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SAMUDRA

REPORT

THE TRIANNUAL JOURNAL OF THE INTERNATIONAL COLLECTIVE IN SUPPORT OF FISHWORKERS



Chile's Troubled Waters

Food Security in Senegal

Nile Perch in Lake Victoria

Migrant Fishworkers

UserRights 2015

ICSF-BOBLME India Workshop



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HUGO MOREIRA / FIPASUR

FRONT COVER



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BACK COVER



Oil collectors in the Sundarbans, India
by Arati Kumar Rao
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Landing of tuna at Lakshadweep
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Getting the 'Rights' Right

The UserRights 2015: Fisheries, Forever conference focused on tenure and rights for responsible fisheries management and equitable development in fisheries

The FAO UserRights 2015: Fisheries, Forever conference was the third in a series of conferences on rights issues in fisheries initiated by FAO. FishRights99 focused on exploring the international use of property rights in fisheries management, and Sharing the Fish '06 focused on allocation issues in fisheries management, especially to look at who gets what, when fisheries are under pressure. The UserRights 2015 Conference took a rather different angle on rights, which was to assess the importance of tenure and rights for responsible fisheries management and equitable development in fisheries. The Conference was hosted by the Government of Cambodia. It was held in the historic Angkor Wat city of Siem Reap, Cambodia, unlike the previous two events that were held in Fremantle, Australia.

Unlike the previous two, the participants of UserRights 2015 were mainly from developing countries. The Conference provided an opportunity to listen to a cross-section of views on rights-based fisheries management in the context of developing as well as OECD countries. In light of the 2012 Tenure Guidelines and the 2014 SSF Guidelines, the Conference, unlike its predecessors, provided an opportunity to focus more on social dimensions in fisheries and to look at rights-based fisheries regimes from the perspective of tenure rights and a human rights-based approach in fisheries.

From an equity point of view, the range of rights-based fisheries discussed at the Conference was from individual transferable quota (ITQ) and individual transferable effort (ITE) regimes in OECD countries like Iceland, the United States (US) and Australia, to community fisheries in Cambodia, a least developed country. The latter's focus on nutrition, food security and income, as well as reduction of poverty and improving livelihoods of the poor and disadvantaged, was referred to as the "most extensive and well-developed system of community fisheries in the world". There were other examples from Indonesia, Mexico, South Africa and the small island developing States in the Pacific. The numbers of fishers benefiting from a rights-based approach varied from a few hundred fishers in several rich countries to nearly a million fishers and farmers in Cambodia.

The ITQ regime, by design, is loaded against the scale and scope of small-scale fisheries and indigenous peoples' rights to livelihood fisheries. Examining the


outcomes of different rights-based approaches to fisheries management, what was unequivocally clear was the negative impact of ITQs or similar arrangements such as catch shares on small-scale fishers and indigenous peoples. Ten large companies hold 52 per cent of all quotas in Iceland. The workforce involved in fishing and fish processing has reduced from 12 per cent in 1983 to 5.3 per cent in 2014. Several coastal fishing communities in Iceland are left indebted, without fishing rights to their traditional fishing grounds, and without alternative accessible livelihoods. In Australia, 70 per

cent of fishing rights in its Northern prawn fishery today is held by medium or large companies as against 50 per cent being held by smaller operators before 2000. In countries like Denmark and the US, smaller vessels are getting replaced by larger vessels. Fishing quotas are held by a small number of highly specialized vessels.

In Canada, indigenous peoples are unable to get their treaty right to livelihood fishery recognized in spite of the highest court upholding these rights.

The UserRights 2015 conference not only reiterated the "no-one-size-fits-all" approach, but it also clearly ruled out an ITQ approach based on individual rights for small-scale fisheries, particularly in developing countries. Instead, community rights are recognized as the way forward for small-scale fisheries management.

We welcome this approach rather than adopting a "no rights" approach. There were voices cautioning against adopting a privatization approach in fisheries—a "wet enclosure movement"—and asking for greater public participation in deciding how fishery resources belonging to all citizens should be allocated, based on sound social criteria. We endorse this view and reject approaches based on privatization and on establishing inequitable markets for rights allocation.

Furthermore, the rights of women in all stages of the value chain must be given greater attention. Rights-based approaches in fisheries should be framed in a human-rights-based approach, as demanded by several participants, and as picked up for special mention during the closing session as a key message from the forum. Such an approach could be consistent with the Tenure Guidelines and the SSF Guidelines and would help remove poverty, promote food security and improve nutrition for vulnerable and marginalized groups. 



A Constant Struggle

Chile's socially and politically troubled waters have provided a rich harvest of organizations in the artisanal fishery sector, as described in a recent book

The history of the social movement in Chile's artisanal fishery and its heritage are the subjects of a recently published book titled *Movimiento Social de Pescadores Artesanales de Chile; Historia y organización de la defensa del mar chileno* ('The Chilean Artisanal Fishers' Social Movement: The Story and Organization of Defending the Chilean Sea'). The book traces the development of the organizational movement from the 1950s up to 2010, highlighting its social and political importance as told through the voices of the men and women fisherworkers and supporters who were part of it.

37,768 men. The Artisanal Fishery Register also informs that there are a total of 91,632 registered fishers—21,232 fisherwomen and 70,400 fishermen—highlighting that just over 50 per cent of registered artisanal fishers belong to recognized artisanal fishing organizations. It would also seem that nowhere are fishery activities so diverse—with activities categorized as seaweed harvesting (*algueros*), diving (*buzos*)—mainly for shellfish—vessel owning (*armadores*) or fishing crews (*pescadores*).

This range of activities is reflected in the diversity of organizations that represent these varied and dynamic interests. They include those organized along trade union lines—the *sindicatos*, the associations or guilds (*gremial associations*), the co-operatives and companies (limited liability or joint stock). These, in turn, are associated into regional federations and national confederations. Today at least three organizations purport to represent Chile's highly diverse array of artisanal fishers at the national level: CONAPACH, founded in 1986 as a confederation of *sindicatos*; CONFEPACH, which divided from CONAPACH in 1998 as a confederation of federations; and the Council for the Defence of Chile's Artisanal Fishery Heritage (CONDEPP), which divided from CONAPACH in 2012 as part of a wider protest movement to oppose the privatization of fisheries access.

Landing areas

Artisanal fishermen are also organized at the *caleta* level, the *caleta* being a recognized artisanal fishery landing area, which may include such port infrastructures as wharfs, markets,

Today at least three organizations purport to represent Chile's highly diverse array of artisanal fishers at the national level...

The book describes how the movement became formalized and structured over the last four decades, into local, regional and national-level organizations, actively engaged in fisheries management, in sitting at the negotiating table with the 'traditional enemy'—the industrial sector—and how it has been incorporated into formal policy decision-taking structures, such as the Zonal, Regional and National Fisheries Councils.

Nowhere, it would seem, are artisanal fishers more organized than in Chile. According to the Artisanal Fishery Register compiled by Chile's National Fishery Service, SERNAPESCA, as of 31 December 2014, there are 1,131 artisanal fishery organizations, with 46,521 members—8,753 women and

This article is by **Brian O'Riordan** (briano138531@gmail.com), Secretary, ICSF Brussels Office

ice plants, cold stores and road transport connections. There are 467 officially recognized *caletas* from the Arica and Parinacota Region in the north to the Magallanes Region in the south, including on the Oceanic Islands (Easter Island, Juan Fernandez Islands, and so on). At the local level, fishers also organize themselves into groups to engage in the AMERBs—Management Areas for Benthonic Resources. Under the AMERB scheme, selected groups of fishers are given exclusive access to manage and harvest shellfish and seaweed production in designated areas close to the coast; a kind of territorial user rights fisheries (TURF) which privileges particular groups and excludes others.

The book pays particular homage to one of the movement's charismatic leaders, Humberto Chamorro, whose vision and actions have shaped the artisanal fishing organizations that are today the dominant voices of the sector—CONAPACH and CONFEPACH. Chamorro was instrumental in the birth of both organizations, and he has presided over both. He has also been a leader in his *caleta* (Portales, next to Valparaíso in the V Region) and in the Federation of Artisanal Fishermen in the V Region (FEDEPESCA). Proceeds from sales of the book will go to fund Chamorro's medical expenses in his fight against cancer. Sadly Humberto Chamorro passed away on April 13 2015. He will be remembered as a skilled fisherman and an exceptional leader.

Whilst paying tribute to Chamorro, the book provides a unique overview of the trajectory taken by artisanal fisheries in Chile since the beginnings of the 20th century. It is a rich resource of testimonies provided by some of the key actors and provides insights into how the organs of state evolved in parallel to the movement, how the movement has converged with state and non-state actors to negotiate space and privileges, and notes the key milestones passed along the way, up to the beginning of the current decade.

Describing the origins of the artisanal fishers' movement, the

importance of leaders associated with the communist party in the 1940s and 1950s is underlined. The communist party was declared illegal in 1948 and those associated with it persecuted—often jailed and tortured. Fishermen leaders travelled the entire length of Chile's coast mobilizing fishermen to unite and organize to defend their rights as workers and citizens. Thus were established some of the first autonomous fishworkers' organizations—independent workers unions or *sindicatos*. The efforts of these early leaders gave rise to the first national-level organization in 1965, the Chilean National Federation of Artisanal Fishermen (FENAPARCH). In parallel with these autonomous initiatives efforts, the Chilean state, often with the support of the Catholic church, was also intervening to organize productive sectors, including the fisheries sector, to industrialize and form co-operatives.

Following the military coup in 1973 and the establishment of the dictatorship under General Pinochet, it became difficult and dangerous to organize along trade union lines. "People were gunned down in every *caleta*. It was a time when people feared for their lives", one leader is quoted in the book. Then, in 1979, the junta introduced new rules for setting up artisanal fishing guilds—

PERSONAL ARCHIVE OF HUMBERTO CHAMORRO Y JORGE LOBOS



President Bachelet receiving a copy of the book *Movimiento Social De Pescadores Artesanales De Chile* by Irene Escribano Veloso

known as *gremial associations*—which encouraged producers to organize along small enterprise lines, by providing training and financial support. Encouragement was also provided at gunpoint. In the words of one fisherman: “When the coup came, we found ourselves having to organize our meetings with the rifles and machine guns of the police poking our ribs.”

With the lifting of restrictions in the 1980s, and drawing inspiration from the historic 1984 Rome Conference of Fishworkers and their Supporters which produced the first World Charter on Artisanal Fisheries, artisanal fishers in Chile initiated a reorganization of their sector at the national level. The 10th National Congress of Chilean Artisanal Fishers of 1986 launched the first National Artisanal Fishery Council, CONAPACH. A total of 116 delegates from 74 artisanal fishers’ organizations from the entire country participated, from Arica in the north to Chiloe in the south, uniting 43,600 fishermen from 215 *caletas*.

With the restoration of civil government in 1990, artisanal fishermen were able to organize openly, and their representatives

to fish in the five-mile zone culminated with 2,500 fishworkers converging on the national Congress in Valparaiso, where they symbolically burned *Bote 626*—an artisanal fishing vessel from *caleta* Portales. The protests showed how quickly the movement could act and gather a critical mass. “This demonstration was one of the most important in the artisanal fishworkers’ struggle”, notes one commentator. But it led to deep divisions amongst the leaders and fishworkers, separating those in favour of trawling and those against.

Another chapter in the book is devoted to the emergence of CONFEPACH in the late 1990s. With the advent of democracy, political pressures increased. In 1998, the government proposed to introduce a system of individual transferable quotas (ITQs) as a way to provide stability for the industrial fishery sector. Although it was argued that the ITQs would have no impact on artisanal fishing quotas, a polemic debate ensued, giving rise to differences of opinion and stance amongst the leaders. Some leaders were against the idea of ITQs in principle; others argued that without a strong system for monitoring, control and enforcement, the system would be harmful. The founders of CONFEPACH argued that the former system of management was no longer viable, and fishermen had to move with the times or lose out.

These pressures and differences led to divisions amongst the leaders and their constituents, and a new national confederation was subsequently formed. The original national organization, CONAPACH, took up a contrary stand to the government proposals for introducing ITQs, and the new confederation, CONFEPACH, aligned itself with the government.

Key themes

In the penultimate chapter of the book, entitled “Legacy and Challenges in Future Waters”, the main challenges facing the artisanal fishery are voiced. Several key themes emerge. One fundamental issue is that, in many ways, the struggles of the past bear

In 1998, the government proposed to introduce a system of individual transferable quotas (ITQs) as a way to provide stability for the industrial fishery sector.

became actively involved in the drafting and implementation of the 1991 Fisheries Law. The new law defined artisanal fisheries by size of vessel and occupation, and established the coastal strip out to five miles and also declared Chile’s extensive internal waters a conservation zone reserved for artisanal fishery activities. The five-mile zone has become emblematic of the struggle of Chilean artisanal fishworkers to claim their rights.

A whole chapter in the book is devoted to how in January 1996 protests led by Chamorro against the granting of licences to hake trawlers



Fishermen from Caleta Lo Rojas marching with a banner that says "No to the Longueira Law!". Artisanal fishermen in Chile organized at the *caleta* level

little resemblance to the struggles of today. A different kind of leadership is required. The sector has become increasingly diverse and segmented, with huge inequalities emerging between different actors. The kinds of organizations required and the skills that leaders need have totally changed; organizations and leaders more able to engage in commercial activities, as well as in trade and political negotiations, are required; there is "a need to form strategic alliances with the industry and to negotiate with them. We need good teams, good professionals, and leaders with political vision...". The issue of leadership requirements today, especially the need to train young people to enter the fishery and take on leadership roles, is given great attention.

As the book closes, a new chapter is beginning in Chilean fisheries. It is a chapter which opens with Chilean fish stocks in deep crisis—50 per cent being overexploited or in a state of collapse, and with ever-increasing inequalities in the artisanal fishery sector. Thanks to the five-mile zone and the concentration of sardine and anchovy resources in these waters, a handful of owners of larger artisanal—semi-

industrial—vessels (10 per cent of the artisanal sector), a large part of whose catches end up as salmon feed, are making huge profits. The majority of artisanal fishery workers (90 per cent of the sector)—fishing crews, shellfish divers and seaweed harvesters—have no quota, and struggle to make ends meet.

Artisanal fishery workers also face the challenge of a new Fisheries and Aquaculture Law that was enacted in February 2013, and pushed through the Chilean parliament under express procedures. The law is seen in many quarters as unjust and illegitimate.

National Confederations

In a closed-doors deal brokered by the Economy Minister, signed and sealed in 2011, the two main national confederations, CONAPACH and CONFEPACH, agreed to support the new fisheries law in exchange for receiving fish quotas valued at US\$34 mn annually from the industrial sector. The deal led to a split in CONAPACH and the founding of a new organization, the Council for the Defence of Chile's Fishing Heritage (CONDEPP), which claims to represent about one-third of Chile's artisanal fishermen.

A Beacon Goes Out

Humberto Chamorro Alvarez, a historic leader of Chilean artisanal fishers, passed away on Monday 13 April 2015 after a long struggle against cancer. He is best known as one of the founders of CONAPACH, which became recognized both nationally and internationally as the voice of artisanal fishers in Chile. Born in the Valparaíso Region, he became a fisherman at an early age in the community of Portales. It was there that he showed his leadership skills in the fight to obtain better working and living conditions for Chilean artisanal fishers.

His life, times and heritage are the subject of a recent book, reviewed in this article.

The law extends the ITQ system established for the industrial sector in 2002 for a further 20 years. There are 49 national industrial fishing companies which stand to benefit from these quotas, but 75 per cent of the quotas are concentrated amongst three corporations owned by five families. Companies and politicians associated with the passage of the law through the Chilean parliament are currently subject to corruption investigations. One of the companies named in the case, Corpesca, owned by the Angelini family, holds over 50 per cent of the quota.


The Chilean Fisheries Sub Secretary, Raúl Súnico, referred to the outcome of this process as “a battle that took place two years ago, which resulted in a new fisheries law. This produced some winners, some losers and some who neither lost nor gained.” The losers are the majority of Chile’s fishery workers and indigenous people, including the most marginalized and vulnerable, who were not consulted, and who are not taken account of in the new law.

The people of Chile have also lost out, given that the industrial and, increasingly, the artisanal fishery is mainly export-oriented. Such fish as is available in Chile generally sells for a higher price than pork, chicken or beef. This is reflected in the relatively low annual per capita fish

consumption in Chile, less than seven kg—around nine per cent of the national animal protein consumption.

It is vital that the interests of Chile’s artisanal fishery workers, coastal populations and society at large are given due consideration in a national fisheries policy.

Chile has never had such a fisheries policy; rather, fisheries are governed by the Economy Ministry, and hence environmental and social issues are secondary concerns. Within the framework of such a policy, the implementation of the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication, adopted by the Food and Agriculture Organization of the United Nations (FAO), could play an important role in righting the wrongs of Chile’s fisheries.

Achieving this will require strong organizations and able leaders. The lessons of history, as described in this book, show that Chile’s artisanal fishing community has considerable capacity to produce both. The struggle continues. 

