



Issue No. 6

# Daily Rights

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A Civil Society Newsletter for 4SSF

**Thursday, 16 October**

- Presentation: Securing economic and social rights
- Presentation: Human-rights approach to sustainable development
- Presentation: Indigenous peoples
- Panel Theme 3: Securing social, economic and human rights

## *Speaking from the heart*

In one of the most powerful presentations of the workshop, Zoila Bustamante Cárdenas President, Confederación Nacional de Pescadores Artesanales de Chile (CONAPACH) spoke from her heart. Naturally so, as she is a diver herself, and comes from a fishing family and community.

She started her presentation, pointing out that the FAO has taken a very long time to organize a conference on small-scale fisheries, and to invite fisherpeople, like herself, to them. And, reacting to the statement made by speakers the previous day, she added emphatically that: “We are not poor. We work with our hands, we work for our food”. This resonated well with an audience comprising of fishworkers and NGOs in large part, and was met with loud clapping.

Her speech drew heavily on the Punta de Tralca Statement adopted by the Latin American Workshop on artisanal fisheries, organized by ICSF, CONAPACH, Ecoceanos and CeDePesca. The workshop, held between 4 to 8 August 2008, had participants from 12 countries. In her speech Zoila strongly denounced bottom trawling, industrial aquaculture and the individual Transferable Quota (ITQ) system, all of which, she said, are destroying resources and threatening the livelihoods of communities.

“We uphold the common property nature of aquatic resources, and oppose the privatization of resource rights”, she said. She stressed that States should suspend the granting of further concessions for industrial aquaculture until they are able to ensure the conservation of biodiversity, aquatic ecosystems, fishery resources, public health and the rights of coastal communities.

Zoila went on to denounce free trade agreements that affect the sustainability of the fisheries. Regarding ecolabels, organizations of artisanal fishers should work to develop their own labels themselves that display their attributes, she said.

She highlighted that artisanal fishermen and women, indigenous people, and traditional fishing communities are people with their own territory, culture and economic activities grounded in fishery-related work, which form the basis of their identity and livelihoods. Artisanal fishing, she said, is a socio-cultural expression and not merely a form of employment.

As she ended her speech, she showed a photo of a small boat near her *caleta* in Chile. “I hope I can show you the same photo ten years later”, she said, capturing in a simple yet powerful way her aspiration to sustain a livelihood she loves, using traditional technology and knowledge.

Many participants were really moved by her speech. We can go home now they said—all that had to be said has been said.

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## Accessing Rights!!!

*Reporting of groups, by Nandakumar and Murlidharan*

**Governance of small-scale fisheries** should recognize the rights of the small-scale fishers in restoring and protecting their resource, reported the group. Government and civil society organizations have to play a joint role in this regard. Traditional institutions play a key role in small-scale fisheries governance, and an enabling environment is required for the participation of these institutions and fishers at different levels, said the group.

Group on **Equitable Access Rights** reported, the areas of challenges for this complex issue included, those relating to— protected areas, unsustainable models of resource management like ITQs, tourism developments and aquaculture operations. The group felt that Article 6.18 of the FAO Code of Conduct for Responsible Fisheries, on preferential access rights of small-scale fishers is often ignored, while encroachment of industrial fishing continues. Important issues identified included need for house hold level access and gender equity from a livelihoods perspective.

The group on **recognition and support of livelihoods and culture**, said small-scale fishers are not inherently poor, but the modernization made them poor —value equated with money by modern economic systems. Fishers have always valued the living resources and ecosystems, attributed by local knowledge and culture and not just in monetary terms. The group emphasized on past value and culture against modernization (that modernization is unsustainable).

**Local level management**, should be accommodated into the policy and legal frame work, with capacity building and empowerment of community institutions for implementation and to overcome challenges, said the group. It further said, gender mainstreaming and creating space for women to express, are non-negotiable, especially role of shore-based workers in fisheries legislation. Participatory approaches, networking of local institutions and ensuring equity are other important prerequisites.

