

A REPORT BY THE INTERNATIONAL PLANNING  
COMMITTEE FOR FOOD SOVEREIGNTY

# PEOPLE CENTRED ASSESSMENT OF THE IMPLEMENTATION OF THE VOLUNTARY GUIDELINES FOR SECURING SUSTAINABLE SMALL-SCALE FISHERIES



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## **Abbreviations**

AG SSF-GSF

COFI – United Nations Committee on Fisheries

FAO – United Nations Food and Agricultural Organisation

IITC – International Indian Treaty Council

IPC – the International Planning Committee for Food Sovereignty

IUU – Illegal, Unreported and Unregulated fishing

LVC – La via Campesina

SSF - Small-scale Fisheries. See the Preamble of the SSF guidelines for a description of SSF

SSF Guidelines - Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the

SSF-WG – The IPC small-scale fisheries working group

SSF-GSF - Global Strategic Framework in support of the implementation of the SSF Guidelines

Context of Food Security and Poverty Eradication

WFF – World Forum of Fish Harvesters and Fish Workers

WFFP – World Forum of Fisher Peoples

## Introduction

In 2008, recognizing the lack of any international UN instrument to protect and promote the human rights of small-scale fisher peoples, the two global fisher movements (WFF and WFFP) decided to advocate for the development of such an instrument. This was the beginning of a long and intensive process that culminated with the endorsement of the UN Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF guidelines) in 2014.<sup>1</sup>

More than 4000 voices from fishers, fish workers and others in over 120 countries articulated views and positions that shaped to the contents of the SSF guidelines. The final text of the guidelines was negotiated by members of the UN Food and Agricultural Organisation (FAO), and endorsed by Committee on Fisheries (COFI) in 2014.

The SSF Guidelines address policies, strategies and legal frameworks concerning small-scale fisheries, as well as other matters affecting lives and livelihood in fishing communities. They take a human rights-based approach that focuses on people rather than fish. The Guidelines are global in scope, providing a framework to guide policy processes and actions at national, regional and international levels.

The SSF Guidelines take a holistic approach towards securing sustainable small-scale fisheries, based on principles of human rights and dignity, respect for cultures, non-discrimination, gender equality, participation in decision making, the rule of law, transparency, accountability, economic and social development, and protection of the environment.

In 2016, COFI endorsed the Global Strategic Framework in support of the implementation of the SSF guidelines (SSF-GSF).<sup>2</sup> The SSF-GSF, is an institutional mechanism situated within the FAO, steered by an Advisory Group comprised of fisher leaders from WFF, WFFP, LVC and IITC, together with the United Nations High Commissioner for Human Rights (OHCHR) and officials from both the International Fund for Agricultural Development (IFAD) and the FAO. The SSF-GSF is supported by the 'Friends of the Guidelines' group, comprised of supportive COFI member countries.

Following the endorsement of the SSF GSF by COFI in 2016, the IPC and the movement leaders serving on the Advisory Group of the SSF-GSF decided to develop a people-centred methodology to assess the status of the implementation of the Guidelines. With the support of FAO, the IPC convened a global workshop in 2018 aimed at creating a assessment methodology.

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<sup>1</sup> <https://www.fao.org/voluntary-guidelines-small-scale-fisheries/en/>

<sup>2</sup> <https://www.fao.org/3/ca7737en/ca7737en.pdf>

## **THE INTERNATIONAL PLANNING COMMITTEE FOR FOOD SOVEREIGNTY (IPC)**

*The International Planning Committee for Food Sovereignty (IPC) is an autonomous and self-organized global platform of small-scale food producers and rural workers organizations, Indigenous Peoples and social movements with a mandate to advance the Food Sovereignty agenda at the global, regional and national level.*

*The IPC Working Group on fisheries (SSF WG) is a space of alliance, solidarity, and coordination. and a major global network representing small-scale fisher people and Indigenous Peoples from over 100 countries. The SSF WG is composed of leaders from WFF, WFFP, LVC and IITC and informs the positions of their representatives at the Advisory Group of the SSF-GSF.*

In 2021, the IPC working group on fisheries began an internal reflection on the progress on the implementation of the SSF Guidelines, the impact of COVID19, and the outcomes of the 34<sup>th</sup> session of the COFI. It concluded that “The political and historical moment in which COVID19 negatively impacted people's participation in decision-making is being appropriated as an opportunity by powerful actors to exercise more political influence and fast-track their own ‘solutions’ ”. It was furthermore concluded that the 34<sup>th</sup> session of COFI was an example of this undemocratic agenda: “[COFI] was used to advance aquaculture, digitization in food production, and accelerate market-based food systems. The session reduced small-scale fishing to an exclusively economic activity, and the human rights-based approach was, broadly speaking, absent from the discussion. Without any opportunity to present a counter narrative, SSF delegates who were present were shocked to witness government representatives getting away with inaccurate and overly positive examples of their governments’ ‘positive’ support to SSF”. These reflections on accelerated forms of Ocean Grabbing disguised as Ocean or Blue Economy, together with corporate capture of the UN system- the UN Food Systems Summit standing out as the most recent example- and their experience of the assessment of the implementation of The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security,<sup>3</sup> convinced the IPC working group that it was high time to conduct its own People-Centred Methodology to assess the implementation of the SSF guidelines.

This assessment serves to hold governments accountable to their human rights obligations and to their own commitments to implement the SSF Guidelines. It also provides a basis for ongoing advocacy at both national and international levels to ensure the FAO, COFI and other UN bodies continue to give priority, and support processes and actions for the implementation of the Guidelines.

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<sup>3</sup> <https://www.fao.org/tenure/voluntary-guidelines/en/>

The assessment will also assist the global movements in strengthening their own understanding pertaining to gaps and challenges in the core areas of the SSF Guidelines, as well as paving the way for continued and improved collaboration between the global movements and the FAO (through the AG-GSF).

The report builds on substantive information from fisher organisations and Indigenous Peoples from 21 countries. While this clearly represents only a minority of the UN member nations and of the countries where IPC has its members, it still breaks new ground as the first ever people centred report on the implementation of the SSF Guidelines. The empirical evidence it contains is both profound and far-reaching. The inevitable shortcomings of gathering data and information from a relatively small sample of countries will be addressed in a forthcoming and more inclusive process aimed at producing an updated people-centred assessment report. This will be presented to at the tenth anniversary of the SSF guidelines at COFI in 2024.

## Methodology

The methodology for the report was developed by and for the IPC Working Group on Fisheries, and the surveys were completed independently by fisher movements, communities, and Indigenous peoples from around the world.

A steering group comprised of IPC members, the IPC secretariat (Crocevia) and IPC support organisations (FIAN International and the Transnational Institute) was formed in early 2022 to develop a manual for the people centred assessment.<sup>4</sup> For the purpose of this first survey conducted by the IPC members, a series of simplified questions were developed based on the indicators listed in the people centred manual (see Annex one).

