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COMMITTEE ON FISHERIES

Thirtieth Session

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Update on the Development of International Guidelines for Securing Sustainable Small-Scale Fisheries

Executive Summary

During its Twenty-ninth Session, the Committee of Fisheries (COFI) welcomed the conclusions and recommendations stemming from an extensive process of stakeholder consultations and approved the development of a new international instrument on small-scale fisheries (SSF) in the form of international guidelines ('Guidelines'). This document reports on the outcomes of the consultative processes that have taken place since the last Committee Session, in particular the regional and national workshops to advance the development of the Guidelines. It also proposes the way forward in the development and implementation of the Guidelines.

The Committee is invited to:

- note the steps taken so far in the Guidelines development process and provide guidance on further consultations and the conduct and funding of the formal negotiation process;
- advise on the modalities of engagement by CSOs in the scheduled intergovernmental technical consultation taking note of the practices of the reformed CFS as applied in the recent negotiations of the Voluntary Guidelines on the Responsible Governance of Tenure to Land, Fisheries and Forests in the Context of National Food Security (VG-Tenure);
- recommend how to facilitate the future implementation of the Guidelines including through the development of specific implementation strategies at various levels and the mobilization of extrabudgetary resources; and
- propose other activities to be undertaken by FAO and its development partners in relation to securing sustainable small-scale fisheries.

INTRODUCTION

1. During its Twenty-ninth Session the Committee of Fisheries (COFI) welcomed the conclusions and recommendations stemming from an extensive process of consultations and approved the development of international guidelines on small-scale fisheries. They should address both inland and marine fisheries, focus on the needs of developing countries, draw on relevant existing instruments and complement the Code of Conduct for Responsible Fisheries (CCRF).
2. The Committee also agreed to the establishment and implementation of a global assistance programme to support the development and implementation of the Guidelines. More specifically, it would include provisions for (i) the development of the instrument, including stakeholder and expert consultations and inputs, and (ii) direct support to small-scale fisheries in line with the principles and contents of the Guidelines. The programme would be based on relevant components as described in the COFI/2011/8 paper¹ and draw on the outcomes of the global and regional consultations.
3. The consultations and related capacity development activities have benefitted from the support of various entities and programmes. These include the SSF-related components of FAO's Extrabudgetary Programme on Fisheries and Aquaculture for Poverty Alleviation and Food Security funded through the FAO Multi-Partner Programme Support Mechanism (FMM), the FAO Regional Fisheries Livelihood Programme for South and Southeast Asia (RFLP) funded by Government of Spain, dedicated funding for the Guidelines consultation process made available by the Norwegian Agency for Development Cooperation (NORAD) and the Yeosu Project of the Government of the Republic of Korea, co-organizers of regional consultations, namely the Sultanate of Oman and the South Pacific Community, and the Governments of Cambodia and Malawi for in-depth national consultative processes. FMM receives funding from Netherlands and Sweden.

TOWARDS INTERNATIONAL GUIDELINES ON SMALL-SCALE FISHERIES

4. FAO has developed dedicated web pages² (in English, French, Spanish and Arabic) that describe the history, purpose and suggested development process of the Guidelines. Links to relevant documentation are also provided at these web pages.
5. In July 2011, FAO published a discussion document: Towards Voluntary Guidelines on Securing Sustainable Small-Scale Fisheries consolidating consultation and discussion outcomes so far and constituting a reference document for use as an input into the continued consultations and the development of the Guidelines in accordance with the COFI recommendations. The document provides some overall considerations and outlines the possible thematic coverage of the Guidelines. It briefly describes the intended content for each thematic area, proposes elements for consideration in the text and provides additional comments, information, sources and ideas that intend to help the development of the Guidelines draft text.
6. The process leading up to the decision to develop the Guidelines emphasized that any related consultative process should be participatory, involving governments, regional organisations, civil society organisations, and small-scale fishers, fish workers and their communities. This inclusive approach should ensure that the Guidelines represent a shared vision and include issues relevant to all stakeholders.
7. The Guidelines should facilitate the empowerment and mobilization of stakeholders to promote change towards sustainable small-scale fisheries through improved governance and development. This process needs strong catalysts and follow-up to stimulate lasting and efficient change. The role of communities, Civil Society Organizations (CSOs) and other related stakeholders in promoting and leading these efforts is essential.