For more



pulitzercenter.org/reporting/south-america-chile-south-pacific-fishing-fishermen-decimated-fish-populations-government-controversial-fisheries-law-jack-mackerel-hake-artisan-inequality

Chile’s Seafaring Oligopoly Threatens Artisan Fisheries

pulitzercenter.org/reporting/chile-talcahuano-estrada-artisan-industry-fishermen-conflict-government-congress-small-scale-legal-battle-CONDEPP

Chile: Artisan Fishermen vs. Industrial Fishermen

www.globalpost.com/dispatches/globalpost-blogs/rights/chile-new-fishing-law-favors-big-business

Chile’s indie fishermen say new law favors big business: Part I, Part II, and Part III

Russian Roulette

The food security and livelihoods of artisanal small-scale fishing communities in Senegal are threatened by the access granted to foreign fleets of supertrawlers to catch sardinella

At this very moment, with our African countries severely affected by economic crises, with drought and desertification spreading in our region, our *sardinella* helps many to survive. *Sardinella*—it's our life blood; it is also the fish of the poor and our 'food safety net', says Gaoussou Gueye, a Senegalese artisanal fishmonger of 30 years standing, and General Secretary of the Confederation of African Artisanal Professional Fishing Organizations (CAOPA).

In West Africa, small pelagic fish species, including *sardinella*, are coveted by many players. Most notable amongst these are distant-water fleets which come from Russia, North Europe and East Asia, and include international groups like Pacific Andes and the Chinese company, Poly Hondone, backed by international investment capital firms, like the Carlyle Group. They sign deals with countries of the region that allow them to bring supertrawlers in search of *sardinella* and other small pelagic species. The Russian fleet gets the lion's share. In the heady days of the former USSR, their fleet was catching up to 1,500,000 tonnes annually of small pelagic species along the northwest coast of Africa; today it 'only' catches 400,000 tonnes.

Nowhere is the presence of distant-water fleets more a cause for worry than in Senegal, where the local artisanal fishing sector traditionally targets *sardinella*. Sogui Diouf, former Director of Fisheries in Senegal, recalls that every year, when the cold season approaches, the Senegalese hear about the Russians—it is the time when their boats come back and they ask for fishing permits. In 2010, Russia, with

the complicity of the then Minister of Fisheries, was illegally granted permission to catch coastal pelagic resources. But, thankfully, in April 2012, the new government ordered this fleet to cease its activities in Senegalese waters.

However, the fleet did not take no for an answer. In 2013, a fishing agreement was signed between Russia and Guinea-Bissau, offering Russia the opportunity to operate in the common maritime area between Senegal and Guinea-Bissau. And once Russian vessels were in the common area, it was easy for them to make illegal

Nowhere is the presence of distant-water fleets more a cause for worry than in Senegal...

incursions into Senegalese waters. This is how one of them, the *Oleg Naydenov*, came to be arrested in late 2013 for fishing in Senegalese waters without permission.

In 2014, Senegalese artisanal fishers were wondering what strategy Russia was going to use. They did not have to wait for long to find out. In September 2014, a Dakar-based fish trading company, heading up a joint-venture operation, applied for 10 licences to fish for small pelagics, purportedly as a way to revive the fish-processing company, Africamer.

Exports

Africamer was founded in 1979, and processed 20,000 tonnes of fish annually, 85 per cent of which was exported to Europe. With a fleet of 17

*This article has been written by **Beatrice Gorez** (cffa.cape@scarlet.be), CFFA Co-ordinator, based on contributions from Sogui Diouf of APRAPAM and Gaoussou Gueye of CAOPA*

freezer trawlers, it employed 2,500 people.

Between 2005 and 2008, Africamer, the largest Senegalese company in the national fishery sector, got into difficulties due to mismanagement. In 2011, after several short-lived attempts to revive the company, Africamer was put into liquidation.

Diouf notes with irony that, by “coincidence”, at end of 2013, the representative of Russia’s Federal Agency of Fisheries had filed a request along very similar lines to the office of the President of the Senegalese Republic: fishing licences for 10 trawlers, operating six months each year to catch 100,000 tonnes of small pelagic species, for five years. The request also mentioned the revival of Africamer. In his view, “the similarities (between the Dakar-based company and the Russian request) are so striking that one wonders if the 2014 demand from the Senegalese operator did not actually come from Russia’s Federal Agency of Fisheries”.

Diouf also draws attention to some very unrealistic proposals that were made: “In addition to the reopening of Africamer and the 10 licences for supertrawlers, the Senegalese operator also proposed to create a

frozen and packaged are not suitable to supply such a processing factory. The only way that Russia has found to bring back its fishing vessels to Senegalese waters is to use a lie.”

What is at stake in this quest for *sardinella* in West Africa? Food security and tens of thousands of livelihoods in the artisanal sector—both are threatened by the access of these fleets of supertrawlers. Whether fishing in Morocco, Mauritania, Guinea-Bissau or Senegal, distant-water fleets fishing in the region compete directly with the artisanal fishing sector over access to the *sardinella*, a single stock that migrates between Morocco and Guinea-Bissau, passing through Mauritania and Senegal.

Sardinella occupies a very important place in Senegal fisheries, whether looked at from the landings, local consumption, jobs or exports. *Sardinella* comprises around 60 per cent of the 400,000 tonnes of fish landed by the Senegalese artisanal fishery sector. Nearly 12,000 Senegalese artisanal fishermen live only from this fishery. In addition, many related activities associated with the *sardinella* fishery (notably artisanal processing and distribution) are characterized by low barriers to entry in terms of capital, qualification and knowhow, and employ tens of thousands of people. The role played by women in the artisanal processing sector is particularly important for poverty reduction.

In terms of food security, *sardinella* is the most accessible source of animal protein as regards price and quantity. Today, with the price of meat and fresh fish on the increase, many Senegalese families can only be assured of one meal a day—lunch based on rice and *sardinella*.

Overexploited

From a biological point of view, the state of the *sardinella* resources is increasingly a cause for concern. The FAO/CECAF working group held in June 2013, in Nouadhibou, Mauritania, found that, as in previous years, *sardinella* stocks are overexploited; and fishing effort must be substantially reduced.

In terms of food security, *sardinella* is the most accessible source of animal protein as regards price and quantity.

shipyard and an aquaculture site. In order to realize this ambitious programme, he came up with a completely unrealistic proposal to invest only 11 bn CFA franc (over 17 mn Euro). Moreover, the resumption of the activities of Africamer would require a supply of fresh products to the factory—but products caught by the Russian boats benefitting from the 10 licences are frozen on board and packed at sea.... This proposal for a resumption of the Africamer factory is merely a ruse. The promises to recruit workers for Africamer will not materialize because products already

And those who worry most are Senegalese artisanal fishers and women fish processors.

To express their angst, in the early hours of the morning of 7 January 2015, around 80 of them, coming from all fishing regions in Senegal, gathered in M'bour, for a forum organized by the local association for the promotion of sustainable artisanal fisheries (APRAPAM), a platform uniting professionals from the artisanal sector and concerned citizens. The only topic under discussion that day was: "The exploitation of the small pelagic resources: what is at stake for the professionals from the artisanal sector?"

Women fish processors told about their daily struggles, faced as they are by a scarcity of fish for processing. Nowadays, most of their *sardinella* raw material comes from Mauritania. This is a consequence not only of overexploitation but also of the harsh competition generated by foreign investors collecting the same small pelagics for their processing activities, including fishmeal destined for export. Indeed, recent years have seen the uncontrolled mushrooming of fish-processing and fishmeal factories, owned by Chinese, Korean and Russian investors.

Last year, the French newspaper *Le Monde* highlighted that, between 2011 and 2014, 11 fish-processing factories were built close to artisanal landing sites, between Kayar and Joal, an area comprising one-third of the Senegalese coast. These are now attracting most of the landings from artisanal fishermen, including for processing into fishmeal, thereby depriving women of their livelihoods.

Participants at the APRAPAM forum came up with somewhat traditional recommendations: the need to put in place an effective system for controlling catches; the need to extend measures already taken by some communities to prohibit the catching, marketing and processing of juveniles *sardinella*; and for temporary fishing closures.

But they also boldly demanded that the authorities exclusively



Fisher women on the beach in M'bour, Senegal. It is essential to ensure that fish factories do not siphon off the entire artisanal fish production

reserve *sardinella* for the artisanal fishing sector. Such an unprecedented demand requires a new social contract between the Senegalese government and the artisanal fishing sector. In order to improve local food security and to contribute to sustaining livelihoods for the most vulnerable, including women fish processors, as well as reserving exclusive access to *sardinella* for artisanal fishermen, action needs to be taken to ensure that the burgeoning numbers of fish factories which have thoughtlessly been given licences to operate, do not siphon off the entire production of the artisanal fishing sector, depriving women processors of access to the landed catches. ♣

For more



www.aprapam.org/2014/10/27/reserver-a-la-peche-artisanale-lexploitation-de-la-sardinelle-ou-yaboye/

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www.lemonde.fr/planete/article/2014/01/30/la-ruée-des-russes-et-des-asiatiques-sur-le-poisson-senegalais_4356805_3244.html#7DTjA24p1WSRTiUt.99

Au Sénégal, la ruée des Russes et des Asiatiques sur la pêche artisanale, Le Monde

Precarious Perch

The introduction of the Nile perch into Lake Victoria, Africa's largest lake, has an intertwining history with the spread of HIV in the region

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Lake Victoria is Africa's largest lake by area, and is bordered by three countries, namely, Uganda, Tanzania and Kenya. Almost 49 per cent of the lake belongs to Tanzania, 45 per cent to Uganda and only 6 per cent to Kenya. According to the Lake Victoria Fisheries Organization website, fish catches from Lake Victoria provide over 800,000 tonnes fish annually, worth about US\$590 mn. The lake fisheries support almost 2 mn people and meet the annual fish consumption needs of almost 22 mn people in the region. But the fisheries economy is highly

sometime in the 1950s, probably via Kisangani. HIV may have spread across Uganda first, but all three countries around Lake Victoria had a serious epidemic by the 1980s, when AIDS was discovered, with HIV being identified as the cause of AIDS very soon after. By the 1990s, the epidemic peaked and declined, before stabilizing at around 5-7 per cent in the three countries by the early 2000s, and remaining at about that level for the following decade.

Although the Nile perch (along with a non-native tilapia species) was only introduced to Lake Victoria in the early 1950s, the possibility of introducing non-native species had been discussed by colonial administrators almost 100 years ago. The effects of overfishing in the lake were already considerable and had attracted the attention of the administration. Re-stocking the lake with non-native species had its opponents from the start, but it was not until after the Second World War that the introduction occurred. Objections notwithstanding, the introductions eventually went ahead, albeit surreptitiously, and the entire issue was always highly controversial.

The ecology of Lake Victoria and the epidemiology of HIV are both extremely complex.

dependent on one species, the Nile perch (*Lates niloticus*), the export of which makes an important contribution to the national economies of three riparian states.

However, some fishing communities are plagued with a high prevalence of human immunodeficiency virus (HIV), and fishery workers are widely seen as highly vulnerable to the virus. Both HIV and the Nile perch have a long history in Lake Victoria, lengthier than many realize.

HIV is thought to have originated in southern Cameroon around 100 years ago before spreading to Kinshasa on the western side of the vast Democratic Republic of the Congo. Moving east, the virus established itself in Uganda, Tanzania and Kenya

Changing conditions

Until the 1950s, there was probably no connection between HIV and the Nile perch. But from that decade onwards in Lake Victoria, the two became curiously intertwined. The ecology of Lake Victoria and the epidemiology of HIV are both extremely complex. However, the history of the Nile perch explosion does shed some light on the changing conditions in the lake zone, which go together to form the determinants of health there, that is, the factors that affect the health of

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whole populations, what diseases they are likely to suffer from, how long people will live, what they will die from, the quality of their water supply, what they eat, and a whole lot more.

The Nile perch became the number one fish in Lake Victoria in the 1980s, by which time HIV had already spread across the whole of East Africa, infecting hundreds of thousands of people. Fish catches increased in volume by several hundred percent, resulting in rapid increases in human population, industrialization, depletion of the environment and various negative processes, in addition to some positive processes, such as a huge increase in economic activity, along with the many attendant benefits.

What, then, are the factors that result in the rapid spread of HIV, and what factors may retard its spread altogether? Good infrastructure is said to be one of the most important factors in the spread of the virus. Southern African countries with

serious HIV epidemics are well connected, with relatively well-developed road, rail and other networks. In contrast, infrastructure is less well developed in eastern Africa and quite sparse in western Equatorial Africa. Yet, infrastructure is fairly good in many West African countries so, on its own, infrastructure may not explain every variation in HIV prevalence. But the huge and almost entirely undeveloped Sahara Desert has probably protected countries directly to the north from the spread of HIV, and perhaps even many countries to the south, which partly constitute the desert.

While infrastructure around Lake Victoria is relatively good, especially in the cities, additional factors have combined to increase HIV transmission. The population grew considerably, and became more dense, as a result of the Nile perch explosion. These can certainly contribute to the extent of an epidemic. More people also means increasing demands on

EDITRUDITH LUKANGA



Fishermen at a Lake Victoria fish landing centre. Both HIV and the Nile perch have a long history in Lake Victoria, lengthier than many realize

the environment, with trees being cut down, land being farmed more intensively, pollution from human, industrial and agricultural waste increasing, and so on. The quality of housing, water, air and other environmental resources suffers, with consequent impacts on health.

But the pull factor in Lake Victoria was money. For most people, a decent income would have been enough. Those living on the lake before the Nile perch boom had struggled to make ends meet, but things suddenly changed, and it was possible for more people to subsist, even to get rich. The population explosion of fish in Lake Victoria was a crucial component of the environment in which HIV prevalence increased, becoming the highest for all three countries just when they were suffering from a combination of severe global and domestic economic problems in the 1980s and 1990s.

It is vital to bear in mind that there are several ways that HIV can be spread, and they divide into sexual and non-sexual modes. Whether sex between men and women or people of the same gender, and whether it is for recreation or procreation, there may be a risk of HIV being transmitted.

Thus far, much of the research is divided about the huge variations that exist between HIV prevalence in different communities, professions and locations.

Non-sexual routes of infection include mother-to-child transmission, intravenous drug use, unsterilized healthcare practices, certain traditional practices and several common cosmetic practices. All of these may increase in an area where population is rising and the economy is booming.

Of course, similar phenomena may prevail anywhere that the local economy is boosted by some lucrative activity, such as coffee, pepper or sugar production, gold or mineral mining, flower growing, tourism and so on. Populations have grown and economies have boomed (and the

opposite has happened) countless times all over the continent without very high rates of HIV necessarily resulting. There are even other fishing areas, such as Lake Kyoga in Uganda, Lake Tanganyika, much of the coast of Tanzania and Kenya, and numerous places elsewhere, with very low HIV prevalence. Therefore, there may be something about the human habitats around Lake Victoria, or more likely a combination of things, rather than something about fishing, that has resulted in HIV prevalence as high as 27 per cent in Suba Bay, compared to about 6 per cent in Kenya, overall.

Many studies of fishing communities around Lake Victoria have been carried out, especially in places where HIV prevalence is known, or suspected, to be high. Fewer studies have looked at fishing communities around East African lakes where HIV prevalence is low. Lake Kyoga is an exception, but details of the low prevalence found there have not yet been published.

However, some studies have looked at different occupational groups found in fishing communities, such as people engaged in catching fish, or in selling or processing fish, and people who engage in non-fishing activities, such as those working in the hospitality industry, farmers, small business people, and the like. Findings vary, with research showing that HIV prevalence in some areas is higher among those who are not engaged in catching fish, even people who are not connected with the fishing industry. Other research has found that HIV prevalence is exceptionally high among boys who wash cars in the lake in Kisumu.

HIV

Thus far, much of the research is divided about the huge variations that exist between HIV prevalence in different communities, professions and locations. Also unclear is the variation in conditions, demographics, migration patterns, cultural practices, traditions, and a whole host of factors that may either increase or retard the spread of HIV. Some studies suggest that there are many migrants who spend long periods away from home,

others describe a pattern of people moving short distances to engage in fishing practices, and there are those who argue that entire families moved to lakeside areas so that men could catch fish while their wives and families could process and sell the fish.

It seems likely that all these scenarios are possible, and several more might be added. There is a good deal of innuendo about why so much variation exists in HIV epidemics and sub-epidemics but much of the research is inconclusive, and certainly does not allow one to see a 'big picture'; we are often limited to snapshots, carefully selected aspects of a handful of locations, 'more and more about less and less', one might say.

For example, a lot has been written about 'traditional practices' that may contribute to HIV epidemics (generally practices relating to sex), attitudes towards (sexual) risk-taking behaviour, commercial sex work as a response to scarcity and poverty, gender and power, and a whole lot of other factors which are probably just as much of part of people's lives across the whole continent, in high- and low-HIV-prevalence areas.

But the increase in economic activity brought changes in all kinds of human behaviour, not only sexual, so this includes healthcare and cosmetic services, which are likely to have contributed to the spread of HIV in populations around the lake.

Let us accept that we all need to be careful about who we have sex with and how often, whether to use condoms, and other good pieces of advice.

But we should likewise be aware of the many non-sexual risks of HIV transmission because, however high or low the risk, they are certainly common. Some of the practices around Lake Victoria that favor HIV transmission may be traditional, such as sexual practices and traditional skin-cutting.

Yet, there are far less serious HIV epidemics in other communities in the region, such as South Sudan, that have similar traditions, but less economic success; tradition alone does not

explain HIV around Lake Victoria. Economic change and everything that comes with it must be considered as well.

In Africa, HIV hits the richest countries such as South Africa, Botswana and Zambia the hardest. People in rural areas, less affected by economic and social changes, have been less likely to get HIV than their urban and wealthy compatriots.

...the increase in economic activity brought changes in all kinds of human behaviour...

Thus, the economic growth that populations around Lake Victoria enjoyed from the 1980s would have contributed in several ways to the spread of HIV. Economic growth brings changes in the services people seek, and some of these increase the risk of HIV transmission.

