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INTERNATIONAL PLANNING COMMITTEE
FOR FOOD SOVEREIGNTY (IPC)

PEOPLE-CENTRED ASSESSMENT FOR THE IMPLEMENTATION OF THE VOLUNTARY GUIDELINES FOR SECURING SUSTAINABLE SMALL-SCALE FISHERIES IN THE CONTEXT OF FOOD SECURITY AND POVERTY ERADICATION
LATIN AMERICA AND THE CARIBBEAN

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The International Planning Committee for Food Sovereignty (IPC) is an autonomous, self-organized global platform of organizations of small-scale food producers, rural workers, and grassroots/community-based social movements, aimed at advancing the Food Sovereignty agenda globally and regionally.

PEOPLE-CENTRED ASSESSMENT FOR THE IMPLEMENTATION OF THE VOLUNTARY GUIDELINES FOR SECURING SUSTAINABLE SSF IN THE CONTEXT OF FOOD SECURITY AND POVERTY ERADICATION

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CONTENTS

ACRONYMS

AG SSF-GSF – Advisory Group of the Global Strategic Framework in support of the implementation of the SSF Guidelines
AMERB – Areas for the Management of Benthic Resources
C-CONDEM – Corporación Coordinadora Nacional para la Defensa del Ecosistema Manglar (the national corporation coordinating the defence of the mangrove ecosystem)
CEDAW – Convention on the Elimination of All Forms of Discrimination Against Women
COFI – FAO – Committee on Fisheries
CONAPACH – Confederación Nacional de Pescadores Artesanales de Chile
COPMAR – Comunidad Pesquera Artesanal del Puerto San Juan de Marcona (Artisanal Fishing Community of Puerto San Juan de Marcona)
CNFO – Caribbean Network of Fisherfolk Organizations
ECMPO – Espacios Costeros Marinos de Pueblos Originarios (Chile's Indigenous Marine Area)
ENGOs – Environmental Non-Governmental Organizations
IITC – International Indian Treaty Council
IPC – International Planning Committee for Food Sovereignty
IPC_FWG – IPC Working Group on Fisheries
FAO – Food and Agriculture Organization of the United Nations
FIUPAP – Federación De Integración y Unificación De Los Pescadores Artesanales Del Perú (Federation for the Integration and Unification of SSF of Peru)
LAC – Latin America and the Caribbean
LVC – La Vía Campesina
MPA – Marine Protected Area
MPP – Movimento de Pescadores e Pescadoras Artesanais (Brazilian Movement of SSF)
NCGS – National Coast Guard Service
NGO – non-governmental organization
PPT – Permanent Peoples' Tribunal
RAG – Regional Advisory Group
SERNAPESCA – National Fisheries and Aquaculture Service (Chile)
SIS - Sistema Integral de Salud (Comprehensive Health System)
SSF - Small-Scale Fisheries (sector) or Small-Scale Fishers (people), according to context
SSF Guidelines - FAO Voluntary Guidelines for Securing Sustainable Small-scale fisheries in the Context of Food Security and Poverty Eradication
SSF-GSF - Global Strategic Framework in support of the implementation of the SSF Guidelines
TNC - The Nature Conservancy
UAPA - Unión Argentina de Pescadores Artesanales (Argentinian Union of SSF)
WFF - World Forum of Fish Harvesters and Fish Workers
WFFP - World Forum of Fisher Peoples

REPORT STRUCTURE

The first chapter introduces the report by presenting the Voluntary Guidelines for Securing Sustainable SSF in the Context of Food Security and Poverty Eradication (SSF Guidelines), the Global Strategic Framework in support of the implementation of the SSF Guidelines (SSF-GSF) and finally the methodology it follows.

The second chapter provides a comprehensive overview of the SSF[1] context of Argentina, Belize, Brazil, Chile, Ecuador, Indigenous Nation Pueblo Yaqui (Mexico), Indigenous Nation Kuna Yala (Panama)[2] and Peru.

The third chapter addresses four thematic areas identified as priority issues by the members of the Regional Advisory Group (RAG) and considered relevant by participating SSF organizations: tenure governance, social development and labour, gender equality, natural disasters and climate change, which correspond to Sections 5, 6, 8, and 9 of the SSF Guidelines.

Drawing on the SSF Guidelines and the relevant sections as our point of reference, this section takes a closer look at the lives and situation of SSF.

Each section concludes with a set of regional recommendations to States, tailored to the specific thematic area.

The final chapter presents general regional recommendations for Latin American and Caribbean States, synthesizing the findings and insights from the preceding chapters to inform policy and practice.

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[1] Note on SSF: In this report, SSF stands for both small-scale fisheries (sector) and small-scale fishers (people). Following the SSF Guidelines' overarching definition of small-scale fishers, SSF includes every person involved at every stage of the SSF value chain, including pre-harvest, capture, post-harvest. As shellfish gatherers – often women – are a prominent yet often unrecognized SSF actor in the LAC region, this report explicitly signals their inclusion in the SSF definition.

[2] In this report, we include Guna Yala and Pueblo Yaqui as Indigenous Nations at the same national level of non-Indigenous states.

CHAPTER 1
INTRODUCTION

Source: Pexels

The SSF Guidelines

The adoption of the FAO Voluntary Guidelines for Securing Sustainable Small-scale fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)[3] during the 31st session of the Committee on Fisheries (COFI)[4] in June 2014 marked a significant achievement for social movements and fishing communities. This success was driven by the efforts of the International Planning Committee for Food Sovereignty Working Group on Fisheries (IPC_FWG), along with other fisher organizations.

The SSF Guidelines were developed with input from 4,000 SSF and Indigenous Peoples, civil society organizations, and state agencies from 120 countries. They stand out for their human rights-based approach, being the first international instrument entirely dedicated to the SSF. This initiative addressed the historical marginalization of artisanal fishing communities, which in spite of providing 90% of employment in fisheries and ensuring food security and nutrition for millions worldwide, are often underrepresented, marginalized and excluded from policy-making and fisheries governance[5].

The SSF Guidelines have contributed significantly to the global recognition of SSF as more than just a sub-sector of the fisheries industry. This achievement lies in recognizing SSF as a way of life, rather than merely an economic activity. They acknowledge the intrinsic connection between SSF and the terrestrial and aquatic ecosystems they inhabit, emphasizing the links between identity, culture, language, and a sense of belonging.

For fishing communities, small-scale fishing is more than a livelihood; it is a way of life shaping the existence of those involved. The SFF Guidelines challenge dominant narratives that view SSF solely through their economic contributions, offering a holistic perspective that highlights their role as custodians of rivers, seas, and oceans, and whose traditional knowledge and practices are essential for sustainable aquatic resource management.

The SSF Guidelines highlight the importance of several principles, including human rights and dignity, respect for cultures, and non-discrimination. They also emphasize gender equality and equity, free, prior, and informed consent (FPIC), participation, the rule of law, transparency, and accountability. Furthermore, the guidelines stress the need for economic, social, and environmental sustainability, holistic and integrated approaches, and social and economic responsibility and viability.

2024 marked the 10th anniversary since the SSF Guidelines were adopted. However, despite this milestone, practical implementation has only recently and slowly started. In light of this, it was deemed crucial for SSF organizations to conduct thorough assessments of the situation on the ground and actively inform governments about the challenges and opportunities faced by SSF communities. These assessments and informed dialogues with policymakers are vital to catalyze meaningful action and ensure that the vision of the SSF Guidelines translates into tangible benefits for the SSF.

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[3] Food and Agriculture Organization of the United Nations (2014) Voluntary Guidelines for Securing Sustainable SSF in the Context of Food Security and Poverty Eradication.
Available at: https://openknowledge.fao.org/handle/20.500.14283/i4356en

[4] The Committee on Fisheries (COFI) is an intergovernmental body established by FAO. COFI serves as a global platform for member countries to discuss and address issues, policies, and initiatives related to fisheries and aquaculture. COFI shapes how the sector works through the development and adoption of several binding agreements and non-binding instruments, such as the SSF Guidelines.

[5] Ibid.

THE INTERNATIONAL PLANNING COMMITTEE FOR FOOD SOVEREIGNTY and the WORKING GROUP ON FISHERIES

The International Planning Committee for Food Sovereignty (IPC) is an autonomous and self-organized global platform of small-scale food producers, rural workers' organizations, Indigenous Peoples, and social movements with the mandate to advance the Food Sovereignty agenda globally, regionally, and nationally.

The IPC Working Group on Fisheries (IPC_FWG) is an alliance, solidarity, and coordination space participating in the IPC network representing SSF and Indigenous Peoples in more than 100 countries. This unique global civil society network unites SSF and amplifies their voices in international governance and decision-making processes, such as the Committee on Fisheries (COFI) of the Food and Agriculture Organization of the United Nations (FAO). The IPC_FWG enables SSF and Indigenous Peoples to effectively communicate the concerns and perspectives of their communities to global forums. The IPC_FWG is composed of leaders from the World Forum of Fish Harvesters and Fish Workers (WFF), World Forum of Fisher Peoples (WFFP), La Via Campesina (LVC), and International Indian Treaty Council (IITC).

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

In the efforts of implementing the SSF Guidelines at different levels, in 2016, the COFI approved the Global Strategic Framework in support of the implementation of the SSF Guidelines (SSF-GSF). The SSF-GSF serves as a partnership mechanism with an advisory and facilitative role, providing SSF actors (Advisory Group and Regional Advisory Groups), FAO, government representatives (Friends of the SSF Guidelines), NGOs and academia (Knowledge Sharing Platform) with a global platform for collaboration. Notably, the SSF-GSF allows its members to exchange experiences, pool resources, establish synergies, and coordinate efforts in advocating for policies and approaches that support the effective implementation of the SSF Guidelines.

In this SSF-GSF, global SSF organizations sit in the **Advisory Group** (AG SSF-GSF). Currently, the AG SSF-GSF includes representatives from the IPC_FWG, selected based on criteria for geographical representation and gender balance. The AG SSF-GSF provides recommendations and coordinates efforts regarding the implementation of the SSF Guidelines at global level.

In 2019, the members of the Advisory Group established the **Regional Advisory Groups** (RAGs) as regional entities within the SSF-GSF. The RAGs are entrusted with advancing the implementation of the SSF Guidelines at the regional level, actively involving social movements and regional FAO bodies.

Their role is to provide practical advice and foster effective regional cooperation towards achieving the objectives of the SSF Guidelines. In this framework, SSF and Indigenous Peoples' organizations play a crucial role in facilitating community-led processes to assess the implementation of the SSF Guidelines at the country level.

These assessments mirror all dimensions of their everyday experiences, emphasizing the link between local realities and global guidelines. The outcomes of these assessments are then brought to the attention of the regional FAO bodies and then to COFI and other relevant policy processes. In this way, the SSF-GSF acts as a vital conduit, bridging the gap between SSF and the global fisheries policy arena. It helps amplify the voices and concerns of SSF, ensuring that their perspectives are considered in developing and implementing fisheries policies and initiatives at all levels.

Report Methodology: the SSF People-Centred Methodology to assess the SSF Guidelines

This report uses the *SSF People-Centred Methodology to Assess the Voluntary Guidelines for Securing Sustainable SSF in the Context of Food Security and Poverty Eradication*[6], whose aim is to provide SSF and Indigenous Peoples with a valuable tool to gather empirical evidence and qualitative information on the gaps and positive practices related to the uptake of the SSF Guidelines. By adopting a community-led approach, this Methodology strives to assess the progress made in implementing the SSF Guidelines, by delving into the perspectives, concerns, and experiences of SSF and Indigenous Peoples and building common understanding and solutions which are reflected in the final recommendations. In essence, the methodology serves as a comprehensive framework to guide local communities in collecting relevant qualitative data about their local and national SSF. It ensures that the voices and experiences of SSF are heard and valued throughout the evaluation process.

This Regional Report was led by members of the Regional Advisory Group for Latin America and the Caribbean (RAG LAC) and focuses on the implementation of the SSF Guidelines in Latin America and the Caribbean. Specifically, the countries concerned are Argentina, Belize, Brazil, Chile, Ecuador, Indigenous Nation Pueblo Yaqui (Mexico), Indigenous Nation Guna Yala (Panama) and Peru. The research process unfolded along two complementary lines. The first focused on national experiences, conducted through local workshops involving SSF communities and Indigenous Peoples. The second brought these insights together at a regional workshop in Argentina and concluded with the formulation of regional recommendations. Beyond offering a snapshot of the situation of SSF in the LAC region, this report aims at providing governments and other actors involved in the SSF Guidelines implementation with regional recommendations to advance towards the implementation. At the same time, it aims to strengthen global and regional movements' understanding of the Guidelines, identify regional spaces for action, and foster unity and solidarity to support collective efforts.

