

SAMUDRA

REPORT

THE TRIANNUAL JOURNAL OF THE INTERNATIONAL COLLECTIVE IN SUPPORT OF FISHWORKERS



ASEAN Meet on Work in Fishing Convention

Small-scale Fishermen in the Indian Ocean Region

Lessons from the 2004 Tsunami

Implementing the FAO SSF Guidelines in South Africa

Union Power for Workers in Fisheries

The Slow Fish Movement



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FRONT COVER



"Fishing": a painting
by Madhukar Wadu
Photo by Nitant Patil

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Rutakusima from Kome Island,
Tanzania, holding a Nile perch
Photo by Modesta Medard

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PAUL SEIFERT



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boat at Samut Sakhon, Thailand

Towards Ratification

Considering the need for decent work, sea safety and responsible fisheries, it is time for all ASEAN Member States to ratify the ILO Work in Fishing Convention, 2007 (C.188)

Over two years ago *SAMUDRA Report* commented on the slow pace of ratification of the ILO Work in Fishing Convention, 2007 (C.188). In the intervening years, only three more States have ratified C.188, taking the tally to the half-way mark for the Convention to enter into force. In spite of this tardy progress, the message from the Second Regional Meeting on Work in Fishing in the ASEAN region, held at Jakarta, (see article, page 4) is encouraging. Indonesia, the home to one of the largest population of active fishers in the world—second only to China—has completed a comprehensive gap analysis of its legislation against those provisions called for in C.188. The Philippines, another important fishing nation, is also undertaking a similar gap analysis. Thailand, arguably the largest employer of migrant fishers in the world, has amended its national regulation using C.188, to bring about unprecedented changes to its regulatory framework in fishing.

While sustained media attention has focused the spotlight on exploitation of migrant fishers in the ASEAN region, some of the ILO-initiated projects—with support from countries like Australia and Canada—have gone into aspects of migration and how to address the problems of migrant fishers in this region. The work of ILO, the Bay of Bengal Large Marine Ecosystem Project of FAO (BOBLME) as well as that of the Southeast Asian Fisheries Development Center (SEAFDEC) and civil society organizations have linked exploitation of migrant fishers to illegal, unreported and unregulated (IUU) fishing. The ILO Triangle Project, in particular, has helped develop a labour perspective on fishing in the ASEAN region and its benefits for sustainable fisheries. There is now consensus that the elements of C.188 have the potential to deal not only with issues facing migrant fishers on fishing vessels, but also to promote, in the process, sustainable and responsible fisheries.

The Philippine system to protect the working and living conditions of its migrant fishers—shared at the

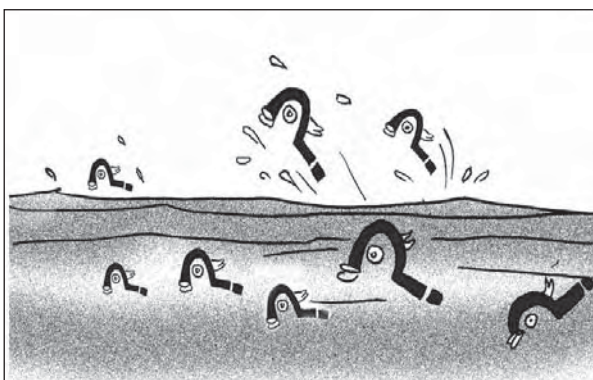
Jakarta Meeting—is worth emulating for other labour-supplying States such as Myanmar, Cambodia and Laos. The gap analyses have highlighted the need for a co-ordinated mechanism to effectively deal with overlapping issues related to labour, safety and sustainable fishing at the national level. In this respect Indonesia and the Philippines provide some good examples.

The new legislation in New Zealand, to assert flag-State responsibility, requiring all fishing vessels to fly

the New Zealand flag to eliminate time charters as well as exploitative working conditions and illegal fishing sets a good example for fishing vessels in the ASEAN region. The coming into force of the Maritime Labour Convention, 2006 (MLC, 2006) in three of the ten ASEAN Member countries augurs

well for the region, considering that the scope of its application—as clarified during the Jakarta Meeting—includes carrier vessels often used for holding, exchanging and even trafficking fishers at sea. ILO should include working and living conditions on board these carrier vessels in the reporting requirements of States where MLC, 2006, has entered into force, particularly the ASEAN Member States.

We hope C.188 becomes the template for all ASEAN Member States to improve working and living conditions on board fishing vessels and thus to deal effectively with the reported abuse of migrant fishers. It would bode well for the ASEAN fisheries if, based on C.188, a regional labour standard is developed for fishing, considering that there is movement of vessels and fishers across the region in areas under the jurisdiction of ASEAN Member States. We hope the momentum built up in the region towards decent work, sea safety and responsible fisheries is consolidated to put an end, permanently, to the scourge of trafficking and forced labour and to bring the benefits of C.188 and decent work to the largest majority of fishers in the world. The best way to achieve this goal, needless to say, is for all ASEAN Member States to ratify C.188. 3



Better Fishing, Better Living

The Second Regional Meeting on Work in Fishing: ASEAN Review of 'Guidelines on Flag State Inspection of Working and Living Conditions on Board Fishing Vessels' was held in Jakarta

4

The first Association of Southeast Asian Nations (ASEAN) regional meeting on the protection of migrant fishers, organized by the International Labour Organization (ILO) and the Indonesian government in Makassar in 2013, focused on sharing good practices and enhancing the knowledge base on the protection of migrant fishers. The second ASEAN regional meeting, held in Jakarta on 28 and 29 April 2015, sought to review, among other things, international standards on work in fishing and to share developments in relation to national policy and legislation on flag-State and port-State controls. It

Exploitation in the ASEAN Region (ASEAN TRIANGLE) Project promoted the rights of migrant fishers. ILO would adopt a sectoral approach, she said, to address vulnerability, abuse and exploitation faced by fishers. She informed that a gap analysis of the Work in Fishing Convention (C.188) and the Indonesian laws and regulations was undertaken. She drew attention to the regional dimension of fisheries in Southeast Asia, especially about the Burmese working on board Malay and Indonesian vessels and about widespread illegal, unreported and unregulated (IUU) fishing in the region. She hoped C.188 could become the labour standard for fishing in Southeast Asia.

Bronwyn Robbins, Deputy Head of Mission, Australian Mission to ASEAN, drew attention to irregular migration, trafficking and smuggling, and the risks of exploitation of migrant fishers from recruitment agencies, employers and others. She sought robust migration- and labour-governance systems in the region and drew attention to addressing human trafficking, slavery and slavery-like conditions in fishing through the 2002 Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime.

Migrant fishers

Matthew Straub, First Secretary (Development), Embassy of Canada, said his country supported ILO in promoting and protecting the rights of migrant fishers in the ASEAN region since migrant fishers in the region are the most vulnerable and exploited in the fisheries sector.

The meeting was supported by Australia, Canada and the Southeast Asian Fisheries Development Center (SEAFDEC).

also attempted to identify concrete follow-up measures for national-level capacity building, and bilateral and regional co-operation on the protection of migrant fishers. The meeting was supported by Australia, Canada and the Southeast Asian Fisheries Development Center (SEAFDEC).

The meeting began with four opening remarks. Michiko Miyamoto, Officer in Charge, ILO Jakarta, welcomed the participants. She mentioned how the Tripartite Action to Protect Migrant Workers within and from the Greater Mekong Subregion from Labour Exploitation (GMS TRIANGLE) Project and the Tripartite Action for the Protection and Promotion of the Rights of Migrant Workers from Labour

*This report has been written by **Sebastian Mathew** (icsf@icsf.net), Programme Adviser, ICSF*

Roostiawati, Director for International Co-operation, Ministry of Manpower, the Government of Indonesia, said the maritime sector of an archipelagic State like hers had a huge potential to boost its national economy. Indonesia aspires to become a world maritime nation, she said, and is in the process of ensuring that its national regulations meet international standards, especially to protect workers in vulnerable conditions. It is imparting training to raise awareness and is also providing tools for greater safety at work. The Indonesian government now has a new ministry to undertake intensive co-ordination with other ministries on maritime issues. The protection and welfare of fishers is an issue of concern for all ASEAN Members. In this context, Indonesia supports bilateral and regional co-operation among ASEAN Member States. Challenges facing both workers and employers need to be addressed through new legislation, she said, especially to realize decent work in various sectors, including fishing. Concrete steps were needed to protect fishers, especially migrant fishers.

During Session 1 of the meet, 'Protection of migrant fishers, a regional concern', Max Tunon, Senior Programme Officer/Project Co-ordinator, GMS TRIANGLE Project—a five-year project (2010-2015) supported by the Australian government, operational in Cambodia, Lao People's Democratic Republic, Malaysia, Myanmar, Thailand and Vietnam—highlighted the need for protecting migrant fishers. He described different types of labour flows in fisheries from, and within, the ASEAN region. There is, on the one hand, a regular flow of migrant fishers within the Mekong Region. On the other hand, there is legal migration of fishers from Indonesia, the Philippines and Vietnam to work on board Taiwanese, Korean and Japanese fishing vessels. The Vietnamese undergo pre-departure training, especially in regard to sea safety in fisheries, he noted. A third flow involves migrant fishers from Indonesia,

Cambodia and elsewhere to European fishing vessels.

Tunon drew attention to the forthcoming meeting of experts to adopt a set of flag-State guidelines for the implementation of C.188 in Geneva in September 2015, and requested the ASEAN Member countries and social partners to feed into the process to ensure that Asia's voice is heard, given how much of the world's fishing occurs in the region, especially to address the double vulnerability of migrant fishers—vulnerability as migrants and vulnerability as fishers. He clarified that specific protection existed for migrant fishers and that all international labour standards applied to them, unless otherwise stated. The Migrant Workers (Supplementary Provisions) Convention, 1975 (C.143) promoted equality of treatment of migrant workers and nationals, including in respect of trade-union rights, regardless of status. The Private Employment Agencies Convention, 1997 (C.181) prohibited private employment agencies from charging any recruitment fees to workers. He also mentioned how the Indonesian and Filipino migrant fishers in Taiwan (China) are permitted to form their own unions.



Burmese migrants working on a Thai boat at Samut Sakhon, Thailand. The fisheries sector provides employment and livelihood opportunities to millions of workers in the region

The fisheries sector plays an important role in the regional economy by providing employment and livelihood opportunities to millions of workers in the region. It also plays an important role in meeting domestic food security. There is limited flexibility for fishers in changing employers. There are pay-related concerns, especially regarding how wages were calculated. Migrant fishers were reluctant to lodge complaints due to fear of retribution and non-renewal of work permits. Sending remittances was onerous for long-haul fishers: in one case, sending money through a Cambodian broker could cost as much as 25 per cent of the fisher's wages as service fee. There was need for cheaper ways of transferring money. These vulnerabilities were further exacerbated by the language barrier. Industries in global supply chains, especially in the electronics industry, intended to move hiring fees to employers, he said. Similarly, recruitment fees need not be charged to migrant fishers. The restrictions around organizing migrant workers in the seafood processing industry should be overcome. There was also need to pay attention to training in sea safety. In addition, there was need

he said, putting pressure on marine fisheries resources, exacerbating IUU fishing and also leading to cases of trafficking and forced labour.

The State may have a role as flag State, labour-supplying State, port State, coastal State and a market State, or a combination of these, in relation to marine fishing. International standards and developments on the protection of fishers include the 1982 United Nations Convention on the Law of the Sea (UNCLOS), International Maritime Organization (IMO), Food and Agriculture Organization of the United Nations (FAO) and ILO instruments. Duties of the flag State under UNCLOS include jurisdiction and control in "social matters" over ships and fishing vessels flying its flag. The IMO Cape Town Agreement of 2012 deals with the safety of fishers and fishing vessels. The 1995 Code of Conduct for Responsible Fisheries (CCRF) and the 2014 Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication are significant FAO instruments in relation to fisheries. In addition to C.188, ILO's decent work agenda to promote decent and productive work in conditions of freedom, equity, security and human dignity, together with instruments dealing with migrant labour, freedom of association, social security and labour inspection, are relevant for fishing and fishers. ILO instruments, in general, deal mainly with different aspects of labour and employment. There are several "sectoral" conventions that address the specificities of economic sectors, such as mining, shipping and fishing. The MLC, 2006, though covering commercial ships and seafarers, excludes fishing vessels.

There are often several gaps in the legal protection of working conditions of fishers. C.188 is an effective tool to help identify and fill these gaps. Ratifying States are to have in place, or adopt, laws, regulations or other measures to implement the Convention. Consultation with employers and fishers was stressed.

Fishers, in addition, frequently work long hours and may have to spend long periods at sea, often enduring prolonged fatigue.

to address environmental concerns related to fishing as well as promote decent work in fisheries, he said.

Brandt Wagner, Unit Head, Transport and Maritime, ILO Sector, said fishing in the marine environment often has been labour-intensive and it also involves working with dangerous equipment. Fishers, in addition, frequently work long hours and may have to spend long periods at sea, often enduring prolonged fatigue. Fishers are commonly paid, based—in whole or in part—on a share of the sale of the catch. The fishing industry is increasingly globalized,

The Convention calls for designation of the competent authority or authorities in the State responsible for implementing its provisions and calls for the establishment of co-ordination mechanisms among relevant authorities. C.188 contains several types of flexibility provisions, which generally are aimed at smaller vessels and those remaining at sea for short periods.

He urged translation of C.188 into national languages and the undertaking of comparative or 'gap' analyses of national laws, regulations or other measures vs those called for in the Convention. Among other things, the gap analysis process, he observed, provides a good basis for national, tripartite discussion on what is needed to improve the legal protection of fishers with respect to working conditions on board fishing vessels. Once a member country ratifies C.188, and the Convention enters into force, a ratifying State is required to submit reports to the ILO on how it is implementing the Convention. These reports are reviewed by the ILO supervisory system, which helps guide States towards full implementation.

The gap analysis process is currently underway in several countries, including Namibia, Kiribati, Indonesia, the Philippines, Ivory Coast and Madagascar. There is an agreement of social partners in Europe to ratify C.188. The new Ministerial Regulation No. 10 in Thailand in respect of marine fishing draws upon C.188 to lay down new requirements aimed, among other things, at improving occupational safety and health, controlling excessive working hours and ensuring that fishers have written work agreements.

Some of the major issues related to fishing in the ASEAN region that were raised included hours of rest, accommodation, and recruitment and placement. Countries in the region can learn from the experiences in the implementation of the MLC, 2006, he said, which has already been ratified by Malaysia, the Philippines, and Vietnam. The MLC, 2006 addresses many of the same issues dealt within



A fishmarket in Dubai where cheap immigrant labour is used to dress the fish bought by restaurants, which is hard work, especially in summer when the heat is intense

C.188, such as recruitment, placement and repatriation. Implementing C.188 will help to prevent trafficking, forced labour and child labour in fishing and can also contribute to sustainable fishing practices. He informed the meeting that in 2017 ILO will hold an international meet on migrant labour in fishing.

A participant from Myanmar observed that a fisher is stripped of his identity on board a Thai-owned fishing vessel and she sought government-to-government memorandums of understanding (MoUs) for hiring migrant fishers in a legal way to work on board fishing vessels. Incentives for registering migrant fishers are currently absent. There was need for more discussion at the regional level, she said. The responsibility of the ownership State needs to be highlighted, pointed out a representative of the Workers' group. It was also pointed out that no international regulations exist on the maximum duration of a fishing trip.

Coastal-State provisions

In response to a comment that C.188 does not have any coastal-State provisions, Wagner drew attention to guidance in the non-binding Work in Fishing Recommendation (R.199), which accompanies Convention No. 188, which provides, among other things, that a ratifying State, in

AREELUCK PHANKHIAN / ILO



Migrant workers in a seafood processing factory at Samut Sakhorn, Thailand. The restrictions around organizing migrant workers in the seafood processing industry should be overcome

its capacity as a coastal State, when granting licences for fishing in its exclusive economic zone (EEZ), may require that fishing vessels comply with the requirements of C.188.

Liz Blackshaw, Fisheries Programme Leader, International Transport Workers' Federation (ITF), said ITF's involvement with fisheries in the Western Pacific started with rendering assistance to repatriating abandoned fishers of a Filipino fishing vessel from Papua New Guinea in 2004. ITF, together with the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF), has a global fisheries programme to organize workers across the fisheries industry to ratify C.188, to contribute to reducing child labour, forced labour and human trafficking in fisheries and to combat IUU fishing towards improving sustainability and thus to protect workers in the fisheries industry. Governance of the fishing industry

currently focuses more on fishing and less on fishers who catch and process fish, she observed. ITF/IUF have developed initiatives such as 'Slave Free Seas' and the repatriation of abandoned fishers, and are working with Interpol, FAO and other agencies on human trafficking in fisheries, and to improve visibility of workers in the fisheries industry.

Sutee Rajruchithong, Head of the Ship Division of SEAFDEC, stressed, in his presentation, the links between fisheries management and labour issues. He drew attention to the 2011 ASEAN-SEAFDEC resolution on sustainable fisheries for food security, which also included recommendations to improve working conditions in fisheries and to ensure safety of fishing vessels. The draft regional plan of action on management of neritic tuna and management of fishing capacity for the ASEAN region also included, he said, requirements to address working conditions and other labour issues.