Small-scale fisheries sector intersects with tourism, trade, agriculture, energy and infrastructure development, with positive and negative implications, reported the group on **inter-dependencies**. Marginalization of small-scale fishing communities in national and international policies, weak capacity of the stakeholders to participate in policy debates, and lack of livelihoods diversification opportunities, were identified as major challenges.

**Marine protected areas** should not be looked at as only closed areas but as management systems, with the demand coming from the fishers, said the group. Major concerns included levels of participation, process of decision-making and the gender insensitiveness in the process. A properly designed MPA with the involvement of fishing communities, can promote biodiversity, identified the group.

Solutions to high fuel cost and uneconomic fishing operations, was the focus of the group on **appropriate energy saving technologies**. The group suggested technical specifications and others such as —long trips for fishing, using carrier boats, operation at optimum speed, use of GPS, gear selectivity for high value catches, and promoting traditional use of sails as well as other new technologies such as wind turbine, solar, hydrogen etc. Information on fuel consumption patterns and energy economization measures in developing countries need to be documented for wider use, and to inform fishers.

## Long Journey to 4SSF

*Interview with Rolf Willmann, FAO, by Paul Molyneaux*

*How do you feel about the sentiments expressed by some members of the civil society that the conference has not given adequate time for presentation of the civil society statement?* Well they [the organizers of the Civil Society preparatory meeting] insisted on presenting on the first day and I was under pressure to stick with the timetable. But they have been well represented in the presentations and on the panels. Today we had Zoila Bustamante's presentation, a wonderful presentation, and tomorrow we have Chandrika Sharma, and a panel with Nalini Nayak. So I did not think it was fair to say that civil society did not have a voice. And theirs is not the only voice. There is also the opportunity to listen and question. How often does civil society get a chance to question a representative from the World Bank? And Bjorn, I realize he is an academic, but he made some very good points. And believe me, everyone who is here is committed to small-scale fisheries.

At the same time civil society does not have all the answers, small-scale is not a guarantee of sustainability, I remember in 1990 in Kanyakumari, India, asking a small-scale fisher about limits, and he implied that there were none. He would not be saying that now. Ask Vivekanandan about what could have been avoided if they had listened to me back then. (Vivekanandan agreed that there had been over-capitalization in the small-scale sector, and that Rolf's warning about the impending collapse of the shark fishery had proven all too true.)

*Fair enough, but I think the position of some of the members of the civil society group feel that since collectively we represent thousands of fishers in 30 different countries, we should have more time than say government officials. I think there are a lot of people here who have fought very hard to get their voices heard, and they may have come with an expectation that this conference belonged to them.*

I admit this conference could have been better designed, if we could have known that civil society

*(Contd. pg 4)*

## What is my right?

*Seremos Kamuturaki, An inland fisherman and fishing community activist in Lake Victoria, Uganda, and Executive Director Uganda Fisheries and Fish Conservation Association (UFFCA), in an interview with Harini Kumar*

### Significance of the Global Conference

I see this conference as a great way to exchange knowledge, experiences, strategies and various approaches to similar problems being faced by small-scale fishing communities throughout the world. The discussions in the civil society conference were very good and I realized that although so many different countries were represented, the issues were all quite similar, whether in marine or inland. I come from the inland fisheries of Lake Victoria in Uganda and an important problem we face is overcapitalization.

### Issues faced by fishing communities in Lake Victoria

In Lake Victoria, there is a lot of pressure on fish stocks of Nile Perch and Tilapia. This has resulted in the near collapse of fisheries. Also, fish export trade has also resulted in the establishment of many fish processing factories along Lake Victoria, in Kenya, Uganda and Tanzania. The fishermen are forced to put greater pressure on the existing fish stocks, and often resort to destructive and illegal fishing gear and practices for survival. Exports of fish products have been the motivating factor for overfishing in Lake Victoria.