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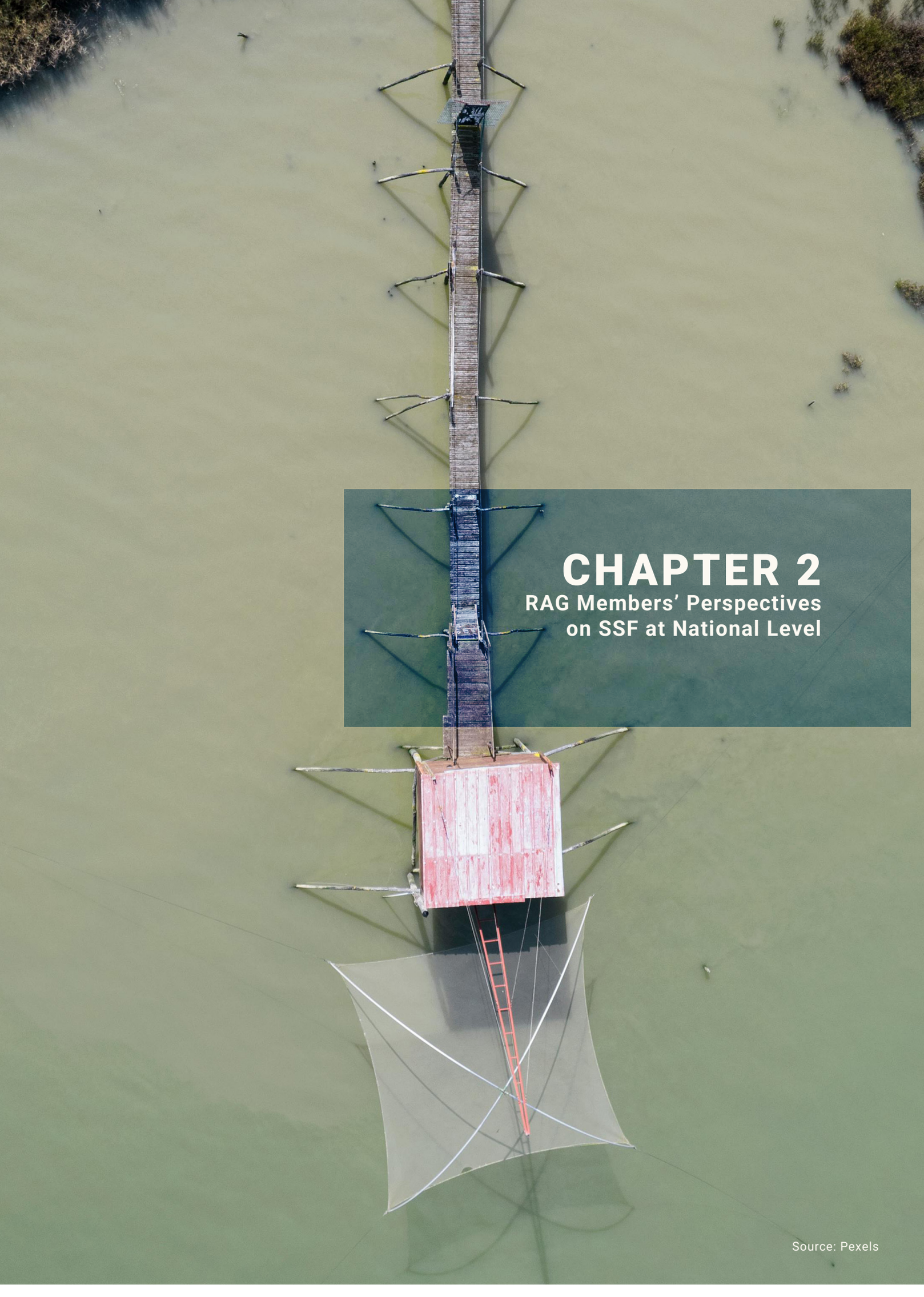
[6] International Planning Committee for Food Sovereignty (2023) *SSF People-Centered Methodology to Assess the Voluntary Guidelines for Securing Sustainable SSF in the Context of Food Security and Poverty Eradication*.
Available at: https://www.foodsovereignty.org/wp-content/uploads/2023/05/EN_PCM.pdf



CHAPTER 2
RAG Members' Perspectives on SSF at National Level

Source: Pexels

ARGENTINA

Argentina encompasses a vast maritime territory, with approximately 4,700 km of coastline. Despite this extensive coastal area, the number of SSF is surprisingly low. According to the National Fisheries Research and Development Institute[7], there are only about 3,000 SSF in the country. This small number reflects both structural constraints and the precarious conditions under which many of them operate. In fact, in Argentina small-scale fishing often functions as a survival strategy in times of economic crisis, increasing when employment opportunities diminish and declining when the economic situation stabilizes.

At national level, Argentina lacks a specific SSF law. However, fishing activities in Argentina's coastal waters (from 0 to 12 miles offshore) fall under provincial jurisdiction. Of the five coastal provinces – Tierra del Fuego, Santa Cruz, Chubut, Río Negro, and Buenos Aires – only Buenos Aires lacks specific small-scale fishing legislation, largely due to the dominance of industrial fishing interests in the region. The other four provinces have enacted small-scale fishing laws. In 2015, the Unión Argentina de Pescadores Artesanales (UAPA) – the national SSF' organization, member of WFF and participating in the RAG – proposed a draft national law on SSF, but it did not pass. This proposal aimed to increase funding for SSF and include them as participants in provincial fisheries policy decisions through provincial councils.

A major issue facing SSF is the lack of formal recognition, expressed in the form of legal fishing permits. Argentina's General Fishing Law (Law 24922 of 1998) regulates the issuance of fishing permits. Since obtaining a new permit is extremely bureaucratic and involves a long and complicated application process, the Law tends to limit the issuance of new permits, instead favouring only renewals of existing ones. Moreover, permits are granted to vessels rather than individuals, making it difficult for shellfish gatherers to obtain or families to transfer fishing rights generationally. Additionally, uniform safety requirements apply to all artisanal vessels, regardless of size and gear, which disproportionately burdens SSF. Abiding by these safety requirements is very difficult for many SSF, and consequently, many are not eligible for the fishing permit. As a result, most SSF do not possess legal permits, excluding them from access to credit, social protection schemes, and formal markets.

The disparity in access to permits is further exacerbated by the commercial value of target species. Permits are more readily granted for boats harvesting high-value export species such as shrimp, salmon, hake, and king crab, while those who fish for local consumption face significant barriers. This situation not only contributes to the overexploitation of the high-value export species, but also forces local fishers to operate outside the legal framework.

BELIZE

All Belizean fisheries are considered SSF, as there are no industrial or large-scale fishing activities in the country. In 2019, there were approximately 2,500 people directly and 15,000 people indirectly involved in fisheries[8]. As referred by the Belize Fishermen Cooperatives Association, the main species captured are lobster and conch, which are mostly sold on the seafood export market.

Fisheries are governed by the Fisheries Resources Act No. 7 of 2020. This Act has ambivalent effects on fishers: on one hand, it benefits them, on the other, it presents problematic sections which hinder the livelihoods of fishers. The following paragraphs will highlight some of the most relevant impacts of the Fisheries Resources Act on fishers.

With regards to its virtues, the Act recognizes the importance of including fishers in decision-making processes related to fisheries. In particular, it gives provisions for the institutionalization of the Fisheries Advisory Council, where key stakeholders, including fishers, academia, NGOs and governmental representatives, participate in policy-making and advise on national legislation related to fisheries. This Council reflects and continues the tradition of inclusive consultation, which had already started with the consultation process that led to the Fisheries Resources Act No. 7. Belizean fishers, in fact, had been extensively consulted during the drafting of the law. However, fishing communities often feel misunderstood by authorities, with their contributions undervalued despite consultations. More often than not, they discover changes to fisheries regulations have been made without their knowledge or agreement.

Yet, the Fisheries Resources Act No. 7 also undermines the fishers of Belize in various ways. Firstly, Part 1 and Part 6 of this Act state that the Minister of Agriculture, Fisheries, Forestry, The Environment and Sustainable Development, may designate any public official as a Fisheries Officer for the purposes of enforcing this law, including members of the national coast guard service or police officers. However, not all public officials are familiar with the rights of fishers. Many Belizean fishers, including the Belize Fishermen Cooperatives Association[9] , strongly oppose this section of the fisheries legislation. Especially problematic is the appointment as Fisheries Officers of public officers from the National Coast Guard Service (NCGS), since the latter often have no knowledge about fisheries. The NCGS is an armed force with military training, and its involvement is intended to assist local authorities only during disasters or emergencies. Fishers frequently report harassment by the NCGS, which justifies their opposition.

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[7]Gaviola, S. R. (2023) Problemáticas económicas, sociales e institucionales actuales de la pesca artesanal marítima en la Argentina, Instituto Nacional de Investigación y Desarrollo Pesquero (INIDEP).
Available at: https://nulan.mdp.edu.ar/id/eprint/4091/1/gaviola-2023.pdf

[8]UN Trade and Development (UNCTAD) (2020) Oceans Economy and Trade Strategy: Belize marine fisheries and seafood processing sectors.
Available at: https://unctad.org/publication/oceans-economy-and-trade-strategy-belize-marine-fisheries-and-seafood-processing

[9]The Belize Fishermen Cooperatives Association was established in the late 1960s to represent the interests of fishing cooperatives and their members. Today, the association represents 2,716 fishers from all fishing communities in Belize, from north to south.

Secondly, the Fisheries Resources Act (2020) establishes high fines for off-season fishing infractions, reaching up to USD 3 million. This has become a problem for fishers as the lobster and conch seasons have been gradually shrinking. The reason for this resides in the establishment of the Quota Management System.

According to environmental NGOs such as Environmental Defense Fund[10], Belize endures an overfishing crisis which needs a quota system and management solution. While traditionally fishers fished according to fishing seasons, now they are obliged to abide by the quota system. As quotas are fulfilled before the closing of the season, fishers need to change their traditional knowledge of fishing, otherwise risking the aforementioned high fines. Fishers further question the Quota Management System as the government, in collaboration with environmental NGOs, has imposed it top-down, not having even held consultations with fishers.

Conservation efforts hold an important influence on Belizean fisheries. Belize is widely considered as a leader in ocean conservation. Among others, Belize has established a large number of marine reserves and protected areas, including the Sapodilla Cayes Marine Reserve, which extends 500 square miles. Moreover, Belize is home to the healthiest coral reefs in the Caribbean, specifically the Corona reef [11], and has taken environmental measures such as the prohibition of offshore oil exploration and extraction in its Exclusive Economic Zone[12]. Indeed, these successes, as much as the Belizean fisheries governance, are characterized by an important role played by international Environmental NGOs (ENGOs). For example, the Government of Belize, in partnership with The Nature Conservancy (TNC), launched the Marine Spatial Planning process in 2022. The launch of this planning process marks a milestone accomplishment under the Blue Loan Agreement and the Conservation Funding Agreement signed in 2021 between the Government of Belize and TNC[13].

These agreements underpin the country's pioneering debt conversion for marine conservation. Yet, fisher communities are usually marginalized in these programs. On the one hand, they are not given space for participating in the planning and implementation of these programs. On the other, fishers are not considered as a potential solution for a co-managed conservation of marine biodiversity, and their traditional knowledge is not valued. Indeed, Belizean fishers revendicate their important role as the most significant actor in the blue economy, their contribution to Food Sovereignty and poverty eradication, and their customary rights, leading them to rightfully claim a space in the decision-making

Source: Pexels

[10] Rife, A. (2020) Community-based fishery management delivers individual and collective benefits in Belize, Environmental Defense Fund. Available at: https://blogs.edf.org/edfish/2014/04/18/community-based-fishery-management-delivers-individual-and-collective-benefits-in-belize/

[11] Environmental Defense Fund (2020) Community-based fishery management delivers individual and collective benefits in Belize. Available at: https://www.edf.org/media/belize-adds-another-jewel-its-crown-leader-ocean-conservation

[12] World Wide Fund for Nature (2018) Belize becomes a world leader in ocean protection by ending oil activity in its waters. Available at: https://wwf.panda.org/wwf_news/?320131/Belize-becomes-a-world-leader-in-ocean-protection-by-ending-oil-activity-in-its-waters

[13] Government of Belize Press Office (2022) Official Launch of Belize's Marine Spatial Planning Process. Available at: www.pressoffice.gov.bz/marine-spatial-planning-process/

BRAZIL

In Brazil, SSF consider themselves a complex and varied category, including capture fishers, fish workers and processors, shellfish gatherers, subsistence fishers. However, Brazil's definition of an SSF was abruptly changed by Rousseff's government with Decree No. 8425 of 2015, which implements Law No. 11959 of 2009.

This decree defines the SSF as someone who practices fishing for commercial purposes, autonomously or in a family economy setting, uses their own or in-partnership means of production, and operates a vessel with gross tonnage of up to 20. This definition excludes subsistence fishers, fish workers and processors, and shellfish gatherers. This change in definition affected especially fisherwomen – who mostly practice cleaning, processing the fish or shellfish gathering – and traditional fishing communities, as exclusion from the legal definition de facto translated into exclusion from the *seguro-defeso* (unemployment insurance during fishing ban periods). In fact, the Decree produced the suspension of subsidies to roughly 500,000 fishers and shellfish gatherers, particularly in the Amazon and Northeast regions[14].

In 2022, Ordinance No. 1525 was published by the Ministry of Labor and Social Security, extending the *seguro-defeso* to nearly 398,000 fishers previously excluded, most of which are SSF[15]. However, the definition of SSF – and the associated benefits – remain governed by Decree No. 8425 of 2015. For this reason, the Movimento de Pescadores e Pescadoras Artesanais (MPP) advocates for expanding the definition of 'SSF' to include subsistence fishers, traditional fishers, fish workers and processors, and shellfish gatherers[16].

In Brazil, SSF face mounting threats, ranging from environmental degradation to large-scale development. Similar to Ecuador, though on a smaller scale, the rapid expansion of shrimp aquaculture is driving significant mangrove destruction. Additionally, the construction of industrial ports, mega-dams and the growth of industrial agriculture reduce both fishing habitats and community access to resources. An example of the stark impacts of such development projects occurred in 2015 with the Mariana dam disaster in Minas Gerais, which released 30 to 60 million m³ of toxic sludge into the Rio Doce watershed. The disaster resulted in mass fish kills, biodiversity loss, heavy-metal contamination, and severe disruption to artisanal fishing communities, some of whom were forced to abandon fishing altogether[17]. In resistance to these multiple challenges, SSF in Brazil have engaged in collective action against systemic violations of their rights and territories. A pivotal moment came in November 2021, when around 800 fishers gathered in protest against the blue economy and extractivist development models. This convergence marked the birth of the People's Tribunal for the Ocean Economy, which in 2022 was reconstituted as the Permanent People's Tribunal for Water (Tribunal Permanente dos Povos e das Águas)[18].

The People's Tribunals in Brazil emerged as spaces for grassroots justice in response to the widespread violations that artisanal and traditional fishing communities face: loss of fishing territories, pollution from mining and agribusiness, destruction of mangroves, restrictions caused by hydro and wind energy projects, and systematic governmental neglect. Inspired by the methodology of the international Permanent Peoples' Tribunal (PPT), the Brazilian tribunals provided a legitimate platform for communities to present evidence and testimonies that would otherwise be disregarded in formal courts.

The Tribunals documented cases of mercury contamination in Amazonian rivers due to illegal gold mining, hydroelectric dams (e.g., Belo Monte, Tucuruí) obstructing fish migration routes and displacing fishing communities, wind and port infrastructure projects restricting access to traditional fishing grounds, and oil exploration and pollution impacting marine and coastal biodiversity. The Tribunal's sessions were characterized not only by denunciation but also by affirmation of alternatives, such as community-led fishing agreements. They produced detailed judgments and recommendations, which, although not legally binding, carry symbolic and political weight[19].

