distribution in 15 years.

Member States of the EU are facing a critical dilemma of balancing social and economic objectives in the new CFP. The social objectives are mainly



Fishing vessels anchored on the beach in Hastings, England.
Differentiating small- and large-scale vessels by length is a familiar practice

Segmentation can also be multiplied (for example, in vessel lengths of 0-6 m, 6-9 m, 9-12 m, 12-15 m, etc.) to allow for consolidation and capacity reduction. Further measures can be added, and certain segments rewarded through allocation of additional quota on a yearly basis according to other standards like gear type, length of fishing trips or even ecological criteria like low bycatch or use of low-impact fishing gear. To avoid concentration of concessions in too few hands a number of different instruments can be used. The Alaskan halibut fishery, for instance, uses 'blocks' to allocate quotas.

Even if a range of safeguard measures were to be applied to keep a desirable balance between fleet reduction and sustaining coastal communities, the introduction of a TFC system is still a radical shift from State control to a practically irrevocable privatization of access to fish resources. The EC is very eager now to implement a system designed to deal with the overcapacity problem,

and to address structural failures of previous and current policies. But the million-dollar question is: What will happen in the aftermath of a sudden privatization of fishing concessions? ❗

For more



eussf.icsf.net

Small-scale Fisheries and EU CFP reform

ec.europa.eu/fisheries/cfp/index_en.htm

Common Fisheries Policy

ec.europa.eu/fisheries/reform/index_en.htm

Reform of the Common Fisheries Policy

The People Who Spear Pollock

The Passamaquoddy tribe in eastern Maine, US, are indigenous fishers who are trying to exercise sovereign rights to resources

Fred Moore III, a long-time representative, and sometimes controversial figure, of the Passamaquoddy tribe in eastern Maine, United States (US), likes to enlighten his listeners through questions.

“When you think of the Navajo, what do think of?” Fred asks with a knowing twinkle in his eye. “Sheep, weaving, deserts? When you think of the Lakota, you think of buffalo, horses and teepees. These are stereotypes. But when you think of the

native land, without any recompense for the tribes. The Passamaquoddy were relegated to several small reservations on the US-Canada border—Pleasant Point, a small peninsula between Cobscook and Passamaquoddy Bays, and Peter Dana Point, 30 miles up the St. Croix River among a network of lakes. “These reservations essentially amount to refugee camps in an occupied territory,” says Moore.

But the tribe’s position changed in 1980. After four years of litigation, the US government recognized Passamaquoddy treaty rights, and the US Congress passed the Land Claims Settlement Act, which awarded the Passamaquoddy tribe 150,000 acres of land in the State of Maine, and established a US\$12.5-mn dollar trust fund in compensation for the tribes’ previous losses. While the settlement extinguished any further land claims, the Passamaquoddy have always stressed their historical rights to the sea. “We were very clear,” says Moore. “We have always reserved our right to hunt and fish on the sea. Our connection to the sea has always sustained us, and it is our future.”

Traditional rights

Moore stresses that native people are not ‘given’ rights, but retain them from a time beyond memory. “Treaties are agreements between two sovereign nations,” he says. “We ceded certain rights to the State of Maine, but we reserved other rights for ourselves. We were the ones who gave the Europeans the right to fish here, and, considering what they’ve done, we’re thinking about taking that right back.”

While the settlement extinguished any further land claims, the Passamaquoddy have always stressed their historical rights to the sea.

Passamaquoddy, what do you think of?”

“Every time I ask that question, I get silence. The answer should be fish. Passamaquoddy means ‘people who spear pollock.’ All the other Maine tribes were named according to the rivers they lived on. The Passamaquoddy were named according to what they do.”

For over 10,000 years—since the end of the last Ice Age—the Passamaquoddy tribe and its cultural predecessors have occupied the coastal regions and watersheds of what is now Maine and southwest New Brunswick, Canada. In the 17th century the tribe lost much of their land to French and English colonists; as late as the 20th century, the State of Maine continued to encroach on

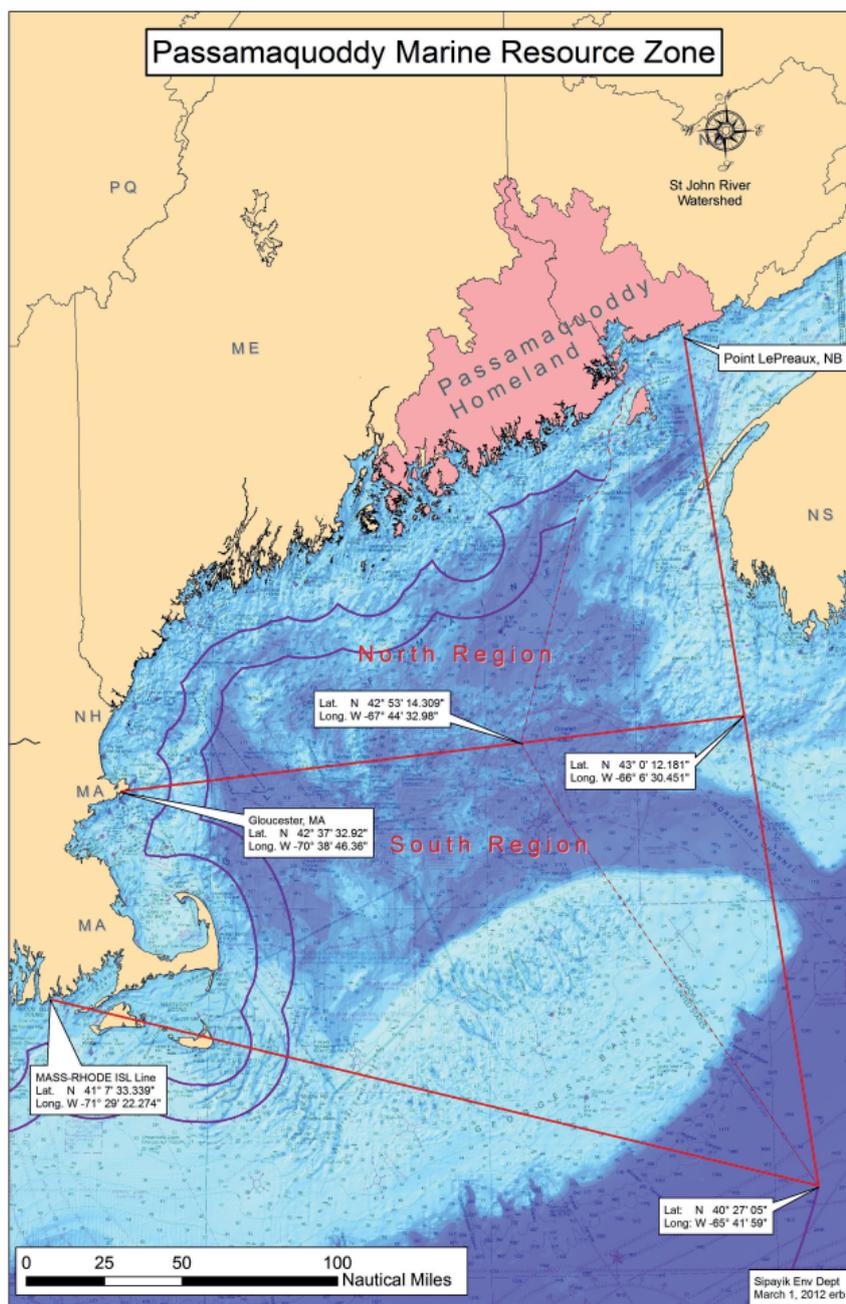
This article is by **Paul Molyneux** (p.g.molyneux@gmail.com), a fisherman-turned-writer from Maine, United States

In 1998 the Maine State legislature passed a bill, sponsored by Moore, that would recognize Passamaquoddy fishing rights and reconcile the tribe's fishing activity with State regulations. In the late 1990s, some legislators voiced vehement opposition to recognizing native rights, which prompted Moore to compare his tribe to the wolves that were being re-introduced in Maine at the time. Many people saw the wolves as a threat to the deer they wanted to hunt, resulting in a major 'No Wolves' campaign. "You see those bumper stickers that say 'No Wolves'? Moore asked. "That's us. We're the wolves of fisheries. Other people are afraid we'll impact their commerce."

Moore maintains the Passamaquoddy perspective that the fishery resource is a living being. "It's a living thing that we respect," he says, asserting that his tribe's cultural relationship with the sea includes harvesting seafood for consumption and trade. "Our people used to spear pollock and flounder in the shallows, and pick up scallops and lobsters at low tide, even when I was a kid," says Moore, now 51 years old. "We give away a lot of what we catch, but we sell some too—trade is part of subsistence."

At the 1998 Maine State legislative hearings, a senator pronounced that every Maine citizen has a right to a recreational lobster fishing licence that allows for the setting of five lobster traps. "I told her that she was not entitled to legislate my identity," says Moore, who regards such comments as efforts to assimilate his tribe. "I told her our people do not trap live animals for 'recreation'. They are our fellow beings; we trap them for food, and we treat them with respect. They have eyes, they look at you," says Moore, holding two fingers up to his own eyes.

He points to a fish hawk out over the water. "He's fishing. If you can convince him he needs a permit, I'll be right behind him; we get our fishing rights from the same place," says Moore. But as the local abundance of fishery resources decreased in the face of increased fishing pressure and



Source: Chiefs of the Passamaquoddy Tribe/Wabanaki

upstream pollution—a paper mill and two large towns dump sewage and toxic effluents into the St. Croix River—the tribe's fishers adopted the technology necessary to harvest resources farther and farther offshore. Despite the fact that offshore fishing is also part of the Passamaquoddy legacy, national borders and regulations have overlaid the tribe's traditional fishing areas.

Though the Passamaquoddy agreed to limit the initial number of lobster licences issued to tribal members, and work within State

regulations, for over a decade now, they have continued to exercise their rights to the point of provoking reactions. “We are a sovereign nation,” says Moore. “Sovereignty is a word that is easy to pull out of the air, but a little more difficult to exercise. Anybody can say they are sovereign on the reservation; what matters is how much we are respected off the reservation.”

Moore and his two sons, Kyle and Fred IV, fish for lobsters in both Canadian and US waters, in defiance of both countries' regulations. “We informed the Canadian government that we are fishing in Passamaquoddy Bay (in Canadian waters); after all, it has our name on it,” says Moore. “The Canadians asked the Maine Department of Marine Resources to arrest us.”

According to the local Maine enforcement officer, Russell Wright, Maine refused to take action. “We have no authority,” says Wright. “It would be up to Canada to take action.” But so far the Canadian authorities have not

and increased processing capacity supported by a longline fishery for groundfish and large-scale offshore scallop, lobster and crab fisheries. “We have established quotas which account for 50 per cent of any increase in the total allowable catch for scallops,” says Moore. “Some regulators are encouraging, but others such as Pat Kurkal, the National Marine Fisheries Service (NMFS) regional administrator, seem bent on telling us what the laws are.”

According to Moore, some of the regulators need to be reminded what the laws are. “We find ourselves asking these regional administrator types: Do you understand that we deal with your government as a sovereign nation? You have a responsibility to find out from the Department of Commerce what the secretary wants you to say to us, and relate that to us. Please do not address the Passamaquoddy tribal government, as you would a wayward scallop boatowner or pirate.”

Moore plans to market Passamaquoddy-landed products under a label, 'Native Harvest Seafood', which is an ecolabel of sorts. While organizations such as the Marine Stewardship Council (MSC) certify the sustainability of fisheries based on analysis of estimated stock size and landings—regardless of gear type or social conditions—the Native Harvest Seafood label represents a radically different approach that recognizes each tribal member's inherent birthright to sustainable fisheries.

Gradual increase

Moore takes a multi-level approach, fine-tuning the tribe's fisheries management plan to meet cultural, subsistence and economic needs. “Five per cent of what we catch is distributed among tribal members, particularly the elders,” says Moore. In the lobster fishery, where the number of licences is limited, Moore suggests a gradual increase in the number of fishers. “We're limited to 800 traps per licence. So as people go through an apprenticeship programme, we

...a multi-level approach, fine-tuning the tribe's fisheries management plan to meet cultural, subsistence and economic needs.

taken any action against Moore and his two sons, and the tribe continues to expand its reliance on the sea.

Other efforts to boost the tribe's economy—such as attempts to launch a casino in Maine—have failed. “I told the tribal council we have to think big—beyond Indian gaming”, says Moore. At the direction of the Passamaquoddy tribal council, Fred is developing a fisheries management plan that asserts the right to target resources in US and Canadian waters 200 miles or more offshore, and along the Canadian and US coasts—from Point LePreau, New Brunswick, to Gloucester, Massachusetts.