Specifically, as communities around Lake Victoria got more income and better transportation, people possibly received more skin-piercing procedures in healthcare facilities, such as injections and infusions, and they may have received more skin-piercing cosmetic services, such as manicures.

We probably all receive injections, sometimes several every year, and this is especially true when pregnant. We take our children to doctors and hospitals for vaccinations and curative injections, minor and major operations and many other things.

Old people may have frequent need of medical treatment. Sexually transmitted infection clinics, dental surgeries, vaccination units and a multitude of services that most, perhaps all, people use at times, are run by qualified personnel, and may generally be safe places.

Poor training

But there are occasions when staff, equipment and supplies are short, when there is too little time or training, and things are not as safe

as they should be. We need to watch out for such occasions, reused syringes or needles, dirty equipment, a nurse who attends to us without washing after attending to patients, and so on. More importantly, we need to watch out for these happening when we bring others to a health facility, particularly children and infants.

Everyone living close to the lake, whether fisherfolk or not, can broaden their awareness of how HIV can be spread...

Even hairdressers and suppliers of cosmetic services, such as manicures and pedicures, can take shortcuts and do things carelessly, or save a few shillings by reusing razors, safety pins and other instruments that pierce the skin. Traditional healers may do the same, and the cleanliness of the equipment may not be of any importance to the treatment; but it is of great importance to the client if they want to avoid scabies, bacterial infections, hepatitis or even HIV.

Traditional circumcisions and other practices that involve cutting through skin, that involve people coming into contact with the blood of others, can all be risky. While we may wish to continue with some or all of these, it is not that difficult to make sure that skin-piercing instruments are only used once, or are sterilized properly, which means being boiled for several minutes.

There are two useful rules of thumb about HIV: knowing a person's HIV status does not tell you anything about their sexual behaviour, despite what you may assume; and knowing about someone's sexual behavior, or believing you know, does not tell you anything about their likely HIV status. To find out how someone is infected, it is necessary to find out all their non-sexual, as well as all their sexual, contacts; not just who they slept with and what their status is, but also what kind of medical, traditional or cosmetic services they

have used which may have been less sterile than we would like.

Looking at the twin histories of HIV and the Nile perch does not tell us why the virus wreaked such havoc in the Lake Victoria area. But it highlights some of the many factors that came together at around the same time, resulting in a shared 'sub-epidemic', with prevalence figures exceeding those found in most other parts of Kenya, Uganda or Tanzania.

In common with the Nile perch boom itself, it is impossible to turn the clock back and undo things that occurred many decades ago, to reverse the numerous factors that contributed to Lake Victoria's depleted ecology or its terrible HIV epidemic.

But it is possible to negotiate the future, and manage how people may continue to live their lives around the lake. Everyone living close to the lake, whether fisherfolk or not, can broaden their awareness of how HIV can be spread in their villages, streets and communities, and of how their lives affected by, our local and global environments. In addition to things that are out of our hands, the risks include many things that we can control and influence.

For more

www.fao.org/newsroom/common/ecg/1000544/en/hivfishingEN.pdf

HIV and AIDS in Fishing Communities

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Most at Risk Populations—Fishing Communities and HIV/AIDS in Uganda

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HIV/AIDS in the Fisheries Sector in Africa

Neobondage

In the Srikakulam district of the south Indian state of Andhra Pradesh, migration of fishers has several impacts on the families of coastal villages

It is noon, but despite the scorching sun, Varada Lakshiamma is patiently waiting with her basket for the fishing boats to land in one of the remote coastal areas of the Bay of Bengal. She has to hurry to the neighbouring villages and towns to sell the fish. In the absence of public transport, she has to rely on auto-rickshaws. We spoke to her as she was busy buying fish at the auction. We learned that her husband is in Veraval in Gujarat and, like most of the husbands of fisherwomen of Srikakulam district, he has been going to Gujarat for the past 15 years.

Migration from these villages has been happening for the past 20 to 30 years. Normally, 'migration' refers to international movement of persons from country to country, usually in search of employment. In this case, the term migration is used because this district has already seen two waves of migration during which sizeable sections of the population moved mainly to Burma (Myanmar)—the first during the late 19th century and the second, during the Second World War. This third phase, which is actually an inter-state movement of persons, is still referred to as 'migration' in the literature.

More than 50 per cent of the men in the 30-40 age group have migrated, while 90 per cent of the men aged between 25 and 45 years have migrated. The majority have moved to Indian state of Gujarat (mainly Veraval and Porbandar) to work in big boats owned by *saits* (as boatowners in the region are called), most of whom have a fleet of five to 10 boats, while some may own up to 20 boats. A few of the fishermen have moved to Mangalore, Karnataka, to work on

such boats. The rest of the migrant workers go to Chennai, Hyderabad and Vishakapatnam as construction labourers.

In Gujarat, the moment the migrant fishermen take an advance from the *sait*, they are bound by an oral contract. The advance is used by the fisherman's family during his absence to run the household. Once in Gujarat, the fishermen will be on board the boats for 20 to 25 days at a stretch. They venture out as a group to help one another should any problem arise,

Migration from these villages has been happening for the past 20 to 30 years.

like a storm or an accident or illness. They suffer the inhumane conditions on the boat only out of dire poverty. The saving grace is that there is plenty of food on the mechanized boats. The reasons for migrating are surprising. Sociologically, they can be categorized as 'push factors' (those that leave one with no choice but to move out of one's current—especially parental—home) and 'pull factors' (the lure of another home, country or region).

No infrastructure

Prime among the push factors is the lack of proper infrastructure to fish in the district. There is no fishing harbour, so the fishermen cannot venture out in mechanized boats. There is no cold storage facility or an ice factory in the vicinity. So even if the fishermen land good catches, the chances are high that their perishable goods will get spoiled before they reach the market.

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A second push factor is that the Srikakulam fishermen cannot compete with the large trawlers from Vishakapatnam and Ganjam. They believe that the operations of these trawlers have reduced fish stocks over the years, raising questions of right of access to the area's resource.

A third push factor is the rise in production costs over the years (especially for fibreglass boats and fishing gear) and the status quo in returns on their high investments; sometimes the returns have shrunk considerably, often leading to bankruptcy.

The primary pull factors for migration to Gujarat in search of jobs is the existence of a wage system. Irrespective of the catch, the fishermen are guaranteed a fixed pay. Sometimes, when the catch is good, they receive as bonus an additional, though often meagre, portion of the profit made by the *sait*. But when the catch is low, the *sait*s pay whatever has been fixed as the salary. This opportunity of earning a decent, steady wage has remained the main attraction for fishermen's migration over the years.

The second pull factor is that the wage payments are made as a lump sum, which they end up spending productively, rather than drinking and gambling on a daily wage. They usually build houses with the money they earn or buy ornaments for their daughter's wedding. This is evident from the large number of half-finished houses that can be found in Badevanipeta village in the district. The fishermen continue construction on the building each year with the money they earn by migrating to Gujarat. In one family, on an average, at least three persons migrate and they pool their earnings to construct the house.

The third pull factor relates to the recent advances in information technology, which allows the fishermen to easily transfer money electronically and also communicate with their families. In the past, many fishermen were looted of the large sums of money they were physically carrying home.

Migration, however, has had several negative impacts, especially on health and hygiene. Boys start to migrate with their fathers at the age of 12 (in some cases at the age of 10) and the girls in the village are married off at the earliest. The resultant neglect of education affects their health and sanitary practices. With unclean surroundings, no proper drainage system, stagnant pools of water that are breeding grounds for mosquitoes and flies, and no toilets at home, little wonder that most of the villagers fall sick frequently.

The Day and Night Junction in Srikakulam town has approximately 50 hospitals. The area is awash with hospitals and pharmacies. There are no primary health centres in the villages. The villagers tend to go to a hospital even if they have a mild fever. The doctors, who are often endorsed by politicians, exploit the villagers' ignorance and make them spend large sums of money for each hospital visit.

Cases have also been reported of exploitation of fishermen by the boatowners. But complaints fall on deaf ears. No government wants to accept responsibility for the migrant fishermen. The Gujarat government says they do not come under its jurisdiction. The Andhra Pradesh government, for its part, retaliates by pointing out that the cases of alleged exploitation have occurred in another state.

The case of migration of fishermen from Srikakulam to Gujarat can be called a 'neobondage' system, akin to traditional bonded labour. The fishermen's labour and skills are exploited by the capitalists of another part of the country.

For more



www.academia.edu/10610681/Inter-state_migration_of_fishers_from_Srikakulam_district_Andhra_Pradesh

Inter-state Migration of Fishers from Srikakulam District, Andhra Pradesh



RITA BANERJI

Fishermen setting out on a fishing trip
in Kakinada, Andhra Pradesh, India

Clamming Down

The development of a tide embankment project in Saemangeum in South Korea has resulted in the loss of livelihood opportunities for shellfish fishers in the region

Saemangeum, which means new fertile soil, lies beyond the Gimje Plain in Mangyeong, Jeollabuk-do in South Korea, and is famous as a granary, and was named when the reclamation project was planned. The large-scale national reclamation project began in 1991 to develop 40,100 ha of land by constructing a 33-km tide embankment in a large area stretching from Gunsan, Gimje to Buan in Jeollabuk-do. The main goal was to find a solution for the paucity of agricultural land. Later on, however, the reclaimed land was used to site other industries related to manufacturing and tourism.

Spread over the west coast of the Korean Peninsula are wide tidal ranges formed by sediments washed down by slow streams of rivers. The tidelands provide a good and rich habitat. More than 80 per cent of the total area of tidelands in South Korea—248,940 ha—is concentrated along the west coast.

In the first half of the 20th century, to solve Japan's food problem and facilitate Japanese people's immigration, an expansion of farmland was necessary in the colonized Korean Peninsula. Thirty per cent of the total area of licensed reclamation in Korea had been concentrated in Jeollanam-do until 1945. In the latter half of the 20th century, from the end of the Korean War in 1953 through the 1980s, reclamation works continued under the pretext of an increase in production of food and an enlargement of farmland. From the 1990s on, reclamation works were expanded into a comprehensive multipurpose development project, including securing housing real estate. As a result, by 2008, more than 60 per cent of the total area of tideland had become reclaimed land, which means the area had more than tripled compared with the first half of the century. In Jeollabuk-do, thanks to the Saemangeum reclamation project, the area of reclaimed land is almost three times as large as that of tidelands.

Rivers

At the estuary of the Mangyeong River and the Dongjin River, the Saemangeum tideland extends over a vast area. Until construction works of the tide embankment began, the area was rich in biodiversity. Fish and

...the livelihood rights of the fishermen of the region have been ignored.

The Saemangeum project has been debated for over a decade by the government, the locals, environmental and conservation organizations, researchers and experts, and people who are engaged in religious occupations. Questions have been raised about the growth of the local economy, the destruction of the ecosystem of the tideland, and the importance of the economic value of marine products.

Meanwhile, the livelihood rights of the fishermen of the region have been ignored. Between 2006, when the tide embankment was closed, and 2014, the Saemangeum project has had several impacts on the development of fishing communities and gender roles within them.

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shellfish caught in the tideland were the source of cash income for the fishermen, and their average annual fish catches were approximately 70,000 tonnes. However, by 1996, due to the reclamation works, the catches declined by approximately 35 per cent, compared to a decade ago. Until then, the fishermen had believed that shellfish would not decrease in number, however many were caught.

According to statistics from the Maritime Affairs and Fisheries Department, the catch of yellow croaker and swimming crab seems to have recovered since 2007, while the catch of shellfish, including the common orient clam and Chinese dosinia, has decreased. Jeollabuk-do used to top South Korea's catch of common orient clam, with their culture centered around Saemangeum in 1961.

The common orient clam in Jeollabuk-do accounted for approximately 70 per cent of the national average annual fish catch until 2007, but the percentage as of 2012 was as low as approximately 10 per cent. The fishermen used to spread shellfish juveniles in jointly-owned sea areas and collect clams together with other fishermen. But in Saemangeum, fishermen individually owned fixed areas of the sea in which the clams were cultured for a certain period of time authorized by a governmental agency.

Ranked in value only after abalones, the common orient clam had been presented to the royal families in the past. The prices varied with size and maturity. If they had grown for fewer than two years and their sizes were three to four cm, they were sold at US\$3 per kg for soup. Common orient clam of two to three years of age and six cm in size were sold at US\$6 per kg for *sashimi*. Clams of three years of age and over nine cm in size were sold at US\$12 per kg for boiling. Seven-cm-long common orient clam was regarded the most delicious. In autumn and winter, they were eaten raw, whereas in spring and summer they were boiled or served as soup.

The common orient clam is caught in the tideland by fishermen using a rake or a tool called *goere*. Rakes are used in shallows where the clams are small, but they are useful to scoop up many shellfish at one go. Dragging the *goere* is a manual process in which the fishermen walk backwards, sensing the shellfish hitting the *goere*. A two-hour catching trip would bring in about nine kg of clams on average. By using rakes, skilled fishermen could catch 70 kg of clams a day, and earn around US\$100. Those who used *goere* caught 60 kg clams to earn US\$150.

Common orient clams caught in winter were priced US\$14 per net (weighing 10 kg), but the price went down to US\$8 in summer. Those who were good at catching would catch 90-100 kg a day, but a decline in the number of tourists and buyers lowered the prices. In J Village, the number of people using rakes and *goere* was much greater than those operating boats. In addition to shellfish, the villagers fished fleshy prawn and white bait in spring, swimming crab in summer, krill for salted and fermented dishes in autumn, and redlip mullet in winter.

To fish swimming crabs, they used drift gill-nets (triple nets), operated for four to five hours a day by small-sized boats at the neap tide.

The daily catch by a pump dredger was almost the same amount as that by 30 fishermen using rake or *goere*. Screw boats, which were improved trawlers, caught anything, including shellfish and fish.

Local fishermen said, "Using boats, *goere* and rakes, we caught shellfish every day and night, and still the shellfish were abundant.

We could buy boats, give education to our children, and sustain our living. Saemangeum was really a golden sea, the sea of life for us, local people".

Although they abandoned fishing after they received money



The common orient clam is caught in the tideland by fishermen using a rake or a tool called *goere*

in compensation for fishing rights, young fishermen who had operated on boats could not find new jobs, so they restarted fishing on 2-4-tonne pump dredgers. Any act of fishing is illegal once compensation has been received. However, six people of J Village own eight 1-3-tonne boats and one 3-9-tonne boat and catch Japanese littleneck clam in shallow seas near the sluices, and also fish in deeper seas.

The catching season of grand jackknife clam is from winter to

After 1970, however, household incomes grew, as the number of nurseries of common orient clam increased and the export of clams flourished.

spring. When the tide goes out farthest, they walk while pushing a 15-20-cm eight-shaped tool called *seoge* deep into holes to catch the clams. As they are 14 cm long and three cm wide, grand jackknife clams are called bamboo clams due to their shapes. A man in his sixties in J Village caught an annual amount worth US\$6,840 on average for three years from 2003 to 2005, but his catch in 2006 plunged to US\$1,000.

In 2010, the price of one grand jackknife clam increased fivefold by the sharp decrease of fish catch. Both men and women caught common orient clams and only men caught duck clams. In J Village, common orient clams and grand jackknife clams are indispensable for wedding ceremonies, funerals, and religious services. No wedding ceremony can be held without serving grand jackknife clams. This local favorite is served as *sashimi* or boiled in firepots.

Since the fishing grounds for these clams were lost after the construction of the tide embankment, they began to be imported from China and North Korea, but they are not offered on ceremonial occasions. As the Mangyeong River was completely desalinated after the completion of the embankment, roach, carp and eel are now caught in larger quantities.

Adjacent to J Village is a plain of about 32 sq km reclaimed by Japan in 1925, in which are raised rice, wheat and potatoes as well as strawberries in greenhouses. The fishing port used to be so crowded with visitors that the nearby roads were congested every day. By September 2013, however, all of them had been removed and reclamation works went on in the wharf to construct a marine yacht harbour. J Village does not have a large area of farmland, and was the poorest village in Gimje City when marine products were cheap. After 1970, however, household incomes grew, as the number of nurseries of common orient clam increased and the export of clams flourished. Villagers engaged in agriculture also began to catch shellfish.

J Village was the largest in terms of scale of fishing activity. As of September 2013, 110 persons (52 males and 59 females) of 57 households resided in J Village. The number of households and the population had decreased by approximately 40 per cent compared with the year when the tide embankment was completed. There were no children under nine years of age.

Population decrease

The population of teenagers accounted for three per cent of the total population of the village, and residents in their 40s and 50s had also decreased by eight to 10 per cent. However, the number of people in their 60s and 70s had grown by 10-20 per cent to account for approximately 60 per cent of the total population of the village, and most of their households were composed of two persons.

Most of the villagers in their 60s were fishermen, unemployed, or daily workers in farms. The villagers in their 70s were mostly engaged in agriculture, had no occupation or relied on public assistance. The villagers in their 50s were fishermen, self-employed and daily farm labourers. The majority of those in J Village who used to catch shellfish remain in the village. Some of them are now engaged in agriculture

and fisheries, while others are unemployed or subsist on public welfare (see figure).

Most of the men are engaged in agriculture and fisheries or are self-employed, whereas many women are daily workers on farms, or are employed in restaurants. Since they lost access to the sea that had brought them cash income in the past, J Villagers cannot lead a comfortable life anymore, either financially or socially. In 2014 they cancelled the annual lunar village festival in February since no one was willing to take up the responsibility.

