

# Oceans and Sustainable Development: Adopting a Human Rights-based Approach in Small-scale Fisheries

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*Shuddhawati Peke/India*

# Rio+20

- ▶ In order to achieve sustainable development in all its dimensions, in a comprehensive manner, it is important to integrate economic, social and environmental aspects and to recognize their interlinkages
- ▶ Since 1992 there have been areas of insufficient progress and setbacks in the integration of the three dimensions of sustainable development (**This is particularly so in the case of fisheries due to neglect of the social pillar—with too much emphasis on the environmental and economic pillars**)



# Approaches to Sustainable Development

- ▶ Different approaches to achieve sustainable devt. of fisheries in its three dimensions (ecosystem approaches, market-based approaches, etc)
- ▶ Human rights-based approach is one such approach, particularly giving emphasis to the social dimension of sustainable fisheries
- ▶ SSF Guidelines, negotiated and developed by FAO, adopts a human rights-based approach



# SSF Guidelines, 2014

- ▶ Developed to complement the FAO CCRF:
  - Bring social development, employment and decent work as a new focus to empower small-scale fishing communities, particularly the vulnerable and marginalized groups, to enjoy their human rights
  - Draw attention to gender equality and equity, especially to address discrimination against women in the full range of activities along the value chain
  - Raise awareness about disaster risks and climate change, especially to understand their implications for food security, nutrition, housing and livelihoods



# Small-scale Fishing Communities

- ▶ Coastal communities most dependent on oceans and seas for a livelihood
- ▶ Small-scale fishing communities, both men and women, contribute significantly to employment, poverty eradication, nutrition and food security along the value chain but remain marginalized; their contributions are not adequately recognized
- ▶ Enjoying economic, social and environmental benefits of sustainable development is a basic right of small-scale fishing communities



*Neena Koshy/India*



*Naina Pierri/Brazil*



*Noor Aida /Indonesia*



*APRAPAM/Senegal*




*Kenya/ICSF*



*Prasad/ICM/India*

# SSF Guidelines and a Human Rights-based Approach

- ▶ Human rights of all individuals dependent on small-scale fisheries should be recognized in accordance with international human rights standards
  - ▶ Non-state actors should respect human rights of fishing communities
  - ▶ Existing forms of organizations, traditional and local knowledge and sustainable practices of small-scale fishing communities should be respected and incorporated into decision-making processes
  - ▶ All kinds of discrimination in policies and practice should be eliminated
  - ▶ A social safety net should be provided to fishers and fishworkers, including migrants, children, women in fishing communities
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# Human Rights Standards

- ▶ Universal and inalienable
- ▶ Interdependent, indivisible and interrelated
- ▶ Non-discrimination and equality
- ▶ Obligations of States to respect, protect, and fulfil human rights



# Benefits of a Human Rights-based Approach in Fisheries 1

- ▶ Brings greater recognition to the human rights and fundamental freedoms of members of fishing communities, workers, indigenous peoples, and women (individual and collective rights)
- ▶ Renders greater visibility to small-scale fishing communities, both men and women, their contribution to global food security and nutrition
- ▶ Empowers and encourages them to participate in decision-making processes on their own free will, and to assume responsibilities for sustainable use of fishery resources



# Benefits of a Human Rights-based Approach in Fisheries 2

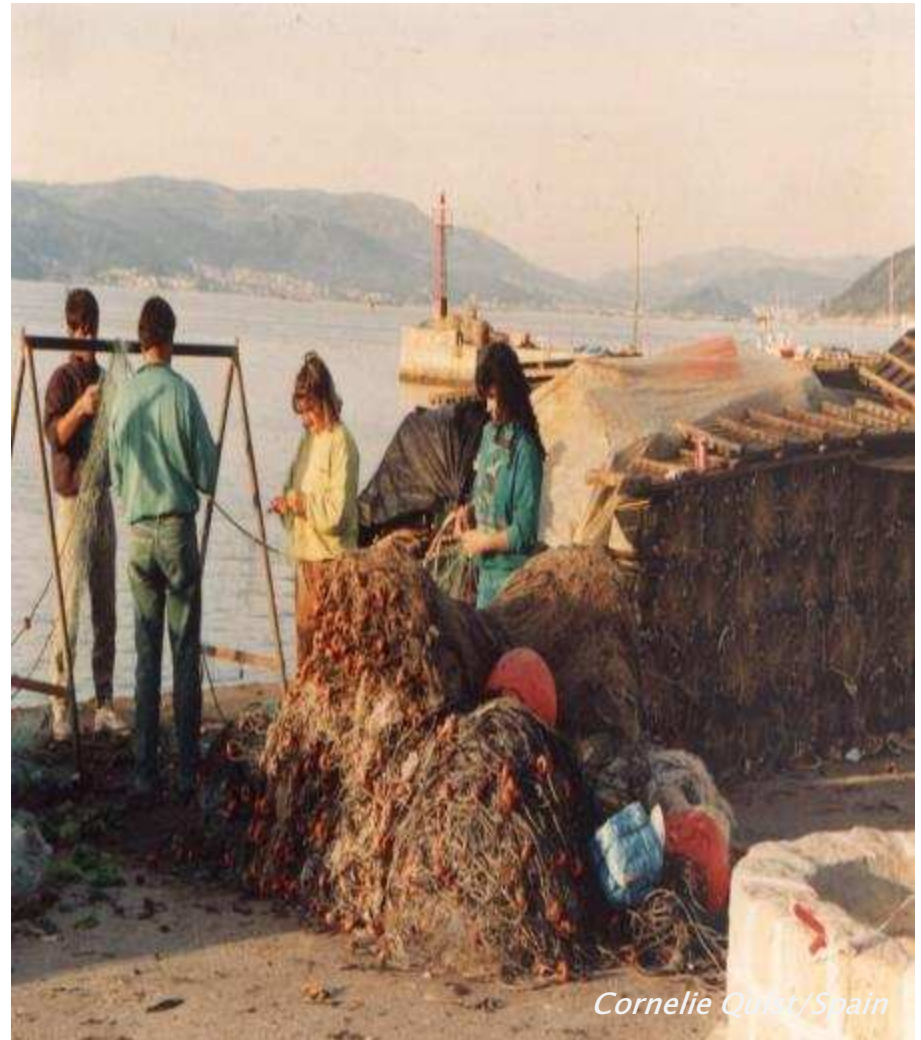
- ▶ Community adherence to adopting responsible fisheries standards (precautionary approach, an ecosystem approach to fisheries, risk management, etc) towards environmental, economic, and social sustainability in relation to fisheries and biodiversity