The questionnaire was disseminated to the entire IPC membership in June 2022 and completed by fisher movements from 19 countries. The report also draws on additional information provided by the fisher movements and previous work of IPC members, namely:

- The Blue Economy Tribunals in South and Southeast Asia <sup>5</sup>
- The Participatory Action Research on small-scale fisheries conducted in South Africa over the period 2019-2022 <sup>6</sup>

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4 [https://www.foodsovereignty.org/wp-content/uploads/2022/07/EN\\_People-centred-monitoring-of-the-implementation-of-the-SSF-Guidelines.pdf](https://www.foodsovereignty.org/wp-content/uploads/2022/07/EN_People-centred-monitoring-of-the-implementation-of-the-SSF-Guidelines.pdf)

5 <http://blueeconomytribunal.org/>

6 <https://www.masifundise.org/>

- Two interviews with ten IPC members conducted in April and May 2022 on the state of small-scale fisheries in the context of the SSF guidelines and the International Year of Artisanal Fishing and Aquaculture (IYAFA)
- Participatory Research conducted in the Bahamas and Guyana - members of the Caribbean Network of Fisherfolk Organisations <sup>7</sup>
- The Conference of the Ocean People (C-OP), June 2022 <sup>8</sup>
- The voices of fishers collected in the report “Cooling the planet: Frontline communities lead the struggle” <sup>9</sup>
- Participatory Research conducted with fishers and fish workers in Mauritius

The empirical evidence gathered from the survey questionnaires is stored in a secure digital location to ensure the safety of individual contributors. In the face of alarming human rights violations against defenders of human rights and nature, the names of fisher peoples, their organisations and Indigenous Peoples are not disclosed in this report.

The methodology is based on the principles of non-discrimination, respect for all cultures and religions, equal participation of all genders, transparency, and protection of human rights.

The contents of the report remain the ownership of the IPC member organisations. The compilation of the report is supported by the IPC Secretariat.

## **Findings – Status of Implementation of the SSF Guidelines**

The survey questions were developed to receive inputs with concrete cases and examples of implementation of the Guidelines. The more open-ended questions used in the interviews served to assess the state of SSF, and allowed for interviewees to bring to the fore best practices and examples of Guidelines implementation. However, the empirical evidence gathered provides a picture of non-implementation, with the few positive cases standing in stark contrast to the large number of complaints about human rights violations and environmental destruction. The insufficient priority given to the SSF Guidelines in the 21 states addressed in the survey must be seen in sharp contrast to widespread growing governmental support for other sectors of the ocean economy.

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<sup>7</sup> <https://cnfo.fish/>

<sup>8</sup> <http://blueeconomytribunal.org/c-op-home/>

<sup>9</sup> <https://www.tni.org/en/publication/cooling-the-planet-frontline-communities-lead-the-struggle>



The findings confirm the marginal position small-scale fisher peoples have in society, and points at a worsening situation as a result of both the expansion of the Ocean (or 'Blue') Economy and climate change. It is therefore also imperative to conduct ongoing monitoring and gather empirical evidence and data from more countries.

In the following sections of the report, findings pertaining to each section of the SSF Guidelines will be addressed, and several country cases will also be presented. The numbers in brackets throughout the report refers to sections in the SSF Guidelines.

### **THE CASE OF BRAZIL**

*The previous government of Luiz Inácio Lula da Silva showed interest in implementing policies in accordance with the SSF Guidelines. This positive attitude ended abruptly with the termination of Da Silva's legislative term. Regulatory and policy practices in Brazil run counter to the interests and needs of SSF and the population at large, as the current government prioritises expansion of large-scale food production, minerals and fossil fuel extraction, and the tourist industry. As expressed by a fisher leaders, this becomes visible “with the advancement of deforestation, poisoning and contamination by various types of pesticides, advancement of large shrimp farming, uncontrolled tourism and real estate expansion on the beaches”.*

*The government's focus on industrial fishing or mining expansion jeopardises its ability to have “secure, equitable, and socially and culturally appropriate tenure rights” (5.3), and is at odds with granting preferential access (5.7) and facilitating equitable access to fishery resources (5.8). This occurs in a context where the government has not adequately consulted fishers prior to the implementation of large-scale development projects (5.10). Despite Brazil being a signatory to International Labour Organisation (ILO) conventions, development projects are expanded without any participation of fishing communities. Small-scale fishing communities have also not been involved in the planning or implementation of management measures (5.15).*

*The cumulative effect of non-participation of small-scale fishers in decision making coupled with the advancement of mining activities, port developments, agribusinesses among other ocean sectors, has resulted in arbitrary evictions and the extinguishment of the tenure rights of small-scale fishers both on land and at sea (5.9). This development takes place in a context of complete lack of collection of (11.1), and access to, information (11.5), that is, the “bioecological, social, cultural and economic data relevant for decision-making”. For example, the last national fisheries statistics were produced more than 11 years ago. In this context, CSOs have launched a digital platform that aims to assist fishers in collecting relevant data to, inter alia, to demonstrate to the government the importance of SSF in achieving food sovereignty.*

*Sources of information: Survey questionnaire and interviews with a leader of a fisher movement.*

## **Section 5: Governance of Tenure in Small-Scale Fisheries and Resource Management**

The SSF Guidelines cover secure, equitable and socio-culturally appropriate tenure rights to fishery resources, fishing areas and adjacent land and forests. The Guidelines give special attention to tenure rights of women, customary rights, and the rights to resources and territories of Indigenous Peoples, marginalised peoples, and ethnic minorities.

The guidelines stipulate that states should promote tenure rights through “redistributive reforms” (5.8) and ensure that “communities are not arbitrarily evicted” (5.9) or that their “tenure rights are not otherwise... infringed”. The fulfilment of a range of other rights was also enshrined in the Guidelines, These include the right to social development, the rights of people involved in value chain activities including fish processing and marketing, the rights of women and youth, and the right to participate in both management of resources and territories and in policy reform processes. All these rights ultimately depend on secure tenure arrangements. In cases where fisher people or entire fishing communities lose access to land, water, territories, and natural resources, they lose the very foundation for sustaining the life and culture of small-scale fishing.

Based on all surveys and interviews conducted, it is evident that the tenure rights of fisher peoples are being violated in all 21 countries. In some few cases, attempts have been made to protect and fulfil the tenure rights, including Uganda where human rights committees are established at the district level to address tenure arrangements among other issues. However, as reported in the survey, the “majority of fisher communities that need them [human rights committees] are not aware of their existence”.

The list of violations of tenure rights is long, and the findings point to a pattern of increasing violations of tenure rights coinciding with the unprecedented scale of investment in the ocean economy sectors over the past decade. Several of the country cases presented in this report elaborate on these various types of violations. It is critical here to emphasise that the cases brought to the fore likely constitute only a small minority of cases of tenure rights violations from around the world, and that they often result directly from the expansion of some of the biggest emerging ocean sectors, including aquaculture development, tourism, nature conservation (Marine Protected Areas), oil and gas exploitation, shipping and port developments; and offshore wind energy. The assessment shows that all these sectors are drivers of the infringement on the tenure rights of fisher people.

## THE CASE OF SOUTH AFRICA

in 2012, the government endorsed the National Small-scale Fishery Policy. While it pre-dates the endorsement of the SSF guidelines, it is in line with the principles and objectives of the SSF guidelines and builds on the human rights-based approach to fisheries. However, the South African government has not made any meaningful progress on the implementation of the Guidelines and done hardly anything enough to give any material effect. The superficial steps taken by government is made complicated by commercial rights allocations and is overshadowed by massive investments in ports, oil and gas, MPAs and aquaculture under Operation Phakisa (the national plan for the ocean economy).

The tenure rights of fishing communities are recognised as ‘preferential’ rights in the national policy, but in the absence of policy implementation this is of no consequence. The government has also adopted a policy for Inland Fisheries (2022) but there is still no regulatory framework, and it is not yet implemented. In this context, there is no material recognition of tenure rights in small-scale fishing either at sea or inland.