Towards improving global perceptions of working and living conditions, particularly on board Thai fishing vessels, Rajruchithong described several joint initiatives of the Thai Department of Fisheries and SEAFDEC since 2010 to reduce crew size, improve hygiene and reduce accidents at sea while fishing. These initiatives, however, have neither improved onboard management to prevent social problems on crowded fishing vessels, he observed, nor reduced operating costs or accidents at sea. The lack of success was attributed to engaging on board these vessels irregular or undocumented migrant fishers of multiple nationalities without any training whatsoever.

Labour issues

The SEAFDEC Council Meeting 2015 has recommended labour issues be dealt with at a high-level consultation to guarantee the competitiveness of ASEAN fish and fishery products in the global seafood market. Rajruchithong listed several outstanding issues to be addressed and sought a specific mandate on labour in fishing for

SEAFDEC and, in the context of Thailand, to extend the current level of co-operation between SEAFDEC and the Thai fisheries administration to the Thai Ministry of Labour and ILO.

Kamolsak Lertpaiboon, Chairperson, National Fisheries Association of Thailand (NFAT), gave the employers' perspective on the protection of migrant fishers. NFAT was founded in 1964. Its membership comprises 53 associations, ranging from sub-district, district, provincial and sub-regional to regional as well as national associations, including fisheries co-operatives and even small-scale fisheries groups. As of 2015, over 1,000 pair trawlers, over 8,300 vessels operating non-trawl gears as well as 63 carrier vessels are registered as members of the association. NFAT has been working with ILO since 2011. Towards dealing with trafficking in persons in fisheries, NFAT is raising awareness amongst its membership about human trafficking issues. It is working with officials to eliminate illegal recruitment agencies. It is also in the process of setting up labour recruitment centres. As part of the TRIANGLE project, NFAT is developing a code of conduct for employers of fishing vessels to protect all fishers, based on good practices in recruitment, employment and protection of migrant workers in the fishing sector, as well as developing occupational safety and health modules for fishers.

Endroyono, Head, Sub-Directorate of Fisheries Labour and Manning of Fishing Vessels, Directorate of Fisheries Vessel and Gears, Ministry of Marine Affairs and Fisheries (MoMAF), Indonesia, observed it was agreed during the first Regional Meeting on Work in Fishing in Makassar in 2013 that C.188 and other ILO instruments related to migration and private employment agencies can provide legal protection to migrant fishers in the region. The governments in the ASEAN region also agreed during this meeting to undertake a gap analysis of their respective national laws and regulations to meet the requirements

of C.188 and to move towards ratification of C.188.

Referring to the gap analysis in the context of Indonesia, Endroyono said the total number of fishers in the Indonesian marine capture fisheries has decreased by more than a million over the last decade—from 3.8 mn fishers in 2003 to 2.6 mn fishers in 2013. Over 200,000 fishing vessels, including thousands of open-decked boats below 21 m, operate not only from over 800 ports under MoMAF, but also from public ports under the jurisdiction of the Ministry of Transport (MoT). The design of fishing vessels was such that the operation of fishing gear from these vessels required a large labour force.

Inadequate security in several ports forced fishers to stay on board fishing vessels even if these were not undertaking fishing. Both MoMAF and MoT have different administrative procedures for the use of ports under their control. There are four categories of Indonesian fishers working on board fishing vessels, he said. These are the fishers working on board: (i) Indonesian fishing vessels in its archipelagic waters; (ii) Indonesian fishing vessels in its EEZ and the high seas; (iii) foreign-flagged fishing vessels in the Indonesian EEZ; and (iv) foreign-flagged fishing vessels in

The governments in the ASEAN region also agreed during this meeting to undertake a gap analysis of their respective national laws and regulations ...

other EEZs and the high seas. While the Indonesian-flagged vessels in the fisheries management areas of Indonesia are required to employ only Indonesian nationals on board these vessels, the foreign-flagged vessels in the Indonesian EEZ are required to ensure that at least 70 per cent of fishers on board are Indonesian nationals. In addition to MoT and MoMAF, the ministries having competence over placement and protection of fishers on board fishing vessels are the Ministry of Manpower

and Transmigration (MoMT) and the Ministry of Justice and Human Rights, especially the Directorate General of Immigration (DGI).

The attention of MoMAF is mainly confined to fishers, as well as fishing vessel operations, fishing gear deployments and fish-handling activities on board, and rarely to labour issues, he said. Fishing competence, recruitment, placement and employment protection of fishers, for example, are not addressed

Significant gaps were identified in relation to almost all provisions of C.188.

by MoMAF. Labour regulations administered by MoMT, in general, focus on labour arrangements on land or on board ships, and rarely, if ever, on fisheries. Further, MoT deals with sea-based commercial services such as transportation of goods and people, while DGI looks after the immigration needs of Indonesian fishers on board foreign fishing vessels in waters outside the national jurisdiction, and of foreign fishers within the Indonesian waters. MoMAF deals with fishing vessels as a unit of production, and MoT with ships as a unit of service.

Significant gaps were identified in relation to almost all provisions of C.188. The use of terms in national legislation is different from C.188, for example. There is no definition in national legislation of 'subsistence fishing', 'wage', 'fishing vessel owner', 'skipper', etc. Fishing vessel owners had little responsibility under national legislation towards the health of fishers on board and the minimum age for work on board fishing vessels. There was no agency designated for the protection of fishers. There was also dearth of an effective mechanism to report accidents at sea while fishing. There were conceptual problems with the fishers' work agreements and the seafarers' employment agreements as well. Since a fishing vessel was a unit

of production, it was difficult to specify minimum hours of rest on board fishing vessels, he observed. In spite of fishing being more dangerous than seafaring, the gap analysis revealed the paucity of social-security protection afforded to fishers in sharp contrast to the level of protection extended to the Indonesian seafarers. Similarly, in the event of an accident, a migrant Indonesian fisher was entitled to only half the compensation that was paid to a seafarer in a similar situation. The gap analysis proposed MoMAF to be the lead ministry to deal with the implementation of C.188.

Alvin B Curada, Attorney IV, Legal Service, Department of Labour and Employment (DOLE), Government of the Philippines, spoke of the gap analysis on C.188 being undertaken in the Philippines, especially to determine the extent to which the Philippine national laws and regulations complement C.188 with respect to fishers on board commercial fishing vessels. It was a work in progress, with the analysis to be completed by June 2015. As a first step, a Memorandum of Agreement has been signed between DOLE, the Department of Transportation and Communication and the Department of Agriculture to harmonize government interventions to ensure that fishers have decent conditions of work on board fishing vessels. The Bureau of Fisheries and Aquatic Resources, the Maritime Industry Authority, the Philippine Coast Guard and the Philippine Fisheries Development Authority are the concerned agencies to co-ordinate their action to achieve this goal, he observed.

RFMOs

Considering that the ASEAN Member States like the Philippines and Indonesia are members of regional fisheries management organizations (RFMOs) such as the Western and Central Pacific Fisheries Commission (WCPFC) and the Indian Ocean Tuna Commission (IOTC), it was asked if any of these RFMOs require vessels fishing in their areas of competence to also comply with C.188. It was clarified

that while in the Philippines the same flag-State legislation would apply to the archipelagic waters, EEZ, other EEZs and the high seas, the legislation that would apply to fisheries in the Indonesian archipelagic waters would be different from the legislation that would apply to fisheries in the EEZ and the high seas. It was also clarified that the competence of WCPFC and IOTC did not extend to the Indonesian archipelagic waters (internal waters).

Carrier vessels do not fall within the purview of C.188 and a participant expressed concern that hundreds of such vessels are in operation in the Indo-Pacific region, including many flying the Indonesian and the Philippine flags, and that fishers are accommodated, transferred or exchanged at sea between fishing vessels with the help of carrier boats. Wagner clarified that carrier vessels are included under “special purpose ships” of the MLC, 2006. Reports to ILO under Article 22 of the ILO Constitution on measures to give effect to the provisions of MLC should include how rights of fishers on board carrier vessels are protected, it was suggested. An Indonesian participant pointed out that under Indonesian law, while a carrier vessel plying from the fishing ground to the port is under the jurisdiction of MoMAF, one from a port to another port would come under the jurisdiction of MoT.

Manoch Sangkaew of the Department of Labour Protection and Welfare, Ministry of Labour, Thailand, presented the reforms made to the Ministerial Regulation concerning Labour Protection in Sea Fishery Work in 2014. Firstly, the revised Regulation applies to all Thai fishing vessels, even if a vessel engages only one fisher on board. Secondly, a minimum wage of Baht 300 per day per fisher has been introduced. Thirdly, the minimum age for work on board a fishing vessel has been raised to 18 years. Fourthly, a minimum period of rest not less than 10 hours in any 24-hour period and 77 hours in any seven-day period has been introduced. Fifthly, an employment contract has been

introduced between the employer and the fisher, a copy of which is provided to the fisher to be produced to the labour inspector. Sixthly, a fishing vessel with more than 10 fishers has to make the record of fishers available to the labour inspector for verification. Seventhly, payment of wages is to be documented in the Thai language and produced for verification by the labour inspector. Eighthly, the employer is to provide water, food, medicine and hygienic toilets of quality. Ninthly, the employer is to provide information to fishers in the handling of types of fishing gear and fishing operations as well as on how to live on board a fishing vessel.

Levin C Alcantara, Director, the Philippine Overseas Employment Administration (POEA), DOLE, spoke of recruitment of migrant fishers for overseas employment to Taiwan (China) and non-Taiwan fishing vessels. The Philippines had 1.7 mn migrant workers in 2014, of which 397,170 were sea-based workers. The total number of migrant fishers has increased more than four-fold: from 1,477 in 2009 to 6,440 in 2014. In addition to Taiwan (China), the Filipino migrant fishers are working on board fishing vessels of at least 30 flag States, including China, United Kingdom, United States, South Korea and Japan.



Port area of Mangalore, India. To preserve its catch of fish, each fishing boat loads between 2000 and 3000 kg of ice before it goes out to sea and the loading is often done by children

THIERRY FALISE / ILO



Burmese migrants on board a fishing vessel at Samut Sakhon, Thailand, where incentives for registering migrant fishers are currently absent

Regarding remuneration, the basic pay was to be not less than NT\$19,273 (US\$617) per month, as per the Taiwanese Labour Law. The overtime was to be not less than 30 per cent of basic pay; and NT\$1 (US\$0.032) was to be paid as incentive per fisher, per tonne of fish caught. There were Philippine Overseas Labour Officers in Taipei and Kaohsiung to address complaints arising from employment. In the Philippines, POEA looked into contract violations, and the National Labour Relations Commission (NLRC) into issues related to payments.

The Philippine “imperative” for its migrant fishers include: promoting ethical recruitment practices; adopting standard employment contracts; having bilateral labour agreements; undertaking anti-human trafficking and anti-illegal recruitment campaigns, applying relevant instruments like C.188 and IMO’s 1995 International Convention on Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F); strengthening monitoring of Filipino fishers and documenting accidents on board fishing vessels, in co-operation with the appropriate host-country agency; and developing emergency relief assistance mechanisms, it was observed.

Quota management system

George Mason, General Manager, Labour Inspectorate, Ministry of Business, Innovation and Employment, Government of New Zealand, spoke of protection of migrant fishers in the New Zealand fishing industry, which is a billion-dollar industry with 1,300 fishing vessels. New Zealand has a fully regulated fishery under a quota management system. There are about 20 foreign chartered fishing vessels (FCVs) in 2015 flying the flag of Ukraine, Republic of Korea, Dominican Republic and Japan that account for 20 per cent of the catch value (US\$240 million). There are about 2,000 fishers working on board these vessels from Ukraine, Indonesia, the Philippines, Korea and Japan. There were increasing concerns regarding underpayment of wages, breaches of fisheries rules, and unsafe working

The total number of Filipino fishers in Taiwan is about 1,320. The modality of recruitment, he said, involved accrediting recruitment agencies to the Philippine Overseas Labour Office (POLO). The manning agreement had to be authenticated by both the Manila Economic and Cultural Office (MECO)—the Philippine Representative Office of Taiwan—and POEA. Details of vessel registration in Taiwan, valid fishing licences, certification of membership in a Taiwanese fishers’ association, and the salary schedule of fishers were to be produced to authenticate the manning agreement. Licensing of the Philippine-based private employment agencies as well as the documentation of fishers is done through POEA. The latter required attending pre-deployment orientation seminars at the POEA Sea Based Centre; verifying fishers’ contracts; complying with the guidelines on the deployment of Filipino fishermen boarding Taiwan fishing vessels in the Philippine ports; and issuance of Overseas Employment Certificates. The terms of employment included: job classification, wages, working hours, overtime pay, food and accommodation, transportation, vacation and sick leave, emergency medical and dental services, compensation and benefits and mandatory insurance coverage.

conditions as well as unsafe vessels under the FCV regime. The government was concerned that the actions of some FCVs were damaging New Zealand's reputation for sustainably and responsibly caught seafood, which led to a Ministerial Inquiry to examine the use and operation of FCVs. Based on the Inquiry Report, dated February 2012, several reforms were adopted, including full observer coverage on board all FCVs, minimum employment standards for migrant fishers, clear responsibility for vessel owners employing migrant fishers, and improved inter-agency co-ordination of monitoring and risk management. According to a new legislation adopted by the New Zealand Parliament in August 2014, all fishing vessels in its EEZ are required to fly the New Zealand flag by 1 May 2016. This would mean all time charters, or those leasing a fishing vessel with crew, have to be converted to demise charters, or those leasing a fishing vessel without crew. Maritime requirements and employment conditions that would otherwise apply to a New Zealand workplace would also then apply to fishing vessels. While the former would include new manning requirements, qualifications for fishers on board, and safety standards for fishing vessels, the latter would include minimum New Zealand wages and safe working conditions. Although the new regulations have led to the exit of some fishing vessels and more focused regulatory action, they are yet to bring greater transparency in the employment and remuneration arrangements in marine fishing, he observed. The pressure to reform the New Zealand fishing industry came from within the country, he added, whereas in Thailand, such pressures came from outside the country.

Jean-Marie Kagabo of the Special Action Programme on Forced Labour, ILO, presented the proposed global programme on forced labour in the fisheries sector. He also briefed the Jakarta Meeting about the forthcoming conference in Oslo (28 to 29 October 2015) on possible good practices and innovative

solutions to combat forced labour and trafficking in fisheries. It was observed by one participant that in Southeast Asia, in some cases, what would initially be voluntary labour on board a fishing vessel, would end up as forced labour on board the same vessel or others due to various factors. In some other cases, migrant workers recruited for one activity would end up as forced labour on board fishing vessels, commented another participant. It was observed that fishers are victims of forced labour and they should not be criminalized. It was suggested that indicators for forced labour should be developed.

The Jakarta Meeting continued on Day 2 to discuss the draft guidelines on flag-State inspection of working and living conditions on board fishing vessels, followed by group discussions, particularly focusing on enhancing the protection of migrant fishers and sharing of reports. 3

For more



www.poea.gov.ph/

Philippines Overseas Employment Association

www.ilo.org/wcmsp5/groups/public/-/asia/---ro-bangkok/documents/meetingdocument/wcms_381997.pdf

Summary of Discussions : Second Regional Meeting on the Protection of Migrant Fishers: ASEAN Information Sharing on 'Guidelines on Flag State Inspection of Working and Living Conditions on Board Fishing Vessels'

www.ilo.org/asia/whatwedo/projects/WCMS_193023/lang--en/index.htm

Tripartite Action for the Protection and Promotion of the Rights of Migrant Workers in the ASEAN Region (ASEAN TRIANGLE project)

Strength in Unity

Small-scale fishermen in the Indian Ocean region are joining forces to claim their legitimate rights over fish resources and push for sustainable and responsible fisheries development

Best known for their so-called individualism, small-scale fishers from the countries of the Indian Ocean Commission (IOC) have embarked since early 2014 on a process to join their forces, claim their legitimate rights over fish resources, and demand better recognition of their role for sustainable and responsible fisheries development within their marine basin.

Small-scale fishers from the Union of Comoros, Seychelles, Madagascar, Mauritius and Reunion Island have been witnessing the opportunistic exploitation of fish resources and the failure of fisheries governance,

that is driving foreign industrial fleets. Tomorrow, fishing companies which are opportunistically plundering the Indian Ocean will undoubtedly move towards new or recovering stocks, somewhere else on Earth. Because of their local nature, small-scale fishers will not be able to follow the same path. They will have no other choice than staying in the marine basin they depend on.

For those fishers in the Union of Comoros, Seychelles, Madagascar, Mauritius and Reunion Island and their families, living within a hundred kilometers of the coast, the southwest Indian Ocean is where their fortune or decline will take place.

Artisanal fisheries in small island developing States (SIDS) are an important contributor to food security. In Seychelles, for example, fish consumption exceeds 60 kg per inhabitant per year. The main protein intake also comes from fish.

Artisanal fisheries create direct and indirect jobs. They are estimated at about 550,000 within the five IOC member States. They provide fair revenue for fishers and their families. The keystone of this regional initiative is the question of how to balance the interests of industrial and small-scale fisheries while ensuring prosperity for the people of the Indian Ocean. Industrial operators can no longer be the only stakeholders around the table. Small-scale, artisanal fishers must take part in the decisionmaking, if they are to offer their children a chance to sustain the livelihoods they love and defend.

Important advocacy

Advocacy is one of the most important missions that the regional platform

The keystone of this regional initiative is the question of how to balance the interests of industrial and small-scale fisheries while ensuring prosperity for the people of the Indian Ocean.

helplessly, for years now. In the last ocean to be exploited, long-distance fleets are gathering from all parts of the world. Some, governed by the diktat of globalization, are highly capitalistic in nature and on the lookout for highly valued pelagic species intended to be sold to sashimi markets or processed in fish-canning plants in Asia and the United States. Others, operating in a fairly dubious manner, are looking for promising stocks.