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[14] Amorim Reis-Filho, J. and Leduc, A. (2017) 'Management-Challenged Brazilian Governance and the Low Relevance of National Fishery Management Policy: Recommendations to Promote Viable SSF,' Oceanography & Fisheries Open Access Journal, 2(2). DOI: 10.19080/OFOAJ.2017.02.555583

[15] CONAFER Brasil (2022) SEGURO-DEFESO: portaria autoriza 398 mil pescadores a receber o benefício suspenso em 2015. Available at: https://conafer.org.br/seguro-defeso-portaria-autoriza-398-mil-pescadores-a-receber-o-beneficio-suspenso-em-2015/

[16] Comissão Pastoral da Terra (CPT) (2015) Pescadores fazem manifestações pelo Brasil contra decreto do governo que fere direitos da categoria. Available at : https://cptnacional.org.br/2015/06/15/pescadores-fazem-manifestacoes-pelo-brasil-contra-decreto-do-governo-que-fere-direitos-da-categoria/

[17] Jankowsky, M., Mendonça, J. T., and Randow de Freitas, R. (2024) 'Changes and challenges in SSFy: unpacking the impact of a mining waste disaster,' Ocean and Coastal Research, 72. https://doi.org/10.1590/2675-2824072.23165

[18] Website: https://permanentpeoplestribunal.org/?lang=en

[19] Satizábal, P., Quinquillà, A., Franco, M., and Pederson, C (2024) Ocean, Water and Fisher Peoples' Tribunals Cutting the nets of capital and weaving nets of solidarity, Transnational Institute (TNI). Available at: https://www.tni.org/en/publication/ocean-water-and-fisher-peoples-tribunals

Source: Pexels

CHILE

Chile has an extensive coastline spanning approximately 6,435 kilometres (4,000 miles), including the perimeter of its insular and oceanic territories. In 2024, the country ranked top aquaculture producer in Latin America and the Caribbean and in 2022 made the top 10 capture fisheries economies in the world, primarily due to the fishing of pelagic species such as anchovy, jack mackerel, and common sardine[20]. Chile also ranks as the world's second largest producer of fishmeal, the leading exporter of mytilidae (a family of bivalve molluscs, including mussels), and the second largest producer of farmed Atlantic salmon[21].With about 70% of fish catches destined for export, Chile is a major and growing exporter of aquatic animal products, generating approximately USD 8.5 billion in export revenue in 2022, 25% more than 2021[22]. As of 2023, only about 14% stays in the Latin American and Caribbean region, while 39% of Chile's aquatic animal products' export share was destined to the United States[23].

There are approximately 101,000 SSF across Chile's extensive coastline, contributing to about 33% of Chile's total fishery and aquaculture production. According to registrations in the SSF Registry – in Spanish, Registro Pesquero Artesanal – SSF reached 105,311 registered individuals in 2024. Among them, 27,228 are women (25.85%) and 78,083 are men (74.15%). 84% of the registered women are artisanal shellfish gatherers[24]. However, estimates show that SSF indirectly provide jobs for at least 250,000 Chileans[25]. Again in 2024, the number of registered Artisanal Organizations increased to a total of 1,908, including unions, trade associations, cooperatives, Indigenous Peoples' associations, and others[26].

Small-scale fishing in Chile includes fishers who engage in diverse fishing activities, such as resource gathering in coastal areas, diving, operating fleets of varying sizes and autonomy, working as crew members on these vessels, or engaging in artisanal aquaculture activities. According to the General Law on Fisheries and Aquaculture (Law No. 18892 of 1989), SSF are categorized as 'SSF,' 'divers,' 'shore gatherers, seaweed harvesters, or apnoea divers,' and 'artisanal vessel owners.'

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ECUADOR

In Ecuador, SSF include artisanal fishing and shellfish gathering, and takes place in rivers, estuaries and seas. A peculiarity of Ecuador is its extended mangrove ecosystem, which allows for extensive artisanal shellfish gathering. As developed in the Section 8 of the SSF Guidelines on gender equality, shellfish gathering is mostly practiced by women, and often unaccounted for.

Artisanal fishing and shellfish gathering are legally recognized and protected by the Organic Law for the Development of Aquaculture and Fisheries (Agreement No. 114 of 2020). This Law declared the area within 8 nautical miles from the baseline as an exclusive fishing zone for SSF. In 2023, the Ecuadorian government established a Marine Protected Area for the entire coastline out to 8 nautical miles[27]. Yet, the exclusive miles for SSF are under constant dispute with the fishing industry. For example, a draft law currently before the Parliament suggests reducing the zone to 5 nautical miles, while the National Corporation Coordinating the Defence of the Mangrove Ecosystem – in Spanish, Corporación Coordinadora Nacional para la Defensa del Ecosistema Manglar (C-CONDEM) – proposes expanding it to 16 nautical miles.

Despite the seemingly favourable legal framework for SSF, Ecuadorian artisanal shellfish gatherers and fishers report the discrepancy between these laws and the on-the-ground reality of fisheries, heavily encroached by the fishing industry, especially that of shrimp. Since the 1980s, the shrimp industry has been accelerating its expansion in the Ecuador's mangrove ecosystem. Yet, this expansion took place illegally for most part of its trajectory, as in Ecuador setting up shrimp ponds in mangrove ecosystems had been prohibited since the 1970s. What is more, the mangrove ecosystem is to this day considered a national asset of public use, that is, a commons.

In 2008 the leftist government led by Rafael Correa, however, passed Executive Decree 1391 that regularized the shrimp aquaculture ponds in mangroves. This led to granting companies concessions and even property titles and kicked off the privatization turn of mangrove ecosystems[28]. In 2009, C-CONDEM filed an unconstitutionality lawsuit, which was finally rejected[29].

According to the Cámara Nacional de Acuacultura de Ecuador – a national multi-stakeholder aquaculture organization – shrimp export volumes have dramatically increased since the second decade of the 2000s, from 300,000 pounds in 2010 to 1,900,000 pounds in 2024[30]. Not only, but in six months of 2025, shrimp has also become Ecuador's first export product in terms of monetary value, surpassing the usual primacy of oil[31]. Finally, the most alarming data is probably that of land and resource grabbing. In Ecuador, out of 362,802 hectares of mangroves, in 2019 213,032 hectares were seized and occupied by shrimp ponds[32].

It is fundamental, thus, to include the shrimp industry in discussions about Ecuador's artisanal shellfish gathering and fishing. This industry has a tragic impact on small-scale fishing communities, violating or threatening their tenure rights and reorganizing artisanal work into industrial labour relations, as discussed in the next chapter.

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GUNA YALA, PANAMA

Although Panama has no specific legal framework for SSF, it nonetheless recognizes and promotes SSF, notably through its Fisheries and Aquaculture Law (Law No. 204 of 2021). A relevant outcome of this law is, indeed, the formation of the National Commission for Responsible Fisheries in 2022. This multi-stakeholder body includes representation for SSF, providing them a formal voice in policy-making[33].

However, while SSF are included in the National Commission for Responsible Fisheries as well as in consultations for reviewing Law No. 204[34], Indigenous Peoples such as Guna, are not consulted and are often marginalized in the legislation and governance processes.

The recognition of Guna Indigenous territory dates back to 1871, during Panama's union with Colombia, when the Comarca of Tulenega was established. However, after Panama's separation from Colombia in 1903, this comarca went unrecognized until 1938, when it was legally re-established as the Comarca of San Blas. Subsequently, in 1998, it was renamed Comarca Guna Yala, currently formed by 51 communities.

In Guna Yala, traditional Guna knowledge is an integral part of aquatic resource management. Local regulations, such as those of Anmar Igar, establish closed seasons determined by taboos, reproductive periods, and community restrictions on marine species. This governance model, based on customary norms, is governed by the Guna General Congress in coordination with local authorities. Moreover, fishing is mostly for subsistence or local consumption, as in the region the monetary economy is limited and bartering or direct consumption are more common.

The Guna People face a variety of threats related to fisheries. Firstly, rising sea temperatures and water pollution are producing the deterioration of the widespread coral reefs habitats, endangering the broader aquatic ecosystem. Secondly, the presence of invasive, predatory species threatens the sustainability of fishery resources. The lionfish, for example, feeds on juvenile fish and upsets the balance of reef ecosystems. Thirdly, there is a visible reduction in the quantity and variety of fish caught. For instance, lobsters and horse mackerels are gradually disappearing from Guna coastal waters. Finally, increasing tourism on some islands in Guna Yala has led to pollution, destruction of habitats, especially coral reefs, and even conflicts over the use of marine space[35].

PERU

In Peru, SSF have exclusive access to the first five nautical miles from the baseline, a policy in place for over three decades to protect both coastal livelihoods and marine ecosystems. The General Fisheries Law (Decree No. 25977 of 1992) defines artisanal vessels as those with a capacity of up to 32.6 cubic meters, a maximum length of 15 meters, using specific gear, and involving predominantly manual labour. The Law, additionally, prohibits the use of purse-seine nets within the five-mile zone.

While this legal framework seeks to safeguard SSF, it has also generated conflicts. For instance, fishers who use artisanal purse-seine nets are obliged to fish beyond the five-mile limit, despite the risks this entails for smaller vessels that are not designed to operate safely farther offshore. Moreover, internal conflicts arise among fishers due to differing views on who should be considered 'artisanal'. For instance, some fishers operate larger vessels (bolicheras), however claim to practice 'artisanal fishing' and encroach on the five-mile zone.
Finally, SSF argue that the five-mile exclusive zone does not reflect Peru's geographical diversity and should instead adapt to the local realities of fishers. Particularly, in the south, waters start becoming deep within five miles of the coast, while in the north comparable depths are only reached around 20 miles offshore.

The challenges of classification and access intersect with broader questions of vessel formalization and regulation. In 2018, through the launch of the System for the Formalization of Artisanal Fishing (SIFORPA) under Decree 1392, thousands of illegal artisanal vessels were able to secure registration and safety credentials. Over 4,500 vessels registered in its first year, however, as of 2023, only 2,490 met the initial eligibility criteria[36].

Additional measures have since extended formal recognition to fisheries that had long been marginalized. In 2022, for instance, Supreme Decree No. 00238-2022-PRODUCE granted nearly 570 traditional hake fishers the right to continue using ancestral gear, despite a moratorium on granting new fishing permits for hake that was imposed in 2003 under Supreme Decree No. 016-2003-PRODUCE.

Support mechanisms for SSF have also been strengthened in recent years. The state development fund FONDEPES has allocated growing amounts of credit to the sector, with more than S/ 29 million (approximately USD 7.5 million) distributed in 2024 to SSF and aquaculture farmers. Moreover, FONDEPES capacitated around 11,200 SSF with technical workshops addressing, for example, marine biodiversity conservation and vessel formalization[37].

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Despite these advances, the sustainability of Peru's marine resources remains precarious. Anchovy (anchoveta) is a prominent example of resource overexploitation in Peru. While the country is the world's leading producer of anchoveta, the species is harvested primarily for fishmeal and fish oil exports, rather than for local consumption. Of the five million tonnes authorized for capture, only about 150,000 tonnes are used for direct human consumption. Consequently, nearly 98% of anchovy catches feed farmed salmon, shrimp, trout, and other species farmed and consumed abroad[38].

Through the lens of Food Sovereignty, this significant imbalance raises serious concerns and threatens the livelihoods of SSF. Firstly, anchovies are highly nutritious and could play an important role in the Peruvian diet, particularly as a source of iron. Moreover, overexploitation of anchoveta destabilizes the entire marine food web – as it serves as food for many species – and undermines the Food Sovereignty and food security of coastal communities, which are witnessing a gradual decline in their local marine resources and threats to their livelihoods. Finally, 86% of the anchovy industry – from capture to marketing – is concentrated in the hands of just seven companies, creating a stark power imbalance between multimillion-dollar corporations and SSF striving to protect their livelihoods[39].

Regulatory frameworks have exacerbated these pressures. For example, Supreme Decree 024/2016-EM allowed industrial vessels to use fine-mesh nets that, while targeting anchoveta, also cause massive bycatch and severe marine biodiversity loss. The same decree established that no industrial vessels fishing juvenile anchovy above the legally permitted 10% would face sanctions. As a result, in 2020, 20% of anchovy catches were juveniles that should have been protected[40].

Together, these dynamics illustrate both advancements in defending the rights of SSF and parallelly persistent challenges facing Peru's SSF. While formalization processes, financial mechanisms, and legal recognition of marginalized groups have created new opportunities, unresolved conflicts over access, definitions, and ecological sustainability continue to threaten the future of artisanal fishing communities and the ecosystems on which they depend.

PUEBLO YAQUI, MEXICO

The Yaqui People, or Pueblo Yaqui, are an Indigenous Nation in Sonora, Mexico, recognized by the Mexican Constitution for their collective territorial rights. In response to longstanding calls from the Yaqui People, in 1937 and 1940 two Presidential Agreements granted the land restitution to the Yaqui Nation. However, complete implementation was postponed for decades. Finally, President Andrés Manuel López Obrador's administration, under the framework of the 2022-2024 Plan de Justicia para el Pueblo Yaqui, completed the land restitution, exceeding the area originally determined in 1940 and bringing the total to over 45 thousand hectares[41].

The Mexican General Law on Sustainable Fisheries and Aquaculture of 2007 establishes that Indigenous Peoples have preferential access rights to marine resources over their own lands and waters. Moreover, the Law obliges authorities to consult Indigenous Peoples leaders when concessions or permits might affect their territory. In practice, the Yaqui have the exclusive domain over their coastal waters up to 12 miles from the baseline. Here they fish using small, motorized pangas or canoes and traditional fishing hooks made of hemp. Indeed, the Pueblo Yaqui has historically managed around 80 km of bay and virgin shoreline through internal governance structures rooted in their autonomous jurisdiction.

Since 1958, the Sociedad Cooperativa de Producción Pesquera Comunidades Yaquis, that is, the Yaqui Fishing Cooperative, has granted approximately 360 fishing concessions. This cooperative serves as the principal institution managing access and use of marine resources in the Yaqui Nation, a role strengthened by the fact that the federal Secretary of Fisheries no longer issues individual concessions in Yaqui territory but has passed on this task to the Yaquis themselves[42].

Despite this autonomy, there are governance challenges. Mexico's General Law on Sustainable Fisheries and Aquaculture and associated policies were drafted without adequate consultation with the Pueblo Yaqui and other Indigenous Peoples, limiting their input in decision-making processes affecting their traditional waters. Additionally, foreign or non-local fishing vessels sometimes infringe on the Yaqui's exclusive fishing zones, undermining their territorial integrity and resource sustainability.

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[39] Ibid.

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Available here: https://www.gob.mx/amlo/prensa/en-sonora-presidente-amlo-decreta-restitucion-de-mas-de-12-mil-hectareas-adicionales-al-pueblo-yaqui

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CHAPTER 3

The assessment: Overview of the status of implementation of the SSF Guidelines at national level

Despite this autonomy, there are governance challenges. Mexico's General Law on Sustainable Fisheries and Aquaculture and associated policies were drafted without adequate consultation with the Pueblo Yaqui and other Indigenous Peoples, limiting their input in decision-making processes affecting their traditional waters. Additionally, foreign or non-local fishing vessels sometimes infringe on the Yaqui's exclusive fishing zones, undermining their territorial integrity and resource sustainability.

