

For the Common Good

Faced with the difficult context of conflicts and over-bureaucratization, traditional fishing communities in Brazil have creatively built various strategies of confrontation and resistance

Artisanal fishing has guaranteed food and nutritional security for millions of fishing communities in Brazil. It is estimated that almost 70 per cent of the fish produced in the country comes from artisanal fishing. Besides economic importance, working men and women in small-scale fishing have, over the years, developed a list of 'know-hows' and 'how-to's' which represent cultural elements of indigenous and Afro-Brazilian roots, associated to lessons learned from a deep relationship with nature over the years.

The fact that artisanal fishing is an ancient activity means that fishermen and fisherwomen have established a very special relationship with nature. No doubt, the many strategies used by these communities ensured the preservation of their traditional territories, as well as their physical and cultural reproduction.

Brazil is internationally recognized for being a mega-diverse country, with many river basins and an extensive coastal zone, which together provide the basic fisheries resources for food security across the country.

Considered one of the oldest productive activities of humankind, fishing is an important source of income, generating employment and food. Artisanal fishermen and fisherwomen develop fishing for commercial, cultural or subsistence purposes, autonomously or in a household system. In Brazil, it is estimated that the activity involves approximately 3.5 mn people throughout the production chain and artisanal fishing accounts for approximately 70 per cent of the fish production of the country. According to the former Ministry of

Fisheries and Aquaculture (MPA), as of September 2011, 957,000 of the approximately 970,000 registered fishers are small-scale, 44 per cent are fisherwomen (128,427). Currently, these groups are organised into about 760 associations, 137 trade unions and 47 cooperatives. For fishers' movements, it is estimated that in Brazil there are over 1.5 mn 'men and women of the waters'.

The Brazilian neodevelopmentalist model has intensified conflicts and rights violations against artisanal fisherwomen and fishermen due to State policy. The government's action ignores the way of life of these

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communities. Aimed at opening spaces for the advancement of large projects, predatory tourism, mining, water privatisation, land speculation, business aquaculture, construction of infrastructure for commodities flow, ranging from roads, railways, ports, mine ducts to ports, among other investments, which, encouraged in a disorganized way, are threatening the livelihoods of these traditional populations.

We can list the following aspects:

The plans of privatizing water bodies for aquaculture projects, be they marine or freshwater, have been ongoing since 2003; however, only in the last few years has it been possible to notice its effects in more obvious ways. In this context, the decree

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No. 4.895 was approved on 25 November 2003, which provides for authorizing the use of physical water body spaces of Union domain for aquaculture. There were many investments made by SEAP (Special Secretariat of Aquaculture and Fisheries) and MPA in order to make more flexible environmental laws or deregulate the laws protecting ecosystems. These bodies carried out heavy investments in infrastructure and development of technologies for aquaculture and there was a broad consolidation of alliances with business sectors interested in this market. According to the Ministry's own data, 900 ha of water surface were offered for this purpose in thirteen states in 2013.

Since 2013, numerous notices were published for the ceding of public water bodies so that their use could be regulated by local individuals or entities whereas, traditionally, the communities had been using them for tens or hundreds of years. The assessment of environmental and technical facilities was carried out through a process called Local Development Plan of Sea Culture

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(PLDM) and did not take into account the views of the communities. The process of publishing the bid documents was done without consultation or seeking any consent, as provided under the ILO Convention 169 of which Brazil is a signatory, nor was there any public hearing. The intention of the recently wound-up MPA was to transform Brazil into one of the largest fish producers in order to meet the demands of the foreign market. This intensified conflicts over the use of water bodies. In this context, a legal basis was created to grant permission for private use of Union waters and to enable the deployment of marine

farms. The MPA, before its extinction, was attempting to influence the Civil House to further facilitate the privatization process through reducing the control exercised by environmental and administrative bodies such as IBAMA (Brazilian Institute of the Environment), ANA (National Waters Agency) and SPU (Union Heritage Department).

Another concern is shrimp farming, which has left an unsustainable trail worldwide and is one of the activities that most degrades the mangrove areas, and reduces the habitat of numerous species. This destruction of mangroves and other coastal ecosystems and inland waters is advancing, and it adds to a systematic violation of human and environmental rights of people in the waters of the sea, mangroves, lagoons, ponds and rivers. The shrimp farms use sodium metabisulphite and antibiotics in large quantities, which contaminates the water and constitutes a significant potential impact on human health. Shrimp farming has experienced a long period of bankruptcy, and shrimp crops have been decimated by viral diseases such as white spot and infectious myonecrosis due to the environmental and social unsustainability of the activity. Many ponds were abandoned, leaving environmental and social liabilities, which included approval of the State for writing-off of debts with public banks and non-accountability for environmental crimes. With the approval of the new Forest Code, this sector has, since the end of 2014, been reinvigorated, and the resumption of several conflicts with fishing communities, death threats, ban on fishermen's access to fishing areas, cutting extensive areas of mangroves and so on, is already evident.