Beyond the choice of a particular economic model, or the promotion of a particular type of gear, it is the whole issue of fisheries governance that is at stake here. The sustainability potential shown by local fishers is in total contrast to the short-term vision

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will have to undertake. The idea of setting up such an organization in the Indian Ocean region emerged from the necessity of making traditional fishers' voices heard. Strengthening fishers' rights as well as raising awareness of civil society, advocacy will become more and more accurate over time.

The limitation of the use of drifting fish aggregating devices (dFADs) by industrial factory boats in the Indian Ocean is the first fight small-scale fishermen want to win, supported by the Reunion Island Marine Fisheries and Aquaculture Committee (CRPMEM). Small-scale fishermen have already thought of different ways to address this issue: sustainability, profitability and the popularization of what a dFAD is, how it can be a useful tool and how it can be a destructive one too.

Among the Vezo people in Madagascar, fishing is a keystone of their identity. They are the only Malagasy people not to depend on lineage and territory: the ocean is their home (they are nomads). The

secular and traditional knowledge of small-scale fishermen values nothing compared to capture declarations provided by the tuna fish industry. Historical catches are the basis on which fishing rights are calculated. Promoting boats' registration, issuance of professional cards, catches' declarations associated with skills empowerment and transfers when needed are at stake in the Indian Ocean.

Food security relies on small scale fisheries. This strong argument finds an international echo since the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the context of Food Security and Poverty Eradication (SSF Guidelines) were adopted by the Food and Agriculture Organization of the United Nations (FAO) in 2014. The southeastern islands of the Indian Ocean consume almost 30 kg of fish per inhabitant per year, with a world record for Seychellois people who consume 65 kg. Fish is the first (Comoros, Seychelles) or the second source of protein after chicken

CHRISTEL GRIMAUD



The southeastern islands of the Indian Ocean consume almost 30 kg of fish per inhabitant per year, with a world record for Seychellois people who consume 65 kg

BRIAN O'RIORDAN / ICSF



Members of a fishing community at work in Madagascar.
Artisanal fisheries create direct and indirect jobs for fishers and their families

Small-scale fishermen in the Indian Ocean live and fish at the very same place unlike foreign fishers. Resident fishermen depend on fishes for nutritional and income purposes. The very strong link they have with their territories, along with the use of traditional vessels such as *kwassa-kwassa* in Comoros, or dugout *Antanosy* pirogues in Madagascar, makes it impossible for them to go beyond 20 miles from the coast.

Small-scale fishermen in the Indian Ocean are experts on marine ecosystems. It is necessary to promote existing expertise. There should no longer be any development of inadequate infrastructure for small-scale fishermen. They should be encouraged to participate in project definition and planning. 3

(Mauritius) and pork (Reunion Island and Madagascar). The regional platform follows two goals: on the one hand, putting the small-scale fisheries as a high-priority item in terms of food security within public policies and regional strategies, and, on the other, addressing fish consumers on the hygiene process needed for safe fish.

The diversity of situations obtaining in the Indian Ocean, associated with the provisions of the SSF Guidelines, has led the regional platform to ask itself what being an artisanal fisherman means. The various partnerships developed during this past year, especially with similar platforms like Low Impact Fishers of Europe (LIFE) for European small-scale fishermen, MedArtNet in the Mediterranean sea and Confédération Africaine des Organisations Professionnelles de la Pêche Artisanale or the African Confederation of Artisanal Fisheries Professional Organizations (CAOPA) in Africa, help us understand successful initiatives and develop a methodology for our actions.

A non-exclusionary definition of the small-scale fishery in the Indian Ocean is getting written, based on specificities like boat length, time spent at sea, maximum distance from the coast, ownership of the boat, etc.

For more

www.crpmem.re

**Reunion Island Regional
Committee for Sea Fisheries and
Aquaculture**

www.sciencedirect.com/science/article/pii/S0308597X12001510

**The Effectiveness of
Community-Based Governance
of Small-scale Fisheries,
Ngazidja Island, Comoros**

Shelter from the Storm

A decade after the Indian Ocean tsunami of 2004, there are several lessons to be learnt from interventions in shelter in the south Indian state of Tamil Nadu

India was one of the countries most affected by the Indian Ocean tsunami of 26 December 2004. The three Indian states of Tamil Nadu, Kerala and Andhra Pradesh and the two Union Territories of Andaman and Nicobar Islands and Puducherry were affected. Though the Andaman Islands were closer to the epicentre of the undersea earthquake, it was Tamil Nadu that suffered the highest fatalities and an enormous loss of property and infrastructure along the coast. With a 1000-km coastline and home to India's largest marine fishing community, the story of Tamil Nadu's recovery from the tsunami has great significance from many points of view. In particular, it is of great interest to all those concerned with disaster preparedness and management and with coastal and fisheries development and management.

With fishing hamlets located mostly within 500 m of the shoreline, the houses of fishermen in Tamil Nadu were damaged / destroyed by the tsunami, on an unprecedented scale. The damaged houses were assessed at over 53,000, with around 45,000 of them fully damaged and the remaining partially damaged. Teams from the Indian Institute of Technology (IIT) Roorkee's Department of Earthquake Engineering, which visited the coastal regions of Tamil Nadu, Puducherry and Kerala in the first week of January 2005, found little evidence of damages due to direct shaking while the damage due to the tsunami was extensive. Both masonry and concrete structures were damaged, though the level of damage varied and a direct correlation was found between run-up height and extent of damage.

With more than one million people affected, and considering the fear factor, the number of people who had to be immediately transferred to relief camps crossed 1,400,000 in the first couple of weeks. Although there were cyclone shelters in some of the affected villages, these were not sufficient and the people were moved to marriage halls, schools, colleges, hostels and premises of temples, mosques and churches. As this happened during the Christmas vacation, schools and colleges were available for the setting up of relief camps. However, they had to reopen

With a 1000-km coastline and home to India's largest marine fishing community, the story of Tamil Nadu's recovery from the tsunami has great significance from many points of view.

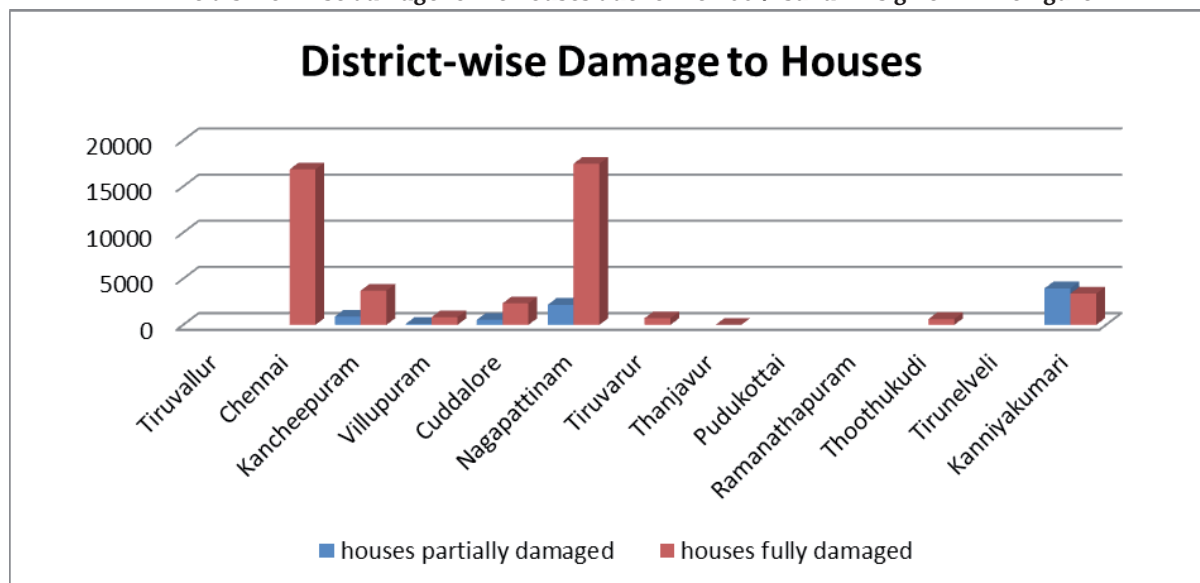
and life had to move on. Pongal, which is an important festival in Tamil Nadu, was during the second week of January and the state government felt that the best gift it could offer was a feeling of normalcy to the affected people through shifting them from their relief camps to temporary shelters.

Temporary shelters

Due to the scale of support that was pouring in, there was great confidence that the temporary shelters would be required for less than a year. It was estimated that about 100,000 families would have to be provided temporary shelters while awaiting repairs or reconstruction. As the design and the structure, including the maximum permissible

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The district-wise damage to the houses due to the 2004 tsunami is given in the figure



Source: Tiding over Tsunami-I (GoTN 2005)

cost, was already stipulated by the state administration, the setting up of these temporary shelters did not take much time and the people were transferred to these new facilities well within the two weeks allotted. Common sanitation and water supply facilities were set up in the shelters provided and UNICEF trained youth volunteers to oversee the effective and hygienic utilization of these facilities.

However, these temporary shelters proved to be more of transit shelters as the time estimated to identify suitable sites and finish construction of permanent houses took much longer than estimated, resulting in cases where people had to stay in these shelters for two to four years. The bitumen sheets used as roofing proved hot and uncomfortable, and additional thatched roofing had to be provided. Heavy rains in 2005 also led to waterlogging of a number of sites requiring investments in redoing the flooring and roofs. All this raised the overall investment, which could have been reduced by better planning in the initial stages. However, the learnings from these have resulted in the formulation of guidelines for temporary shelters.

While the temporary shelters were being constructed, discussions were going on in parallel regarding

permanent housing. Considering that the old houses were mostly of the thatched '*kutch*' (rudimentary) type, new housing, rather than repairs, dominated the thinking. The policy for permanent shelters was clearly shaped by a number of influences. The first Government Order (GO), dated 13 January 2005, indicated the move towards a public-private partnership. The finalized policy was brought out in the GO No. 172 issued in April 2005. This allowed non-governmental organizations (NGOs) and corporate houses to build the housing units based on government specifications; the government would provide land and other infrastructure free of cost. The houses would be insured from multiple hazards for ten years and all houses would be given in joint ownership to husband and wife, ensuring that women have an equal right to a tsunami house.

Private assets

It is useful to look back at the events that led up to GO 172 to understand the influences that shaped it as they were largely over the location of the houses of fishermen. The World Bank had come forward to fund creation of private assets with one stipulation that the Coastal Regulation Zone (CRZ) norms be followed in construction of

habitations. According to the CRZ, new constructions would be permissible only beyond 500 m from the high-tide line (HTL). All districts affected had their own issues and problems when dealing with reconstruction of habitations. While Nagapattinam had to identify appropriate sites for 20,000 households in a terrain that was largely below mean sea level, Kanyakumari had to grapple with finding adequate spaces for relocation in a densely populated area, and all districts had to deal with the CRZ norms. Although life security was a major factor in deciding the sites for relocation, considering that more than 80 per cent of the people affected were working fisherfolk, their access to the sea and shore, for their livelihoods, was also a subject for heated debates during the first month after the tsunami. “To move or not to move” was taken up at all platforms right from the villages to the state level.

Though the first GO on permanent shelter would become obsolete soon, it served some important purposes. It sent out a clear signal to the affected community and the rest of the world that the Tamil Nadu government meant business. It also signalled its interest in exploring co-operation with NGOs and corporates. The fishing community, the main community affected by the tsunami, was re-assured by the GO. The uncertainties and deep vulnerabilities it might have felt were set at rest. This ensured good co-operation from the community for all relief and rehabilitation that followed, especially through the extensive time delays in some places. It also gave it the confidence to think beyond mere survival and start asserting its “rights” and expressing its “needs” more expansively.

Relocation of communities also had implications on the socioeconomic and cultural dynamics, which had to be respected. There were many NGOs willing to construct, but at different scales. Matching sites to communities as well as NGOs proved an exercise by itself and was handled in various

ways: either through a direct one-to-one dialoguing between the administration and the respective NGOs, through direct assignment or through participatory processes like the one in Nagapattinam facilitated by the NGO Co-ordination and Resource Centre (NCRC). However, the underlying principles followed were that the communities should be maintained intact wherever possible: a letter from NCRC to the District Collector, Nagapattinam emphasized that “a hamlet/village that has its own clear-cut identity and traditional system of internal governance like a caste *panchayat* should be considered indivisible”, and that every NGO, however big or small, should be given an opportunity for participating in the construction activities.

The implementation of the tsunami shelter programme was a huge affair that started in mid-2005 and ended around 2011—a period of over seven years and in two phases. In the first phase, 31,032 houses by NGOs and 22,257 by the government (largely in urban areas) in nine districts were taken up. Of these, by June 2008, 29,056 houses constructed by the NGOs and 7,204 houses constructed by the government had been handed over to beneficiaries. The houses completed by the government were only in the urban

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areas (Chennai and Tiruvallur districts). They included 'NGO backed-out houses'. Later, with leftover funds, other vulnerable areas were identified and houses reconstructed for those inhabitants even if they had not been directly affected by the tsunami.

An analysis of the reconstruction efforts in Nagapattinam shows that 75 per cent of the construction was in relocated sites, with quite a large number of fishermen families (3,124) and all agricultural families, opting for or eligible (as in the case of agriculture-based families) for in-situ construction. The special care taken in assigning relocation sites ensured that 5,908 houses of the fishermen families were in safe sites identified within 500 m and an equal number well within a 1-km range. For the 1,073 families that had to be relocated beyond the 1-km range, it was with the explicit approval of the communities. The majority of the families who have been allotted sites beyond the 1-km range are from other communities, who have no imperative

20,000 houses were constructed in the district, this is a serious issue. The large scale of construction over a 190-km coastline, without a sound technical support system, has meant that the construction quality was not uniform. The low-lying nature of the Nagai coastal terrain, the poor soil quality that required strong foundations, and the lack of local construction expertise have all made achieving good quality of construction difficult in Nagapattinam. On the positive side, Nagapattinam also has some exceptional sites that are being projected as models for others to emulate, such as those by the South Indian Federation of Fishermen Societies (SIFFS) in Chinnangudi and Tarangambadi.

There is considerable variation in building upkeep and maintenance across the coast. The range is from houses that have been completely transformed through owner modifications to houses that are in a dilapidated condition. Most of investments for improvement have been in the following areas: addition of compound wall/fencing, doors/windows, kitchen/cooking area, thatched roof over yard/roof, replacement of flooring, internal additions/alterations and even addition of rooms.

Drinking water remains a problem in most settlements. Drinking water supply programmes had been implemented in most areas, but the actual availability of water is inadequate and water supply is erratic. Toilet usage is predictably low, with the exception of Kanyakumari where a culture of toilet use precedes the tsunami and there was a genuine demand for them.

Non-use reasons

Reasons quoted for non-use include lack of water for flushing and the low capacity of the leach pits that require regular removal of waste. Solid-waste management is also not satisfactory. Barring a few examples, most communities still dump all the waste in some nearby open space or burn it. Waste-water management is also weak in most

An analysis of the reconstruction efforts in Nagapattinam shows that 75 per cent of the construction was in relocated sites...

need for access to the seafront for their livelihoods.

A review of scattered reports and a whistlestop tour of affected areas revealed some answers regarding the current state of the tsunami houses. The occupancy rates are high, generally ranging from 80-100 per cent in settlements visited across the coast. The lower end of this spectrum is generally in sites that are a bit farther away from the sea.

Overall, the build quality as seen today, after five to eight years of construction, appears reasonably good. An important exception to this is the housing in Nagapattinam (Nagai), where there is considerable variation in quality. Given that over

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Community centre at Nagapattinam. The large scale of construction without a sound technical support system has meant that the construction quality was not uniform

places, with the drainage system getting clogged and waste water overflowing.

Good access roads are generally available in all settlements, though the quality and maintenance of the inner roads is variable. Common amenities like schools, public distribution system outlets (ration shops), general shops, fish-mending halls, auction platforms, community halls and playgrounds are all available in most settlements. However, the community halls in many places are not used and playgrounds are often badly sited and not useable. For the overall upkeep and maintenance of the new settlements, many new organizations—village development committees—had been constituted but most seem to have faded away after the initial enthusiasm. There is clearly a local gap in terms of management of the new facilities.

When looking at community satisfaction, it is important to say that most communities feel positive about the changes that have taken place and think that the tsunami rehabilitation has been helpful in improving their lot. However, a detailed study needs to be carried out to evaluate the present status of shelter, especially damages. A consultation process with technocrats, bureaucrats, field implementers, NGOs and communities is required

to understand the impacts on mass housing, especially in the coastal areas. Perhaps a major lacuna that requires to be addressed is the provision of clear guidelines and instructions to the beneficiary families on the periodic maintenance of housing as well as infrastructural facilities. Issues such as water, sanitation and solid waste disposal need special focus as do urban resettlement issues, especially when combined with the larger development process. 

