

PROPOSED DRAFT POLICY ON SMALL-SCALE FISHERIES

CATEGORISATION OF ISSUES UNDER CONSIDERATION

Overall, common issues and concerns are placed broadly into two policy categorizations:

Category 1:

Relevant policies exist (to address the concerns) but are ineffective due to lack of implementation or implementation challenges (financial, logistical or lack of capacity etc). Cases under this category include: IUU fishing – [saiko, use of light, explosives, undersize mesh size, harmful substances in fishing and preservation] despite the existence of the Fisheries Act of 2002 (Act 625) which prohibits all forms of IUU, harmful and destructive fishing practices; Pre-mix fuel shortages and overpricing despite the existence of the National Premix Secretariat to regulate the product.

Category 2:

Relevant policies do not exist, are too universal in scope or disjointed across several ministries, departments or agencies (MDAs) and are therefore difficult to implement to respond to the needs of fishers and fishworkers.

The focus of this consideration is Category 2: issues and concerns that need to be addressed within the framework of policies with specific provisions or interventions for the SSF sector or applicable to the SSF sector; but at present *do not exist or too universal in scope*.

KEY ISSUES TO BE ADDRESSED

NO.	ISSUE
1.	<p>Lack of <u>secure</u> tenure rights to fishery resources: Although customary fishing rights are generally acknowledged, the lack of recognition in formal legislative instruments makes fishing communities and fish workers susceptible to arbitrary eviction and restrictions, land grabbing and other forms of abuse by more powerful public and private sector interests</p>
2.	<p>Universal social development focus: The lack of social development policy framework that prioritizes the needs of small-scale fisheries, with a focus on vulnerable and marginalized groups is a contributory factor to the high incidence of poverty, deprivation and deplorable social infrastructure prevalent in fishing communities.</p>
3.	<p>Lack of well-defined policy on employment and decent work standards: Employment and decent work standards remain a major challenge as there is no overarching policy that outlines a concerted approach to addressing hazardous work, child labour and trafficking, occupational safety and health, social protection and high-income volatility in small-scale fisheries.</p>
4.	<p>Inadequate support for women: While the invaluable contribution of women in the fish value chain is well-documented; there is very limited support for women and their households to enhance their role and contribution. As a result, underlying factors contributing to the inefficiencies in the post-harvest value chain are not effectively addressed.</p>
5.	<p>Disconnect between law and practice on gender equality and equity: Whereas the legal framework for gender-just and equitable society exist, there is a disconnect between law and practice; and between national gender mainstreaming policies and their implementation at the community level.</p>

NO.	ISSUE
6.	Inadequate focus on climate change monitoring and disaster preparedness: Current approach to disaster risks and climate change tend to respond to crisis: after disaster has occurred; with a limited focus on disaster preparedness, and coordinated efforts for post-disaster rehabilitation and development.
7.	Lack of accurate and timely disaggregated data: Accurate and timely information on small-scale fisheries is lacking, and conventional data typically do not capture socio-economic aspects such as post-harvest and value chain actors, gender, youth, migration, vulnerable and marginalized groups.
8.	Inadequate funding: Budgetary allocation to the sector ministry (MoFAD) for small-scale fisheries directly related programmes is inadequate and this hampers its capacity to fulfil its mandate.

3.2.1 Proposed Policy Objective 1:

To ensure that small-scale fishers, fish workers and their communities have legitimate tenure rights to aquatic resources and land to effectively protect them from arbitrary restriction and eviction, land grabbing and other forms of abuse.

