

Right to Food

The recent report of the UN Special Rapporteur on the Right to Food reaffirms the crucial role of fisheries in food security

Environmentalism is a dominant theme in debates on fisheries policy, due to the looming crises caused by human impacts on resources and the environment. The report of the United Nations Special Rapporteur on the Right to Food, Olivier De Schutter, presented to the UN General Assembly on 2 November 2012, is, therefore, most welcome (see interview on page 20). In it, he reaffirms the crucial role of fisheries in contributing to food security, particularly for vulnerable populations and food-insecure regions. He examines how the most vulnerable sections can be supported in the progressive realization of the right to food, noting that a human-rights approach is critical for sustainable development in the fisheries sector.

The report is a useful guide on addressing the challenges facing the sector through policy responses grounded in obligations to respect, protect and fulfill the right to food. It recommends that States should *respect* existing access to adequate food, and abstain from taking measures that result in reducing such access. They should protect the right to food by ensuring that enterprises or individuals, like industrial fisheries and private developers, do not deprive more vulnerable groups of access to adequate food; and they should fulfill the right to food by acting proactively to strengthen people's access to, and utilization of, resources and means of livelihoods.

Making a strong case for supporting small-scale fisheries, the report urges States to refrain from measures, including large-scale development projects, that may adversely affect the livelihoods of inland and marine small-scale fishers, and their territories or access rights, unless their free, prior and informed consent is obtained. It calls for involving fishing communities in the design, implementation and assessment of fisheries policies and interventions that affect them, and supports the establishment of co-management and community-based schemes.

The report proposes exclusive artisanal fishing zones and user rights for small-scale and subsistence fisheries, and suggests regulating the industrial fishing sector to protect the access rights of traditional fishing communities. Noting the safety-net function of small-scale fisheries, the report seeks to keep fisheries "relatively open and free", and argues against

the introduction of transferable fishing quotas. It recommends human-rights impact assessments, involving fishing communities, before the conclusion of fishing-access agreements.

Highlighting the need to strengthen international efforts to address overfishing, the report calls for abolishing subsidies for fuel or boatbuilding in the industrial fishing sector. It urges a review of all other subsidies to ensure that they contribute to the realization of the right to food, both domestically and in third countries/extraterritorially.

On aquaculture, the report strikes a cautionary note, drawing attention to the continued reliance on wild-caught fish, fishmeal and fish oil in some

forms of aquaculture. It calls for support to sustainable aquaculture practices that benefit local communities and agroecological fish-farming practices, including rice-fish or rice-shrimp systems.

The report recommends "swift and wide" ratification of the International Labour Organization (ILO) Work in

Fishing Convention to improve working conditions on board fishing vessels as well as in the fish-processing industry, especially by improving safety, sanitation and hygiene standards, and enhancing social-security measures.

Lastly, the report welcomes the "important initiative" under the Food and Agriculture Organization of the United Nations (FAO) to develop international guidelines for sustainable small-scale fisheries as a complement to the FAO Code of Conduct for Responsible Fisheries. In this context, it seeks the active and meaningful participation of fishers' organizations in the preparation of these guidelines, consistent with existing international human-rights norms and standards.

While calling for action to address the severe and growing pressure on global fisheries resources, the UN Special Rapporteur stresses that options pursued, even when technically sound, must be consistent with the right-to-food and human-rights obligations of States. Policymakers and civil society organizations would do well to heed these recommendations. It is critical that negotiators get it right in the upcoming intergovernmental technical consultations on the international guidelines for sustainable small-scale fisheries.