For more



www.trinet.in/
TRINet: The Resource and Information Network for the Coast

www.tn.gov.in/tsunami/
Tsunami Rehabilitation Programme: Government of Tamil Nadu, Revenue Administration, Disaster Management and Mitigation Department

www.tn.gov.in/tsunami/Projects/GovernmentOrders.html
Government Orders – Tsunami

igssf.icsf.net/images/SSF%20India%20workshop/tsunami_study_v7.pdf
Tamil Nadu: Ten Years after the Tsunami - Learning from intervention in shelter and fisheries livelihoods

Spreading the Net

Civil society representatives in South Africa are committed towards the implementation of the FAO SSF Guidelines, based on a human-rights approach

22

On 8 May 2015 the two ICSF members in South Africa hosted an informal workshop on the implementation of 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, in 2014. The workshop brought together representatives from non-governmental organizations (NGOs), activists, academics and researchers who have been working on various aspects of small-scale

those more orientated to promoting the role of SSF in marine biodiversity conservation.

The implementation of the SSF Guidelines in South Africa has the advantage that the international advocacy processes that contributed towards their adoption were mirrored by a similar process in the country, which drew on the content of the international advocacy campaigns. In 2007, small-scale fishers in South Africa began advocating in earnest for a national SSF policy. Representatives from a national SSF fisher organization, Coastal Links, together with the Masifundise Development Trust, an NGO, participated actively in the preparatory workshops prior to the Bangkok SSF conference in 2008, as well as in the processes in 2010 of the International Collective in Support of Fishworkers (ICSF) and in the FAO Committee on Fisheries (COFI) side events and meetings organized by civil society in the process of developing the SSF Guidelines.

In 2012, Masifundise hosted the civil society organization (CSO) national consultative workshop on the development of the SSF Guidelines in South Africa. Subsequently, the CSO Synthesis document was developed, negotiations finalized and the SSF Guidelines adopted by COFI in 2014.

New SSF policy

In South Africa a new small-scale fisheries policy was developed over a period of five years and finally gazetted in 2012. In May 2014 the Marine Living Resources Act of 1998 was amended to include small-scale fisheries within the ambit of the statutory legislation and provision

Although small, the group represented a rich body of expertise and knowledge on key aspects of the SSF Guidelines.

fisheries (SSF) in South Africa for some time.

Although small, the group represented a rich body of expertise and knowledge on key aspects of the SSF Guidelines. It comprised persons with experience in both marine and inland fisheries, experts working on issues of governance at both international and national levels, a leader in the SSF fisher social movement, researchers and academics with expertise on food security, fisheries value chains, climate change, inland fisheries and aquaculture, marine protected areas (MPAs), customary rights and gender relations. This informal civil society platform reflects a broad range of perspectives from those focusing on building the social movement of SSF fishers to

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made for the Minister to allocate rights to small-scale fishing communities in line with this policy.

Yet, notwithstanding this close synergy between the national and international advocacy struggles to develop the SSF Guidelines and policy on SSF in South Africa, the challenge of now interpreting and then implementing the SSF Guidelines in the context of national legislation remains extensive. There has been very little engagement between the State fisheries department and civil society, specifically on the implementation of the SSF Guidelines and the task of now interpreting them in this context looms large. Similarly, while there is a high level of awareness about the SSF Guidelines at a very broad level amongst the SSF fishing communities, very little work has been done to articulate precisely what the principles of the SSF Guidelines would mean in practice. This task now has a sense of urgency as the department responsible for fisheries management, the Department of Agriculture Forestry and Fisheries (DAFF), has recently released a draft set of regulations which outline the policy mechanisms whereby the new SSF policy will be implemented.

This set of draft regulations thus embodies the approach to governance and management of SSF in the larger context of the fisheries sector in the country; it prescribes tenure arrangements, the type of user rights that will be allocated, the legal entity that will hold these rights, the way in which management plans will be developed, and the powers that co-management committees will have and also addresses the approach to women and marginalized and vulnerable groups.

In effect, the regulations comprise the core mechanism whereby the principles and objectives of any guiding framework and policy would be operationalized.

Suddenly, civil society in South Africa is faced with crunch time. We have a very brief window of opportunity to participate in a consultative process to decide if

these regulations will capture the spirit of the SSF Guidelines, the spirit of the South African constitution and the vision that inspired the development of the SSF policy.

Both the SSF Guidelines and the Voluntary Guidelines on Tenure Rights are aspirational documents developed within an international human-rights framework. Similarly, the South African Constitution is an aspirational document that sets a specific national standard for the recognition of, and respect for, human rights. Likewise, both the focus and strength of the SSF policy gazetted by the DAFF in 2012 is that it speaks to these human-rights aspirations: it commits to redress and restitution for past injustices and aims to implement a human-rights-based approach to fisheries; but precisely how this will happen is not elaborated in the document.

The focus of the discussion of the workshop hosted by ICSF thus centred around the question: what would a human-rights-based approach to SSF look like in practice? The first step is to interpret the SSF Guidelines in the context of national legislation and policy. The workshop commenced with an input and discussion on this in the context of the 'voluntary' nature of the SSF Guidelines.



Coastal Links' leaders debate their tenure options. This small civil society group remains committed in its efforts to imagine that a different fisheries sector is possible

In South Africa, although the SSF Guidelines themselves have not been incorporated into national legislation, there are a few provisions in them that are already law in South Africa. The Constitution includes provisions on equity and the State may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth. It includes recognition of customary law and customary rights arising in terms of customary systems of law and recognition of women's rights to equality and non-discrimination.

The Constitution places an obligation on the State to take steps to realize the eradication of inequities and discrimination. The Constitution includes a range of freedoms and then makes specific provision for the freedom to choose one's trade and occupation and for the right to fair labour practices.

Section 24, of particular relevance to fisheries governance and marine biodiversity, provides for the right (a) to an environment that is not

does not limit property to land and is of critical relevance to the tenure rights of SSF and coastal communities as it obliges the State to undertake reforms to bring about equitable access to all South Africa's natural resources.

Further, the State must "take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis. A person or community whose tenure of land is legally insecure as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to tenure which is legally secure or to comparable redress. A person or community dispossessed of property after 19 June 1913 as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to restitution of that property or to equitable redress".

Other basic human rights such as the provisions on housing, water and sanitation and healthcare, food and social security are of direct relevance. Access to justice, adequate information and just administrative action are addressed in the Bill of Rights. Of direct relevance to the approach to implementation of the SSF Guidelines, the Constitution requires the State to adopt co-operative governance. Most significantly, the Constitution obliges the State to take into consideration both international soft and hard law and to consider foreign law where relevant.

Constitutional provisions

The Constitution obliges the State to develop legislation to give effect to these Constitutional provisions and human rights. Despite this legal imperative, the national statute on marine resources, the MLRA, failed to accommodate SSF and hence small-scale fishers used the Constitutional provisions of food security and right to their occupation to launch court action in 2005. This subsequently led to an Equality

The constitution places an obligation on the State to take steps to realize the eradication of inequities and discrimination.

harmful to the people's health or well-being; and (b) to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that— (i) prevent pollution and ecological degradation; (ii) promote conservation; and (iii) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.

Section 25 provides for the property and tenure rights of all and obliges the State to take active measures to ensure redress for past racially based injustices. This section

Court order that began the process of developing a new SSF policy for the country. This human-rights basis to the current policy thus provides a firm grounding in human rights for the implementation of the SSF Guidelines.

Although civil society has been involved in this struggle for nearly a decade, we have yet to put a clear set of recommendations on the table of what a human-rights-based implementation plan would look for in the very varied and diverse ecosystems and socio-ecological communities along our coastline. This was the challenge facing the group that met last month. The debate centred around what type of user rights would maximize equity. How do we support a policy shift from very centralised, top-down governance approach to a more community-orientated, co-management-based system?

Making the shift from an individual transferable quota system wherein the neoliberal conception of privatised individual rights has dominated, to a more communally based interpretation of sharing and caring for the marine commons for the greater public good is not easy within the dominant, market-driven paradigm that exists. It raises critical questions about the limitations of government policy alone in engineering change in the social relations of power, and the need for strong social partners who are committed to an alternative vision of race, gender, class and other social relations. As those present at the meeting shared their concerns about implementation from the particular perspective of their current area of work, the extent of the complexity of this task emerged.

The impact of several decades of an industrially-oriented fisheries framework, within which a wealth-based user rights system of individual transferable quotas, coupled with individual rights tied to effort controls, has led to fronting and paper quotas—and the concentration of wealth is keenly felt. Legal reforms have merely transformed the racial profile of the class relations, with little real social transformation

trickling down to the poorest black SSF communities who have historically always been marginalized. Organized labour has supported the industrial sectors' rationale for its position on transformation: maintain the status quo in terms of the allocation of fishing rights and promote transformation vertically within the industrial sector which can add more value, rather than redistributing access horizontally.

This human-rights basis to the current policy thus provides a firm grounding in human rights for the implementation of the SSF Guidelines.

The implementation of the SSF Guidelines and the new policy poses a significant challenge to this position as it raises the question: where is the fish for the SSF basket going to come from? Inevitably, it demands a redistribution of the total allowable catch and total effort in favour of the SSF sector; however, the State has yet to negotiate this shift with the industrial sector. As pointed out by participants in the meeting, this will have significant implications for labour in the industrial sector, in itself raising thorny issues regarding how to implement a human-rights-based approach where promoting access for some will have job losses and potential food security impacts for others. In some instances, those who will lose out are the families and relatives of those who will gain.

Class and race

In some coastal towns, the intersection of class and race continues to shape relations between boatowners and crew very tightly. It is apparent that giving crew access rights in a community-based approach will not necessarily transform the social relations of power that are closely tied to ownership of the means of production, in this case, in the form of ownership of vessels. For the traditional line fishers along the Cape coast, the issue of what form

JACKIE SUNDE



Fishing community members of Dwesa Cwebe Marine Protected Area in South Africa map out their tenure with government officials

that has historically been closely entwined with the political economy of land occupation and ownership in the country. Through colonial and apartheid systems of marine and land spatial planning, access to, and control over, both land and other natural resources has been racially skewed. White capital has appropriated and steadily privatized the commons. A racially discriminatory colonial administration began a process of dispossession on land in the 1880s that gained strength through legislative provisions such as the Native Land Act of 1913 and the Native Administration Act of 1927. This was further entrenched by the apartheid legislation of the 1950s and 1960s.

While these acts served to restrict coloured and African tenure rights along the coast in terms of access to land for residential and business purposes as well as access to harbours, jetties and slipways for launching boats as well as engaging in marketing of fish, a series of racially based acts and regulations began to steadily shape both the class and racial profile of the fisheries.

Artisanal and small-scale fishing communities—some of whom fished for local sale whilst others were more commercially orientated—found themselves marginalized. Both the land, agrarian and fisheries legal reforms post-apartheid after 1994 failed to address this marginalization and this legacy now weighs heavily on the SSF sector.

Systematic underdevelopment

This marginalization is most pronounced in the rural regions of the coastline, particularly in the provinces of the Eastern Cape and Kwa-Zulu Natal where the opportunistic declaration of MPAs adjacent to the African homelands during the height of apartheid has resulted in the systematic underdevelopment of these coastal communities. As a result, the SSF sector in South Africa now comprises an extremely diverse, complex profile. It includes small-scale fishers in the Western and Northern Cape who target high-value species and have

the tenure rights should take is additionally complex: how to balance the demand from fishers for an area-based approach that recognizes their historical rights in a given locality with their equally strong right to be mobile and target migratory line fish stocks along the coast, also part of their cultural practice.

The SSF Guidelines have drawn heavily on their sister document, the VG Tenure Guidelines, negotiated within the framework of the Committee on World Food Security in 2012, under the new rules of engagement with civil society that enabled a highly participatory process. Most significantly, the definition on tenure adopted through this process is an extremely progressive one: it defines tenure as how people, communities and others gain access to land and other natural resources. This definition enables a strategic focus on the social relations of power that lie at the heart of fisheries: who gets access to what. This puts the issue of these social relations centre stage.

The process of negotiating the tenure relations and system that will be brought into being through the implementation of the new SSF policy in South Africa—and, it is hoped, thus the implementation of the SSF Guidelines—thus lies at the very heart of implementation. South Africa has a very complex, layered and plural system of marine and fisheries tenure

interacted with the large industrial fishing and marketing companies to a considerable extent over the past decades, albeit from a position of relative powerlessness and exclusion, to the primarily subsistence-oriented and very rurally isolated communities of the Eastern Cape who live adjacent to vast stretches of coastline that are either no-take MPAs or where access is restricted to recreational and subsistence fishing, with limited market presence. In these areas many of the communities live on communally owned land and have local customary systems of law and governance.

According to their customary systems of law, they have customary rights to natural resources within their territories. Within their customary systems of tenure, individual rights are recognized and protected, nested within the broader communal right which is a function of the larger group. In this context, a broad-brush 'one-size-fits-all' approach to SSF implementation that forces a form of community-based quotas allocated to co-operatives (as is currently proposed in the DAFF draft regulations) will be most inappropriate.

Due to the exclusion of small-scale fishers from the long-term rights allocation processes post-democracy, the small-scale fishers have come to associate the individual quota system as synonymous with exclusion and inequity. They have, therefore, demanded a community-based access rights system. Regrettably, the interpretation of different user rights approaches has been reduced rather crudely in the public domain to one of 'individual rights' versus 'community rights'. Many of the fishers who did get individual fishing rights through the allocation of rights, coupled with those who have received an interim individual right, are reluctant to now move towards a 'community-based right' as they fear they will lose their individual benefits. The challenge now lies in developing the local legal entity and institutional arrangements that will protect individual rights within a

broader community-based legal entity and communally held right.

Perhaps the greatest challenge facing civil society is how to position itself in relation to the issue of the contribution of the SSF Guidelines and SSF policy towards poverty eradication and food security more broadly. Now that the time has come to identify who is 'in' the fisher community and who is 'out', the question arises as to how to ensure that benefits will accrue to the other residents of these villages, who do not meet the defining criteria of eligibility to be part of the 'fishing community' but who nonetheless also live in these coastal fishing villages and towns.

In the more rural areas, access to marine resources and the ability to harvest in times of food insecurity has been an important safety net for many dwellers. The proposed regulations will, however, close off the commons to an exclusive user group or groups and this safety net will no longer be available to the broader community. The implications of the choice of user-rights mechanisms and how they are defined and managed thus has important wider implications for how poverty and food security issues are addressed. While the intention of the SSF Guidelines and VG Tenure Tights is to recognize tenure rights *in the context of poverty eradication and food security*, this aspect requires careful interpretation and elaboration in each context. It is on these challenging policy choices and positions that both the fisher social movement and its civil society partners must now focus. They have committed to meet regularly in their efforts to imagine that a different fisheries sector is possible and to spread the potential of the human-rights-based net of the SSF Guidelines as far, as deep and as wide as possible along the coastline of South Africa. 🐟

For more



www.daff.gov.za/daffweb3/Branches/Fisheries-Management/Marine-Resource-Management/Smallscale

Department of Agriculture, Forestry and Fisheries, South Africa

www.nda.agric.za/doaDev/sideMenu/fisheries/21_HotIssues/April2010/Small%20Scale/38536_6-3_AgriculForFishCV01.pdf

Proposed Regulations Relating to Small-scale Fishing

From Catcher to Counter

The ITF and the IUF are campaigning together to try and increase union power for all workers in fisheries

Fishers are in one of the most precarious occupations on earth, doing highly dangerous, stressful, yet insecure and largely unregulated jobs, in which appalling levels of exploitation and abuse are regularly uncovered. Many other jobs in the fishing industry are also unregulated, insecure and rife with exploitation.

Since 2012, the International Transport Workers' Federation (ITF) has been working with the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) on the joint 'Catcher to Counter' campaign

...the primary focus is to increase the level of union participation in countries where there is a significant fishing presence in terms of employment and also economic reliance on the industry...

to combat illegal, unreported and unregulated (IUU) fishing and to increase union power for all workers along the fisheries supply chain, from those at sea to those serving at the fish counter.

Central to the campaign, launched in 2011, were the twin goals of increased union representation in the fishing industry and ratification of the International Labour Organization (ILO) Work in Fishing Convention 2007 (C.188). With projects in development phases around the globe, the primary focus is to increase the level of union participation in countries where there is a significant fishing presence in terms of employment and also economic reliance on the industry for inward investment and export markets.

All aspects of the industry are under increasing pressure as consumers and environmental groups lobby for improvements in sustainability. It is now internationally recognized that there is an inextricable link between violations of human and labour rights and food security issues. The ITF/IUF programme issued a statement in 2014 with a full list of requirements for the industry to clean up its act (<http://www.itfglobal.org/en/news-events/press-releases/2014/june/itf-iuf-press-release-unions-welcome-thai-fisher-slavery-exposé/>)

A key area of ITF's work is to lobby for ratification of the ILO Convention C.188, which seeks to provide acceptable minimum standards that protect fishers in all aspects of their work. Though the Convention has been adopted, it will not have real power until its ratification by at least 10 ILO member States. By the end of 2014, five ratifications had been achieved.

In 2012, ITF launched a users' guide to ILO C.188, in a bid to help fishers' unions and their members gain a deeper understanding of the Convention and lobby more effectively for its ratification. *The ILO Work in Fishing Convention 2007—A Guide for Unions* is available for free download in Arabic, English, French, Indonesian, Spanish and Tamil from <http://www.itfglobal.org/en/transport-sectors/fisheries/in-focus/ilo-work-in-fishing-convention/>.