In the absence of policy implementation, fishers are criminalized and risk fines and imprisonment when going to fish to get food on the table. Fiklile (not her real name) is from a coastal community in South Africa. In an interview she explained how difficult it is to provide food without permits, “we do not have permits to fish and we do not have permits to transport fish. So we have to be very careful”. Waiting on the shore for other fishers to come back from sea Fikile was confronted by an inspector with the words “if we catch you, you are going to jail and there is no excuse”. Fikile ended the interview asking “why not implement the small-scale [national policy]. That we have asked for now for many years”.

On a positive note, fishers in Port Nolloth have formed a cooperative and a woman from the community has rented a vacant fish processing factory (after the fishing industry closed the factory). She employs four women and two men in the fishing season on the basis of temporary fishing rights and this enables the fishers to benefit from the entire value chain. The success of these fisher people is a direct result of the hard work by strong fisher leaders, and cannot be ascribed as a success of government in implementing the SSG guidelines.

Tenure rights of fishers are infringed not only because of lack of the implementation of the SSF guidelines and the national fishing policies. Fishers are expropriated from fishing territories in Marine Protected Areas with numerous incidents of violence and brutality by park rangers. Four fishers shot and killed within MPAs since 2010.

Mining activities have destroyed the natural environment and have resulted in evictions of communities or fishers being denied access to land and water territories. Northern Cape, for example, carries a long history of violation of tenure, customary and human rights, and mining activities are still expanding. According to several interviews with key informants, the problems spans from destruction of marine life from dumping of waste in the ocean; enclosure of more territories for new mining activities; and criminalisation of ‘trespassers’ at sea or land.

The concerns raised by South African respondents, stands in contrast to the report of the South African government to the 34th COFI session. Herein, the government states it has “recognized and formalized small-scale fishers and allocated long term fishing rights to the majority of small-scale fishing communities in the country”.

Sources: Survey questionnaire, interviews with fisher leaders, and CSO reports.

## **Section 6: Social development, employment and decent work**

Section 6 of the SSF Guidelines addresses responsibility of states to contribute to equitable development, poverty eradication and the improvement of socio-economic conditions in fishing communities. It covers areas of health, clean water, education, literacy, digital technology, cross-border fishing, migration, housing and working conditions. However, there is little evidence of any of these areas is being meaningfully addressed by the 21 states included in this assessment survey. On the contrary, the empirical evidence gathered points to many violations of the right to social development.

The only respondent who confirmed that fisher people (many but not all) have access to adequate housing, basic sanitation, clean water and energy sources (6.2) is from Senegal. In contrast, Sri Lankan fishing communities generally do not have access to electricity, clean water and adequate housing. Houses are washed away in areas with high beach erosion as a result of sand mining for the Colombo port project, and the state has not provided adequate compensation for the damage.

In the context of the state's responsibility to promote decent work (6.6) and provide an adequate standard of living (6.7) for small-scale fishers, the state must address “occupational health issues and unfair working conditions” (6.12), as well as develop and implement national strategies to achieve safety-at-sea (6.16 and 6.17). Many respondents reported directly on violation of these rights, including Tunisia, where the standard of living is compromised by severe coastal pollution, lack of safe places to moor the boats, and insufficient support for safety at sea, and South Africa, where small-scale fishers and fish-workers are not covered by any social protection programs. Numerous respondents also reported on theft or destruction of boats and fishing gear, as well as poverty (Tunisia) and industrial fishing (Sri Lanka, Mauritius, Senegal, Sierra Leone).

Finally, Section 6 also recognises the role of migrant fishers and their rights (6.10), as well as the rights of children to a decent education, which should be granted by the state (6.14 and 6.15). A respondent from Senegal highlights the low literacy rates among SSF, a trend that is being reversed by putting fishers' children in school and advocating for their right to schooling. For this and other aspects presented above, Section 6 of the SSF Guidelines highlights the importance of recognizing the complexity of SSF livelihoods and developing holistic management systems accordingly (6.1).

## THE CASE OF UGANDA

In its report to the 34th session of COFI, the government of Uganda stated it has used and implemented international instruments facilitated by FAO to combat IUU fishing and that FAO has supported the development of a number of national legal instruments toward this aim, including the National Fisheries and Aquaculture Policy (2018).<sup>10</sup> The statement also recognizes the need for capacity building in addressing IUU fishing.

The issue of IUU fishing is also mentioned in the survey with reference to media reports. In these reports, the Fisheries Protection Unit – a section of the Uganda People's Defence Force (UPDF) - stands accused of using unnecessary and indiscriminate violence against fisher people in the government's fight against IUU fishing.<sup>11</sup> Fishing communities along the shores of Lake Victoria either live in fear or in hiding. The reporting of these human rights violations raises questions about the government's alleged efforts to combat IUU fishing as reported to the 34<sup>th</sup> session of the COFI.

The survey points to some positive examples with regards to the implementation of the SSF Guidelines in Uganda. The government has established district human rights committees under the Human Rights Commission, but they remain inadequately funded. Furthermore, not all districts have established their committees, and the majority of fishing communities are not aware of their existence.

A new fisheries and aquaculture bill has been proposed by government but instead of advancing the development of small-scale fishing it aims to benefit the export-oriented Nile Perch fishery and aquaculture. The proposed bill, to be signed off by the President, only allows for larger boats to operate (28 feet or above) and thereby excludes the many fishers operating smaller boats without engines.<sup>12</sup> The new regulations, if implemented, will also effectively exclude women from value chain activities, as they will no longer be allowed to process (e.g. fish smoking) and transport fish.<sup>13</sup> In effect, the new bill will continue to displace small-scale fishers and local traders in favour of foreign investment and the export oriented food system.

Sources of information: media clips and interviews with fisher people

## Section 7: Value chains, post-harvest and trade

The section on value chains in small-scale fishing concentrates on the activities after the fish is caught and landed. It emphasises the role of women (7.2), participation in decision-making (7.1), support for capacity building, infrastructure investment, technology transfer (7.3, 7.4, 7.5), and addresses numerous issues

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10 [https://www.fao.org/fileadmin/user\\_upload/COFI/COFI34/nonwcp/AgendaItem9-Uganda.pdf](https://www.fao.org/fileadmin/user_upload/COFI/COFI34/nonwcp/AgendaItem9-Uganda.pdf)

11 <https://www.monitor.co.ug/uganda/special-reports/terror-on-the-lake-fishermen-accuse-army-of-brutality-1737040>  
<https://twitter.com/chapterfourug/status/1042146312160985089>

12 <https://www.independent.co.ug/fishermen-appeal-to-mps-on-boat-size-requirement/>

13 <https://www.monitor.co.ug/uganda/news/national/govt-lifts-ban-on-fish-smoking-3360548>

related to trade (7.6 to 7.10). The assessment process points not only to several critical issues in relation to all these issues, but also to a short-fall in the Guidelines themselves.

In the context of small-scale fishing, the IPC and its members consider the value chain to include 'preparing', 'fishing', 'processing', 'selling', and 'eating'. In the information provided by survey respondents and through interviews, it becomes clear that the preparing for fishing is a major and important part of the value chain providing livelihood opportunities and employment for a significant number of women, men and youth. Similarly, the 'eating' - or last aspect of the value chain - is crucial to sustain the health and well-being of hundreds of millions of people globally. Yet, 'eating' is rarely considered part of the 'value chain'.

From all the sources of information, there is hardly any indication that any state is implementing the value chain section of the Guidelines. A training workshop for women fish processors in Senegal stands out at the only concrete positive example. While more thorough and broader surveys involving fishing organisations from more countries may well reveal additional positive cases, the empirical evidence gathered in this assessment process points to an almost complete lack of implementation.