In the absence of fishing grounds, more and more elderly people are killing time at senior citizens' community halls. Since they have almost no cash income, they are oversensitive and irritable, and constantly quarrel over trifling matters. With their husbands now, unemployed, even women in their 50s and 60s work in the agricultural farms by day. While fishing in the sea for four to five hours used to bring in about US\$200 a day on average, working in the fields, which is physically harder, fetches only about half that amount. So they work as a group to maintain each member's daily allowance of US\$ 600.

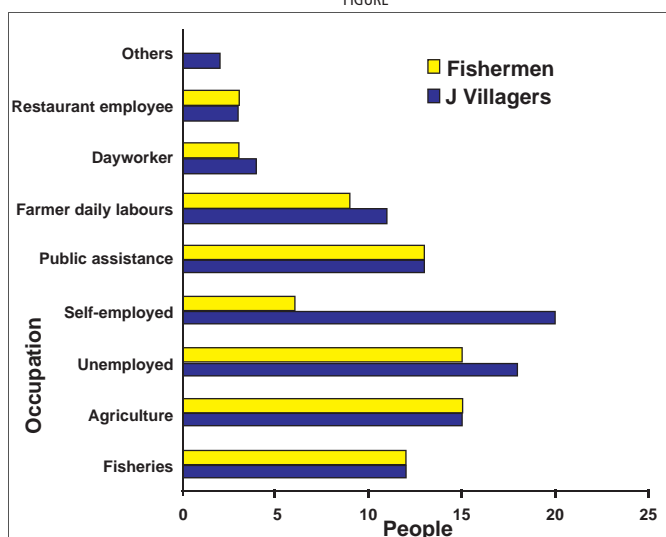
In the past, they could take days off during rains and storms, but working in the fields is not affected by the weather, so they cannot afford to rest. Women in their 70s made US\$100-200 a day when they caught shellfish, but working in the fields even for 10 hours brings them a mere US\$55. Although elderly people who have no income can receive special allowances amounting to US\$700-800 a month, those who stopped catching shellfish often suffered from cognitive impairment and had to move to nursing homes. As a result, there is an increasing number of empty houses, which account for more than 10 per cent of the total households. Failing to find new jobs, many of the several thousand fishermen who lost their fishing grounds continue to fish, knowing full well that they are considered illegal fishermen. The government, for its

part, has been tacitly ignoring such illegal fishing.

Looking for jobs, the young fishermen of Saemangeum migrated from the village, which resulted in the rapid ageing of the village. For those who were born in Saemangeum and had spent decades there depending on the sea before they lost their fishing grounds due to the national project, changing jobs and learning new techniques are hard. It takes more than 10 years for anyone to master new skills. Fishermen and fisherwomen without agricultural land are absorbed in unskilled labour as day workers. Fishermen and fisherwomen who remain in the village are forced to be self-sufficient. Their sense of solidarity and belonging to the same community, promoted by mutual aid and relationships established over generations, has been shattered.

Thus, just as the tideland is disappearing to be part of the mainland, so the fishermen are getting exhausted and impoverished. The fishermen and fisherwomen, who constitute the minority and the weak in society, are made acutely aware of how helpless and hopeless they are. Ignoring these social wounds, the development project continues to make progress to target larger areas and expressways by 2020. Fishermen are now the social, political and cultural underdogs. Large-scale national development projects have deprived them of the foundation of their livelihoods.

FIGURE



For more



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Chasing Spoonies in South Korea —Saemangeum Seawall

www.researchgate.net/publication/264897102_The_Saemangeum_tidal_flat_Long-term_environmental_and_ecological_changes_in_marine_benthic_flora_and_fauna_in_relation_to_the_embankment

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Saemangeum Dam—South Korea

A Just Victory

A recent landmark judgement by India's National Green Tribunal has awarded compensation to the traditional fishers of Mumbai for the loss of livelihoods caused by coastal development

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In what is seen as a landmark judgement, the Western Zone Bench of the National Green Tribunal of India has criticized the Jawaharlal Nehru Port Trust (JNPT) for continuing to reclaim land in violation of the Coastal Regulation Zone (CRZ) Notification, and has ordered the City and Industrial Development Corporation (CIDCO), JNPT and the Oil and Natural Gas Corporation (ONGC) to pay US\$15.3 mn to 1,630 fishermen families affected by JNPT's project of creating an additional berth at the port in Navi Mumbai.

In its ruling of 27 February 2015, the Tribunal labelled the case a "classic example of civil action brought by traditional fishermen"

affected from four such traditional localities of fishermen due to development projects undertaken by the Respondents, particularly by CIDCO, JNPT, ONGC and the Navi Mumbai Special Economic Zone (NMSEZ).

The claim for compensation and right for rehabilitation was based mainly on the fishermen's traditional right to catch fish from areas in the sea that are being reclaimed for project activities. These impair regular tidal water exchanges, egress and ingress of fishermen's boats to the sea through the creek near the JNPT. They are thus deprived of daily earnings from their traditional rights of access to the resources of the sea.

The petition further alleged that the reclamation of land, and removal of mangroves in the area, has caused large-scale destruction of all surrounding mangrove forests, which has, in turn, substantially reduced or obliterated the breeding of fish and narrowed the navigational route of the traditional fishing craft, which has also added to the misery of the fishing communities.

Mangrove destruction

The Tribunal noted that all past activities of reclamation in Mumbai (formerly Bombay) have not only altered the urban topography of the area and could lie at the root of the present urban situation but have also contributed to the changes in the configuration, underwater topography and underwater circulation in the area's harbours and bays. This was followed by reclamation and destruction of mangroves alongside beaches and the seashore.

The claim for compensation and right for rehabilitation was based mainly on the fishermen's traditional right to catch fish from the sea area...

living in *koliwad*s (habitats of the Koli fishermen of Maharashtra), who were seeking compensation under Section 15 of the National Green Tribunal Act, 2010, for loss of livelihood due to project activities of the Respondents, as well as implementation of rehabilitation of their families, who are unsettled on account of the projects in question.

The principal Apellant, a fisherman named Ramdas Janardan Koli, on behalf of the Paramparik Macchimar Bachao Kruti Samiti, a fishers' organization, argued the case himself. He claimed that 1,630 families of traditional fishermen have been

This is a summary of the ruling of the National Green Tribunal (Western Zone) Bench in Pune, on 27 February 2015, in response to Application No. 19/2013

The Tribunal stated: “We have no hesitation in holding that JNPT caused destruction of mangroves and degraded the environment in the area of the port by reclamation of land as well as contemplated effect on tidal exchanges and obstruction in natural water navigation routes available to the traditional fishermen.”

While refraining from entering the thicket of government policy, in a situation like the present one, the Tribunal noted that the financial facet of the dispute relates to the ‘social cause’ of which the ‘environmental cause’ is the main component. “Social cause involves as to how in future the Applicants may sustain financial loss and their culture as fishermen would be obliterated due to degradation of environmental destruction by the acts of the contesting Respondents.”

The rehabilitation programme envisaged for the traditional fishermen does not include relocation of their hamlets/localities in the nearby areas, which could be of identical use for earning a livelihood, the Tribunal noted.

The Tribunal Bench found it obvious that “there are specific species and functional groups that play critical roles in important ecosystem processes, and the loss of these species may have significant influences on the whole ecosystem.”

“Primary and secondary productions are important mechanisms by which marine communities contribute to global processes. It has been estimated that half the primary production on earth is attributable to marine species. Without primary producers in surface waters, the oceans would quickly run out of food, but without planktonic and benthic organisms to facilitate nutrient cycling, the primary producers would quickly become nutrient-limited”, it added.

Under international law, States have a clear duty to protect people within their jurisdiction from having their human rights breached by non-state actors, including companies. Apart from being bound by international customary law, India has ratified, and is, therefore, a State party

to several international treaties that guarantee human rights, the Tribunal Bench elaborated.

When a government fails to protect human rights from abuse by non-state actors such as companies, it amounts to a violation of international law. However, the government’s failure to protect rights does not absolve non-state actors from responsibility for their actions and their impact on human rights, it explained.

Section 20 of the National Green Tribunal (NGT) Act, 2010, makes it clear that the Tribunal shall consider the ‘precautionary principle’ and it mandates the Tribunal, while passing any order or decision, to apply the principle of sustainable development, the ‘precautionary principle’ and the ‘polluter pays’ principle. The precautionary principle requires anticipatory action to be taken to prevent harm, the Tribunal Bench noted.

In the final analysis, Justice V R Kingaonkar, Judicial Member, and Ajay A Deshpande, Expert Member, of the Tribunal Bench, came to the conclusion that JNPT degraded the environment by destroying mangroves. JNPT also began work at the site even prior to environmental clearance and conducted the environmental impact assessment (EIA) without proper resettlement and rehabilitation (R&R) programmes, or auditing of the risks

SHUDDHAWATI PEKE / ICSF



Boats at the Karanja fish landing area, Maharashtra, India.
The urban topography of Mumbai has been altered by reclamation

and benefits due to the implementation of the project.

The loss of ecology, livelihoods, homes, spawning grounds and fish species are significant issues that require due payment of compensation to the Applicants, though it is difficult to relocate them with adequate facilities, environment and culture, the Tribunal Bench noted.

ONGC, the Bench pointed out, also did not remove the outer covering of the pipeline, in order to restore the ecology and environment in the area. It appears that tidal exchanges of sea water are obstructed due to acts of the Respondents. In addition, JNPT, admittedly, has undertaken the work of narrowing the Nhava-Sheva creek, which will cause difficulty in re-routing the passage of the traditional boats of the Applicants. "Under these circumstances, it is manifest that their main source of living is being taken away. We are inclined to hold, therefore, that they are entitled to recover compensation as stated below," the Bench ruled.

The apportionment of compensation amount payable to the Applicants from CIDCO, JNPT and ONGC would be 10: 70:20 per cent, having regard to their contribution to the loss of mangroves, loss

whether such routes/channels have been appraised and approved by the competent authorities. It was informed that the Captain of the Ports has a mandate to regulate the movement of the boats in the port area.

While appreciating the concerns raised by the JNPT regarding safety and security while allowing such movement of ships/boats, the Bench felt it is necessary to develop a system whereby such movement of the boats belonging to traditional fishermen or otherwise shall be regulated by the competent authorities with necessary safety and security measures, including anti-collusion devices, GPS, separate registration, etc. Such a system will ameliorate conflicts of the local fishermen vis-a-vis commercial port activities, leading to sustainable development. "We, therefore direct JNPT to approach the competent authority and, if necessary, provide required support to implement such system," the Bench ordered.

Admitting that it is difficult to determine precisely the income derived by each fisherman and the total family income, the Bench said that any hypothetical exercise should have some rationale based on the normal period for which a family would lose earnings due to the activities of the Respondents in the case.

The Tribunal Bench held that ordinarily such a period will be at least of three years. The family may comprise four members, including two male and two women. All the four may be earning about Rs800 (US\$ 13) per day even if pro rata income is considered at Rs200 per day (US\$ 3). This is the normal income earned by any person of the lower income group, the Bench noted. Therefore, the yearly loss of income per family may be Rs2,92,000 (US\$ 4662). Considering mere subsistence as one-third of this amount, the gross loss per family per year turns out to be Rs1,94,666 (US\$ 3108) only.

Transition period

The Bench continued: "We may realistically assume that each of such family will need a period of about three years to switch over to some

...the Bench felt it is necessary to develop a system whereby such movement of the boats belonging to traditional fishermen or otherwise shall be regulated...

of spawning grounds, loss of livelihoods, etc.

It is an admitted fact that the Nhava-Sheva creek is used by the traditional fishermen to navigate from the creek to the open sea and return. It is an admitted fact that with the development of the fourth terminal, the available width of the creek would be further reduced. "During the course of argument", the Bench pointed out, "we specifically enquired about any defined navigation routes/channels for such local fishermen's boats, in the context of such development, and

other vocation to earn a livelihood. For example, some of them may be required to learn driving of transport vehicles, and get due experience and jobs in such businesses. The gap of three years is pragmatic, having regard to the sudden changeover in their daily source of earning. Therefore, the total loss for three years for 1,630 families is US\$ 15,303,877.

The Bench ruled the Application in the following manner:

i) The Applicants do recover Rs95,19,20,000 (US\$ 15,303,877), which shall be distributed equally to 1630 affected and identified fishermen's families as per the Collector's Report, named therein, to the extent of Rs5,84,000 (US\$ 9834) per family within three months by the Respondent Nos.7, 8 and 9 (that is, CIDCO, JNPT and ONGC) respectively, as per their shares mentioned above.

In case, such amount is not paid within the above period, then it will carry interest at 12 per cent per annum till it is realized by the concerned fishermen's families.

The Respondent Nos.7, 8 and 9 shall pay Rs50 lakhs (US\$ 80,385) and restoration cost for environmental damage, as per the above share which work, the Collector, Raigad, shall carry out under his supervision within eight months hereafter for activities of mangrove plantation, ensuring free passage of tidal currents, etc., in consultation with the Maharashtra Coastal Zone Management Authority (MCZMA).

The Respondent Nos.7, 8 and 9 shall pay costs of Rs5 lakhs (US\$ 8038) as litigation costs to the Applicants and bear their own costs.

The Respondent Nos.7, 8 and 9 shall deposit the amount shown in above para (i) and (iii) in the office of Collector, Raigad within the stipulated period, otherwise the Collector shall realize the said amount, as if it is Land Revenue dues from them. A compliance report on this behalf be submitted by the Collector, within four months to this Tribunal.

The MCZMA shall submit the compliance of directions issued by them to the Respondents in two months, the Tribunal Bench ruled.



A scene from Karanja village of Uran, Raigad District, Maharashtra, India. It is necessary to develop a system to allow for the movement of boats belonging to traditional fishermen

The above orders were passed by Justice V R Kingaonkar and Ajay A Deshpande of the National Green Tribunal (Western Zone) Bench in Pune, on 27 February 2015, in response to Application No. 19/2013.

For more



indianexpress.com/article/cities/mumbai/ngt-orders-jnpt-ongc-to-pay-affected-fishermen-families-95-cr/#sthash.VVwl3Onp.dpuf

Pay Rs 95 cr to 1,630 Fishermen Families: NGT to Port Trust, CIDCO, ONGC

Seize the Opportunity

The newly elected president of Indonesia, Joko Widodo, enjoys an unprecedented opportunity to tackle the issues facing the country's fishing villages

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The year 2014 was particularly meaningful for all Indonesians, including the 13.8 mn families who depend on the fisheries sector for a livelihood. There are two principal reasons for this. First, like most Indonesian citizens, fisherfolk welcomed the 2014 presidential elections in anticipation of an unprecedented betterment of their lives. Despite the problems in inaugurating into office the elected president Joko Widodo ("Jokowi", as he is universally known in the country), pending the final decision

of fishers' welfare in their campaign. The aim was to eradicate illegal fishing, support boat repairs, develop ports and provide special banks for fishers. These measures implied a larger presence for the state in Indonesia's fishing villages.

Of the country's population, 13.8 mn rely on fishery activities for their livelihoods, in capture fisheries, aquaculture, and fish processing or marketing. Most of the 2.8 mn capture and small-scale fishers could catch, on average, only 2 kg of fish daily. If all the fish they caught were sold directly in the markets, the average daily income of an Indonesian fisher would be only Rp20,000–30,000 (US\$1.67–2.5). The low income cannot be attributed to a paucity of fish; rather, the low capture was due to ineffective intervention by the state.

There are several inequalities in Indonesia's fisheries. First, there is a marked inequality in the management of fisheries resources. The state allows large ships to freely fish in the waters of the archipelago or operate at less than 12 nautical miles from the coastline.

In fact, 99.5 per cent of the Indonesian fishing fleet, including ships weighing 30-100 gross tonnage (GT), fish in the waters of the archipelago. This has led to great competition between the small-scale boats and large fishing vessels, and also among the large vessels themselves.

Fishing fleet

The fact that only a small number of the national fishing fleet operates in the Indonesian exclusive economic zone (12-200 nautical miles) has given huge opportunities to foreign

...99.5 per cent of the Indonesian fishing fleet, including ships weighing 30-100 gross tonnage (GT), fish in the waters of the archipelago.

of the Constitutional Court, the enthusiasm of fisher families remained high. This was mainly because this was the first election in the history of the republic that focused on maritime and fisheries issues.

The second factor that contributed to the 2014 election's significance was that on 10 June, the Food and Agriculture Organization of the United Nations (FAO) adopted the first international instrument dedicated to protect and promote the important role of small-scale fishers—the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines).

Jokowi and his running mate, Jusuf Kalla, currently the Vice President, had included the agenda

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vessels to plunder the wealth of the Indonesian sea.

Second, there is also a noticeable inequality in the development of fisheries infrastructure. There are about 1,300 fishing ports in Indonesia, comprising sea ports, archipelago ports, beach ports, fish landing centres, and private ports. Over 68 per cent of them are located in western Indonesia. Not only is the geographical spread unbalanced between the east and the west, but the infrastructure facilities also generally do not meet the minimum requirements for fishing ports, as revealed by the lack of data and integrated information on fisheries, poor training facilities, and the unavailability of safety tools for fishermen. Consequently, to date there are unresolved problems related to the accuracy of subsidized fuel distribution, efficiency of production, the setting of selling prices, and the safety at sea of fishers.