The strategies for achieving this objective include:

- 1.1 Enact legislation to:
 - 1.1.1 Recognize the customary practices and rights of fishing communities to safeguarding and managing the fishery resources
 - 1.1.2 Recognize that women fishers and fish workers have rights to secure tenure including habitation, and areas for pre- and post-harvest activities
 - 1.1.3 Protect small-scale fishing grounds and adjacent land
 - 1.1.4 Protect fishers and fish workers from compulsory eviction; denial of access to fishing grounds and areas for pre- and post-harvest activities.
 - 1.1.5 Require mandatory social, economic and environmental assessment of risks and impacts of large-scale projects on fishing communities before they are undertaken
- 1.2 Develop enforceable regulations on large-scale project implementation in fishing communities to:
 - 1.2.1 Anticipate and avoid any adverse impact project activities may have on the rights of fishing communities, their livelihoods and well-being
 - 1.2.2 Engage fishing communities in consultations (through free prior, informed, consent-FPIC) and subsequent project planning and documentation processes that will address potential risks and impacts.
 - 1.2.3 Establish proof of social, economic and environmental impacts assessment undertaken, disseminated and discussed with communities in appropriate format and language.
 - 1.2.4 Minimize, mitigate, and/or compensate appropriately and gender-equitably for physical displacement, loss of income or other means of livelihood caused by project related restrictions on aquatic resources, land or eviction.
- 1.3 Develop guidelines on customary tenure rights in consultation with fishing communities to harmonize existing practices with human rights standards paying attention to women rights, migrant fishers, and support services along the fish value chain.
- 1.4 Provide educational campaigns and training to encourage participatory co-management; with due attention to equitable participation of women, vulnerable and marginalized groups with shared responsibility in designing and implementing and monitoring management measures.

- 1.5 Strengthen the institutional capacity of Fisheries Commission among others to monitor and enforce greater compliance with fisheries laws and regulations including: incursions into the Inshore Exclusive Zone (IEZ) by vessels above 50 GRT, illegal transshipment of fish (saiko) and canoe-industrial/oil vessels coalitions.
- 1.6 Establish a grievance and redress mechanism on tenure rights to:
 - 1.6.1 Effectively address all tenure related complaints and issues raised by fishing communities.
 - 1.6.2 Function in a way that is accessible and transparent; and in a format and local language/s understandable to persons with limited or no formal education
 - 1.6.3 Afford persons or communities whose tenure rights are affected or likely to be affected to air their grievances without external interference, intimidation, discrimination or threat.
 - 1.6.4 Take specific measures/s for remedial action, (where violation has occurred, consistent with 1.2 above) including but not limited to: restoration, appropriate and gender-equitable compensation or reparation.
- 1.7 Involve fishing communities (through their duly appointed representatives) in participatory monitoring and evaluation of tenure rights and governance on an ongoing basis with laid-down indicators of progress.

3.2.2 Proposed Policy Objective 2:

To design a social development framework that prioritizes the needs of small-scale fisheries to ensure that all aspects of their human development needs are effectively addressed.

The strategies for achieving this objective include:

- 2.1 Develop and use of appropriate social development indicators for fishing communities: Addressing the unique social development needs of fishing communities requires multidimensional indicators that are human-rights based, gender-equitable and inclusive; tailored specifically to the SSF sector. The draft policy proposes 12 indicators namely:
 - a. Poverty reduction and eradication
 - b. Employment and skills development
 - c. Decent work focusing on working conditions across the fish value chain
 - d. Social inclusion targeting all groups in fishing communities
 - e. Health including occupational health and safety, sexual and reproductive health
 - f. Literacy and education
 - g. Adequate, safe and affordable housing

- h. Sanitation and potable drinking water
 - i. Clean, affordable and reliable energy
 - j. Small-scale fisheries allied institutions
 - k. Sexual and gender based-violence awareness and protection
 - l. Safe and timely access to justice
- 2.2 Link all aspects of social development needs of fishing communities with human rights standard and consistent with the multidimensional indicators outlined in 2.1.
- 2.2.1 Poverty reduction and eradication:
- To address the high incidence of poverty, interventions on poverty will be backed by disaggregated data; target specific groupings in fishing communities; and prioritize the needs of vulnerable groups including women and children, the aged and people with disability (PWD).*
- 2.2.2 Employment and skills development:
- To address the high unemployment and underemployment in fishing communities, interventions will be specific to the small-scale fisheries sector with a wider focus to address the causal factors; stem the high urban migration, check the overexploitation of fishery resources and child labour and trafficking.*
- 2.2.3 Decent work focusing on working conditions across the fish value chain:
- To effectively address decent work deficits, a guideline on decent work in the SSF sector will be developed to improve conditions of work safety, health and sanitation. It will also bring together public, private, and community social protection schemes with their modalities that will enable fishing communities to enjoy better access to social security, social assistance and social insurance.*
- 2.2.4 Social inclusion targeting all groups in fishing communities
- To address all forms of social exclusion manifestations, all policies affecting small-scale fisheries will recognize the different forms of discrimination, gender norms and power imbalances in the sector to ensure that social interventions reach the most marginalized and/or disadvantaged.*
- In terms of decision making, MoFAD will strengthen its relationship with all groups/associations in the small-scale fisheries sector through their recognized and/or appointed representatives; and involve them in*