Fisher people- with emphasis on women- involved in inland capture fisheries in Bangladesh have lost livelihood opportunities throughout the value chain on a continuous basis since the 1980's. From then until 2018, the contribution of inland fishing to the total volume of fish and other aquatic food (marine and inland) has been reduced from 56% to 28% of total production. Shrimp farming has expanded massively in the same time period. The number of lost livelihood opportunities and the resulting nutritional consequences has not been estimated, but it is self-evident that such a transformation has massive impact on local communities and society at large. Evidence from almost all other countries who participated in the survey points at a similar tendency of a significant transformation away from small-scale fishing towards industrialised, export orientation fishing coupled with aquaculture production.

In the case of India, the National Policy on Marine Fisheries (2017), a development policy promoting industrial fishing and aquaculture, has resulted in both loss of livelihoods and criminalisation of fisher people. In Uganda, regulations imposed to address IUU fishing and export orientation led to expropriation of women from fishing activities. In Belize women generally have lower levels of education and limited, if any, access to credit. With few other options, there are reports of women working 12 hours per day, seven days a week in the peak season of the export lobster and conch business. Indigenous peoples in Russia are faced with difficulties in accessing fuel, engines and other inputs needed in order to go fishing, exaggerated by the consequences of the war in Ukraine. These are just some examples mentioned in the surveys and interviews that point to increasing marginalisation of small-scale fishing and negative impacts along the entire value chain in small-scale fishing.

## Section 8: Gender in small-scale fishing

Section 8 addresses the responsibilities of the state to protect and fulfil the human rights of women, including their rights to equal participation in decision making and non-discrimination, as well as rights pertaining tenure arrangements, social development and the fisheries value chain. Importantly, the Guidelines stress the responsibility of states to comply with binding obligations under the The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). CEDAW requires States to ensure women's rights to equality and non-discrimination on a range of key areas such as sexual abuse, participation in political and public life, education and employment, that is, in the full value chain of fisheries including "work in the non-monetized sectors of the economy",<sup>14</sup> healthcare and family planning, and the rights of women to land and resources. These particular areas are highlighted here because the People-Centred Assessment process has clearly pointed to discrimination against women in all of them.

The only case where it was reported that a government has made some effort towards eliminating discrimination and promoting equality for women is from Senegal. Here, the government has implemented training workshops for women fishworkers, in order to improve post-harvest skills, activities and technologies. However, this does not reflect efforts to address the many other key areas mentioned above. Nor does it translate into policy reforms and new legislation.

The issue of non-recognition of the roles and contributions of women in fishing was raised numerous times by survey respondents as well as in several interviews. While each case has its own nuance, the lack of recognition of the labour of women consistently stood out. This pertains to both domestic and reproductive labour, as well as labour in the fishing value chain. In this way, the economic contribution of women is on the one hand made invisible, while on the other hand subsidizing the economic contribution of fishing that is officially recognised and economically measured. In other words, when men, through the act of fishing, are seen as contributing to the local or export economies, part of that contribution directly stems from the work of women, regardless of whether the work is in the fishing value chain or domestic and reproductive work. This point, raised explicitly or implicitly in the survey, also connects to the lack of legal recognition of fisher women. In the case of Sri Lanka and Indonesia, for example, it is only men who are recognized by the State as fisher people and, as such, women are not only excluded from decision making processes, but also do not qualify for some of the social services that other workers enjoy.

While more information is needed in order to assess the opportunities and threats to women in the context of 'market-based' solutions that aim to integrate small-scale fishing into global trade and export, the survey and interviews did reveal documentation of severe marginalisation and oppression of women in cases where

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14 CEDAW article 14

the control of the value chain is taken over by middlemen, investors, and owners of vessels – predominantly men with access to capital. In Uganda, new regulations on fish landing and transportation are geared toward the commercial fishing sector, regional trade and export. These regulations impose additional restrictions for small-scale fishing and hinder women from accessing, processing (e.g., fish drying) and selling fish. Similarly, in Karnataka, India, the modernisation of fish markets with the emergence of male fish vendors, organized retail shops, supermarkets, has led to the expropriation of women fish-vendors. Their skills and knowledge, which have been developed and refined over centuries, were not taken into consideration when the government developed and implemented the modernisation plan.<sup>15</sup> These are just a couple of examples on how women’s rights to social development, employment and participation in decision making have been denied.

Another critical issue raised by respondents and evident from additional interviews and sources is physical and sexual abuse of women in fisheries. In the case of Brazil, women are increasingly victims of land and ocean grabbing, insecurity, criminalisation of environmental defenders, and brutality from authorities. According the one interviewee, the structural changes in Brazil from rural livelihoods, towards industrial and capitalist development has created a negative spiral where people get locked into poverty, dragged into crime and drug abuse, and for women-including fisher women - becoming victims of trafficking, prostitution and rape. This testimony is very similar to what has been reported from Goa, India with reference to “social evils like drug trade and addiction, women and child trafficking and abuse, sexual exploitation” as a result of environmental destruction and the growth of the tourist sector.<sup>16</sup> In Bangladesh, surveys covering 1.000 fishing families show that 65% of female members of the families of the fishers are victims of some form of violence.<sup>17</sup>

The People Centred Assessment has brought to the fore important documentation of the persisting discrimination against women in the form of gross human rights violations. It has shed light on how the hegemonic, profit-driven development in fisheries, characterised also by technological development in fishing, fish processing and marketing, negatively impacts the rights of women fishers and fish-workers. Part of the explanation for this development has roots in the systemic characteristics of society, with the continued expansion of a market-based mode of production that is generally controlled and owned by men. These findings pertaining to gender in small-scale fishing call for more and ongoing assessment, and serious attention and responses from both fisher organisations, governments and COFI.

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15 See [http://blueeconomytribunal.org/wp-content/uploads/BE\\_Study-Report\\_IND\\_West-Coast\\_Karnataka.pdf](http://blueeconomytribunal.org/wp-content/uploads/BE_Study-Report_IND_West-Coast_Karnataka.pdf)

16 [http://blueeconomytribunal.org/wp-content/uploads/BE\\_Study-Report\\_IND\\_West-Coast\\_Goa.pdf](http://blueeconomytribunal.org/wp-content/uploads/BE_Study-Report_IND_West-Coast_Goa.pdf)

17 <https://coastbd.net/women-are-excluded-from-decision-making-process-at-home-and-society-65-women-are-victim-of-different-sorts-of-violence/>



## THE CASE OF SRI LANKA

When the SSF guidelines were endorsed at the 31st session of COFI, the Sri Lankan minister at the time, Mr. Rajitha Senarathne, expressed appreciation of the Guidelines and promised his country would implement these. However, the People Centred Assessment backed by reports from extensive community research carried out in Sri Lanka in 2019 and 2020,<sup>18</sup> points at not only non-compliance with most of the rights enshrined in the Guidelines, but also raises deep concern over human rights violations and environmental destruction affecting several hundred thousand people from fishing communities.

Two years before Sri Lanka defaulted on its foreign debt (April 2022), deep concerns were raised against the financialization of the Colombo Port city (through formation of new government debt) and the negative consequences of the development project. Local CSOs waned about the economy policy in Sri Lanka arguing the dependency on global markets and finance capital (new debt) would rapidly create new forms of social exclusion and conflicts.

The Colombo Port city stands out as both a economic fiasco and a disaster project, negatively affecting some 600,000 people whose livelihoods are directly affected. The massive volumes of sand required to realise the project was dredged in shallow waters and has led to the complete disappearance of the 60-100m wide beach.<sup>19</sup> For fisher people, the beach is what protects them against storms, it is the launching and landing site, it is where women process fish, it is where the youth learn about the culture of fishing. In Negombo alone, some 30.000 fishers have lost their launching and landing site and a much larger number of women are completely cut out of processing and marketing activities.