Fishing statistics

In order to downplay the importance of artisanal fisheries, the MPA has stopped collecting fishing statistics which, although they did not account for the entire production of artisanal fisheries, were at least a minimum reference point for the country, and a tool for fisheries



Members and Supporters of Conselho Pastoral dos Pescadores (CPP) in Brazil. It is estimated that artisanal fishing activity involves approximately 3.5 mn people throughout the production chain

management. Scientists point to the losses suffered from lack of information for ten years, regarding the changing behaviour of species, which is politically irresponsible as it affects the production of knowledge and the future of the country's biodiversity. Thus, artisanal fishing, which, according to past statistics, once accounted for almost 70 per cent of fish production, now represents only 45 per cent, according to new data projections. The goal is to force an artificial growth of the aquaculture business in the same areas where thousands of fisherwomen and fishermen work.

The growth of mass tourism, through leisure package tours, represents a major cause of conflict. Big resorts, which took over the communities in order to give space to large hotels, have greatly advanced, especially in the northeast. In river areas, the government has encouraged amateur fishing, attracting a lot of 'fish and pay' enterprises who take away areas from the riparian communities in order to build guesthouses which cut off the

community's riverside access. This generates serious conflicts with sport fishers who, armed, are constantly threatening artisanal fishers.

Another conflict factor that has intensified in recent years and become visible is the creation and/or implementation of an integral type of protected area that does not allow human presence. Numerous communities, after the implementation of these usage plans, have been expelled and their traditional fishing activities and farming subsistence prohibited or they have been prevented from building houses and accessing goods and services such as electricity, housing and so on. The implementation of these units is contradictory as the government licenses widespread destruction of nature, but creates small conservation areas too, just in name.

Fisherwomen

The implementation of the projects has affected fisherwomen more violently. They are insecure and vulnerable with the arrival of many men from other territories, lured by

the promise of employment. They can no longer go to their work areas alone, particularly in mangrove areas. The number of cases of harassment and sexual violence has increased, generating a situation of fear among women. Prostitution and harassment of girls and trafficking in fishing communities have also increased. Women have complained of ailments linked to contamination by heavy metals and pollution of the workplace.

Allied to this pressure of territorial suppression by large enterprises, a series of measures that violates the rights of traditional fishing communities or imposes policies and specific regulations through ordinances and normative instructions aimed at reducing the rights of communities is observed. Throughout 2014 and 2015, fishing communities and their allies were in an intense process of retaliation to numerous measures intended to circumvent, reduce and remove labour and social-security rights, even interfering with the identity and self-determination of these communities, a right

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which is guaranteed in the Brazilian Constitution, and in legislation and international conventions and treaties signed by the Brazilian State.

The Ministry of Fisheries has adopted measures that reduce the access of fishermen and fisherwomen to closed craft insurance, which guarantees a minimum wage in the months in which fishing activities are paralysed due to the reproduction pattern of certain species and spawning in rivers. The measures taken by the MPA have increased bureaucratisation under the pretence of getting rid of the so-called false fishermen; thousands of work permits of real fishermen have been cancelled and they have lost their rights. By end 2014, there were 289,000 cancellations; the MPA

stopped issuing 200,000 new registrations in the years 2013 and 2014.

The counter-reaction of artisanal fishermen and fisherwomen in Brazil

Faced with such a difficult context, traditional fishing communities have creatively built various strategies of confrontation and resistance. The Movement of Artisanal Fishermen and Fisherwomen in Brazil (MPP)—the largest fishermen's movement currently existing in Brazil—is on alert and has focused strongly on the State and managed to reverse some processes.

The National Campaign for the Regularisation of the Traditional Fishing Communities Territory has strengthened the movement's capacity for critical analysis, incorporating concepts of territoriality, customary rights and identity. Constant analysis of the situation has enabled a rapid reaction to events. However, the difficulty of raising sufficient resources to mobilise communities and the difficulty of supporting some areas undergoing serious situations of conflict are of great concern for networking.

National Campaign for the Regularization of Traditional Fishing Communities Territory

In 2012, Brasília DF, in the presence of 2,000 fishermen and fisherwomen, the National Campaign for the Regularization of the Traditional Fishing Communities Territory was launched. The background for this campaign can be traced to the parallel conference, organized by many grassroots groups and entities in support of artisanal fisheries in Brazil, expressing discontent with the fake participatory processes of conferences held by the government. The parallel conference aimed at diagnosing the situation of fishing in Brazil and proposing outputs and public policies autonomously to present to the government.