Moore envisions low-impact and enduring inshore fisheries, training programmes for tribal members,

decrease the number of traps per licence and increase the number of licences. It's the same number of traps we've agreed to with the State; we'll just distribute them in a way that more people can enter the fishery. We want more people fishing, not fewer"

The Passamaquoddy fisheries management regime is, in many ways, more conservative than State or federal plans. For instance, the minimum shell size for scallops is a half inch larger than under federal law, and many lobsters get returned to the sea, not just those with a V-notch cut in the tail as required by Maine law. "We don't V-notch. We are not interested in mutilating our fellow beings," says Moore. "And we're not going to have any bycatch; everything will get landed, everything will be used. Our management plans are more restrictive from a native cultural standpoint than State and federal plans."

The tribe continues to exert sovereignty over how resources are managed. "We don't recognize management plans that fail to protect the resources. We differentiate between what is legal and what is right. What we consider right isn't always legal, and what's legal isn't always right."

Passamaquoddy fishers have met some opposition from non-native fishers angered by the presence of the tribe's fishers on the water, particularly of token tribal members on board non-native boats trying to fish under an assertion of native rights. "This is not allowed under our plan. However, non-natives can participate as long as control of the vessel is at least 51 per cent Passamaquoddy. And we require extensive documentation to demonstrate operational control by a Passamaquoddy owner or lease holder."

While eager to get more people fishing, the tribal plan contains a zero-tolerance policy for fisheries regulation infractions. "If you're caught with undersized or egg-bearing lobsters, you lose all your licences. That's tribal law. Because



Kyle Moore filling bait bags with herring aboard *Ahkiq III* at the wharf at Pleasant Point, Passamaquoddy Reservation, Maine, US

you are stealing from everyone, we have codified Passamaquoddy values into regulations," says Moore. "Native Harvest Seafood represents those values."

"In times such as these, we are in need of nuance of language and subtlety of insight," according to Steven Newcomb, co-founder of the Indigenous Law Institute. For his part, Moore is ever alert for the discourse of systematic extinguishment that has overridden the fishing rights of indigenous peoples around the world. When a golf course developer in New Brunswick invited Moore over to talk about building a protective wall around Passamaquoddy shell middens near the town of St. Andrews, he surprised him with his response: "Let the middens wash away."

"But all that culture will be lost," he said. "Lost for whom?" I asked. "It's of no value to us; it's intended to be washed away. The beaches around are made up mostly of crushed shells from our middens. I told him he could put up a wall if he wanted, and a little plaque saying that at one point, native people ate here."

Flourishing culture

"And while you're at it", I said, "you can put one in that restaurant up there, because I'm about to go eat there too."

Moore does not engage in the elegiac celebration of his people's

culture that once flourished around Passamaquoddy Bay. “The easiest way for people to justify what they’ve done, and what they’re doing, is to always refer to native people in the past tense. They try to weaken our negotiating position by suggesting that we don’t have the same standing that we once had. That’s why I keep saying that our culture is as valid today as it has ever been. We’re still here!” he says. “Our survival is the essence of our identity.”

The accepted notion of ‘sustainability’ is that each generation enjoys the fruits of the earth—and sea—to the extent that it does not compromise the abilities of future generations to do the same. This amounts to intergenerational stability, as was the case prior to the arrival of European colonizers. Proponents of the dominant economic system have said that fishing with destructive gear, and forcing entire populations off the water, can be sustainable—some fisheries have MSC labels to prove it. All over the world, fishing cultures have given way to capital and technology; many have simply vanished without the ability to assert and exercise access rights, while others have surrendered claims to sovereignty in exchange for a slot at the trough—a job. Unlike most small-scale fishers, the Passamaquoddy, along with other tribes and well-defined groups such as Mexico’s *ejidatarios* and Chile’s *calejos*, have their rights to marine resources codified in law, if not always in practice. They have a place to stand—a position.

But Moore does not see this as any sort of victory. “For us, being able to harvest resources, and have access to resources isn’t special,” he says. “It’s normal. It’s what we have done forever, and will do forever. In our view, the resource belongs to everyone, and everyone has a right to it.”

Moore’s sons join us at the end of our discussion. Kyle sports a pair of headphones draped around his neck and while he and his brother both speak Passamaquoddy, neither claims fluency in the language.

“I understand sovereignty here,” says Fred IV, pointing to his head. “But I don’t really have it here yet,” he adds, pointing to his heart. “I get nervous when the patrol boats come by.”

“We do speak the language,” says Moore. “And when the patrol boats come, I tell them to be prepared. And as far as sovereignty goes, they are getting it, and it will become more internalized for them when they start to be responsible for outcomes.”

Moore left a prestigious prep school in his teens in order to return to the reservation. “I realized I was learning from books at a time when the people who could really teach me something—the elders—were here, and going into the ground when they die. I came back to learn from them, because I can’t take them out of the ground while books will always be there.”

Both of Moore’s sons have attended college, but they returned home to learn fishing. They may go back to school, they say, acknowledging that when their tribe’s exercise of sovereignty on the high seas begins to generate the ecological, cultural and financial returns their father hopes for, they will be studying ways to support those efforts, and strengthen their identity as the “people who spear pollock.”

For more

passamaquoddy.com

Passamaquoddy Tribe of Indian Township, Maine

quoddytides.com/tribe9-10-10.html

Tribe Ascertains Right to Fish in Federal Waters

wabanaki.com

Pleasant Point - Passamaquoddy Tribal Government

Good for Nothing?

In British Columbia, quota leasing from individual transferable quota (ITQ) holders is a grinding economic burden in the small-boat fishery

Ever since the 1999 FishRights99 conference in Freemantle, Australia, Canada's Department of Fisheries and Oceans (DFO), as well as many economists, have been touting the merits of the individual transferable quota (ITQ) scheme introduced for Canada's Pacific fisheries as an example of how property rights can achieve multiple objectives—from improving economic efficiency to fisheries conservation.

Despite several studies that point to negative impacts of the ITQ system—on fishing vessel safety, overcapitalization and the financial returns to working fishermen—the DFO's website continues to promote the merits of the system as “particularly innovative and encouraging” and contributing to the “long-term economic viability of fisheries and to the long-term benefit of the Canadian economy”

The principal metric for this assertion is the impressive increases in quota value since the ITQ scheme was introduced (halibut quota, for example, increased fivefold in real terms during the first 15 years of the system).

While the increased value of traded quota is indisputable, this value has not gone to the people who actually catch the fish. Rather, the quota-leasing schemes established by the DFO in several Pacific fisheries have become a huge economic burden for small-boat owner-operators in British Columbia's commercial fisheries.

The principal reason for this is that in Canada's Pacific fisheries, there are no restrictions on who can own fish quotas, unlike the situation

in Atlantic Canada, where owner-operator rules are in place. By allowing non-fishermen to own quota and lease it to fishermen, the DFO's policy in the Pacific fisheries has created a separate class of non-fishing quota owners who are siphoning off most of the value of these fisheries.

With virtually no restrictions on who can own or lease quota, in the space of a few short years, access to the most lucrative species has got concentrated in the hands of 'investors', forcing active, professional

While the increased value of traded quota is indisputable, this value has not gone to the people who actually catch the fish.

fishermen to lease most of the quota they fish, often paying more than two-thirds of the landed value in lease prices.

The leasing costs vary from month to month and year to year but in the more valuable species—sablefish and halibut—leasing costs consistently account for at least 70 per cent of the landed value. Table 1—based on actual costs for a small-boat fishing trip in British Columbia in March 2011—illustrates the problem.

Leasing fees

The leasing fees paid by the fisherman represented 75 per cent of the landed value for sablefish and halibut, 50 per cent for rockfish and 38 per cent for his lingcod. (The price for rockfish represents

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Table 1

Species	Dockside price per lb	Leasing cost per lb	Leasing percentage of landed value
Halibut	\$6.00	\$4.50	75%
Sablefish	\$6.00	\$4.50	75%
Rockfish	\$1.00	\$0.50	50%
Lingcod	\$1.35	\$0.35	38%

an average price for a number of different species.)

During this particular trip the fishermen landed 22,000 lbs of fish. Valuable halibut and sablefish made up 37 per cent of the catch, rockfish another 37 per cent and lingcod, 26 per cent.

As Table 2 indicates, the total landed value for the catch was \$64,000. From this revenue the professional fisherman who owns and operates the vessel paid \$42,000 to lease the quotas, \$9,000 to his crew and \$6,000 in vessel expenses, leaving only \$7,000 for the boat share, that is, for his income and return on investment.

Table 2

Revenue	Amount	Percentage
Landed value	\$64,000	100%
Expenditure		
Quota leasing	\$42,000	66%
Vessel expenses	\$6,000	9%
Crew share	\$9,000	14%
Subtotal of expenditures	\$57,000	89%
Boat share	\$7,000	11%

The income from quota leasing is so lucrative that quota holders have no incentive to sell their quota to working fishermen. The quota purchase price, at the time of this fishing trip, was \$55 a lb for halibut and \$45 a lb for sablefish (approximately 9 and 7.5 times their respective landed value in 2011) making it uneconomic to purchase outright as a business venture. Even the price of lingcod quota, at \$7.50 per lb (5.5 times the landed value), is

not economical to purchase outright if the money has to be borrowed from a credible lending institution.

The irony of this situation is that the original quotas were allocated free of charge to active fishermen based on their share of the historical catch of the different fisheries they participated in. Most of these original quota holders no longer fish due to age and other reasons but retain the quota as a retirement income or have willed or sold it to others.

The economic theory behind this scheme is that in oversubscribed fisheries, quota trading will quickly eliminate marginal operators by efficiently re-allocating fishing to the most efficient operators, rationalize the fishery and lead to more viable individual enterprises.

Rather than supporting more efficient fishing enterprises that will maintain a healthy and economically viable fishing industry, under this system even the most efficient of fishermen are unable to earn enough to reinvest in the fishery. They have become perpetual renters, unable to purchase the quota that they fish year after year or to make other important large-scale investments (for example, in vessels).

In 2005, the Canadian Council of Professional Fish Harvesters' published a report that showed the numbers of skilled fishermen left in British Columbia were declining rapidly, and the workforce was much older than in the Atlantic. The impact of leasing fees on the viability of fishing was identified as a major contributor to this phenomenon.

Fishing viability

The leasing system is undermining the very viability of fishing enterprises and the attractiveness of fishing as a career path for the next generation of

fishermen because of poor economic returns to those who actually fish.

Due to the disproportionate amounts being siphoned off fishing operations to lease quota, there is no money left over for proper capitalization of vessels, and there is not enough money to pay crew a decent wage for very dangerous work.

Contrary to theory, the schemes have not eliminated overcapacity. There are still more multi-species fishing vessels with latent capacity than available quota in British Columbia fisheries like those for halibut and sablefish. This situation keeps quota leasing prices for these species very high, as the large pool of vessels compete amongst themselves for enough quota to go fishing. Fishermen or vessel owners with a trained crew have no choice. They need fish to make a living and if they do not enter the leasing game, their boat stays tied to the dock.

The move from a fishermen-driven to an investor-driven fishery also works to stifle any critique of the leasing system from inside the fishery. Research has shown that it is very easy for those who control and own quota to collude to make sure that any active fishermen raising questions about the system do not get any fish to lease by blacklisting them and making it impossible for them to earn a living.

The latest twist in the ITQ saga occurred in mid-February 2012 when Canada's Minister of Fisheries used his discretionary power to re-allocate three per cent of the halibut quota from the highly regulated commercial fishing sector to the unregulated recreational sector. Under this year's total allowable catch limits, this represents 210,000 lbs of halibut or more than \$10 mn in quota investment. No compensation has been offered to the quota owners for the loss of investment or revenue.

The irony here is that the DFO promoted ITQs as *de facto* property rights that would stabilize allocations. A further irony is that one of the justifications for this re-allocation to the recreational sector was that the

halibut fishery was controlled by non-fishermen.

ITQs in Canada's Pacific fisheries have been proven not to improve the viability of the small-boat fishermen due to exorbitant leasing arrangements. They do not lead to a safer working environment, they do not lead to better incomes for working fishermen, and now they have also been proven not to stabilize allocations as recently shown by the re-allocation of halibut from commercial to recreational interests. So the question now remains: What exactly are ITQs really good for? **3**

For more



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Testing Transparency

An access-to-information survey reveals the unwillingness of public authorities and companies in Africa to respect freedom of information

26

TransparentSea is a new initiative that aims to promote access to information and accountability in marine fisheries. It was initiated in 2011 with the support of the Coalition for Fair Fisheries Arrangements (CFFA), a non-governmental organization (NGO) based in Brussels. The main motivation was the tendency of the fisheries sector to be secretive. Citizens, including small-scale fishers, rarely have access to information that is necessary to understand how their marine resources are being exploited. The prospects of responsibly and

countries, among fishing companies, governments of distant-water fishing fleets, international organizations like the United Nations and the World Bank, and among regional fisheries management organizations. Moreover, confidentiality in fisheries in African countries is often conditioned by foreign actors for their own benefit (such as in bilateral fisheries agreements), making it misleading to blame poor levels of transparency on an African governmental culture.