Third, there is inequality in the chains of fisheries management. This stems from the definition of fisher, which is limited to those who capture fish in the sea. In other words, all activities other than fish capture, such as fish processing and marketing, are defined as irrelevant (to fishermen). Accordingly, the economy of fishers is very dependent on sales of non-processed fish, which has no added value. This has led to a proportional decline in the performance of fish-processing businesses in Indonesia. In 2013, of the 19.5 mn tonnes production of capture and aquaculture fisheries, only less than 20 per cent ended up as processed products. The number of workers in the fish-processing sub-sector is limited to under 1.4 mn or about 10 per cent of the total fishworker population.

These conditions of inequality that illustrate the problems associated with poverty and environmental degradation in the fishing villages are not separate

issues. They are inter-related and offer an opportunity for President Jokowi.

To start with, a focus on the SSF Guidelines would be appropriate. The SSF Guidelines positions the world's small-scale fishers as part of the solution to overcome global hunger and poverty. The Guidelines may help the Government of Indonesia to continue to maintain and increase subsidies for fishermen and small-scale fish farmers. This is especially relevant in the context of questions raised by industrialized countries on the subsidies granted to the fisheries sector, as in the lawsuit filed against the Indonesian government in 2012.

At the time, the Government of the United States (US) questioned the policy of the Indonesian Ministry of Maritime and Fisheries, which gave various forms of incentives to fishers and shrimp farmers in some integrated fisheries areas (called Minapolitan cities or areas). The US lawsuit argued that subsidies for fishermen and small farmers in Indonesia were part of the national export subsidy that disrupted shrimp prices in the world market.

In the context of the 1945 Constitution, the Fisheries Law and the ground realities in Indonesia's fishing villages, it is impossible for an Indonesian small-scale fisher to



Most of the Indonesian fishing fleet, including ships weighing 30-100 gross tonnage, fish in the waters of the archipelago, leading to great competition between the small-scale boats and large fishing vessels

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Of Indonesia's population, 13.8 mn rely on fishery activities for their livelihoods, in capture fisheries, aquaculture, and fish processing or marketing

produce highly competitive products without the support and facilitation of the government. The SSF Guidelines also opens up access to international financing for the implementation and monitoring of the instruments needed to protect small-scale fishing in Indonesia.

On the national scale, the SSF Guidelines may help future governments in two ways—first, by measuring the effectiveness of national policies in protecting small-scale fishers; and second, by accelerating the formulation of policy to protect fishers in more comprehensive ways, and ensuring that fishing boats weighing more than 30 GT do not operate in the archipelago waters. At the village level, the SSF Guidelines instrument may strengthen the recognition of the strategic role of Indonesian small-scale fishing and the traditional knowledge of communities in managing coastal and marine resources.

The SSF Guidelines also encourage access to education and training

to improve the competitiveness of Indonesian small-scale fishermen in local, national and international markets, as well as increasing their resilience in facing climate change. All these are opportunities for President Jokowi to take the expectations for change from behind the negotiation table and transplant them into prospects for prosperity in the fishing villages of Indonesia.

For more

www.thejakartapost.com/news/2015/03/17/jokowi-wants-kpk-focus-fisheries-forestry.html

Jokowi Wants KPK to Focus on Fisheries, Forestry

www.radionz.co.nz/international/programmes/datelinepacific/audio/20165774/indonesia-leads-explosive-new-wave-of-fisheries-protection

Indonesia Leads Explosive New Wave of Fisheries Protection

An Enabling Environment

Recent meetings in Thailand and Myanmar brought together a wide range of experts and stakeholders to discuss fisheries laws and how the SSF Guidelines can be implemented

Workshops, consultations and seminars are being organized in different parts of the world to disseminate and discuss the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries, in the Context of Food Security and Poverty Eradication (SSF Guidelines), adopted by the Food and Agriculture Organization of the United Nations (FAO) in June 2014. Contextualising the SSF Guidelines in each country and region is a challenge, and depends on the state of small-scale fisheries, legal and policy frameworks, governance systems and the competencies of community-based organizations, among other factors.

The seminar 'Ensuring Rights of Fisherfolk to Sustainable Fisheries, and Marine and Coastal Resource Management in the Context of Mainstream Development and Climate Change', held at the Conference Hall, Burapha University, Chantaburi Campus, Thailand, during 27-28 January 2015 was organized by the Sustainable Development Foundation, in collaboration with the Thailand Federation of Small-scale Fisherfolk Association. It was supported by the International Collective in Support of Fishworkers (ICSF)/Bay of Bengal Large Marine Ecosystem (BOBLME) project; the European Union (under the project 'Empowerment of Coastal Communities in the Context of Climate Change'), and the Marine Technological Faculty, Burapha University.

The 84 participants at the seminar (56 men and 28 women) included representatives from the concerned state agencies, namely, the Department of Fisheries, Marine and Coastal Resources Department, Environmental

Quality Promotion Department, the local administration, academicians and researchers, civil society representatives, and fishworkers from local, provincial and national forums.

The seminar was intended to provide an opportunity for participants to be informed about, and share their views on, the two recent draft laws in the process of being adopted in Thailand, and to strategise how the SSF Guidelines can influence their implementation. One is the (draft) Fishery Law, to replace the existing one which dates

The seminar aimed to help participants recognize the rights of small-scale fisherfolk in the context of the new draft laws and the SSF Guidelines...

from 1940. The other is the Marine and Coastal Resource Management Act, the first of its kind in Thailand. The seminar aimed to help participants recognize the rights of small-scale fisherfolk in the context of the new draft laws and the SSF Guidelines, and to discuss directions and strategies on how fisherfolk can exercise their rights in the context of the new laws in a period of globalization and climate change.

Consultations

Several participants and resource persons had been active in the two previous consultations in February 2012. These consultations, attended by 144 coastal small-scale fisherfolk from a large number of provinces in both the Eastern Region and Southern Region, had contributed to the SSF

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Guidelines and to the process of getting these new laws formulated.

The small-scale fisherfolk movement has been paying close attention to the two new draft laws which are in the process of being passed through the National Legislative Assembly. It is uncertain to what extent the final bills would be in line with people's advocacy. In this scenario, a decision was made to have a consultation between small-scale fisherfolk and representatives from government departments on issues that are covered in the SSF Guidelines and in the new laws, in order that these two very important legal instruments can be analyzed, priority areas identified, and the way ahead deliberated upon.

The panel discussions had a mix of government representatives, researchers and representatives from small-scale fishworkers' federations or groups. The first panel looked at the opportunity and risk for small-scale fishers in the context of globalization, climate change and the draft National Act. The first presentation focussed on the Association of Southeast Asian Nations (ASEAN) region, emphasizing the importance of people-centred development and an 'environmental pillar' to provide a framework for

of sustaining their networks if favourable laws and policies are to be successfully implemented.

There was also a detailed presentation on the SSF Guidelines, with their history, objectives, principles, components and implementation mechanisms being elaborated. Another panel discussion centred on the topic 'How we can make use of the SSF Guidelines and the new Fishery and Marine and Coastal Resource Acts to ensure, protect and promote the rights of small-scale fishers: Issues, actions and recommendations'.

The key concerns that were addressed through group discussions were on how to enhance the knowledge of small-scale fisherfolk and keep them updated with information and news about changes in fishery laws and policies; how to establish strong small-scale fisherfolk groups that have clear directions and objectives and are able to represent small-scale fisherfolk in political and legislative mechanisms; issues of registration of different types of fishing vessels/gear and how to manage potential problems and obstacles; how to strengthen networks of small-scale fisherfolk; and how to play a supporting role to the Federation of Small-scale Fisherfolk in advocating various fishery management issues.

The seminar brought together a wide range of experts and stakeholders with different backgrounds. It provided an excellent opportunity to discuss the new laws and how the SSF Guidelines can be applied in Thailand. Participants felt that they still need more information and opportunities to clarify and discuss some issues with the Department of Fisheries and the Department of Marine and Coastal Resources about the new laws.

Seminar

The following week, on February 3, a seminar on the SSF Guidelines was held in the Myanmar capital, Nay Pyi Taw, with 100 participants (71 men and 29 women), the majority being mid- to senior-level officers from the Ministry of Livestock, Fisheries and Rural Development (MLFRD). The seminar was jointly organized

The seminar brought together a wide range of experts and stakeholders with different backgrounds.

sustainability of people's quality of life and environment in the region.

The second presentation looked at the impact of climate change on coastal communities. The third panelist spoke about the rights of small-scale fisherfolk and the space for their representation in the draft Fishery Act. The fourth speaker discussed the key elements of the Marine and Coastal Management Act. The next presentation, by a panelist representing small-scale fishworkers, focused on their struggles over the years, culminating in a draft Fishery Law. This underlines the importance



The seminar, titled 'Ensuring Rights of Fisherfolk to Sustainable Fisheries, and Marine and Coastal Resource Management in the Context of Mainstream Development and Climate Change', was held at the Conference Hall, Burapha University, Chantaburi Campus, Thailand

by the Network Activities Group (NAG) and MLFRD, with support from ICSF/BOBLME and Pyoe Pin. Representatives of these organizations were also present at the seminar.

The main thrust of the seminar was to raise awareness among the participants about the SSF Guidelines. The seminar was designed to address the key issues in relation to small-scale fisheries in Myanmar, with the objective of improving the fisheries policies, rules and regulations. All the sessions, conducted primarily by representatives from the non-government sector, focused on the history of the SSF Guidelines, its contents and the implementation strategies and mechanisms.

The BOBLME representative pointed out the important role that regional projects such as BOBLME can play in creating an enabling environment and supporting implementation. Seven groups were formed, with each one discussing how to take a specific component of the Guidelines ahead. The groups discussed what they thought needed to be done, how it could be done, who would be responsible, what resources and capacity they would need to do it, and whom they could ask for help.

There was a consensus that information was needed on the small-scale fisheries sector, including the socioeconomic situation, as a prerequisite to relating the SSF Guidelines to the Myanmar context. Towards this, it was recognized that technical training and orientation

need to be given to government functionaries. Group members felt that tenure rights of small-scale fisherfolk need to be ensured and that they need to be part of decision-making processes and to secure representation in fisheries-management systems and policy development. They stressed that fisherfolk organizations and associations need to be strengthened and capacities built for enterprise development, value addition and processing technologies, leadership, financial management, and livelihood options. Efforts need to be made to ensure the active involvement of women and vulnerable and marginalized groups at all levels of implementation.

It was the first time that participants were exposed to small-scale fisheries as a sector, the primary responsibility of the Ministry so far having been revenue generation through granting of tenders for commercial fisheries. The Deputy Minister of Fisheries inaugurated the seminar and spoke about its importance for the livelihoods of small-scale fisherfolk and for sustainable resource management. Though the Minister for Fisheries could not be present for the opening address, he had a brief interaction with the participants later in the day and, at the request of NAG, assured the gathering that a working group from among the participants would be formed to develop a plan of action and take the SSF Guidelines forward. 3

For more

www.fao.org/fishery/ssf/guidelines/en
Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication

igssf.icsf.net/en/page/1064-Publication.html#

ICSF - SSF Guidelines Website

Searching for the Right Rights

The UserRights 2015: Fisheries, Forever conference, held in Siem Reap, Cambodia, was a global forum on rights-based approaches for fisheries

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In welcoming the participants of the UserRights 2015: Fisheries, Forever conference, organized by the Food and Agriculture Organization of the United Nations (FAO) and Government of Cambodia in the historic Angkor Wat city of Siem Reap, during 23-27 March 2015, Eng Chea San, Director-General of Fisheries Administration, Ministry of Agriculture, Forestry and Fisheries (MAFF), Cambodia, hoped the conference would allow different groups to share their experiences to arrive at a collective understanding of rights regimes to benefit fishing communities.

...“the most extensive and well-developed system of community fisheries in the world”...

Highlighting the case of Cambodia, he observed how collective action for mutual benefits was needed to empower fishing communities and to ensure fish for present and future consumption. The community fisheries approach of Cambodia—an approach that was based on upholding mutual responsibilities for sustainable use of fishery resources—was instrumental in eliminating private ownership, replacing it with collective ownership, he said.

Referring to the Mekong river, Tonle Sap Lake and the coastal waters of Cambodia, Jean Francois Caubain, Ambassador of the European Union to Cambodia, lauded “the most extensive and well-developed system of community fisheries in the world” but cautioned against dams and infrastructure development in the

Mekong Basin, industrial and urban development and climate change that can threaten capture fisheries in such a sensitive and fragile ecosystem.

In his opening speech Mam Amnot, Secretary of State, MAFF, Cambodia, hoped a rights-based approach to fisheries, especially by promoting small-scale fisheries, would contribute to better nutrition, food security and income, reduce poverty and improve livelihoods of the poor and disadvantaged people, in particular.

At the plenary session, Kate Bonzon, Senior Director, Oceans Programme, Environmental Defense Fund, United States (US), provided an overview of the types of user rights and their potential contributions to conservation of fishery resources, food security and poverty eradication and development of fishing communities.

There is a striking diversity of tenure rights in the fisheries sector, she said, ranging from some comprising a few participants to those comprising thousands; some targeting sedentary, nearshore species to those targeting highly migratory species; and some comprising capital-intensive fishing craft, gear and techniques to those just hand gleaning, employing wind power for propulsion and using rudimentary gear.

Tenure rights

There are tenure rights systems focusing on single species or multiple species, those based on secure shares of fish or secure areas to fish, those for allocating rights to groups or individuals, and those allowing transferability of rights on a permanent or short-term basis, or not at all. These distinctions highlight the flexibility of tenure rights systems, she observed.

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Kaing Khim, Deputy Director General, Fisheries Administration, MAFF, Cambodia, shared Cambodia's experience with implementing a user rights system in lake fisheries, highlighting its social, economic and environmental aspects. In 2000, a government policy was proclaimed whereby the individually owned fishing lots were abolished, taken over and re-distributed to the small-scale fishers in the form of Community Fisheries. These reforms were introduced to address conflicts between small- and large-scale fishing gear, on the one hand, and to reduce overfishing pressure, on the other. The reforms were to ensure that the rural Cambodian communities enjoyed access to fish for food and livelihood. A total fishing lot area of nearly 8,600 sq km have been released to local small-scale fishers since 2010. The remaining 10 per cent was kept for conservation purposes. As of now, there is a total of 516 Community Fisheries.

The fisheries laws were amended to introduce a legal framework for Community Fisheries, which are now led by Community Fisheries committees comprising local, elected representatives. Although the Community Fisheries areas are State property, the communities have tenure rights to particular fishing grounds. The communities can not only organize fishing activities in accordance with law, but can

also undertake aquaculture and fish processing, pursue alternative livelihoods and undertake fisheries management in these areas. They are to combat illegal fishing operations in collaboration with the fisheries authorities. The Community Fisheries reforms have led to enhanced fish production, elicited greater participation of people in resource management and have helped them understand the importance of conservation initiatives.

Dedi S Adhuri, Senior Researcher, Research Centre for Society and Culture, Indonesia Institute of Sciences, gave the example of a project to introduce an ecosystem approach to fisheries management through revitalizing the *awik-awik* traditional co-management regime in Jor Bay, East Lombok, Indonesia. This was to manage conflicts between fishing, cage culture and aquaculture, and to protect the mangrove, coral and seagrass habitats in an area of 10 sq km, with the involvement of two village communities. The project led to the elimination of destructive fishing practices, and a reduction in the number of conflicts within, and between, user groups in the Bay, he claimed.

Patricia Jack-Jossien, Vessel Day Scheme (VDS) Manager, Parties to the Nauru Agreement (PNA), Majuro, Marshall Islands, spoke about the purse-seine VDS—an effort control scheme introduced in 2007 to set

FIA / CAMBODIA



Unlike in the past, UserRights 2015, held in the historic Angkor Wat city of Siem Reap, Cambodia, attracted participants mainly from developing countries

overall limits on the number of days purse-seine fishing vessels could be licensed to fish in PNA waters. The VDS replaced guaranteed access to PNA waters of purse-seiners from distant-water fishing nations, against access fee. In 2015, a total allowable effort (TAE) of nearly 45,000 days was set. Vessels participating in VDS—about 280 vessels—have onboard observers and are tracked by satellite. The value of a fishing day has shot up from US\$1,100 in 2010 to US\$10,000 in 2015. The VDS revenue from the PNA purse-seine fishery has increased over

terms of reduced budget and staff. In spite of the rights-based system, the population of endangered fish species continued to deteriorate, she observed. Local communities were also slow to adopt the rights-based system.

Sherry Pictou, Bear River First Nation, Canada, talked about the relationship between a property rights approach and indigenous rights approach in the context of inland and marine capture fisheries in Mi'kmaq ancestral homelands, or Atlantic Canada, especially Nova Scotia. She examined the history of individual transferable quotas (ITQs) as well as the decision of the Supreme Court of Canada—known as the Marshall Decision—upholding a treaty right of the Mi'kmaq people to a livelihood fishery. Two First Nation communities that have been trying to assert a treaty right to a livelihood fishery in Atlantic Canada are the Bear River First Nation and Paqtnek First Nation, she informed. The fishing grounds of the First Nations included inland and marine areas.

According to the Marshall Decision, even if the Mi'kmaq people could not accumulate wealth from fishing or fish for economic gain, they could produce a moderate livelihood for their families from fishing. The Fisheries and Oceans Canada (DFO), however, does not recognize the treaty right of Mi'kmaq people and there is still no mechanism for implementing their right to a livelihood fishery, she observed.