Other threats to small-scale fishing include aquaculture projects, tourism and the construction of ever more hotels and resorts, Marine Protected Areas, and foreign industrial fishing. While many such project have led to expropriation and evictions of entire communities. women stand out as the most vulnerable.

Women involved in the fishing value chain (from pre-harvest activities to processing and marketing) are not recognised by the state as fishers (only men going to sea are recognised as fishers) and without such recognition, the road to reparations of lost rights seems overwhelmingly long or impossible. The lack of recognition also connects with a number of other rights and principles of the SSF guidelines. Representation and participation in both management and decision making are reported as highly problematic hindrances for women; and their reproductive labour (care work) is also not recognised and adds extra burden on women especially in times where it becomes increasingly difficult to put food on the table.

Up until now, the government of Sri Lanka has not introduced measures to support women from fishing communities to access adequate to housing, basic sanitation, or safe drinking-water (section 6). This is not even the case when homes were destroyed by erosion caused by sand dredging such as in Negombo or when fisher people are evicted from their lands to provide space for hotel resorts such as in the case of Ahungalla and Paanama.

Sources of information: Survey questionnaire, the Blue Economy Peoples Tribunal and interviews.

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18 <http://blueeconomytribunal.org/sri-lanka-tribunal/>

19 [https://youtu.be/hJp\\_BYuMpEE?t=157](https://youtu.be/hJp_BYuMpEE?t=157)

## Section 9: Disaster risks and climate change

On 4 April 2022, the Intergovernmental Panel on Climate Change (IPCC) published the latest global assessment of climate change. One of the main conclusions of the report is that global emissions have continued to rise in the period 2010-2019, making the situation critical.<sup>20</sup> The crisis also extends to the oceans, which are undergoing a profound transformation. These changes include an increase of the acidity of the ocean produced by the carbon uptake, a loss of dissolved oxygen in the ocean of around 0.5-3.3% between 1970 and 2010, and an overall increase in ocean temperature coupled with a rise in global mean sea level.<sup>21</sup>

These changes are affecting aquatic life (inland water bodies, seas and ocean) all around the world with some of the documented impacts including reductions in “growth, reproduction and survival” of aquatic species, shifts in geographical locations and fish migration, and changes in seasonal activity.<sup>22</sup> These transformations have a profound impact on the livelihoods of fishing and coastal communities, and it is therefore of greatest importance that states implement holistic approaches to address climate change (9.3), including adaptation, mitigation and aid plans for small-scale fisheries (9.4) and ensuring availability of funds, facilities and technologies for climate change adaptation and mitigation (9.9).

Addressing the climate and ecological crisis entails ensuring that the traditional and Indigenous knowledge and practices of small-scale fishing communities inform climate change policies (11.6). As reported on numerous occasions by small-scale fisher organisations and Indigenous Peoples, the traditional knowledge has enabled communities to live in balance with nature and thus reduce their ecological and carbon footprint. For example, the fishing equipment used in traditional ways of fishing emits far less GHG emissions compared to that used by industrial fishing vessels.<sup>23</sup>

Evidence also indicates that parties responsible for human-made disasters are not held accountable (9.5). One respondent explained that The Nature Conservancy (TNC) has refinanced and restructured public debt through a so-called debt-for-nature-swap or “blue bond”. In essence, the restructuring of national debt in the case of Belize has enabled a foreign NGO to set conditions for ocean governance, which the government of Belize is solely obligated to meet. The conditions for the loan were never discussed with fisher people or the broader public except from a few individuals who were ‘cherry picked’ to ‘represent’ fishers and might

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20 Intergovernmental Panel on Climate Change. 2022. Climate Change 2022: Mitigation of Climate Change. Summary for Policymakers. Geneva: World Meteorological Organization. Available at: <https://www.ipcc.ch/report/ar6/wg3/>.

21 IPCC. 2019. IPCC Special Report on the Ocean and Cryosphere in a Changing Climate [H.-O. Pörtner, D.C. Roberts, V. Masson-Delmotte, P. Zhai, M. Tignor, E. Poloczanska, K. Mintenbeck, A. Alegría, M. Nicolai, A. Okem, J. Petzold, B. Rama, N.M. Weyer (eds.)]. In press. Pp. 9-10, 450.

22 Ibid. Pp. 451.

23 Testimony by an Indigenous fisher leader in *Cooling the planet: Frontline communities lead the struggle*. <https://viacampesina.org/en/publication-cooling-the-planet-frontline-communities-lead-the-struggle/>

have been informed about conditions. Through critical research done by others, the respondent was informed that the conditions are likely to lead expansion of MPAs (30% of territorial waters), and the development of a Marine Spatial Plan (MSP) with TNC playing an oversight and advisory role. The rationale, it is argued, is that the conditions are set in order to address climate change and ocean conservation, but neither MPAs nor MSP provide any guarantees of addressing climate change. The principle of holding the polluting party accountable (9.5) is also undermined by the debt-for-nature swap as it is ultimately the citizens of Belize who have to service the debt, and hence, those responsible for climate change are let off the hook.

Participatory research in Guyana highlighted a similar case of polluters getting off the hook. In 2019, Exxon Mobile began drilling for oil off the coast of Guyana, and has since increased productions and, with windfall profits, turned Guyana into one of the world's fastest growing economies. According to an interviewee, the government has not yet established any mechanism to hold the oil companies accountable in the event of oil spills or similar disasters, and while fisher communities are suffering from both loss of access to fishing grounds around oil production areas and the impact of climate change, the State of Guyana is failing to recognise that fighting climate change requires urgent and ambitious action (9.1), and that small-scale fisheries will be more severely affected than other sectors (9.2).

## **THE CASE OF BAHAMAS**

*In Bahamas, 80% of the land is less than one and a half metres above sea level. Besides the longer term existential threat posed by climate change, fishers are already living in an environment with more frequent extreme weather events such as hurricanes, as well as higher tides and degradation of the marine environment.*

*Conservation organisations claim that some of the country's iconic species are in decline because of overfishing and, as a response, call for the establishment of MPAs. This strategy has a long history in the country, with the first marine park declared in 1958. In 2015, the Bahamian government announced the creation of 14 new MPAs, and the expansion of three existing ones, bringing the total area under MPA conservation to 10% of the territorial waters.*

*The Bahamian government declared that fishing could not be allowed in some MPAs, and the Parks Agency has stated that MPAs should be used for purposes other than fishing, i.e. recreational, entrepreneurial, tourism and educational purposes. On Grand Bahama Island, the MPAs overlap with the fishing grounds and therefore also violate the fishers' tenure rights (5.4) as there are not granted preferential access in national waters (5.7).*

*This has occurred in a context where consultations have been carried out by responsible agencies. However, the voices and demands of fishers opposed to the expansion of no-take MPAs have not been taken into account by the government. Thus, the state has failed to meaningfully consult the fishing and coastal communities (5.10) and, consequently, local fishers have lost faith and confidence in the responsible agencies. This situation also highlights the authorities' neglect of acknowledging the role of fishing communities in protecting local aquatic and coastal ecosystems (5.5). Finally, fishers also pointed to the lack of available information (11.5) and proper studies (11.9) on marine ecosystems, which prevents a sound discussion on the need to establish MPAs or to implement other forms of protection measures.*

*Sources of information were interviews conducted with fishers, fishworkers and representatives of CSOs in 2022.*