¹ Good practices in the governance of small-scale fisheries: Sharing of experiences and lessons learned in responsible fisheries for social and economic development

² <http://www.fao.org/fishery/ssf/guidelines/en>

CIVIL SOCIETY ORGANIZATIONS-LED CONSULTATIONS

8. The Guidelines development process is fully supported by fishers and fish workers worldwide who have pledged their engagement and commitment through their civil CSOs including the International Collective in Support of Fish workers (ICSF), World Forum of Fish Workers and Fish Harvesters (WFF), World Forum of Fisher Peoples (WFFP), and with the support of the International Planning Committee on Food Sovereignty (IPC).

9. With the help of extra-budgetary funding, FAO has actively supported CSO stakeholder consultations on the Guidelines. Between September 2011 and March 2012, CSOs have held twelve national-level consultations³ and one regional consultation in West Africa⁴. A summary report of the outcome of these meetings has been prepared by the CSO consortium for information of COFI delegations and individual workshop reports and recommendations are available on the Internet⁵.

10. The CSO consultations have contributed to raising the profile of small-scale fisheries nationally and to strengthen small-scale fisheries organizations, both of which will facilitate implementation of the Guidelines. Cross-sections of the often diverse small-scale fisheries sectors covering marine as well as inland fisheries were represented in these meetings which also enhanced communication between CSOs and government. The consultations recognized the importance of the Guidelines and the need for all concerned parties to lobby state institutions at all levels to build political will for their adoption and implementation. Some of the important issues raised in the consultations included the following:

- There is recognition of the serious resources management challenges facing small-scale fisheries and of the close interrelationship between biodiversity and ecosystem conservation and the health and livelihoods of artisanal fishing communities.
- Fisheries governance needs to be improved and support is required for the establishment and strengthening of fish workers' associations that represent communities and groups in decision-making processes.
- There is a need to defend exclusive artisanal fishing areas, to guarantee the rights of fishing communities to land for housing and for fishery-related activities and in general protect customary collective rights.
- In general, fishing communities should be vested with greater rights to manage resources, including in national parks and sanctuaries. There is a need to provide better access to information on existing rights that protect fishing communities as well as access to relevant institutions, particularly the legal systems. Access rights to resources greatly depend on knowledge and on being able to use the relevant legal instruments. The participation of fishers in research and the use of traditional knowledge, adding transparency and legitimacy to processes, were also recurrent themes in the discussions.
- Unselective fishing methods should be discouraged and restricted to areas beyond a certain distance from the shore and destructive practices should be entirely phased out. To avoid a continuation of the build up of redundant fishing capacity, the construction of new industrial-types of vessels (e.g. trawlers and purse-seiners) should be regulated.

³ Brazil, Costa Rica, El Salvador, Honduras, India, Nicaragua, Panama, Pakistan, South Africa, Sri Lanka, Uganda, Thailand.

⁴ Two related events were held: (i) World Fisheries Day - The African Workshop on Securing Sustainable Small Scale Fisheries hosted and organized by African Confederation of Professional Artisanal Fisheries Organizations (CAOPA), ICSF, Mbour, Senegal, Association for the Promotion of Responsible Fisheries (APRAPAM) and Coalition of Economic Groupings from the Mbour Fish Landing Centre (CPPAM); (ii) Workshop on transparency in the African marine fisheries sector organised by CAOPA, ICSF, Swedish Society for Nature Conservation (SSNC), Transparent Sea (NGO), West African Regional Marine and Coastal Conservation Programme (PRCM) [IUCN, WWF, FIBA, CRSP], and Church Development Service (EED).

⁵ <https://sites.google.com/site/smallscalefisheries/>

- The post-harvest sector was seen as critical for livelihood security, especially for women, and fish marketing should receive greater attention. Decent labour conditions and fair wages should prevail in the processing industry.
- Industries should be regulated that negatively affect coastal biodiversity and livelihoods of small-scale fisheries including coastal aquaculture.
- The growing threats from illicit activities affecting small-scale fishing communities should be urgently addressed.
- The need for adequate legal systems – reflecting human rights commitments – and access by small-scale fishers and fish workers to justice. Whistle blowers of human rights violations need to be protected.
- The provision of social security (health and retirement benefits) and basic amenities such as water, education and health including HIV/AIDS prevention and treatment services are important for ensuring healthy fishing communities.
- In order to raise awareness and facilitate implementation the Guidelines should be translated into national and local languages and disseminated widely. Moreover, fishing communities should be involved in the regular monitoring and reviews of the implementation of the Guidelines.