There are many other consequences especially for women. In the past they used to get enough fish from their husbands, friends, relatives to process into smoked products, sun-dried products etc., for the regional and local market. Now because of the export trade that is prevalent, they have to compete with factory agents. Women are also forced to trade sex for fish and sell their bodies for survival means. This is on the increase, now that the fisheries resources have dwindled. The most important consequence of this is the increase of HIV/AIDS in Lake Victoria.

Unfortunately, there is not enough attention that is given to this situation and the government officials fail to recognize and make visible this problem.

### Perceptions of rights

Due to lack of awareness and weak social movements in our country, fishermen in inland fisheries are not aware of their rights. So there is nobody pushing the government to implement anything. How can you demand your right when you don't even know it is yours? Also, there is a fear in the community to demand for rights as the level of organization is very low in inland fisheries when compared to marine capture fisheries.

### Co-management initiatives

From 1994 we have been fighting for a fisheries law in Uganda.

In 2003, the government came up with the Beach Management Unit (BMU) legislation as there was a lot of poisoning of fish in the lake and the use of destructive fishing methods, and the government did not have the capacity to control the situation and find a solution to these serious issues. They saw no way out other than to work with the fishing communities themselves, hence the BMU law came into being. This law also created the space for the participation of women in the decision-making process; it was decided that women should have minimum 30% participation in the beach management committee.

Initially this was thought to be a good representation, but after a year or so we realised that there was no women's voice on the committee at all. Also, women on the committee started representing their own individual interests rather than the interest of the community as a whole. However, the major problem was not the women themselves but how the constitution was made. The majority of the men did not want women on the committee. They felt that they-owners of the boats-could not sit with workers, labourers and women and discuss the same issues. It took us a long time to convince people and raise awareness that it should be a collective effort to manage fishery resources. How can one make a decision when labourers or women are not around on the committee? This was the beginning of co-management.

However this system failed as it was a top-down approach; it did not come from the grassroots. The government imposed on the people to form a committee and the result now is that the committee members are more loyal to the government than to the people and hence there is a lot of corruption. Therefore the question of accountability and transparency is still looming large.

The government and committees are responsible for the collapse of fisheries in Lake Victoria but why are they not intervening in this time of crisis? The way forward is to dismantle the committee and review the law. We should give the fishing communities an opportunity to organize from the grassroots and not rush into these arrangements and assumptions like the government did.

### Way forward

Cooperation between Kenya, Tanzania and Uganda is very important. We need to realize socio-economic justice for all the fishers in the Lake Victoria region. The various civil society organizations around Lake Victoria, including UFCCA, have organized themselves into a regional network called **Lake Victoria NGOs Advocacy Network-East Africa (LAVNET-EA)**. We are now mobilizing a collective voice to tell our respective governments about the problems fishing communities are facing. This is clearly not only a regional concern but also an international one as I see my friends and colleagues from different countries facing similar situations.

would be producing a statement, of course we could have made time, but everything was put together rather quickly and none of our organizers from civil society raised the issue, and now the programme is set and there is no time. You have to understand too, how far we have come, this conference would not have been possible even a few years ago. But we have been working together, and some of these people, Dao from Senegal for example, he sits at the table with government, with the decision-makers when before they would not even listen. At the same time, small-scale is not a guarantee of sustainability

*Can you talk about that process, how did this conference come about?*

Well I started working with small-scale fishers in India in 1979, where I met John Kurien. All the work I have since done with small-scale fishers has been informed by my experience of those two years in India. This led to my participating in the formation of the ICSF in 1986 that came out of two conferences that were held in 1984: The World Fisheries Conference, organized by the FAO, and an almost counter conference, the International Conference of Fishworkers and Their Supporters, organized by John and others. That was the start of the ICSF, all the initials are there, just not in the same order.

Then, more recently, there were two other FAO conferences, Sharing the Fish in 2006 and COFI in 2007 and the small-scale sector was not well represented, and we realized there was a need to strengthen their participation. So we put this conference together very quickly, in two months really, from the time it was approved. And I have to say the only reason I was able to do that was because of my long association with the small-scale sector, and the many connections I have made over the years.