Source: Pexels

SECTION 5

GOVERNANCE OF TENURE IN SSF AND RESOURCE MANAGEMENT

Tenure systems in SSF determine who can access, use and control land and water resources related to their livelihood. It can allocate areas and prescribe how long and under what conditions these resources can be accessed. It is important to note that tenure systems can be based on written policies, laws, and unwritten customs and practices. For SSF communities and Indigenous Peoples, tenure is often established by customary practices. The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (FAO) assign states the responsibility to "provide legal recognition for legitimate tenure rights not currently protected by law" and further goes on to say that people should be given adequate legal protection against forced evictions.

Broadly, governance related to Tenure Rights in SSF can be seen in two distinct ways. The first is formal tenure rights over land and water resources through legal provisions. The second is customary tenure rights exercised by SSF through locally adapted normative frameworks. In many cases, these two types of tenure rights can exist separately and overlap. However, the formalisation of customary governance systems makes the rules entirely fixed, reducing the capacity of communities to adapt to change.

The SSF Guidelines aim to ensure secure, equitable, and culturally appropriate tenure rights to fishery resources, fishing areas, and adjacent land and forests, with a special focus on the rights of women, Indigenous Peoples, marginalised groups, and ethnic minorities. They emphasise recognizing and respecting legitimate tenure rights, including local norms and customary practices. The Guidelines also advocate for securing access to resources for SSF and their communities, protecting these rights from violation, and empowering communities by involving them in decision-making processes, especially in the context of conflict and disaster recovery.

Across the LAC region, SSF communities face systematic exclusion from tenure recognition and resource access, creating widespread vulnerability to external pressures. National recognition of SSF tenure rights remains mostly absent across countries. Argentina provides no recognition of SSF rights over fisheries areas, while Brazil lacks a comprehensive national system, and Belize's restrictive zoning disrupted traditional access patterns.

Conservation initiatives consistently exclude SSF from decision-making. Argentina's foreign NGO-financed Marine Protected Areas cover 9.5% of marine territory without community consultation, while Chile faces aquaculture-Indigenous Peoples conflicts, exemplified by Kawésqar communities' 2018-2019 legal battles.

Moreover, industrial encroachment threatens SSF and Indigenous Peoples' territories. For instance, Ecuador's shrimp aquaculture industry occupied 213,032 hectares of mangroves by 2019, and Chile's salmon aquaculture industry expands within Patagonian protected areas. Despite this, regulatory restrictions target SSF practices – such as Belize's 2020 gillnet ban - rather than industrial violations.

However, prominent cases of co-management led by SSF communities show the potential for securing their tenure rights. Peru's COPMAR (Comunidad Pesquera Artesanal de Marcona – Artisanal Fishing Community of Marcona) developed effective rotational harvesting since the 1990s, Ecuador's Agreements granted SSF organizations management over 100,000 mangrove hectares, and Brazil's community fishing agreements provide self-regulation since the early 1990s. These experiences testify to the creativity and resistance of SSF communities and Indigenous Peoples, defending their collective rights to territory and protecting their traditional livelihoods.

Source: Pexels

ARGENTINA

At the national level, Argentina does not recognize the tenure rights of SSF over fisheries' areas or resources. The lack of national recognition leads to land grabbing and other pressures on fishery resources. An important concern, for instance, relates to the uncontrolled advance of National Protected Areas – in Spanish, Áreas Protegidas Nacionales, which in Argentina account for 16% of the continental territory[43].

While the laws governing the designation of reserves or natural parks do not necessarily hinder small-scale fishing activities, there are instances in which these laws explicitly prohibit all types of fishing. In the case of provincial reserves in Buenos Aires, Law 10907 of 1990 establishes that extraction of wildlife – including fishing – is generally prohibited, except when scientific reasons justify it. This occurred, for example, in Bahía San Blas (province of Buenos Aires), where in 1987 the Área natural protegida Bahía San Blas – Bahía Anegada was established (Law 10492), covering 315,000 hectares. Responding to pressure of local SSF, the Buenos Aires province approved Law 12788 of 2002, explicitly authorizing artisanal and recreational fishing within the reserve.

SSF are increasingly concerned about the role of foreign NGOs in the creation and management of Marine Protected Areas (MPAs), which, as of 2019, covered about 9.5% of Argentina's marine territory[44]. Their main concern is that these NGOs often finance and oversee reserves without engaging or considering SSF and local communities. The core issue is not the existence of nature reserves themselves, but rather that these reserves are not integrated into the local social fabric: SSF and Indigenous Peoples should be consulted and included in the management and decision-making processes of the protected areas.

Unfortunately, this level of inclusion is currently lacking. SSF are not consulted during the planning or implementation phases of conservation projects, and they often become aware of restrictions only once they are already in effect. Moreover, SSF typically do not have access to legal representation to defend their rights. This exclusion from consultation and governance processes not only undermines their livelihoods but also erodes trust in conservation initiatives and threatens the long-term sustainability of both marine resources and fisherfolk communities.

BELIZE

Belizean fishers report their rights to tenure and access to marine resources have been increasingly hindered by the government and some influential ENGOs. In addition to establishing the first MPAs in the 1980s, the Belizean government promotes a variety of environmental projects, notably the Managed Access program with Environmental Defence Fund (EDF), the 30x30 Project, and the debt-for-nature swap with The Nature Conservancy (TNC). These projects have been weighing heavily on the livelihoods of fishers. While they intend to protect marine biodiversity and oceans, top-down and western-centric conservation efforts often impinge on traditional fisheries knowledge and practices, for instance, limiting fishing gear, shrinking the space allowed for fishing, and restricting fishing quotas. In other words, conservation is affecting rights to tenure and access to resources for fishers in Belize.

One of the main issues in the governance of tenure and access to resources is the Managed Access program (Fisheries Resources Act of 2020). Disrupting the previous 'open access' paradigm, the Managed Access divides the national unprotected marine waters into nine fishery management zones. Eight zones are near-shore and atolls, while the ninth is off-shore. Fishers must select two fishing zones during the annual licensing process and must restrain from fishing in other areas during the whole year.

Each fishing zone has a managed access committee composed of stakeholders, including fishers. This committee is responsible for managing the specific zone and reviewing and approving access licenses. However, as more and more marine territory is off-limits for fishing, the designated zones are often overcrowded, while many prime fishing zones have become no-fishing zones. Belizean fishers, therefore, struggle to access 'good' fishing grounds. This situation is aggravated by the difficulties with acquiring a fishing license, which is highly bureaucratic, discouraging participation and creating barriers to compliance.

Moreover, the Managed Access program focuses on restricting Belizean fishers, but it does not adequately address or directly engage with foreign fishers who exploit Belizean waters without proper licenses. Therefore, while Belizean fishers face strict legislation, foreign vessels freely, although illegally, overfish their seas. Adding to the difficulty of accessing the fishing grounds and respecting customary rights, this conflict over access prompts frustration in the fishers of Belize.

Another challenge with Managed Access is that, during hurricanes – which now occur almost annually – some fishing zones are more affected than others. In such times, fishers from the most affected zones are disproportionately impacted, as the Managed Access system prohibits them from accessing safer or less damaged fishing grounds.

Access to marine resources and tenure rights are also hindered by legislations restricting fishing gear. The ban of gillnets is a prominent example of this. In 2020, the government of Belize passed the Fisheries Resources (Gill Net Prohibition) Regulations, banning the possession and use of gillnets in Belize's marine territory and internal waters. This prohibition affected an important section of Belizean fishers, as the use of gillnets has been widespread since the early 1950s.

[43] Portal oficial del Estado Argentino (Argentina.gob.ar) (no date) Áreas protegidas. Available at: https://www.argentina.gob.ar/ambiente/areas-protegidas

[44] Koop, F. (2019) How Latin America is leading the way for marine protection, Dialogue Earth. Available at: https://dialogue.earth/en/ocean/7428-latin-america-leading-marine-protection/

Gillnets were mainly employed in fisheries to catch coastal pelagic and demersal fish species. The main reason behind this gillnet ban lies in the supposed threat that this kind of fishing gear inflicts on endangered species, such as manatees or dolphins. ENGOs concerned with marine conservation, such as Oceana, have been advocating for the ban arguing the gillnets produced by-catch and threaten marine life[45]. However, taking the protection of manatees as an exemplary case, fishers argue that it is tourism, not fishing, that threatens manatees' survival. High-powered touristic boats often collide with manatees, inflicting severe injuries that eventually lead to their death.

Several gillnet fishers participating in this report stated that, in their many years of gillnet fishing, they had never caught a manatee. Moreover, no gill-net fisher left their gear unattended, especially since the nets are costly and would otherwise be stolen. Belizean fishers used gillnets responsibly, providing a livelihood for a significant number of fishers and their families.

Finally, the so-called gillnet by-catch represents an important source of protein for local communities. For example, fishers use gillnets to catch specific fish, such as crevalle, and in doing so, they 'by-catch' snappers, grunts, mackerel, which are sold in the local market and are essential in the diets of low-income families. In Belize, fishers stress that no fish ever goes wasted: 'by-catch' is also catch. In conclusion, prohibiting this essential fishing tool has affected negatively many livelihoods, resulting in significant job losses and an increase in poverty among fisher communities.

BRAZIL

In Brazil, the legal framework governing tenure rights and access to resources in SSF is evolving but remains regionally varied. While there is no comprehensive national system explicitly recognizing the tenure rights of SSF, several legal instruments and community-led initiatives have shaped the current landscape.

Brazil's Constitution of 1988 guarantees Indigenous Peoples' rights to their traditionally occupied lands, including rivers, lakes, and coastal waters, as essential for their physical and cultural reproduction. However, this protection does not extend to non-Indigenous SSF or traditional communities. In response to the state's neglect, artisanal fishing communities have developed informal governance systems to manage and access their fishing territories. These community-based agreements aim to codify artisanal fishing customary laws and protect the communities against external industrial fishing incursions[46].
Due to the lack of state presence, since the early 1990s communities have self-regulated through community-led fishing agreements. An emblematic case occurred in 2007, when the community of Baixo Tocantins (Pará, Amazon River region) crafted and adopted their own regulations, defining fishing seasons, gear, vessel sizes, and other measures[47]. The Brazilian environmental agency – in Portuguese, Instituto Brasileiro do Meio Ambiente e dos Recursos Naturais Renováveis (IBAMA) - had formalized the legal basis for community fishing agreements through Instrução Normativa No. 29 of 2002, and by the mid-2000s these agreements were increasingly adopted and formalized.

Despite these advancements, significant challenges remain. The absence of a national policy recognizing the territorial use rights of SSF leaves them vulnerable to encroachment by industrial fishing operations and other development activities. Additionally, despite some occasional victories, the lack of systematic recognition of structures of community-based governance hampers their ability to manage resources effectively and assert their rights in legal contexts. These issues underscore the need for comprehensive national legal policies that acknowledge and protect the collective rights to territory of artisanal fishing communities.

CHILE

In Chile, the tenure rights of fishers are reflected in the General Law on Fisheries and Aquaculture (Law No. 18892 of 1989). Over time, this law has undergone several amendments aimed at strengthening the rights of small-scale fishing communities and regulating access to and management of fishery resources. The Law recognizes and protects the historical rights of artisanal fishing communities to access these resources. It also establishes mechanisms for their participation in resource management, including areas designated for managing benthic resources, known as Benthic Resource Management and Use Areas – Áreas de Manejo y Explotación de Recursos Bentónicos (AMERB). Most importantly, the General Law of Fisheries and Aquaculture grants SSF – using vessels up to twelve meters in length – exclusive tenure rights over the first five nautical miles from the baseline, an area known as the Artisanal Fishing Reserve Area - Área de Reserva para la Pesca Artesanal.

With regards to Indigenous Peoples, Chile approved Law No. 20249 of 2008, also known as Ley Lafkenche, creating Indigenous Peoples Marine Area– Espacios Costeros Marinos de Pueblos Originarios (ECMPOs). Under this law, Indigenous coastal Peoples can request legal recognition of marine and coastal areas traditionally used for fishing, shellfish gathering, and other cultural practices. When granted the recognition, Indigenous Peoples manage these areas according to their customary laws.

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[45] Sharpless, A (2020) CEO Note: Historic Agreement to Protect Belize's Reef and Ocean Fisheries and Wildlife, Oceana. Available at: https://belize.oceana.org/blog/ceo-note-historic-agreement-protect-belizes-reef-and-ocean-fisheries-and-wildlife/

[46] Rodrigues Silva Potiguar, M., Gomes, C. V., and Thaler, G. M. (2025) Fisheries agreements and transformative governance in the Amazon Estuary: between state rules and self-organization, Ecology and Society, 30(2), https://doi.org/10.5751/ES-16000-300226

[47] Louchard Ferreira Soares, J., Simões, A., & Flores, M. do S. A. F. (2023). LEGISLAÇÃO PESQUEIRA COMO APOIO AOS ACORDOS DE PESCA DO BAIXO TOCANTINS (PARÁ, BRAZIL). Igapó, 17(2). https://doi.org/10.31417/irecitecifam.v17.328

Law No. 21027 of 2017 regulates the development of fishing coves (caletas) at the national level and sets rules for their designation and allocation. Under this law, fishing communities, through an organization registered in the Fisher Organizations Registry, can request the designation of a fishing cove. Article 1 of the same law defines caletas as 'a productive, economic, social, and cultural unit located within a defined geographic area, where artisanal fishing activities and other directly or indirectly related activities are carried out.'

Despite the existence of laws and regulations, SSF notice excessive delays and a lack of effective implementation in tenure rights. Moreover, overlapping tenure claims among different fishery stakeholders pose risks to resource access and sustainability. In particular, land grabbing by the aquaculture industry has expanded into MPAs, Artisanal Fishing Reserve Areas and ECMPOs, fuelling conflicts with artisanal fishing communities and Indigenous Peoples. As of 2021, for example, there were 545 aquaculture concessions – mainly for salmon – located within the marine portions of State-protected areas (SNAP) in Patagonia, particularly in Aysén and Magallanes regions[48].

Additionally, with regards to ECMPOs, aquaculture's illegal expansion is a source of conflict over access. For instance, in 2018 Kawésqar communities (Patagonia) requested an ECMPO over part of their traditional waters. Despite the pending request, state agencies granted salmon aquaculture concessions inside the same area, triggering legal action by the communities. In 2019, Chile's Supreme Court ordered the suspension of the concessions granted after the ECMPO filing, reaffirming that processing of new concessions must be halted once an ECMPO is requested. However, at least one concession continued in process, keeping the conflict open and without an agreement between the industry and the Indigenous communities[49].