GOVERNMENT-LED CONSULTATIONS

11. FAO collaborated with Cambodia's Fisheries Administration (FiA), Ministry of Agriculture, Forestry and Fisheries, in participatory assessments of Cambodia's Community Fisheries (CFi). Since 2000, Cambodia reallocated fifty percent of the individually owned fishing lot area in the Tonle Sap Lake to community fisheries centres. This resulted in a deliberate "small-scaling" of the fishery, giving it a greater community-oriented focus. Supported by FAO and others, FiA took steps to assist communities in their collective efforts to gain control over the fishery and other natural resources – a co-management arrangement allowing fishing communities to participate in fisheries management.

12. The purpose of the in depth community consultations covering more than ten percent of CFi was to make an appraisal of the profile of their members, to assess their views about the functioning of the CFi, to give directions for future CFi actions and to contribute to the SSF Guidelines development process. Community fisheries arrangements have helped to build trust and foster cooperation between people in the villages. Human capacity development, including leadership training, has been a key factor for the success of CFi as it expanded participation, enhanced skills to improve livelihoods and fisheries management.

13. As part of the Cambodian consultation process, child labour issues and how to tackle them were addressed. Concrete actions that should be taken to tackle child labour in small-scale fisheries include broad-based awareness raising through media campaigns, the establishment of community teams responsible for child labour issues, and improving the knowledge base on the incidence of child labour in fisheries and aquaculture.

14. At the time of preparing this document, preparations were ongoing for similar community and national level in depth consultations in Malawi. An institutional analysis of the fisheries sector was conducted there in 2011. The results of this analysis will inform an extensive national consultation process on the SSF Guidelines starting in April 2012. It will be preceded by a capacity development phase.

15. FAO has organized regional consultations for the Near East and North Africa Region in March 2012 and for the Pacific in June 2012. These consultations were kindly hosted and co-organized by the Sultanate of Oman and the Secretariat of the Pacific Community (SPC). The reports of these consultations have been made available to delegations.

16. FAO has also used the opportunity of various national and regional events to raise awareness on the guidelines development process and receive feedback from a wide range of stakeholders. These

included national workshops on artisanal fisheries in Morocco and Tunisia, and regional conferences and workshops, for example held by ASEAN-SEAFDEC⁶, FAO-NEPAD⁷, and FAO⁸.

17. While the situation and circumstances are somewhat different in different regions and countries there were several communalities among the outcomes generated by these various events. The following, inter alia, was noted:

- Awareness raising – about the small-scale fisheries sector in general and about the Guidelines in particular – is important. The Guidelines need to be anchored at all scales and levels and enhanced political will and commitment sought.
- Data and information are generally lacking, which makes awareness raising more difficult. Efforts are needed to remedy this gap and to ensure that data accurately state the importance of small-scale fisheries.

18. Organisational development and capacity are key to involving small-scale fishers and fish workers both in the Guidelines development and implementation process and to allow them to influence their own development and livelihoods. In some cases, support to developing alternative livelihood activities could be needed but when small-scale fishers and fish workers want to continue in their profession this wish should be respected and adequately recognised in fisheries management regimes.

19. There were concerns expressed with regard to overfishing, IUU fishing and destructive fishing practices and a call for the Guidelines to address these issues. In parallel, small-scale fisheries communities need to have access to social services such as education, health and social security. At the regional level, the necessity to consider migration and recognise the rights of migrants was brought up. Special consideration should be given to vulnerable groups, including those affected by disasters and emergencies – both natural and manmade. The need for how to involve small-scale fishers and fish workers in regional policy processes was noticed as well as the importance of transparency.

EXPERT WORKSHOP

20. On 7-10 February 2012, FAO organized an Expert Workshop on International Guidelines on Securing Sustainable Small-scale Fisheries in FAO Headquarters, Rome. It brought together about 30 experts from government, regional organizations, civil society and academia to further discuss the overall considerations and the thematic coverage of the Guidelines and to consolidate ideas put forth in the regional and national consultations. The discussions confirmed that the overarching key guiding principles of the Guidelines should include good governance and human rights. Additional important principles, approaches and frameworks to be referred to include subsidiarity, equity, economic viability, ecosystem based, holistic and integrated approaches. Other important concepts are interactivity, adaptability and implementability. The Guidelines should complement the CCRF and draw on its principles and approaches.