This article describes and comments on the access-to-information survey, and on what further steps could be taken to ensure that transparency is embedded in wider debates on fisheries reform. But, in doing so, we note that there are limits to what improving transparency can do; a more transparent sector is not necessarily a good one.

The access-to-information survey was inspired by the 'access-to-information monitoring tool' developed by the New York-based Open Society Justice Initiative. It was designed to show real-world experiences of access to information, and how NGOs, journalists or members of fishing communities can get certain types of information easily.

It was necessary to limit the scope of the survey and to avoid overburdening fishing authorities with extensive questions and requests for information. We, therefore, focused on two related themes.

Up-to-date information

First, we wanted to test whether citizens can get up-to-date and detailed information on 'fisheries authorizations'—namely, which

equitably managed fisheries are unlikely as long as those in positions of power are impervious to public scrutiny.

TransparentSea's programme in 2011 included an access-to-information survey in 12 African countries, which is hoped to be developed further this year. While organizations and experts are increasingly talking about the lack of transparency in fisheries, this survey was the first effort to provide some evidence and compare situations in different countries. The survey was limited; focusing on levels of transparency in African governments. This is likely to endorse a view that African countries have a unique problem with government openness. However, secrecy in fisheries is equally problematic in many developed

The access-to-information survey was inspired by the 'access-to-information monitoring tool' developed by the New York-based Open Society Justice Initiative.

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companies fish in their countries, where they are from, how much they pay for fishing access, and what are the terms for the issue of fishing licences. Details were also sought on bilateral access agreements, including their value and the number of boats able to take up fishing opportunities. The European Union (EU) publishes the contract details of its access agreements with African countries; we were thus more interested in information on non-EU access agreements, which include those with China, Russia and Japan.

Secondly, we wanted to test whether citizens can get up-to-date and detailed information on the financial management of their fishing authorities, including budget documents and financial reports. This is important information for citizens to understand what revenues are derived from fisheries, what activities governments prioritize, and whether the resources made available to fishing authorities are sufficient and used well.

The survey was divided into two phases. The first involved participants reviewing publicly available material. In particular, we were interested in examining what information was made available through government websites and annual reports, and whether these exist at all. In the second phase of the survey, participants were instructed to write a letter to their fishing authority asking for some basic documents and facts and figures. The letters were the same for each country and, in most cases, they were sent by email. In two countries, the letter was delivered by hand due to difficulty in identifying the correct email address to use. We then allowed two months for a response, although the survey was kept open for longer in order to include responses that came after two months; that, however, has not actually happened.

Although the survey initially covered 14 countries, it was implemented successfully in only 12 countries: Senegal, the Gambia, Guinea-Bissau, Ivory Coast, Togo, Ghana, Nigeria, Gabon, Kenya, Tanzania, Mozambique and Mauritius.

In each country, we preferred participants from organizations representing the rights of small-scale fishing communities, or independent journalists with a longstanding interest in covering fishing news.

In this type of research it is important to consider the profile of the participant. The Open Society Justice Initiative's access-to-information monitoring tool was implemented by several different people (up to six) in 14 countries. The results suggested that in some countries, who is asking for information has a bearing on whether it is given out. As the survey only used one participant per country, this variable could not be controlled. It is possible that in some countries the participant's job, social standing, ethnicity or gender made it less likely that he or she would receive information from the government. However, we assume that in a country with strong levels of public access to information, it does not matter who asks for information.

Overall, the survey suggested enormous shortfalls in most countries in levels of government transparency. In the first phase of the survey, in most countries participants elicited very little information.

In five countries, fishing authorities do not have websites. Where sites do exist, it was found that, in most cases, these had limited content or had not been updated for over four years. In



KAJSA GARPE

Participants at the TransparentSea meeting at Mbour, Senegal. The meeting found enormous shortfalls in most countries in levels of government transparency

KAJSA GARPE



TransparentSea meeting participants taking a break at Mbour, Senegal.
Lack of transparency can be seen as one factor that marginalizes small-scale fishers

In only one country—Gabon—does the fishing authority publish a list of the individual fishing vessels that are provided government authorization to fish, and this list also contained information on the fees paid by each boat and what was their flag State. This information was available for 2010 only and was made available in a national newspaper. (Gabon does not have a fisheries website or annual report.)

Also, Gabon is the only country where the fishing authority publishes recent information on the cost of each individual fishing licence. In Kenya, the Department of Fisheries announces the cost of a purse-seine fishing licence, although the information is more than four years old and there is no additional information on the cost of licences for other types of fishing vessels, such as longline boats.

Participants in five countries found some publicly available information on non-EU fisheries access agreements. However, the survey revealed no information whatsoever on the value of such agreements, on their contracts and any evaluation of them.

Finding recent budget and financial documents for the fishing authorities was extremely difficult. There was no example where these documents were available on the dedicated website of the authorities. In 10 countries participants failed to locate a budget document or end-of-year financial statement for their fishing authority. In Mauritius, the website of the Ministry of Finance and Economic Development publishes the annual budget and end-of-year financial report for the Ministry of Fisheries. This also includes policy objectives for the fisheries ministry and key achievements.

Unavailable

In Ghana, the budget for the Ministry of Fisheries is available, but only in hard copy. The fishing authority there told our participant that it would provide him with a copy of the budget, but the person authorized to do so was on leave during our survey, and hence

several cases, links to key reports and documents were not working, and contact details for the fishing authority were no longer correct.

In eight countries, the fishing authorities did not publish annual reports. In three countries—Nigeria, Ghana and Guinea-Bissau—participants were aware that the fishing authorities do produce annual reports, but these are kept confidential and only shared within the government or with donors.

In four countries where annual reports are made available to the public, there is a long delay in publishing them. The latest reports for Mauritius, Senegal and Mozambique were from 2009, and for Ivory Coast, 2008. The quality of the annual reports varied, but none contained information on the income and expenditure of the fishing authority or lists of fishing vessels authorized to fish in the country's waters.

In only three countries—Gabon, Ghana and Mauritius—could participants locate recent information on the total number of commercial vessels authorized to fish in their country's waters. However, in Gabon and Ghana, the information was only available for 2010. In Mauritius, the total number of fishing licences sold to both foreign and local firms is detailed in the Ministry of Fisheries annual budget document.

the participant was unable to get the document. In Tanzania and Kenya, there are budget documents available on government websites for the ministry in which the fisheries department is located, but it is impossible to separate the budget for the fisheries department specifically.

In the second phase of the survey—where participants requested information in writing from their fishing authorities—our results were again extremely disappointing.

In seven countries, letters to the fishing authorities went unanswered. Although participants were not instructed to undertake follow-up work, in five countries participants reported sending additional mails, making phone calls and even personal visits. None of this extra effort made any difference.

In five countries, the written requests were acknowledged, but, after a period of two months, a positive response was received only in Mauritius and the Gambia. In Mauritius, the fishing authority provided all requested information within four weeks. This included information on the value of fisheries access agreements, and a copy of the terms of licence agreements. In the Gambia, the Director of Fisheries provided a list of current licensed fishing vessels, but information on the other questions, including financial information on the management of the fishing authority, was not provided.

In the remaining three countries where the authorities acknowledged the letters, they failed to provide any answers to the questions within three months, and did not explain why the requests for information were not successful. In each case, the authorities requested further information from participants on why they wanted the information, which runs counter to the international norm of freedom of information being unconditional for members of the public (meaning that citizens should not have to justify why they want information).

In summary, if there is a view that fisheries management in Africa lacks transparency, then our survey

provides some empirical evidence to support it. Out of 12 countries surveyed, in only Mauritius can we say that the fishing authority displays good levels of transparency. There are still ways in which the fishing authority in Mauritius can improve, such as by publishing its annual report on time, publicly sharing a draft budget for comments, and publishing a full list of licensed fishing vessels.

Gabon also stands out as being the only country that publishes detailed information on the list of commercial vessels that purchase fishing licences, including the fees they pay, although it should be noted that Gabon has done this only for 2010. We know, however, that the decision to publish this list of fishing vessels was encouraged by the World Bank through its lending support. Whether the World Bank is successful in promoting similar levels of transparency in other African countries is a matter that deserves more attention.

However, in the remaining countries, access to information is minimal, and in several countries, non-existent. Our survey suggests

In the second phase of the survey—where participants requested information in writing from their fishing authorities—our results were again extremely disappointing.

that if citizens in these countries wanted to find out basic information on which companies fish in their waters, how much revenue is being generated by commercial fishing, or what is the income and expenditure of their fishing authorities, then they are not able to find this in open-source publications by their governments, and they probably will not get this information if they asked for it.

Poor transparency

Our survey did not give us a good insight into why there are such poor levels of transparency in most the countries surveyed. It is possible that the requests went ignored because

there was no one in the fishing authority designated to act on public requests for information, or it may be the case that the authorities did not want to share this information. This appears to be the case in Nigeria, where the survey participant—E. Umejei, a local journalist—undertook further investigative work after the survey was completed and published an article, dated 11 November 2011, titled “Nigeria’s Fishing Sector in Transparency Crisis” in the *Sunday Independent*. He discovered that Nigeria provided licences to 156 foreign vessels in 2010, but his source at the Department of Fisheries explained that all information on the cost of licences, the names of the companies buying them, and the revenues received by the Nigerian State was ‘classified’.

Improving transparency is an intuitive response to fisheries governance failure. Lack of transparency can be seen as one factor that marginalizes small-scale fishers and coastal communities and it may be important in understanding the political economy of overfishing. Lack of transparency in fisheries affects the rights of fishing communities to participate in decision-making processes that impact on their lives and livelihoods, and their right to free, prior and informed consent—a key principle in international law and jurisprudence.

The latest (2010) State of World Fisheries and Aquaculture Report from the Food and Agriculture Organization of the United Nations (FAO) states: “Lack of basic transparency could be seen as an underlying facilitator of all the negative aspects of the global fisheries sector—illegal, unreported and unregulated (IUU) fishing, fleet overcapacity, overfishing, ill-directed subsidies, corruption, poor fisheries management decisions, etc. A more transparent sector would place a spotlight on such activities whenever they occur, making it harder for perpetrators to hide behind the current veil of secrecy and requiring immediate action to be taken to correct the wrong”.

Despite being an encouraging statement, it is hard to locate evidence that the FAO or other international actors are adopting strong measures to address this problem. The World Bank makes reference to the need for transparency in the ‘wealth-based approach’ to fisheries, framed first and foremost as a condition necessary to provide ‘investor confidence’. But the World Bank’s fisheries projects in Africa are opaque, with hardly any publicly available in-depth evaluations and audits.

A major stumbling block is the lack of willingness of public authorities and companies to respect freedom of information. There are strong vested interests in sustaining confidentiality. Voluntary transparency reforms are often promoted by governments, but these can be disappointing; leading to selected disclosure of information that can easily morph into propaganda campaigns. To be sure, some information is still better than nothing, but what is needed are mandatory rules that provide citizens the right to access information they want, as well as access to justice when this right is ignored. 3

For more

<http://transparentsea.co/>

Transparent Sea

www.soros.org/initiatives/justice/

Open Society Justice Initiative

www.cape-cffa.org/spip.php?article262

Securing Transparency in African Marine Fisheries

fao.org/docrep/013/i1820e/i1820e00.htm

The State of World Fisheries and Aquaculture

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Justice Initiative Access to Information Monitoring Tool: Report from a Five-country Pilot Study

Harmonizing Rights

The General Fisheries Commission for the Mediterranean Sea (GFCM) is focusing on legislation on fishworkers' labour rights as an important component of management

At its 14th session held in Sofia, Bulgaria, during 20-24 February 2012, the Scientific Advisory Committee (SAC) of the General Fisheries Commission for the Mediterranean Sea (GFCM) made a historic decision, which may prove to be important in relation to the management of the fishery resources of the Mediterranean Sea. The SAC approved the proposal made by its Subcommittee on Economic and Social Sciences (SCESS) at its 11th session held in Rome in January 2012 to collect, study and analyze the national legislation of its members in relation to the rights of fishworkers.