Similarly, the industrial aquaculture sector also encroaches on Artisanal Fishing Reserve Area. A prominent example happened in Quellón, located on Chiloé Island (Los Lagos Region). Here, a conflict has arisen between SSF and the salmon aquaculture industry. SSF have reported that salmon aquaculture operations have expanded into areas traditionally used for artisanal fishing, including the exclusive artisanal fishing zones within the first five nautical miles. This expansion has led to disputes over tenure rights and concerns about environmental degradation affecting fish stocks and local ecosystems[50].

ECUADOR

Although Executive Decree 1391 of 2008 legalized the occupation of shrimp aquaculture ponds in mangroves, the land grabbing had started decades before. In response to demands from mangrove shellfish gatherers and fishers organizations, in 1999 the government of Jamil Mahuad issued Decree 1102 that reaffirmed mangrove protection, prohibited the construction of new shrimp ponds and the expansion of existing ones in mangrove areas, and introduced a legal mechanism allowing 'ancestral mangrove users' to manage mangrove areas through Sustainable Use and Custody Agreements. Under these agreements – still active today – the Ecuadorian state embraces the community conservation paradigm and assigns exclusive zones to organizations of small-scale shellfish gatherers and fishers, recognizing the decades-long stewardship of these communities and granting them the right to continue their conservation efforts.

However, the legalization process of 2008 accelerated the expansion of the shrimp aquaculture operations and exacerbated its profound negative effects, including the continued felling of mangroves for pond expansion and the lack of control over pollutants discharged into estuaries. Spurring conflicts with ancestral mangrove users, these operations have severely impacted areas managed by organizations under Sustainable Use and Custody Agreements.

An important report by C-CONDEM[51] has showed the violations and crimes committed by the shrimp aquaculture industry against nature and the tenure rights of artisanal shellfish gatherers and fishers in mangrove estuaries. It also documented the violent conditions faced by artisanal shellfish gatherers and fishers operating in mangroves. For instance, some members of the Venecia del Mar Association have been murdered or violently threatened while gathering shellfish or fishing in estuaries. The report shows that shrimp aquaculture entrepreneurs perpetrate this violence through armed security guards, trained dogs, and the installation of electrified fences, making the estuaries increasingly dangerous for traditional users. Finally, C-CONDEM's report demanded recognition of territorial rights and acknowledgment of the ancestral presence of these communities, framing the area as collective territory, which is in line with the legal definitions of mangrove ecosystems as national asset of public use.

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[48] Austral Patagonia Program (Universidad Austral de Chile) (2022) Gestión de Áreas Protegidas. Available at: https://programaaustralpatagonia.cl/informe-revela-preocupante-ocupacion-de-la-porcion-marina-de-reservas-y-parques-nacionales-por-parte-de-la-salmonicultura/

[49] Carrere. M. (2020) Salmoneras en Chile: la defensa de la Reserva Nacional Kawésqar, Mongabay. Available at: https://es.mongabay.com/2020/07/salmoneras-en-chile-la-defensa-de-la-reserva-nacional-kawesqar/

[50] Lozano Gacha, M. F. (2007) Environmental conflict between artisanal fishing and salmon farming in Quellón, Chiloé Island. Available at: https://www.researchgate.net/publication/359196026_ENVIRONMENTAL_CONFLICT_BETWEEN_ARTISAN_FISHING_AND_SALMON_FARMING_IN_QUELLON_CHILOE_ISLAND_i

[51] C-CONDEM (2007) Certificando la Destrucción: Análisis integral de la certificación orgánica a la acuacultura industrial de camarón en Ecuador. Available at: https://ccondem.org.ec/wp-content/uploads/2021/05/certificando-la-destruccion-92-1.pdf

As of 2025, under the Sustainable Use and Custody Agreements framework, Ecuador has granted custody over 100,000 hectares of mangroves to artisanal shellfish gathering and fishing organizations across the provinces of Guayas, Esmeraldas, Manabí, and El Oro[52]. However, while these Agreements recognize fisher organizations as fishery managers, they exclude independent collectors and fishers, creating conflicts between independent shellfish gatherers and fishers and those taking part in an organization. In 2010, the Ministry of Environment, Water and Ecological Transition issued Agreement 129, granting exclusive tenure rights to organizations that sign Sustainable Use and Custody agreements, exacerbating tensions between beneficiary organizations and independent mangrove small-scale shellfish gatherers and fishers as well as excluded organizations.

Of course, the Sustainable Use and Custody Agreements are a step in the right direction. Yet, as mentioned in the overview chapter, 100,000 hectares are very little in comparison to the 213,032 (as of 2019) occupied by shrimp ponds. Moreover, the system of assigning exclusive tenure rights to specific organizations needs revision, as it spurs conflicts among independent and 'organized' mangrove users. In light of this, C-CONDEM demands that all Ecuadorian mangrove and estuary ecosystems be recognized as collective territory, unlatching the exclusiveness of tenure rights from beneficiary organizations and allowing for the mobile character of shellfish gathering to emerge. Finally, the Sustainable Use and Custody Agreements provide no funding to support conservation and management. Artisanal shellfish gatherers and fishers believe that a monetary compensation for their conservation efforts is needed to encourage this kind of practices and rightfully reward their work.

The story of the Association of Autonomous Shellfish Collectors and Affiliates of Venecia del Mar is exemplary of how shellfish gatherers and fishers organize to contrast the shrimp aquaculture industry and defend their tenure rights. The Venecia del Mar Association, situated in the El Oro province, is one of many Ecuadorian fisher associations. It comprises 110 members, both men and women. Founded in 1992 and recognized through Agreement No. 0293 by the Ministry of Agriculture, Livestock, and Fisheries, it is one of the region's most prominent organizations defending the rights of the artisanal shellfish gatherers and fishers.

For three decades, it has focused on community conservation and management of marine and coastal ecosystems, confronting industrial shrimp aquaculture and industrial fishing, both of which encroach on the first 8 nautical miles designated for small-scale fishing. Venecia del Mar members traditionally engaged in small-scale shellfish gathering and fishing in the mangrove estuary of the Pagua-Jubones-Santa Rosa-Arenillas hydrographic system. This hydrographic system is one of the five mangrove ecosystems of Ecuador, and, according to a C-CONDEM study[53], as of 2019, 45,000 of its 95,392 hectares had been occupied by shrimp aquaculture ponds. The association has consistently reported violations and offenses committed by this industry, such as mangrove destruction and violations of collective tenure rights of the shellfish gatherers and fishers in the estuaries.
It has demanded the recognition of their collective rights over this territory, asserting their ancestral presence in the area and revendicating the mangrove ecosystem as a collective territory. In 1996, the association succeeded in signing the first co-management agreement with the Union of Conservation and Surveillance of the Port Captaincy for a 121-hectare mangrove area in Sacamano, located in the Huyla estuary. In the same year, various organizations of shellfish gatherers and fishers from Ecuador's mangrove estuaries signed co-management agreements, inspired by the actions of Venecia del Mar. Supported by NGOs and universities, in 2000 the Venecia del Mar Association gained access to the Sacamano area through a Sustainable Use and Custody agreement. Despite submitting a Participatory Community Management Plan, the agreement has not been renewed since 2012.

GUNA YALA, PANAMA

As mentioned in Chapter 2, in Panama, Law No. 204 of 2021 regulates fishing and aquaculture. Notably, this Law introduced the co-management regime, where the national body implementing fisheries and aquaculture policies – Autoridad de los Recursos Acuáticos de Panamá (ARAP) – together with local authorities, coastal communities, and fisher organizations share responsibility for the sustainable management of aquatic resources. Several co-management zones were established, for instance, in Otoque and Boná, Pixvae (Veraguas), and the coast from Candelaria to La Yeguada (Los Santos).

The situation is different for Indigenous fishers. The General Environment Law No. 41 of 1998 establishes that the Panamanian State recognizes the rights of Indigenous Peoples to the traditional use, management, and exploitation of renewable resources within the comarcas. It also requires that industrial or commercial exploitation activities in communal territories be carried out with authorized permits by Indigenous Peoples.

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[52] Boletín Nro. 027 (Ecuadorian Ministry of Environment, Water and Ecological Transition) (2025) Ecuador alcanza 100 mil hectáreas de ecosistema manglar bajo conservación, El Nuevo Ecuador.
Available at: https://www.ambiente.gob.ec/ecuador-alcanza-100-mil-hectareas-de-ecosistema-manglar-bajo-conservacion/

[53] Torres Benavides, M. (2021) Conflictos en el ecosistema manglar de la costa del Ecuador. El desarrollo de la acuacultura industrial del camarón frente a los derechos de los pueblos de recolectores y pescadores de los estuarios Periodo: 2008 – 2019, C-CONDEM.
Available at: https://ccondem.org.ec/wp-content/uploads/2021/11/D-Conflictos-en-el-ecosistema-manglar-de-la-costa-del-Ecuador-1.pdf

However, this protection and restitution of lands and sovereignty has been threatened in 2011, when Law 8 allowed direct mining exploitation by foreign state-owned companies within comarcas, without prior consultation of Indigenous Peoples. This Law was clearly incompatible with Indigenous Peoples' ancestral rights and was fortunately repealed. It was replaced by Bill 415 – which ultimately became Law 11 of 2012 – which enacted a mining ban within the comarcas, rescinding all existing concessions and prohibiting future exploration or exploitation without the prior and informed consent of the comarca's Indigenous governance system.

All this applies to Guna Yala, which indeed has jurisdiction over its lands and its waters. These are regulated by specific Guna laws that support collective ownership and traditional authority. While there is certainly the recognition of Indigenous autonomy and customary tenure rights, the Guna people still fear for the precarity of their tenure rights. On one hand, the restitution of the lands has been a struggle, and not yet finished - Darién Park, for instance, has not yet been formally titled.
On the other hand, legislation such as Law 8 of 2011 – which was not isolated – threaten their sovereignty and question its stability. For this reason, the Guna people emphasize educating new generations about the importance of having a legally recognized comarca, which has enabled the sustainable management and use of resources.

PERU

Since the introduction of the General Fisheries Law of 1992, the state has prioritized industrial development and often sidelined local governance of fisheries. Although there have been efforts toward decentralization, such as transferring monitoring responsibilities to regional governments in 2002 (Law 27867), these bodies often lack sufficient capacity to enforce fisheries regulations effectively. As a result, Peru's fisheries have mostly functioned under a de facto open-access regime, characterized by weak enforcement and gaps in governance[54].

Amid these systemic issues, countless local fishers have relied on traditional community-led governance practices – establishing internal rules, rotational harvesting, voluntary patrols, and self-imposed quotas – to prevent the overexploitation of their resources. A remarkable case-study from San Juan de Marcona shows the potential of these community-led governance practices, and what can happen when the government formalizes them.

In San Juan de Marcona, in Peru's Ica region, SSF have developed a remarkable model of tenure governance around benthic marine invertebrate resources. Beginning in the 1980s, local fishers started gathering clams, red sea urchins, octopus, and limpets. Yet by the early 1990s, uncontrolled extraction by outside vessels – called "shellfish ships" – threatened local ecosystems. In response, fishers initiated their first closure for red sea urchins around 1991-1992, leading to a repopulation of the species in just nine months and showing the effectiveness of self-organized, community-led conservation practices[55].

These early efforts set the stage for a more formal pilot program. In 2000, the local fishers' association COPMAR (Comunidad Pesquera Artesanal de Marcona – Artisanal Fishing Community of Marcona) proposed a pioneering community-led initiative, arguing that aquatic ecosystems could recover sustainably under collective governance. After persistent meetings and collaboration with the government, in 2003 Supreme Decree No. 015-2003-PRODUCE was issued, establishing a Special Commission to design a Pilot Demonstrative Program (PDP) focused on ecosystem recovery and sustainable biodiversity use. The PDP was then approved in 2005 (Supreme Decree No. 009-2005-PRODUCE) and COPMAR was tasked with executing the program (Supreme Decree No. 010-2005-PRODUCE). Since then, COPMAR has successfully implemented the community-led self-management program[56]. Through rotational harvesting schemes, including regulated closures and internal quotas, Marcona SSF restored ecosystem stability, revitalized livelihoods, and created a replicable framework for local governance of tenure and fisheries management that aligns with restoration objectives.

Finally, in 2021 the Ministry of Production approved the Fisheries Management Regulation for Invertebrate Marine Benthic Resources (Supreme Decree No. 018-2021-PRODUCE), covering around 80 species. This regulation establishes that SSF associations are allowed to apply for fishing exclusive areas, given they present an extraction plan to access the targeted benthic resources. While this is an enormous victory for SSF, the country's lack of sufficient studies on the extraction capacities of coastal areas hinders the implementation of the regulation. As of 2024, no extraction plans have been approved.

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[54] Damonte G. H, Kluger L. C, and Gonzales I. E. (2023) 'Intertwined realities - hybrid institutions in the Peruvian fisheries and aquaculture sectors,' Maritime Studies, 22(2). doi:10.1007/s40152-023-00309-1.

[55] Santos, G. (2024) Peruvian fishers help red sea urchins recover from overfishing, Mongabay. Available at: https://news.mongabay.com/2024/11/peruvian-fishers-help-red-sea-urchins-recover-from-overfishing/

[56] Future of Fish (2018) A Tale of Two (Self-Managed) Fishing Communities In Peru. Available at: https://www.futureoffish.org/a-tale-of-two-self-managed-fishing-communities-in-peru-version-en-espanol-a-abajo/

REGIONAL RECOMMENDATIONS

Section 5 of the SSF Guidelines

- States should expand **exclusive zones for SSF** to at least 10 miles to prevent overexploitation of fisheries resources and reduce the impact of industrial fishing on marine and coastal ecosystems.
- States should establish clear and dissuasive sanctions to ensure the fishing industry's compliance with fishing regulations and prevent encroachment into small-scale fishing zones.
- States should reinforce participatory co-management approaches that involve all right holders across the territory and value chain, by empowering them through training in governance processes, legislation, and enforcement practices.

Source: Getty Images

SECTION 6

MANAGEMENT SOCIAL DEVELOPMENT, EMPLOYMENT, AND DECENT WORK

Addressing socio-economic welfare is essential since most SSF and Indigenous Peoples in the LAC region live in socio-economically precarious conditions. Multiple challenges threaten their livelihoods and well-being, including a diminishing natural resource base, competition from industrial-scale fishing and aquaculture operations, rising living costs and related debt traps, poor working conditions, poor access to health, and food insecurity and malnutrition.