*Romain Le Bleis/Sierra Leone*

# Benefits of a Human Rights-based Approach in Fisheries 3

- ▶ Congruence between duty-bearing State, fishing communities, non-State parties and other stakeholders to meet their obligations could contribute to better integration of the three dimensions of sustainable development inter alia in the context of oceans and seas, particularly fisheries



*Cornelie Quist/Spain*

# Realizing a Human Rights–based Approach in Fisheries

- ▶ Governance of tenure: Small–scale fishing communities to have secure tenure rights to the resources that form the basis for their social and cultural wellbeing
- ▶ Governance reforms: Create/strengthen mechanisms, processes and institutions through which fishing communities and other stakeholders can “articulate their interests, exercise their legal rights, meet their obligations and mediate their differences” (UNDP)—**these elements need to be present in a balanced manner at various levels**



# What is unique about the SSF Guidelines?

- ▶ The first negotiated international instrument exclusively for small-scale fisheries
- ▶ Adoption of an inclusive approach, particularly to benefit the vulnerable and marginalized groups, towards poverty eradication and food security
- ▶ Ground-up development process of the Guidelines:
  - Active involvement of CSOs/NGOs, led by WFF, WFFP, ICSF and IPC, in discussing the Zero Draft during 2011–12 and in the negotiations in Rome during 2013–14
  - Combined stakeholder participation in developing these Guidelines is estimated to be 4000 across four regions and over 50 countries



# Implementing the SSF Guidelines

- ▶ Several developing countries and regional fisheries bodies are in the process of implementing or otherwise applying the Guidelines (e.g. Brazil, Costa Rica, Myanmar, India, Indonesia, Mauritania, Senegal, Thailand, OSPESCA)
- ▶ CSOs/NGOs have already held several implementation workshops
- ▶ ICSF–BOBLME Workshops held in India, Myanmar and Thailand early this year to contextualize the SSF Guidelines for implementation at national and subnational levels



# In conclusion

- ▶ Based on the SSF Guidelines a human rights approach in all maritime activities should be developed
- ▶ Other approaches to sustainable development of oceans and seas should be made coherent with a human rights approach
- ▶ Adopting such an approach can address setbacks in the integration of the three dimensions of sustainable development



# Human Rights of Fishing Communities

- ▶ “Adopting a human rights approach for improving the life and livelihoods of fishing communities – and indeed all marginalized groups – is not really a matter of choice but an obligation”

*-- Chandrika Sharma, Executive Secretary, International Collective in Support of Fishworkers (ICSF), at the Global Conference on Small-scale Fisheries, Bangkok, 2008*





## KEEPING QUIET

by Pablo Neruda

Now we will count to twelve  
and we will all keep still.

For once on the face of the earth,  
let's not speak in any language;  
let's stop for one second,  
and not move our arms so much.

It would be an exotic moment  
without rush, without engines;  
we would all be together  
in a sudden strangeness.

Fisherman in the cold sea  
would not harm whales  
and the man gathering salt  
would look at his hurt hands.

Those who prepare green wars,  
wars with gas, wars with fire,  
victories with no survivors,  
would put on clean clothes  
and walk about with their brothers  
in the shade, doing nothing.

What I want should not be confused  
with total inactivity.  
Life is what it is about;  
I want no truck with death.

If we were not so single-minded  
about keeping our lives moving,  
and for once could do nothing,  
perhaps a huge silence  
might interrupt this sadness  
of never understanding ourselves  
and of threatening ourselves with death.  
Perhaps the earth can teach us  
as when everything seems dead  
and later proves to be alive.

Now I'll count up to twelve  
and you keep quiet and I will go.

FROM ULTRAMARINE (TRANSLATED BY KENNETH S. GRANT), PP. 27-28 (1931)

ICSF

Thank you