In 2010, the Italian Ministry of Agriculture, Food and Forestry Policies commissioned the Mediterranean Agronomic Institute of Bari (IAMB) and the International Centre for Advanced Mediterranean Agronomic Studies (CIHEAM), which is a GFCM partner organization, to carry out a project, Development of Co-operation in the Mediterranean Fishery Sector: World of Labour, Producers' Organizations, Consumers' Associations and Training (PESCAMED). The objectives of the project were "to conduct an analysis on the world of labour and associations and to promote training designed towards the sustainable development and management of fishing in the Mediterranean countries". In addition to the meetings and seminars held in 2011, one of the main objectives of the project was to collect and analyze legislation on fishworkers' rights of 11 participating countries—Albania, Algeria, Croatia, Egypt, Italy, Lebanon, Morocco, Montenegro, Syria, Tunisia and Turkey.

During the Sofia meeting, presentations were made by the Italian trade union representing fishworkers (UILAPESCA) on the issue of both the national laws of participating countries as well as the relevant International Labour Organization (ILO) conventions and recommendations, including the Work in Fishing Convention, 2007 (C188). In 2011, PESCAMED published a comprehensive study on country reports, the labour context and producers' associations.

At its 11th session, SCESS discussed a number of issues on the

...one of the main objectives of the project was to collect and analyze legislation on fishworkers' rights...

socioeconomic aspects of fisheries in the region. The secretary of UILAPESCA introduced the PESCAMED study, and gave a brief history of the objectives and achievements of the project. On the basis of that introduction and the discussions that followed, SCESS decided to include the subject of fishworkers' rights in GFCM member States in its future programme of work, which was approved by SAC at its Sofia meeting of February 2012.

Further work

The work initiated by the PESCAMED project will be substantially expanded and developed by GFCM to include the national legislation of all its members in relation to the rights of fishworkers.

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The PESCAMED project proved that there has been a lack of commitment by ILO members to ratify the ILO's specific as well as general conventions affecting fishworkers adopted since 1919. The only convention that has been universally ratified is the Minimum Age Convention, 1973, (C138), which replaced a number of specific conventions referring to minimum age in different professions. It was hoped that the adoption of ILO's Work in Fishing Convention, 2007, would encourage more members to ratify a simple, single convention addressing many issues previously addressed in different conventions or recommendations.

The Work in Fishing Convention, 2007, has already been described and analyzed in past issues of *SAMUDRA Report*. It should be pointed out that the Convention includes, for the first time, within the term 'fisher', the employees of the fishery sector, defined as "persons working on board who are paid on the basis of a share of the catch...". It is important to

continue to undermine, the efforts of both national authorities and regional fisheries management organizations (RFMOs) to implement conservation and management measures. Those engaged in illegal practices will not provide data on their catches and are also often involved in illegal, unreported and unregulated (IUU) fishing. There is less likelihood that a fishworker working legally, whose rights are protected by law and supported and represented by a fishing trade union, will be part of illegal activities in relation to fishery management.

It can be argued that a proper and thorough study of the laws and regulations covering the rights of fishworkers, on a regional basis, will provide practical advantages that could benefit RFMOs in their attempts to improve their effectiveness.

Since the adoption of the United Nations Convention on the Law of the Sea (UNCLOS) in 1982, a number of international instruments have emphasized the importance of full participation by fishworkers and their representatives in the adoption and implementation of conservation and management measures. But until the recent decision by GFCM, no other RFMO has addressed this issue. The reluctance to involve fishworkers properly in the management of fishery resources by RFMOs, seems to be the result of unwillingness on the part of their members to acknowledge the rights of fishworkers, to introduce appropriate legislation, and to protect and safeguard these rights.

The recognition of the rights of fishworkers, and the securing of these rights in legislation, in a profession considered by ILO as one of the most hazardous of all, will serve to safeguard fishworkers' legitimate rights...

emphasize that while recognizing the role of the workers' unions in all aspects of policy- and decision-making, requiring their full participation, the Convention makes it clear that the workers' agreement should "contain certain particulars unless they are covered by other means by national laws or regulations or a collective bargaining agreement".

The recognition of the rights of fishworkers, and the securing of these rights in legislation, in a profession considered by ILO as one of the most hazardous of all, will not only serve to safeguard fishworkers' legitimate rights but will also eradicate the exploitation of fishworkers in many countries through illegitimate, and often illegal, employment. Such practices have undermined, and

Sustainable development

The 1992 Agenda 21 of the United Nations Conference on Economic Development (UNCED), held in Rio de Janeiro, Brazil, makes a direct connection between sustainable development and the role of workers and their trade unions. After emphasizing the importance of trade unions, it states that the objective is "poverty alleviation and full and sustainable employment, which contribute to safe, clean and healthy environments—the working environment, the community and



14th session of GFCM-SAC at Sofia, Bulgaria, during 20-24 February 2012.
GFCM is the first RFMO to acknowledge the role and rights of fishworkers in fisheries management

the physical environment. Workers should be full participants in the implementation and evaluation of activities related to Agenda 21”.

The objectives of Agenda 21 include: (a) to promote ratification of relevant conventions of ILO and the enactment of legislation in support of those conventions; (b) to reduce occupational accidents, injuries and diseases according to recognized statistical reporting procedures; and (c) to increase the provision of workers' education, training and retraining, particularly in the area of occupational health and safety and environment.

Agenda 21 adds: “...trade unions are vital actors in facilitating the achievement of sustainable development in view of their experience in addressing industrial change, the extremely high priority they give to protection of the working environment and the related natural environment, and their promotion of socially responsible and economic development...”.

The activities envisaged by Agenda 21 include promoting freedom

of association: “Governments and employers should promote the rights of individual workers to freedom of association and the protection of the right to organize as laid down in ILO conventions. Governments should consider ratifying and implementing those conventions, if they have not already done so”.

It is clear that since 1982 there have been increasing demands by the international community on the conservation and management of fishery resources, including demands that RFMOs be more effective in fulfilling their mandates. The demands placed on many of the RFMOs are often overambitious and unrealistic, requiring much increased financial/ personnel resources as well as proper support through the political will and commitment on the part of their members to fulfil those requirements.

In addition to the instruments referred to above, there are other international instruments that have stipulated further and more specific demands on these organizations. They include:

SHORELINE SCARL



Italian trawlers in Mazara del Vallo, Sicily, the most important Mediterranean fishing port. The ILO Work in Fishing Convention, 2007, covers employees of the fishery sector too

- FAO Technical Consultation on High Seas Fishing, 1992
- Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, 1993
- Rome Consensus on World Fisheries, 1995
- FAO Ministerial Meeting on Fisheries, 1995, to review the state of world fisheries and the organization's follow-up to UNCED
- Agreement for the Implementation of the Provisions of the UNCLOS relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA), 1995
- Kyoto Declaration and Plan of Action on Sustainable Contribution of Fisheries to Food Security, 1995
- Resolution on IUU Fishing adopted by the FAO Conference in 2003
- The Rome Declaration on IUU Fishing, 2005
- Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing, 2009
- International Guidelines on Bycatch Management and Reduction of Discards, 2011

The recent decision by GFCM to extend the scope and area covered by the PESCAMED project to include the collection and analysis of national

legislation of its members must be commended for several reasons.

First, GFCM is the first RFMO to acknowledge the role of fishworkers in fishery management through the study of regulations covering their rights. Such a study will provide a regional picture of various aspects of fishworkers' rights, and give the Commission greater understanding when it approaches, adopts and recommends management measures.

There can be no proper and meaningful participation by fishworkers and their trade unions if only a small fraction of the workforce in the fishing industry is invited to participate in matters related to the conservation and management of fishery resources since most countries do not have adequate laws and regulations providing, securing and safeguarding the rights of fishworkers.

Second, the absence of adequate and relevant legislation will show that the great majority of fishworkers in the Mediterranean region are operating without proper employment agreements and, therefore, such employment could be regarded as illegal. The problem is: How can national institutions and RFMOs expect to receive any data on fishing activities from those engaged in illegal activities?

Third, the study will prove the need not only for the introduction of legislation but also for the harmonization of such legislation on a regional basis. The lack of harmonization of fishworkers' rights will result in illegal migration, exploitation and, in some cases, possibly even the enslavement of fishworkers.

GFCM is pioneering an important and essential study, which will be extremely beneficial in the long term, enabling the Commission to be more effective in meeting its objectives. GFCM must be congratulated for taking such an important decision. Once the benefits of such a study are realized, other RFMOs will follow GFCM's lead. Management of fisheries involves fish and fishermen; yet so far the history of conservation and management shows that all the attention has been

concentrated on the fishery resources while the resources themselves could have benefited if more attention had been paid to those who catch them.

ILO regards fishing as one of the most hazardous of all professions, with a very high mortality rate. While the adoption of the Work in Fishing Convention, 2007, is a welcome development, it must be stressed that such a convention is long overdue. Furthermore, there has not been a concerted effort by ILO or its sister organizations, such as FAO and the International Maritime Organization (IMO), to promote the ratification of the 2007 Convention.

The 2007 Convention is not perfect; it is, nevertheless, a comprehensive document whose provisions cover all aspects of fishworkers' rights. The most fundamental defect of the 2007 Convention is that it does not cover fishworkers on board fishing vessels below 24 m in length. This, however, is recognized in the Convention, which recommends that, after ratification, parties could extend the provisions of the Convention to vessels below 24 m. There are also no provisions in the Convention in relation to fishworkers whose work is shore-based, such as those working in fish-processing factories.

It is hoped and expected that the GFCM's initiative will encourage other RFMOs to carry out similar studies and thus be able to exchange information and views on how to utilize such information to enhance the rights of fishworkers as well as their participation in fisheries management in various regions. PESCAMED studies show that there is not a single country with a coherent and comprehensive set of legislation that addresses the rights of fishworkers. A universal ratification of the 2007 Convention will be a very positive and important step towards the harmonization of fishworkers' rights. Such harmonization could create closer co-operation between fishworkers' trade unions and facilitate their widespread and active participation in deciding upon the conservation and management measures needed to

address the ever-increasing fragility of fishery resources.

The recognition of fishworkers' rights and the harmonization of national laws could prove to be the most important element in addressing the problem of IUU fishing as well as those related to providing accurate data to national and regional institutions responsible for fisheries conservation and management. For all these reasons, the importance of the task undertaken by GFCM cannot be underestimated. GFCM could be leading the way for a much better future for both fishery resources and fishworkers. 

For more

www.gfcm.org/gfcm/en

General Fisheries Commission for the Mediterranean

www.pescamed.it/index.php?option=com_phocadownload&view=category&id=24&Itemid=195

PESCAMED Country Reports on "The labour context and the producers' associations"

www.pescamed.t/=category&id=24&Itemid=195

PESCAMED Project

Unity in Diversity

Voluntary Guidelines to Secure Sustainable Small-scale Fisheries (VG-SSF) promise an overarching framework that recognizes the rights of fishing communities to life and livelihood

Twenty-five years on, the rights of fishworkers and their communities, notably those in the small-scale and artisanal sectors, to life and livelihood continue to be a central plank in the work of the International Collective in Support of Fishworkers (ICSF). In the years since its founding in 1986, considerable support has been garnered towards defending the rights of fishworkers and their communities. Indeed, there are now increasing calls for the adoption of a 'human-rights approach'

approach has an intrinsic rationale, in as much as achieving the human rights of all citizens is an end in itself. Adopting this approach also has an instrumental rationale in that it is likely to lead to better and more sustainable human-development outcomes, recognizing that the development of responsible and sustainable small-scale fisheries is possible only if the political, civil, social, economic and cultural rights of fishworkers are addressed in an integrated manner.

Interest in, and support for, a human-rights approach to fisheries is on the increase, and is being discussed in many forums, notably in the Food and Agriculture Organization of the United Nations (FAO). The UN's Special Rapporteur on the Right to Food has also taken up the issue of fisheries and the right to food, making explicit the link between the right to food and the rights of those who produce it to fair access to productive resources such as land and water, and to obtain a fair share of the benefits from their labour.

In the document on *The Contribution of the Right to Food to Combating Hunger and Malnutrition: What It Means and Why It Matters*, Olivier De Schutter, the UN's Special Rapporteur on the Right to Food, notes: "Governments now understand that hunger is not simply a problem of supply and demand, but ... a lack of access to productive resources such as land and water ... and of insufficient safety nets to support the poor. They understand... (that) they should now pay greater attention both to the imbalances of power in the food systems and to the failure to support the ability of small-scale farmers to feed themselves, their families and their communities."

Interest in, and support for, a human-rights approach to fisheries is on the increase...

to fisheries. Such an approach places human rights at the centre of fisheries policy dialogue and at the centre of the debate on fisheries development. It is an approach that challenges a more technical rights-based approach, which tends to promote economic interests and economic development over social development. Often based on assigning property rights to individual fishers or companies, this latter approach tends to favour the individual over the collective, and corporate interests above community interests, and to see fisheries through a productionist lens.

A human-rights approach to fisheries recognizes that development efforts in fisheries should contribute to securing the freedom, wellbeing and dignity of all fisher people everywhere. The adoption of a human-rights

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We could add 'small-scale fishers' in this regard, and demand greater attention to supporting them in their endeavors "to feed themselves, their families and their communities".