Section 6 of the SSF Guidelines outlines the responsibility of states to promote equitable development, eradicate poverty, and improve the socio-economic conditions of fishing communities. It emphasises ensuring access to essential services like housing, education, clean water, and energy, as well as financial services such as savings, credit, and insurance. The section also advocates for fair and secure working conditions, promoting decent work and fair wages for all involved in the SSF value chain. Additionally, it calls for measures to prevent crime, violence, and exploitation, ensuring access to justice for victims, and recognizes the rights and integration of migrant fishers and fish workers.

Ensuring access to these basic amenities can help to improve the socio-economic conditions of SSF communities and Indigenous Peoples, reducing their vulnerability to socio-economic challenges and enhancing their resilience. Furthermore, addressing the socio-economic welfare of SSF can positively impact the overall development of coastal communities and the region. When SSF have access to basic amenities, they are better equipped to engage in productive and sustainable fishing practices, contributing to the long-term health of aquatic ecosystems and the sustainability of the SSF.

Across the LAC region, SSF communities face remarkably similar social development obstacles despite their geographic diversity. Healthcare access presents a regional challenge, with all national experiences reporting limited medical services in coastal and remote fishing areas. Communities consistently struggle with distance barriers, inadequate medical resources, and high costs that make healthcare inaccessible or force families to relocate for proper care.

Financial exclusion represents another shared barrier, as all LAC SSF communities and Indigenous Peoples participating in the report lack access to formal financial systems. Without recognized professional status or proof of formal income, fishers often cannot access credit, loans, or savings schemes essential for purchasing or repairing fishing equipment or staying afloat during closed seasons. This invisibility to financial institutions perpetuates economic vulnerability. Educational opportunities follow similar limitations across the region. While primary education is generally available, higher education remains centralized in urban areas and financially inaccessible to fishing families. This forces young people, particularly women, to abandon education early to contribute to household income, perpetuating cycles of limited opportunity.

The lack of professional recognition emerges as a critical commonality, with fishing often not formally recognized as a profession across these nations. This excludes fishers from national retirement systems, social security schemes, and unemployment benefits, forcing them into inappropriate occupational categories that don't reflect their work's physical demands and risks. During closed seasons, most fishers receive no compensation despite legal fishing prohibitions, creating periods of unemployment and economic vulnerability that compound their marginalization.

Source: Pexels

ARGENTINA

In Argentina, public health and education are free in theory, but in practice, coastal populations, especially artisanal fishing communities, often face barriers to accessing these services. In many cases, families must relocate to access proper healthcare or continue their education, particularly at secondary or higher levels.

Moreover, small-scale fishing is not formally recognized as a profession in Argentina. In the national retirement system, there is no specific category for fishers, which creates challenges when fishers reach retirement age. Instead, they must be categorized under unrelated occupational groups, which do not reflect the nature or physical demands of fishing work. For instance, SSF often suffer from chronic health issues related to constant exposure to cold and wet conditions, such as arthritis and joint problems. The creation of a specific legal and retirement category for fishers would help tailor retirement benefits and health support to their actual working conditions.

There is also no formal distinction for fishers within financial systems. To access credit, individuals must demonstrate formal income, own property, or operate a registered business. However, since the majority of SSF operate without permits or legal recognition (because of the reasons in Chapter 2), most of them are effectively invisible to the financial system. Without proof of income or official status, they are excluded from credit and other financial support mechanisms.

Some coastal provinces, like Río Negro, have introduced limited support programs for SSF. For example, after several years of high shrimp catches, local shrimp populations declined drastically, leading to a crisis of the fishing activity. In response, the provincial government provided an investment and subsidy plan to help fishers survive and avoid selling their boats[57]. While well-intentioned, these aids were minimal and insufficient to address the structural vulnerability of SSF. Overall, without formal recognition, tailored policies, and access to social protections, artisanal fishing communities remain marginalized and economically insecure.

BELIZE

Belizean fishers struggle to access national social security schemes, especially as they are considered 'freelancers'. Moreover, as freelancers, it is very difficult for fishers to access credit schemes, as these require levels of economic stability that fishers cannot provide. Similar to the broader Latin American and Caribbean region, in Belize, social development reflects fundamentally the urban/rural difference, with the urban areas having higher standards of welfare that the rural. Fishers living in urban areas, indeed, do have access to medical facilities, as do other Belizeans in the city. On the contrary, in rural villages, like Sarteneja, people report that accessing medications or visiting a doctor is costly and distant. Often there is also a lack of transportation between rural and urban areas, which makes it extremely difficult for SSF communities to access healthcare.

The public school system is slightly different, as primary and secondary public or 'church-state' schools are quite widespread territorially. Nevertheless, higher education, including high schools and especially universities, are centralized in urban areas and hardly accessible to fisher families. For example, the three fisher communities of the Corozal district have no easy access to higher education, nor to healthcare.

Regarding pension funds and insurance schemes, there are no specific programs for fishers. It is completely up to the individual fisher to apply for social security for receiving a retirement pension or for an insurance on gear or vessel. Not surprisingly, most fishers do not apply for such programs, as the trust in institutions is low and the cost for the programs is high.

In this lack of public welfare, fisher cooperatives have historically supported their members, offering, for instance, illness and burial funds, retirement funds, lump sums in closed fishing seasons, etc… However, these services have gradually diminished following the COVID-19 pandemic. The erosion of these services has also to do with the privatization of cooperatives. While traditional cooperatives are owned and managed by fishers collectively, recently two new cooperatives have been established, both owned and managed by non-fisher entrepreneurs as a profit-making, private business. This privatization process generated competition with the collective and fisher-led cooperatives, triggering the latter to redirect resources away from welfare programs in order to increase direct payments to members. The result is a downward spiral in which cooperatives progressively reduce welfare provisions, leaving SSF with fewer social protections and no real alternative options of support.

BRAZIL

Brazil's General Fishing Registry is the core administrative tool for recognizing professional fishers and authorizing access to fishing and related benefits. As mentioned in Chapter 2, the criteria and categories for enrolment are listed in Decree No. 8425 of 2015, which governs who is considered SSF and thus can be included in the registry.

On paper, social protection exists for SSF through the seguro-defeso (unemployment insurance for season closures), established by Law No. 10779 of 2003 and administered during season closures (defesos).

The benefit, typically corresponding to the minimum wage per month of closure, is designed to protect and stabilize household income when fishing is legally prohibited to replenish stocks.

[57] Agroempresario (2023) Río Negro, el sector pesquero en emergencia busca alternativas.
Available at: https://agroempresario.com/publicacion/77998/rio-negro-el-sector-pesquero-en-emergencia-busca-alternativas/

In practice, however, the limited definition of SSF excludes thousands of fishers from accessing the seguro-defeso, especially women as they mainly practice shellfish gathering, cleaning, processing and selling, and Indigenous and Quilombola Peoples as they mainly practice subsistence fishing.

Moreover, SSF face precarious access to public services, especially when living in remote fishing communities. Limited electricity, health care, water and sanitation, and adequate housing affect fishers both along the coast and in estuarine systems. These gaps directly affect fishers' quality of life, income stability, and ability to comply with regulations (e.g., safety regulations). Closing these welfare gaps, by ensuring inclusive registry access, reliable social protection during closures, and infrastructure and health services adapted to remote fishing communities, would directly advance social development and labour rights in Brazil's SSF.

CHILE

Many artisanal fishing communities live in rural or remote areas where access to healthcare services is limited due to distance and a lack of infrastructure. However, Chile has adopted measures to ensure access to primary and preventive healthcare in rural and coastal areas. The implementation of community health programs in collaboration with municipalities includes medical visits, elderly care, preventive health campaigns, training in first aid and the like. Family Health Centres (CESFAM) have been established in several fishing coves to provide basic medical services, such as emergency services. Health promotion programs are also provided to encourage healthy lifestyles among artisanal fishing communities, including education on nutrition, physical activity, and the prevention of chronic diseases such as diabetes and hypertension. While these efforts are remarkable and point in the right direction, SSF note that health centres in rural and coastal areas frequently lack the medical resources and trained personnel needed to provide quality care. This often leads to misdiagnoses, inadequate or incomplete treatments, and a lack of long-term care for artisanal fishing communities. Moreover, another relevant issue is that of costs associated with healthcare, which can be prohibitively high and therefore make healthcare inaccessible.

Artisanal fishing communities in Chile do not have special plans for accessing financial services.
They can only access what is available on the market, such as credit, insurance, and savings plans. As the only public bank in the country, Banco Estado facilitates access to savings accounts, checking accounts, or current accounts depending on the type of organization. Moreover, the General Law on Fisheries and Aquaculture (Law No. 18892 of 1989) makes it mandatory for SSF to get life insurance against death and disability. This insurance is usually provided by Banco Estado. Since 2011, the Chilean state started to subsidize the insurance, covering 70% of its premium cost[58].

ECUADOR

In Ecuador, small-scale shellfish gatherers and fishers often live in remote fishing communities. Indeed, marginal coastal areas usually do not have good infrastructure and services as urban areas do. Prominently, public healthcare is usually inaccessible or too distant. Additionally, there is no specific fisher or shellfish gatherer insurance policy nor pension fund, so that artisanal shellfish gatherers and fishers can only subscribe to the farmers programme. Yet, this programme does not cover their needs, for example it does not provide compensation during the closed fishing season. Fortunately, in 2025 there is a public debate about this, and small-scale shellfish gatherers and fishers are pushing for their labour rights and for the state to provide specific welfare policies.

As mentioned, small-scale shellfish gatherers and fishers receive no compensation during legally-imposed closed fishing season, often remaining unemployed and without any source of income. In light of this, C-CONDEM currently advocates for the establishment of a basic income which would compensate shellfish gatherers and fishers during the closed season. The latter are extremely frustrated by this situation, especially due to the differential treatment that the industry receive: while small-scale shellfish gatherers and fishers endure the brunt of conservation – with closed season and no compensation – industrial fishers and aquaculture farmers work the whole year long and disturb the environment, protected by the lack of enforcement in the high-seas and in aquaculture ponds.

PERU

Fishers in Peru lack access to quality healthcare services, despite the existence of a social security regulation (Supreme Decree No. 002-2000-TR), which has not been updated for 25 years. Only a small percentage of fishers benefit from it. The majority rely on the state basic health service called SIS (Sistema Integral de Salud, Integral Health System), though they often have to cover their own medical expenses. Although fishers have access to basic education provided by the state, often those who want to improve their educational quality must turn to private schools.
Despite public education's good quality, there is very limited capacity, and thus only outstanding students are involved, making these opportunities exclusionary towards the vast majority of fishers. Women often do not receive complete, high-quality education. Young women, often at 16 years of age, leave school to work alongside their parents, contributing to the household income but abandoning their education. Furthermore, there are no educational programs tailored to the needs of youth in fishing communities. With regards to labour, the process of formalizing work in small-scale fishing communities, such as obtaining a fishing permit, is often a burden and costly for these communities.

[58] Aqua (2011) Subsecretaría de Pesca lanzó seguro de vida para pescadores artesanales.
Available at: https://www.aqua.cl/subsecretaria-de-pesca-lanzo-seguro-de-vida-para-pescadores-artesanales/

This frequently forces individuals to work informally. Without a fishing permit, they may face legal issues when authorities conduct inspections.

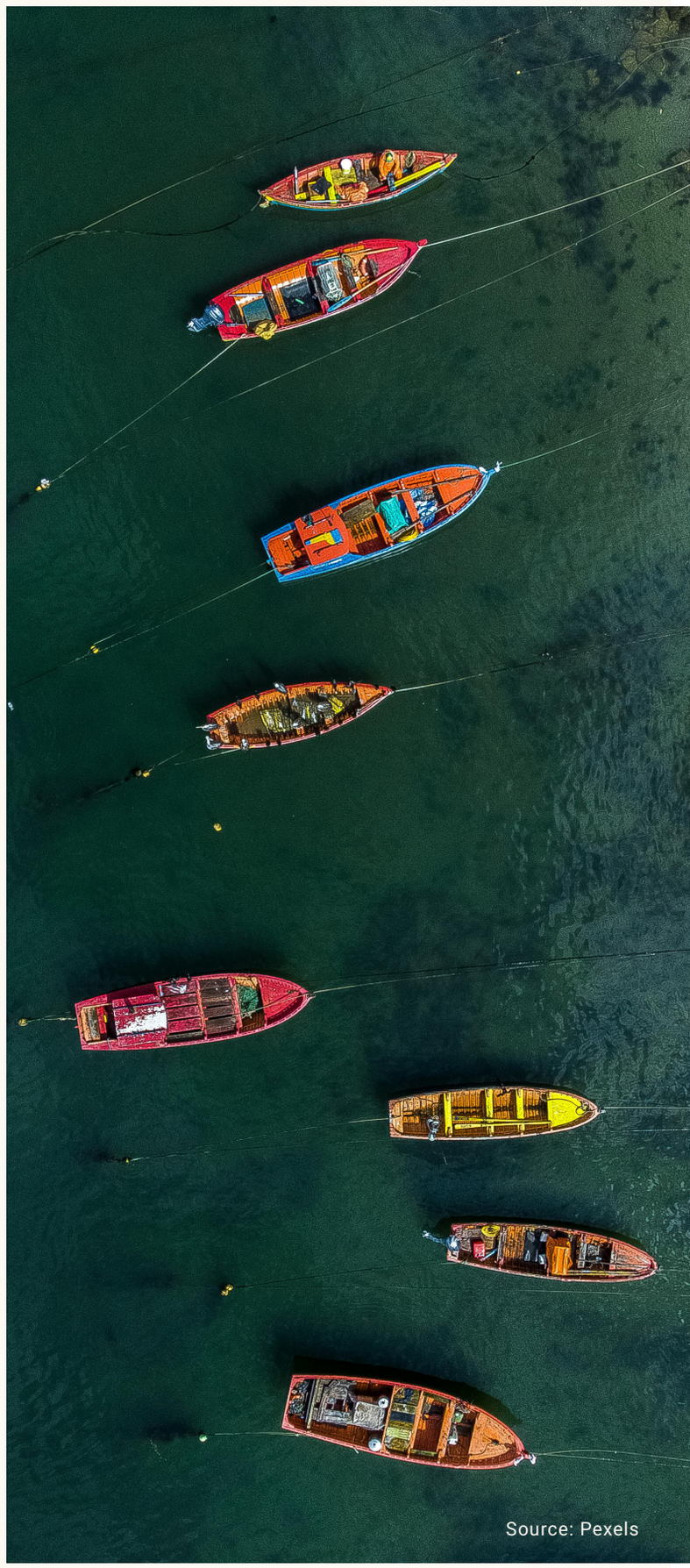
PUEBLO YAQUI, MEXICO

The Pueblo Yaqui fishing communities face significant challenges regarding social welfare. Access to health services remains limited. Indeed, SSF must privately purchase health insurance for themselves and their families, which rarely occurs due to the unpredictability of incomes in fisheries. Comprehensive public health systems are sparse in Yaqui coastal areas, rendering people vulnerable.