participatory consultation processes, validation, monitoring and reviews for necessary course correction.

2.2.5 Health including occupational health and safety, sexual and reproductive health

In order to address the barriers to quality, affordable and accessible healthcare by fishers and fishworkers many of whom are exposed to long hours of work under the sun, fatigue, smoke inhalation, and other hazardous conditions; a health intervention plan for the SSF sector will be developed to translate the benefits of the national health policy to fishing communities.

The health intervention plan for the small-scale fisheries sector will focus among others; preventive healthcare, maternal healthcare, equitable distribution of health facilities, education on health insurance schemes and improve quality of public health insurance (NHIS) healthcare delivery in fishing communities.

2.2.6 Literacy and education

To further increase access to basic education, improve the quality of teaching and learning and make non-formal education more accessible to majority of adults in fishing communities; an education intervention plan for the SSF sector will be developed.

The education intervention plan will seek among others; to foster partnership with fishing communities to improve enrollment and retention of pupils, and ensure gender parity at both lower and higher lower levels of education. It will also focus on non-formal education (NFLP); with the design of fishery-related occupational literacy.

2.2.7 Adequate, safe and affordable housing

In order for fishing communities to benefit from adequate, safe and affordable housing, a housing intervention plan for the SSF sector will be developed. The housing intervention plan will seek to address the peculiar needs of fishing communities by fostering institutional dialogue between central/local government and intersectoral MDAs on housing with fishing communities to examine priorities and options in social housing including; community-led and government-supported schemes.

2.2.8 Sanitation and potable drinking water

In order to translate national policies on sanitation and potable water to effectively address the needs of fishing communities, a water and

sanitation hygiene (WASH) intervention plan for the SSF sector will be developed. The WASH intervention plan will focus among others; improving access and delivery and prioritize the needs of women and children who suffer disproportionately.

2.2.9 Clean, affordable and reliable energy

A clean, affordable and reliable (CAR) energy intervention plan for the SSF sector will be developed. It will improve upon existing interventions and ensure among others that; CAR energy safeguards the nutritional quality of fish and health of both processors and consumers, and reduce the cost of processing and post-harvest losses through cost-efficient technologies, education and training.

2.2.10 Small-scale fisheries organisations and allied institutions/services

As the lead ministry, MoFAD will strengthen its existing partnerships with representatives from fishing communities and fish worker organisations. It will also expand its collaborations to encompass all relevant SSF stakeholders; including but not limited to NGOs, CSOs, academia and media houses with a view to build inclusive working relationships with all actors in the sector.

In order to minimize duplication and enhance complementarity of programmes, MoFAD will maintain a register of relevant stakeholders in the SSF sector. Without seeking to undermine their autonomy, MoFAD will encourage formalization of SSF groups and associations with either the Department of Cooperatives or Registrar General Department for effective coordination and collaborations within this proposed policy.

2.2.11 Sexual and gender based-violence awareness and protection

To effectively address sexual and gender-based violence, MoFAD will review and update its Gender Mainstreaming document in the light of this proposed policy. The review will spell out specific provisions to support victims of SGBV including, but not limited to; support with safe shelters, medical bills and legal fees to encourage reporting of SGBV and prevent cases from being discontinued. It will intensify efforts at education, training and public awareness within fishing communities.