Improving standards

In conjunction with lobbying for ILO C.188, ITF also continued to press employers to improve standards in the industry. ITF's European arm, the European Transport Workers'

This article is by **Liz Blackshaw** (Blackshaw_Liz@itf.org.uk), Programme Leader, ITF/IUF Organising Programme

Federation (ETF), secured an agreement with employers' bodies, which is based on the principles of ILO C.188, and made its way into European law. The agreement, signed in Gothenburg, Sweden, demonstrated a shared commitment to enhanced working and living conditions for fishers on board vessels registered in the European Union and those calling at European ports, regardless of their flag or crew nationality. It is expected to help tighten the legal framework of those member States with weaker national fisheries legislation.

Following years of campaigning for stronger regulation by ITF and IUF affiliates in New Zealand, and their many efforts to assist abused and exploited foreign crew members, the New Zealand government moved to ban foreign-flagged vessels from fishing in its waters from January 2016. The move, based on the government's concern about the exploitation of crew on those ships—including instances of crew living in conditions of near-slavery—means that all vessels fishing in its waters will have to fly the New Zealand flag, thus giving crew members the right to the country's own labour standards.

In the Philippines, IUF affiliate SENTRO (Sentro ng mga Nagkakaisa at Progresibong Manggagawa) has been campaigning for the reinstatement of over 100 workers sacked for forming a union. In addition to this, ITF and IUF worked together to lobby the Philippine and Indonesian governments for a missing fishing vessel and crew to be located and the crew repatriated home to General Santos City. Congressional hearings are ongoing that should resolve the matter and if not, there are international routes available for the workers.

ITF's and IUF's joint goals of increasing union membership and influence in the fishing industry have involved extensive research about existing levels of organization and agreements. This has included field research and workshops to plan areas for actions, and training key union leaders on the industry to provide skills in organizing and

negotiating where there was no previous experience.

Seventeen ITF maritime inspectors were also trained in the content of the ILO Convention No. 188 and supply-chain organizing to support their involvement in increasing representation. Some of them have now been involved in leading training and skills development at both a national and regional level. A full list of the Inspectors and their locations can be found at http://www.itfseafarers.org/find_inspector.cfm.

In Papua New Guinea, the campaign is at a more advanced stage, and organizing efforts have now resulted in thousands of new members for ITF and IUF affiliate Papua New Guinea Maritime and Transport Workers Union, creating great benefits to union influence and progress towards recognition and collective bargaining agreements in five of the eight integrated companies based there. A national increase in the minimum wage in 2014 has resulted in workers now complaining that it is causing detriment as employers have adjusted shift patterns and productivity levels to stop any overall increase in take-home pay for workers, defeating the point of winning a wage rise. This will form part of the ongoing campaign.



Workers of the Citra Mina Group of companies in General Santos, Philippines, campaigning for the reinstatement of sacked union leaders and recognition of their union

In January 2014, ITF offered its support to the families of five fishers who died after the vessel they were on sank. The men—three Egyptian and two Irish nationals—went missing when the Irish-flagged trawler *Tit Bonhomme* sank off the coast of County Cork, Ireland, after a storm. ITF was able to put the families of the Egyptian fishers in touch with its affiliate, the Egyptian General

Crew on board industrial fishing vessels are being actively encouraged to join trade unions that are able to bargain and represent on their behalf.

Seafarers' Union in Egypt, which provided them with assistance at home.

In March 2014, there was a repatriation ceremony for 75 Indonesian crew abandoned off the coast of South Africa on five vessels which were subsequently arrested and the crew charged with illegal fishing. Interventions from ITF inspectors and unions in both the coastal State and the crewing State resulted in the charges being dropped against all crew and them being returned home with a small sum to support their families (donated by an anonymous source) in lieu of non-payment of wages.

Crew on board industrial fishing vessels are being actively encouraged to join trade unions that are able to bargain and represent on their behalf. In many countries there is a difference between industrial and artisanal fishing. To be clear, workers in the industrial part of the industry are the focus of ITF and IUF campaign activity.

The Convention C.188 applies to those workers on board vessels of 24 m and above length, while other maritime instruments will provide security for workers on board vessels of 100 GMT and above. The crew of vessels which are of smaller dimensions and used more for coastal and short-haul fishing should continue to participate in their

local community associations and fishing networks.

Increasing representation in the industry with the relevant governance and decision-making bodies is more and more important as food security continues to be of international concern. Fish as a primary source of protein for over 50 per cent of the planet's population needs to be managed in a sustainable way. This is a goal for the industry to pursue, and trade unions want to make sure workers have the power to not only raise their concerns but to also effect systemic change in the industry, creating a sustainable industry with sustainable jobs. **3**

For more

www.itfglobal.org/en/news-events/press-releases/2014/june/itf-iuf-press-release-unions-welcome-thai-fisher-slavery-exposé/

Unions Welcome Thai Fishery Slavery Expose

www.itfglobal.org/en/transport-sectors/fisheries/in-focus/catcher-to-counter/

Catcher to Counter

www.itfglobal.org/en/transport-sectors/fisheries/in-focus/ilo-work-in-fishing-convention/

The ILO Work in Fishing Convention 2007—A Guide for Unions

www.itfseafarers.org/find_inspector.cfm
Find an Inspector or Union

Fishing Out the Invisible

One in two seafood workers is a woman, yet they remain invisible, unrecognized and unacknowledged by the powers that call the shots in the seafood industry

GLOBEFISH, the unit in the Fisheries Department of the Food and Agriculture Organization of the United Nations (FAO) responsible for information on international fish trade has just (May 2015) released a first-of-its-kind report on “the role of women in the seafood industry”.

This worldwide desktop study presents, for the first time, what is known, and what remains to be investigated in this crucial component of the seafood industry. The research, carried out in early 2015, explores and sheds light on a specific aspect of the seafood industry that has been largely ignored by decisionmakers: women participate in all segments of the seafood industry, including fishing, farming, trading and selling, monitoring and administration. The widespread lack of consideration for their role and work in the seafood industry is, in many respects, disadvantageous and ultimately bars them from fully and equitably participating in the sector’s growth.

What do we know about women in the industry? Where information is available, in both developing and developed countries, it can be seen that women’s participation is constrained or affected by strong cultural rules, robust societal conventions and even, in some cases, by discriminatory laws. The seafood industry is ruled by a patriarchy paradigm, where hierarchy, authority, power, competition, development, control of human and natural resources and domination of others are shaped by males for their benefit and welfare. The conditions of participation of both genders in the industry and related services

are organized according to these rules at all levels, from workers to decisionmakers.

The knowledge and understanding of the very complex distribution of roles, power, access to resources and profits between genders vary greatly between regions and industry sectors. On a global scale, quantitative and qualitative data on the participation of women is sparse and when it exists, it may be of poor quality and only covers some segments of the industry.

During the Fifth Gender in Aquaculture and Fisheries Conference

...women’s participation is constrained or affected by strong cultural rules, robust societal conventions and even, in some cases, by discriminatory laws.

that took place in Lucknow, India, in 2014, where about 80 seafood gender specialists gathered, the need for more research in the field was advocated by all. The critical lack of gender expertise in the seafood industry was also acknowledged.

Gender-disaggregated data

The GLOBEFISH report examines the level of information and knowledge in six countries (Republic of Croatia, the Arab Republic of Egypt, the French Republic, the Republic of Iceland, the Republic of India and the Republic of Senegal), describing the role of women in the seafood industry, not precisely their situation. What is known and documented? Does gender-disaggregated data over the full employment spectrum in the

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seafood industry and sociological, anthropological and economic studies on the role and power distribution between the sexes exist? This limited research provides evidence that the quality of data varies greatly between countries and, interestingly enough, is not linked to the level of economic development. Developing countries like India and Senegal, for instance, offer rather good records because these important fishing and aquaculture nations have received the attention of gender-sensitive development aid agencies. In contrast, the participation of women in the industry is still poorly documented and researched in most developed countries, such as France and Croatia.

In the table below, we suggest a tentative classification of women's participation in the various steps of the global seafood business environment. Although it is only of indicative value, it shows that the concentration of women varies greatly by segment.

We see that women are rare in industrial fishing, in professional

organizations, at leadership levels while they are numerous in artisanal aquaculture, onshore fishing, and in seafood processing at the workers' level. They are active in environmental non-governmental organizations (NGOs). What shapes this particular social distribution of roles, between men and women?

The voices of men are valued more than the voices of women. Women are barred from some seafood-related jobs, such as going to sea on board fishing vessels. In some countries, women are expected to stay at home and should not be involved in so-called masculine activities such as aquaculture. They may be deprived of ownership rights, and thus hindered from running fish-farming businesses, or they may not be allowed to access finances and insurance services. Consequently, their limited access to capital constraints their capacity to invest in modern and competitive technology in fishing, farming, processing, storing fish, and hampers them from upgrading their knowledge and skills.

Concentration of Women in the Seafood Industry, by Sector

	No/low	Medium	High
Industrial fishing (high capital-intensive)	X		
Industrial aquaculture (high capital-intensive)	X		
Professional organizations	X		
Fisheries management	X		
Leadership level	X		
Small-scale fishing (low capital-intensive)		X	
Fisheries support activities (ashore)		X	
Ex-vessel selling and marketing		X	
Administration		X	
Quality inspection		X	
Researchers, marine and social sciences		X	
Source of knowledge other than scientific		X	
Onshore aquatic items collecting			X
Small-scale aquaculture (low capital-intensive)			X
Seafood processing			X
Environmental activists			X
Seafood purchase for households			X

In all countries, the time devoted for caring for children and the elderly, and for domestic tasks, such as tidying up the house, collecting, buying and preparing food, is perceived as a natural duty that falls on women's shoulders. This adds—depending on the country and the position of the women—one to four hours onto their working days, compared to their male counterparts. This creates a double negative impact on women's participation in the business. The time devoted to these tasks is not spent on productive work, and the money spent on food, care and education cannot be saved to be spent in productive activities. The lack of time may prevent women from taking opportunities to improve their knowledge and upgrade their qualifications and skills.

The gender pay gap between men and women occupying equivalent positions applies also to the seafood industry. A study conducted for the United States Agency for International Development (USAID) on the People's Republic of Bangladesh shrimp value chain exemplifies the differences in earnings between women and men.

**Relative Earnings of Women
Compared with those of their Male
Counterparts**

Activity	Percentage
Catching, sorting fry	64
Repairing ponds, undertaking casual agricultural labour	82
Processing plants— packing section	72
Processing plants— cooking/breeding section	60

Source: FAO, 2012

The participation of women in fisheries and aquaculture activities as non-declared, non-paid support personnel to the family business is common worldwide.

Conditions may be improving in some places; in many others, however, researchers have detected signs of deterioration due to global

changes. Research carried out on this topic indicates that women in coastal areas depending on seafood as a source of revenue or a source of food are particularly affected by these changes. Globalization and its hunger for cheap inputs including human labour, the widespread decline in marine resources, the deterioration of marine coastal habitats and climate change effects, among other events, generate severe consequences on fragile populations, among which women are numerous.

An analysis of the impact of trade liberalization on women working in India's export-oriented seafood industry reveals that a large proportion of the female workers interviewed confessed that the work environment has improved significantly in the past years. Upgraded safety, sanitary and working conditions have been implemented by industrialists as a response to the stringent demand of importers. But international markets not only impose new working standards; they stimulate competition between suppliers who are forced to reduce their production costs to maintain their competitiveness. Hiring on contract gives more flexibility to employers but also creates more job insecurity for workers. This has intensified the casualization of the labour force, which is paid at the lowest possible level, with limited or no social and health benefits. According to the analysis, 88 per cent of the women workforce was employed as temporary staff. This concerns both men and women, but post-harvest jobs are mainly executed by women. Furthermore, such casual contracted jobs exclude advancement opportunities, skill upgrading and empowerment.

New fishing practices

The decline in marine stocks has caused the adoption of new fishing practices, including moving to alternative areas, further from the coast or further from the sites where the fishers live, and buying new fishing gear. But, in many cases,

GIUSEPPE BIZZARRI / FAO



Women collecting oysters cultivated in Qualidia Lagoon, Morocco.
Women are rare in industrial fishing, while they are numerous in artisanal aquaculture

women in the seafood industry are seldom visible, and their inspirational impact remains limited.

The initiative of the “Aquaculture without Frontiers” women’s network that launched, in December 2014, a “Woman of the Month” award is to be lauded. The first “Woman of the Month” was Jennifer Cobcroft, BSc, PhD, and a Research Fellow at the Institute for Marine and Antarctic Studies, University of Tasmania. The second nominated “Woman of the Month” was Anna Mercy, professor at the Kerala University of Fisheries and Ocean Studies, India, who was chosen for her long commitment to promoting aquaculture.

For some 30 years now, researchers and development experts have produced evidence of the crucial role of women in fisheries, and the gender-specific constraints they face, but this knowledge has hardly ever been disseminated among seafood professionals. Research has been carried out, reports have been published, and debates have been organized on the issue of discrimination against women, but in the seafood industry, the level of awareness about the role played by women is still very limited among seafood stakeholders. The GLOBEISH report primarily aims to increase awareness among business leaders and policymakers, enlarge their knowledge and sensitize them to the value that women bring to the seafood industry. It also encourages them to ask, each time they develop a new project or a policy: “Have we not overlooked women?”

women do not have the necessary resources to adapt, namely, capital to upgrade their fishing equipment (engine, new gears) and to preserve the fish quality (ice, boxes), and the time to get to the more distant sites. Furthermore, they cannot afford to move too far away from their homes since they have to take care of the family.

Despite our diligent research, we have not found one single in-service initiative addressing the gender inequality or a programme directed to the promotion or empowerment of women initiated by private corporations in the seafood industry. The only positive initiatives we could spot had been initiated by global or regional organizations, development agencies and NGOs.

For instance in the Asia-Pacific region, the biennial Gender in Aquaculture and Fisheries (GAF), by the *Women in Fisheries* publication of the Secretariat of the Pacific Community and the *Yemaya* newsletter of the International Collective in Support of Fishworkers (ICSF), contribute to raise attention on gender issues in fisheries and aquaculture. The entire literature on empowerment and career stimulation in any industry emphasizes the key impact that role models play. Precisely because men hold tight to all positions in the public sphere, charismatic and successful

For more

www.globefish.org/vol-119-the-role-of-women-in-the-seafood-industry.html

GLOBEFISH. 2015. The Role of Women in the Seafood Industry

Good, Clean, Fair Fish

Slow Fish is a multifaceted, evolving network of networks seeking sustainable, fair and wholesome alternatives in sustainable and responsible fisheries

Slow Fish describes itself as Slow Food's campaign on responsible fisheries, and, as evidenced by discussions at the seventh biennial Slow Fish event, which took place in Genoa, Italy, during 14-17 May 2015, the evolving Slow Fish movement is not shy of courting controversy. In fact, Slow Fish seems to welcome it. It challenges basic assumptions and promotes ethical values, and rejects privatization of the seas while reclaiming the commons for all citizens. It encourages discussion around conservation and environmental protection, all in the cause of creating open and honest, if often emotional and heated, exchanges in the search for viable, healthy and fair community-based alternatives.

The seventh Slow Fish event in Genoa was dedicated to the world of fish and marine ecosystems, and included a variety of activities, including tasting and cooking workshops, and with an extensive programme of "water workshops". Over four days, 14 workshops were organized to discuss the challenges facing the world's fisheries, with a focus on small-scale fisheries, fishing communities, sustainability, and the search for common solutions and strategies to global problems. Youth and the future prospects for fisheries and fishing communities were a key theme, with a large contingent of young people participating both from Europe and from countries in the Maghreb region of North Africa.

As many as 100 people from 26 countries took part in the event, both in their individual capacities and as representatives of organizations and communities. They included workers and entrepreneurs from the small-

scale fishery sector, politicians, cooks, students, artists and academics, environmental and social activists, and concerned citizens. Thousands of visitors also thronged the sunny quayside of Genoa's tourist "Ancient Port" over the four days, providing a colourful and convivial backdrop.

Slow Fish promotes "Good, Clean and Fair Fish", by bringing together individuals and organizations whose interests and professions all relate to fish, fishing, fisheries, and fishing communities. It is a dynamic and evolving group of people, a kind of

The Slow Fish vision is "centred on resilient coastal communities, where local jobs, and control of the resources are key elements", seeking alternatives to "an increasingly industrialized model of fisheries designed to feed international commodity markets".

network of networks, comprising people whose interests may be economic, academic, cultural and political. As such, Slow Fish provides a multifaceted vision of the fisheries world, including the perspectives of producers and consumers, workers and entrepreneurs, scientists and journalists, teachers and students, and many others besides.

Alternatives

The Slow Fish vision is "centred on resilient coastal communities, where local jobs, and control of the resources are key elements", seeking alternatives to "an increasingly industrialized model of fisheries designed to feed international commodity markets". In short, it asks people to think and act "to change the way fish lands on their plate."

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

This provides a big challenge towards developing a single clear message. Rather, Slow Fish “aims to bring some clarity to the issues surrounding fish and fishing.” Though it does not claim to have all the answers, the movement is committed to finding them. In an environment where it is increasingly difficult to know what you are eating and consuming responsibly, Slow Fish asks that you think and engage with your food, and remain inspired.

... Slow Fish asks that you think and engage with your food, and remain inspired.

Organized along geographic lines, but with a strong communications centre based in Milan, Slow Fish members in Europe are broadly organized into ‘Northern Seas’ and ‘Mediterranean’ Groups. Supported by the Lighthouse Foundation, and with co-finance from the European Commission, the Northern Seas group has produced a 20-point ‘manifesto’. This was written by a poet who interacted with the group, creating metaphors to articulate messages constructed to communicate the essence of what Slow Fish is about.