*So is this just the beginning, will there be more such conferences to come?*

I hope so, I hope that this is just a step that future conferences can build on, but I have to say this is the last one that I will organize. There may be others but they will have to be organized by someone else. For now, we are looking forward to the COFI in March of 2009, this will be the largest conference yet and we are looking for a strong representation of the small-scale sector. We are counting on all of you to show up there and make a contribution.

*Is there any point in particular that you would like to make?*

Just this: Fisheries are an example of all the problems humanity faces, we have seen it all, and Illegal Unreported, and Unregulated (IUU) fishing is comparable to greenhouse gases. We have the experience, and the lessons from all the problems of humanity. And humanity now is approaching a time of great difficulty.

## Daily Wrongs: Trade widens gaps

By Vivek Storyman

While there appeared to be some sort of a pro-SSF consensus with regard to issues of access and rights, the issue of trade and SSF is widening by the hour. Even in the civil society meeting preceding the conference, the agreement to reject eco-labels was a touch and go affair. Now in the Conference, the disagreement on most trade related matters is sharp with widely diverging opinions. For some, it is eco-labeling, as implemented by the MSC that is the problem. That the MSC represents an alliance between environmentalists and the corporate sector is in itself a matter of concern for some. For some others, eco-labeling itself is not acceptable since ecology or biology centred view of fisheries is blind to the complex socio-economic issues involved in fisheries management.

The presentations on the first conference theme on access rights clearly indicated that the application of science based tools to assess artisanal or small scale fisheries is difficult. If MSC still believes that its criteria, which seems to best fit a combination of developed country, temperate water and industrial fisheries, can be useful to small scale fishers in the tropics and developing countries, it is surely living in fool's paradise. Some civil society groups see social labeling as an alternative that can provide the SSF with an edge to compete with large scale fishing units that otherwise enjoy an unfair advantage in access to fish resources and markets. However, there is yet another group that is against all labels because they are opposed to export oriented production itself. Even within this group one can have those who are not opposed to regional trade or south-south trade but object to food moving from south to north.

Thus the supporters of the SSF are a rainbow coalition as far as trade issues are concerned. At one end of the spectrum we have the pragmatists who would like to get best results for SSF within the existing market constraints and opportunities. At the other end of the spectrum are those who are idealistic and normative and see their opposition as part of a fight for a different world. However, if the opposition sees this as fragility in the SSF camp, they are mistaken. This diversity of opinions has not prevented the SSF supporters from working together on a wide range of issues. Yet, this is definitely a weakness in terms of being able to articulate a coherent pro-SSF trade policy.

***In the Corridors: Branding SSF!** While the panel discussion heard voices of protest, civil society participants in the group discussion on ecolabeling felt their voices were not heard. In the first half hour, participants were asked down their points on little pieces of paper. Several participants felt that this process left very little time for constructive discussion and was extremely frustrating.*

"Daily Rights" is a newsletter brought out by the co-ordinating committee set up to engage with the 4SSF. It is an initiative of WFFP, ICSF, FSF, SDF and IPC. It will be available everyday from 11 October 2008 to 18 October 2008 in four languages—English, French, Spanish and Thai. The language versions are not identical, and are meant to represent the perspectives of the language groups. All issues in different languages are available online at: <http://sites.google.com/site/smallscalefisheries>. All are welcome to contribute. Please send your contributions to: Harini Kumar (English): [harini747@gmail.com](mailto:harini747@gmail.com); Patricio Igor Melillanca (Spanish): [patricio@ecoceanos.cl](mailto:patricio@ecoceanos.cl); Madien Seck (French): [madiensec@yahoo.fr](mailto:madiensec@yahoo.fr) (French); SDF (Thai): [nusute7@yahoo.com](mailto:nusute7@yahoo.com).

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