## **THE CASE OF GUYANA**

*The fisher people from Guyana who were interviewed argued the interest of the state is to boost economic growth by drilling more oil in the offshore, and prioritising industrial fishing and aquaculture over small-scale fisher. The 2021-2026 strategic plan of government was cited as example of how aquaculture is much higher on the political agenda of the government than small-scale fishing and indicates that the government shows little, if any, interest in the livelihoods of small-scale fishers and the SSF guidelines.*

*The above mentioned offshore oil extraction, led by ExxonMobile, is by far the biggest ocean sector in Guyana. Two floating production, storage and offloading (FPSO) vessels are currently operating in the territorial waters with several consequences for the small-scale fishing communities. Fishers complain about the impact on the marine environment because of seismic noise, oil spills and ballast water discharges.*

*This development points to the state's failure to consider the socioeconomic and ecological impacts of oil and gas extraction prior to its implementation (5.10). The shared eagerness of government and industry*

to begin oil extraction may have precipitated the granting of permits, limiting the ability to conduct a proper Environmental Impact Assessment (EIA). The Environmental Protection Agency of Guyana, responsible for approving the oil industry EIAs, has admitted being lenient during the first contract. Furthermore, fishers have not been adequately involved in establishing the access and uses of marine spaces, which resulted in the infringement of their tenure rights (5.9) in the exploration and extraction areas.

The oil venture in Guyana happened in a context of poor access to information and very limited funds for participatory data collection and research. Ensuring adequate assessment of socio-ecological impacts of large-scale development projects or adequate co-management of fisheries implies that relevant information is collected and made publicly available (11.4). In Guyana, there is a lack of detailed long-term censuses and studies on fisheries or the marine environment, especially those that consider the “knowledge, culture, traditions and practices of small-scale fishing communities” (11.6). It is in this context that the state has neglected to fund research and carry out analyses on artisanal fisheries (11.5), such as the baseline studies prior to the outset of the oil adventure.

Sources: Interviews conducted with fishers and fish-workers

## **Section 10: Policy coherence, institutional coordination and collaboration**

Adequate and efficient fisheries management, regulation and control requires coordination and establishment of institutional linkages between responsible bodies. In more concrete terms, state actors should ensure policy coherence and the implementation of a holistic and inclusive management initiatives (10.5). In this respect, the survey responses paint a clear picture of states’ failure to implement this section of the guidelines. Some examples further illustrate this point.

In Sri Lanka, respondents agreed that none of the ministries, departments and authorities collaborate. When a problem arises that requires collaboration between these bodies, the lack of proper coordination prevents government from timely action to provide solutions. In Brazil, departments and agencies act independently with no coordination on small-scale fishery issues. In South Africa, there is very little coordination between government bodies, except when they implement policies that "serve the interest of the big industrial fishing companies”.

## **Section 11: Information, research and communication**

The survey responses and interviews all indicate that states have not fulfilled their responsibilities to collect relevant data on SSF, or to recognize and apply Indigenous and traditional knowledge to ensure access to

information relevant to fisheries development and management, or to support funding for SSF centred research. However, as will be discussed below, even though some states have provided access to information for small-scale fishing communities, overall more efforts are required to guarantee the right to information and to establish adequate transparency and accountability mechanisms.

States should establish systems for collecting fisheries data relevant for management and decision-making (11.1). Although data are collected in most cases, they are very often unrelated or irrelevant to the needs and interests of SSFs. In Brazil, the state did collect data on fisheries in the past, but discontinued this mechanism more than 11 years ago. In Mauritius data is collected by the state, but mainly in relation to tuna fishing by the foreign fishing fleet, and on the basis of bad weather allowances and the granting fishing licences to small-scale fishers. In Senegal, the State has implemented a fisheries data collection system (11.1), but with insufficient information pertaining small-scale fisheries. In South Africa, data is only collected by the state for conservation and quota setting purposes. In all these cases, states do not consider data based on traditional or Indigenous information.

A key aspect of Section 11 is the recognition, support and use of the “knowledge, culture, traditions and practices of small-scale fishing communities, including indigenous peoples” (11.6) in decision-making and policy formation. In this regard, respondents unequivocally concur that states do not recognise traditional and indigenous knowledge and practices. In Sri Lanka, traditional knowledge of small-scale fisheries "is not very important" to state actors, as they consider it “non-scientific, baseless and irrational” In Uganda, the government has imposed regulations of fishing gears without taking into account traditional knowledge In Turkey, the environmental knowledge of fishers is disregarded in policy reform processes and, instead, overexploitation by the industrial fleet has become increasingly rampant. Small-scale fisher have repeatedly emphasised that their Indigenous and/or traditional knowledge is crucial to ensure sustainable resource utilisation through Indigenous, local or co-management mechanisms. The co-existence between small-scale fishers and nature is the backbone of a healthy planet. Both Indigenous and non-Indigenous fishers have emphasised that all forms of life thrive together and the reciprocal relationship between people and nature is beyond the notion of commodity value.<sup>24</sup>

Finally, section 11 brings out the responsibility of states to fund research, participatory data collection and analyses on SSF (11.9). However, there is no evidence of state supported people centred research on small-scale fishing in the countries who have contributed to the survey. However, many respondents and interviewees (e.g., from Bahamas, Bangladesh, Guyana, Mauritius, India, South Africa, Sri Lanka and Uganda) have been involved in people-centred participatory research in partnership with non-state research

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<sup>24</sup> <https://viacampesina.org/en/publication-cooling-the-planet-frontline-communities-lead-the-struggle/>

institutions, but this has not been supported by the States and the findings of such studies are often considered ‘non-scientific’ and therefore disregarded by the state.

## **THE CASE OF MAURITIUS**

*Since the endorsement of the SSF guidelines, the government of Mauritius has taken a series of steps to develop the ocean economy of the country. However, the SSF guidelines do not feature as an element in the government’s plans even when other development plans and policies relate to and impact on small-scale fishing.*

*Foreign fishing vessels purchase licences to operate in the Mauritian territorial waters, but often do not comply with the regulations. The assessment survey and interviews with fishers and fishworkers confirm cases of foreign fishing within the 12 nautical mile zone (which is not permitted, exceeding catch limits, contributing to overfishing and destroying fishing gears belonging to local fishers.*

*A fisher federation in Mauritius reported that they have participated in meetings with the government from time to time. However, the top-down approach by government has prevented proper consultation, and the Consultative Committee which the fisheries law makes provision for has not been formally established. With lack of transparency and limited access to information from the government, the fishers mostly rely on secondary sources of information to find out about the government’s plans. For example, the governments Vision 2030 Strategy for the Ocean Economy was developed without the participation or consultation with fishers, and does not make reference to small-scale fishing. Likewise, the process of developing the Marine Spatial Plan (MSP) was known to one fisher only but this person was never invited to any meetings. One reason the fishers and fish-workers are left in the dark with regards to the government’s plans for the ocean economy has to do with the fact that the MSP process is located within the Ministry of Defence. This ministry addresses sensitive issues of national security and geopolitical interests and is therefore less likely to disclose information.*

*While the government has provided some support for improving working conditions (safety equipment, upgrading landing stations, and providing bad weather compensation), there has not been any reform process on small-scale fishing since the SSF Guidelines were endorsed. The policy reforms relating to the ocean economy give priority to sectors such as oil and gas, shipping and port development, aquaculture and tourism. In the words of one interviewee these reforms, with specific reference to MSP, “resemble the laws of the past which allowed for the colonial ruler to privatize Crown land”. Other interviewees argued that the government is selling the coastline and marine resources to foreign companies and investors.*

*The interviews confirmed that the knowledge about the SSF guidelines is either non-existent or very limited. Fishers are generally not aware of the guidelines, and the government officials are either not aware or they outright ignore the guidelines.*

*Sources: Interviews conducted with fishers, fish-workers, a union leader representing fish-workers in 2019; the people centered assessment survey.*

## Section 12: Capacity Development

Section 12 of the SSF Guidelines outlines the responsibilities of the state and other parties to provide fishers with training relevant to their development, management and organisation. Indeed, the guidelines stress that training should be provided to improve the capacity of small-scale fishing communities to participate in decision-making processes (12.1) and to enable small-scale fishers and fish workers to benefit from market opportunities (12.2). Respondents to the survey reported that states have provided little or no training relevant to SSF, as well as no or limited support in this respect. In many of the countries included in the survey, fisher organisations and/or local NGOs have fulfilled this responsibility without the support of the State. In Senegal, the state has only funded training for the staff of NGOs and FAO-related organisations.