Human-rights standards

The Mi'kmaq people are opposed to property rights for several reasons: firstly, in the property rights approach, the marketplace is supreme and placed above indigenous rights; secondly, in countries like Canada, property rights regimes such as ITQs have undermined small-scale fisheries and livelihoods; thirdly, the property rights approach runs counter to the Small-scale Fisheries Guidelines and the Tenure Guidelines that are based on human-rights standards, including indigenous rights under the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP); fourthly, property

According to the Marshall Decision, even if the Mi'kmaq people could not accumulate wealth from fishing or fish for economic gain, they could produce a moderate livelihood for their families from fishing.

six-fold from US\$60 mn in 2010 to US\$365 mn in 2015, now accounting for 14 per cent of the value of PNA exclusive economic zone (EEZ) catch. The VDS is the “most transformative agent in the fishery, not only as an excellent sustainability tool but also as an economic instrument”, she concluded.

Minerva Arce-Ibarra shared the experience of community territorial use rights introduced in 2007 in the upper Gulf of California, Mexico, for the conservation of endemic endangered fish. A combination of fishing permits and catch quotas to benefit three local communities, including the native Cocopah People, was introduced in a designated area in the Gulf to protect reproductive fish aggregations and to regulate fishing pressure. The permits were valid for two years and were renewable. Although heritable, the permits were not transferable. The Cocopah People, however, were not happy since their ancestral land formed part of the nucleus zone of the protected area.

In spite of regulated access, women and youth continue to fish due to lack of any alternative employment. The enforcement regime became weak with the downsizing of federal fishery institutions in Mexico, including in

rights regimes commodify treaty and other legal obligations, putting them on the market to be bought and sold, thus taking out the human ecology; and fifthly, given their struggle to implement a livelihood fishery in light of a narrow mandate coming out of the Marshall Decision, Bear River First Nation and Paqtnkek conclude that *corporate law* and *property law* supersede their *human rights law* and Canada's highest aboriginal and treaty rights. She drew attention to the 2014 United Nations Report of the Special Rapporteur on the Rights of Indigenous Peoples, Canada, which pointed out the issue of resolving Indigenous Treaty and Land Claims.

For indigenous peoples and small-scale fishing communities, *rights-based* means something different than ITQs, she observed. An indigenous rights-based fishery recognizes ancestral rights and the spiritual dimension of rights (Netukulimk). They use any resource they need and leave the others for future use. She concluded by stressing the need for implementing the SSF Guidelines from the perspective of small-scale fisheries, including the indigenous peoples.

Kristján Skarphéðinsson, Permanent Secretary, Ministry of Industries and Innovation, Iceland, observed that the fisheries in Iceland are now "sustainable, efficient and highly profitable". The Icelandic fishing fleets, including smaller boats, have evolved efficiently to deal with harvesting their allocated quota shares, to process the catch and to provide better working conditions for the crew.

One of the greatest achievements of the Icelandic fisheries management system, he said, was the undisputed support for the science-based decisions to granting fishing quotas. As a result of the quota management system, there are fewer fishing vessels and fewer processing plants (because of mergers and acquisitions in the sector). There is also more automation in the sector. Fewer people are now working in the fisheries sector. The Icelandic workforce involved in fishing and fish processing has more than halved from 12 per cent in 1983 to 5.3 per cent in

2014. However, some new jobs are created in the information technology and engineering departments.

With fewer and more efficient vessels not having to race for fish, the total fuel consumption of fishing vessels has gone down from 244,000 tonnes in 1993 to 151,000 tonnes in 2013. Between these years, marine products export revenue has gone up from US\$1.4 bn (ISK187 bn) to US\$2.0 bn (ISK272 bn). While the cod catch almost halved from 460,000 tonnes in 1981 to 236,000 tonnes in 2013, its export value more than doubled from US\$303 mn to US\$720 mn in the same period.

The average earnings before interest, taxes, depreciation and amortization of Icelandic fisheries companies rose from 7 per cent during 1980-1984 to 15 per cent in 1984-1992 and further to 22 per cent between 1992-2012, despite cod catches generally going down during this period. Quota holdings have

For indigenous peoples and small-scale fishing communities, *rights-based* means something different than ITQs...

concentrated in the hands of bigger companies that are vertically integrated. The catch share of the ten largest quota holders has progressively increased from 24 per cent in 1992 to 32 per cent in 1999, to 47 per cent in 2004 and further to 52 per cent in 2014.

Powerful companies

The direct fisheries charges—income tax, social security fee, fishing fee and other fee—levied on fisheries companies have increased from US\$37 mn (ISK5 bn) in 2004 to US\$184 mn (ISK25 bn) in 2013, which is about 10 per cent of the value of marine products exports. The critics are of the view, he noted, that the bigger companies have become very powerful and that they should be paying much more than 10 per cent of export value to the exchequer.

New legislation is in the pipeline to clarify that the fishing rights are the property of the State; that fishing quotas will be in the form of time-bound contracts between the State and individual companies; and that the State will collect a fee for leasing these contracts. The Parliament has to decide upon time frames for the contracts, the time frames within which the State will either renew contracts or revoke them. Special community quotas—that already make

Seventy per cent of fishing rights, however, are held by medium to large companies (companies owning five to 12 vessels)...

up 5.3 per cent of the total quotas—also have to be agreed upon, he concluded.

The Plenary Session continued on Day 2 of the conference. Annie Jarrett, Chief Executive Officer, Northern Prawn Fishery Industry Private Limited (NPFIL), Australia, talked about the experience with user rights in Australia's Northern prawn fishery, focusing on their social, economic and environmental aspects. The landed value of Northern prawn fishery in Australia's Far North, mainly comprising banana prawn and tiger prawn in an area of 770,000 sq km, is the most valuable prawn fishery of Australia (worth between US\$50 to US\$74 mn). The prawns are caught by 52 freezer trawlers 20-24 m in length, employing twin, triple and quadruple otter trawl.

It is a limited-entry fishery regulated through input controls in the form of statutory fishing rights (SFRs) comprising boat SFRs (one SFR per boat) and gear SFRs. She spoke about how an open-access fishery between 1965 and 1977 transformed into a limited-entry fishery after going through various stages of reforms. The initial effort control measures were not successful in reducing fishing effort and capacity or in checking overfishing.

The reforms in the year 2000 led to the introduction of gear unit rights

system and individual transferable effort (ITE) units, which were fully transferable and divisible. The value of the gear unit in terms of headrope length was adjusted against changes in fishery productivity/effort creep. This facilitated the removal of 100 vessels between 2000 and 2007.

It is an equal-opportunity fishery, she said, where many women are involved since the 1970s as skippers, cooks and deckhands. Fifty per cent of crew member observer programmes comprise women. There is also participation of indigenous and non-Australians in these activities. There are programmes to improve safety, to protect fishers and fishworkers and to upskill these workers.

The social effects of the gear unit rights system and ITEs include: generating stable employment, long-term career paths, higher remuneration, and profit-sharing arrangements in the form of bonuses. Alternative career paths such as onshore fleet managers, mother ship operators, scientific observers, fisheries managers, and marketing and recruitment officers have opened up.

Seventy per cent of fishing rights, however, are held by medium to large companies (companies owning five to 12 vessels), she said, and the remaining 30 per cent are held by smaller operators owning one to four vessels. Altogether, there are 19 owners. This is unlike the situation that prevailed in the year 2000 when large and small operators held equal shares of fishing rights.

Economic impacts

As far as the economic impacts of fishing rights are concerned, the number of fishing vessels has come down from 134 before the introduction of gear units in 1998-99 to 52 vessels in 2011-12. During the same period, the income per vessel has increased from US\$860,000 to US\$1.4 mn. The environmental benefits include improvement in stock status of banana prawn and tiger prawn, and a smaller environmental footprint—which is only about 8 per cent of the area fished. There is 50 per cent

reduction in bycatch of turtles, rays and sharks.

A rights-based system can be highly successful or totally disastrous, she observed. One of the key lessons in developing and implementing user rights is full stakeholder engagement. “We have to get the ‘rights’ right; lack of buy-in from stakeholders will result in abuse and failure of the rights system”, she warned.

Ragnar Arnason, Department of Economics, and Chair, Institute of Economic Studies, University of Iceland, said the ITQs are the “most widely applied rights-based fisheries management system in the world”. The ITQ regime has been adopted by at least 22 major fishing nations. Close to 25 per cent of global catches are now taken under ITQs. Looking at the outcomes of ITQs, especially the general pattern emerging from around the world, these are economically very successful (by reducing fishing effort, by increasing the unit price of landings, by reducing fishing capital, and by enhancing the value of quotas) and biologically moderately successful (by leading to recovery of biomass, by reducing discards and by enhancing a sense of resource stewardship among fishers).

As far as the social outcome of ITQs is concerned, they have altered the structure of the fishing industry and fishing communities. More efficient fishing operations and techniques are being promoted. ITQs have tended to consolidate fishing operations. As a result, there are fewer fishing vessels and a lesser number of fishers. Some people get rich and a more capitalistic culture is being promoted. Although property-rights regimes, in principle, solve the main problems in fisheries, there are difficulties, in practice. It is difficult to define and enforce property rights. It is prohibitively costly to enforce them. ITQs are also infeasible from a socio-political perspective.

These difficulties apply in particular to artisanal fisheries in developing countries, especially in Africa and Asia that contribute 50 per cent of global fish catches. For these reasons, attention has been drawn to community fishing rights.

Examining the case studies presented during the conference, while bio-economic outcomes appear to be good if individual rights are robust and communal rights are weak, social outcomes appear to be good if communal rights are robust and individual rights are weak, he observed.

Seth Macinko, Associate Professor, Department of Marine Affairs, University of Rhode Island, US, said it is important to clarify what is meant by rights-based approaches, in what sense are rights involved and what kind of rights are being discussed. How does one say that a particular programme is based on rights? Is the term ‘rights’ referring to ‘human rights’, ‘indigenous rights’, ‘user rights’ or ‘tenure rights’, he asked.

According to those pushing for privatization, ITQs are seen as “one of the greatest institutional changes of our times: the enclosure and privatization of the common resources of the ocean”.

...while bio-economic outcomes appear to be good if individual rights are robust and communal rights are weak, social outcomes appear to be good if communal rights are robust and individual rights are weak...

He said that the whole argument for privatization of fisheries was conceptually flawed since fisheries management was different from ownership of fisheries resources. An overall catch limit could be divided into individual assignments that each vessel can fish where and when they want to, subject to other rules. The prearranged assignment is a tool; however, to insist that the tool must be private property and only “works” if it is private property, is ideology, he said. Individual fishing quotas should be seen only as catch-share-based fishing and not as property-rights-based fishing. The menu of available policy options could be larger if the tool—catch shares—can be liberated from the ideology of private property. “Policy options are being forced off the table by ideological dogmatism”, he argued.

The consequences—both intended and unintended—of the privatization approach, however, should be addressed, he said, especially issues such as small vessels getting replaced by larger, more efficient and expensive vessels, and concentration of quotas with a small number of highly specialized vessels. The privatization approach to using assigned catches has taken fishery resources away from

Under ITQ or catch-share regimes, communities are left without fishing rights to their traditional fishing grounds.

the public and small fishers and given them to large quota holders who do not pay for the quotas allotted to them. Proponents of the privatization approach are now openly talking about inviting Wall Street in and he feared that the “wet enclosure movement” will eventually displace members of coastal communities from fishing.

As practised, the privatization approach is inconsistent with Tenure Guidelines, the SSF Guidelines, and human rights and indigenous rights, he observed. Societies should debate whether they would like public assets to remain under public ownership or if they should be privatized. There should be public policy discussion in regard to how to employ pre-assigned catch while meeting the trust obligations of public ownership and who should be the lessors (for example, the parties doing the leasing) in a catch share system.

In the panel discussion that followed on experiences with rights-based approaches in fisheries, Christiana Louwa, El Molo Forum, Kenya, expressed frustration that the Kenyan fisheries law does not protect tribal people. Increasingly, their fishing opportunities are being taken away by “outsiders”. The rights of indigenous people under the UNDRIP are also not enjoyed by the tribal people.

Arthur Bogason of the World Forum of Fish Harvesters & Fish Workers (WFF) pointed out that catch shares are the same as ITQs. One cannot lightly discuss transferability issues when livelihoods of people are involved. Under ITQ or catch-share regimes, communities are left without fishing rights to their traditional fishing grounds. No one has estimated the depreciation costs of their assets such as houses and fishing equipment after losing access to their fishery and after being forced to leave their settlements.

The Plenary Session continued on Day 3 too. Naseegh Jaffer, Director, Masifundise Development Trust (South Africa) and Co-ordinator, World Forum of Fisher Peoples (WFFP), held that in South Africa there is skewed ownership of fishing rights. Towards addressing issues related to overfishing, South Africa adopted the Marine Living Resources Act, 1997 (MLRA). Subsequently, the long-term fishing policy (LTFP) was adopted in 2005, which allocated fishing rights under an individual quota system that mainly benefited large commercial fishing industry and fish-processing companies.

The LTFP led to a series of strategic errors, he said. It failed to recognize traditional and customary fishing communities, thereby making them illegal. Only biological information informed legislation and policy. Social sciences played no role. There was insufficient institutional capacity put in place to manage the fishery. There were no serious consultations with fishing communities either. As a result of these errors, small-scale fishers were criminalized. There was increased poverty and food insecurity, breakdown of social cohesion, especially in poor rural communities, and inability of fishers to meet their livelihood needs. The fishery was badly affected by mismanagement and politicking. As a result, the fishery management system lost its legitimacy.

Fishing communities started mobilizing for a new form of ‘access’ rights, based on their human needs. Intensive action concurrent with the development of the SSF Guidelines

decried 'ITQs', 'private rights', 'property rights', 'shares' and 'user rights' in favour of a human rights-based approach to allocate fishing rights to fishing communities. A new fishing policy for the small-scale subsector was adopted in 2012 and the MLRA was amended to implement this policy.

ITQs and similar rights-based practices do not conform to universally accepted human-rights standards and are not appropriate for allocating fishing rights, he observed. The key to shaping policy and legislation in relation to fisheries management is meaningful participation of fishing communities. A plurality of allocation and management approaches is needed in order to sustain a fishery. Equity and subsidiarity must be the key underlying principles when allocating fishing rights, he said.

Sidibe Aboubacar of the Inter-African Bureau for Animal Resources (IBAR) of the African Union, said there is a prevailing fear among marginalized small-scale fishing communities in Africa that the fisheries sector would be privatized and the powerful would be allocated exclusive rights over their common-property resources. User rights-based approach is new to Africa. Rights allocation could cause controversy if the criteria for allocation are not clearly defined and accepted by stakeholders. Fishing rights should be combined with management rights. Rights to manage a fishery in a collaborative manner should be vested with a well-defined membership-based organization such as a co-operative, he suggested.

Nadine Nembhard, Co-ordinator, Caribbean Network of Fisherfolk Organization (CNFO), supported a human-rights-based approach in fisheries and observed that equity is the most important aspect of access rights. She gave the example from Belize where traditional fishers are given access to fish in a marine protected area.

At the Closing Session on Day 5 of the Conference, commenting on the forum highlights from various perspectives, KwangSuk Oh, Director, International Co-operation Division, Ministry of Oceans and Fisheries,

Republic of Korea, observed that a key message coming from the forum was the need for making rights-based approaches coherent with human rights. In this context, he highlighted the importance of good governance. It was necessary to have binding legislation to protect women, equity and human rights, he said. National and local governments have a role in good governance as well. Helga Josupeit, Fisheries and Aquaculture Department of the FAO highlighted the need for discussing specific rights of women in all stages of the value chain as another key point emerging from the forum.

Rebecca Metzner, Branch Chief, Fisheries and Aquaculture Department Policy, Economics and Institutions Branch (FIPI) FAO, informed there were 139 participants attending the conference from 38 countries from across Africa, Asia, Latin America, the Caribbean, Europe and North America. The discussions were holistic, covering a full package of considerations, including a human-rights-based approach in fisheries. The forum benefited from new tools such as the Right to Food Guidelines, Tenure Guidelines and the SSF Guidelines, which was not the case when similar conferences were held in the past. There was a triangulation of food security, livelihood and wealth discussed at the forum. It examined equity and efficiency issues and discussed which takes priority, when, where and how. It looked at imbalance of power, different degrees of rule of law and enforceability. The meeting recognized issues such as heterogeneity: different types of people, jobs, countries, gender, and so on. It examined different categories of fishers and fishing communities, including both scale and scope. Looking forward, she highlighted the need for capacity building for "on-the-ground action", especially to raise awareness of fishers, fishery managers, fishing communities and politicians and to set a time frame for transition to rights-based fisheries, employing adaptive management. This dialogue should continue, she said, to seek coherence at various levels. 3

For more



www.fao.org/about/meetings/user-rights-2015/en/

UserRights 2015

<http://igssf.icsf.net/>

UserRights 2015: A Global Forum on Rights Based Approaches for Fisheries: Full Report of the Workshop by Sebastian Mathew, ICSF

Taking the Next Steps

The ICSF-BOBLME India (East Coast) Workshop discussed ways in which the FAO SSF Guidelines can be taken forward in a participatory and inclusive manner

A workshop on 'Implementing the FAO Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)' was held in Chennai, India, during 6-7 March 2015.

Organized by the International Collective in Support of Fishworkers (ICSF) with support from the Bay of Bengal Large Marine Ecosystem (BOBLME) Project, the workshop was the third in a series to be held in 2015 as part of attempts worldwide to promote ownership of the SSF Guidelines among different

in small-scale fishing communities; and

- explore the need for a multi-stakeholder mechanism to facilitate
- a co-ordinated, inter-sectoral approach to the implementation of the SSF Guidelines.