Indeed, the report from the 28th Session of the FAO's Committee on Fisheries (COFI 28) in March 2009 highlighted that: "the often precarious conditions of small-scale and indigenous fishing communities... are mainly due to insecure access and user rights to land and fishery resources, inadequate infrastructure facilities such as rural roads and landing sites, high vulnerability to natural disasters and adverse impacts of climate change, risky and harsh working and living conditions, inadequate access to basic social services, as well as weak representation and participation in decisions affecting their lives."

So, when in February 2011, COFI 29 approved "the development of a new international instrument on small-scale fisheries that would draw on relevant existing instruments, complementing the Code (of Conduct for Responsible Fisheries)", this was a signal to ICSF and its partners to invest time and effort in raising awareness about the importance of such an instrument. It was also a signal to start preparing a

common civil society position on the scope and content of such an instrument that would inform the process of its development.

ICSF, together with the World Forum of Fish Harvesters and Fishworkers (WFF), the World Forum of Fisher Peoples (WFFP) and the International Planning Committee for Food Sovereignty (IPC), have made some significant progress towards raising awareness about, and achieving consensus amongst fishworker organizations and their support organizations, on the importance of the proposed instrument tentatively titled "VG-SSF".

Since August 2011, the civil society partnership referred to above has rallied support for and, through their various networks, implemented at least 12 national-level and two regional-level consultation workshops across Asia (India, Sri Lanka, Philippines, Thailand and Pakistan), Africa (Uganda, South Africa and a regional workshop in Senegal), and Latin America (Brazil, Honduras, Nicaragua, Costa Rica, El Salvador, Panama, and a regional workshop amongst six central American countries in Nicaragua).

The consultations have focused on developing countries, given the COFI

COOPESOLIDAR R.L.



Opening of the regional Voluntary Guidelines for Small-scale Fisheries (VG-SSF) workshop in Nicaragua. Such regional workshops helped raise awareness about the importance of such an instrument

FUNDE



Fishworkers and authorities in El Salvador discussing the outcomes of the workshop. The VG-SSF guidelines seek to protect and promote small-scale fisheries

which may be called small-scale in one situation may be large-scale in another.”

While national-level consultations have celebrated this diversity, they have also highlighted unity in the face of the diverse problems shared. Perhaps nowhere more so than in central America is such diversity and unity apparent. Wedged between the two American subcontinents, the central American region is characterized by a wide diversity of fishery ecosystems and resources (both marine and inland), on the one hand, and, on the other, by a huge melting pot of races and cultures, whose ethnic origins can be traced to all parts of the globe—with communities identifying themselves with a plethora of indigenous peoples, mixed races, and with people of African or European descent. All these communities have strong traditions and have strong cultural ties to the land, sea and water bodies, which are reflected in the diversity of fishery-related activities and cultures.

Coastal areas of the central American region, being situated in the hurricane belt, are particularly prone to the impact of extreme weather conditions. In the first decade of 2000, notably in 2005, there was a very high incidence of tropical storms and hurricanes. It remains to be seen whether this is a rising trend, and, if so, what kinds of disaster-mitigation measures could be effective in making fishery activities safer, and fishing communities more secure.

The main issues arising from the central American region include the following:

- The small-scale fishing sector comprises fishers as well as all sectors of society who play a role in the production chain and who pursue a way of life with its own cultural identity, including women, youth, and the elderly.
- The high degree of heterogeneity of artisanal fisheries is reflected in the variety of different communities—of African descent, indigenous communities, *mestizos* (mixed race), and settlers of various kinds; it is reflected also in the structures of organizations and associations

mandate that the instrument should “focus on the needs of developing countries”, and given that it is difficult to mobilize funds for such consultations in industrialized countries. However, until otherwise decided, the VG-SSF guidelines are to be “global in scope”, and there is considerable interest to see how the guidelines could apply to small-scale fisheries, both North and South. As noted by John Kurien, ICSF Founder Member: “There is a widely held opinion that small-scale fisheries are largely restricted to the developing countries with a maritime tradition. This is not true. In fact, small-scale fisheries flourish in the marine, riverine or lacustrine ecosystems of many developed and developing countries with a fishery tradition worthy of mention.”

One of the difficulties facing such a process is how to define or otherwise characterize small-scale fisheries, when one of the characteristics is diversity. According to Kurien, “Small-scale fisheries the world over have evolved in time and space from specific ecological, and changing socioeconomic and cultural, contexts which are marked by diversity rather than homogeneity. Any discussion on small-scale fisheries must, therefore, reckon with the fact that there is a definitional problem, which, despite the prolific nature of the literature on the subject, has not been sorted out...” and therefore, “definitions are not universally applicable and that

(co-operatives, community-based organizations, indigenous institutions); and in the diversity of geographic areas and ecosystems—coastal and inland areas, Pacific and Caribbean coasts, islands, lakes and rivers; therefore, any policies, regulations and measures put forward should consider and accommodate these conditions and differences.

- The main issues in common are poverty and marginalization. Achieving responsible and sustainable fisheries is not possible in a context of poverty and hopelessness. It is equally important to maintain equality between men and women, and the equality of artisanal fishing communities before the law.
- Fishery-dependent communities face competition, encroachment and pollution from aquaculture, from intensive agriculture (notably of sugarcane), tourism, urban and industrial development, trawling in coastal waters, and so on. Another issue is violence from drug trafficking.
- There is a prevalence of, and need to defend, exclusive artisanal fishing areas. (In Nicaragua these extend to three miles on the Pacific and Caribbean coasts, and 25 miles around the islands and bays; in Costa Rica, three miles out to sea and with special provisions for 'marine areas for responsible fisheries'; in Honduras, industrial fishing and trawling are allowed outside nine miles or outside 60-m depths). There are also calls for protecting inland waters that are reserved for artisanal fishing.
- Support is required for forming fishworker associations that can represent communities and groups in decision-making processes. Associations are weak and marginalized in the fishery-management and decision-making processes. Communities and groups need to be enabled to plan and implement fisheries management and conservation programmes with the authorities.

- In the post-harvest sector, there is a need for support to market the fish catch and ensure a fair return on labour for fishworkers.
- Calls have been made for the provision of social security (sickness and retirement benefits) and basic amenities like water, healthcare and education.
- In the face of climate change, extreme weather conditions and events, disaster-mitigation programmes are needed to deal with such impacts as invasive species and coastal flooding, and to establish early warning systems.

While many of these issues need to be addressed at national or even local levels, they highlight the need for an overarching framework that recognizes the rights of fishing communities to life and livelihood. We hope the VG-SSF Guidelines will provide us with such a framework. 📌

For more



<https://sites.google.com/site/smallscalefisheries/events>

Civil Society Website on the VG-SSF Process

www.fao.org/fishery/topic/16152/154368/en

FAO Page on Securing Sustainable Small-scale Fisheries

www.fao.org/righttofood/publi09/Fisheries_en.pdf

Fisheries and the Right to Food

www.srfood.org

United Nations Special Rapporteur on the Right to Food

<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-2979.2011.00405.x/full>

Rights-based Fisheries Governance: From Fishing Rights to Human Rights by E H Allison et al. 2011

<http://www2.ohchr.org/english/bodies/hrcouncil/advisorycommittee/session8/documentation.htm>

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www.fao.org/cfs/cfs-home/cfs-land-tenure/en

Information on the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security

Community Concerns

A recent workshop in New Delhi, India, discussed about how a balance may be achieved between conservation and fisheries-dependent livelihoods

A two-day workshop, titled “Fishery-dependent Livelihoods, Conservation and Sustainable Use of Biodiversity: The Case of Marine and Coastal Protected Areas in India”, was held in New Delhi during 1-2 March 2012. The workshop was a follow-up to the one held in Chennai in 2009, which was titled “Social Dimensions of Marine Protected Area (MPA) Implementation in India: Do Fishing Communities Benefit?”.

The 2009 Chennai workshop had discussed the findings of five

recent Delhi workshop attempted to review existing legal and institutional mechanisms for implementation and monitoring of MCPAs, seeking coherence across agencies, discussing the impact of MCPAs from an environmental-justice and human-rights perspective, and making specific proposals for better conservation while securing the livelihoods of small-scale fishers. The Delhi workshop also served to underscore these issues in light of the upcoming Conference of Parties (COP) of the Convention on Biological Diversity (CBD), to be held at Hyderabad in October 2012.

Participants at the Delhi workshop comprised fishing-community representatives from five MCPAs—the Gulf of Mannar (Marine) National Park and Biosphere Reserve in Tamil Nadu, the Malvan (Marine) Wildlife Sanctuary in Maharashtra, the Gahirmatha (Marine) Wildlife Sanctuary in Odisha, the Sundarbans Tiger Reserve in West Bengal, and the Gulf of Kutch (Marine) National Park and Wildlife Sanctuary in Gujarat—several non-governmental organizations working on biodiversity conservation and on securing people’s customary rights to natural resources, as well as government officials from the Central government’s ministries of environment, forests, and agriculture, and from the five State governments’ departments of environment, forest and fisheries.

Difficulties faced

The difficulties faced by fishers due to the implementation of MCPAs were briefly discussed. Fishworker unions had been requested to hold regional

The recent Delhi workshop attempted to review existing legal and institutional mechanisms for implementation and monitoring of MCPAs...

case studies, of marine and coastal protected areas (MCPAs) in India, from a fishing-community perspective and had looked at the extent to which fishers are involved in MCPA governance. Legal and institutional issues, the workshop had concluded, were some of the obstacles to effective governance of MCPAs. The workshop had also called for better MCPA implementation that recognized community rights to participation in management as well as rights to the sustainable use of resources. The 2009 workshop had asked the government to consider fishing communities as allies, and recognize and support community-led initiatives for management and conservation.

Keeping in mind the themes identified at the 2009 workshop, the

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meetings to agree upon not just what demands to present to the government, but also what measures the community feels it can take to contribute to better conservation and sustainable use of biodiversity.

Bharat Patel of Machimar Adhikar Sangharsh Sangathan (MASS) from Gujarat spoke of how the majority of violations in the Gulf of Kutch National Park and Wildlife Sanctuary are by industries but, at the end of the day, it is the fishing community which is affected by the pollution. He called for restriction and regulation of industries in the area and a study to analyze industries' impacts on the ecosystem. He also called for recognition of the traditional rights of fishers to fishing grounds, and urged a ban on trawlers and other destructive fishing methods. Patel hoped that fishers would be given the chance to actively participate in planning and implementation of protected areas.

Pradip Chatterjee from the National Fishworkers' Forum (NFF) spoke of the restrictions on fishing and the limited number of boat licence certificates (BLCs) issued for fishing in parts of the Sundarbans Tiger Reserve (STR). He spoke of the fact that innocent passage through the protected area is not recognized. He called for the implementation of the relevant provisions of the Forest Right Act and the 2006 amendment to the WLPA, to protect the rights of traditional fishing communities dependent on the forest areas for their livelihood needs. He also mentioned that community participation in protected area management is limited to eco-development committees (EDCs).

Speaking of the problems faced by thousands of fishers along the Odisha coast, Narayan Haldar of the Orissa Traditional Fish Worker's Union (OTFWU), said that though the turtle breeding season is only for a few months, fishing is banned in certain areas throughout the year. Haldar asked for the size of the Gahirmata (Marine) Wildlife Sanctuary to be reduced to facilitate access to fishing grounds.

From the Gulf of Mannar area, A. Palsamy of the Ramnad District

Fishworkers' Trade Union (RFTU) spoke of the restrictions on seaweed collection, a traditional livelihood activity for several thousand women. The impact of industries and burgeoning tourism was mentioned. Palsamy also highlighted community initiatives to conserve resources, such as the ban on coral collection from the islands, a two-month holiday on seaweed collection, a ban on capture of juvenile fish and juvenile sea cucumbers (before the listing of sea cucumbers in Schedule 1 of the Wild Life (Protection) Act of 1972, WLPA). He called for the restoration of the right of access to traditional fishing grounds, a recognition of the rights of fishing communities to manage resources, and the development of a sustainable harvest plan for sea cucumbers.

Dilip Hari Ghare of Sindhudurg Schrajeevi Rampan Machhimar Utapada Co-operative Society from Maharashtra spoke of how communities remain unaware about the declaration of the Malvan sanctuary and its associated regulations. Ghare expressed concern over the uncontrolled mechanized fishing, especially by purse-seiners. He said unless there is better sharing of information on the sanctuary and involvement of the community in all decision-making processes, there will be resistance to conservation efforts.

