

Seeking Refuge

Only proper implementation of Peru's General Fisheries Law will reduce fishing pressure in coastal waters. It will also protect the resources and provide fishers better income and food security

The Humboldt Current drives northwards along Peru's Pacific coast. The upwelling it generates in the tropical waters of the country's northern shores has immense value for fisheries. Its vast relevance is not new to this publication; a previous article dwelt on the extraordinary diversity of fishing techniques, especially in coastal waters, to tap the bounty of this current (see *SAMUDRA Report* No.77, September 2017).

The number of fishing boats has risen constantly over the past decades. More recently, Peru has witnessed a significant increase in distant-water artisanal fleets targeting mahi mahi or giant squid. There has been a concomitant increase in fishing pressure in the area within five nautical miles off the coast, with the presence of purse-seiners using mechanical devices to haul the nets. The five-mile strip has been protected since 1992, with specific exclusion of any type of purse-seines. Since 1995 only industrial fleets have been excluded. But there has been a presence of industrial fishing boats within the five-mile zone on at least three occasions, the last being in 2011, off the southern parts of the country.

In 2017 all the fishing boats (purse-seiners) registered to catch anchoveta for human consumption were excluded from the three-mile fishing zone. This ban, however, has never been fully enforced. In the tropical waters around Tumbes in northern Peru, purse-seiners and trawlers have been excluded from the five-mile zone for more than 10 years. Trawling is only permitted in the tropical and transitional fishing areas.

Old law, new features

In May 2022 Peru's National Congress passed a law with three main elements.

One, it acknowledged traditional fishing activities as deserving of specifically-targeted policies. Two, it amended two key articles of the country's General Fisheries Law to add a new category of fishing fleet, namely, small-scale, to the existing two categories of industrial and artisanal; the law excluded access to the five-mile fishing zone to industrial vessels and mechanized purse-seiners that were previously unrestricted have been restricted from the three-mile zone. Three, it calls for transparency and stricter norms in fishing regulation.

The new law states that the Ministry of Production is responsible for regulating fishing. It establishes a series of tasks to enforce the full protection of the five-mile area, But the ultimate deadline for its implementation expired in August 2023.

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From the moment the law was passed, purse-seine owners strongly resisted their exclusion from the three-mile zone. They found support from some parliamentarians and even from some artisanal fisher organizations that put their private interests before resource conservation and ecosystem protection.

The co-ordination body of small-scale fisheries organizations responded to this campaign. It demanded publication of the implementing regulation and explained to the Congress that the law, published

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ALEX PROIMOS



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The boats of Ancon, a district of northern Lima Province in Peru. From the moment the law was passed, purse-seine owners strongly resisted their exclusion from the three-mile zone

six months ago, is yet to be fully implemented. Furthermore, the organizations of small-scale sustainable fisheries from Huaura and Huaral provinces have sued the ministry for the lack of enforcement.

It is imperative that the implementing regulation is aligned with the law's objectives, enabling a better arrangement of activities in coastal waters that comprise a refuge for many fish species to breed and protect their juveniles. This is the first step towards a reduction of fishing pressure in coastal waters and, in the long run, towards resource protection. In the long run, it will bring small-scale fishers a better income, not to mention food security for the country. 3

For more

Against the Current

https://www.icsf.net/wp-content/uploads/2021/06/4306_art_Sam77_e_art03.pdf

Peru moves to strengthen fisheries protection in the 5-nautical mile zone through amended law

<https://www.icsf.net/newss/samudra-exclusive-peru-moves-to-strengthen-fisheries-protection-in-the-5-nautical-mile-zone-through-amended-law/>

Peru passes new law to protect its oceans thanks to artisanal fishers

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