Participating in the Slow Fish event in Genoa was a strong contingent of European fishermen from the Mediterranean coasts of France and Spain, while from the Northern seas were delegates from the United Kingdom (UK), Netherlands, Ireland and Denmark. There was also a group from the Maghreb region of North Africa—from Mauritania, Morocco, Algeria and Tunisia—who, with the help of the Food and Agriculture Organization of the United Nations (FAO), have recently established a platform to represent the common regional interests of small-scale fishermen and their communities.

A parallel initiative is under way in Europe, launched by a group of fishermen under the banner of Low Impact Fishers of Europe (LIFE),

which took shape in Santiago in 2012, initiated by around 100 fishermen and fisherwomen from eight countries. Participating in Slow Fish was the Executive Director of LIFE, Jeremy Percy from the UK, who is optimistic that with a voice in Europe, small-scale fishermen will have a good chance to have a say in the decisions that affect them. In Percy’s view, “the policy door is ajar, although a little more co-ordination is needed for it to be fully opened.”

One of the positive threads to emerge from the Slow Fish event was a commitment amongst the European fishers to establish more formal ties between the Northern Seas and the Mediterranean groups. There were also stronger solidarity links forged between the fishermen from North Africa and Europe, and a commitment to develop a Web-based tool to share information and co-ordinate campaigns through the creation of an interactive map. A small group of European and African fishermen also drafted a ‘statement of intent’, which they asked the Slow Fish event to endorse, “if not with their heads, at least with their hearts”.

However, various caveats were raised, including the observation that the sum of the Slow Fish parts was much greater than the cause of small-scale fishermen, and that it was not appropriate for Slow Fish to endorse such a declaration based on the interests of one small group within the network. It was also observed that there are already several declarations and manifestos which have been issued recently, including by LIFE and by the Maghreb platform, which could be used instead.

Round table

Small-scale fishermen also had the chance to interact with European Commission and European Parliament representatives at a round table on how the European Common Fisheries Policy (CFP) impacts on small-scale fisheries. Participating were Franco Biagi, Special Adviser on the Mediterranean; Sra Renata Briano, Vice Chair of the Fisheries Committee



Jeremy Percy, Executive Director (LIFE), Franco Biaggi, European Commission Fisheries Service (DG Mare), Brian O'Riordan (ICSF), Renata Briano, Member of the European Parliament and Christian Decugis, representing the French Prud'hommie platform at the Slow Fish event

of the European Parliament and rapporteur on drift-nets; Christian Decugis, representing the platform of French fishing Prud'hommies, traditional fishing guilds that are highly relevant today; and Jeremy Percy, the Executive Director of LIFE.

After a round of introductions and opening statements, the discussion ranged over various issues, namely, whether or not all small-scale fishing is good; the impact of European policies and fishery activities in North Africa; how fishermen in the Mediterranean are being criminalised for catching tuna; and the need to stop all forms of illegal fishery and fish-marketing activities, including by some recreational fishers. Renata Briano said that she was against a total ban on drift-nets.

Enda Conneely from Ireland made an impassioned plea for small-scale fishermen not to become divided over the issue of recreational fishing, which he felt, under the right conditions, did no harm and was compatible with small-scale interests. Jack Clarke from the Catch Box

community-supported fishery in the UK slated the Producer Organizations established under the CFP for having "done nothing but consolidate quota in the hands of a few trawler barons, marginalizing small-scale producers". A fisherman from France compared small-scale fishermen to small-scale farmers of the sea, highlighting the dangers of quota, and how the rising price of real estate along the coast means that young fishing families will not be able to afford to live on the coast. He advocated subsidies on land purchase for fishers, in the way that there had been subsidies for land purchase for farming.

Jeremy Percy of LIFE summed up by stating that small-scale fisheries should be seen not as a problem, but as a solution, "offering, as they do, more jobs, and more fish".

For more



slowfish.slowfood.it/en/

Slowfish

Coming Together to Fish

The Community Fisheries system, as practised in the Tonle Sap lake region of Cambodia, is now in need of better management options

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The Tonle Sap is the largest freshwater lake in Southeast Asia. It is known for its unique flood pattern, which causes it to expand three to five times in area during the wet season, compared to the dry season. The increase in area causes flooded forests to be formed around the lake, which supports a high biodiversity of fish species. Some of this can be seen reflected in the wall reliefs carved in Bayon, in the world heritage site of the Angkor Wat temple complex.

Cambodian fisheries have developed by adapting to these

licensed according to gear. A closed season (from 1 June to 30 September) is observed in Tonle Sap to allow spawning of major fish species for large- and medium-scale fishing. Small-scale fishing is a free but gear restricted fishery that requires no licences and can be practised throughout the year.

On 16 August 2011, Prime Minister Hun Sen ordered the closure of the 35 fishing lots in Tonle Sap due to rampant illegal fishing activities in the area. According to newspaper reports, the government would consider reopening the fishing lots after three years. The closure took even the Fisheries Administration (FiA) officials and international fishery specialists by surprise.

Prior to the order, a notification letter dated 12 August 2011 states: "Areas have to be re-examined, studied and evaluated properly. Which fishing lots should be abolished? Which should be retained for exploitation? Which should be converted into conservation lots, in order to rehabilitate fish resources?"

On 29 February 2012, *The Phnom Penh Post* newspaper reported that all 35 fishing lots in Tonle Sap were permanently closed. Overnight, a 100-year-old system of fishing lots disappeared from the lake. The fishing lots that were closed were converted into conservation areas and small-scale fishing grounds to be managed by Community Fisheries (CFi).

Fisheries reform

During the first fisheries reform in 2000, 56 per cent (536,000 ha) of the fishing lot areas were released for small-scale fishers to reduce

Around 82 per cent of the animal protein intake of Cambodians comes from fish and fishery products.

unique ecosystems. Cambodia now produces approximately 400,000–500,000 tonnes of freshwater fish annually, which comprises 75 per cent of the total fishery production in the country. Around 82 per cent of the animal protein intake of Cambodians comes from fish and fishery products.

Cambodian inland fisheries are classified into three categories by the fishery law—large-, medium-, and small (family)-scale fishing, based on the purpose, type and size of fishing gears. While large- and medium-scale fishing is for commercial purposes, small-scale fishing is for subsistence. Large-scale fishing is a licensed fishery, based on the auction of demarcated areas called 'fishing lots', which were established in the 1880s. Medium-scale fishing is

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conflicts between the commercial fishing lot operators and small-scale fishers. To manage the areas released, the Cambodian government introduced a community-based resource management system in small-scale fishing through the CFI. A CFI is a group of people formed voluntarily to manage and conserve the fisheries resources in the area. The fishing lot areas released were handed over to the CFIs nearby as fishing grounds and their management transferred from the previous fishing lot owners. CFI areas offer free and open access and are not exclusive for the members; hence, outsiders, such as neighboring villagers, can also access the area, even as they visit other CFI areas for fishing. However, a CFI can set up its own rules and regulations that will control the fishing activity of both CFI members and non-CFI members in the fishing areas.

A Community Fisheries Development Office was established in 2001 under the Department of Fisheries (now, the FiA) to facilitate and co-ordinate CFIs. By 2005, 388 CFIs had been established.

During the second reform phase in 2011-2012, an additional 271,126 ha were transferred as CFI areas (177,881 ha) and conservation areas (93,245 ha) in and around Tonle Sap. By March 2015, there were 588 CFIs in Cambodia, the majority located around the lake. Since then, recognizing their importance CFIs have been developed and supported for the management of sustainable fishing in the area.

Based on interviews with CFIs in different areas since 2011, it can be seen that generally, the Prime Minister's order of 16 August 2011 was welcomed by the small-scale fishers because they thought they would have more access to better fishing grounds which they were previously unable to access.

However, in practice, actual access for new areas varied from one CFI to another. Those located close to the former fishing lot areas could get new CFI areas, while communities without any fishing lots did not. Also, the government

decision on transferring the areas as fishing grounds or as conservation areas led to differences among the CFIs.

The Phat Sanday CFI in Kampong Thom province, for instance, got four new areas after the second fisheries reform. Two were demarcated as residential, pass-through areas, where no fishing was allowed; one area was a conservation area where no activities are allowed; and the other area was separated into two parts, a fishing area and a conservation area. The CFI members complained that though the area expanded it could not be used as fishing grounds. Also, earlier, when the area was controlled by the fishing lot owner, people were able to negotiate to pass through the area, but when it was declared a conservation area, they were forced to take detours.

Opinions, however, differ. For example, in the Kampong Os CFI in the Kampong Chhnang province, the members said they were happy to be able to fish closer to the village than before. When the area was a fishing lot, people were wary of approaching the area for fear of conflicts with the owner.

With larger CFI areas, the responsibilities of management and conservation increase, and could prove to be a burden since they call



Small-scale fishers at Tonle Sap, Cambodia. The closed fishing lots were converted into conservation areas and small-scale fishing grounds managed by CFI

for increased patrolling activities. CFI members are required to participate in patrolling even if their actual fishing grounds do not necessarily match the CFI area. Patrolling, therefore, calls for extra time and effort.

The frequency of patrolling varied among the CFIs, ranging from thrice a week to twice a month, depending on location and size of the conservation and fishing areas, and livelihoods and budget concerns. Apart from human-resource inputs, patrolling requires resources like boats, gasoline and mobile phones.

Though there are non-governmental organizations (NGOs) and international organizations supporting the CFI activities, they usually rely on project-based funding since it is difficult for CFIs to establish a sustainable self-funding system for patrolling. The lack of exclusive rights to CFI areas is also a disincentive against contributing resources.

With the second phase of fisheries reform, Cambodia has displayed a vision of managing fisheries resources through CFIs.

After the second phase of the fisheries policy reforms, which aimed to consolidate sustainable fisheries in the area and support the livelihoods of small-scale fishers, fishing gear restrictions were implemented more strictly than before. From 1987 until 2010, regardless of the development in fishing gear, type and size, restrictions were not updated. During the first reform phase in 2000, medium-scale fishing was exempted from licence fees and it was common for fishers to use medium-scale fishing gears for small-scale fishing, in the absence of regulation.

Once the second phase of reform was implemented, a new list of permissible fishing gears was announced in March 2012, which allowed 49 types fishing gear for the open season and 45 types for the closed season, up from 45 types listed by the 2010 proclamation.

Mostly, only small-scale fishing gear was allowed to be used in Tonle Sap.

Many fishers in the Phat Sanday CFI faced a problem since their major fishing gear was *lop lok*, an arrow-shaped bamboo fence contraption with a horizontal cylinder trap. This gear was classified as medium-scale fishing gear in the 2010 proclamation but it was not included in the 2012 list. Over 100 households in the Phat Sanday CFI borrowed between US\$2,000 and US\$5,000 to invest in fishing gear when they heard that the fishing lot had been regulated and would now be open only for small-scale fishers. Once they realized that *lop lok* was prohibited, they were left stranded. They claim that without using this particular gear, it is difficult to fish in their area. In early 2012, they collected signatures of over 900 households in the CFI and submitted a petition to the National Assembly, after which the government agreed to let them use the gear, provided its length was shorter than 50 m. Finding this inadequate, the fishers have again petitioned for the length regulation to be extended to 300 m. They did so by sending 600 signatures to the provincial governor in late 2012, and then, in 2013, another 600 signatures to the FiA. They hope that the length criterion will be changed to at least 150m.

With the second phase of fisheries reform, Cambodia has displayed a vision of managing fisheries resources through CFIs. Work on fisheries legislation and guidelines for small-scale fishing is under way, including ongoing discussions on conservation measures, and conflicts in water use among different sectors.

Family-based fishing

Most small-scale fishing in Cambodia is family-based, with the fishers deciding on the type of gear and when and where to use them. Only with positive incentives can the fishers be expected to get more involved in the CFIs. There is an example of a successful community-based commercial fishery in the

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CFi members burning illegal fishing gears. CFI can set up its own rules and regulations that will control the fishing activity in the fishing areas

coastal area of Rayong, Thailand, which utilizes the stationary set-net gear. The effort has been supported by the government, and international organizations and researchers. The Rayong fishery has also introduced a co-operative selling system in which half the profits are taken by the community members as salaries, while the remaining profits are saved for the management costs of the set-net.

Such a system could be modified and applied in some parts of Tonle Sap. Not only would it allow for the collection of catch data and cover patrolling costs, it would also enhance awareness among fishers to conserve and manage the resource in their CFI area through control of the number and size of the gear, as well as the fishing effort.

Another option for managing the Tonle Sap fisheries resources is a 'pooling system', which is widely used in Japanese coastal fishing, where members of the group share the profits and costs of fishing operations. The landings of members are pooled and sales proceedings are divided equally among the members. Commonly, groups of fishers with similar interests in specific fishing gears or species are formed. A pooling system could help avoid excessive investment and competition, especially when fishing effort has to be limited. A lower

entry barrier at the initial stage could be important, since fishers are not familiar with collaborative fishing.

In Tonle Sap, there are also fishing communities outside CFIs, involved in seasonal fishing as migrant fishers. It is, therefore, necessary to maintain the CFI area as non-exclusive to ensure free access to small-scale fishing for these non-CFI fishers. A mechanism to avoid conflicts between CFI and non-CFI fishers is also indispensable. Collection of fishing fees or a subsidy for patrolling could also be explored.

Since factors like location, environmental conditions, fish species, access to markets and traders, and livelihood patterns and needs vary, each CFI needs a unique approach and goal. Considering the lack of a history of collaborative management, more practical examples of fishing regulations and fishery management systems from other parts of the world should be provided to encourage CFI activities. It is clearly time to offer Cambodia's CFIs management options alongside consultations of how the communities would like their future to evolve.



For more



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Cambodia's Aquarian Reforms: The Emerging Challenges for Policy and Research

Fighting against Ruin

Soe Win, Chairman of the Fisher Development Association (FDA), Myanmar, was interviewed during his visit to India in late April 2015

Belonging to Ahseekalay Village, Pyapon Tsp, in the Ayeyarwaddy Region of Myanmar, Soe Win, who is Chairman of the the Fisher Development Association (FDA), spent time with *SAMUDRA Report* during the India-Myanmar exchange visit programme organized by the International Collective in Support of Fishworkers (ICSF).

The exposure visit was organized to allow representatives of fishing communities and civil society organizations from Myanmar and India to exchange experiences and ideas about issues related to fisheries.

in Myanmar, the organization he represents (FDA), and the issues currently being faced by the association and the small-scale fishing community in Myanmar.

The following is a paraphrased version of the interview:

Pyapon District in the Ayeyarwaddy region is located in a delta area, with around 70 per cent of the population living in rural areas and depending on the agriculture and fishery sectors for their livelihood. Around 30 per cent of the population depend on agriculture while the rest rely on fisheries and seasonal jobs.

The area has two types of fisheries—inland and marine. Most of the small-scale fishermen work in the inland fishery while the marine fishery is controlled by rich businessmen who also employ some small-scale fishermen as labour.

There are three types of fishing grounds in the inland fishery—leasable fishing areas, tendered fishing areas and common fishing grounds. The first two types are auctioned off by the government and few small-scale fishermen can access these fishery areas. The businessmen who buy the leasable and tendered fishing areas often re-sell parts of them to small-scale fishermen at higher prices.

Increased membership

In 2012 the FDA comprised fisher representatives from 41 villages of the Pyapon and Daydya township. Membership has increased gradually and FDA currently has 1,646 members from 71 villages. The association is organized with a cluster of villages at the base, aggregating to the township

Around 30 per cent of the population depend on agriculture while the rest rely on fisheries and seasonal jobs.

The programme was conducted over 10 days, from 21 to 30 April 2015. The principal objective was to see if lessons and experiences from the situation in India could help to promote the good governance process in the fishery sector of Myanmar.

The exchange programme was designed to study how small-scale fisher associations and federations could be strengthened institutionally, to understand the involvement of local governance institution in fisheries management and other social-development measures for fishing communities, and to analyze the role of small-scale fishery enterprises in the fishery value chain.

Soe Win shared his views on the fishing village he comes from, the situation of small-scale fisheries

*This interview with **Soe Win** was conducted during the India-Myanmar exchange programme for small-scale fishers during 21 to 30 April 2015, by **Yin Nyein** (helloyinnyein@gmail.com) and **Thant Zin Phyoo** (thantzinphyoo7@gmail.com), Network Activities Group (NAG), Myanmar*

and district levels, where different committees manage the affairs. All the representatives come from villages and each village has to nominate three representatives to the FDA.

Principally, the three main objectives of the FDA are to:

- improve policies that support the sustainable livelihood activities of small-scale fishers, protect their livelihood and fishing rights, and balance resource conservation and government revenue generation;
- ensure fair economic returns from small-scale fisheries production and work for diversification of livelihood opportunities; and
- enhance natural resource conservation so as to ensure the sustainability of small-scale fisheries operations and community livelihoods.

In pursuit of these objectives, the FDA has implemented the following activities and programmes:

- submitted a petition to the Ayeyarwaddy Regional Parliament, through parliamentarians, with the purpose of improving fishery policies;
- organized Fishery Forums at the district and regional levels to secure the rights of small-scale fishers;
- raised awareness of fisheries policies, rules and regulations among small-scale fishing communities;
- generated technical and financial supporting for small-scale aquaculture and fisheries activities;
- aided small-scale fishers to collectively tender applications to the regional government;
- provided loans to individuals and groups of small-scale fish gleaners;
- networked with other fisher organizations and took the lead to organize the Ayeyarwaddy Region Small-scale Fisher Network;
- raised awareness among small-scale fishers of the need for natural resource conservation; and
- facilitated a pilot fishery co-management programme in Daydyae township and helped spread awareness of co-management among small-scale fishing communities in other areas.