ROHIT GUSAIN/ICSF



Chandrika Sharma of ICSF, Tarun Shridhar of MoA, Y S Yadava of BOBP-IGO, Hem Pande of MoEF and V Vivekanandan of ICSF at the inaugural session of the Delhi MPA workshop

In their presentations, community representatives repeatedly spoke of being excluded from decision making by the government. In his inaugural address, Hem Pande, Joint Secretary in the Ministry of Environment and Forests (MoEF), said that sustainable development has three pillars—economic, social and environmental. However, a focus confined to the first two was inadequate. The challenge for a country of India's size—which accounts for 2.5 per cent of the world's land mass and 18 per cent of the world's population, leading to great pressure on biodiversity—is to balance the requirements of all three pillars. The answer lies in people's participation in the management of biodiversity (or fisheries, in this case). Such a model, he said, might be a better one, despite the conflicts that are likely to arise.

In his keynote address, Tarun Shridhar, Joint Secretary, Department of Animal Husbandry, Dairying and Fisheries (DADF), Ministry of Agriculture (MoA), pointed out that though India is amongst the largest producers of fish in the world, there

of the maximum sustainable yield (MSY) concept in a tropical-fisheries context.

Shridhar, noting that small-scale fishers are hard hit by conservation measures, underscored the need for dialogue between environment and fisheries policymakers. He also highlighted the need to strengthen laws governing fishing vessels in India's exclusive economic zone (EEZ).

The other focal point of the Delhi workshop was to explore spaces within the existing legislative framework to see how fishers' rights can be protected while promoting sustainable use of resources. Towards this end, several resource people spoke on different legislation, from the WLPA to the Panchayati Raj Act of 1992. With this in mind, ICSF had commissioned a legal analysis of the WLPA by two advocates, V Suresh and D Nagasaila, who have worked extensively on human-rights issues.

Nagasaila's presentation focused on the clauses in the WLPA that relate to fishing communities and their rights. She dwelt on how different clauses could possibly be used by a community to defend its rights to continue fishing within protected areas established under the WLPA. In the discussion that followed it was noted that restrictions on fishing in protected areas were not uniformly applied—while fishing was allowed in some of them, in others fishers faced severe restriction.

C R Bijoy of the Campaign for Survival and Dignity (CSD) wondered whether it was time to move from community participation to community control (of resources), and from management to governance.

Kanchi Kohli of Kalpavriksh spoke about the Environment (Protection) Act (EPA) of 1986. The coast is a fragile ecosystem supporting diverse livelihoods, yet it is seen as a wasteland, ideal for power plants and special economic zones (SEZs). Hence this is where there is maximum resistance from communities.

Ecologically sensitive areas

The EPA, enacted after the Bhopal tragedy, seeks, among other things, to regulate industries by demarcating

The issue of who is responsible for depleting marine resources and how fish stocks are estimated came up.

is not enough attention on fisheries; he called for all involved to work towards raising the profile of the sector, bringing fisheries to the attention of the political establishment.

Shridhar said that while, according to the Food and Agriculture Organization of the United Nations (FAO), 82 per cent of fisheries globally are fully exploited or depleting, recent stock assessments undertaken in India indicate that stocks here are not fished to potential.

This, he noted, provides the advantage of planning sustainable use of the resource instead of resorting to *post facto* measures. This led to some debate on the science behind fish-stock assessments, especially the suitability

ecologically sensitive areas (ESAs) and requiring environment impact assessments (EIA) for every infrastructure project, along with a social assessment. The EIA notification talks of public participation in the process and lays down a long list of requirements from the project proponents. More work is needed to ensure effective implementation, Kohli said.

She also spoke of the Biological Diversity Act (BDA) of 2002, which deals with conservation, sustainable use, and access and benefit sharing (ABS). The BDA regulates access to bioresources and traditional knowledge of communities. Some of the clauses in the act, such as the one restricting activities detrimental to biodiversity and the option to declare biodiversity heritage sites, must be harnessed, she felt.

Another new legal route, said Kohli, is the National Green Tribunal, which has replaced the National Environment Appellate Authority. Orders given under the EPA and the BDA can be challenged at the Tribunal, which also looks at compensation and damages. She concluded that when we talk of law and MCPAs, there is a disconnect between the intent of the law and its design. Conservation is retrofitted, while the main framework remains access.

An overview of the Coastal Regulation Zone (CRZ) Notification of 1991 was provided by Aarthi Sridhar of Dakshin Foundation. CRZ, under the EPA, is a zonation law, which has been poorly implemented. The MoEF reviewed the notification in 2008, but the resultant version was strongly opposed by fishing communities concerned about the rampant development of the coast and the shrinking spaces for their livelihood activities. After a protracted struggle, the government cleared the final 2011 version of the Notification, which mentions the customary rights of fishers. There is a provision for designation of critically vulnerable coastal areas (CVCAs). Whether this is positive for local communities will depend on its implementation.



69 participants at the workshop on "Fishery-dependent Livelihoods, Conservation and Sustainable Use of Biodiversity: The Case of Marine and Coastal Protected Areas in India"

Sebastian Mathew, Programme Adviser of ICSF, spoke of how all the State Marine Fishing Regulation Acts mention conserving resources, regulating fishing, and wildlife protection. Many of the State acts also prohibit certain fishing methods and gear deemed harmful to wildlife, such as the use of explosives and stake nets. He also highlighted how effective implementation of some of the existing provisions can contribute to conservation of fishery resources.

During the discussion sessions, K B Thampi, (Retired) Principal Chief Conservator of Forests (PCCF), Kerala, pointed out that several of the laws discussed do not have a clear institutional mechanism for their implementation. This hampers effective implementation, with departments working at cross purposes. He also pointed out that the progressive National Forest Policy was formulated in 1988 but was not followed by an act incorporating ideas expressed in the policy; instead, the Indian Forest Act of 1927 is still valid. J R Bhatt, director, MoEF, concurred that the acts are silent on forward-looking ideas introduced in policies.

Political economy

Shalini Bhutani, an independent researcher who works on agriculture and trade issues, stressed the need to locate all legislation in the context of

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Advocate Nagasaila, Deepak Apte of BNHS, V Vivekanandan of ICSF, B C Choudhury of WII, Ashish Kothari of Kalpavriksh and Shekhar Kumar Niraj of Govt. of Tamil Nadu at the close

the political economy. Implementation will be coloured by this political economy; we need to analyze, for example, how trade and trade policies are interacting with the environment laws.

J R Bhatt spoke of the difficulties faced by policymakers. He mentioned that there is a lot of pressure at the international stage to meet the obligations of multilateral agreements, which may be in contradiction with conservation or fishers' needs. He commented that conservation without sustainable use and equitable sharing will have no meaning.

Chandrika Sharma, Executive Secretary of ICSF, flagged the importance of having a co-ordination mechanism between government ministries and departments, particularly those dealing with fisheries and the environment. Y S Yadava of the Bay of Bengal Programme Inter-governmental Organization (BOBP-IGO) stressed that while such co-ordination is important at the central level, it is perhaps even more important at the state and local levels. Fisheries departments need to play a much greater role in fisheries management.

Sebastian Mathew of ICSF spoke of the need for fisheries departments to move towards greater conservation of marine-fishery resources, and protection of marine habitats. He also drew attention to the need to recognize

the rights to fish in marine internal waters consistent with such rights in territorial waters.

Ashish Kothari of Kalpavriksh stressed on the need for participatory and equitable governance of protected areas. He highlighted the role of local communities in governance, not only in management. The implementation of protected-areas worldwide has led to conflicts because the livelihood rights of communities have been ignored, rendering conservation itself unsustainable. Protected-area governance should be gauged by its quality—whether basic human rights have been respected, he said.

Speakers at the workshop also provided examples of community-managed conservation areas from across the world. Kothari spoke of the Programme of Work on Protected Areas (PoWPA) under the CBD, which emphasizes the importance of governance, participation, equity and benefit sharing. He drew attention to the many examples of community-led conservation that have been documented through the Indigenous and Community Conserved Areas (ICCA) network, such as the Annapurna Conserved Area, Nepal, French Region National Parks, Galapagos National Park in Ecuador and the Kaa-ya del Gran Chaco National Park in Bolivia.

Ramya Rajagopalan, Consultant, ICSF, drew attention to successful community-led efforts for conservation of coastal and marine biodiversity from around the world. She spoke of traditional taboos on access, on irresponsible resource use, and spatio-temporal restrictions imposed by different communities.

Prakriti Srivastava, Deputy Inspector General (DIG), Wildlife, MoEF, spoke of the community-led turtle conservation that she had supported as the Divisional Forest Officer, Calicut (Kozhikode), Kerala.

Turtle nesting

With forest-department support, turtle-nesting numbers went up over the years, a plan for a resort was successfully fought, and other problems such as water scarcity were addressed. She said that when the

forest department associates with the community, it can benefit the community and conservation, and that when groups work in isolation, there is no progress.

V Vivekanandan, Member, ICSF, spoke about the self-governance systems prevalent among fishing communities across the coast. He mentioned some of the self-imposed restrictions observed by the fishers to manage resources and resolve conflicts, such as local bans on ring-and-purse-seines. He emphasized that no management or conservation initiative can afford to ignore the self-governance institutions among fishing communities.

R K Patil of the NFF said that though as a fisherman he was a “killer of fish”, he understood the importance of conservation. The NFF has, over the years, undertaken several campaigns and struggles seeking conservation of marine and coastal biodiversity. He reiterated that fishers are ready to work with the government to manage resources, but that the government has to recognize the rights of communities. He added that if communities are not part of the decisionmaking, they will have no choice but to oppose MCPAs, as they have done in Malvan.

The Delhi workshop saw a consensus on the need for better co-ordination and understanding among stakeholders. Speakers spoke of how underutilized legal options, such as conservation and community reserves, biodiversity heritage sites, and ESAs, which provide greater opportunities for community participation in conservation and management, including opportunities that enable them to regulate developmental activities detrimental to the coastal and marine ecosystem, must be explored. Several speakers also named the commercial fishing interests as contributors to depleting fish stocks.

Vishnu Bhat, Fisheries Development Commissioner, DADF, reiterated the need to spotlight fisheries. He pointed to the need to augment capacity at various levels for

proper implementation of fisheries management.

J R Bhatt underscored the lack of capacity within the ministry when it came to the marine environment. He also concurred with Kothari that the protected-area system required a review. Tarun Shridhar, Joint Secretary, MoA, commented that whether fishing rights could be enshrined in separate legislation needs to be looked into. He also underscored the necessity for co-ordination between the MoA and MoEF through an appropriate institutional mechanism.

Commenting on the unimaginative alternative-livelihood programmes that often have no connection at all to traditional livelihoods pursued by the community, B C Choudhury of the Wildlife Institute of India (WII), said such programmes are about the three Ps—*papads*, *petticoats* and *pickles*! WII, he said, had identified 350 marine and coastal high-biodiversity areas, which would benefit from conservation; but, he felt, the catch is in the name—protected area. He suggested calling them instead conservation areas. WII had recommended that 102 sites of the 350 should be designated for conservation. Many of these have

The Delhi workshop saw a consensus on the need for better co-ordination and understanding among stakeholders.

traditional resource-management practices that need to be documented. He also called for a network of community-managed areas. He reiterated the need to re-evaluate our terrestrial approach to marine conservation.

Deepak Apte, of the Bombay Natural History Society (BNHS), noted that in his experience small-scale fishing communities are supportive of conservation, if their access rights to sustainably use the resource are not jeopardized. The challenge is to

Matanhy Saldanha (1948–2012)

Matanhy Saldanha, Chairperson, National Fishworkers' Forum (NFF), India, died of a heart attack early morning, Wednesday, 21 March 2012, in Panaji, Goa.

As the founding Chairperson of the NFF in the late 1970s, he led many struggles of non-trawl fishers against bottom trawling. These struggles eventually led to the demarcation of maritime zones where trawling was prohibited, and to the implementation of a uniform seasonal monsoon fishery ban in India.

Matanhy was re-elected for another term, as Chairperson of NFF, in 2009. During his second tenure, in the face

of indiscriminate industrialization of the coast, he fought tirelessly for the protection of India's coastal zone, and for the right of fishing communities to live peacefully along the coast and to fish

in its nearshore waters.

Matanhy's demise is a big loss to Goa and to the fishworker movement of India.

In the words of Pradip Chatterjee, Secretary, NFF: "A person of immaculate honesty and integrity, a great orator, a true friend and able leader of traditional

fishing communities, a diehard fighter and a very sensitive and gentle person, Matanhy Saldanha will be remembered for years to come."



use provisions in environmental and fisheries legislation that allow for communities to participate equally in conservation and management. This will also go a long way in regulating the mad rush for 'development' along the coast.