Participatory discussion

This conference allowed fishermen and fisherwomen from 20 states to participate in a discussion process that began with communities and

states, through a base document, and culminated in a national debate covering numerous themes about artisanal fisheries. At the parallel conference, which brought together about 1,000 artisanal fishermen and fisherwomen in all thematic groups, the loss of, and threats to, territory appeared as the central issue. This led to the emergence of a new fishermen movement which, tired of cutting-edge methods, began to organize a grassroots movement. The most important battle call was for the defence of territory. A National Campaign for the Defence of Fishing Territories was proposed.

The movement invited consulting entities, universities and specialized professionals to build a participatory process for the campaign. In the context of the conservative Brazilian National Congress, it was felt that the best strategy would be to build a popular initiative for two reasons: (i) the difficulty to get any bill approved by a Congress dominated by agribusiness and other economically powerful sectors; and (ii) the possibility of making use of an instrument that would allow broader participation and mobilisation of fishermen and fisherwomen in a process that generates empowerment regarding existing territorial rights, strengthens the resilience of communities to defend their territories, makes visible the environmental conflicts that fishermen are subjected to, and seek the solidarity and support of larger society in defence of the territory.

So, caravans were built under the guidance of different leaders of various states and partners who walked through several Brazilian states presenting to the fishing communities the National Campaign in Defence of the Fishing Territories proposal. Many communities embraced this campaign with much enthusiasm.

Importantly, the popular initiative was built around the broad and autonomous participation of fishermen leaders who debated with experts such as anthropologists and lawyers, defending the way of life and worldview of artisanal fishermen

and fisherwomen and their communities. Once built, the proposal was circulated through the states where fishermen collectives validated it. On the eve of the campaign launch, a group of fishermen from several states welcomed the suggestions and questions, and closed the proposal after seeking legal advice for an appropriate formulation of the legislation.

Launch of the campaign and the beginning of the journey

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The launch of the campaign, which took place in Brasilia, was attended by 2,000 fishermen and fisherwomen, and was marked by many symbols, including songs and lots of fish, in order to present to Brazilian society, the wealth and diversity of artisanal fishing. Each state brought along their own symbols. The opening act featured fishers—men and women from various regions—authorities, representatives of Via Campesina, CNBB, and other important groups who spread the message of the campaign. There was also a public hearing where all states filed innumerable complaints to present to the public prosecutor, Deborah Duprat, together with representatives from the National Congress for the Committee of Human Rights and the Ministry of Environment. The launch of the campaign was highlighted by a parade that took over the roads of the federal capital.

Meetings called for deepening the knowledge of the proposed bill through workshops aimed at empowering fishermen and fisherwomen regarding the theses of the bill. Diverse groups visited five to six states during the year in order to expand the campaign.

The movement's plans to collect signatures in the states was marked by creativity, the hallmark of the process, with numerous events,

meetings, seminars and symposiums at universities and participation in popular, religious and cultural festivals as well as home visits at the end of each activity. One fisherman and his little son went through all of Ceará's beaches on a bike to collect signatures for the campaign, which was featured on TV and in radio programmes. Each day the campaign attracted more support and solidarity.

This process has led to many positive results for communities and artisanal fishers. Among them, we highlight the following:

- empowerment of fishermen and fisherwomen regarding the debate on territory and traditional communities,
- increased resilience in communities threatened by destructive projects,
- broadening the knowledge of fishermen and fisherwomen on public lands and the process of regularisation,
- increasing the number of complaints regarding land grabbing and territorial insecurity,
- highlighting how the campaign bill influences the construction of rules for land regulation, specifically for fishermen in the SPU (Union Heritage Department),
- increasing resistance to eviction from territories,
- making MPP's impact felt on the 6th Chamber and SPU through the campaign, by generating referrals to secure the land rights of communities,
- generating impact and visibility of the international campaign for land and water privatisation in the context of the struggle for territory in Brazil,
- encouraging communities to initiate a regularisation process in other countries,
- advances through local strategies for signature-gathering and discussion on the campaign, which has allowed MPP to strengthen and grow, and
- gaining grounds in social and other media, reflecting the communities' concerns and helping increase membership.

Finally, the campaign for fishing territories placed fishermen and fisherwomen at the centre of the national debate and has won the support of many groups, including universities. As a result, the number of academic studies on fishermen and fishing territories has expanded.

The good life and the guarantee of fishing territories.

A whole new debate on the defence of the common good, which is opposed to the mercantilist perspective of life and nature that deregulates the hard-won rights, is being articulated in Brazil. This 'common good' notion offers space for reflection and appreciation of the relationships established by the traditional communities—among them, fishing communities—as social practices and historically constructed knowledge which have guaranteed the maintenance of a set of tangible and intangible resources that are central to humanity (such as biodiversity, knowledge of natural systems such as water, atmosphere, genetic structures and so on). As a result, traditional populations and their extractive and peasant economies have been accorded a special role in discussions on the conservation of natural resources for the present and future generations.

Strengthening identities and participating in networking around key issues are among the major challenges for the coming years. The key challenge is how to advance the defence and guarantee of territory. 📌

For more

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