The People Centred Assessment aims at assessing states' efforts to implement the SSF guidelines. As such, the support provided by inter-governmental institutions, including FAO, was not reported upon. However, the support provided by FAO for over ten years towards both the development of the SSF guidelines, and subsequently towards their implementation, has been of the greatest importance. Furthermore, FAO's support for the SSF-GSF stands out as the most important multi-government funded institutional commitment to enabling fisher organisations and Indigenous fishers to constructively engage in COFI sessions and other UN processes.

In general, insufficient funding for small-scale fisher organisations and financial support for small-scale fisheries (e.g., for training or infrastructure) is compromising the capacity and ability of small-scale fishing communities to work with states on the implementation of the SSF guidelines. In this regard, it is imperative for states to allocate a sufficient portion of the state budget for capacity building while taking into consideration the traditional and Indigenous knowledge and skills of small-scale fisher peoples (12.3).



## THE CASE OF SENEGAL

The Senegalese have created a Local Artisanal Fisheries Committees (CLPA) with a mandate to develop mechanisms for the sustainable management of fisheries in collaboration between the state and local actors. However, the committees do not have the necessary funding and institutional support to carry out their mission, and it has not contributed meaningfully towards the implementation of the SSF Guidelines. Other positive efforts by the state include a training session for women in fisheries, provision for decent housing, sanitation and safe drinking waters in fishing communities (6.2), and a fisheries data collecting system (11.1). However, the data system does not capture all the information necessary for responsible artisanal fisheries (11.5) as some of it is rendered unreliable or inaccessible to the public, e.g., information on the fleet of Senegalese-flagged vessels.

Although access to information is partially granted, the state has not provided funds for research or encouraged participatory analysis or data collection (11.9). Capacity building efforts by the state (12.2) have been insufficient, only provided training for NGOs. While small-scale fishers are "indirectly" involved in the design, planning and implementation of management measures (5.15), fisheries management in Senegal is considered a state responsibility, with limited opportunity for small-scale fishing communities, professional fisher organisations and others to participate meaningfully. This is partially a consequence of inadequate support for organisational and capacity development (7.4).

The Senegalese State has not fulfilled its obligations with regard to addressing climate change and environmental sustainability. The survey respondents highlighted the negative impact of rising water temperature, as well as ecological degradations caused by extractive industries (fossil fuels), both of which impacts on marine life and fish stocks and point to the failure of the state to address issues related to non-fisheries-related anthropogenic pollution or destruction of coastal habitats (9.3).

## Section 13: Implementation support and assessment

As evidenced in the above sections, states are lagging behind with the implementation of the SSF guidelines in general, and this also pertains to implementation support and monitoring. However, the IPC acknowledges the support provided by the FAO to assist states to implement the guidelines (13.2), to enable CSOs to build knowledge and expertise on the guidelines (13.3); and in particular to support the development and operationalisation of the SSF-GSF (13.6).

## THE CASE OF SIERRA LEONE

Respondents to the People Centred Assessment in Sierra Leone reported that the State has enacted the Fisheries and Aquaculture Act, 2018, with some provisions for protecting and promoting small-scale fisheries in line with the SSF guidelines. One example is the establishment of a Scientific, Economic and Technical Committee comprised of government representatives, three small-scale fisher organisations among others. However, the respondents reported that the committee has been ineffective in ensuring inclusive participation of the fisher organisations, and they have not been involved in the design, planning and implementation of management measures (5.15), or in assessment, control and surveillance of activities in territorial waters (5.16). This occurs in a context where industrial fishing is reported to violate the tenure rights of small-scale fishers, and poses an existential threat to fishing communities. The industrial fishing vessels operate in the customary fishing grounds of small-scale fishers, use destructive fishing gears, contribute to overfishing, and causes ecological damage by dumping of by-catch.

In this context, the state has failed to respect and protect legitimate tenure rights (5.4), grant preferential access (5.7), facilitate equitable access to fisheries resources (5.8), or ensure that small-scale fishers are not arbitrarily evicted from customary fishing grounds (5.9). Concrete examples brought to the fore include low fines for industrial trawlers operating in violation of the 2018 Fisheries Act, insufficient compensation for loss of fishing gears that are destroyed by industrial trawlers and failure to establish mechanisms such as a dispute resolution committee to resolve disputes over tenure rights.

Sources of information: Survey questionnaire

## Conclusions and Recommendations

IPC acknowledges the limitations of a assessment process based on contributions from only 21 countries. A more comprehensive process would have allowed for many more contributions and improved systematic analysis of the responses. However, in the context of limited resources available to conduct the People Centred Assessment, it has still been possible to collect some essential and critical information. The extensive empirical evidence gathered through surveys and interviews, and supported by participatory research (Mauritius, Guyana, Bahamas, South Africa), as well as the South and South East Blue Economy Asian Peoples Tribunals (Bangladesh, India, Sri Lanka, Thailand and Indonesia) make it possible to draw some firm conclusions.

Without exception, the state of implementation of the SSF guidelines is nowhere near where it should be. Some countries have reported on progress, but this assessment process revealed that the implementation of the guidelines is reduced to a few cases of integrating references to the guidelines into a national legislation or policy, setting up various committees that remain ineffective, or conducting training sessions or other minor, albeit positive, initiatives. However, these have not yet materialised in any meaningful implementation of the SSF guidelines on the ground.

The almost complete neglect of the SSF sector at large stands in glaring contrast to the political and economic support states are providing for other economic sectors. The ocean and inland water economies, sometimes called 'the blue economy', have expanded significantly over the past decades, and added pressure on, and competition for, marine territories and resources. All survey respondents have reported on the violation of tenure rights (5) as a direct result of the infringement on territories and resources by other economic sectors, including large-scale fisheries and aquaculture; tourism; nature conservation often in the form of Marine Protected Areas, oil and gas exploitation; shipping and ports and offshore wind energy.

In addition to the infringement on tenure rights, two particular issues cutting across all sections of the SSF guidelines were raised repeatedly by almost all respondents and interviewees: participation in decision making and gender equality.

In some countries, it was reported that governments have made attempts to include fisher people in decision making processes, but that these attempts have been insufficient and of little material consequence. The insufficient inclusion and participation in decision-making processes pertains to both fisheries management and policy making (reforms), as well as decisions in relation to social development, value chain development, climate change mitigation, research and capacity building.

The empirical evidence from this assessment initiative shows that rights of women are severely compromised by structural factors. The lack of recognition of women's labour in both domestic and reproductive work as well as in the entire fishing value chain is a major barrier to gender equity and equality. The economic contribution of women is on the one hand made invisible while on the other hand subsidizing the economic contribution of fishing that is officially measured and recognized. In other words, when men, through the act of fishing, are seen as contributing to the economy, a key part of that contribution directly stems from the work of women.