2.2.12 Safe and timely access to justice

In order to facilitate safe and timely access to justice, a guide on the justice delivery system will be developed for the small-scale fisheries sector. The guide will place emphasis on partnerships between MoFAD and FWOs, CSOs, CBOs and traditional authorities in educating

communities on the judicial system and human rights abuses and violations as well as socio-cultural beliefs that are inimical to the delivery of justice. The Guide will also promote alternate dispute resolution (ADR) system (for civil disputes) in fishing communities and provide relevant information on legal aid for vulnerable and marginalized groups including women and children.

- 2.3 Establish a Small-scale Fisheries Development Secretariat to effectively oversee and implement the social development objectives outlined in 2.1 to 2.2 above.

3.2.3 Proposed Policy Objective 3:

To provide adequate support for women and other actors in the fish value chain; improve their living and working conditions and enhance their roles and contribution to food security and poverty reduction.

The strategies for achieving this objective include:

- 3.1 Create a disaggregated database of pre- and post-harvest value-chain actors (including communities, households, associations and groups) in the small-scale fish value chain.
- 3.2 Establish dedicated funds for the small-scale fisheries sector to promote and facilitate better access to affordable capital.
- 3.2 Expand capacity development across the entire sector including education and training in improved processing, storage, packaging, transport and marketing with participation of fishing communities and fish worker organisations (FWOs) to reduce health risks associated with hazardous processing methods and ensure wholesome fish/fishery products.
- 3.3 Liaise with MMDAs to promote market infrastructure tailored to the needs of SSF through:
 - a. Modernization and proper maintenance of existing markets.
 - b. Developing new market facilities with a particular focus on the needs of small-scale fisheries processors, and traders including day-care, clinic, storage facilities and auditorium with audio-visual equipment for training.

3.2.4 Proposed Policy Objective 4:

To ensure that SSF communities play effective roles in climate change monitoring and disaster preparedness; in order to reduce their vulnerability to the negative impact of climate change and disasters.

The strategies for achieving this objective include:

- 4.1 Develop a well-defined climate change mitigation and adaptation plan (CCMAP) for the SSF sector; with clearcut roles for fishing communities in the process and outcome of climate change remedial measures including: planning, development, implementation, monitoring and reporting.
- 4.2 Outline closer coordination of stakeholders including Ghana Meteorological Agency (GMA), Environmental Protection Agency (EPA), National Disaster Management Organisation (NADMO) with fishing communities for a more proactive disaster risk management and post-disaster rehabilitation to build back better.
- 4.3 In view of the frequency and severity of tidal waves and storms, the CCMAP will prescribe a programme of education for both marine and inland fishing communities on disaster preparedness and management.
- 4.4 The CCMAP will create an early warning mechanism with clear channels of communicating relevant weather forecasts and early warning reports with fishing communities.
- 4.5 The CCMAP will re-assess periodically existing approaches to plastic waste and pollution in small-scale fisheries with a view to building well-resourced and well-coordinated community-based approach.
- 4.6 The CCMAP will also address unsustainable practices (including sand mining and deforestation of mangroves) through education of communities on sustainable management of the fishery ecosystem to safeguard small-scale fisheries and food security.

3.2.5 Proposed Policy Objective 5:

To provide a framework for accurate and timely disaggregated data on small-scale fisheries.

The strategies for achieving this objective include:

- 5.1 Develop a clearcut system for collecting and testing disaggregated data on small scale fisheries in partnership with Ghana Statistical Services and other relevant MDAs, intergovernmental agencies, and development partners.

3.2.6 Proposed Policy Objective 6:

To ensure availability of adequate funds for small-scale fisheries programmes, projects and activities.

The strategies for achieving this objective include:

- 6.1 Establish a Small-scale Fisheries Development Fund to cater explicitly for the implementation of the proposed draft policy; or amend Section 36 of the Fisheries

Act of 2002 (Act 625) to make explicit provision to fund direct small-scale fisheries programmes, projects and activities.

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