Adding to these welfare lacks, many residents do not have access to safe drinking water as contamination, especially from high arsenic levels, plagues local water sources, leading to increased health risks. In fact, water supply remains precarious: in many Yaqui towns, water is available only three days per week due to limitations in reservoirs and delivery systems. Fortunately, the construction of a new aqueduct promises to improve access to clean water for over 6,000 residents across 24 Yaqui communities[59].

With regards to education, access varies by level. While primary and secondary bilingual schools are available, higher education frequently presents financially limitations. Recently, Sheinbaum's government constructed a university in the Yaqui territory – the Universidad del Pueblo Yaqui - focused on cultural studies, and there is growing demand to expand its offered degrees to include fields such as biology and agronomy, which would better align with local needs and livelihoods.

Finally, credit options for SSF are largely non-existent. Access to loans or savings schemes are considered very useful by SSF, allowing them, for example, to buy or repair essential tools like pangas or engines. Fortunately, under the current government led by Sheinbaum, some limited support has been introduced to facilitate engine purchases and panga repairs – though these efforts are insufficient to meet the broader small-scale fishing community needs.



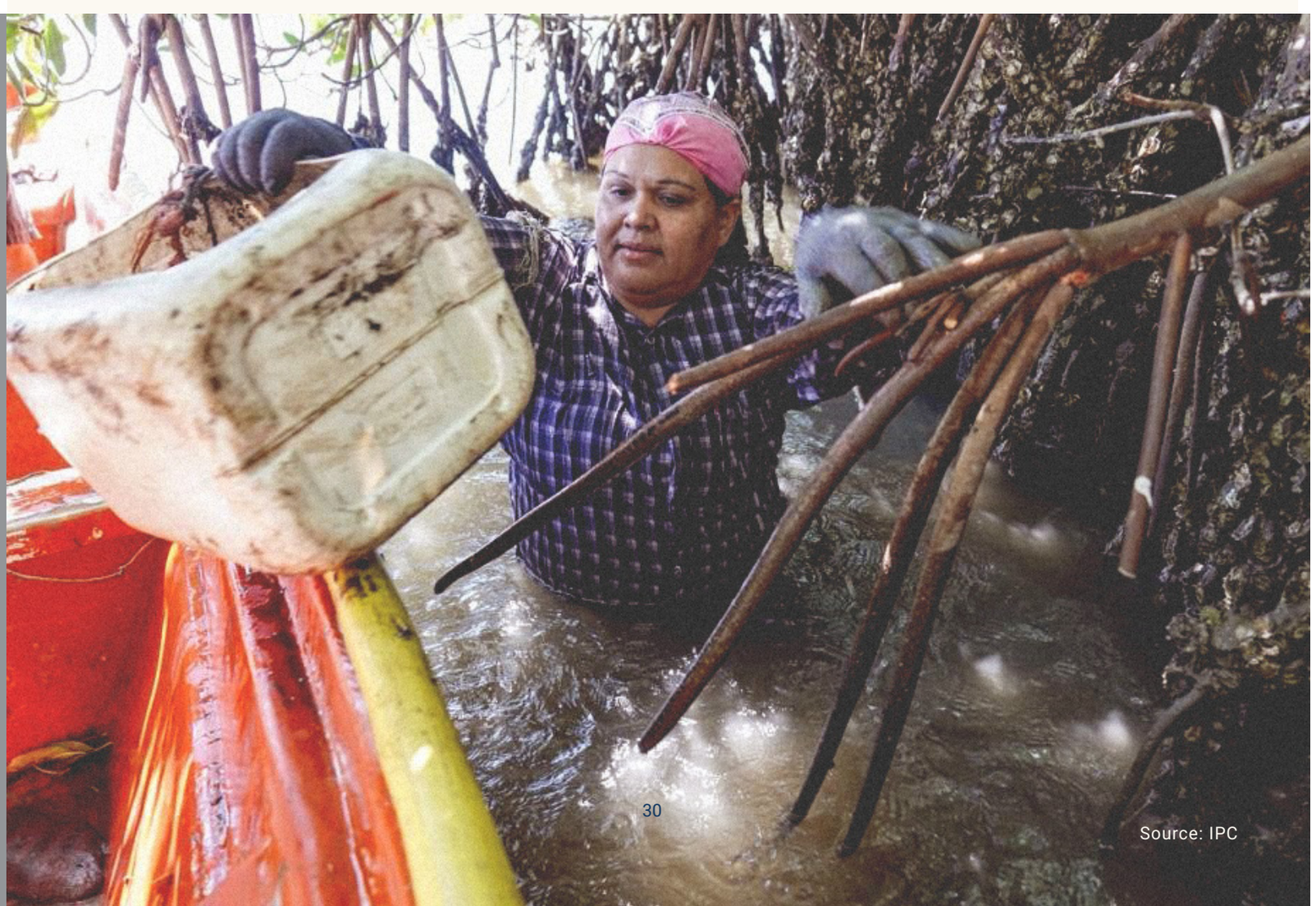
Source: Pexels

[58] Gobierno de Mexico (2022) Pueblos yaquis aprueban construcción de acueducto que dotará de agua potable a sus comunidades. Available at: https://www.gob.mx/inpi/articulos/pueblos-yaquis-aprueban-construccion-de-acueducto-que-dotara-de-agua-potable-a-sus-comunidades-296802?idiom=es

REGIONAL RECOMMENDATIONS

Section 6 of the SSF Guidelines

- States should facilitate access to **social protections and health services** for isolated fishing communities.
- States should establish **unemployment schemes** during the closed fishing season for SSF.
- States should establish **paid maternity leaves** for SSF.
- States should establish a SSF **pension fund** and specific criteria for retirement of SSF.
- States should establish a **direct credit system** for the SSF.



Source: IPC

SECTION 7

GENDER EQUALITY

Fishing is often considered a male-dominated industry, and the fisheries sector has been plagued by gender bias. This bias is partly due to narrow definitions of fishing that overlook key groups of fishers. For instance, census data on employment may exclude part-time and subsistence labour. As women are more likely to fish part-time, their participation in fishing often goes unnoticed. In some cultures, it is culturally unacceptable for women to fish; in such cases, both women and men may downplay or discount women's participation. Gender bias in fisheries management can lead to a lack of recognition of women's contributions to the sector and their needs.

However, globally women play crucial roles in various aspects of SSF. Beyond being actively involved in fishing activities, they often play a crucial role in the activities of post-harvest and processing of aquatic resources, and sometimes in specialised tasks as shellfish gathering and net-mending. Additionally, women take on essential roles in the marketing and selling of the resources, as well as engaging in community organising and advocacy to promote fishing community interests.

Section 7 of the SSF Guidelines outlines the responsibilities of the state to protect and fulfil the women's rights, emphasising equal participation in decision-making, non-discrimination, and equitable tenure arrangements within the fisheries value chain. The Guidelines underscore the obligation of states to adhere to binding commitments under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which mandates the protection of women's rights to equality across various areas, including protection from sexual abuse, participation in political and public life, education, and employment. The section advocates for equal access to credits, legal support, and appropriate technology to facilitate their work.

Across the case studies that will follow, common patterns of exclusion and resilience emerge. In Belize and Pueblo Yaqui, women's work is concentrated in household support, processing, and marketing, but remains informal and undervalued, limiting their access to rights and cooperative governance. In Brazil and Chile, legal definitions and registries historically excluded women from recognition and social protection benefits. Reforms such as Brazil's reinstatement of benefits in 2016 and Chile's Law 21370 and new registry of post-harvest activities, represent successful path towards formal recognition of the vital role played by women in SSF. However, women still face wage gaps, precarious work, and barriers to leadership. In Ecuador, for instance, the displacement of women shellfish gatherers by the shrimp aquaculture industry highlights how global market pressures can strip women of autonomy and degrade Food Sovereignty, forcing them into exploitative labour.

Despite these variations, the commonalities are clear: women's work in SSF is essential but remains systematically undervalued; legal and institutional frameworks often exclude them; and their economic and decision-making power is constrained. Advancing gender equality requires states to formally recognize women's roles, secure their rights to resources and protections, and create pathways for leadership and participation in SSF governance.

Source: Pexels

BELIZE

In Belize, fishers are mostly men, with only 3% of licensed fishers being women[60]. Nevertheless, women play a fundamental role for the fishing chain, helping with the social reproduction of the fishing families, pre- and post-harvest activities, and/or working in other sectors, such as tourism, to integrate the fishing income with a stabler source of income that is independent from fishing seasons.

In the three Spanish-speaking fishing communities from the Northern province of Corozal, women primarily work as housewives, supporting the family at home, caring, cleaning and cooking, and ultimately reproducing the conditions that allow for the fishing to happen. Moreover, they often help with pre-harvest activities, such as net mending, and some of them participate in the post-harvest activities. Specifically, women sometimes work for the fisher cooperatives, cleaning the fish, although they are paid very little for this work. As a consequence, in Corozal as in other provinces, women are advocating for having differentiated income activities, which would make them more independent economically through a stabler income source. Today, tourism often responds to this need, with women making homestays and cooking for tourists.

BRAZIL

Within fishing households and the value chains, women's work is extensive yet often remains informal. Women – often shellfish gatherers (marisqueiras) or other fish workers – constitute a large share of the artisanal workforce: nearly half overall, and the great majority in post-harvest, processing, and support roles. However, women face barriers to formal recognition, welfare benefits, and representation[61].

Under the Rousseff administration, Decrees No. 8424 and 8425 of 2015 restricted the definition of 'SSF' exclusively to individuals involved in the actual act of capturing fish, thereby erasing the roles of women – who predominantly perform vital supporting activities such as processing, cleaning, selling, cooking, shellfish gathering, and crafting fishing gear – from official recognition and eligibility for social security benefits. This exclusion deprived women of access to fundamental social protections such as the seguro-defeso (a critical social security benefit paid during the closed fishing season). This legally enforced invisibility and further marginalization of women in fisheries[62].

Brazilian fisher women advocate for the recognition of their role in fisheries – for instance, by facilitating their access to the General Fishing Registry – which would allow women marisqueiras and fish workers to access the seguro-defeso and several tailored services (credit, childcare, occupational health), drastically improving social outcomes for fishing families[63].

In response to sustained mobilization by fisher movements, women regained a measure of recognition when, in 2016, Decree No. 8499 was issued to reintegrate them into the social security system, thereby restoring their eligibility for social protection mechanisms that had been lost under the 2015 regulations[64].

CHILE

In Chile, women play important roles in the post-harvest subsectors of SSF, including activities such as processing and marketing of fishery products[65]. Their participation in these activities is fundamental in the fishing economies. However, as the other national experiences from Latin America and the Caribbean in this report show, their contribution goes unrecognized. The lack of recognition excludes women in fisheries from access to critical social protections such as healthcare benefits, maternity leave, or unemployment insurance.

In light of this, Law 21370 of 2021 amended legal frameworks in order to promote gender equity in the fisheries and aquaculture sector. Its objective is to recognize and value women's knowledge and contributions to fisheries, thereby promoting gender equity across all areas of the fisheries value chain. This includes measures to promote gender equality in resource access, protect women's labour rights, and foster their participation in community and decision-making related to fisheries.

Moreover, in 2023, a registry of post-harvest activities – Registro de Actividades Conexas - was created to record the number of people dedicated to these tasks, such as baiting, drying with salt, smoking, filleting, and others. In the first year of the registry, about 4,000 of the 5,460 people that registered were women[66]. This formalization effort moves in the direction of recognizing women as fundamental actors in the fisheries value chain. However, gender disparities persist in the benefits derived from work in post-harvest subsectors, with women often receiving lower wages, facing precarious working conditions, and having fewer opportunities for advancement and leadership compared to men.

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ECUADOR

With its prominent mangrove ecosystem, a large chunk of Ecuador's SSF is composed by shellfish gatherers, most of which, traditionally, are women and occasionally children. Shellfish gathering is often considered a subsistence activity, fundamental for the local economy and for integrating the household income and diet. However, the displacement of fishing communities by the shrimp aquaculture industry has produced dramatic effects on labour relations of mangrove users. Most women who were once shellfish gatherers are now turning to the shrimp processing factories, where working conditions are miserable and their autonomy is completely lost. Instead of producing independent income and integrating the community's diets, women shellfish gatherers are obliged to become workers for the profit-making shrimp industry, the same industry that displaced them in the first place and produces food for export markets, impoverishing the local diets and threatening Food Sovereignty.

PUEBLO YAQUI

Although few women work as primary fishers, some do participate in fishing activities. Yaqui women are largely responsible for cooking, cleaning and selling the fish. Yet their contributions often remain informal, and they are not formally represented in the registry or Yaqui Fishing Cooperative governance structures. When cooperative meetings occur, women - especially widows - may be present, but decision-making remains the directors' domain, and only men can be directors. This lack of formal recognition limits their access to rights and economic benefits, despite slowly increasing participation[67]. Addressing these gaps – by recognizing women formally in the registry, ensuring their representation in the cooperative's governance, and extending related rights and benefits – would advance gender equity in the Yaqui fisheries.

Source: Pexels

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REGIONAL RECOMMENDATIONS

Section 7 of the SSF Guidelines

- States should integrate a **gender perspective** in all stages of fishery policies and program development.
- States should recognize and support women's roles in decision-making processes through **gender quotas**.
- States should recognize the vital **pre- and post-harvest roles** played by women in the SSF value chain and include them in the public policies related to SSF.

Source: Pexels

SECTION 8
DISASTER RISK AND CLIMATE CHANGE

The effects of climate change are expected to hit natural resource-based communities worldwide, with SSF located in coastal areas being especially vulnerable. This is due to an increase in average atmospheric and seawater temperatures, rising sea levels, and a higher frequency of extreme weather events, cyclones, storm surges, and coastal flooding and erosion predicted by the 2023 IPCC report. SSF must adapt to these circumstances. Still, their capacity to do so depends on the underlying conditions that either facilitate or inhibit the adjustment process and preparedness to face these situations.

It is therefore of greatest importance that states implement holistic approaches to address climate change, including adaptation, mitigation and aid plans for SSF and ensuring availability of funds, facilities and technologies for climate change adaptation and mitigation, as described in the SSF Guidelines. The Guidelines urge states to take measures to support the resilience of SSF and to mitigate the impact of climate change and related disasters that might occur. Disaster management is especially crucial in coastal areas.