The invisibility of women in fisheries connects to and cuts across other serious infringements on women's rights. Generally, it is the act of fishing that is recognised by states through various forms of fishing rights allocations, and as most women are involved in pre- and post-harvest activities, their contributions are not formally or legally recognised. This affects governance processes and is one systemic factor that tend to exclude women in decision-making.

The tendency to bring small-scale fishing into formalised, often export oriented markets also tends to further marginalise women. The labour of women is often sacrificed when processing and marketing, facilitated through government regulations and policies, is taken over by investors. Whether in the rare cases where new investments come from within fishing communities or when investment comes from outside investors, the ownership tends to rest with men.

In conclusion, the People Centred Assessment paints a clear picture not only of a lack of implementation of the SSF guidelines, but also of severe violations of tenure rights where masses of fisher peoples are denied access to fish resources, or evicted from their land and territories. It is against this backdrop IPC makes the following recommendations:

**Restoration of tenure rights:** where small-scale fisher communities have been dispossessed from the land and water territories without free, prior and informed consent, states should take measures to **restore** the legitimate traditional, customary and/or Indigenous tenure rights of fishing communities and redistribute tenure rights where such rights have been arbitrarily infringed upon. This pertains to cases of aquaculture development, shipping and port infrastructure, oil and gas exploration, mining, Marine Protected Areas among others.

**Recognition of small-scale fisher communities and women in particular:** The general lack of recognition of SSF and women in particular should be addressed as a matter of urgency by states to ensure equal participation in decision making in all areas affecting SSF including policy formulation, pre- and post-harvest activities (full value chain), management of territories and resources.

**Reparation and protection of nature:** The impacts of climate change should be addressed by states on the basis of knowledge, information and solutions as articulated by small-scale fisher communities, their organisations, and Indigenous Peoples. The states should acknowledge the co-existence of fisher peoples and nature, as opposed to develop questionable conservation schemes based on market-based solutions, as evidenced in the 30by30/MPA agenda. States should support climate justice on the basis of polluter-pay principles, and implement **environmental regeneration plans** and project in cases of environmental destruction.

**Full recognition and implementation of the SSF guidelines** at national and local levels: States should in the course of the next two years, leading up to **the 10<sup>th</sup> anniversary of the endorsement of the SSF guidelines**, allocate resources, build institutional capacity and develop participatory mechanisms to implement the SSF guidelines in participation with small-scale fisher peoples, their organisations and Indigenous Peoples.

**Revisiting the blue economy agenda** (sometimes referred to as ‘the ocean economy’ or ‘blue growth’). The contemporary ‘blue economy’ agenda is putting corporate profits ahead small-scale fishing, that is, the vast majority of people engaged in fisheries. This bias is strongly influenced by multinational corporations, global philanthropy and finance capital; and gaining momentum through policy reforms such as Marine Spatial Planning. States should revisit national strategic development plans and ensure future policies take into consideration the recommendations of small-scale fisher communities, their organisations and of Indigenous Peoples.

The members of IPC fisheries – LVC, IITC, WFF and WFFP – representing millions of small-scale fishers and their communities, including Indigenous Peoples, from coastal and inland regions all over the globe, call on the members of COFI and the FAO to continue supporting the Global Strategic Framework in support of the implementation of the SSF Guidelines (SSF-GSF) by reaffirming small-scale fishers as the real agents for positive change in the world’s fisheries, in which they are the primary rights-holders.

# Annex one - survey questionnaire

## Guiding Questions for the IPC SSF Guidelines Assessment Report

The guiding questions are meant for you to understand the scope of replies we would like to have. You do not need to answer each and every question detailed below.

You can answer the questions on behalf of your movement/organisation/fisher communities, or you can form a small group from your constituencies to respond to these questions:

Name of the Organisation:

Name and email address of the person filling out the questions:

**1. Overall reflections on the implementation of the guidelines in your country:**

- a. Does your country have a SSF policy in place? Is it in line with the SSF Guidelines?
- b. What has your government done to implement the guidelines?
- c. If you believe your government has not taken efforts to implement the guidelines, you can reflect on what policy reforms/development plans they have endorsed instead and how these relate to or contradict the guidelines?
- d. Are SSF people and communities involved in decision-making processes? Have SSF women been equally involved in decision-making processes?
- e. Have governments and local public entities respected and applied a free, prior, informed consent when dealing with SSF communities?

If you want more guidance, you can read section one - objectives of the guidelines.

**2. Governance of tenure arrangement (section 5a of the guidelines):** Tenure relates to your territories regardless of these are on land, in lakes and rivers, or at sea.

- a. In what way – if any – has the guidelines been used to protect (or not) your rights to your territories?
- b. Please also share a concrete case where you feel your fisheries tenure rights have been protected or violated.
- c. Please also share newspaper clips, photos and other media where we can learn more about your cases.
- d. Does the state establish mechanisms to support fishing communities affected by human rights violations?
- e. If you are of the view this is not the case please also explain

**3. Fisheries management (section 5b):** The question of management relates to fisheries policies and practices recognised by the state; and to your involvement in management of fisheries (co-management).

- a. In what way does the management system in place in your country recognise your rights and include you in the actual management of fisheries?

**4. Policy coherence, Information and knowledge (section 10 and 11):**

- a. Is there coherence in laws, policies, programs that affect the realisation of human rights for small-scale fishers in your country? If not, where are the contradictions? Is there sufficient coordination between relevant ministries, departments, and authorities?
- b. Does the government recognize the traditional knowledge of SSF (particularly women SSF) and use these for policy formation (i.e. fisheries management and development)?
- c. Does the government support data gathering (system) on SSF which is conducive for SSF?

- d. Can SSF access information which is conducive for their decision-making in all spheres that relate to them?
5. **Women in fisheries (section 8):**
- a. how does the implementation of the guidelines protect, fulfil and promote the rights of women?
  - b. If you are of the view this is not the case please also explain
6. **Other issues: Social development, employment and decent work (section 6); climate change (section 9); value chain in fisheries (section 7); and capacity building (section 12)**
- a. How does the implementation of the guidelines address any of these four areas?
  - b. On social development and employment, can SFF access adequate housing, basic sanitation, and safe drinking-water? Are local and traditional forms of associations of fishers and fisher workers recognized and supported by the State?
  - a. On value chain, it would be good if you can comment on localised value chain.
  - b. On capacity building, it would be good if you can think about how the state is supporting fishers (in the entire value chain and for your to further build organisational capacity)
  - c. Does the state establish mechanisms to support fishing communities affected by human rights violations?
  - e. If you are of the view this is not the case please also explain.

## **Annex two – contributing organisations**

**Survey respondents** from organisations in the following countries:

Bangladesh, Brazil, India, Mauritius, Senegal, Sierra Leone, South Africa, Sri Lanka, Tunisia, Turkey, Uganda.

The numerous references to articles and reports were provided by the survey respondents.

**Empirical information provided through additional interviews** with leaders from fisher organisations and fishing communities from the following countries:

Bahamas, Bangladesh, Guyana, Belize, Brazil, India, Indonesia, Malaysia, Mali, Mauritius, Russia, Senegal, Sierra Leone, South Africa, Sri Lanka, Tunisia, Turkey, Uganda, USA.

**Additional sources of information** include statements and press releases by IPC and the global organisations who are part of IPC; empirical evidence from the Blue Economy Peoples Tribunals in Thailand, Indonesia, Sri Lanka, Bangladesh and India; as well as media and news articles and reports produced together with or by the IPC members.