Ashish Kothari, of Kalpavriksh, reiterating the need for legislation to protect the interests of the fishing community, along the lines of the Forest Rights Act of 2006, called on the MoEF to undertake a review of all MCPAs in India prior to COP11 of the CBD, especially to see if MCPA practices, including governance aspects, were consistent with CBD's PoWPA. Based on the review, the MoEF should take a series of steps to improve governance of MCPAs, he suggested. 3

For more

[sites.google.com/
site/2012mpaindiaworkshop](http://sites.google.com/site/2012mpaindiaworkshop)

Delhi MPA Workshop Website

icsf.net/icsf2006/jspFiles/mpa/index.jsp
**MPAs: Local and Traditional Fishing-
community Perspectives**

www.cbd.int

Convention on Biological Diversity

Coping, Changing, Imagining

By adopting a common analytical framework, this book offers a coherent view across contexts to draw wider lessons about small-scale fisheries

Small-scale fisheries are frequently regarded as a forgotten or neglected sector. Its contributions are undervalued, its successes in adaptation overlooked, and it is portrayed as a relict of our hunter-gatherer past, a subsector on which the sun will soon set. Often, only when resource decline and biodiversity loss in fisheries implicate the large number of people involved in small-scale fisheries is the sector remembered at all—and then only to draw attention to the apparently desperate recourse to destructive fishing methods.

Re-drawing this picture of 'crisis' to bring small-scale fisheries to the foreground of national and global fisheries management and development thinking requires good, up-to-date statistics, descriptions and analysis. Most fisheries research, however, focuses on the fish, rather than on the fisherfolk or the fishery. Those who do work on fishing and post-harvest issues tend to concentrate on the large-scale fisheries of developed countries, despite the fact these contribute less than half of global capture-fisheries landings, and are of minor importance in terms of employment.

Organizations like the Food and Agriculture Organization of the United Nations (FAO), the WorldFish Centre and several conservation non-governmental organizations have programmes focused on small-scale fisheries governance and development, but their effectiveness is limited by the fragmentation of the small-scale fisheries knowledge base. This is why this new book under review is so welcome.

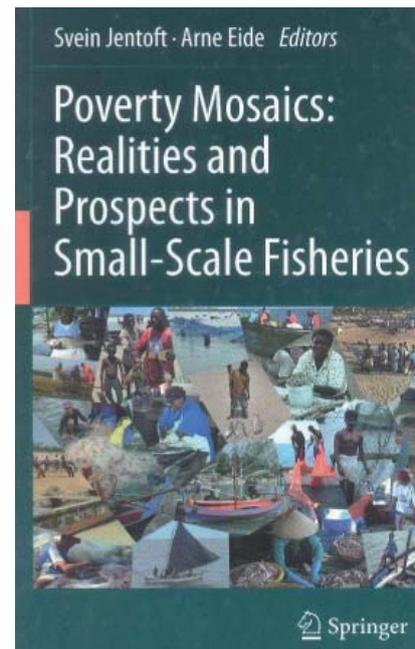
Edited by sociologist Svein Jentoft and economist Arne Eide of the Centre of Marine Resource Management at the Norwegian College of Fishery Science, University of Tromsø, Norway, the book is the main output of the recent POVFish research project, funded by the Norwegian Research Council. POVFish commissioned research studies in 15 countries, mostly in south and southeast Asia, east and southern Africa and central America, as well as individual studies in Ghana, Turkey and Poland.

The resulting work is more than a collection of country case studies. Its universal value springs from a common analytical framework, which allows a coherent look across contexts to draw wider lessons about small-scale fisheries while retaining enough flexibility to allow each author to emphasize the issues most germane to the places they work in.

The stage is set by a thoughtful foreword by John Kurien, Member of the International Collective in Support of Fishworkers (ICSF) and a renowned scholar-activist. He recounts his own early encounters with fishing communities, and how they shaped his future, while also modestly commending readers to explore the book for further insight.

Shifting environments

In the introduction, the authors describe their book as being "...about small-scale fisheries and the many poor and vulnerable people who draw their livelihoods from this sector...what fishing means to them, their adaptation to shifting environments, and how fisheries contribute to food security and



POVERTY MOSAICS:
REALITIES AND PROSPECTS IN
SMALL-SCALE FISHERIES
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This review is by **Edward H. Allison**
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International Development,
University of East Anglia, UK

wellbeing”. Such a perspective sets this book apart: it is not primarily about the ecological consequences of people’s fishing activities, though these are not ignored; nor is it about how to extract more, or optimal, economic value from fisheries, though this issue is also tackled. Rather, it is about the people who catch, process and trade fish, and their families and community members: their thoughts, motivations, aspirations, social and political relations, and cultures. It is also about their technologies, knowledge, their markets, and their adaptations to change.

In the context of frequent calls for a more integrated or ‘systems’ view of fisheries, here, finally, is a book focused on people as individuals and social groups, and not just as environmental exploiters, economic agents or ‘hungry mouths’. The clarity of that focus on people varies, as does the distance of the observer’s gaze. The anthropologists get up close and personal, while the systems ecologists and governance scholars take a wider, more holistic, look at the context, but the sum is, as the editors say, a “remarkable mosaic of small-scale fishers’ stories, situations and coping strategies”.

Each case study affords indepth understanding of poverty and wellbeing through detail.

The book is imaginatively structured, not by regions or academic disciplines, but around understanding the dimensions of poverty and vulnerability in fisheries, how these are mediated by the context in which small-scale fisheries operate, how people in the sector are coping, and how the systems of governance are changing to accommodate or anticipate further change.

This analysis is used to imagine a future for fisheries free of poverty and vulnerability. The sophistication of the analysis lies in its refusal to

align universally with either stories of ‘success’ or ‘crisis’. The case studies point to partial, contingent successes: crises delayed or averted, and imperfect solutions in progress. These are much more convincing pictures of life in small-scale fisheries than the popular, sweeping narratives of collapse, poverty and ‘last-resort’ occupations, on the one hand, or the uncritical portrayal of success for all and forever, on the other.

The good ideas in this rich collection start in the introductory chapters. I was particularly struck by Eide et al’s argument of irreversibility of privatizing the aquatic commons. Chuenpagdee and Jentoft then outline the overall research framework for the project—a ‘fish-chain’ approach that examines the drivers and policy impacting the whole fishery system, from the environment, through harvest to post-harvest activities.

Jentoft and Midré provide an indepth, critical examination of the concept and measurement of poverty and vulnerability, while also introducing a key research methodology—querying fisherfolk themselves about the meaning and experience of poverty, rather than relying on externally conceived indicators and meanings derived by ‘poverty experts’.

Each case study affords indepth understanding of poverty and wellbeing through detail. We learn from Mahmudul Islam, for example, that fishers in the Sunderbans live in fear of attack by Bengal tigers, and spend a large proportion of their earnings on medicine. Sustaining fishery systems in this context requires actions that are unlikely to be found in the average fishery management ‘toolkit’.

Livelihoods approach

Onyango’s study of fisherfolk’s own understanding of poverty and wellbeing on Lake Victoria reminds us that the guiding principles of the livelihoods approach are to “put people at the centre of the analysis”, “focus on what the poor have, rather than what they do not have”, and “build on strengths”. Instead, there

has been a tendency for development analysts to focus on deficits and needs, thereby portraying fisherfolk as victims seeking assistance, rather than as resourceful agents of their own destinies. Onyango's chapter on Lake Victoria captures the pride and enjoyment of fishing as an occupation and way of life. I would have liked to hear more of the voices of the women in this fishing community. Indeed, although gender is mentioned frequently, and the importance of women in fisheries is emphasized, we hear little from women (except as researchers and authors).

The book's three significant quotations from women in fishing communities all relate, in some way, to 'coping' with hardships. Marciniak's chapter on Polish small-scale fisheries illuminates a woman's perspective on alcohol abuse in a community in decline. Knudsen and Koçak's study of boom and bust in the Turkish sea-snail fisheries makes a woman's story of adversity a baseline for subsequent analysis of 'coping'. González's study of empowerment in Nicaraguan fisheries exposes the frustration of a member of a women's co-operative.

However, all the chapters—even Kraan's meticulously researched and fascinating overview of fishing as a way of life and not just a source of livelihood in Ghana—are silent on how girls growing up in fishing communities identify with fish-related occupations, or what women traders enjoy about their work. Few of the statistical tables in the book are gender-differentiated, but several authors do have specific subsections on the 'role of women', which are basically an acknowledgement of gender divisions of labour and differential vulnerabilities.

Despite the adoption of a 'fish-chain' research framework in the book, the analytical focus is still on the fish-capture process, fishing incomes and fish-stock management. Processing, trading and marketing, and the broader household livelihood activities undertaken by women are seldom accorded the same level of analysis as the fish-capture processes.

The sections on "Coping" and "Change" give particularly good overviews of the multiple experiences of change from countries like Mexico, Nicaragua, Turkey, Malawi and Thailand. Governance reforms, development initiatives and co-operative formation are some of the mechanisms identified for achieving improved futures. The examples in this section all come from countries undergoing major economic and social

The imagined future for governance of small-scale fisheries is one where we learn from the poor, and where we involve the people affected by change in the formulation, implementation and evaluation of policy process.

change, following civil conflict or regional geopolitical struggle in their relatively recent histories. They include Vietnam, South Africa, Sri Lanka, Mozambique and Guatemala.

The vision for the future is drawn on theory introduced at the start of the book, and is illustrated by the 15 case studies: development as freedom, the notion of wellbeing, which encompasses both material and non-material aspects of life, and the attention to people's aspirations, securing rights and reducing vulnerability.

The imagined future for governance of small-scale fisheries is one where we learn from the poor, and where we involve the people affected by change in the formulation, implementation and evaluation of policy process. The vision is also one that sees fisheries are part of a wider cultural, economic and social system, and even allows for movement out of fisheries when they can no longer sustain people's wellbeing.

The book concludes by hoping it will "trigger curiosity, promote learning, and spur willingness to adopt new strategies" for governing and developing small-scale fisheries. It should do all that, and help convince more people that small-scale fisheries have a bright future. 

For more

sites.google.com/a/maremacentre.com/povfish/

Poverty Alleviation and Sustainable Livelihoods in Small-scale Fisheries (PovFish)

www.worldfishcenter.org/

The WorldFish Centre

www.maremacentre.com/

Centre of Marine Resource Management, Norwegian College of Fishery Science

RIO+20

UN Secy-Genl urges integrating environmental, social and economic aspects of development

United Nations (UN) Secretary-General, Ban Ki-moon, has urged governments to consider setting up a new global arrangement that integrates environmental, social and economic dimensions of sustainable development, stressing the need to mobilize public support for an approach that guarantees the wellbeing of humanity while preserving the planet for future generations.

Presenting the report prepared by his High-level Panel on Global Sustainability to an informal plenary of the General Assembly, Ban said the team's recommendations address three main topics – empowering people to make sustainable choices; working towards a sustainable economy;

and strengthening institutional governance.

“The panel's vision is to eradicate poverty and reduce inequality, to make growth inclusive, and production and consumption more sustainable, while combating climate change and respecting a range of other planetary boundaries,” Ban told the Assembly.

The 22-member panel, established by Ban in August 2010 to formulate a new blueprint for sustainable development and low-carbon prosperity, was co-chaired by former Finnish President, Tarja Halonen, and South African President, Jacob Zuma.

The group's final report, Resilient People, Resilient Planet: A Future Worth Choosing, which was formally

launched in the Ethiopian capital, Addis Ababa, on 30 January, contains 56 recommendations to put sustainable development into practice and to make it a part of mainstream economic policy as quickly as possible.

The Secretary-General highlighted the “nexus approach” of the report that underlines the fact that food, water and energy security are inextricably linked and must be pursued together.

He stressed that the recommendations that can be acted on immediately should be included in the Outcome Document of the United Nations Conference on Sustainable Development (Rio+20) to be held in Brazil in June.

Ban also noted that some of the recommendations relate to initiatives that he has already set in motion, including the Sustainable Energy for All initiative and a sustainable development strategy for the UN system. Others will be included in a new sustainable development index or set of indicators for sustainable development goals, he added.

“I also see the value of a periodic global sustainable development outlook report, and I will explore the modalities, including the availability of resources, for such an important and ambitious undertaking,” he said.

He promised to strengthen ties between the global scientific community and the UN so that science occupies the central place in policymaking.

“We need everyone to work together to create a future worth choosing, the future we want,” he added.

www.uncsd2012.org/rio20/index.php?page=view&nr=980&type=230&menu=38

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ORGANIZATIONAL PROFILE

Local Sea Fisheries Committees in France

Local Sea Fisheries Committees in France (CLPMs), which have served the interests of fishermen for over 65 years, are to be streamlined and merged into Departmental Committees. The rationale is essentially political and economic. Politically, the CLPMs have often been a thorn in the flesh of governments as a mouthpiece for fishermen's grievances. There is a desire, therefore, to transform them into structures that are more administrative in nature to serve governmental requirements.