Participants at the workshop came from various backgrounds, and included central and state government officials, fishworker organization leaders and representatives, community leaders (men and women), researchers from various disciplines, and representatives of civil society organizations (CSOs), non-governmental organizations (NGOs) and inter-governmental organizations (IGOs).

In his opening address, John Kurien, Member, ICSF, recalled Chandrika Sharma's invaluable contributions to the drafting of the SSF Guidelines, and urged for the continuation of the same principles of "commitment, correctness and consciousness of the great cycle of life" that she espoused.

Introducing the workshop and its objectives, Sebastian Mathew, Executive Secretary, ICSF, urged participants to consider the potential challenges ahead, particularly with respect to governance reforms to deliver a human-rights-based approach to development in fisheries through multi-stakeholder co-ordination and an inter-sectoral approach.

Opening address

While acknowledging the importance of the SSF Guidelines, Santha Sheela Nair, Vice-Chairperson of the Tamil Nadu State Planning Commission, in her opening address, sought more active participation from

In his opening address, John Kurien, Member, ICSF, recalled Chandrika Sharma's invaluable contributions to the drafting of the SSF Guidelines...

stakeholders. The ICSF-BOBLME India (East Coast) Workshop coincided with the first anniversary of the disappearance of Malaysia Airlines flight MH370 with Chandrika Sharma, then Executive Secretary, ICSF, on board.

The workshop aimed to:

- disseminate information about the SSF Guidelines and examine their relevance in varying local contexts;
- assess serious issues facing marine and inland small-scale fishing communities along the eastern seaboard of India;
- examine how implementing the SSF Guidelines can contribute to improving life and livelihoods, especially of the vulnerable and marginalized groups and women

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the government, particularly from elected representatives at various levels. She offered the platform of the State Planning Commission to bring together various actors for dialogue and debate, an initiative that was appreciated and acknowledged by the stakeholders present at the workshop. She suggested exploring opportunities under the Backward Regions Grant Fund and the India Inclusive Innovation Fund that would be applicable to coastal communities.

The FAO India Representative, Kevin Gallagher, cited the SSF Guidelines (and the highly consultative process by which they were drafted) as a model for other small-scale sectors, particularly in their inclusion of a human-rights-based approach.

Nicole Franz, FAO's Fishery Planning Analyst, elaborated upon the potential roles of state and non-state actors, highlighting the vast range of players that needed to arrive at a common understanding of the small-scale fisheries sector. While discussing the role of the state, she said that policy coherence to address small-scale fisheries issues at all levels is imperative, as is the strong and committed political will of government agencies. She called for a review and revision of the existing legal framework and institutional arrangements to identify gaps and scope for improvement. As equal partners in the process, fishworker organizations (FWOs) and CSOs had an important role in ensuring that

the process remained participatory, that active lobbying with the state actors would continue and the importance of the small-scale fisheries sector be brought to focus. Drawing from lessons learned in the implementation of other voluntary instruments, she recommended the setting up of an implementation and monitoring platform at the national level. At all levels of institutional arrangements, she reiterated, the representation of small-scale fishers and fishworkers was indispensable.

Representing BOBLME, C M Muralidharan introduced the project's Strategic Action Programme (SAP), noting that the objectives and targets of the SAP in addressing transboundary issues incorporated many components as outlined by the SSF Guidelines themselves, particularly the Ecosystem Quality Objectives, which promoted an ecosystem-based approach to fisheries management (EAFM). Under the theme "Socio economic considerations" in SAP he stressed on point supporting the dissemination and implementation of the SSF Guidelines among other people centred targets for regional and national actions.

Nalini Nayak, Member, ICSF, focused on the social dimensions of the SSF Guidelines. They could "be a turning point in social development history if implemented in the right spirit with conviction and imagination," given how their development was necessitated by the

ICSF



Participants at a workshop on the FAO SSF Guidelines held in Chennai, India, during 6-7 March 2015. The workshop attempted to help catalyze further debate, engagement and collaboration on issues related to the SSF Guidelines

vulnerability and marginalization faced by these communities, and recognizing that small-scale fisheries had the ability to eradicate poverty and provide food security, while ensuring long-term sustainable use of resources. The implementation of the SSF Guidelines necessitates an inter- or even trans-disciplinary outlook and process, she added.

The opening session was followed by the presentation of reports from the various preparatory consultative meetings that were held in West Bengal, Odisha, Andhra Pradesh and Tamil Nadu during January to February 2015 as part of the ICSF BOBLME collaboration.

Venkatesh Salagrama, Member, ICSF who moderated the session, and had led the consultative meetings, said that the pertinent issues had common elements across the states. These included the lack of recognition of tenure and use rights, the erosion of traditional practices, displacement of communities by large-scale development projects, problems faced by migrant workers, disaster preparedness and social development.

Most of the state government representatives reiterated the schemes that addressed these issues,

be read in conjunction with other international agreements and covenants (such as the FAO Tenure Guidelines and the Code of Conduct for Responsible Fisheries) to strengthen application. He called for reforms across sectors that would promote policies that were community-driven and community-centred.

Ganesh Chandra from the Central Inland Fisheries Research Institute (CIFRI) said the inland sector was dominated by small-scale fisheries, characterized by highly diverse operations, seasonally and geographically. The issues confronting the sector included tenure rights to resource access, weak organization, threats to the resource (and thereby livelihoods) from outside the sector (pollution, development projects) and the lack of alternative livelihood options.

Speaking on behalf of T Raja, a traditional *panchayat* representative, V Vivekanandan, Member, ICSF, presented a cogent case for the consideration and understanding of traditional governance systems. Such systems, he said, in which a community is entrusted with decisionmaking that directly impacts it, play a valuable role in enforcing what the SSF Guidelines endorse, and mostly operate in the spirit of participation and consensus. While it is true that there are factors that require considerations for change (such as the absence of women in positions of leadership), it would be wrong, he added, to dismiss these systems entirely.

Manash Choudhury of the National Institution for Transforming India (NITI Aayog), commended governmental efforts, citing the exponential growth in the export of fisheries products as evidence of the central government's commitment to the sector. However, he said, effective implementation can only occur if the relationship between communities and the government is amicable.

Empowerment

He called for a paradigm shift in fisheries management, with an increased focus on empowerment

...effective implementation can only occur if the relationship between communities and the government is amicable.

highlighting the various ways in which the functioning of their respective departments would focus on the small-scale fisheries subsector, and increase co-ordination and collaboration with other departments.

The post-lunch panel discussion addressed the need for governance reforms, while examining how an enabling socioeconomic, legal and policy environment for small-scale fisheries could be created.

Yugraj Singh Yadava, Director, Bay of Bengal Programme-Inter-Governmental Organization (BOBP-IGO), said the SSF Guidelines should

of stakeholders. He also advocated for public-private partnerships (PPPs) which could help enhance production, and suggested that aquaculture be considered on par with agriculture and given the same importance in policy.

The final panelist of the session, Albertina Almeida, a legal expert, elaborated upon how international and national legal instruments can be tapped to support and strengthen the provisions of the SSF Guidelines, with a specific focus on securing women's rights in small-scale fisheries. While gender mainstreaming was an important component, the monitoring of the process and its impact by 'line departments', she stressed, was just as important.

The SSF Guidelines specifically call for the voices of both men and women to be heard in the process. In this spirit, she said, the women in fisheries needed to be consulted on what they considered small-scale. She called for a greater emphasis on the role of women in fisheries, to consciously dispel 'gender blinkers'.

The questions and comments that followed the panel session broadly questioned the current development model and exclusionary practices that further marginalized the small-scale fisheries sector. It was also suggested that work in different capacities in small-scale fisheries and fisheries management should gain conceptual clarity on the various ecological, socioeconomic and political aspects.

The concluding session of the first day included group discussions on the themes of securing coastal tenure rights, the government actors involved, especially with respect to promoting social development within the sector, and what assistance and institutional arrangements the achievement of these objectives would require. Ujjaini Halim, Treasurer, World Forum of Fish Harvesters and Fish Workers (WFF), moderated the session.

The participants observed that there was a need to:

- contextualize the SSF Guidelines for relevant application in local areas;



Nicole Franz, Fishery Planning Analyst, FAO, speaking about the role of state and non-state actors in implementing the SSF Guidelines

- make gender equity and empowerment of the marginalized a priority;
- increase visibility of the small-scale fisheries sector and emphasize its ability for poverty eradication and its contribution to food and nutritional security;
- disseminate information about the SSF Guidelines and other instruments to empower communities to assert their rights, in turn making them less dependent on welfare schemes of the state;
- call into question the current model of capital- and investment-driven development at the cost of social development, and address indirect threats to livelihood and resources (for example, pollution from shore-based industries, development and tourism projects, competition from the large-scale and other sectors);
- ensure that implementation of the SSF Guidelines is bottom-up and participatory;
- draw from existing positive examples and good practices already instituted in community management for the realization of equitable and sustainable practices;
- formalize and secure tenure rights for ownership, use and transfer;
- call upon state governments to address their responsibility in safeguarding human rights, particularly of members of

- vulnerable and marginalized groups;
- explore opportunities for skill building and alternative livelihoods to enhance income generation;
- emphasize the role of the post-harvest sector;
- provide due recognition of inland fisheries and address tenurial, livelihood and social-security issues; and
- establish a more prominent position for small-scale fisheries in the market and trade components of the value chain.

These threats include tourism and resorts along the river banks that not only prohibit access to local fishermen but also hamper the livelihood opportunities...

The second day of the workshop began with a panel discussion about contextualizing the SSF Guidelines in the case of Indian fisheries. The panelists included representatives who had worked on inland fisheries, marine fisheries, food security, disaster management, legal affairs and the coastal environment.

The first panelist was V V Sugunan, Assistant Director General (Retd), Indian Council of Agricultural Research (ICAR), New Delhi, who spoke about the 'SSF Guidelines and Inland Small-scale Fisheries'. While acknowledging the role of inland fisheries in promoting sustainable livelihoods, he pointed to the conceptual difficulties in defining small-scale fisheries. Sugunan distinguished between culture-based fisheries and capture fisheries in the inland sector, especially with relevance to the process of stock enhancement.

Sumana Narayanan, Programme Associate, ICSF, spoke about tenure rights in inland fisheries. Having visited and interacted with stakeholders around the river Ganga, Sumana highlighted the problems of tenure rights associated with the people, fisheries, river and the land. She cited the example of the traditional

panidhari system, which is premised on stringent property rights on the river itself and works on an exclusionary basis—a system abolished by law, but still practised in some areas. She also spoke about the emerging threats to livelihoods of fishing communities. These threats include tourism and resorts along the river banks that not only prohibit access to local fishermen but also hamper the livelihood opportunities of other marginalized and vulnerable sectors that directly depend on these resources.

E Vivekanandan, Emeritus Scientist of the Central Marine Fisheries Research Institute (CMFRI), talked about the ecosystem approach to fisheries management (EAFM) in the context of small-scale fisheries. By stressing the importance of sustainable fisheries development and protection of the environment, he explained how SSF could play a major role in promoting EAFM. He also illustrated a five-step process to achieve this, which could be particularly relevant to Indian fisheries. The benefits of EAFM include the accordance of responsibility, availability of resources, better compliance and reduced conflicts.

Probir Banerjee of Pondy Citizen's Action Network (PondyCAN), Puducherry, called for an 'inside-out' approach to addressing environmental problems and designing interventions. Speaking on the topic 'Customary rights to land and sea: Negotiating tenure rights', he highlighted the immense changes on land and at sea caused by infrastructure and coastal development projects. He introduced an ongoing pilot Coastal Stewardship Programme, which conducts capacity building in fishing villages, and trains the youth in mapping their villages with global positioning system (GPS) units and geographic information system (GIS) software, implemented in Puducherry and nearby coastal villages of Tamil Nadu, under BOBLME support.

Post-tsunami

Annie George from Building and Enabling Disaster Resilient Coastal Communities (BEDROC),

Nagapattinam, and Sajith Sukumaran from FishMARC, Thiruvananthapuram, shared their experiences working with fishing communities in the post-2004 tsunami context in Tamil Nadu. While Annie focused on the housing policy and the outcomes of shelter and housing exercises undertaken by the Tamil Nadu state government in the aftermath of the tsunami, Sajith spoke of the impacts on fisheries livelihoods post-disaster.

Annie talked about the governance challenges, community aspirations and administrative and technical aspects that compounded some of the problems that arose in the course of rehabilitation. She pointed out that although the intentions were well-placed, the lack of technical capacity, low investments in repair and maintenance, and the short shrift given to safety, proved counterproductive.

While addressing changes in fisheries livelihoods, Sajith mentioned that a lack of data regarding certain aspects, especially the impacts to the livelihoods of women, left gaps in understanding the trends over the last ten years, but a marked increase in fishing pressure, and a decrease in traditional non-motorized craft, was observed.

In the face of changing climatic conditions and their possible direct impacts on fishing and fisheries-based livelihoods, Vincent Jain, of the Association of Deep Sea Going Artisanal Fishermen (ADSGAF), spoke on 'Climate-smart fishing: Development of solar-powered fishing vessels in Thoothoor'. The ongoing work not only involves innovation of climate-smart technologies for fishing vessels, but interventions in all sub-sectors (for example, the introduction of solar lamps in evening markets for women fish vendors), including the post-harvest sector.

Jesu Rethinam of Social Need Education and Human Awareness (SNEHA), Nagapattinam, talked about 'Post-harvest and trade: Social development and women fish vendors'. She indicated how the changing nature of the coast and

markets are making women fish workers vulnerable day by day. With the loss of beach space due to coastal erosion and market space due to the entry of big players, she said the post-harvest sector should be supported to face the changing nature of fisheries and its implications for fisheries-dependent women.

Addressing the lack of legal provisions to secure the rights of small-scale fishing communities, Gayathri Singh, an advocate from Mumbai and Member, Human Rights Law Network (HRLN), listed the possibilities of asserting rights through the provisions of supporting laws and regulations. She discussed the ongoing and rapid erosion of traditional systems, and the failure of the state and courts to recognize customary rights over land and water.

This makes communities vulnerable to external forces that utilize the coast for purposes other than fishing, she added. The tendency to view customary tenure in the light of resource use, and not as basic rights, has vested the power to decide how rights should be exercised with the government.

...the ongoing and rapid erosion of traditional systems, and the failure of the state and courts to recognize customary rights...

She also lamented the loss of the doctrine of public trust, according to which the state is a trustee of the commons. She pointed to specific sections of the Forest Rights Act which gave the right to traditional dwellers to exploit resources within a protected area.

Kavitha Srivatsava of the People's Union for Civil Liberties (PUCL) introduced the Right to Food Campaign, acknowledging Chandrika's efforts to bring fishworkers to the platform.

Basic entitlement

She brought to focus the National Food Security Act, which accorded a basic entitlement to food and nutrition

to people across the country. She informed the workshop that the provisions of the Act would extend to the small-scale fisheries community as well, especially fisherwomen (for example, the provision of free meals to pregnant and lactating women).

The concluding panel of the workshop, moderated by C M Muralidharan, BOBLME and the discussions that followed suggested ways in which the many recommendations could be meaningfully employed and the commitments to collaboration addressed in the implementation of the SSF Guidelines.

M Ilango, Chairperson, National Fishworkers' Forum (NFF), recapitulated the arguments that questioned the present mode of development, and demanded that practices detrimental to the well-being of the small-scale fisher and the marine and coastal ecology be reconsidered. In particular, he called upon authorities to address the threats posed by destructive fishing practices. He also introduced the 'People's Draft Bill of Rights of Fisheries and Other Traditional Coastal Communities', pointing out that the stake these communities claim in coastal and marine resources necessitates their participation in decisionmaking at every level.

Livelihoods can be secure, she said, only if the security of the marine ecology was assured.

Sonali Huria, Research Consultant at the National Human Rights Commission (NHRC), New Delhi, outlined the potential role that the Commission could play in the protection and promotion of rights of SSF communities. The complaints disposal and enquiry process of the Commission allows for a direct appeal regarding human-rights violations. She mentioned cases that were filed by the members of fishing communities with the NHRC against their human-rights violations.

Sunil Mohamed, Principal Scientist and Head of Molluscan Fisheries, Central Marine Fisheries Institute (CMFRI), Kochi, elucidated the role of scientific and research institutions in the sustainable use and management planning of fishery resources.

CMFRI has a large database that enumerated fishers, craft, gear and socioeconomic factors, an invaluable resource for any country-wide assessment. A large number of CMFRI research projects focus on the small-scale sector, examining their socioeconomic status, sustainable marine policy issues, capacity development for EAFM, supply-chain management, 'global learning for local solutions', and disaster resilience.

He also introduced the National Marine Fisheries Management Code—based on the provisions of the CCRF—and indicated that the draft would be circulated in mid-2015 among civil society and fishing communities for extensive consultations.

Laying down the roadmap for the Department of Fisheries of the Union Territory of Puducherry, Mary Chinna Rani, Director, Department of Fisheries and Fishermen Welfare, listed the schemes and initiatives of the Government of Puducherry. While the Pondicherry Marine Fisheries Regulation Act encompassed many of the issues confronting fisheries, she said, it was not implemented fully. The ban on purse-seine nets, for example, is ineffective and they continue to be used in many areas. She listed the various committees, housing and welfare schemes and fishermen's co-operatives as initiatives of the state government to include fair representation for women and marginalized sections.

Decision-making process

D Nagasaila, an advocate of the Madras High Court, shared her experiences as a labour and environmental law practitioner, and referred to cases that highlighted the need for communities to be integral to the decision-making process. Livelihoods can be secure, she said, only if the security of the marine ecology was assured.