21. Participants encouraged continued and strengthened collaboration and partnerships, both with regard to the development of the Guidelines as well as for their implementation. It will be crucial to develop, in parallel with the drafting of the Guidelines themselves, a strategy for how to move towards implementation and seek funding for the application of the Guidelines in developing countries.⁹

22. The workshop noted the need to build bridges between different stakeholder visions – within the fisheries sector as well as outside – to ensure coherence. It was also suggested that a new vision for how to ensure access to resources by small-scale fishing communities and giving them resource

⁶ ASEAN-SEAFDEC Conference on Sustainable Fisheries for Food Security towards 2020

⁷ Stakeholder consultation meeting of the Programme in support of the implementation of the FAO strategy for fisheries and aquaculture in Africa

⁸ FAO Regional Workshop on the Code of Conduct for Responsible Fisheries in the Caribbean

⁹ Statements of workshop participants are available on You Tube through a link on the dedicated FAO Website (<http://www.fao.org/fishery/ssf/guidelines/en>).

stewardship responsibilities may be needed, reflecting the need for combining livelihood security and environmental sustainability as one cannot be achieved without the other.

23. Participants stressed that the small-scale fisheries sector should not be portrayed as one in need of aid and as being development dependent, but as a real contributor to socio-economic development and livelihood security. The Guidelines should be based on a set of ideals to empower the sector. It will be important to create awareness of the potential of small-scale fisheries – if supported and not marginalized – and to build political will at all levels. The report of this meeting has been made available to delegates.

OTHER DEVELOPMENTS

24. A significant development has been made in the successful conclusion of the negotiations of the Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests in the context of National Food Security (VG-Tenure)¹⁰ by the open-ended working group of the Committee on World Food Security (CFS) in March 2012 and their formal approval by a special session of CFS in May 2012. The VG-Tenure represents an important international consensus as the livelihoods of many, particularly the rural poor, are based on secure and equitable access to and control over these resources including fisheries resources. They are the source of food and shelter; the basis for social, cultural and religious practices; and a central factor in economic growth. The relevance of the VG-Tenure to the Guidelines is self-evident and can hardly be over-emphasized. The fruitful negotiation process of the VG-Tenure benefited from the revised modalities of engagements by CSOs in the work of the reformed CFS.

25. FAO is cooperating too with other partners in the Guidelines development process. In this regard, co-operation has successfully mobilized extrabudgetary funding to support further CSO-consultations through the International Fund for Agricultural Development (IFAD), its Rome-based sister agency. In its 2012 session, IFAD's Farmers Forum deliberated that both IFAD and governments should support the adoption and implementation of the Guidelines. The meeting also recommended a special session on small-scale fisheries during the next Farmers Forum scheduled for early 2014.

26. The UN Special Rapporteur on the right to food, Mr. Olivier De Schutter, during his visit of FAO in January 2012 informed about the preparation of a thematic report on fisheries and the right to food which he will present to the 67th session of the United Nations General Assembly (UNGA) in October 2012. A related roundtable workshop convened by the Special Rapporteur on 2-3 April 2012 in cooperation with the Office of the High Commissioner for Human Rights (OHCHR), the United Nations Environment Programme (UNEP) and FAO examined the contributions and threats of current fisheries policies and practices to the realization of the right to food. The workshop acknowledged the critical importance of the development and effective implementation of the Guidelines in enhancing the contribution of the fisheries sector to the realization of the right to food.

WAY FORWARD

27. FAO has prepared a zero draft of the Guidelines based on the outcomes of the various consultation processes including the expert workshop of February 2012. The purpose of the zero draft is to inform the additional consultative process that will take place within 2012 and feed into the draft Guidelines text that will be prepared in early 2013 and submitted to the formal negotiation process. Regarding the latter, the FAO Secretariat has tentatively scheduled an intergovernmental technical consultation for the period 20-24 May 2013.

28. FAO recommends the development of implementation strategies for the Guidelines at various levels including the local, national and regional levels as well as at the global level. The strategies would spell out the steps and actions needed as well as the related resources that have to be mobilized to effectively implement the Guidelines. In this regard, the agreement of COFI 2011 is recalled for the

¹⁰ <http://www.fao.org/cfs/cfs-home/cfs-land-tenure/en>; <http://www.fao.org/nr/tenure/voluntary-guidelines/en>

establishment and implementation of a global assistance programme that would further support the development and, more importantly, the effective implementation of the Guidelines. The programme would draw on the relevant components of the FAO Extrabudgetary Programme on Fisheries and Aquaculture for Poverty Alleviation and Food Security and include capacity building and empowerment, and communication and outreach among its pillars.