Furthermore, the interconnected nature of SSF communities and Indigenous Peoples and their reliance on local ecosystems amplifies the need for collaborative efforts and comprehensive strategies. 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, as stated in the SSF Guidelines.

Across the diverse national contexts in the LAC region, several commonalities emerge. First, extreme weather events such as hurricanes, floods, and droughts are increasing in intensity and frequency, from Belize and Ecuador to Panama and Mexico. These events not only destroy physical assets such as boats and fishing camps but also disrupt entire value chains and threaten food security. Second, ecological changes - such as coral reef degradation in Guna Yala, mangrove loss in Ecuador, and species migration in Chile - are directly undermining fish availability and long-standing cultural practices. Third, there is a widespread lack of adequate public policies, insurance schemes, and support systems to cushion SSF communities and Indigenous Peoples from these shocks. While governments often engage in conservation or climate initiatives, these are frequently externally driven, Western-oriented, and disconnected from the realities of fishers, sidelining community-led solutions.

What unites these cases is the urgent need for States to adopt locally-informed, participatory, and holistic strategies. Ensuring resilience requires investment in adaptive capacity, equitable access to resources, and recognition of traditional and Indigenous practices that have long sustained balanced relationships with ecosystems. Without this shift, SSF communities and Indigenous Peoples remain on the frontline of climate and disaster risks, bearing disproportionate burdens with limited protection.

Source: Pexels

BELIZE

Belize is highly affected by climate change and natural disasters due to its low-lying lands, extensive coastline and over 1,000 small islands. Among others, climate change has fundamentally altered the hurricane seasons, sea level rise, sea temperature rise, and coastal erosion. Since the deadly Hurricane Mitch in 1998, fishers report that hurricanes have increased their intensity and frequency, becoming deadlier and almost annual. The hurricanes have devastating effects on fisher communities. Boats, fishing nets, and fishing huts get destroyed. Fishers risk their lives if they find themselves at sea and need to stop fishing for the time being. In 2022, Hurricane Lisa – the sixth hurricane of the 2022 Atlantic hurricane season – caused extensive and destructive flooding across Belize. The devastating impacts are worsened by the lack of public policies or insurance schemes set up to deal with this accelerating phenomenon. In 2022, the government was collecting data on the effects of climate change on fisheries, seemingly to establish a support system. However, as of 2025, the system has not been put in place. In addition to hurricanes increasing their intensity and frequency, rising sea temperatures result in coral bleaching and reduced fish catch, as fish migrate to deeper and fresher waters. In turn, these effects are significantly affecting the livelihoods of Belizean fishers.

The curious feature of Belize is that public institutions do engage in several adaptation and mitigation projects to conserve and protect oceans and coastal biodiversity. Yet, these measures are usually proposed by Western ENGOs and follow Western ideas of conservation, mitigation and adaptation. The externally imposed conservation models, however, are often at odds with local, community-led solutions. The institutional adherence to Western-centric policies leads to fishers not being considered as part of the solution, and disregard of the effects of climate change and natural disasters on fisher communities[68].

CHILE

Climate change strongly affects Chile and its fishing communities. The effects include the scarcity of fishery resources and reduction of fishing seasons – increased by the El Niño phenomenon[69], rising sea temperatures that generate the migration of autochthonous species and the invasion of allochthonous species. For example, sea lions – in Spanish *lobo marino*, which significantly translates to 'marine wolf' – majorly disrupt fishing activities and often destroy fishing gear, triggering the stark frustration of SSF[70].

Characteristically, climate change has brought severe economic difficulties to SSF in Chile. Fishers in the Northern Macro-zone are among the most affected, facing reduced incomes and endangered livelihoods. In light of this, one of the most recent actions taken by community leaders was to present these issues to the Chilean government, stressing that policies and actions must be oriented toward supporting the creation of resilience to these natural disasters and changes[71].

ECUADOR

Due to the devastation of the mangrove ecosystem, communities living along Ecuador's coastal areas face extreme vulnerability to natural disasters and climate change. In fact, mangrove forests act as protective barriers against hurricanes and high waves, and their loss has already taken a toll on coastal communities. Studies estimate that that loss of mangroves threatens the lives and homes of nearly 200,000 people[72]. For instance, the fishing coves of the Huyla estuary were severely affected by an earthquake in March 2023 and severe flooding in June and September of the same year. Shellfish gatherers and fishers from the Venecia del Mar cove lost their homes and boats. Additionally, estuary and mangrove users report that rising sea levels and temperature are increasingly complicating shellfish gathering and fishing activities[73].

Fishers within the eight-mile zone report stronger and redirected currents, higher waves destroying boats and damaging nets, and a loss of marine biodiversity. Large patches of fish, suspected to be affected by warm ocean waters, are frequently observed leaving the coastal waters to dive deeper into fresher waters. Coastal areas are experiencing intense rains, leading to frequent flooding, particularly during the El Niño event. Despite warnings and fisher mobilization, authorities have failed to implement contingency plans to mitigate the impacts.

Many fishers organizations are preparing safe shelters and working to establish permanent food banks as preventative measure. Similarly, others are planting vegetables, herbs, and medicinal plants on raised platforms to secure part of their food supply. On the contrary, the government engages in conservation efforts with ENGOs, in the 30x30 Global Ocean Alliance talks led by the UK, carbon credit market expansion. Ecuadorian SSF believe most of these efforts are hollow endeavours, reflecting more capitalistic greenwashing than effective programmes to mitigate, adapt, and manage natural disasters and climate change.

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GUNA YALA, PANAMA

Many fishing communities in the Guna Yala region perceive the sea as 'sick': the decline in fish and shellfish populations, such as lobsters, tarpon and turtle, reflects the impacts of overfishing, climate change, and reef degradation.

Moreover, Guna Yala hosts 80% of Panama's coral reefs. These reefs fundamentally sustain marine life, including fish and benthic fauna. The Guna have traditionally relied heavily on these coral reefs and their associated fauna for subsistence[74]. The reefs also protect the Guna coast from high waves, floods and storms – which incidentally are happening much more frequently and more intensely over the past few decades. However, rising sea temperatures and acidification are 'bleaching' the reefs, killing them and turning them white, heavily impacting Guna's fisheries[75].

In Panama, Guna Yala is among the most threatened areas for rising sea levels and natural coastal disasters. Of the 51 communities that make up the Comarca, only two are located on the mainland, while the remaining 49 communities are spread among its 365 islands and coastal areas. These 49 communities rely, directly or indirectly, on fishing for subsistence. Rising sea levels are disrupting everyday lives of Gunas, reaching the point that entire communities are obliged to relocate. So far, only one island community, Gardi Sugdub, has received the government's support for relocating. However, many more relocations are predicted and in need of support[76].

PUEBLO YAQUI, MEXICO

Environmental disturbances have deeply impacted the fisheries of Pueblo Yaqui, particularly in the coastal communities of Bahía de Lobos and Juacimás. These communities face the compounded challenges of drought, pollution, and climate change – all of which threaten marine ecosystems and fish productivity.

Located in a semi-arid region, Pueblo Yaqui territory has endured extreme drought over the past two years. The absence of rainfall severely limited water input to coastal lagoons and estuaries. Traditional rivers no longer consistently flow into these estuaries. The drying of the Yaqui River endangers the fishing and cultural practices of the Yaqui people, whose livelihoods rely on its waters[77].

However, the major environmental threat comes from agricultural and urban wastewater entering Bahía de Lobos via Collector Drain No. 2. This drainage system carries elevated levels of sediment, agrochemicals, and nutrients into the bay, fostering eutrophication, endangering coastal habitats, and diminishing fish stocks. Studies also suggest that upstream agricultural drainage leads to sediment accumulation – up to one meter in some estuaries – disrupting water flow and degrading the habitat[78]. Further, another research has linked fertilizer runoff from the Yaqui Valley to frequent and violent algae blooms in the Gulf of California. These blooms endanger shellfish, shrimp, and marine biodiversity in general[79].

Yaqui fishers directly witness the effects of decades of agricultural runoff: mangrove loss, change in river flow, changing biodiversity. In response, the Bahía de Lobos fishing community advocates for environmental remediation. They have documented that approximately 400,000 liters of agrochemicals are used annually in nearby agriculture, contributing heavily to aquatic contamination. The community has formally requested that Collector Drain No. 2 be rerouted, proposing the creation of an oxidation lagoon to filter effluent and protect coastal ecosystems. Moreover, the agrochemical runoff is coupled with increasing foreign operations such as shrimp aquaculture ponds and saltworks, further disrupting the aquatic ecosystems and threatening Yaquis' livelihoods. Consequently, Yaqui's fishing community demands a wider, more comprehensive response to the environmental degradation of its waters.

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REGIONAL RECOMMENDATIONS

Section 8 of the SSF Guidelines

- States should develop and implement **climate adaptation plans** tailored to the realities of each coastal and marine region.
- States should facilitate **awareness-raising activities**, particularly among youth, on the impacts of climate change and foster **community-level adaptation strategies.**
- States should invest in **economic resilience tools** (e.g. insurance, processing methods) to help SSF and Indigenous Peoples withstand climate-related shocks.
- States should establish specific **insurance programs** for SSF and Indigenous Peoples to economically recover from natural disasters.
- States should organize and adequately fund **training programs on fish processing techniques** - including salting, drying, and smoking - together with capacity building on marketing strategies for such value-added products. These initiatives will create sustainable supplementary livelihood opportunities for fishers, thereby enhancing their economic resilience and enabling them to better withstand the impacts of natural disasters.

Source: Pexels

CONCLUSION

Source: Pexels

The SSF Guidelines represent a transformative tool to address the significant challenges faced by SSF worldwide, particularly in LAC, where SSF communities and Indigenous Peoples are vital to Food Sovereignty, food security, livelihoods, and environmental stewardship. The implementation of the SSF Guidelines is essential for safeguarding the rights and well-being of SSF and Indigenous Peoples, promoting inclusive governance and ensuring the sustainable management of marine resources, upholding women's rights in fisheries, fostering welfare and decent work policies, and enhancing the climate resilience of aquatic ecosystems.

This report highlights varying degrees of alignment of national policies across the LAC region with these Guidelines, particularly in relation to Sections 5, 6, 7, and 8. Notable examples of participatory co-management of fishery resources have proven to successfully respect and uphold the human rights of SSF communities and Indigenous Peoples while also promoting protection and regeneration efforts of aquatic ecosystems. However, this report paints a bleak picture in relation to violations of customary tenure rights, environmental degradation by the expanding aquaculture industry, gaps in social protection and gender equality and equity in national fisheries policies, lack of climate adaptation and mitigation policies. As illustrated in the report, many SSF communities and Indigenous Peoples still face persistent obstacles. These include, inter alia, insufficient infrastructure, restricted market access, overfishing by foreign or industrial fleets, the expansion of aquaculture ponds, lack of access to healthcare and higher education, and the exclusion of women and Indigenous Peoples' knowledge from decision-making processes.

The report's recommendations stress the urgent need for state action to reverse these negative trends affecting SSF communities and Indigenous Peoples. Crucially, the report calls for a human rights-based approach that acknowledges the fundamental role of SSF communities and Indigenous Peoples in co-managing the SSF. Empowering them to engage in policy development, advancing gender inclusivity, and incorporating their ecological knowledge into sustainable practices are vital steps toward securing the long-term viability of SSF.

Governments, grassroots movements, NGOs and academia must work collaboratively to broaden the implementation of the SSF Guidelines and enable SSF to take the lead in managing their own territories. These coordinated efforts are essential for fostering a sustainable and equitable SSF that not only supports livelihoods of millions but also safeguards aquatic ecosystems for future generations. The recommendations in this report are the result of a comprehensive assessment of the status and challenges faced by SSF and Indigenous Peoples across LAC. Participants from the Regional Advisory Group of LAC engaged in tireless discussions to identify common ground and develop strategies to advance the implementation of the SSF Guidelines at the regional level. This report represents a first step in demonstrating their commitment to this immense task.

REGIONAL RECOMMENDATIONS TO STATES

- States should protect and sustainably manage SSF by expanding **exclusive small-scale fishing zones** to at least 10 miles, enforcing compliance through clear sanctions, and strengthening **participatory co-management** that empowers right holders across the value chain.
- States should strengthen **social protection** for SSF by ensuring access to health services, unemployment schemes, maternity leave, pensions, and direct credit systems.
- States should integrate a **gender perspective** in fisheries governance by ensuring women's inclusion in decision-making and recognizing their key roles across the SSF value chain.
- States should enhance the **climate resilience** of fishing communities and Indigenous Peoples by adopting tailored adaptation plans, promoting awareness, and investing in economic tools - such as insurance and value-added livelihoods - for SSF and Indigenous Peoples.
- States should adopt a specific **legal framework for SSF** that formally recognizes them as distinct from the industrial sector, and ensures their management is governed through a human rights-based approach.
- States should ensure easy and free **access to fishing licences**. The licenses should be valid for at least 10 years to prevent bureaucratization of SSF. Licences should be tied to individuals or communities rather than vessels
- **Fisheries registries** should be updated every three years to include new fishers and support generational renewal.
- States should promote **generational renewal** through accessible and updated fisheries registries and a promotion, as well as dedicated subsidies or loans for young SSF.
- States should integrate **fisheries education** into school curricula, especially in fishing communities, including topics such as marine biodiversity, traditional fisheries practices, customary tenure rights, sustainable fishing gear options.
- States should ensure the **effective participation of SSF representatives, Indigenous Peoples** and civil society organizations in the development of fisheries policies and programs at national level. The participation should include public consultations, hearings, and permanent working groups.
- States should enhance coordination among ministries and public institutions responsible for SSF by establishing **inter-institutional coordination** mechanisms and developing joint action plans to ensure coherent laws, policies, and programs.
- States should fund **fisheries research agendas** that apply participatory action research (PAR) and other participatory methods to ensure the inclusion of SSF' and Indigenous Peoples' traditional knowledge and priorities.
- States should consult with small-scale fishing communities and/or Indigenous Peoples before approving a development project or handing concessions or permits to non-local organizations, following the principle of **Prior, Free and Informed Consent** (FPIC).
- States should invest in **free access post-harvest infrastructure,** including cold storage, processing facilities, boat repair facilities, and direct-sale markets, to add value to SSF products and improve incomes, and to align investments with local needs, States should ensure **prior community consultations.**
- States should support **training and technical assistance** for fishers in business skills, maintenance and management of post-harvest infrastructure, and value addition.

IPC members of the Latin America and the Caribbean Regional Advisory Group