Soe Win, from Ahseekalay village in Pyapon District in the Ayeyarwaddy region of Myanmar, is Chairman of the Fisher Development Association (FDA)

Soe Win points out several issues and concerns that face the small-scale fishing communities in Myanmar today. Their participation in fisheries-related matters is poor due to a limited understanding of the importance of conservation and community-based resource management and fisheries development. The skills and capacities of individual committee members remain poor and need to be strengthened. Committee members often find it difficult to take time off from their livelihood activities for community development activities. They are also reluctant to accept accountability for their roles and responsibilities. Adding to these problems, support is lacking from government departments in co-ordinating and collaborating on development programmes. Meanwhile, fisheries resources continue to be depleted due to environmental neglect of the ecosystem, which is in danger of going to ruin.

For more

www.oxfamblogs.org/asia/transition-to-transformation/

Transition to Transformation

www.nagmyanmar.org

Network Activities Group

Lost Communities

The ancient institution of community village life in Goa, India, known as *comunidade* (Portuguese for 'community'), plays an important role in fisheries regulation

The tiny Indian state of Goa (area: 3,701 sq km; coastline: 131 km; east-west breadth: 60 km) has a strong fishing community located along the coast and in the estuarine backwater basins. Fisheries are a dominant sector in Goa's economy and, along with tourism, is a major source of revenue for the state.

The 1960 Census for Goa, Daman and Diu enumerated 4,891 persons as fishermen and the total population dependent on fisheries was estimated at 14,000, located in 14 villages in the coastal areas of Bardez, Goa and Salcete. Traditional country canoes

In 1957, the Portuguese government had brought four mechanized trawlers and purse-seiners into Goa. As there was no separate Fisheries Department then, they were handed over to the Board of External Trade (Junta de Comercio Externo) so that locals could be trained in operating them but the vessels were damaged during military action and were pilfered.

According to the Goa government's Economic Survey for 2009-10, the annual fish catch in 2008 was 88,771 tonnes in the marine sector and 3,078 tonnes in the inland sector (up from 84,394 tonnes and 4,397 tonnes, respectively, in 2004, but down from a high of 103,087 tonnes and 4,194 tonnes, respectively, in 2005. See Table.)

Table: Annual Fish Catch (in tonnes)

Year	Marine	Inland
2004	84394	4397
2005	103087	4194
2006	96326	4131
2007	91185	3070
2008	88771	3078

Since ancient times, an institution of organizing community village life called *comunidade* (from the Portuguese for 'community') has existed in Goa. Locally, it is called *gaunkary* or *gaunponn*. The sui generis institution came into existence by its own volition, crafted by the first settlers much before the overlords or Rajas came on the scene.

Resources pooled

The early settlers pooled their resources to found villages with defined boundaries and each installed

The sui generis institution came into existence by its own volition, crafted by the first settlers much before the overlords or Rajas came on the scene.

called *rampons*, made of wooden planks and outriggers have been traditionally used by the local Goan fishermen.

Eventually, mechanized trawlers made inroads in Goa's fishing industry. The financially challenged traditional fishermen were unable to shift to mechanized trawler fishing and so there were prolonged confrontations between the mechanized and traditional sectors. In the early 1980s Mathany Saldanha, a school teacher from Cansaulim, Salcete, took up the cause of the traditional fishermen under the banner of 'Ramponkarancha Ekvot' and continued to fight for the cause of ramponkars (traditional fishermen on *rampons*) even as a Minister in the Goa cabinet—until his death in early 2012.

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with a presiding deity or *gram-dev*. The founding fathers of these villages were called Gaunkars, and the absolute ownership of the village came to be vested with the *comunidade*. The *comunidade*, which is the primary owner of the village, creates titles for land by grants of assignment to individuals.

The *comunidades* are regulated by laws of custom and usage which were compiled for the first time in 1526 into a charter, and subsequently codified in 1904, 1933 and 1961. Land management is a duty of the *comunidade* and some lands are given on short- or long-term assignments, as escheat to the *comunidade*. Therefore, the *comunidade* villages are non-government villages or non-revenue villages.

Hence, to make a village a functional and economically viable unit, the founding fathers had a scheme. They invited the artisans of various trades, occupations or crafts to become village staff. They included temple priests, weavers, cobblers, ironsmiths and goldsmiths, washermen, carpenters, barbers, tailors, potters, doctors, fishermen and so on, as per the need of the village and the district. Necessary land for their habitation was earmarked and allotted to them for their homesteads as long as the person with his family stayed there and his children continued the trade. He was also allotted a parcel of field to cultivate rice for his own sustenance. The *comunidade* would pay remuneration for these services. This scheme was known as 'nomoxim' grants. When the head of the family died, he was replaced by another one with the reverted nomoxim conferred on the new incumbent. Besides these nomoxim grants, there were other usufructary assignments as well.

Fishermen, though they are not Gaunkars, are also included in the fabric of the *comunidades*, under the profession of '*tari*' or *pescador* which in Portuguese means 'fisherman'. Fishermen are important for Goans, the majority of whom are fish-eaters. The fishermen community in Goa is

a sub-caste of Hindus who converted to Christianity and continued the profession and they are called '*kharvi*' in Konkani.

Rui Gomes Pereira in his *Goa Vol.II: Gaunkari—the old village associations* records: "The corporation of the Passo de Ambarim (Ambarim wharf) was an institution of three *passos* (wharves) of fishermen that existed at Naroa, Santetem and Ambarim. Its members had the duties of providing seamen to His Majesty's Navy and performing service therein. In return, they had the right to fish in the rivers within its jurisdiction. They used to pay the national treasury (the Foro) 25 *tangas brancas*. In the second half of the 19th century, the community of Chorao seized its properties. However, in the year 1861, the government restored to the members their properties with the old obligation of rendering service to the Portuguese Navy, which had been suspended."

The *comunidades* used to maintain the river crossings that connected the roads on either side. Before the advent of mechanized ferry boats, rivers could be crossed only on dugout canoes, two of which were joined for greater stability and passenger capacity. These canoe ferries are known in Konkani as '*tar*' (hence, the term *tari* or for fishermen).

HENRIQUE FERNANDES



Hector Fernandes at Quitula Casan. 'Casans' or 'khajans' lie below the high-tide level and are protected by levees known as 'bunds' in the local Konkani language

Where *comunidades* exist, the ferry wharfs belong to them and the right to operate the canoe ferry for a year was auctioned by the *comunidade*. The ferry-man who won the right to operate the ferry could collect ferrying charges from travellers, except the Gaunkars who were to be ferried free in lieu of the auction money. The *taris* used to build huts near the wharves and stay there the whole year round, operating the ferries round the clock.

Apart from fishing in the rivers where the government has jurisdiction for issuing fishing rights, fishing is done in shallow tidal ponds and lakes where fishing rights are issued by the respective *comunidades* that own them. The *comunidades* have reclaimed the silted mud-flats to convert them into fertile fields by building levees or embankments locally called bunds. These vast tracks of low-lying fields called *casans* or *khajans* are below the high-tide level and are protected by the levees.

When these lands were reclaimed, the *comunidades* were actually creating what we today term 'special eco-fragile zones'. In the past, the brackish waters of the flood plains used to reach up to the hard-rock lateritic strata. Today, when there are breaches in the bunds, the water inundates the *casan* fields and makes the groundwater in the open-dug wells brackish and unpalatable. The reclamation of tidal mud-flats by construction of bunds has thus changed the ecological balance by preventing salt-water ingress into the groundwater.

The *casan* lands are not a mere stretch of flat, low-lying land but have an intricate system to take care of different natural events. Besides the levees or bunds, pathways were made so that even under situations of inundation, people could safely negotiate through the fields. There were also provisions for drainage to allow the runoff from hills and the upper reaches of the land to drain into the *poim* (a tidal brackishwater pond with an exit to the river) without causing undue flooding and water-logging of the fields,

which would have caused rice crops to rot.

The *poims* are also used for harvesting fish which is plentiful throughout the year. The right for catching the fish lies with the *comunidade* or with the owner of the particular *poim* and field. The right to catch fish is auctioned in two parts—the right to catch fish at the sluice gate and the right to catch in the *poim*. A funnel-shaped net is set up near the doors of the sluice-gate during the outflow of water when the sluice gates are opened. The fish that is expelled with this outflow is caught in the net. In larger *poims*, fishing rights are also auctioned separately with the condition that Gaunkars can also fish for personal consumption. However, each *comunidade* has its own regulations and outsiders have now begun bidding at auctions and fishing in the *poims*.

The changes in the demographic profile of Goa started over a century ago when the locals started migrating to foreign countries for better jobs and the local vacuum was filled by in-migration from neighbouring villages and states. In December 1964 a new law was created, The Goa, Daman and Diu Agricultural Tenancy Act and in June 1965, this Act was insidiously made applicable to the *comunidades*, thereby passing all community lands into private hands. The functioning of the *comunidades* was crippled and they began to lose revenues. Today, vast tracts of *casan* fields of the *comunidades* are lying fallow and uncultivated as the past tenants have either died or moved away.

For more



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Comunidades of Goa

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Twisted Lines

An examination of the usage of out-of-service submarine cables and the legal requirements applicable to them under international law

This article looks at the question of what happens to cables that are redundant or are out of service, and what are the legal requirements applicable to them under international law. Before examining the legal requirements, it is helpful to understand how out-of-service cables are reused.

We first need to understand what is meant by out-of-service submarine cables. Commercial considerations govern when a cable's status is changed from 'active' to 'out-of service'. These include the following factors: The cable system may have reached the end of its design life, which is typically 20-25 years; the increased cost of operating and maintaining the cable may have become such that the owners of the cable system agree to decommission it; and the need to remove the risk of liability for sacrificed gear and anchor claims and coastal State legal requirements in territorial seas.

Improved cable technology may cause a cable system to become non-competitive with newer systems. For example, overbuilding may have resulted in a glut of capacity on the cable route, making the operation of a cable commercially non-viable, notwithstanding the fact that it may only have been used for as little as 40 per cent of its design life. Frequently, it is a combination of these factors that results in the cable owner deciding to decommission the cable system and change its status to out-of-service.

The fact that a cable is out-of-service for one purpose, such as telecommunications, does not mean that its life is over or that it has no value to its owners. In some cases,

an out-of-service cable is reused for other commercial services, such as for seismology research, fibre-optic cable systems, artificial reefs, and other environmental monitoring purposes. Even when submarine cables are no longer in use, they continue to be the property of the cable owner and the proceeds of any recovery or reuse are retained by the owner.

Although the practice is not common, there are instances of cable owners entering into commercial salvage contracts in order to recover segments of out-of-service cables. Experience has shown that great care

In some cases, an out-of-service cable is reused for other commercial services, such as for seismology research, fibre-optic cable systems, artificial reefs, and other environmental monitoring purposes.

must be undertaken in the selection of the salvor. Because salvage is governed by maritime law, experienced admiralty counsel should be consulted by cable owners before entering into a cable salvage agreement. These norms are considered standard cable-industry recommendations.

Negligent salvage

Damages for negligent salvage include increased risk by cable owners by unauthorized or incompetent salvors who selectively retrieve easy-to-recover sections of cable while leaving other sections with masses of twisted armor wires, caned bird cages and cable displacements that expose cable owners to increased risk for indemnity claims for sacrificed fishing gear and damage to the seabed environment.

*This excerpt is from an article by **Douglas Burnett**, originally published in *Out of Service Submarine Cables: The Handbook on Law and Policy* (Brill and Nijhoff, 2014)*

It should be borne in mind that salvage operations in maritime zones under the sovereignty of coastal States (that is, internal waters, territorial seas and archipelagic waters) are subject to the laws and regulations of the coastal State. Therefore, the coastal State can require consent before salvage operations are carried out in these zones. Salvage operations which take place outside territorial waters (that is, the exclusive economic zone or EEZ, continental shelf and high seas) are not subject to coastal-State consent.

There are instances in which cables have been abandoned and their former owners no longer claim an interest in them. This is more common with regard to abandoned *telegraph* cables. Third parties may obtain title to such cables through admiralty proceedings in a court of competent jurisdiction. The third party must demonstrate to the admiralty court that despite reasonable efforts to locate the owners of the cable, they are no longer in existence, not traceable, or have explicitly renounced their interests in the cable. Due to the continuing international legal obligations discussed below, salvor arguments of implied ownership waivers by cable owners should be treated with caution and, in most cases, are rejected.

In maritime zones under the sovereignty of the coastal State—internal waters, territorial seas and archipelagic waters—the laying of cables is subject to the consent of the coastal State. Therefore, the coastal State can require that cables in these maritime zones be removed when they are no longer in service. The more interesting issues arise with regard to cables laid outside the outer limit of the territorial sea, that is, in the EEZ or on the continental shelf.

International telecommunication cables enjoy unique status under international law and treaties. The freedom to lay, maintain and repair international cables is well established (Convention for the Protection of Submarine Telegraph Cables, adopted 14 March 1884). The United Nations Convention on the Law of the Sea (UNCLOS) addresses

the decommissioning of structures and installations, but, essentially, such installations and structures are constructed to enable the coastal State to exploit the natural resources on the seabed. Even the provisions on the removal of installations and structures do not include pipelines, let alone cables. Therefore, the prevailing view is that there is no legal obligation under UNCLOS to remove cables that have been placed on the seabed in the EEZ or on the continental shelf when they are no longer in service. UNCLOS provisions include Article 21, Article 56 to 60, Articles 79 (1), (2), (3), (4), Articles 87 (1)(c) and 112-115, Article 145 (a), and Article 147 (2).

In light of the above, and the fact that the right to lay, repair and maintain cables is a recognized freedom in the EEZ and continental shelf, it appears clear that if any State was to unilaterally require the removal of cables outside its territorial sea, it would be exceeding its jurisdiction under UNCLOS. No State has been given the power to instruct other States to remove their cables outside of territorial seas. Accordingly, under international law, there is no requirement to remove out-of-service cables in maritime zones beyond the territorial sovereignty of any State.

Dumping

An issue does arise as to whether the abandonment of cables on the seabed would be pollution of the marine environment by ‘dumping’. The definition of dumping in Article I of UNCLOS is the same as that contained in the 1972 Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention). The definition of dumping includes any deliberate disposal into the sea of vessels, aircraft, platforms or “other man-made structures at sea”. The definition of dumping states that it does not include “placement of matter for a purpose other than the mere disposal thereof, provided that such placement is not contrary to the aims of this Convention”. However, there was some question as to whether

the deliberate abandonment of cables or pipelines could constitute dumping because cables and pipelines are structures, and the decision to abandon a cable no longer in use constitutes the disposal of a man-made structure at sea.

The 1996 Protocol to the 1972 London Convention clarified this issue. It provides that dumping includes any abandonment of man-made structures at sea for the sole purpose of deliberate disposal. However, it also states that dumping does not include the abandonment in the sea of matter such as cables which were placed in the sea for a purpose other than the mere disposal.

On this issue, the definition of dumping in UNCLOS should be interpreted as clarified in the 1996 Protocol to the 1972 London Convention. This makes it absolutely clear that the abandonment of communications cables on the seabed does not constitute dumping.

The Convention of the Protection of Underwater Cultural Heritage explicitly excludes submarine cables from the definition of underwater cultural heritage and classifies cable laying and repair as activities only “incidentally” affecting underwater cultural heritage.

UNCLOS sets out the rights and obligations of States with respect to cables. However, as discussed above, removal of out-of-service cables is primarily a decision made by the cable owners. The cable industry has published a recommendation on the various factors to be evaluated in deciding whether or not to remove all or part of an international cable system. The best industry practice with respect to out-of-service cables is to consider the following factors:

- i. Any potential effect on the safety of surface navigation or other uses of the sea, including a comparison of whether removal is reasonable or realistic, given the presence of other man-made objects on the seabed such as shipwrecks, debris, and oil and gas structures and installations.
- ii. Present and possible future effects on the marine environment. If the

cable is composed of material that is inert or environmentally benign, consideration should be given to leaving the cable in place.

- iii. The risk that the cable will significantly shift position at some future time.
- iv. The costs and technical feasibility associated with removal of cables.
- v. The determination of a new use or other reasonable justification for allowing the cable or parts thereof to remain on the seabed.
- vi. The environmental impact of leaving the cable in place, compared to the disruption caused by attempting to remove the cable.
- vii. The management of out-of-service cables as part of the cable protection programme.


The potential socioeconomic and economic benefits of recovering the cable.

If a decision is made to retain the out-of-service cable for future use or leave it in place, cable owners should then carry out the following actions:

- i. Notify international and national charting authorities that the cable is out-of-service.
- ii. Notify local fishermen and other seabed users of the change in status and confirm that future claims for sacrificed gear shall be considered on their merits.
- iii. Confirm that the cable owner remains responsible to any party by insurance cover or otherwise.
- iv. Consider alternative uses for the cable such as transfer to a scientific research body.

Fair evaluation of the above factors and undertaking the recommended actions is consistent with UNCLOS requirements for international cables that are out-of-service.

Cables in maritime zones subject to the territorial sovereignty of the coastal State are subject to the laws and regulations of that State.