This requires the combined commitment of a variety of actors, and the ethical enforcement of legislation. She cautioned that unless institutions practiced 'constitutional morality' and instilled an honesty of purpose in executing their functions, all efforts would be futile, irrespective of whether there were reforms in legislation or new bodies instituted, or even instruments such as the SSF Guidelines drafted.

In the discussion that followed the panel presentations, some community representatives sought clarity on how decisions regarding fishing bans and regulations were justified by scientists. They also questioned the legitimacy of uniform regulations, given the varying contexts to which they were applied. The principle of 'scale subsidiarity' in relation to fishing vessels was proposed for further examination and application.

The question of the mandated and obligatory roles of scientists in the development of management strategies was also discussed, and, in turn, the responsibilities of those working in a particular sector or discipline to engage with the larger objectives as outlined in the SSF Guidelines.

The juxtaposition of differing perspectives from different actors was another aspect that came up for discussion. The example of the Ministry of Environment, Forests and Climate Change and state Departments of Environment and Forests, operating under the provisions of the Wildlife Protection Act (1972), was shared to highlight a protection approach to resource conservation, whereas the Fisheries Departments promote the development of fishery resources. It was suggested that the reconciliation of these differing approaches—and not necessarily of purpose—might go a long way in achieving commonly set objectives.

The valedictory remarks at the workshop were made by Raja Sekhar Vundru, Joint Secretary of the Department of Animal Husbandry, Dairying and Fisheries, Ministry of Agriculture, Government of India. He commended the inclusion of a



Raja Sekhar Vundru, Joint Secretary, DAHDF, Ministry of Agriculture, Government of India, delivering the valedictory remarks at the ICSF-BOBLME India workshop

human-rights-based approach in the SSF Guidelines and highlighted the various ways in which the government had already put in place a number of programmes and interventions that addressed the issues brought up by the SSF Guidelines. He invited the workshop participants to deliberate upon the existing gaps in policy and action, and bring them to the notice of the Ministry.

John Kurien brought the workshop to a close, urging that the deliberations be continued. It was the objective of the workshop, he said, to help catalyze further debate, engagement and collaboration, and the discussions over the two days were successful on that count.

The new opportunities and avenues that had been opened up were a revelation to those who had worked all these years with an inward-looking approach, he added. He cautioned against hasty and short-sighted action, and said that the process of implementation must duly reflect the participatory and inclusive process by which the SSF Guidelines were drafted.

Mariette Correa, Programme Co-ordinator, ICSF, wound up the ICSF-BOBLME India (East Coast) Workshop with a Vote of Thanks. 🐟

For more

igssf.icsf.net/en/page/1061-India.html

ICSF – India SSF Guidelines Website

www.newindianexpress.com/cities/chennai/Year-After-MH370-VanishesChandrika-Floats-in-Memories/2015/03/07/article2701824.ece

Year after MH370 Vanishes, Chandrika Floats in Memories

FISHERS UNION

First Fishing Workers' Trade Union Registered in Pakistan

Sindh has become the first province in Pakistan to recognize women and men in the agriculture and fishery sector as workers under law and has registered the first-ever trade union for this sector.

The Sindh Agriculture and Fishing Workers Union (SAFWU) was registered with the office of the Registrar of Trade Unions, Karachi, under the provisions of Sindh Industrial Relations Act, 2013.

The union currently has 400 members, of which 180 are women, all belonging to various districts of Sindh.

The agriculture sector, a major source of income, revenue and employment, employing approximately 60 per cent of the workforce, has always been outside the purview of labour laws.

After devolution, the Government of Sindh amended the Industrial Relations Act and extended labour laws to agriculture and fishery-sector workers, including the right to organize and form unions.

"This is a great day for us", said Rafia Gilani, Chairperson of the union. "But the work has only begun. We have formed our union, held its first convention with ILO's support and today we are registered with the government.

Now the union has to train workers on their rights and what it means to be part of a trade union and strengthen its finances. We will also strive for the international affiliation of the union."

www.ilo.org/islamabad/info/public/pr/WCMS_339519/lang-en/index.htm

CERTIFICATION

Costa Rican Snapper Fishery

The Nicoya Peninsula artisanal snapper fishery located in the nearshore waters of the Nicoya Peninsula on the Pacific Coast of Costa Rica has voluntarily entered the full assessment process of the Marine Stewardship Council (MSC).

Targeted species in the fishery are spotted rose snapper (*Lutjanus guttatus*), yellow snapper (*Lutjanus argentiventris*), and tallfin croaker (*Micropogonias altipinnis*).

The assessment will be conducted by third-party certifier SCS Global Services. If successful, products from the fishery would be eligible to carry the MSC's blue ecolabel.

The MSC fishery standard is the world's most recognized standard

for the certification of environmentally sustainable and well-managed wild-capture fisheries.

The transparent assessment will examine the fishery's impact on fish stocks and the marine ecosystem. It will also evaluate the fishery's management process to ensure that it is taking all necessary steps to protect the ocean environment for future generations.

The Nicoya Peninsula artisanal snapper fishery covers all waters from the northern Pacific border with Nicaragua to the point of Cabo Blanco in the south.

There are 40 vessels used by 25 to 30 families based in the coastal villages of San Francisco de Coyote and Bejuco. ASPEPUCO and ASOBEJUCO, the artisanal fishing associations of San Francisco de Coyote and Bejuco, mandate local regulations and best fishery practices.

Fishers use artisanal bottom longlines in small vessels—known as *pangas*—to harvest fish year-round, though fishing generally ceases during October which is the snapper spawning season, marked by increased rain.

The snapper are marketed domestically with the potential for international export once processing facilities are built

The client for this assessment is the Costa Rican Environmental and Educational Network (ARCAE), a Costa Rican environmental and educational non-profit promoting responsible and sustainable fishing practices for the country's small-scale fisheries.

The organization is administering grants obtained by the Sea Turtle Restoration Programme (Pretoma) to fund the assessment.

www.msc.org/newsroom/news/costa-rican-nicoya-peninsula-artisanal-snapper-fishery-begins-msc-assessment-process

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ORGANIZATIONAL PROFILE

LIFE for Small-scale Fishers in Europe

Launched in November 2013 in Santiago de Compostela, Spain, the Low Impact Fishers of Europe (LIFE), the first pan-European platform dedicated to representing small-scale fishers of Europe, has already garnered member organizations from the United Kingdom, the Netherlands, Germany, Poland, France, Spain and Greece. Applications are pending from other member States.

The new European Union Common Fisheries Policy (CFP), which entered into force in January 2013, defines small-scale fisheries as being carried out by vessels under 12 m, using non-towed gears. However, there are a plethora of descriptions and definitions of small scale fisheries' operations across Europe, some of which fit the CFP definition, and others which do not.

This is why the Core Team chose the name LIFE—'low impact' being a more widely applicable and appropriate term than 'small', and generally more descriptive qualitatively of the kinds of operations fishers carry out.

L I F E

LIFE incorporates those fishers who tend to be smaller in scale and have a generally low environmental impact but who at the same time, add a high social and economic value to the communities.

Owners usually work aboard vessels, undertaking mainly day trips, and with low greenhouse gas emissions per kilo of fish landed. These factors contribute to ensuring

that they fish in a sustainable manner. This 'small-scale' sector encompasses 80 per cent of the European fleet by number and LIFE is here to give them a clear voice at the political heart of Europe.

LIFE aims to represent, support, develop and defend low-impact fishing operations in coastal waters and it is prerequisite that all members sign up to an agreement that requires them to fish responsibly without damaging the marine environment, to use selective fishing gear and to avoid oversized fish.

LIFE is in the process of establishing an office in Brussels, from where it will provide a dedicated voice for effective advocacy on behalf of small-scale, low-impact fishers.

Governance of Tenure of Land, Fisheries and Forests

In May 2012, the Committee on World Food Security (CFS) endorsed the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests.

That represented a major achievement of an extensive consultation and negotiation process involving government officials, civil society organizations, private-sector representatives, international organizations and academia. Based on key international human-rights standards, the Guidelines constitute a powerful instrument for improving the lives of millions of people.

The recognition of the importance of secure and equitable access to natural resources for food and nutrition security and sustainable livelihoods that the Guidelines represent is of fundamental significance to fishing communities, in particular to vulnerable and marginalized groups.

The inclusion, in the process, of the people that the Guidelines intend to support—in particular small-scale farmers, fishing communities and pastoralists—ensured that the issues and topics

covered by the Guidelines are anchored in real life and address genuine concerns.

For the Guidelines to have their intended impact, it is vital to support their implementation.

Concerted efforts are required to ensure that the principles and standards of the Guidelines are integrated into policies and plans, and utilized to improve governance of tenure, particularly for the benefit of the vulnerable and marginalized and to achieve poverty eradication and food security for all.

To support the implementation of the Guidelines in the fisheries sector, the Food and Agriculture Organization of the United Nations (FAO) released a preliminary version of a technical guide in September 2013, and the text is open for comments. The preliminary technical guide consists of two main parts.

The first part explores what tenure rights and governance mean in the context of fisheries and why responsible governance is needed. It examines the issues of who holds rights to fishery resources and the different

types of tenure rights that exist, including for shared stocks and resources in international waters. The first part also looks at existing frameworks and approaches relevant to the governance of tenure in fisheries.

The second part of the document focuses on implementing responsible tenure in fisheries. It provides practical guidance, including on general principles, setting objectives, improving knowledge, and allocating and administering tenure rights. It also explores the implications of climate change and natural disasters for tenure issues and provides guidance on monitoring, evaluation and compliance. A glossary and an appendix with more detailed information on approaches and tools complement the two main parts.

In the fisheries sector, ineffective governance of tenure constitutes a major obstacle to a sustainable and efficient use of natural resources. Consequently, livelihoods and food and nutrition security are jeopardized because many fishing communities suffer from insecure access to the

resources on which they depend.

However, while access to fishery resources is a key consideration, it is important to understand that fishing communities also depend on access to other resources and services such as land, housing, markets, financial resources, information, legal systems and social services (for example, education, healthcare and sanitation). Land and fisheries tenure rights often need to be combined.

Fishing communities need secure use rights to fishery resources and to land in coastal, lakeshore or waterfront areas for ensuring, and facilitating, access to the fishery, for accessory activities (including processing and marketing), and for housing and other livelihood support. This is all the more critical for fishing communities that are likely to be marginalized and/or poor.

The preliminary technical guide emphasizes that, ultimately, it is the particular circumstances, the outcomes of consultative processes and the political decisions on what the tenure system should achieve that will decide what type (or types) of rights systems to set up; what types of rights should be allocated; how rights should be allocated; and the duration and transferability of such rights.

www.fao.org/3/a-i3720e/i3720e03.pdf

ICSF PUBLICATIONS

Mangroves in the Sundarbans

The Sundarbans Fishers: Coping in an Overly Stressed Mangrove Estuary by Santanu Chacraverti

The fishing communities of the Sundarbans are most at home in the mud-slush, water-forest environment of this famous mangrove estuary.

Their skills, knowledge and techniques have developed in response to a challenging environment. The present study seeks to document these.

<http://www.icsf.net/en/monographs/article/EN/143-coping-in-an-ov.html?limitstart=0>

Summary of the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication

The FAO Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication have over

100 paragraphs which are distributed across 13 sections.

This document is only a summation of the contents of the Guidelines. It was produced for ICSF by John Kurien, founder Member of ICSF. This summary is available in Tamil, Telugu and Hindi, and will soon be available in other Indian languages as well.

http://igssf.icsf.net/images/SSF%20India%20workshop/English_Summary.pdf

VERBATIM

Institutions are the rules of the game and organizations are the players.

The interaction between the two shapes institutional change.

— DOUGLASS CECIL NORTH

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

Walking the Talk: Implementing the International Voluntary Guidelines for Securing Sustainable Small-scale Fisheries Svein Jentoft, Maritime Studies 2014, 13:16.

www.maritimestudiesjournal.com/content/13/1/16.

On June 9, 2014, the FAO's COFI adopted the SSF Guidelines. For millions of people in small-scale fisheries around the world, this was a historic event. The challenge now is to make sure that they will be implemented. As the SSF Guidelines address issues that are politically contentious, there are reasons to expect that they will be met both with enthusiastic acclamation and criticism. This paper discusses the opportunities and obstacles for their implementation.

Brugère, C. 2015. Climate Change Vulnerability in Fisheries and Aquaculture: A Synthesis of Six Regional Studies. FAO Fisheries Circular No. 1104. Rome, FAO.

The objective of this publication is to consolidate, further interpret, refine and draw conclusions from the information gathered on climate-change impacts, sensitivity and adaptive capacity of fish-production systems in the diverse and geographically distinct socio-ecological systems covered by the six case studies.

<http://www.fao.org/3/a-i4398e.pdf>

Films

Lessons Learned from an Artisanal Fishery

<https://vimeo.com/117647158>

This is a film about a small fishing community in Tárcoles, Puntarenas, Costa Rica. After commercial fishing boats and unsustainable fishing methods caused a decline in their catch, the fishermen in Tárcoles established a co-operative organization to promote sustainable fishing practices. This film brings to light the lessons learned by the community through their co-operative efforts and outreach programmes. The film also sheds light on the threats faced by small-scale fisheries and why it is important to merge traditional and scientific knowledge to secure our oceans.

The Sea of Change

Produced by ICSF

Directed by Rita Banerji/Dusty Foot Productions. 26 min

https://www.youtube.com/watch?feature=player_detailpage&v=broPKkmCGUo

Traditional fishworkers have long had to adapt to the forces of nature, and they are now confronted with the new threats of climate change, specifically global warming, sea-level rise and ocean acidification. What will be the potential impacts of climate change on the already vulnerable and marginalized small-scale fishing communities that depend on marine resources for their livelihoods?

Shot in Kakinada and in Mumbai, the film explores the perceptions of the traditional fishworkers to the changes in their habitat.

FLASHBACK

North or South, Small is Smart

Discussions at the 28th Session of the Committee on Fisheries (COFI) of the Food and Agriculture Organization of the United Nations (FAO), on securing sustainable small-scale fisheries (SSF), brought out a significant difference in how the issue was approached by delegations of the North and the South.

That left several questions hanging in the air: Is securing sustainable SSF only at issue in countries of the South, or is it also relevant for the North? If so, how and to what extent? Should SSF in the North be merely regarded as a welfare sector for indigenous, ethnic or subsistence fishers who have



cultural ties and extreme dependence on fishery resources? Are SSF inherently more sustainable, equitable, and socially and culturally more valuable than large-scale fisheries? Or are they merely a smaller version of their larger-scale counterparts, whose development has got out of hand, and now demands stricter management, greater effort reduction and more rationalization?

The Bangkok Statement from civil society organizations (see "Recognizing Rights and Freedoms", *SAMUDRA Report No. 51*, page 7) made no such distinctions. The call to establish SSF as the preferred model for the exclusive economic zones, and the other demands made in the Statement, should apply equally to industrialized and developing countries.

However, at the 28th Session of COFI, many Northern delegations seemed not to share this view. New Zealand, for example, held that definition and application of some of the issues related to SSF, especially poverty alleviation, do not extend to their SSF. Canada supported a special programme to adopt 'modern' management principles in SSF, while the EU chose to make no mention at all of their own SSF.

The message from the Northern delegations seemed to be—not in my backyard! While it may be fine to develop SSF to address poverty alleviation and food security issues in developing countries, they are of no concern to the North. Whether large-scale or small-scale, and with notable exceptions, fisheries play no significant role in food security or in poverty reduction there. With Northern fisheries supplying only a relatively smaller (and diminishing) proportion of the fish consumed in the North, and the welfare State taking care of poverty, SSF is not an issue, it would appear.

— from *Comment* in *SAMUDRA Report No. 52*, March 2009

ANNOUNCEMENTS

MEETINGS

CBD Regional Workshop to Facilitate the Description of Ecologically or Biologically Significant Marine Areas (EBSAs) in the North-West Indian Ocean and Adjacent Gulf Areas, and Training Session on EBSAs
19-25 April 2015, Dubai, United Arab Emirates

2nd Regional Meeting on the Protection of Migrant Fishers:

ASEAN Review of 'Guidelines on Flag State Inspection of Working and Living Conditions on Board Fishing Vessels'

28-29 April 2015, Jakarta, Indonesia

A second regional meeting on work in fishing, on the protection of migrant fishers, will be convened in 2015 to provide inputs from the region to the development of the draft Guidelines on Flag State Inspection of Working and Living Conditions on Board Fishing Vessels on implementation of ILO Convention 188.

States Parties to the 1982 UN Convention on the Law of the Sea, 25th Meeting

8-12 June, 2015- New York

Dialogue Workshop on Assessment of Collective Action of Indigenous Peoples and Local Communities in Biodiversity Conservation and Resource Mobilization

11-13 June 2015, Guatemala City, Guatemala

WEBSITES

South Asia Network for Dams, Rivers and People (SANDRP)

www.sandrp.in

SANDRP is an informal network of organizations and individuals working on issues relating with water sector with specific focus on issues associated with large dams. SANDRP publishes a journal *Dams, Rivers and People*.



Endquote

Humming Fish

***Y**ou're glumping the pond where the Humming-Fish hummed!
No more can they hum, for their gills are all gummed.
So I'm sending them off. Oh, their future is dreary.
They'll walk on their fins and get woefully weary
in search of some water that isn't so smeary.*

— from *The Lorax* by **Dr Seuss**