The economic scenario today is also very different compared to the 1940s post-war era when the CLPMs were set up. These decades-old structures set up to serve and provide a voice for several tens of thousands of fishers were in need of modernization and downsizing, it was felt. In 1950, there were around 60,000 fishermen in France. Today, there are around 12,000. A

recent study by IFREMER shows that over the last 20 years the fishing fleet has reduced by half in metropolitan France, from around 11,000 in the 1990s to around 5,000 today.

CLPMs

However, although the number of vessels may have decreased, the actual work undertaken by fishermen's organizations has increased. In particular, the number of tasks associated with inshore fisheries management, including integrated coastal zone management (ICZM), has increased. This is due to the devolution of fishery-management tasks as well as the increasing use of coastal areas by other interests, including offshore wind farms, aggregate extraction, dredging, etc.

The July 2010 Law on the Modernization of Agriculture and Fisheries (LMAP) called for the professional fishermen's organizations to be modified. It demanded far-reaching reforms that would have a major impact on how fishermen are represented, and the services they would receive. Nowhere is this more apparent than in Brittany, a region where around one-third of the French fishing fleet is based. Thus, in the Department of Finistere, the five CLPMs of Concarneau, North Finistere, Douarenez, Audierne and Guilvinec (which are in fishing harbours) are now merged into a single Departmental Committee for Fisheries and Aquaculture situated far from the sea.

For more information see: www.comitedespeches-finistere.fr/?lang=fr; icsf.net/icsf2006/uploads/publications/samudra/pdf/english/issue_57/arto4.pdf

VERBATIM

To increase the shipping and naval power of Great Britain by the extension of the fisheries of our colonies is an object which the legislature seems to have had almost constantly in view. These fisheries upon this account have had all the encouragement which freedom can give them and they have flourished accordingly.

— FROM *THE WEALTH OF NATIONS* (1776) BY ADAM SMITH

The State of World Fishery Resources: Inland Fisheries

Marine catches have stabilized around their 1996 peak of about 87 mn tonnes to the present (2009) value of just over 89 mn tonnes. This FAO publication also shows the rapid growth of aquaculture production since 1990 to its present level of about 36 per cent of the total production.

It is worth noting that fish from all inland sources (capture and aquaculture combined) make up about 28 per cent of all fish produced as against the combined production of capture and culture from marine waters of 69 per cent. The remaining three per cent comes from brackishwater aquaculture. It is, perhaps, legitimate to combine the inland sources because of the many practices that are intermediate between capture and culture in inland waters, including various types of enhancement, gears such as fish parks, capture-based aquaculture, culture-based capture fisheries, and fisheries in rice fields and in small dams and reservoirs, which may be reported either as culture or capture, depending on local usage.

Inland capture fisheries currently contribute 6.5 per cent to total fish production, which is only about 2.3 per cent of the global protein production; they differ somewhat from other fisheries in that all produce is eaten either fresh, as some form of salted or dried product, or as a variety of fish sauces and pastes that are essential ingredients to many local cuisines. With few exceptions, such as the Amazonian large-boat fishery, the Lake Victoria fisheries, the *sábalo* fishery of Argentina and the fishery concessions of the Mekong and Ayerwaddy, inland fisheries are small-scale, involving large numbers of artisanal or subsistence fishers, and their products are usually marketed and consumed locally at the point of capture.

Catches of fish and other organisms from inland waters appear to have increased linearly by 2.93 per cent per

year since 1950 to the present (2009) total of 10,323,905 tonnes.

Production of fish by capture from inland waters remains relatively low, compared with other sources of fish at 6.46 per cent of the total. However, it is still the sixth major supplier of animal protein globally. This global figure conceals considerable local variation, and, in some countries, fish caught from inland waters is the major source of animal protein available to the local population. For example, in Bangladesh, the inland catch of 1,006,761 tonnes in 2007 represents over 64 per cent of all animal protein produced. Similar high figures apply to Uganda (66 per cent), Cambodia (64 per cent) and Malawi (44 per cent). Slightly lower, but still very important, contributions are made in many other countries.

Nearly 38 per cent of the inland fish captured comes from the 71 low-income food deficit countries (LIFDCs) as defined by FAO. While the unweighted mean level of production for all countries is equivalent to only 1.48 kg/ha globally, some countries depend heavily on inland fish for their protein needs.

Table 1 shows the consumption equivalents in kg per capita per year (2007) for all countries with over 3 kg per capita per year.

Of the 220 countries and political groupings reporting fish catches from all sources in 2009, 72 mostly arid or small-island countries did not report any inland catches; fairly complete lists of species are available for 52 (of which FAO estimated eight); restricted lists, including identification of important fish groups are available for 26 (of which FAO estimated six); and no breakdown at all were available for 34 (of which FAO estimated 21).

The majority of organisms caught (over 90 per cent) were finfish throughout most of the 50+ year period. However,

Table 1: Contribution of Inland Fish to Diets for Countries with Over 3 Kilograms per Capita/Year in 2007

Country	Annual consumption (kg/capita)
Cambodia	31.37
Uganda*	15.29
Myanmar	14.35
Republic of the Congo	8.18
Mali	7.69
Finland	6.78
United Republic of Tanzania	6.50
Gabon	6.44
Chad	6.25
Bangladesh	6.21
Zambia	5.03
Mauritania	4.56
Malawi	4.36
Lao People's Democratic Republic	4.26
Senegal	3.99
Cameroon	3.81
Thailand	3.53
Democratic Republic of Congo	3.48
Central African Republic	3.39
Paraguay	3.15
Ghana	3.15
Egypt	3.14
Kenya	3.12

*Not all fish produced in some countries is consumed locally. For example, the Lake Victoria countries export a significant proportion of their Nile perch catch to Europe.
Source: FAOSTAT

the relative proportions of the groups changed during the evolution of the fishery since 1950, with a slight decrease in the proportion of finfish and increases in the proportion of crustaceans and molluscs. There are indications from a range of detailed surveys and studies on consumption patterns that actual catches of crustaceans and molluscs have been considerably under-reported, at least in the Mekong basin and parts of China and

Southeast Asia. This is probably driven by a tendency to focus on fish catches rather than on other species in official reporting systems. These other aquatic animals, therefore, probably comprise a far greater proportion of actual catches in other parts of the world where they form part of the informal, subsistence and artisanal fisheries that are frequently unreported.

In 2009, Asia contributed the greater part of the

Table 2: Catch by Continent in 2009

Continent	Catch (tonnes)	%
Asia – inland waters	6 962 672	67.44
Africa – inland waters	2 423 711	23.48
Europe – inland waters	379 958	3.68
America, South – inland waters	359 948	3.49
America, North – inland waters	179 532	1.74
Oceania – inland waters	18 084	0.18
Total	10 323 905	100.00

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production, at 67.4 per cent, followed by Africa at 23.5 per cent (see Table 2). Note that the countries that formerly comprised the USSR only began reporting their data as individual States after 1987. The Russian Federation is included under Europe after 1988.

—These excerpts are from the *State of the World Fishery Resources: Inland Fisheries* by R Welcomme appeared in *FAO Fisheries and Aquaculture Circular* No. 942, Rome, FAO, 2011.

INFOLOG: NEW RESOURCES AT ICSF

ICSF's Documentation Centre (dc.icsf.net) has a range of information resources that are regularly updated. A selection:

Publications

FAO. 2011. Marine Protected Areas: Country Case Studies on Policy, Governance and Institutional Issues

This document presents case studies of the policy, governance and institutional issues of marine protected areas (MPAs) in Brazil, India, Palau and Senegal. It is the first of four in a global series of case studies on MPAs. An initial volume provides a synthesis and analysis of all the studies. The set of global MPA case studies was designed to close a deficit in information on the governance of MPAs and spatial management tools, within both fisheries management and biodiversity conservation contexts.

www.fao.org/docrep/015/i2191e/i2191e.pdf

FAO. 2011. FAO-ILO Good Practice Guide for Addressing Child Labour in Fisheries and Aquaculture: Policy and Practice. Prelim. Version

The document has been prepared within the framework of a current FAO and International Labour Organization (ILO) collaboration on decent work and child labour in the food and agriculture sector. It is based on the outcomes and recommendations of the FAO-ILO workshop on child labour in fisheries and aquaculture that was held in 2010, and responds to a need to better understand and address child labour in this sector. The final version of the document is due in July 2012.

www.fao-ilo.org/fileadmin/user_upload/fao_ilo/pdf/FAO-ILOGuidelines_child_labour_in_fisheries_and_aquaculture_Policy_practice_Preliminary_version.pdf

Videos/CDs

Stop Trawl: When Fishing Turns Deadly

www.ejfoundation.org.uk/shopforejf/index.php?route=product/product&path=42&product_id=87

Industrial bottom trawling is one of the most destructive forms of fishing, destroying seabed habitats and threatening the livelihoods of local fishing communities. In Indonesia, over 60 mn people rely on the ocean for their income, but despite strict laws banning trawlers from operating, local fisherman say there is little enforcement by the authorities. The film, produced by the Environmental Justice Foundation and JALA of Indonesia, investigates the human cost of illegal trawling.

FLASHBACK

A Degree of Recognition

The United Nations Conference on the Environment and Development ended with declarations and agreements which did not meet the expectations generated during the preparatory process. Political compromise was the mechanism most often used by participant diplomats, while the proposals put forward by academic centres and social movements were, for the most part, postponed for a more propitious occasion- That occasion will surely be found in those areas of struggle where action is still necessary, given that the poor continue



to become ever poorer, oceans continue to be contaminated, gases saturate the atmosphere, and species are led to extinction, while the future of humanity on this earth is uncertain.

The fishworkers of the world have, however, gained a degree of recognition in Chapter 17 of Agenda 21 and the door is open for the struggle of their organizations in each country to achieve the application of the agreements signed in the 1992 Rio Conference. Those accords require that fishworkers be respected in terms of their own cultures, that there be exclusive fishing zones, special credit mechanisms and technology transfer, representation in decision-making organisms, respect for, and participation of, women in fishing activities and fishworker organizations.

ICSF continues its struggle for those rights in diverse areas of the world, especially in meetings of fishing crews in Latin America, in Task Force activities in defense of Philippine Distant-water Vessel crews in the Taiwanese fleets, in the search for the causes of the diseases which attack the freshwater fish cultivated in Asia, and in the creation of communication networks among French, Irish and British fishworkers. The European Economic Community continues to open new fishing zones through so-called 'second generation' treaties, notably that established with Argentina in 1992, which will have significant impact both in Europe and the countries of the South, especially in Latin America and Africa.

Both Peruvian and Mexican artisan fishworkers have made progress toward new forms of organization and are seeking ways to become truly independent in their decisions. A new artisanal fishworker union has been formed in Madagascar, while others in Senegal have made progress along similar lines.

—from the *Comment in SAMUDRA Report No. 7, February 1993*

ANNOUNCEMENTS

EVENTS

16th Meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) of the CBD

30 April – 5 May 2012
Montreal, Canada

The agenda for the meeting includes marine and coastal biodiversity, specially looking at ecologically or biologically significant marine areas; and marine spatial planning, MPAs and voluntary

guidelines for the consideration of biodiversity in environmental assessments in marine and coastal areas.

Rio +20: United Nations Conference on Sustainable Development

20-22 June 2012
Rio de Janeiro, Brazil

The conference will focus on two themes: (a) a green economy in the context of sustainable development and poverty eradication; and (b) the institutional framework for sustainable development.

30th Session of the Committee on Fisheries

9-13 July 2012
Rome, Italy

Discussions on ocean governance and relevant outcomes from Rio+20 is one of the agenda items of this session of COFI. The members of COFI will also be updated on the development of international guidelines for securing sustainable small-scale fisheries, and on combating IUU fishing.

WEBSITES

Oral history database of the human experience of US fishers

www.st.nmfs.noaa.gov/voicesfromthefisheries/

The Voices from the Fisheries Database is a central repository for consolidating, archiving, and disseminating oral history interviews related to commercial, recreational, and subsistence fishing in the US and its territories.



Endquote

The Maldive Shark

*About the Shark, phlegmatical one,
Pale sot of the Maldive sea,
The sleek little pilot-fish, azure and slim,
How alert in attendance be.
From his saw-pit of mouth, from his charnel of maw
They have nothing of harm to dread,
But liquidly glide on his ghastly flank
Or before his Gorgonian head;
Or lurk in the port of serrated teeth
In white triple tiers of glittering gates,
And there find a haven when peril's abroad,
An asylum in jaws of the Fates!
They are friends; and friendly they guide him to prey,
Yet never partake of the treat—
Eyes and brains to the dotard lethargic and dull,
Pale ravener of horrible meat.*

—Herman Melville