The salvage of cables in maritime zones under the sovereignty of coastal States is governed by the law of the coastal State, but the salvage of cables outside of the territorial sea/archipelagic waters of any State is governed by the law of salvage. 

For more



iscpc.org/
International Cable Protection Committee

www.submarinecablemap.com/
Submarine Cable Maps

FISHERIES PRODUCTION

Chile's fisheries and aquaculture production drops sharply

Accumulated seafood landings through June 2015 totalled 1.5 million tonnes, 24.6 per cent less than in the first six months of 2014, when 2 million tonnes had been landed.

According to the latest Report on the Fisheries and Aquaculture issued by the Undersecretariat of Fisheries and Aquaculture (SUBPESCA), the fishing sector contributed 1.1 million tonnes, of which 81.2 per cent were composed of pelagic resources.

Sardine, anchovy and horse mackerel respectively accounted for 31.1 per cent, 31.4 per cent and 21.1 per cent of the capture sector landings accumulated until June 2015.

These landings were concentrated in regions V and X (62.1 per cent of the total); regions XV and II (29.2 per cent); and regions III and IV, which accounted for 8.7 per cent of the landings.

The cumulative anchovy landing up to June reached 279,200 tonnes, 38 per cent less than in the same period of 2014.

The main landing fraction was reported in regions XV to II, with 215,300 tonnes, accounting for 77.1 per cent of the total anchovy landings.

Meanwhile, total horse mackerel landings in the sixth month of this year ranges around 187,500 tonnes, 21 per cent less than in the same six-month period in 2014.

The main landing area was between regions V and X, with 123,400 tonnes (65.8 per cent of the total).

As to catches of demersal fisheries, as of June 2015 a total of 5,720 tonnes of southern hake was landed, 13.7 per cent less than in the same period in 2014 (6,630 tonnes).

The main contribution came from the artisanal fleet, with 3,600 tonnes, while industrial vessels landed 2,100 tonnes.

SUBPESCA also reported that the landing of hake accumulated up to June this year totalled 9,000 tonnes, 18.7 per cent less than in 2014 (11,080 tonnes).

Patagonian toothfish landings reached 1,410 tonnes up to June 2015, 10.1 per cent more than in the first six months of 2014 (1,280 tonnes).

Between January and June 618 tonnes of golden kingklip

were landed, compared to 520 tonnes in the same period last year (18.9 per cent more).

Meanwhile, the National Fisheries and Aquaculture Service (SERNAPESCA) reported that in the first six months of this year aquaculture harvests totalled 433,950 tonnes, which represents a decrease of 29.8 per cent compared to the same period of 2014, when 618,485 tonnes were obtained.

The main resources produced nationally were those of Atlantic salmon, mussels and Pacific salmon, which respectively accounted for 47.5 per cent, 44.6 per cent and 3.4 per cent of the total harvest.

Regions X and XI generated most of the harvest: a total of 299,100 tonnes and 119,700 tonnes, respectively.

Atlantic salmon harvests totalled 205,920 tonnes, 32.8 per cent less than the cumulative volume between January and June 2014 (306,450 tonnes). Most production was from Regions XI (105,800 tonnes) and X (82,200 tonnes).

The harvests of mussels accumulated until June totalled 193,655 tonnes, 2.1 per cent more than in the same period of 2014 (189,735 tonnes). 100 per cent of the harvests came from Region X.

Meanwhile, Pacific salmon harvests totalled 14,750 tonnes up to June 2015, 67.2 per cent less than the volume accumulated in the same period of 2014 (44,920 tonnes). Most of the production came from Regions X (63,400 tonnes) and XI (36,600 tonnes).

Source: FIS (<http://www.fis.com/fis/worldnews/worldnews.asp?monthyear=&ay=6&id=78403&l=e&special=&ndb=1%20target=>)

VERBATIM

In the tropics, then, sea life is intense, vivid, and infinitely varied.

— RACHEL CARSON
from *The Sea Around Us*

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ORGANIZATIONAL PROFILE

Abobodoumé Co-operative for Fishery Product Traders and Processors

Small-scale fisheries in the Ivory Coast account for nearly 75 per cent of the country's catches. In the capital, Abidjan, the commune of Abobodoumé is the biggest hub for small-scale fish products. With over 2,500 members, the Abobodoumé Co-operative for Fishery Product Traders and Processors (CMATPHA) is the biggest women's fish vendors and fish processors co-operative in the Ivory Coast, and forms part of the National Federation of Fisheries Co-operatives in the Ivory Coast (FENACOPECI).

CMATPHA has its own system for savings and credit. All women regularly contribute a small amount of money, with one receiving the total amount in turn, when a fishing trip needs to be pre-financed, for example, which is a way for women to have a guaranteed access to raw material.

But Ivorian women in fisheries have to face many

challenges like unfit sanitation of the processing sites, poor fish-smoking equipment which forces them to breathe smoke all day long, often with serious health consequences, losses through spoilage of raw material, which has sometimes



been paid for dearly by women.

In the last year, CMATPHA has fought for the voices of women in fisheries to be heard by their local traditional authorities and their national government. Some new fish-smoking equipment has been installed, with FAO support, which enables women to be better protected from the smoke; training, supported by the EU, has been organized so that the sanitary conditions and traceability of artisanally processed fish products is increased, allowing women

to target new markets with their traditionally processed products, at national, regional and even international levels.

A recent seminar looked at how to improve the functioning of women in fisheries' organizations in the Ivory Coast. CMATPHA was taken up as a model. It has generated a data sheet for each member, which has enabled the compilation of a database, as well as personal records for each member, with details of activities and savings accounts. The data sheet provides information on the education level of the woman, the number of children she has, and so on, helping to better understand what the real concerns of women are. The creation of the database has allowed the women to be better accounted for. CMATPHA also plans to create a website to highlight the importance and value of Ivory Coast women in fisheries activities.

FISHERIES STATISTICS

Fish Trade in Africa: An Update

Despite significant progress, international trade has so far not served as an effective tool for the achievement of rapid and sustainable economic growth and development for many African countries. Promotion of intra-regional trade constitutes an imperative response to challenges facing Africa and will contribute to enhancing the countries' capacity and getting them ready to compete more effectively on international markets.

Main production and overall trends

Over the past decade, world capture-fisheries production has remained stable at around 90 mn tonnes per year. In 2010, Africa contributed 7,597,427 mn tonnes, or 9 per cent of global caught supply, representing a regional increase of 6.8 times from 1,109,387 tonnes in 1950. In that year, fish catches and aquaculture totalled some 158 mn tonnes, valued at US\$ 217.5 bn.

In 2011, the African total capture-fisheries and aquaculture production dropped slightly to about 8,995,518 tonnes (6 per cent of world total), of which 1,398,091 tonnes came from aquaculture and 7,597,427 tonnes from capture catches. Overall, though, Africa's contribution to world fishery production has grown from 5.9 per cent in 1950 to 8.1 per cent in 2011. This increase has been due to the extension of national exclusive economic zones (EEZs) to 200 miles; higher fishing capacity and technological progress; creation of national industrial fleets; high rate of motorisation of artisanal canoes (61 per cent in Africa) and fishing agreements signed between African countries and others, especially the EU.

Global inland production was estimated at 11.2 mn tonnes in 2010, of which Africa contributed about 2.5 mn tonnes. Uganda and the United Republic of Tanzania are the leading fishing countries in the African Great Lakes region, while Nigeria and Egypt, with

their river fisheries, remain the main producers in Africa.

African import and export trade patterns

Global fish trade has been increasing very rapidly in recent decades. An estimated 45 per cent of the world catch is now traded internationally. The widespread use of refrigeration, and improved transportation and communications, has facilitated this vast expansion of trade, which is an important engine of economic growth and development.

Africa's share in global exports continues to be minor, estimated at US\$4.8 bn in 2011. Expansion of export volumes was primarily due to the growth in exports of fresh, chilled or frozen fish (which constituted over 50 per cent of the total); and, to a lesser extent, prepared and preserved fish and fishmeal. These exports generated fairly low per unit values, but helped drive export revenues due to the large volumes exported. While export volumes of crustaceans and molluscs have remained largely stagnant over the past two decades, they contributed significantly to the growth in export values, generating almost 30 per cent in value in 2006-2008 (compared to 13 per cent in volume).

Main export market: Europe

The top ten African exporters accounted for 89.5 per cent of the total value of fish and fishery products exports from the continent. Morocco (leading with 29 per cent), Namibia (15.8 per cent), South Africa (12.3 per cent), Mauritius (7 per cent) and Senegal (6.3 per cent)—are among the top 50 global fish exporters, with Morocco contributing 1.1 per cent to global trade (1.11 per cent of value) and Namibia around 0.6 per cent. Exports grew from 3.5 per cent in 1980 to around 4 per cent during the early 1990s and then stabilized around 4.6 per cent.

The number one market for the top ten African exporters of fish products is Europe

(70 per cent), followed by Asia (15 per cent), Africa (11 per cent), North America (2 per cent). Oceania and South America are estimated respectively at 1 per cent.

In 2010, Africa's top 10 exporters received between 46 per cent and 92 per cent of their fishery products export revenues from the EU, and Mauritania's share was the lowest due to the importance of their trade on the Japanese market which accounted for around a third of exports (mainly frozen fish and molluscs).

Dependency on the EU market is highest for Madagascar and Côte d'Ivoire where in 2010, France alone imported 83 per cent (mainly shrimp, prawn and processed tuna) and 61 per cent (mainly processed tuna) of the countries' fishery products exports, respectively. Spain was by far the largest EU importer of products from Morocco as well as Namibia, Côte d'Ivoire, South Africa and Mauritania. Spain's imports were almost entirely made up of crustaceans, molluscs and unprocessed fish, with the exception of the products from Mauritius and, to a lesser extent, Côte d'Ivoire. Italy is also an important market in the EU, especially for products from Morocco, South Africa and Tunisia.

Imports: high volume, low value

The continent is an important market for fish, accounting for around 11 per cent of global volume of imports. However, in value terms, African imports were low at around 3.48 per cent of global value in 2010. The top ten importers recorded 82.6 per cent of the total value of imports. Nigeria is the world's fourth largest importer in volume terms (5.4 per cent of global imports) after China, Japan and the US, but only 23rd in value terms or 0.8 per cent. Similar to exports, import volumes grew by some 5 per cent annually between 1976 and 2008, while import values increased at a faster rate of close to 7 per cent on average per year.

Main species and products

Imports are dominated by fish—essentially fresh, chilled and frozen—which accounted for close to 90 per cent of imports on average, over the last decade. The most commonly imported fish has been fresh, chilled and frozen mackerel (almost 40 per cent) and other unspecified frozen fish. Fresh, chilled and frozen fish also accounted for the largest share of import values, although prepared and preserved fish tended to attract a high value (14 per cent in 2006-2008) relative to their share in import volume (5 per cent). Imports of dried, salted and smoked fish remained low, even though they are widely consumed in Africa. The demand is likely met through domestic production which is processed and consumed locally, and/or fresh fish which is imported for processing into dried, salted or smoked products.

Products purchased by the top 10 African fish importers are mainly fresh, chilled or frozen fish. South Africa is the notable exception because crustaceans and molluscs account for a quarter of its imports, while prepared and preserved fish constitute about one-third. The top 10 importers together, account for 90 per cent of Africa's import volumes and 80 per cent in value terms. The main market for fish meal is Nigeria (second biggest cultured fish producer).

Overall, EU countries accounted for just over half of Mauritius' imports. The Seychelles was the largest African supplier (7%) while South Africa and Morocco sold the largest shares of processed products to the island state. South Africa obtained the majority of its imports from Thailand (44%, primarily processed sardines and tuna) while India, the second largest import source, exported mainly crustaceans to South Africa. China was also a fairly important trading partner. South Africa sourced only 5% of products from the African continent.

Source: Amadou Tall, independent consultant

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

Béné, C., Devereux, S. and Roelen, K. 2015.

Social protection and sustainable natural resource management: initial findings and good practices from small-scale fisheries. FAO Fisheries and Aquaculture Circular No. 1106. Rome, FAO. 61 pp.

Using small-scale fisheries as an illustrative case, this publication explores how social-protection interventions can be used to reduce the vulnerability and strengthen the resilience of households and communities that depend principally on renewable natural resources to sustain their livelihoods and food security. It identifies and reviews existing social-protection policies, schemes and instruments with regard to their potential role in supporting the transition to sustainable natural resource management in fisheries, including the identification of universal and targeted social-protection schemes and instruments that fisheries-dependent communities have access to, as well as how these groups are defined within the context of those policies.

By providing an overview of the different sources of vulnerability and concrete examples of exclusion affecting actors in the fisheries sector, this publication also increases awareness of the vulnerability of small-scale fishers and fishworkers to natural and human-induced hazards as well as other social, economic or political risks.

<http://www.fao.org/3/a-i4620e.pdf>

Voluntary Guidelines for Flag State Performance

The Voluntary Guidelines for Flag State Performance seek to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing through the effective implementation of flag State responsibilities. The Guidelines are wide-ranging and address the purpose and principles, the scope of application, performance assessment criteria, co-operation between flag States and coastal States, a procedure for carrying out an assessment, encouraging compliance and deterring non-compliance by flag States, co-operation with, and assistance to, developing States with a view to capacity development, as well as the role of FAO. They are expected to provide a valuable tool for strengthening compliance by flag States with their international duties and obligations regarding the flagging and control of fishing vessels.

<http://www.fao.org/3/a-i4577t/index.html>

Videos

India's Disappearing Beaches—A Wake-up Call

This is a non-profit film produced in the public interest by Shekar Dattatri for Pondy Citizens' Action Network (PondyCAN). It explains how erosion takes place and how it is possible to not only prevent man-made erosion but to restore lost beaches through the right measures.

<https://www.youtube.com/watch?v=KgTn6Qpgjok>

FLASHBACK

A Useful Toolkit

Thursday, 14 June 2007, will go down in history as a particularly significant day for fishers and fishworkers all over the world. That was the day the 96th Session of the International Labour Conference (ILC) of the International Labour Organization (ILO) adopted the Work in Fishing Convention, 2007, which seeks to guarantee innovative new labour standards to improve the conditions for millions of men and women working in the fishing sector worldwide.

Adopted in the year of the silver jubilee of the 1982 United Nations Convention on the Law of the Sea, the Fishing

Convention is the first ILO instrument in fishing since the adoption of the 200 nautical mile exclusive economic zone regime by coastal States in the 1970s. This time around, unlike at the 93rd Session of the ILC in



2005, more countries, including China, which accounts for the largest share of fishing capacity and the largest number of fishers in the world, voted for the adoption of the Convention.

The Convention has a three-tier structure. First, all provisions of the Convention, upon its ratification, would apply to fishing vessels above 24 m in length, and fishers working on board such vessels. Second, many of the provisions would apply to the majority of commercial fishing vessels and fishers working on them, regardless of size of the vessel. Third, some of the prescriptive provisions would apply to fishing vessels below 24 m over an unspecified period of time. The latter tier, presumably, applies to industrial fishing operations employing vessels below 24 m.

On the matter of compliance with the requirements of the Convention, the flag States are required to undertake inspections, reporting, monitoring, complaint procedures, appropriate penalties and corrective measures. There are further port-State provisions, albeit weak, to report to the flag State, about non-confirmation to the requirements of the Convention by a fishing vessel that calls at its port, and even to take measures to rectify any conditions on board such a vessel that are hazardous to safety or health. Except for minimum age, the other provisions of the Convention that would apply to the small-scale and artisanal subsector are non-prescriptive; it has been left to the ILO member countries to adopt laws, regulations or other measures to implement them.

— from *Comment in SAMUDRA Report No. 47, July 2007*

ANNOUNCEMENTS

MEETINGS

41st Annual Conference of the International Association of Aquatic and Marine Science Libraries and Information Centres (IAMSLIC): "Blue Growth: Motivating Innovations in Aquatic Information Management"

7–11 September 2015, Italy, Rome

The conference will discuss and exchange knowledge and information on the Blue Growth Initiative as well as share the best

practices and innovative ideas in fisheries and aquatic information management.

Meeting of Experts to Adopt Flag State Guidelines for the Implementation of the Work in Fishing Convention, 2007 (No. 188)

21–25 September 2015, Geneva

The Meeting will consider and adopt flag State guidelines for the implementation of the Work in Fishing Convention, 2007 (No. 188). It will be composed of 24 experts—eight nominated by the

Employers' group, eight nominated by the Workers' group of the Governing Body, and eight nominated by the Governments of Argentina, Brazil, Indonesia, Morocco, Namibia, Norway, South Africa and Spain. Should any of the Governments mentioned above decline to nominate an expert, one of the following Governments would be invited to do so: Canada, France, Japan, Mauritius, Panama, Peru, Portugal or Thailand. The Meeting will also be open to interested Government observers. Experts should have practical

knowledge of inspection of living and working conditions on board fishing vessels.

Committee on World Food Security 42nd session

12–15 October 2015, Rome, Italy

The 42nd session will focus on making a difference in food security and nutrition. The annotated agenda for the session is available at: http://www.fao.org/fileadmin/templates/cfs/Docs1415/cfs42/CFS_2015_42_1_Provisional_Annotated_Agenda_en.pdf



Endquote

*The Ocean has its silent caves,
Deep, quiet, and alone;
Though there be fury on the waves,
Beneath them there is none.
The awful spirits of the deep
Hold their communion there;
And there are those for whom we weep,
The young, the bright, the fair.*

— from “The Ocean”
by **Nathaniel Hawthorne**

